



RTC'd 2 violations

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

March 29, 2013

Mr. James Shaw
Norcold, Inc.
1 Century Drive
Gettysburg, OH 45328

RE: RTC NORCOLD, INC. - OHD982616229

Dear Mr. Shaw:

Thank you for your email I received on March 15, 2013 in response to my Notice of Violation letter dated October 10, 2012. You submitted documentation including an engineer's tank certification, a new tank inspection checklist, and screen shots from the new camera system which will be used to inspect the tank.

My review of your documentation and the physical inspection I performed on February 5, 2013 have allowed me to conclude that you have adequately abated the two outstanding violations of OAC 3745-66-93(E)(1)(f) and OAC 3745-66-93(C)(3). As you recall, I returned you to compliance with the violations of OAC 3745-273-13(D)(1) and OAC 3745-273-14(E) in the NOV letter.

Enclosed you will find a copy of the LQG tank checklist. Please call Jeff Smith at (937) 285-6070 if you have any questions about this letter or if you have any questions about Ohio's hazardous waste rules.

Sincerely,


Tom Ontko
Hazardous Waste Inspector
Southwest District Office

Enclosure

TO/kb

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.

LQG TANK SYSTEM REQUIREMENTS (OAC rule 3745-52-34(A) and OAC rules 3745-66-90 through 3745-66-100)		
(Please refer to the rules before or while completing this checklist.)		
1.	Is each tank clearly labeled/marked with the words "Hazardous Waste?" [3745-52-34(A)(3)]	Yes
TANK SYSTEM – GENERAL OPERATING REQUIREMENTS		
2.	Does the o/o follow the general operating requirements below:	
	a. Does the o/o prevent placement of hazardous waste or treatment reagents in tank or secondary containment if such placement can cause the system to leak, rupture, corrode, or otherwise fail? [3745-66-94(A)]	Yes
	b. Does the o/o use appropriate controls to prevent spills or overflows from the system (e.g., check valves, dry disconnect couplings, high level alarms, etc.)? [3745-66-94(B)]	Yes
	c. If a leak or spill has occurred in the tank system, has the o/o complied with 3745-66-96? [3745-66-94(C)]	N/A
TANK SYSTEM – INSPECTION REQUIREMENTS		
3.	Has the o/o documented the inspections required in 3745-66-95, in the operating record, including inspection of the following:	
	a. Data from leak detection equipment each operating day? [3745-66-95(A)]	Yes
	b. Spill control equipment each operating day? [3745-66-95(B)(1)]	Yes
	c. Above ground portion of tank each operating day? [3745-66-95(B)(2)]	Yes
	d. Construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste each operating day? [3745-66-95(B)(3)]	Yes
NOTE: "Each operating day" is each day that the tank system is being used to manage (store or treat) hazardous waste.		
4.	For tank systems using leak detection systems to alert facility personnel to leaks or implementing established workplace practices to ensure leaks are promptly identified, has the o/o documented: [3745-66-95(C)]	
	a. Inspections of spill control equipment weekly?	Yes
	b. Inspections of above ground portion of tank weekly?	Yes
	c. Inspections of construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste weekly?	Yes
	d. Use of the alternate inspection schedule, including a description of the established workplace practices at the facility?	N/A
5.	For ancillary equipment NOT provided with secondary containment, has the o/o documented inspections of such equipment each operating day? [3745-66-95(E)]	Yes
6.	Where applicable, did the o/o inspect the cathodic protection system to confirm proper operation within six months of initial installation and annually thereafter? [3745-66-95(F)(1)]	N/A
7.	Where applicable, did the o/o inspect all sources of impressed current at least bi-monthly? [3745-66-95(F)(2)]	N/A
TANK SYSTEM CLOSURE REQUIREMENTS		
8.	If the o/o has closed a <90 day tank, was closure completed in accordance with OAC 3745-66-97 (except for paragraph C)? The original tank is being re-used and is not being closed.	N/A
TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES		

9.	For tanks used to treat or store ignitable or reactive wastes, has the o/o complied with one of the following: [3745-66-98(A)]		N/A
	a.	Is the waste treated immediately after placement in the tank so that the resultant mixture is no longer ignitable or reactive and the o/o has conducted such activities in compliance with 3745-66-17(B)? [3745-66-98(A)]; or	N/A
	b.	Is the waste stored or treated to protect it from materials or conditions which may cause ignition or reaction? [3745-66-98(A)]; or	N/A
	c.	The tank is used solely for emergencies? [3745-66-98(A)]	N/A
10.	If ignitable or reactive waste is stored or treated, are protective distances maintained between waste management areas and any public streets, alleys or adjoining property lines as required by the NFPA Flammable and Combustible Liquids Code (2008)? [3745-66-98(B)]		N/A
11.	Has the o/o placed incompatible wastes or materials into the same tank system, or into a tank system that has not been decontaminated and which previously held an incompatible waste or material? [3745-66-99(A) and/or (B)]		No
	a.	If so, have the requirements of 3745-65-17(B) been met? [3745-66-99(A) and/or (B)]	N/A
TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS			
12.	In addition to conducting the waste analysis required by 3745-65-13, when the tank system is used to store or treat a waste which is substantially different or uses a substantially different process than previously used, has the o/o done one of the following: [3745-66-100]		N/A
	a.	Conducted waste analysis and trial treatment or storage tests? [3745-66-100(A)]; OR	N/A
	b.	Obtained written documentation on similar waste under similar operating conditions to show that the proposed storage/treatment will meet the requirements of OAC 3745-66-94? [3745-66-100(B)]	N/A
TANK SYSTEMS REQUIREMENTS			
13.	Is there a written assessment attesting that the design, installation and structural integrity of the system is adequate for the management of hazardous waste(s)? [3745-66-92(A)]		Yes
<i>NOTE: You should review the file to see if the written assessment has been previously reviewed and what the results were.</i>			
14.	Does the written assessment include the following: [3745-66-92(A)]		
	a.	Certification by a qualified professional engineer? [3745-66-92(A)]	Yes
	b.	Consideration of the design standards of the system? [3745-66-92(A)]	Yes
	c.	Consideration of the hazardous characteristics of the waste(s)? [3745-66-92(A)]	Yes
	d.	An evaluation by a corrosion expert (only if the external system/components are metal and in-contact with soil or water)? [3745-66-92(A)]	N/A
	e.	A determination of design and operational measures that will be needed to protect the tank system from potential damage (only for underground tank components)? [3745-66-92(A)]	N/A
	f.	Design considerations to ensure that the tank foundations will maintain the load of a full tank? [3745-66-92(A)]	Yes
	g.	Design considerations for anchoring the unit to prevent floatation (only for tanks situated in a seismic fault zone or saturated zone)? [3745-66-92(A)]	N/A
	h.	Design considerations to ensure that the tank system will withstand the effects of frost heave (only for underground tank systems)? [3745-66-92(A)]	N/A

NOTE: CO-DHWM Engineering staff are available to assist you with evaluation of the written assessment.

15.	Are there written statements by those persons who supervised installation or certified design of the new tank system, that the tank system was properly installed and designed and that required repairs were performed? [3745-66-92(G)]	Yes
	Do the written statements address all of the following:	
a.	Inspection for damage and/or inadequate construction and installation was conducted? [3745-66-92(B)]	Yes
b.	Statement that deficiencies were corrected before the tank system was covered or put into use? [3745-66-92(B)]	Yes
c.	Proper backfilling? [3745-66-92(C)]	N/A
d.	Tightness test; if the tank system was found not to be tight, does the statement indicate that proper repairs were made? [3745-66-92(D)]	N/A
e.	Proper support and protection of ancillary equipment? [3745-66-92(E)]	Yes
f.	Supervision of the installation of field fabricated corrosion protection? [3745-66-92(F)] The written assessment was submitted by August Mack in a letter to Jim Shaw, Norcold dated March 7, 2013.	N/A

SECONDARY CONTAINMENT

16.	Has secondary containment been provided? [3745-66-93(A)]	Yes
-----	--	-----

NOTE: Secondary containment must be provided for tank systems that store or treat materials that become hazardous wastes within two years after the hazardous waste listing, or when the system has reached 15 years of age, whichever comes later. [3745-66-92(A)(2)]

17.	Is secondary containment one of the following:	Yes
a.	An External Liner ? [3745-66-93(E)(1)] If so,	Yes
i.	Is liner designed or operated to contain 100% of the capacity of the largest tank?	Yes
ii.	Is liner designed and operated to prevent run-on and infiltration or the collection system has <u>excess</u> capacity to contain run-on and infiltration from a 25-year, 24-hour storm?	Yes
iii.	Is liner free of cracks and gaps?	Yes
iv.	Does liner completely surround the tank and cover all earth likely to be contacted by waste during a release?	Yes
v.	Are chemically resistant water stops in place at all points? (concrete liners only)	Yes
vi.	Is there a compatible interior coating or lining to prevent migration of waste into the concrete? (concrete liners only)	Yes
b.	Vault System ? [3745-66-93(E)(2)] If so,	No
i.	Is vault system designed to contain 100% of the capacity in the largest tank?	N/A
ii.	Is liner designed and operated to prevent run-on and infiltration or the collection system has <u>excess</u> capacity to contain run-on and infiltration from a 25-year, 24-hour storm?	N/A
iii.	Are chemically resistant water stops in place at all points?	N/A
iv.	Is there a compatible interior coating to prevent migration into the concrete?	N/A
v.	For ignitable or reactive waste : Is the vault system provided with means to prevent (or alternatively "protect against") the	N/A

		formation or ignition of vapors?	
	vi.	Is vault system provided with an exterior moisture barrier?	N/A
	c.	Double-Walled Tank? [3745-66-93(E)(3)] If so,	No
	i.	Is double-walled tank designed as an integral structure to contain any release from the inner tank?	N/A
	ii.	If metal , are the primary tank interior and outer shell exterior surfaces protected from corrosion?	N/A
	iii.	Is double-walled tank provided with a continuous leak detection system able to detect a release within 24 hours or at the earliest practicable time?	N/A
	d.	An Equivalent Device? As described in 3745-66-93(D)(4) which has been approved by the director? [3745-66-93(D)&(E)]	N/A
SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION			
18.		Has each secondary containment system been designed, installed and operated to prevent <u>any</u> migration of wastes or liquid to the soil, groundwater, or surface water and is it capable of <u>detecting</u> and <u>collecting</u> releases and accumulated liquids? [3745-66-93(B)(1)&(2)]	Yes
19.		Does the secondary containment system meet the following minimum requirements of [3745-66-93(C)]:	
	a.	Constructed or lined with compatible materials of sufficient strength to prevent failure? [3745-66-93(C)(1)]	Yes
	b.	Placed on a foundation or base capable of providing support? [3745-66-93(C)(2)]	Yes
	c.	Provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at earliest practicable time? [3745-66-93(C)(3)]	No
	d.	Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation? [3745-66-93(C)(4)]	No
	e.	Any liquid which accumulates in the containment unit resulting from spills, leaks or precipitation removed within 24 hours or in a timely manner? [3745-66-93(C)(4)]	Yes
ANCILLARY EQUIPMENT REQUIREMENTS			
20.		Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)?	No
		If not , is the ancillary equipment one of the following: [3745-66-93(F)]	
	a.	Above ground piping (exclusive of flanges, joints, valves and connections) that is inspected daily?	Yes
	b.	Welded flanges, welded joints and/or welded connections that is inspected daily?	Yes
	c.	Sealless or magnetic coupling pumps and/or sealless valves?	N/A
	d.	Pressurized above ground piping systems with automatic shut-off devices (e.g., excess flow check valves, flow metering shutdown and/or loss of pressure-actuated shut-off devices) that is inspected daily? Residual liquid in the ancillary piping passively drains to either the process unit or the tank when the pump is turned off. The requirement for daily inspections of the piping as found in OAC 3745-66-95(E) can be satisfied by inspecting the ancillary equipment only on those days during which waste is conveyed through the piping. Daily inspection requirements of the tank itself can be satisfied either in person or by checking a web camera remotely.	Yes
TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE			
21.		Has there been a leak or spill from any tank system or has any tank system been found unfit for use? If so , did the o/o:	No

<i>NOTE: If the tank is found to be unfit for use, inspector should explain why.</i>		
a.	Immediately cease flow of material into tank and investigate the cause of the release? [3745-66-96(A)]	N/A
b.	Remove waste from tank system to prevent further release within 24 hours of detection or earliest practicable time? [3745-66-96(B)(1)]	N/A
c.	Remove all material released into secondary containment system within 24 hours or as timely as possible to prevent harm to human health and the environment? [3745-66-96(B)(2)]	N/A
d.	For a visible release to the environment, immediately conduct a visual inspection of the release? [3745-66-96(C)]	N/A
e.	For a visible release to the environment, prevent further migration of the leak or spill to soils or surface waters? [3745-66-96(C)]	N/A
f.	For a visible release to the environment, properly dispose of any visibly contaminated soil or surface water? [3745-66-96(C)]	N/A
g.	Report any release to the environment to the director within 24 hours unless it was less than one pound and was cleaned up immediately? [3745-66-96(D)(1)]	N/A
h.	For a release to the environment, submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)]	N/A
i.	Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)]	N/A
j.	For a release from a tank system without secondary containment, did the o/o provide secondary containment meeting the requirements of 3745-66-93 for the unit prior to putting it back into service? [3745-66-96(E)(4)]	N/A
<i>NOTE: The requirements noted in 20.j. do not apply if the release was from an above ground component of the tank which can be inspected visually after being put back into service.</i>		
22.	In the event that the repairs to the tank system were major (e.g., replacement of liner, repair of ruptured primary or secondary containment structure), did the o/o obtain a certification from a qualified professional engineer attesting that the repaired unit is capable of handling hazardous waste? [3745-66-96(F)]	N/A
23.	Was a copy of the certification submitted to the director within seven days after returning the system to use? [3745-66-96(F)]	N/A
24.	If the o/o was unable to repair and return the unit to service as described in 20.a through 20.e, was the tank system closed in accordance with 3745-66-97? [3745-66-96(E)(1)]	N/A
25.	Does the o/o have a tank system with a variance from secondary containment from which a release has occurred but <u>has not</u> migrated beyond the zone of engineering control? If so,	N/A
a.	Has the o/o complied with 3745-66-96(A) through (F), except (D), and decontaminated soils? [3745-66-93(G)(3)]	N/A
b.	If soils cannot be decontaminated/removed, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(3)]	N/A
26.	Does the o/o have a tank system with a variance from secondary containment from which a release occurred and <u>has</u> migrated from the zone of engineering control? If so,	N/A
a.	Has the o/o complied with 3745-66-96(A) through (D), prevented migration, and decontaminated soil? [3745-66-93(G)(4)]	N/A
b.	If soils cannot be decontaminated/removed, or if the groundwater has been contaminated, has the o/o complied with 3745-66-97(B)? [3745-66-93(G)(4)]	N/A

In response to the September 20, 2012 NOV, Norcold has elevated the original tank off of the floor of the secondary containment by mounting it on a plywood 'deck'. The deck has been perforated with one-inch holes. I have determined that this new system is compliant with the rule requiring

LQG Tank System requirements checklist, continued

that releases from the tank be detected within 24 hours.

The tank is located in a concrete secondary containment area. Since the last inspection the concrete has been sealed. The secondary containment is properly sized. The tank is equipped with an overflow prevention device—a 'lo high' sensor triggers an alarm alerting the operator and a 'hi hi' sensor automatically turns off the pump.

The original tank certification letter by QEI Engineers and dated March 29, 2002 was reviewed as part of the original inspection. At that time the tank system was determined to be compliant except for deficiencies noted in the original NOV.

The tank was drained prior to coating the concrete and being remounted. The tank contents and the rinsings were managed as hazardous waste.

Piping conveys hazardous waste liquid from the generation point to the tank. All the piping is open to visual inspection and the piping has been configured to allow the residual liquid to drain from the piping to either the tank or the process unit.

Two video cameras have been installed that can be accessed via the Internet. Inspection requirements on days that waste is accumulated in the tank but no waste is pumped through the ancillary piping can be satisfied by a remote inspection using the video cameras.