



State of Ohio Environmental Protection Agency

**Northwest District Office**

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Bowling Green, OH 43402-9398

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Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

Re: OHD 077 566 184  
Maaco Collision Repair & Auto Painting  
Lucas County  
Hazardous Waste  
Notice of Violation

December 12, 2008

Mr. Mike Young, General Manager  
Maaco Collision Repair & Auto Painting  
3545 Marine Road  
Toledo, Ohio 43609

Dear Mr. Young:

Thank you for accompanying me during the Ohio Environmental Protection Agency (Ohio EPA) November 24, 2008, hazardous waste compliance evaluation inspection of Maaco Collision Repair & Auto Painting (Maaco) located in Toledo, Ohio. I inspected Maaco to determine its current 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) and to follow up on the status of outstanding violations cited as result of a compliance evaluation inspection I conducted on August 25, 2004. This letter will explain new violations found, what you to do to correct these violations, and the status of violations observed during the August 25, 2004, inspection and cited in the September 22, 2004, Notice of Violation (NOV) letter.

Maaco is an auto body shop. Maaco generates waste paint cleaning solvents (D001, D035, F003, F005). Maaco also generates solvent contaminated rags that are currently being laundered. At the time of the inspection, Maaco was operating as a small quantity generator of hazardous waste.

On August 25, 2004, I conducted a compliance evaluation inspection. As a result of that inspection a NOV letter was issued on September 22, 2004. You submitted a response on February 3, 2005, which corrected most of the violations previously cited. During a recent review of Ohio EPA databases, it was discovered the following violations had not been followed up with a letter. The following is a summary of the violations cited as a result of the August 25, 2004, inspection and Maaco's compliance with respect to each. Maaco must send me any required information within 30 days of receipt of this letter.

**1. ORC Section 3734.02 (E&F): Permitted Facilities for the Treatment, Storage, and Disposal of Hazardous Waste.**

No Person shall treat, store, or dispose of hazardous waste without a hazardous waste facility permit.

During the inspection on August 26, 2004, you stated that you were disposing of solvent/paint contaminated rags as a solid waste in your regular trash dumpster.

In spring of 2006, Ohio EPA Division of Hazardous Waste Management (DHWM) rescinded a written policy on the management of solvent-contaminated rags. Under that policy rags contaminated with a solvent constituent that is a listed hazardous waste solvent (F001 through F005) had to be regulated as a listed hazardous waste when disposed of, regardless of how the solvent got on the rag. DHWM concluded that rags contaminated with a listed solvent constituent do not fall within the listing description for spent solvent.

During the November 24, 2008, inspection you stated that Maaco is now laundering all solvent contaminated rags.

***As a result of this action by DHWM and based on the current management of the solvent contaminated rags at your facility, this violation is corrected.***

**2. OAC Rule 3745-52-11: Waste Evaluation.**

Any person who generates a waste in the state of Ohio must determine if that waste is a hazardous waste in accordance with the criteria for hazardous waste as set forth in Chapter 3745-51 of the Ohio Administrative Code.

Maaco did not properly evaluate the paint booth filters to determine if the filters were considered hazardous waste.

On November 24, 2008, during the inspection, I reviewed the analytical data regarding the sampling of paint booth filters and floor sweepings/paint scrapings. The analytical results indicated that these wastes are not hazardous.

***This violation has been abated.***

**3. OAC Rule 3745-65-37 (A): Arrangements/agreements with local authorities.**

The owner or operator shall attempt to make the following arrangements/agreements, as appropriate for the type of waste handled at the facility and the potential need for the services of these organizations:

- Police Department
- Fire Department
- Ohio EPA Emergency Response
- Local Hospital

These arrangements shall familiarize the local authorities with the layout of the facility, property of hazardous waste handled at the facility and associated hazards, places where personnel would be normally be working, and evacuation routes (where applicable). Where local authorities decline to enter into such agreement or arrangements, the owner or operator shall document such refusal in the operating record.

Maaco failed to notify local authorities.

**To abate this violation Maaco must sent a notification to the above mentioned entities regarding the potential hazards encounter at your facility in case of an emergency situation. You must send me a copy of such notification.**

During the November 24, 2008, inspection, I found the following new violations of Ohio's hazardous waste laws. In order to correct these violations you must do the following and send me the required information within 30 days of your receipt of this letter:

**1. OAC Rule 3745-52-11: Waste Evaluation**

Any person who generates a waste, as defined in Rule 3745-51-02 of the administrative code, must determine if that waste is a hazardous waste.

Maaco has failed to properly evaluate the spent fluorescent bulbs generated at the facility.

During the inspection, you stated that in the past Maaco has disposed of the spent fluorescent light bulbs in the trash in the past. Maaco must not dispose of any spent light bulbs as non-hazardous waste in the local landfill until a proper waste evaluation has been completed. The waste evaluation must be conducted through one of **three options**: 1) Maaco may apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation [manufacturer analytical information – Toxicity Characteristic Leaching Procedure (TCLP) test results], or 2) Maaco may take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. Maaco must ensure that the laboratory chosen to perform this sampling utilizes the proper method(s) to evaluate these bulbs.

Maaco must sample the fluorescent bulbs to determine the concentration of mercury (D009), cadmium (D006) and lead (D008) as listed in the OAC Rule 3745-51-24 following the method as outlined in U.S. EPA's SW-846. Maaco may run a total concentration for these constituents as a screening tool. If the concentration is detected for mercury, lead or cadmium at or above the regulatory limit, a TCLP may be required to ensure this constituent is not present above the Ohio EPA regulatory level; or 3) a combination of options 1 and 2.

If the bulbs are determined to be hazardous through a proper waste evaluation, Maaco will have to manage their bulbs either as 1) a universal waste (OAC Chapter 3745-273) or 2) as a hazardous waste under Ohio's generator standards (OAC Chapter 3745-52). ***Instead of taking samples for analysis as described above, Maaco may recycle their bulbs if they are hazardous or non-hazardous by managing them as universal waste. Ohio EPA would encourage this option as a pollution prevention alternative. Please refer to the information I gave you on how to manage light bulbs as universal waste.***

***To abate this violation***, Maaco must inform me in writing as to how the facility plans to manage the spent fluorescent light bulbs and other spent light bulbs.

**2. OAC Rule 3745-52-42(B): Manifest – Ohio EPA Notification**

If a generator of hazardous waste does not receive a return copy of each completed manifest within 60 days of being accepted by the transporter, he/she must submit to Ohio EPA a copy of the manifest with some indication that the generator has not received confirmation of delivery.

Maaco did not make any notification to the Ohio EPA of manifest copies that were not received from the designated facility with the required signature. Specifically Maaco did not any signed copies of manifests for me to review at the time of this inspection. You stated that the manifests may have been located in a file cabinet at your residence.

**To abate this violation, Maaco must submit notification to the Ohio EPA regarding the signed manifests that were not received within 60 days of being accepted by the transporter. Include a copy of such notification in your response to this letter. Also include the returned signed copies of the manifests from the designated facility if Maaco was able to get those.**

**3. OAC Rule 3745-52-40: Manifest – Retention Requirements**

A generator of hazardous waste must retain for at least three years signed copies of all manifests.

Maaco did not have available for review copies signed by the disposal facility of all hazardous waste manifests for the last three years at the time of this inspection. Specifically, Maaco was not able to locate any manifests at the time of this inspection.

**To abate this violation, Maaco must submit copies of signed manifests for the last three years (2006, 2007, and 2008).**

**4. OAC Rule 3745-52-34(D)(5)(c): Preparedness and Prevention – Training**

The generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

Maaco failed to ensure that all employees were thoroughly familiar with waste handling procedures as described above.

**To abate this violation, Maaco shall provide adequate instruction to its employees to familiarize them with the proper hazardous waste handling and emergency procedures. You must send me copy of the content of such training and the sign-in/sign-out sheet of all participants.**

**5. OAC Rule 3745-65-33: Preparedness and Prevention – Testing and Maintenance of Equipment**

All facilities communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency. The owner or operator must record the inspections in a log or summary.

Maaco failed to conduct inspections of alarm systems, fire protection equipment, and spill or decontamination equipment. Maaco did not maintain a log or summary of inspections.

**To abate this violation, Maaco must conduct the required inspections as stated above and record the inspection in a log or summary. Send me a copy of the log or summary showing four (4) cycles worth of inspections. If Maaco decides to conduct inspections in a cycle longer than on a weekly basis, include a statement stating the inspection procedure/frequency and include a copy of the log or summary showing at least a recorded inspection.**

**6. OAC Rule 3745-66-74: Use and Management of Containers -- Inspections**

The owner or operator shall inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. Inspections shall be recorded in a log or summary. The inspection log shall be kept for at least three years. Ohio EPA interprets weekly to mean once within the seven-day period following the previous inspection.

At the time of this inspection, inspections as described above were not being conducted or logged in at Maaco.

To abate this violation, Maaco shall immediately start conducting and logging weekly inspections. Maaco shall submit four (4) weeks of completed inspection logs to this office.

Mr. Mike Young  
December 12, 2008  
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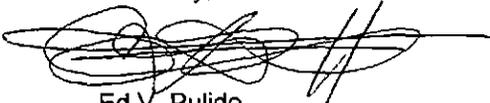
The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link <http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

As we discussed during the inspection, you may be able to reduce the waste your company generates. If you find ways to recycle, reduce or altogether eliminate the amount of waste that your company generates you may be able to reduce your treatment and disposal costs. Thus, you may possibly reduce your regulatory requirements. Maaco is currently sending scrap metal to Omnisource. You also stated that you have reduced some of the volume of hazardous waste generated by utilizing a waste solvent filtration system that you purchased since the last inspection. This unit has allowed you to extend the life of your solvent. In addition, you are planning to purchase a distillation unit to go with the filtration system. Ohio EPA has helpful information about pollution prevention at the following web address:  
<http://www.epa.state.oh.us/ocapp/ocapp.html>

Enclosed you will find a copy of the checklists that were completed during the inspection. You can find copies of the rules and other information on the division web page at <http://www.epa.state.oh.us/dhwm>.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3015.

Sincerely,



Ed V. Pulido  
Division of Hazardous Waste Management

/lb

Enclosures

pc: Cindy Lohrbach, DHWM, NWDO  
Colleen Weaver, DHWM, NWDO  
~~DHWM, NWDO, Maaco Collision Repair & Auto Painting File (w/original enc.)~~

ec: Ed Pulido, DHWM, NWDO

**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.

Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE  
IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us)  
or mail it to Kristina Durnell, Central Office

<b>Site EPA ID No.</b>	EPA ID Number: <b>OHD 077 566 154</b>	
<b>Site Name</b>	Name: <b>Maaco Collision Repair &amp; Auto</b>	Website: (Optional)
<b>Site Location Information</b>	Street Address: <b>3545 Marine Road</b>	State: <b>OH</b>
	City, Town, or Village: <b>Toledo</b>	Zip Code: <b>43609</b>
	County Name: <b>Lucas</b>	
<b>Site Land Type</b> (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"/>
<b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	<b>441110</b>	
<b>Facility Representative</b>	First Name: <b>Michael</b>	MI: Last Name: <b>Young</b>
Additional names can be recorded in number 12	Phone Number: <b>(419) 381-1537</b>	Phone Number Extension:
Only provide address information if it is different than the site address	E-Mail Address:	Fax Number Extension:
	Fax Number:	
	Street or P.O. Box:	
	City, Town or Village:	Zip Code:
	State:	
<b>Legal Owner And Operator of the Site.</b> List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner:	Date Became Owner (mm/dd/yyyy):
	Owner Private County District Federal Indian Municipal State Other	
	Type: <input type="checkbox"/>	
	Street or P.O. Box:	Owner Phone #:
	City, Town or Village:	Country: Zip Code:
	State:	Date Became Operator (mm/dd/yyyy):
	Name of Site's Operator:	
	Owner Private County District Federal Indian Municipal State Other	
	Type: <input type="checkbox"/>	
	Street or P.O. Box:	Operator Phone #:
	City, Town or Village:	United States Zip Code:
	State:	

**VIOLATIONS CITED?**  Yes  No

**TYPE OF HANDLER - A MINIMUM OF ONE BOX MUST BE CHECKED**

<input type="checkbox"/> Not a Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
		<input checked="" 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





**SMALL QUANTITY GENERATOR REQUIREMENTS  
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

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 type="checkbox"/>            | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 2. | Has the generator obtained a U.S. EPA I.D. number? [3745-52-12]   | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input type="checkbox"/> |
| 3. | Has the generator transported or caused to be transported hazardous waste to <b>other</b> 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"/> |
| 4. | Has the generator disposed of hazardous waste <b>on-site without a permit</b> or at another facility <b>other</b> than a facility authorized to dispose of hazardous waste? [ORC 3734.02 (E) & (F)] | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| 5. | Does the generator accumulate hazardous waste?  | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input type="checkbox"/> |

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

- |    |   |     |                          |    |                                     |     |                          |
|----|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|
| 6. | Has the generator accumulated hazardous wastes <u>in excess of (180/270) days</u> without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
|----|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|

NOTE: SQG's shipping waste to a facility greater than 200 miles away can accumulate on-site for 270 days. [3745-52-34 (E)]

- |    |   |     |                          |    |                                     |     |                          |
|----|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|
| 7. | Is the generator accumulating more than 6,000 kg on site? [3745-52-34(D)] | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
|----|---|-----|--------------------------|----|-------------------------------------|-----|--------------------------|

NOTE: 6,000 kg = approximately 27, 55-gallon drums. If the facility is accumulating waste for greater than 180/270 days without an extension/permit or is accumulating greater than 6,000 kg on-site, it is classified as a storage facility and TSD standards apply. Complete applicable TSD checklists.

- |    |  |     |                          |    |                          |     |                                     |
|----|--|-----|--------------------------|----|--------------------------|-----|-------------------------------------|
| 8. | Does the generator treat hazardous waste in a:                   |     |                          |    |                          |     |                                     |
| 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 3745-66-101 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.

**MANIFEST REQUIREMENTS**

- |     |  |     |                                     |    |                                     |     |                          |
|-----|--|-----|-------------------------------------|----|-------------------------------------|-----|--------------------------|
| 9.  | Are all hazardous wastes either reclaimed under a contractual agreement as defined in OAC rule 3745-52-20(E), or shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? [3745-52-20(A)] | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/>            | N/A | <input type="checkbox"/> |
| 10. | Are wastes reclaimed under a contractual agreement? If so: [3745-52-20(E)]   | Yes | <input type="checkbox"/>            | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |

- a. Does the contractual agreement specify the type of waste and frequency of shipment? Yes  No  N/A
- b. Is the transport vehicle owned and operated by the reclaimer? Yes  No  N/A
- c. Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement? Yes  No  N/A

*NOTE: If wastes are reclaimed under a contractual agreement and an answer to questions 10(a) through 10(c) is no, the generator is in violation of 3745-52-20 (A) (B) & (D), 3745-52-22 and 3745-52-23. Even if the waste is being reclaimed under agreement, LDRs still apply. Complete LDR checklist.*

11. Have items 1 through 20 of each manifest been completed?[3745-52-20(A)] Yes  No  N/A

*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 complete. [3745-52-20 (A)]*

12. Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)] Yes  No  N/A

*NOTE: The generator may designate on the manifest one alternative 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)]*

13. If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternative TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] Yes  No  N/A

14. Have the manifests been signed by the generator and initial transporter? [3745-52-23 (A) (1) and (2)] Yes  No  N/A

*NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have made a good faith effort to minimize their waste generation.*

15. If the generator did not receive a return copy of each completed manifest within 60 days of being accepted by the transporter did the generator submit to Ohio EPA, a copy of the manifest with some indication that the generator has not received confirmation of delivery? 3745-52-42(B)] Yes  No  N/A

16. Are signed copies of all manifests being retained for at least three years? [3745-52-40] Yes  No  N/A

*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.*

#### PREPAREDNESS AND PREVENTION

17. Is an emergency coordinator available at all times (on-site or on-call)? [3745-52-34(D)(5)(a)] Yes  No  N/A

18. Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]

- a. Name and telephone number of emergency coordinator? Yes  No  N/A
- b. Location of fire and spill control equipment, and, if present, fire alarm(s) Yes  No  N/A
- c. Telephone number of local fire department? Yes  No  N/A

19. Are employees familiar with waste handling and emergency procedures [3745-52-34(D)(5)(c)] Yes  No  N/A

20. Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d)] Yes  No  N/A

21. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste? [3745-65-31] Yes  No  N/A
22. Does the generator have the following equipment at the facility if it is required due to actual hazards associated with the waste:
- a. Internal Alarm system? [3745-65-32(A)] Yes  No  N/A
- b. Emergency communication device? [3745-65-32(B)] Yes  No  N/A
- c. Portable fire control, spill control and decon equipment? [3745-65-32(C)]? Yes  No  N/A
- d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] Yes  No  N/A
23. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency?[3745-65-33]
- a. Are inspections recorded in a log or summary? [3745-65-33]? Yes  No  N/A
24. Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under OAC 3745-65-32)? [3745-65-34(A)] Yes  No  N/A
25. If there is only one employee on the premises is there immediate access to a device (ex. phone, hand-held two-way radio) capable of summoning external emergency assistance? (Unless not required under 3745-65-32?) [3745-65-34(B)] Yes  No  N/A
26. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes  No  N/A
27. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)] Yes  No  N/A
28. Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)] Yes  No  N/A

#### SATELLITE ACCUMULATION AREA REQUIREMENTS

29. Does the generator ensure that satellite accumulation area(s):
- a. Are at or near a point of generation? [3745-52-34(C)(1)] Yes  No  N/A
- b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)] Yes  No  N/A
- c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)] Yes  No  N/A
- d. Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)] Yes  No  N/A
- e. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]. Yes  No  N/A
- f. Containers are marked with the words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] Yes  No  N/A
30. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:
- 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  No  N/A

- b. Did the generator mark the container(s) holding the excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)] Yes  No  N/A

*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.*

### USE AND MANAGEMENT OF CONTAINERS

31. Has the generator marked containers with the words "Hazardous Waste"[3745-52-34(D)(4)] Yes  No  N/A
32. Is the accumulation date on each container? [3745-52-34(D)(4)] Yes  No  N/A
33. Are hazardous wastes stored in containers which are:
- a. Closed (except when adding/removing wastes)? [3745-66-73(A)] Yes  No  N/A
- b. In good condition? [3745-66-71] Yes  No  N/A
- c. Compatible with wastes stored in them? [3745-66-72] Yes  No  N/A
- d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] Yes  No  N/A

*NOTE: Record location on process summary sheets and photograph the area.*

34. Is the container accumulation area(s) inspected at least weekly? [3745-66-74] Per ORC§1.44(A) "Week" means seven(7) consecutive days. Yes  No  N/A
- a. Are inspections recorded in a log or summary? [3745-66-74] Yes  No  N/A
35. 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  No  N/A
36. 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  No  N/A
37. 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  No  N/A

*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.*

### PRE-TRANSPORT REQUIREMENTS

38. Does each 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  No  N/A
39. Does each container #100 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes  No  N/A
40. Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] Yes  No  N/A

**GENERATOR LDR CHECKLIST  
DOES NOT APPLY TO CESQGS**

**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)] | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |

*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).*

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| 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"/> |

*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.*

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| 6. | Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
|----|---|--|

*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.*

*NOTE: Written documentation of this determination is not required.*

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| 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"/> |
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*NOTE If Yes, see question #16.*

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| 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"/> |
| 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 on file?[3745-270-07(A)(2)]  | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| a.  | Is the form 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"/> |

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.

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"/>
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NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs have subcategories

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"/>
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NOTE: Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.

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"/>
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NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.

**PROHIBITED DILUTION**

12.	Is the HW treated by burning? If No, go to #15.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
13.	Is the HW a metal-bearing HW?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

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 are given in the Appendix to 3745-270-03.

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 UST 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 checked="" type="checkbox"/>
15.		Was the HW treated by wastewater treatment?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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"/>

NOTE: If Yes, HW is improperly being treated by dilution.

	b.	Does the waste carry the D001 code and contain ≥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"/>

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)].

NOTE: A list of separation/recovery processes are given in 3745-270-42 under RORG.

GENERATOR TREATMENT		
16.	Does the generator treat to meet LDRs on-site [3745-270-40(A)]?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	Did the generator treat his hazardous waste/soil on-site in a tank, container, drip pad or containment building <u>to meet</u> the LDR treatment standard?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	If Yes...complete the rest of the checklist. If No...stop...you are done.	
a.	Does the generator have a written waste analysis plan (WAP) that describes the procedures he will follow to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Did the generator use a detailed chemical and physical analysis of the HW/soil in order to develop the WAP? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: This is a laboratory analysis but it does not have to be kept by the generator.</i>		
c.	Does the WAP contain all information necessary to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Does the WAP include the testing frequency of the treated HW/soil to demonstrate that the LDR treatment standard is being met? [3745-270-07(A)(5)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
e.	Does the generator keep the WAP on-site? [3745-270-07(A)(5)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
f.	Is the WAP available for the inspector review during the inspection? [3745-270-07(A)(5)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTIFICATION FORM		
17.	a. Contains all information in #11 a-g above and	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. If the treated HW/soil is listed.....notification contains the following certification statement:  I certify under penalty of law that I personally have examined and am familiar with the waste, through analysis and testing or trough knowledge of the waste, to support this certification that the waste complies with the treatment stands specified in rule 3745-270-40 to 3745-270-49 of the Administrative Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. If the treated HW/soil no longer exhibits a characteristic and is no longer a HW, did the generator:	
	i. Send a one-time notification to the director?[3745-270- 09 (D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii. Maintain a copy of the notice onsite?[3745-270-09(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iii. Include in the notification: [3745-270-09(D)(1)(a)]	
	1. Name & address of receiving landfill?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	2. Description of HW when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	3. HW code when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	4. Treatability group when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	5. Underlying hazardous constituents present when generated?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iv. Contain the right certification statement as required by 3745-70-07(b)(4)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>