



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

January 24, 2013

JACKSON COUNTY
MERILLAT INDUSTRIES
DMWM/SEDO
OHD081120539

Mr. Robert Allen
Merillat Industries, Inc.
960 East Main Street
Jackson, Ohio 45640

Dear Mr. Allen:

On January 9, 2013, Ohio EPA inspected Merillat Industries in Jackson, Ohio. The purpose of the inspection was to determine compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). This letter will explain violations I found, what you need to do to respond to the violations, and my requests for additional information.

I found the following violations of Ohio's hazardous waste laws:

1. **Ohio Revised Code (ORC) § 3734.02(E) and (F), Establishing and Operating a Hazardous Waste Facility:** (E) No person shall establish or operate a hazardous waste facility without a hazardous waste facility installation and operation permit. (F) No person shall treat, store or dispose of hazardous waste or transport or cause hazardous waste to be transported to any other premises except to or at a hazardous waste permitted facility (TSD). "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, emitting, or placing of any solid wastes or hazardous waste into or on any land or ground or surface water **or into the air.**

Merillat established and operated a hazardous waste disposal facility without a hazardous waste installation and operation permit, in violation of ORC § 3734.02(E) and (F), by disposing of hazardous waste into the air. Merillat air dries coating line filters (D035) in order to reduce the concentration of methyl ethyl ketone in the filters prior to disposing of them as a hazardous waste. During the inspection, a coating line filter was observed "air drying" on a hook in the paint room above a hazardous waste drum in which it would later be placed. Merillat stated that waste in the filter is allowed to evaporate prior to disposal because if placed in the drum without this procedure, the filters will spontaneously combust when crushed in the waste drum. Note that based on this assessment by Merillat, the filters are also an ignitable (D001) hazardous waste.

Merillat should also note that in addition to violation of ORC 3734.02(E) and (F), they may also be violating the federal RCRA subpart AA, BB and CC rules for

organic air emissions. These regulations are currently enforced by USEPA as Ohio EPA has not yet adopted them.

Merillat must take immediate steps to cease disposal of hazardous waste via evaporation, and must submit a description of how spent filters will be managed in accordance with Ohio hazardous waste regulations.

Please be advised that due to the nature of the violations Ohio EPA may take escalated enforcement action against Merillat. In addition, because Merillat has violated ORC §3734.02(E) and (F), Merillat is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have Merillat begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

- 2. OAC 3745-65-52(A), Content of Contingency Plan:** The contingency plan must describe the actions facility personnel must take to comply with OAC Rule 3745-65-51 and 3745-65-56 in response to fires, explosions, and sudden and non-sudden releases of hazardous waste or constituents to air, soil and surface water at the facility.

Merillat's contingency plan failed to:

- a. State that the plan would be implemented in response to a fire, explosion or release. Merillat's plan instead stated that it would be implemented should a reportable quantity be released. (OAC 3745-65-52 (A))
- b. State that Ohio EPA would be immediately notified when there was an emergency situation consisting of imminent or actual harm or hazard to human health and the environment. (OAC 3745-65-56 (A)(2))
- c. State that Ohio EPA would be notified with a follow up written report to the Director within fifteen days after the incident (OAC 3745-65-56 (I))

In order to abate this violation, Merillat must revise the affected pages of their contingency plan per the above-cited rules and submit them to this office for review. Once this violation has been abated, please note that Merillat must then comply with OAC 3745-65-53, Copies of Contingency Plan.

GENERAL COMMENTS

- A.** During the inspection, Ohio EPA observed that several rows of drums under roof in the 90-day hazardous waste accumulation building, nearest to the open side of the building, were sitting in a large pool of water. We identified a hole in a gutter that was causing rain water to pool on the ground outside the concrete half-wall of the building and enter the building. It appears that this has been a problem for quite some time, as the water inside the building contained algae. We recommended that actions be taken to repair the gutter and re-caulk the cement wall. Following the inspection, Merillat submitted an email stating that repairs had been made. It is recommended that Merillat include an item on its weekly inspection checklist for this building to ensure

Merillat Industries

January 24, 2013

Page 3

that any such conditions that impact the management of drums are noted and corrected in a timely manner.

- B. Merillat should revise its fire extinguisher inspection procedure to ensure that the procedure reflects whether the extinguishers will assure proper operation. The checklist includes the volume of carbon dioxide contained inside each fire extinguishers but does not clearly state that the volume contained is adequate.
- C. Merillat can find a list of recyclers of alkaline batteries at:

<http://epawebapps.epa.state.oh.us/Recyclers/jsp/results.jsp>

You must immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within **21 days** of the date of this letter, you are requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to donna.goodman@epa.state.oh.us.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, you are requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Enclosed, you will find a copy of the checklists that were completed as a result of the inspection. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. If you have any questions, please contact me by telephone at (740) 380-5293 or by e-mail at donna.goodman@epa.state.oh.us.

Sincerely,

Donna Goodman

Donna Goodman
Inspector
Division of Materials and Waste Management

Enclosure

DG/mr

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.

| | | |
|--|---|-----------------------|
| Send to Central Office <input type="checkbox"/> | Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM | For Ohio EPA use only |
|--|---|-----------------------|

Completed verification forms required to be submitted to CO should be e-mailed to RCRAInfoData@epa.ohio.gov

| | | |
|--|---|------------------------|
| Site EPA ID No. | EPA ID Number: OHD081280539 | |
| Site Name | Name: Merillat Industries | Website: (Optional) |
| Site Location Information | Street Address: 960 East Main Street | |
| | City, Town, or Village: Jackson | State: OH |
| | County Name: JACKSON | Zip Code: 45640 |
| Site Land Type (check only one) | Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> | |
| NAICS code(s) www.census.gov/epcd/www/naics.html | 337110 | |

| | | | |
|---|--|-------------------------|-------------------------|
| Facility Representative | First Name: Robert | MI: | Last Name: Allen |
| Additional names can be recorded in number 12 | Title: Safety, Health and Environmental Coordinator | | |
| | Phone Number: 740-286-7733 | Phone Number Extension: | |
| Only provide address information if it is different than the site address | E-Mail Address: robert.allen@mascocabinetry.com | | |
| | Fax Number: | Fax Number Extension: | |
| | Street or P.O. Box: | | |
| | City, Town or Village: | | |
| | State: OH | Zip Code: | |

| | | | | |
|---|--|---|---------------------------------------|------------------------|
| Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page | Name of Site's Legal Owner: MASCO Cabinetry | | Date Became Owner (mm/dd/yyyy): | |
| | Owner Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District | Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> | | |
| | Street or P.O. Box: 21001 Van Born Road | | | |
| | City, Town or Village: Taylor | | Owner Phone #: 313-274-7400 | |
| | State: MI | | Country: USA | Zip Code: 48180 |
| | Name of Site's Operator: Merillat Industries | | Date Became Operator (mm/dd/yyyy): | |
| | Operator Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District | Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> | | |
| | Street or P.O. Box: | | | |
| | City, Town or Village: | | Operator Phone #: | |
| | State: | Country | Zip Code: | |

| | |
|--------------------------|---|
| VIOLATIONS CITED? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--------------------------|---|

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

| | | |
|---|--|--|
| <input type="checkbox"/> Not a HW Generator | <input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment. | <input checked="" type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator |
|---|--|--|

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

| | |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace |
| <input type="checkbox"/> Hazardous Waste Transfer Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Underground Injection Control Facility |
| <input type="checkbox"/> 72-Hour Recycler | <input type="checkbox"/> Receives Hazardous Waste from Off-site |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

| | |
|--|---|
| <input type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more) | |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

Batteries
 Pesticides
 Mercury containing equipment
 Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

Used Oil Generator
 Used Oil Transporter
 Used Oil Transfer Facility
 Used Oil Processor
 Used Oil Re-refiner
 Off-Specification Used Oil Burner
 Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

College or University
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
 Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

| | | | | |
|---|---|--|--------------------------------------|--|
| D001 | D035 | F003 | F005 | |
| COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC. | | | | |
| Announced | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Additional Facility Representatives: | |
| Tanks | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | | |
| Containers | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | | |

| | | |
|--|---|---|
| Name of Inspector(s) Donna Goodman | Name of Inspector(s) Rich Stewart | Date of Inspection/Time (mm/dd/yyyy) (hh:mm) 1/9/2013 9:30 AM |
|--|---|---|

Comments:

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Merillat Industries **Facility Type:** LQG **Date of Inspection:** 01/09/2013 **EPA ID#:** OHD081280539

| Waste Generated | | | On- or Off-Site Management | | P2 Activities | |
|---|--|--|---|---|--|------------------|
| Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc) | Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic. | QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area | Type of On-Site Treatment (recycle, wwt, etc) | Name, state, and type of activity occurring at the off-site facility. | Current P2 Activities | P2 Opportunities |
| 1 | Cleaning of Roll Coat Line, Flat Line and Molding Line | Spent Solvent D001/D035/F003/F005 | 8-10 drums in 90 day HW accumulation bldg. | Recycled in still 3x prior to disposal | Clean Harbors, Cincinnati, OH Fuel blending | Fuel blending |
| 2 | Cleaning of coating lines | Paint chips D001/D035 | 6 drums per month in 90 day HW accum bldg | | Clean Harbors, Cincinnati, OH incineration | |
| 3 | Soaking brushes from cleaning of coating lines | Spent solvent from soak tank | Approximately 150 gallons twice/year to solvent still | Recycled in still 3 x prior to disposal | Clean Harbors, Cincinnati, OH Fuel blending | |
| 4 | Cleaning of coating lines | Contaminated PPE (not in contact with spent solvents) and filters D035 | 1-2 drums per month in 90 day HW accum. bldg | | Clean Harbors, Cincinnati, OH incineration | |
| 5 | Distillation/Solvent recycling | Still bottoms D001/D035/F001/F005 | 2-4 drums/month in 90 day HW accum. bldg. | | Clean Harbors, Cincinnati, OH Fuel blending | Fuel blending |
| 6 | General operations | Scrap metal | 1500 lb/mo in semi trailer at recycling dock | | Rumpke Recycling Chillicothe | recycled |
| 7 | Vehicle and Equipment Maintenance | Used oil | 4-5 drums per yr in 90 day HW accum bldg | | Clean Harbors, Cinti, fuel blending | Fuel blending |
| 8 | Vehicle and Equipment Maint. | Spent antifreeze | 1 drum per yr in 90 day HW accum. bldg | | Safety Kleen | recycled |

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Merillat Industries Facility Type: LQG Date of Inspection: 01/09/2013 EPA ID#: OHD081280539

| Waste Generated | | | On- or Off-Site Management | | P2 Activities | |
|---|--|--|--|--|-----------------------------|------------------|
| Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc) | Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic. | QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area | Type of On-Site Treatment (recycle, wwt, etc) | Name, state, and type of activity occurring at the off-site facility. | Current P2 Activities | P2 Opportunities |
| 9 General operations | Aerosol cans D001/D036 | SAA drum in 90 day HW accum bldg | | Contents of aerosols to Clean Harbors, Cincinnati, fuel blending; Empty cans to Rumpke, Chillicothe, recycled | Fuel blending and recycling | |
| 10 Water-based coating line | Washwater and spent filters Managed as Non hazardous but need adequate waste evaluation | Washwater is drummed and placed in 90 day HW accum bldg; Filters disposed of as solid waste | | Clean harbors as non haz waste | | |
| 11 Lighting | Spent lamps Non haz | | | Rumpke Recycling Chillicothe | recycled | |
| 12 Forklift Maintenance and emergency lighting | Used batteries recycled | Picked up by battery exchange program, upon generation | | Crown Lift | recycled | |

REMARKS/GENERAL INFORMATION

General Process Information:

Merillat Industries, which is owned by MASCO, employs approximately 180 people in the manufacturing of face frames for wood cabinetry and wood molding. The facility consists of a large production building with ancillary support buildings, most of which are kilns. Rough cut lumber from 50 sawmills arrives and is planed, kiln dried, cut to size and doweled or screwed together. It then enters the finishing process which consists of staining, sealing and top coating. The process is run by the batch which is determined by the size of an order. A new spraybooth applies water-based spray to the edges of frames. Frames and molding are stained and coated with a solvent-based coating. End panels, which are plywood, are coated with a UV process. All coating overspray is recycled back into the process. Each day solvent-based coating lines are cleaned with solvent and scraped by hand. Solids are drummed. Liquid spent solvents from this process are distilled in a solvent distillation unit three times before they are totally spent and must be manifested offsite. Merillat has undergone a waste reduction program as a result of ISO 14001 and has now reduced their hazardous waste generation by 25%.

Regulatory/Enforcement History (if applicable):

The facility was last inspected on December 2, 2008. No violations were found. An NOC letter was sent on December 12, 2008.

Additional P2 remarks and information:

Would this facility be interested in a P2 assessment? Yes* No *If yes, refer promptly to your district P2 coordinator.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html

Other:

**LARGE QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY**

CESQG: ≤100 Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.
NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

GENERAL REQUIREMENTS

| | | |
|----|---|--|
| 1. | Have all wastes generated at the facility been adequately evaluated? [3745-52-11] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 2. | Are records of waste determination being kept for at least 3 years? [3745-52-40(C)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 3. | Has the generator obtained a U.S. EPA identification number? [3745-52-12] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 4. | Were annual reports filed with Ohio EPA on or before March 1 st ? [3745-52-41(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 5. | Are annual reports kept on file for at least 3 years? [3745-52-40(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 6. | Has the generator transported or caused to be transported hazardous waste to other than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 7. | Has the generator disposed of hazardous waste on-site without a permit or at another facility other than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E)&(F)] Company allows hazardous constituents to evaporate from spent filters, which is unpermitted disposal of HW. | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 8. | Does the generator accumulate hazardous waste? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: If the LQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements still apply, e.g., annual reports, manifest, marking, record keeping, LDR, etc.

| | | |
|----|--|--|
| 9. | Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director ORC §3734.02(E)&(F)? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
|----|--|--|

NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G)&(H).

| | | |
|-----|---|--|
| 10. | Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)] | |
| a. | Container that meets 3745-66-70 to 3745-66-77? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| b. | Tank that meets 3745-66-90 to 3745-66-100 except 3745-66-97(C)? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| c. | Drip pads that meet 3745-69-40 to 3745-69-45? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| d. | Containment building that meets 3745-256-100 to 3745-256-102? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

NOTE: Complete appropriate checklist for each unit.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

| | | |
|-----|--|--|
| 11. | Does the generator export hazardous waste? If so: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| a. | Has the generator notified U.S. EPA of export activity? [3745-52-53(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| b. | Has the generator complied with special manifest requirements? [3745-52-54] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| c. | For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| d. | Has an annual report been submitted to U.S. EPA? [3745-52-56] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

| | | |
|---|--|--|
| e. | Are export related documents being maintained on-site? [3745-52-57(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| MANIFEST REQUIREMENTS | | |
| 12. | Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)(1)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 13. | Have items (1) through (20) of each manifest been completed? [3745-52-20(A)(1)]&[3745-52-27(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations items (21) through (35) must also be completed. [3745-52-20(A)(1)]</i> | | |
| 14. | Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: The generator may designate on the manifest one alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)]</i> | | |
| 15. | If the transporter was unable to deliver a shipment of hazardous waste to the designated facility, did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 16. | Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1)&(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity waste they generate.</i> | | |
| 17. | If the generator received a rejected load or residue, did the generator: | |
| a. | Sign item 20 of the new manifest or item 18c of the original manifest? [3745-52-23(F)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| b. | Provide the transporter a copy of the manifest? [3745-52-23(F)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| c. | Send a copy of the manifest to the designated facility that returned the shipment with 30 days after delivery of the rejected shipment? [3745-52-23(F)(3)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 18. | If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter, did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 19. | If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 20. | Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: A generator who sends a shipment of hazardous waste to a TSD facility with the understanding that the TSD facility can accept and manage the waste and later receives that shipment back as a rejected load or residue may accumulate the waste on-site for <90 days or <180 days depending on the amount of hazardous waste on-site in that calendar month. [3745-52-34(M)]</i> | | |
| <i>NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.</i> | | |
| PERSONNEL TRAINING | | |
| 21. | Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 22. | Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: For facility employees that receive emergency response training pursuant to OSHA regulations, the facility is not required to provide separate emergency response training, provided that the overall facility training meets all the requirements of OAC 3745-65-16(A). [3745-65-16(A)(4)]

| | | |
|-----|--|--|
| 23. | Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 24. | Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 25. | Does the generator provide refresher training to employees during each period from January 1 st to December 31 st and does each training occur within 15 months after the previous training? [3745-65-16(C)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 26. | Does the generator keep records and documentation of: | |
| | a. Job titles? [3745-65-16(D)(1)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | b. Job descriptions? [3745-65-16(D)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | c. Type and amount of training given to each person? [3745-65-16(D)(3)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | d. Completed training or job experience required? [3745-65-16(D)(4)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 27. | Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: The following section can be used by the inspector to document that all personnel who are involved with hazardous waste management have been trained. The employees who need training (written and/or on-the-job) may include the following: environmental coordinators, drum handlers, emergency coordinators, personnel who conduct hazardous waste inspections, emergency response teams, personnel who prepare manifest, etc.

| Job Performed | Name of Employee | Date Trained |
|---------------|------------------|--------------|
| | | |
| | | |
| | | |

CONTINGENCY PLAN

| | | |
|-----|---|--|
| 28. | Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 29. | Does the plan describe the following: | |
| | a. Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste? [3745-65-52(A)] The plan fails to state that it will be implemented immediately whenever there is a fire, explosion or release of haz. waste or constituents to soil, air or water. | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| | b. Arrangements with emergency authorities? [3745-65-52(C)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | c. A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? [3745-65-52(D)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | d. A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | e. An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: If the facility already has a "Spill Prevention, Control and Countermeasures Plan" under 40 CFR Part 112 or some other emergency plan, the facility can amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with OAC requirements. The facility may develop one contingency plan which meets all regulatory requirements. Ohio EPA recommends that the plan be based on the "National Response Team's Integrated Contingency Plan Guidance (One Plan)." [3745-65-52(B)]

| | | |
|-----|--|--|
| 30. | Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53(A)&(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 31. | Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 32. | Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: The emergency coordinator shall be thoroughly familiar with: (a) all aspects of the facility's contingency plan; (b) all operations and activities at the facility; (c) the location and characteristics of waste handled; (d) the location of all records within the facility; (e) facility layout; and (f) shall have the authority to commit the resources needed to implement provisions of the contingency plan.

EMERGENCY PROCEDURES

| | | |
|-----|--|--|
| 33. | Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| | a. Was the contingency plan implemented? [3745-65-51(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | b. Did the facility follow the emergency procedures in 3745-65-56(A) through (H)? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | c. Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(I)? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

NOTE: OAC 3745-65-51(B) requires that the contingency plan be implemented immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents, which could threaten human health and the environment.

PREPAREDNESS AND PREVENTION

| | | |
|-----|---|--|
| 34. | Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 35. | Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste: | |
| | a. Internal communications or alarm system? [3745-65-32(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | b. Emergency communication device? [3745-65-32(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | c. Portable fire control, spill control and decon equipment? [3745-65-32(C)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| | d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

NOTE: Verify that the equipment is listed in the contingency plan.

| | | |
|-----|--|--|
| 36. | Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 37. | Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 38. | Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 39. | If there is only one employee on the premises, is there immediate access to a device (eg. phone, hand held two-way radio) capable of summoning external emergency assistance (unless not required under 3745-65-32)? [3745-65-34(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 40. | Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 41. | Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

| | | |
|--|---|--|
| 42. | Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| SATELLITE ACCUMULATION AREA REQUIREMENTS | | |
| 43. | Does the generator ensure that satellite accumulation area(s): | |
| a. | Are at or near a point of generation? [3745-52-34(C)(1)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| b. | Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| c. | Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| d. | Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| e. | Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| f. | Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 44. | Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| a. | Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within three days? [3745-52-34(C)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| b. | Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>NOTE: The satellite accumulation area is limited to 55 gallons of hazardous waste accumulated from a distinct point of generation in the process under the control of the operator of the process generating the waste (less than 1 quart for acute hazardous waste). There could be individual waste streams accumulated in an area from different points of generation.</i> | | |
| USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS | | |
| 45. | Has the generator marked containers with the words "Hazardous Waste"? [3745-52-34(A)(3)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 46. | Is the accumulation date on each container? [3745-52-34(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 47. | Are hazardous wastes stored in containers which are: | |
| a. | Closed (except when adding/removing wastes)? [3745-66-73(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| b. | In good condition? [3745-66-71] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| c. | Compatible with wastes stored in them? [3745-66-72] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| d. | Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: Record location on process summary sheets, photograph the area, and record on facility map.</i> | | |
| 48. | Is the container accumulation areas(s) inspected at least once during the period from Sunday to Saturday? [3745-66-74] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| a. | Are inspections recorded in a log or summary? [3745-66-74] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 49. | Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 50. | Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

| | | |
|--|---|--|
| 51. | If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 52. | If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| NOTE: OAC 3745-65-17(B) requires that the generator treat, store, or dispose of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials so that it does not create undesirable conditions or threaten human health or the environment. | | |
| 53. | If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| NOTE: Please provide a description of the unit and documentation provided by the generator for the file to demonstrate that closure was completed in accordance with the closure performance standards. If the generator has closed a <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). [3745-52-34] | | |
| PRE-TRANSPORT REQUIREMENTS | | |
| 54. | Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 55. | Does each container ≤119 gallons have a completed hazardous waste label? [3745-52-32(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 56. | Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| NOTE: Continue with the generator LDR requirements on the next page. | | |

GENERATOR LDR REQUIREMENTS

NOTE: This LDR checklist does not include the requirements for generators that treat to meet LDR standards. If the generator treats, the inspector should use the stand-alone Generator LDR checklist instead of this checklist.

GENERAL REQUIREMENTS

| | | |
|---|--|--|
| 1. | If LDRs do not apply, does the generator have a statement that lists how the HW was generated, why LDRs don't apply and where the HW went? [3745-270-07(A)(7)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 2. | Did the generator determine if the HW/soil must be treated to meet the LDR treatment standard prior to disposal? Generator knowledge or testing may be used. [3745-270-07(A)(1)] If not, | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| a. | Did the generator send the waste to a permitted HW TREATMENT facility? [3745-270-07(A)(1)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <p><i>NOTE: This is done by determining if the HW/soil contains levels of constituents greater than the levels given in its LDR treatment standard in 3745-270-40. However, if a specific treatment method is given in 3745-270-40 for the HW, no determination is required [3745-270-07(A)(1)(b)]. If soil, generator can choose to have soil treated to LDR levels given in 3745-270-49 (alternative treatment levels for soils).</i></p> | | |
| 3. | Does the generator have documentation of how he determined whether the HW/soil meets or does not meet the LDR treatment standard in 2, above? [3745-270-07(A)(6)(a) or 3745-270-07(A)(6)(b)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 4. | Does the generator keep the documentation required in #2, above, on-site for at least three years from the last date the HW/soil was sent on-site/off-site for treatment/disposal? [3745-270-07(A)(8)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 5. | Does the generator generate a listed HW that exhibits a characteristic? If yes, | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| a. | Did the generator determine if the listed HW exhibits a characteristic that is not treated under the LDR treatment standard for the listed HW? [3745-270-09(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <p><i>FOR EXAMPLE: F006 that exhibits the characteristic for silver or K062 that is corrosive, D002. Review LDR treatment standard in 3745-270-40 to determine what constituents the listed HW is treated for.</i></p> | | |
| 6. | Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <p><i>NOTE: This is done by evaluating which underlying hazardous constituents (UHC) are in the HW at levels above the universal treatment standards given in 3745-270-48. This requirement does not apply to high total organic carbon (i.e., contains >10% TOC) D001 wastes or listed HWs.</i></p> <p><i>NOTE: Written documentation of this determination is not required.</i></p> | | |
| 7. | Did the generator treat his HW /soil on-site <u>to meet</u> the LDR treatment standard? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| <p><i>NOTE: If "Yes" see question #16.</i></p> | | |
| 8. | Did the generator send a one-time LDR notification form to the TSD with the first shipment to that facility? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| a. | If the generator chose not to make the determination of whether his waste must be treated, did he send a notice to the TSD facility with each shipment? [3745-270-07(A)(2)] If so, did the notice include: | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| i. | Applicable HW codes? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| ii. | Manifest number of the first shipment to the TSD? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| iii. | A statement that conveys that the HW may or may not be subject to the LDR treatment standards and the TSD must make that determination.?" | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 9. | Did the generator resubmit the LDR notification form to the TSD when the HW changed or the generator used a new TSD? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 10. | Does the generator have a copy of the LDR notification form/notice on file? | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

| | | |
|---|---|--|
| | [3745-270-07(A)(2)] | |
| a. | Is the form/notice kept on file for three years after last HW shipped? [3745-270-07(A)(8)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| NOTIFICATION FORM | | |
| 11. | Does the LDR Notification form contain the following information: | |
| a. | Manifest number of the first waste shipment to the TSD? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| b. | Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| c. | A statement that conveys that the HW is subject to LDRs and must be treated to meet LDR treatment requirements? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| d. | A designation whether the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: A wastewater contains <1% by wt. total suspended solids (TSS) and <1% by wt. TOC. If you doubt the HW is a wastewater or non-wastewater, the HW can be tested using for example, Standard Methods (SM) 160.2 for TSS, SW-846 method 9060a for TOC.</i> | | |
| e. | Designation of the waste subcategory when applicable? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs have subcategories</i> | | |
| f. | A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.</i> | | |
| g. | If the HW is F001-F005 or F039, did the generator note on the LDR form what solvents or constituents, respectively, the waste contains and must be treated for? [3745-270-07(A)(2)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| <i>NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.</i> | | |
| PROHIBITED DILUTION | | |
| 12. | Is the HW treated by burning? If "No" go to #15. | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 13. | Is the HW a metal-bearing HW? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>NOTE: Generally, metal-bearing HWs contain heavy metals above TCLP levels or were listed due to the presence of metals. A list of the restricted metal-bearing HWs is given in the Appendix to 3745-270-03.</i> | | |
| 14. | a. Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless <u>one</u> of the following conditions apply. [3745-270-03(c)] | |
| | i. Contains > 1% TOC? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | ii. Contains organic constituents or cyanide at levels greater than the UTS levels? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | iii. Is made up of combustible material e.g., paper, wood, plastic? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | iv. Has a reasonable heating value (e.g., > 5000 Btu)? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | v. Co-generated with a HW that must be combusted? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | b. If all responses to 14 a.i. through 14 a.v. are "No", HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW being treated by dilution? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 15. | Was the HW treated by wastewater treatment? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |

| | | |
|--|--|--|
| | a. Is a LDR treatment method, other than DEACT or a numerical value, specified for the waste? [3745-270-03(B) and 3745-270-40(A)(3)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>NOTE: If "Yes", HW is improperly being treated by dilution.</i> | | |
| | b. Does the waste carry the D001 code <u>and</u> contain $\geq 10\%$ TOC? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| | c. Does the wastewater treatment process include a process to separate/recover the organic phase of the waste? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>NOTE: If the answers to b & c are "yes" and "no", respectively, waste is improperly being treated by dilution and generator is in violation of [3745-270-03(B)] and 3745-270-40(A)(3)].</i> | | |
| <i>NOTE: A list of separation/recovery processes are given in 3745-270-42 under RORG.</i> | | |

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: 1. A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

2. Inspectors can check BUSTR's web-site at https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at:

https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp.

PROHIBITIONS

| | | |
|----|---|--|
| 1. | Does the generator manage used oil in a surface impoundment or waste pile? If yes: | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| a. | Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

NOTE: For example, used oil contaminated scrap metal stored in a pile.

| | | |
|----|---|--|
| 2. | Is used oil used as a dust suppressant? [3745-279-12(B)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 3. | Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., If generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

| | | |
|----|---|--|
| 4. | Does the generator mix hazardous waste with used oil? If so, | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| a. | Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

| | | |
|----|--|--|
| 5. | Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
|----|--|--|

NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

| | | |
|----|--|--|
| 6. | Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 7. | Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 8. | Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil"? [3745-279-22(C)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 9. | Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| a. | Stopped the release? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| b. | Contained the release? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| c. | Cleaned up and properly managed the used oil and other materials? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| d. | Repaired or replaced the containers or tanks prior to returning them to service, if necessary? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

| ON-SITE BURNING IN SPACE HEATER | | |
|--|--|--|
| 10. | Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so: | |
| a. | Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| b. | Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| c. | Are the combustion gases from heater vented to the ambient air? | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i> | | |
| GENERATOR TRANSPORTATION | | |
| 11. | Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 12. | If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24] | |
| a. | Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| b. | Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).</i> | | |
| COLLECTION CENTERS AND AGGREGATION POINTS | | |
| 13. | Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 14. | Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 15. | Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.</i> | | |