



State of Ohio Environmental Protection Agency

**Southeast District Office**

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

November 19, 2007

**COSHOCTON COUNTY  
CONESVILLE GENERATING STATION  
DHWM/SEDO  
OHD000816686**

Ms. Georgeanne Hammond  
American Electric Power  
47201 CR 273  
Conesville, Ohio 43811

Dear Ms. Hammond:

On November 6, 2007, Vicky German and I performed a compliance inspection to determine your facility's compliance with Ohio's hazardous waste and solid waste laws and regulations as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

Based on our observations and review of facility documentation during this inspection, we found the following violation of the hazardous waste regulations. Please provide the requested information within thirty days of the date of this letter.

- (1) **OAC rule 3745-52-11, Waste Evaluation:** Any person who generates a waste in Ohio must evaluate the waste to determine if it is hazardous. If so, it must be managed as such.

During the inspection, we found that this facility did not have waste evaluations for the following wastes: A) drums of waste marked "#5 outage"; and B) used turbine oil filters. I understand that samples of these wastes have been sent for TCLP analysis. Please provide a copy of the analytical results to demonstrate compliance with this rule.

**General Comment:**

During the inspection, we noted that the former hazardous waste storage area is no longer used. If this unit will not be used for hazardous waste storage in the future, AEP should perform a "generator" closure on it. This type of closure does not require an agency-approved closure plan, AEP need only be able to demonstrate that they have met the closure performance standards of OAC rule 3745-66-11 (A)&(B). I have attached a copy of the applicable section of the Division of Hazardous Waste Management's Closure Plan Review Guidance for your information.

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American Electric Power  
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I have provided a copy of the checklists used to evaluate your facility's compliance. Additional information on the hazardous waste rules, pollution prevention assessments and other useful information is available on Ohio EPA's website at [www.epa.state.oh.us](http://www.epa.state.oh.us). If you have any questions regarding waste management or pollution prevention activities, please call me at (740) 380-5278. If you have any pollution prevention questions or would be interested in a pollution prevention assessment, please call Donna Goodman at (740) 380-5293.

Sincerely,



Richard Stewart  
District Representative  
Division of Hazardous Waste Management

RS/mlm

**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  
[tammv.mcconnell@epa.state.oh.us](mailto:tammv.mcconnell@epa.state.oh.us) or mail it to Tammy  
 McConnell, Central Office

Site EPA ID No.	EPA ID Number: OHD 000816686								
Site Name	Name: Conesville Generating Station					Website: (Optional)			
Site Location Information	Street Address: 47201 CR 273								
	City, Town, or Village: Conesville					State: OH			
	County Name: Coshocton					Zip Code: 43811			
Site Land Type (check only one)	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
NAICS code(s) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>									
Facility Representative  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: Georgeanne			MI:	Last Name: Hammond				
	Phone Number: 740-829-4065				Phone Number Extension:				
	E-Mail Address: gmhammond@aep.com								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box:								
	City, Town or Village:								
	State:			Country:		Zip Code:			
Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: American Electric Power				Date Became Owner (mm/dd/yyyy): 1950s				
	Owner Type:	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"/>
	Street or P.O. Box: 1 Riverside Plaza								
	City, Town or Village: Columbus				Owner Phone #:				
	State: OH				Country: USA		Zip Code: 07701		
	Name of Site's Operator: Same				Date Became Operator (mm/dd/yyyy):				
	Owner Type:	Private <input 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"/>
	Street or P.O. Box:								
	City, Town or Village:				Operator Phone #:				
	State:			Country:		Zip Code:			
Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
Type of Generator	<input type="checkbox"/> Not Regulated <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"/> United States Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator								
Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)	<input type="checkbox"/> Recycler of Hazardous Waste <input type="checkbox"/> Underground Injection Control Facility <input type="checkbox"/> Hazardous Waste Transporter <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste								
	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace <input type="checkbox"/> Small Quantity On-Site Burner Exemption <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption								

Universal Waste Activities (Indicate types of universal waste generated and/or accumulated (check all boxes that apply))

**Small Quantity Handler of Universal Waste**       **Large Quantity Handler of Universal Waste**  
 (accumulates 5,000 kg. or more)

**Destination Facility for Universal Waste**

(Check all boxes below that apply for each of the three types of facilities above)		Used Oil Activities (Indicate Type(s) of Activity(ies))	
	<b>Generated</b>	<b>Accumulated</b>	<input checked="" type="checkbox"/> <b>Used Oil Generator</b>
<b>Batteries</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Transporter</b>
<b>Pesticides</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil</b>
<b>Thermostats</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Transfer Facility</b>
<b>Lamps</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Processor</b>
			<input type="checkbox"/> <b>Used Oil Re-refiner</b>

Waste Codes for Federally Regulated Hazardous Wastes: Please list the codes for the federally regulated hazardous waste handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

<b>D001</b>	<b>D002</b>	<b>D007</b>	<b>D008</b>	<b>D009</b>	<b>F003</b>	<b>F005</b>
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Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

<b>Announced</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Additional Facility Representatives:</b>
<b>Tanks</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Other Comments:</b>
<b>Containers</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

<b>Name of Inspector(s)</b>	<b>Name of Inspector(s)</b>	<b>Date of Inspection/Time (mm/dd/yyyy) (hh:mm)</b>
<b>Rich Stewart</b>	<b>Vicky German</b>	<b>10/6/2007 10:30-1:15</b>

OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

<b>Signature of Owner, Operator, or an Authorized Representative</b>	<b>Name and Title (Print)</b>	<b>Date (mm/dd/yyyy)</b>

## WASTE ACTIVITIES SUMMARY

**Facility Name:** Conesville Generating Station     
 **Facility Type:** SQG/UOG/SQUWH Episodic LQG     
 **EPA ID#:** OHD 000816686

Waste Generated				On-Site and Off-Site Management			Pollution Prevention Activities	
Process Generating Waste	Waste Generated	EPA Waste Code	Amount Generated per Month	Type and Location of Accumulation, Storage	Type of On-Site Treatment	Name, State, and Type of Activity Occurring at the Facility	Current Pollution Prevention Activities	Pollution Prevention Opportunities
1	Equipment cleaning/rebuild scrubber on unit #5	Nitric/HF acid D002/ F007	3400	frac tank?	NA	Vickery, OH Deep well injection	NA	
2	Equipment maintenance	Paint waste F003/ F005/ D007/ D008	60-100 lbs	Haz waste accumulation building	NA	Giant Resource Recovery Sumter, SC Fuel blending	fuel	
3	Monitoring equipment	Hg-containing monometers D009	varies	Haz waste accumulation building	NA	HTR Group Lake Ozark, MO Retort/treat	Hg recycled	
4	Painting/cleaning	Aerosol cans D001	varies	Haz waste accumulation building	NA	Giant Resource Recovery Sumter, SC Fuel blending	fuel	
5	Bath change	Sodium hydroxide solution D002	55 gal	Haz waste accumulation building	NA	Heritage Environmental Services Indianapolis, IN treatment	NA	

## WASTE ACTIVITIES SUMMARY

Waste Generated				On-Site and Off-Site Management			Pollution Prevention Activities		
Process Generating Waste	Waste Generated	EPA Waste Code	Amount Generated per Month	Type and Location of Accumulation, Storage	Type of On-Site Treatment	Name, State, and Type of Activity Occurring at the Facility	Current Pollution Prevention Activities	Pollution Prevention Opportunities	
6	Wet lab testing	Lab waste	F003 D002	varies	Haz waste accumulation building	NA	Heritage Environmental Services Indianapolis, IN treatment	NA	
7	Lighting	Spent bulbs, batteries	UW	varies	Haz waste accumulation building	NA		recycled	
8	Lighting, misc. electric equipment	PCB wastes, ballasts	NA	varies	Haz waste accumulation building	NA	EnviroServ Thermal destruction	NA	
9	Boiler cleanout	Cleaning solution & rinsewater	NA	60,00 to 350,000 gallons (based on boiler)	Stationary tank? and frac tank	Incineration	NA	Eliminated acid neutralization and resulting sludge	
10	Lubrication	Used oil	NA	7000 gal/mo	11,200 gal AST, several portable satellite "scat" tanks ~100-200 gal each	NA	Heritage Environmental Services Columbus	recycled	

## GENERAL FACILITY INFORMATION

### Process Information:

Conesville Generating Station is a coal-fired electric generation facility. There are six boilers, Units #1 & #2 date to the 1950's, Units #3 to #6 were added subsequently through the 1970's. Units #5 & #6 are equipped with a wet-scrubber which was rebuilt in 2006. Construction activities have begun to build a jet-bubble reactor scrubber for the remaining units. Operation of new scrubber is scheduled for 2009.

Other wastes:

destination facility:

Oily water	Vandalia POTW, Vandalia, OH
Asbestos	Suburban MSW landfill, Glenford, OH
Lead paint-contam. debris	Suburban MSW landfill, Glenford, OH
Cr6-contam. clothing	Spirit Services Co., Cambridge, OH

### Regulatory/Enforcement History:

DHWM-SEDO last inspected this facility on May 16, 1996. A violation was cited for failure to record inspections of emergency equipment which was subsequently abated.

### Pollution Prevention Remarks and/or Other Information:

Would this facility be interested in a P2 assessment?

Yes  No  NA

### REMARKS

**Facility representative was briefed on OEPA's P2 assessment program.**

*If yes, refer to Ohio EPA Southeast District Office Pollution Prevention Coordinator or to Ohio EPA's Office of Compliance Assistance and Pollution Prevention, at 1-800-329-7518, [p2mail@epa.state.oh.us](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html).*

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

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 in excess of (180/270) days without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)] Yes  No  N/A

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  No  N/A

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  No  N/A
- b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)? Yes  No  N/A
- c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes  No  N/A
- d. Containment building that meets 3745-256-100 to 3745-256-102? Yes  No  N/A

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  No  N/A
10. Are wastes reclaimed under a contractual agreement? If so: [3745-52-20(E)] Yes  No  N/A
- a. Does the contractual agreement specify the type of waste and frequency of shipment? Yes  No  N/A

- b. Is the transport vehicle owned  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 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

**SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS  
BATTERIES AND LAMPS**

Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more  
Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less

**PROHIBITIONS**

1. Did the SQUWH dispose of universal waste? [3745-273-11(A)]  Yes  No  NA
2. Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)]  Yes  No  NA

**WASTE MANAGEMENT - LABELING/MARKING**

**UNIVERSAL WASTE BATTERIES**

3. Are batteries that show evidence of leakage spillage or damage that could cause leaks contained? [3745-273-13(A)(1)]  Yes  No  NA
4. If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the batteries, and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)]  Yes  No  NA
5. Does the SQUWH conduct any of the following activities:
- a. Sort batteries by type?  Yes  No  NA
  - b. Mix battery types in one container?  Yes  No  NA
  - c. Discharge batteries to remove the electric charge?  Yes  No  NA
  - d. Regenerated used batteries?  Yes  No  NA
  - e. Disassemble them into individual batteries or cells?  Yes  No  NA
  - f. Remove batteries from consumer products?  Yes  No  NA
  - g. Remove the electrolyte from the battery?  Yes  No  NA
- If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)]
6. If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)]  Yes  No  NA
- a. If the electrolyte or other waste is characteristic, is it managed in compliance with 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]  Yes  No  NA
  - b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]  Yes  No  NA

7. Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Batteries" or "Used Batteries"? [3745-273-14(A)]  Yes  No  NA

### UNIVERSAL WASTE LAMPS

8. Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)]  Yes  No  NA
9. Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)]  Yes  No  NA
10. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamps" or "Waste Lamps" or "Used Lamps"? [3745-273-14(E)]  Yes  No  NA

**NOTE:** Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of generator treatment (OAC 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.

### ACCUMULATION TIME

**NOTE:** Accumulation is defined as date generated or date received from another handler.

11. Is the waste accumulated for less than one year? [3745-273-15(A)]  Yes  No  NA  
If not:
- a. Was the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)]  Yes  No  NA
12. Is the length of time the universal waste is stored documented by one of the following: [3745-273-15(C)]  Yes  No  NA
- a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)]  Yes  No  NA
- b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)]  Yes  No  NA
- c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)]  Yes  No  NA

- d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)]  Yes  No  NA
- e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)]  Yes  No  NA
- f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)]  Yes  No  NA

## EMPLOYEE TRAINING

13. Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16]  Yes  No  NA

## RESPONSE TO RELEASES

14. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]  Yes  No  NA
15. Is the material released characterized? [3745-273-17(B)]  Yes  No  NA
16. If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)]  Yes  No  NA

## OFF-SITE SHIPMENTS

**NOTE:** If a SQUWH self-transport waste, then they must comply with the Universal Waste transporter requirements.

17. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]  Yes  No  NA

**NOTE:** SQUWHs are prohibited to send waste to any other facility.

18. If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)]  Yes  No  NA
19. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)]  Yes  No  NA
20. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do one of the following:
- a. Receive the waste back? [3745-273-18(E)(1)]  Yes  No  NA

- b. Agree to where the shipment will be sent? [3745-273-18(E)(2)]  Yes  No  NA
21. If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following:  Yes  No  NA
- a. Sending the waste back to the originating handler? [3745-273-18(F)(1)]  Yes  No  NA
- b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)]  Yes  No  NA
22. If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]  Yes  No  NA
23. If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)]  Yes  No  NA

### EXPORTS

24. Is waste being sent to a foreign destination? If so:  Yes  No  NA
- a. Does the small quantity handler comply with primary exporter requirements in OAC 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]  Yes  No  NA
- b. Is waste exported only upon consent of the receiving country and in conformance with U.S. EPA's "Acknowledgment of Consent" as defined in 3745-52-50 to 3745-52-57? [3745-273-20(B)]  Yes  No  NA
- c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]  Yes  No  NA

### REMARKS

## USED OIL GENERATOR REQUIREMENTS

**NOTE: (Short Version) - This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.**

### PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so:  Yes  No  NA
- Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)]  Yes  No  NA
2. Is used oil being used as a dust suppressant? [3745-279-12(B)]  Yes  No  NA
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)?  Yes  No  NA

### USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)]  Yes  No  NA
5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]  Yes  No  NA
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)]  Yes  No  NA
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]  Yes  No  NA
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]  Yes  No  NA
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release?  Yes  No  NA
- b. Contained the release?  Yes  No  NA
- c. Cleaned up and properly managed the used oil and other materials?  Yes  No  NA
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary?  Yes  No  NA

10. Does the generator burn used oil in used oil fired space heaters? [3745-223] If so: Yes No NA
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes No NA
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes No NA
- c. Are the combustion gases from heater vented to the ambient air? Yes No NA
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes No NA

**USED OIL COLLECTION CENTERS AND AGGREGATION POINTS**

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] Yes No NA
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes No NA
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes No NA

**WASTE EVALUATION**

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes No NA

**REMARKS**

## LDR REQUIREMENTS

### GENERAL LDR REQUIREMENTS

1. Has the generator adequately evaluated all wastes to determine if they are restricted from land disposal? [3745-270-07(A)(1)] If so:  Yes  No  NA
- a. For determinations based solely on knowledge of the waste: Is supporting data retained on-site? [3745-270-07(A)(6)]  Yes  No  NA
- b. For determinations based upon analytical testing: Is waste analysis data retained on-site? [3745-270-07(A)(6)]  Yes  No  NA
2. Has the generator determined each EPA hazardous waste code applicable to the waste? [3745-270-07(A)(2) see Table 1]  Yes  No  NA
3. Has the generator determined the correct "treatability group(s)" (e.g., wastewater, non-wastewater, etc.)? [3745-270-07(A), Table 1]  Yes  No  NA
4. Does the generator generate a characteristic hazardous waste? If so:  Yes  No  NA
- a. Have all underlying hazardous constituents (UHCs) been identified? [3745-270-09(A)]  Yes  No  NA

**NOTE:** *If the waste is D001 non-wastewater treated by CMBST, RORGS, POLYM in Table 1 of Rule 3745-270-42 UHCs do not need to be identified.*

5. Does the generator generate listed waste(s) which also exhibit hazardous characteristics? [3745-270-09] If so:  Yes  No  NA
- a. Has the generator also identified the appropriate treatment standard(s) for the constituent(s) which cause the waste to exhibit a characteristic? [3745-270-09(A)]  Yes  No  NA

**NOTE:** *The generator is not required to identify the treatment standard for the characteristic if the listing covers the associated characteristic (e.g., a F019/D007 hazardous waste - F019 being listed due to chromium content and D007 being the characteristic waste code for chromium). [See OAC Rule 3745-270-09(B)]*

6. Has the generator correctly determined if restricted wastes meet or do not meet treatment standards? [3745-270-07(A)(1)]  Yes  No  NA

**NOTE:** *Wastes with EPA hazardous waste numbers K174 and K175 (chlorinated aliphatic wastes) have specific requirements in rule 3745-270-33. Waste with EPA hazardous waste numbers K176, K177 and K178 (inorganic chemical wastes) have specific requirements in rule 3745-270-36.*

7. Does the owner/operator ensure that restricted wastes or treatment residues are not diluted as a method of achieving/circumventing LDR treatment standards? [3745-270-03]  Yes  No  NA

**NOTE:** *A generator may dilute a waste (that is hazardous only because it exhibits a characteristic) in a treatment system that discharges to waters of the State pursuant to an NPDES permit (§402 of CWA), that treats waste in a CWA equivalent treatment system, or that treats waste for the purposes of pre-treatment requirements under §307 of CWA, unless a method other than DEACT is specified or the waste is a D003 reactive cyanide wastewater or non-wastewater.[3745-270-03(B)]*

8. Is combustion of any of the wastes identified in the Appendix to Rule 3745-270-03 occurring without meeting one or more of the criteria under Rule 3745-270-03(C) upon generation or after treatment? [3745-270-03(C)]  Yes  No  NA

**NOTE:** *In other words, is combustion a legitimate treatment method?*

9. Has the generator added iron to lead-containing hazardous waste in order to achieve LDR treatment standards for lead? [3745-270-03(D)]  Yes  No  NA

10. Does the facility have a case-by-case extension to the effective date to land dispose of hazardous waste?[3745-270-05] If so: Yes No NA
- a. The facility can dispose of hazardous waste in a on-site landfill or surface impoundment.[3745-270-05] Yes No NA
11. Does the facility have an extension to allow for a restricted waste to be land disposed?[3745-270-06] If so: Yes No NA
- a. The facility can land dispose of the waste. [3745-270-06] Yes No NA
12. Does the facility treat wastes that are otherwise prohibited from land disposal, in a surface impoundment? Yes No NA  
If so:
- a. Has the facility complied with 3745-270-04? Yes No NA

### NOTIFICATION AND CERTIFICATION REQUIREMENTS

13. If a generator's waste or contaminated soil does not meet the treatment standards, does the generator have the paperwork required in Column A of Table 1 of 3745-270-07? [3745-270-07(A)(2)] Yes No NA
14. If a generators' waste or contaminated soil meets the treatment standard at the original point of generation, does the generator have the paperwork required in Column B of Table 1 of 3745-270-07? [3745-270-07(A)(3)] Yes No NA
15. If a generators' waste is exempt (under 3745-270-05, 3745-270-06, national capacity or case-by-case variance, etc.) does the generator have the paperwork required in Column C of Table 1 of 3745-270-07? [3745-270-07(A)(4)] Yes No NA
16. If a generator manages a lab pack containing hazardous waste using the alternative treatment standard in 3745-270-42, does the generator have the paperwork required in Column D of Table 1 of 3745-270-07? [3745-270-07(A)(9)] Yes No NA
17. Does the generator produce a waste that is hazardous waste from the point of generation, but subsequently excluded from regulation under OAC 3745-51-02 through 3745-51-06? [3745-270-07(A)(7)] If so: Yes No NA
- a. Is a one-time notice placed in the facility's file stating such generation, subsequent exclusion or exemption, and disposition of the wastes? [3745-270-07(A)(7)] Yes No NA

**NOTE:** *Examples include hazardous wastes discharged to a POTW or to a surface water under a NPDES permit.(See 270-07(A)(7))*

18. Does the generator retain on-site a copy of all notices, certifications, demonstrations and waste analysis data for at least three years from the last shipment of waste sent off-site? [3745-270-07(A)(8)] Yes No NA

### REMARKS

## GENERATORS TREATING HAZARDOUS WASTE

1. Is treatment of hazardous waste occurring to meet the treatment standards in 3745-270-40?  Yes  No  NA
2. If so, does the generator have a waste analysis plan containing the following requirements? [3745-270-07(A)(5)]  Yes  No  NA
- a. A detailed chemical and physical analysis of a representative sample of the wastes being treated? [3745-270-07(A)(5)(a)]  Yes  No  NA
- b. All information necessary to treat the waste(s) in accordance with the requirements of 3745-270, including the selected frequency? [3745-270-07(A)(5)(a)]  Yes  No  NA
3. Is the WAP on-site in the facility's files and available to inspectors? [3745-270-07(A)(5)(b)]  Yes  No  NA
4. Has the generator followed their WAP [3745-270-07(A)(5)]?  Yes  No  NA
5. Have the treated wastes met the applicable treatment standards in 3745-270-40?  Yes  No  NA
6. Has the generator sent a notification and certification with the initial shipment of waste? [3745-270-07(A)(5)(c)]  Yes  No  NA
7. Does each notification/certification form completed, contain the information found in Table 1 of 3745-270-07? [3745-270-07(A)(5)(c)]  Yes  No  NA
8. Has the generator, who is treating a characteristic waste, submitted a notification and certification to the director which contains the following:
- a. Name and address of the facility receiving the waste? [3745-270-09(D)(1)(a)]  Yes  No  NA
- b. A description of the waste, including EPA hazardous waste codes and treatability group, and UHCs? [3745-270-09(D)(1)(b)]  Yes  No  NA

**NOTE:** *If the waste will be treated and monitored for all UHCs then they do not need to be listed on the notice.*

9. Has the process/operation generating the waste or the solid waste landfill facility changed? If so:  Yes  No  NA
- a. Has the notification and certification been updated in the generators and treaters files? [3745-270-09(D)]  Yes  No  NA
- b. Has the director been notified of such changes? [3745-270-09(D)]  Yes  No  NA

**NOTE:** *The director need only be notified on an annual basis but no later than December 31.*

10. Is the facility treating contaminated soil using the alternative treatment standards in 3745-270-49? If so:  Yes  No  NA
- a. Has the facility treated the contaminated soil to less than 10 times the Universal Treatment Standards or has a 90% reduction in the total constituent concentrations occurred? [3745-270-49 (C)]  Yes  No  NA
11. Does each notification/certification form completed, contain the information found in Table 1? [3745-270-07(A)(3)]  Yes  No  NA

**NOTE:** *If the waste will be treated and monitored for all constituents, there is no need to put them all on the LDR notice.*

**REMARKS**

## HAZARDOUS DEBRIS

1. Does the material in question meet the definition of hazardous debris as defined in rule 3745-270-02(A)(3)?  Yes  No  NA
2. Is the hazardous debris being treated to the waste specific treatment standard in 3745-270-40 to 3745-270-49? (If yes, use the generator checklist.)  Yes  No  NA
3. Is the hazardous debris being treated by the alternative treatment standards in 3745-270-45? If so:  Yes  No  NA
  - a. Has the debris or mixtures of debris been treated for each contaminant subject to treatment (toxicity, listed waste and cyanide reactive debris) using one or more of the treatment technologies found in Table 1 in 3745-270-45? [3745-270-45(A)]  Yes  No  NA

**NOTE:** *If immobilization has been used in a treatment train, it must be the last treatment technology used.*

4. Was the hazardous debris a listed waste treated by an immobilization technology in Table 1? [3745-270-45(A)(1)] If so  Yes  No  NA
  - a. Was immobilization the last treatment technology used? [3745-270-45(A)(3)]  Yes  No  NA
5. Is the waste a PCB waste under 40 CFR Part 761? If so:  Yes  No  NA
  - a. Has the waste been treated to the most stringent standard in 40 CFR 761 or 3745-270-45? [3745-270-45(A)(5)]  Yes  No  NA
6. Has the residue from the treatment of hazardous debris been disposed of in accordance with 3745-270-40 to 3745-270-49? [3745-270-45(D)]  Yes  No  NA
7. Does the owner/operator of a treatment facility that claims the debris is excluded from regulation as a hazardous waste under 3745-51-03(F)(1) maintain the following information?  Yes  No  NA
  - a. Records of all inspections, evaluations, and analyses of treated debris? [3745-270-07(D)(3)(a)]  Yes  No  NA
  - b. Records of key operating parameters of the treatment unit? [3745-270-07(D)(3)(b)]  Yes  No  NA
  - c. A certification statement for each shipment of treated debris? (See 270-07(D)(3)(c) for exact wording) [3745-270-07(D)(3)(c)]  Yes  No  NA
8. Does the notifications and certifications of an owner/operator who first claims the debris is excluded under 3745-51-03(F)(1) have the following information? [3745-270-07(D)(3)]  Yes  No  NA
  - a. Name and address of licensed solid waste landfill receiving the treated debris? [3745-270-07(D)(1)(a)]  Yes  No  NA
  - b. Description of hazardous debris as initially generated with applicable waste codes? [3745-270-07(D)(1)(b)]  Yes  No  NA
  - c. Technology used from Table 1? [3745-270-07(D)(1)(c)]  Yes  No  NA
9. Has the above notification been sent to the director? [3745-270-07(D)(1)]  Yes  No  NA

## REMARKS

## TREATING FACILITIES WHICH TREAT WASTE TO MEET LDR STANDARDS

1. Does the treating facility test waste according to their waste analysis plan as required in 3745-54-13 or 3745-65-13? [3745-270-07(B)]  Yes  No  NA
  2. Has a one-time notification been sent with the initial shipment of waste or contaminated soil to the land disposal facility? [3745-270-07(B)(3)]  Yes  No  NA
- Note:** *No further notification is necessary until such time that the waste changes or the receiving facility changes.*
3. Does the one-time notification and certification contain the information listed in Table 2 of 3745-270-07? [3745-270-07(B)(3)]  Yes  No  NA
  4. Are wastes or treatment residues being sent to another TSD to be further managed?  
If so:
    - a. Has the facility complied with the generator notification/certification requirements? [Table 1, 3745-270-07(B)(5)]  Yes  No  NA
  5. Are recyclable materials used in a manner constituting disposal and subsequently subject to 3745-266-20? If so:
    - a. Has the treatment facility (recycler) sent a notification (found at 3745-270-07(B)(4)), excluding the manifest number, with each shipment of waste? [3745-270-07(B)(6)]  Yes  No  NA
    - b. Has the treatment facility (recycler) sent a certification found in 3745-270-07(B)(4) [3745-270-07(B)(6)]  Yes  No  NA
    - c. Has a copy of the notification and certification been sent to the director? [3745-270-07(B)(6)]  Yes  No  NA
  6. Does the recycling facility maintain records of the name and location of each entity receiving the hazardous waste-derived products? [3745-270-07(B)(6)]  Yes  No  NA
  7. Does the owner or operator of any land disposal facility disposing of waste subject to regulation under 3745-270 have:
    - a. Copies of all notices and certifications required in 3745-270?  Yes  No  NA
    - b. Test results indicating all waste, extracts of waste or treatment residue are in compliance with 3745-270-40 to 3745-270-49?  Yes  No  NA
    - c. The testing frequency specified in the facility's WAP and have they followed the protocol?  Yes  No  NA

### REMARKS

period for the hazardous waste disposal unit was performed in accordance with specifications in the approved post-closure plan. All certifications must be signed by both the owner/operator and an independent registered professional engineer licensed, or otherwise authorized to practice, in the state of Ohio (see ORC Section 4733.18).

### **Review of Post-Closure Certification**

The certification of completion of the post-closure care period focuses on whether the post-closure activities were performed in accordance with the approved post-closure plan not whether the post-closure care period should continue. Verification of this certification can be accomplished in a manner very similar to the verification process used to accept closure certifications.

### **Permit Withdrawal**

Once a permitted hazardous waste management unit has completed closure and post-closure, if necessary, and Ohio EPA has accepted the certification(s) from the facility, then the owner/operator should submit a permit modification requesting the closed unit be removed from the permit. Permit modifications removing units that have closed are not granted by Ohio EPA until certification of closure is received and accepted.

When Ohio EPA has accepted the final facility closure certification and post-closure certification, if necessary, and has determined that the facility has fulfilled their corrective action obligations under OAC Rules 3745-54-100 and 3745-54-101, then the owner/operator should submit a permit withdrawal request in accordance with OAC Rule 3745-50-47.

Ohio EPA charges each owner/operator a hazardous waste permit fee for each type of hazardous waste management unit on a graduated scale, according to OAC Rule 3745-50-36. Obviously, since fees are assessed for each type of RCRA unit, it is imperative that the owner/operator submit permit modification or withdrawal requests in a timely manner to avoid additional charges for units with certified closures. The fee system is detailed in OAC Chapter 3745-50.

## **1.9 Generator Closure**

Because generator management practices vary from facility to facility, what a generator has to do to meet the closure performance standard will also vary. OAC Rule 3745-52-34 requires that the generator meet the closure performance standard of OAC Rule 3745-66-11, as well as the applicable disposal or decontamination requirements of OAC Rule 3745-66-14. However, OAC Rule 3745-52-34 also specifically exempts certain generators from the rule requirements regarding time allowed for closure, having a written closure plan, certification of closure, cost estimates for closure, and financial assurance for closure. Further OAC Rule 3745-52-34 does not impose an obligation or duty on Ohio EPA to approve the closure measures either before or after the generator closure activity takes place.

The generator closure process is self-implementing. If a generator is aware of the closure performance standard, the requirements of OAC Rule 3745-52-34 and has made a good faith effort to meet that standard, then the law presumes that the standard has been met. There is no pre-existing legal requirement that a generator submit a certification as a step in the process of demonstrating that the closure performance standard is met. Ohio EPA would have the burden of demonstrating that the generator did not in fact meet the closure performance standard. In this regard, the DHWM's (1998) *Guidance on Meeting the Closure Performance Standard for Large Quantity Generators of Hazardous Waste* provides guidance to inspectors on determining a generator's compliance with the closure performance standard requirements in OAC Rules 3745-66-11(A) and (B) and 3745-66-14. This guidance recommends when a generator closure needs to occur and assists inspectors on how to handle different generator closure situations.

Ohio EPA recommends that generator accumulation areas (particularly hazardous waste accumulation areas which are comprised of or are located directly on soil) be closed as soon as possible in order to avoid future problems. If a generator decides not to close an accumulation area when it is no longer used to store hazardous waste, any future contamination which occurs in that area may be attributed to the accumulation of hazardous waste. The longer a generator waits to close a hazardous waste accumulation area, the more complicated the closure may become due to the possibility of contamination spreading into or out of the unit. Therefore, in the best interest of the generator and the environment, the accumulation area should be closed as soon as possible when hazardous wastes are no longer managed in the area.

If a generator has conducted activities that would constitute treatment, storage or disposal practices in the accumulation area without a hazardous waste permit, the generator closure rules do not apply to the closure of the accumulation area because of the unlawful treatment, storage and/or disposal of hazardous waste. Under such circumstances, the generator would be subject to and may be required to close the hazardous waste management unit in accordance with the requirements of OAC Chapter 3745-66. A generator that needs information regarding formal closure should consult later chapters of this guidance document and his/her district office DHWM contact.

#### **Requirements for Generator Closure<sup>8</sup>**

##### **Container Storage Areas (Sealed Pads)-Impermeable Surface**

- (a) If the container pad has not had any leaks or releases to it from containers of hazardous waste, and this fact can be corroborated by inspection logs for the life of the pad as a hazardous waste accumulation area, then this type of pad can be closed with a signed statement by the generator of the facility stating there have not been any releases of hazardous waste to this pad. The log and statement would be reviewed by the inspector and documented

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<sup>8</sup> All final generator closure decisions are left to the inspector's best professional judgment. This guidance is to assist inspectors on how to handle different generator closure situations.

on the generator closure portion of the Large Quantity Generator (LQG) checklist.

- (b) If there have been leaks or releases to the pad, or it cannot be corroborated that no leaks, spills or releases have occurred, then the generator should compile detailed documentation of the decontamination and/or removal process(es) that were conducted to meet the closure performance standard. The generator can then provide a statement that the closure performance standard was met per the procedures mentioned directly above in (a).

**Container Storage Areas (Pads)-Potentially Permeable Surface (e.g., Concrete Pads)**

- (a) If the generator provides documentation equivalent to that described above in (a) for impermeable surfaces, then the accumulation area may be closed using those same procedures. To satisfy any doubts the inspector has, sufficient photo and written documentation (including but not limited to physical descriptions and drawings of the accumulation area) attesting to the structure's pre-accumulation condition should be available to compare with the physical description after the generator has finished accumulating hazardous waste in that area. This can be done either by the inspector during an inspection or done by the generator prior to storing any hazardous waste on the pad.
- (b) If a spill occurred in the accumulation area and there were no constituents of concern released that could potentially permeate the pad/floor (e.g., concrete pad), then the generator can follow the guidance described above in (b) for impermeable surfaces.

**Container Storage Area with Permeable Surface or Located on Soil**

If a generator has stored containers of hazardous waste on either one of these types of accumulation areas, it is recommended that the generator close the unit per applicable portions of this guidance document and maintain detailed documentation that the closure performance standard was met.

**Tank Systems**

Generators storing in tank systems must meet the closure requirements of OAC Rule 3745-66-97(A) and (B). This may include following the Decontamination procedures in this guidance document as a means of meeting the closure performance standard in OAC Rule 3745-66-11(A) and (B) and demonstrating compliance with the Disposal or Decontamination of Equipment, Structures and Soils requirement in OAC Rule 3745-66-14.

Generators utilizing hazardous waste tank systems that do not have adequate secondary containment are recommended to follow the closure procedures listed above for containment areas to close out the pad/foundation/soil on which the tank system is located. If the generator does have adequate secondary containment in the form of a liner or vault, the requirements to close these structures would be to follow the requirements presented above in (a) and (b) for impermeable surfaces. Closure of tanks with double walls would not need to follow the guidance presented above for containment areas as long as the secondary containment was never breached.

Prior to determining that the closure performance standard has been met, generators utilizing hazardous waste tank systems that have secondary containment installed during the life of the system are recommended to properly assess the area that may have been exposed to possible releases from the tank system prior to installing the secondary containment. If the generator's findings sufficiently demonstrate that there were not any releases from the tank system, then only the installed secondary containment and tank system would have to be closed in accordance with the tank closure requirements.

However, if the generator demonstrates that not all contaminated soils can be practicably removed or decontaminated or meet risk goals found in later chapters of this guidance document, then OAC Rule 3745-66-97(B) requires a generator to perform closure and post-closure in accordance with requirements that apply to landfills in OAC Rule 3745-68-10. Guidance for this type of closure and post-closure can be found in Section 5.1, titled Components for Waste in Place Closure Plans and Section 5.2, titled Components for Post-Closure Plans.