



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

Eval 001

Enf 001

RTU'd 1 violation

June 7, 2013

Mr. Edwin Huey, President  
Regulated Recyclers, Inc.  
2908 Cincinnati-Dayton Road  
Middletown, OH 45044

**RE: Compliance Evaluation Inspection - OHR000176743  
Notice of Violation**

Dear Mr. Huey:

Thank you for assisting Jeff Smith and me during Ohio EPA's May 22, 2013, inspection of Regulated Recyclers, Inc. located at 2908 Cincinnati-Dayton Road, Middletown, Ohio. Regulated Recyclers is a recycler of hazardous waste and was inspected to determine its 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). The inspection included a review of company operations and written documentation. Ohio EPA determined Regulated Recyclers is in violation of the following Ohio hazardous waste laws:

**✓1. ORC 3734.02 (E)(2) and (F):**

(E)(2) Except as provided in division (E)(3) of this section, no person shall establish or operate a hazardous waste facility, or use a solid waste facility for the storage, treatment, or disposal of any hazardous waste, without a hazardous waste facility installation and operation permit issued in accordance with section 3734.05 of the Revised Code and subject to the payment of an application fee not to exceed one thousand five hundred dollars, payable upon application for a hazardous waste facility installation and operation permit and upon application for a renewal permit issued under division (H) of section 3734.05 of the Revised Code, to be credited to the hazardous waste facility management fund created in section 3734.18 of the Revised Code. The term of a hazardous waste facility installation and operation permit shall not exceed ten years.

(F) No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed

of, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises.

OAC 3745-51-06(C)(1) states in part, "Owners or operators of facilities that store recyclable materials before they are recycled must obtain a hazardous waste installation and operation permit in accordance with Chapter 3734 of the Revised Code.

OAC 3745-51-06(C)(3)(a) states in part, "Owners or operators of facilities that enter recyclable materials into a recycling process within seventy-two hours after arrival at the facility. . . may store recyclable materials in containers, tanks, or containment buildings without an Ohio hazardous waste permit provided the requirements listed in OAC 3745-51-06(C)(3)(a)(i) thru (xx) are met.

Regulated Recyclers failed to comply with all the provisions of OAC 3745-51-06(C)(3)(a). **Therefore, Regulated Recyclers is in violation of ORC 3734.02(E) and (F).**

To return to compliance, either submit an application for a hazardous waste installation and operation permit or comply with OAC 3745-51-06(C)(3)(a).

- ✓2. **OAC 3745-51-06(C)(3)(a)(i)**, Requirements for recyclable materials: The owner or operator must re-notify when there is a change in the recycling process or when the recycling operations cease.

Regulated Recyclers did not properly re-notify when the operation moved to the Cincinnati-Dayton Road location. **Therefore, Regulated Recyclers is in violation of OAC 3745-51-06(C)(3)(a)(i).**

→ Ohio EPA received Regulated Recyclers updated notification form on May 22, 2013. **Regulated Recyclers is no longer in violation of OAC 3745-51-06(C)(3)(a)(i).**

- ✓3. **OAC 3745-51-06(C)(3)(a)(xiii)**, Requirements for recyclable materials: Maintain an inventory log in the operating record containing this information for three years:
- (a) The date and time when the recyclable material arrived at the facility;
  - (b) The quantity and type of material received;
  - (c) The name and address of the facility where the recyclable materials shipment originated; and

(d) The date and time that the recyclable material was placed into the recycling process.

Regulated Recyclers does not maintain an inventory log as required by this rule. **Therefore, Regulated Recyclers is in violation of OAC 3745-51-06(C)(3)(a)(xiii).**

To return to compliance, establish and maintain an inventory log as required by OAC 3745-51-06(C)(3)(a)(xiii).

- ✓4. **OAC 3745-65-14(C), Security:** Unless exempt under paragraphs (A)(1) and (A)(2) of this rule, a sign with the legend, "Danger – Unauthorized Personnel Keep Out," must be posted at each entrance to the active portion of a facility, and at other locations, in sufficient numbers to be seen from any approach to this active portion. The legend must be legible from a distance of at least twenty-five feet.

Regulated Recyclers does not have appropriate signs posted. **Therefore, Regulated Recyclers is in violation of OAC 3745-65-14(C).**

To return to compliance, properly post signs in accordance with OAC 3745-65-14(C).

- ✓5. **OAC 3745-65-15 (B)(1) and (2), General inspection requirements:** (1) The owner or operator must develop and follow a written schedule for inspecting all monitoring equipment, safety, and emergency equipment, security devices and operating and structural equipment that are important to preventing, detecting or responding to environmental or human health hazards; (2) The owner or operator must keep this schedule at the facility.

Regulated Recyclers did not have a written inspection schedule as required by this rule. **Therefore, Regulated Recyclers is in violation of OAC 3745-65-15(B)(1) and (2).**

To return to compliance, Regulated Recyclers must develop and follow a written inspection schedule. The written inspection schedule must be maintained at the facility.

- ✓6. **OAC 3745-65-15 (D), General inspection requirements:** The owner or operator must record inspections in a log or summary. He must keep these records for at least three years.

Regulated Recyclers did not have inspection logs as required by this rule. **Therefore, Regulated Recyclers is in violation of OAC 3745-65-15(D).**

To return to compliance, Regulated Recyclers must immediately begin recording and maintaining inspection logs as required by OAC 3745-65-15(D).

- ✓7. **OAC 3745-65-33, Testing and maintenance of equipment:** All facility 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.

Regulated Recyclers does not have a log or summary showing testing and maintenance for emergency equipment. **Therefore, Regulated Recyclers is in violation of OAC 3745-65-33.**

To return to compliance, inspect and properly document emergency equipment inspections.

- ✓8. **OAC 3745-66-42, Cost estimate for closure:** The owner or operator must have a detailed written estimate, in current dollars of the cost of closing the facility.

Regulated Recyclers does not have a written estimate for closure of the facility as required by this rule. **Therefore, Regulated Recyclers is in violation of OAC 3745-66-42.**

To return to compliance, immediately submit to Ohio EPA a detailed written closure cost estimate.

- ✓9. **OAC 3745-66-43, Financial assurance for facility closure:** An owner or operator of each facility must establish financial assurance for closure of the facility.

Regulated Recyclers does not have financial assurance for closure of facility as required by this rule. **Therefore, Regulated Recyclers is in violation of OAC 3745-66-43.**

To return to compliance, immediately establish financial assurance and submit the appropriate documentation to the Director as required by OAC 3745-66-43.

- ✓10. **OAC 3745-66-47, Liability requirements:** An owner or operator of a hazardous waste treatment, storage, or disposal facility must demonstrate financial responsibility for bodily injury and property damage to third parties caused by

sudden accidental occurrences arising from operation of the facility. The owner or operator must have and maintain liability coverage for sudden accidental occurrences in the amount of at least one million dollars per occurrence with an annual aggregate of at least two million dollars, exclusive of legal defense costs.

Regulated Recyclers does not have liability insurance as required by this rule. **Therefore, Regulated Recyclers is in violation of OAC 3745-66-47.**

To return to compliance, immediately establish liability insurance and submit the appropriate documentation to the Director as required by OAC 3745-66-47.

- ✓11. **OAC 3745-65-73(A),(B)(3) to (B)(14), Operating record:** The owner or operator must keep a written operating record at the facility. The operating record should contain at a minimum: records and results of required analysis, summary reports and details of all incidents that required implementation of the contingency plan, records and results of required inspections, and all closure estimates.

Regulated Recyclers is not maintaining an operating record. **Therefore, Regulated Recyclers is in violation of OAC 3745-65-73.**

To return to compliance, establish and maintain a written operating record in accordance with OAC 3745-65-73.

- ✓12. **OAC 3745-65-75, Biennial report:** The owner or operator must prepare and submit a single copy of a biennial report to the director by March first of each even numbered year. The biennial report must be submitted on the form and instructions supplied by the director. The report must cover facility activities during the previous calendar year and must include the information listed in OAC 3745-65-75(A) to (J).

Regulated Recyclers did not submit the biennial report in 2012. **Therefore, Regulated Recyclers is in violation of OAC 3745-65-75.**

To return to compliance, submit the 2012 report in compliance with OAC 3745-65-75.

- ✓13. **OAC 3745-66-74, Inspections:** The owner or operator must inspect areas where containers are stored, at least once during the period from Sunday to Saturday, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary.

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Regulated Recyclers is not inspecting hazardous waste containers generated from the recycling process as required by the rule. **Therefore, Regulated Recyclers is in violation of OAC 3745-66-74.**

To return to compliance, properly inspect hazardous waste containers and record the inspections in a log or summary.

Regulated Recyclers cannot operate as a solvent recycler until it complies with all applicable hazardous waste laws. Regulated Recyclers needs to immediately take the necessary measures to return to compliance with Ohio's hazardous waste laws. Within seven (7) days of receipt of this letter, Regulated Recyclers is required to provide documentation to this office including the steps taken to abate the violations cited above.

During the May 22, 2013, inspection you stated the facility has a Contingency Plan. Please include a copy of the Contingency Plan with the above requested information.

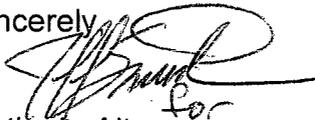
Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance.

Failure to list specific deficiencies in this communication does not relieve Regulated Recyclers from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve Regulated Recyclers from liability for any past or present violations of Ohio's hazardous waste laws.

Enclosed is a copy of the checklist that was completed as a result of the inspection. You can find Ohio's hazardous waste rules and other information on the division's web page at: <http://epa.ohio.gov/dmwm/dmwmrules.aspx>

Should you have any questions, please feel free to call me at (937) 285-6093.

Sincerely,



Cathy L. Altman  
District Representative  
Division of Materials and Waste Management

CA/kb

ec: George Strobel, DMWM, SWDO  
Robyn Winstead, DMWM, SWDO

**Regulated Recyclers, Inc.  
OHR000176743**

**72-HOUR RECYCLE MATERIALS STORAGE REQUIREMENTS CHECKLIST**

**ACCUMULATION TIME**

1.	Is recyclable material entered into a recycling process within 72 hours after arrival at the facility? [3745-51-06(C)(1)]&[ORCS3734.02(E)&(F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
2.	Does the operator/owner (o/o) of the facility maintain an inventory log for 3 years in the operating recording containing the following: [3745-51-06(C)(3)(a)(xiii)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Date and time when the recyclable material arrived at the facility?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	Quantity of the material received?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Name and address of the facility where the recyclable material shipment originated?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
d.	Date and time that the recyclable material was placed into the recycling process?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

**NOTIFICATION REQUIREMENTS**

3.	In accordance with 3745-65-11, did the o/o comply with the notification and U.S. EPA I.D. number requirements? [3745-51-06(C)(3)(a)(i)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Was a description of the recycling process included in the comment section of the notification form?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	Did the o/o Renotify Ohio EPA when there is a change in the recycling process or when the recycling operations cease?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

*NOTE: Once the o/o of a 72-hour facility submitted a Notification Form to CO, the Notification Coordinator in CO will forward a copy of the form to DO. If there is no Notification Form in the file for a 72-hour facility, the inspector can contact the Notification Coordinator to see if such a form has been submitted.*

**CONTAINER/TANK/CONTAINMENT BUILDING REQUIREMENTS**

4.	Does the o/o store the recyclable material in a container(s) which is: [3745-51-06(C)(3)(a)(ii)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Closed (except when adding/removing recyclable), as required by 3745-66-73(A)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	In good condition, as required by 3745-66-71?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Compatible with recyclable material stored in it, as required by 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, as required by 3745-66-73(B)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	Inspected at least weekly, as required by 3745-66-74?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
f.	Located at least 50 feet from the facility's property line when containing ignitable or reactive recyclable material, as required by 3745-66-76?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
g.	Stored separately from each other by means of a dike, berm, wall or other device when containing incompatible recyclable materials, as required by 3745-66-77?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
5.	Does the o/o store the recyclable material in a tank(s) which meets 3745-66-90 to 3745-66-96, 3745-66-98, 3745-66-99 and 3745-66-97(A)&(B)? [3745-51-06(C)(3)(a)(iii)] (see LQG Tank Inspection Checklist)	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
6.	Does the o/o store the recyclable material in a containment building(s) that meets 3745-256-100 to 3745-256-102? [3745-51-06(C)(3)(a)(iv)] (see Containment Building Inspection Checklist)	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

<b>SECURITY REQUIREMENTS</b>		
7.	Are security requirements exempt under 3745-65-14(A) because:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Physical contact with the recyclable material, structures, or equipment will not injure livestock or unknowing or unauthorized persons which may enter the active portion of the facility?; and	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	b. Disturbance of the waste or equipment, by the unknowing or unauthorized entry of persons or livestock, will not cause a violation of the requirements of OAC 3745-65 to 3745-69 and 3745-256?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: If the answer to either item 7.a or 7.b is "no", the facility is subject to security requirements.</i>		
8.	Does the o/o comply with the security provisions of 3745-65-14(B) by having the following devices? [3745-51-06(C)(3)(a)(v)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a. A 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility; or	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b. i. An artificial or natural barrier which completely surrounds the active portion of the facility; and	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	ii. A means to control entry, at all times, through gates or other entrances, to the active portion of the facility.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
9.	In accordance with 3745-65-14(C), does the o/o have signs (legible from a distance of 25 ft) reading "Danger – Unauthorized Personnel Keep Out" posted at each entrance to the active portion of the facility? [3745-51-06(C)(3)(a)(v)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Existing signs with a legend other than "Danger – Unauthorized Personnel Keep Out" maybe used if the legend on the sign indicating only authorized personnel are allowed to enter the active portion, and entry onto the active portion can be dangerous.</i>		
<b>INSPECTION REQUIREMENTS</b>		
10.	Has the o/o developed and followed a written schedule, as required by 3745-65-15(B)? If so, does the schedule: [3745-51-06(C)(3)(a)(vi)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Identify the types of problems which are to be looked for during the inspection?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	b. Include the frequency of inspection based on the rate of deterioration of the equipment and the probability of an environmental or human health incident if the deterioration or malfunction or any operator error goes undetected between inspections?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
11.	Does the o/o keep the inspection schedule at the facility, as required by 3745-65-15(B)(2)? [3745-51-06(C)(3)(a)(vi)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
12.	In accordance with 3745-65-15(C), does the o/o remedy any deterioration or malfunction of equipment or structures based on a schedule ensuring that the problem does not lead to an environmental or human health hazard? [3745-51-06(C)(3)(a)(vi)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
13.	Does the o/o record inspections in an inspection log or summary and keep these records for at least 3 years from the date of inspection, as required by 3745-65-15(D)? [3745-51-06(C)(3)(a)(vi)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<b>PERSONNEL TRAINING</b>		
14.	Does the o/o have a training program which teaches facility personnel recyclable material management procedures (including contingency plan implementation) relevant to their positions, as required by 3745-65-16(A)(2)? [3745-51-06(C)(3)(a)(vii)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
15.	Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving recyclable material by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable), as required by 3745-65-16(A)(3)? [3745-51-06(C)(3)(a)(vii)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: For facility employees that receive emergency response training pursuant to OSHA regulations, the facility is</i>		

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)]

16.	Is the personnel training program directed by a person trained in hazardous waste management procedures, as required by 3745-65-16(A)(2)? [3745-51-06(C)(3)(a)(vii)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
17.	Do new employees receive training within six months after the date of hire (or assignment to a new position), as required by 3745-65-16(B)? [3745-51-06(C)(3)(a)(vii)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	Does the o/o provide annual refresher training to employees, as required by 3745-65-16(C)? [3745-51-06(C)(3)(a)(vii)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Does the o/o keep records and documentation of the following items, as required by 3745-65-16(D)? [3745-51-06(C)(3)(a)(vii)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Job titles?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Job descriptions?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Type and amount of training given to each person?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Completed training or job experience required?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
20.	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, as required by 3745-65-16(E)? [3745-51-06(C)(3)(a)(vii)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<b>IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTES REQUIREMENTS</b>		
21.	If the o/o places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-51-06(C)(3)(a)(viii)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
22.	If the o/o places a recyclable material in an unwashed container that previously held an incompatible material, is it done in accordance with 3745-65-17(B)? [3745-51-06(C)(3)(a)(viii)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<b>PREPAREDNESS AND PREVENTION REQUIREMENTS</b>		
23.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of recyclable material, as required by 3745-65-31? [3745-51-06(C)(3)(a)(ix)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
24.	Does the o/o have the following equipment at the facility, if it is required due to actual hazards associated with the recyclable material: [3745-51-06(C)(3)(a)(ix)]	
a.	Internal communications or alarm system, as required by 3745-65-32(A)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Emergency communication device, as required by 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, as required by 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, as required by 3745-65-32(D)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
25.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency, as required by 3745-65-33? [3745-51-06(C)(3)(a)(ix)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
26.	Are emergency equipment tests (inspections) recorded in a log or summary, as required by 3745-65-33? [3745-51-06(C)(3)(a)(ix)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
27.	As required by 3745-65-34(A), do personnel have immediate access to an internal alarm or emergency communication device when handling recyclable material (unless the device is not required under 3745-65-32)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

	[3745-51-06(C)(3)(a)(ix)]	
28.	As required by 3745-65-34(B), if there is only one employee on the premises, is there immediate access to a device (e.g., phone, hand held two-way radio) capable of summoning external emergency assistance (unless not required under 3745-65-32)? [3745-51-06(C)(3)(a)(ix)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
29.	Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment, as required by 3745-65-35? [3745-51-06(C)(3)(a)(ix)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
30.	Has the o/o attempted to familiarize emergency authorities with possible hazards and facility layouts, as required by 3745-65-37(A)? [3745-51-06(C)(3)(a)(ix)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
31.	Where authorities have declined to enter into arrangements or agreements, has the o/o documented such a refusal, as required by 3745-65-37(B)? [3745-51-06(C)(3)(a)(ix)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

**CONTINGENCY PLAN AND EMERGENCY PROCEDURES REQUIREMENTS – Not yet reviewed**

32.	Does the o/o have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of recyclable material, as required by 3745-65-51(A)? [3745-51-06(C)(3)(a)(x)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
33.	Does the plan describe the following: [3745-51-06(C)(3)(a)(x)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Actions to be taken in response to fires, explosions or any unplanned release of recyclable material, as required by 3745-65-52(A)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Arrangements with emergency authorities, as required by 3745-65-52(C)?	Yes <input 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, as required by 3745-65-52(D)?	Yes <input 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, as required by 3745-62-52(E)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	An evacuation plan for facility personnel where there is a possibility that evacuation may be necessary, as required by 3745-65-52(F)?	Yes <input 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 40 CFR Part 1510, or some other emergency plan, the facility can amend that plan to incorporate recyclable material 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)]*

34.	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, as required by 3745-65-53(A)&(B)? [3745-51-06(C)(3)(a)(x)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
35.	Has the o/o revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan, as required by 3745-65-54? [3745-51-06(C)(3)(a)(x)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
36.	Is an emergency coordinator available at all times (on-site or on-call), as required by 3745-65-55? [3745-51-06(C)(3)(a)(x)]	Yes <input 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 recyclable material(s) 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.*

**MANIFEST SYSTEM REQUIREMENTS**

37.	When the facility receives recyclable material accompanied by a manifest, does the o/o do the following, as required by 3745-65-71(A): [3745-51-	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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	06(C)(3)(a)(xi)]	
a.	Sign and date, by hand, each copy of the manifest?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Note any significant discrepancies?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Immediately give one copy of the manifest to the transporter and send one copy to the generator within 30 days?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Retain a copy of the manifest at the facility for at least 3 years?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
<b>NOTE: If shipping papers are used in lieu of manifest, the requirements in question 37 have to be met.</b>		
38.	Has the o/o rejected any recyclable material load or identified a container residue that exceeds the quantity limits for "empty" containers? If so, did the o/o do the following: [3745-51-06(C)(3)(a)(xi)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Consult with the generator prior to forwarding the rejected material to an alternate facility, as required by 3745-65-72(D)(1)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Send the rejected material to an alternate facility or return the rejected material to the generator within 60 days after the rejection, as required by 3745-65-72(D)(1)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	In accordance with 3745-65-72(D)(2), while the o/o is making arrangements for forwarding rejected material to another facility, did the o/o ensure that either the delivering transporter retained custody of the material or did the o/o provide for secure, temporary custody of the material?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Prepare a manifest in accordance with 3745-65-72(E)(1) through (7) for rejected material to be sent to an alternate facility?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
e.	Prepare a manifest in accordance with rules 3745-65-72(F)(1) through (7) for rejected material to be sent back to the generator?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
39.	If the o/o has accepted any unmanifested hazardous waste from off-site sources, has an unmanifested material report containing all the information required by 3745-65-76(A) been submitted to the director within 15 days? [3745-51-06(C)(3)(a)(xvi)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<b>OPERATING RECORD REQUIREMENTS</b>		
40.	Does the o/o maintain an Operating Record which contains the following information at the facility: [3745-51-06(C)(3)(a)(xii)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Records and results of required waste analysis, as required by 3745-65-73(B)(3)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	Summary reports and details of all incidents that required implementation of the contingency plan, as required by 3745-65-73(B)(4)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Records and results of required inspections, as required by 3745-65-73(B)(5)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
d.	Monitoring, testing, or analytical data, and corrective action where required, from groundwater monitoring and required monitoring of surface impoundments, landfills, waste piles and land treatment units, as required by 3745-65-73(B)(6)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
e.	All closure estimates and all post-closure estimates (if applicable), as required by 3745-65-73(B)(7)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<b>BIENNIAL REPORT REQUIREMENTS</b>		
41.	Is the o/o complying with annual report requirements set forth in 3745-65-75? [3745-51-06(C)(3)(a)(xv)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
42.	Is the o/o complying with the additional report requirements set forth in 3745-65-77? [3745-51-06(C)(3)(a)(xvii)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<b>CLOSURE REQUIREMENTS</b>		
43.	If the o/o has closed the facility, has the o/o done the following: [3745-51-06(C)(3)(a)(xviii)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	a.	Conducted the closure in accordance with the closure performance standard of 3745-66-11(A)&(B)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	b.	Decontaminated and/or properly disposed of all contaminated equipment, structures and soils, as required by 3745-66-14?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>FINANCIAL ASSURANCE REQUIREMENTS</b>					
44.		Has the following financial assurance documents approved by Ohio EPA prior to storing any material? [3745-51-06(C)(3)(a)(xix)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	a.	Cost estimate for facility closure in accordance with 3745-66-42? (Estimate only - adequacy will be evaluated by CO financial assurance personnel)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	b.	Financial assurance documentation that meets the requirements of 3745-66-43?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	c.	Liability coverage documentation that meets the requirements of 3745-66-47?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
<b>ADVANCED NOTICE OF ANTICIPATED NONCOMPLIANCE REQUIREMENTS</b>					
45.		Does the o/o give advance notice to the director of any anticipated noncompliance with the 72-hr time limit for storage that contain the following: [3745-51-06(C)(3)(a)(xx)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	a.	Cause of the anticipated noncompliance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	b.	Name, address and telephone number of the o/o?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	c.	Name, address and telephone number of the facility?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	d.	Date and time of the anticipated noncompliance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	e.	Name and quantity of material(s) involved?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	f.	Estimated time frame for noncompliance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>AVAILABILITY, RETENTION AND DISPOSITION OF RECORDS REQUIREMENTS</b>					
46.		As required by 3745-65-74, are records, including plans, made available at all reasonable times for inspection? [3745-51-06(C)(3)(a)(xiv)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
NOTE: Records and plans include inspection records, training records, contingency plan, manifests, operating records, inventory log, annual reports, and financial assurance documents, etc.					