



State of Ohio Environmental Protection Agency

FILE COPY

STREET ADDRESS:

Central District Office

MAILING ADDRESS:

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 728-3778 FAX: (614) 728-3898  
www.epa.state.oh.us

P.O. Box 1049  
Columbus, OH 43216-1049

July 10, 2008

Mr. Brian Grannan  
Industrial Container Services-OH, LLC  
P.O. Box 535.  
Blacklick, OH 43004

Re: **Industrial Container Services-OH, LLC**  
**Franklin County, LQG OHD004291654**

Dear Mr. Grannan:

Thanks to you and Ron Grannan for your assistance during my June 19, 2008 inspection visit to the ICS-Ohio facility at 1385 Blatt Boulevard. The purpose was to review your facility's generation and management of hazardous waste, universal waste and used oil. Ohio's laws under Chapter 3745 of the Ohio Administrative Code and Chapter 3734 of the Ohio Revised Code establish a system for safe and responsible management of these wastes. This letter summarizes the inspection findings.

The following violations were noted:

- Hazardous Waste Contingency Plan, OAC rule 3745-65-52(E):** A Contingency plan must include a list of all emergency equipment, including the location(s), a physical description and brief outline of capabilities.

The contingency plan lacked this required information in Appendix B.

*Please update the plan as needed to include this information and send copies of the changed pages to demonstrate correction of this violation.*
- Preparedness and Prevention, OAC rule 3745-65-31:** The facility must be operated to minimize the possibility of any unplanned release of hazardous waste.

The hazardous waste tank system secondary containment was visibly cracked and eroded, and was wet with spillage of oily caustic waste from the adjacent process. The possibility of release to the environment was not minimized.

*Please address this problem concurrent with any necessary actions taken to resolve Violations #6 and 7 below, and provide a description of the corrections made.*
- Satellite Accumulation Area Quantity Limitations, OAC rule 3745-52-34(C)(1):** A limit of 55 gallons of hazardous waste per waste stream must not be exceeded in a satellite accumulation area.

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

Two full drums of hazardous waste conveyor ash were present in the satellite accumulation area near the oxidizing furnace exit and conveyor track, in addition to a third drum that was in the process of being filled by waste generation practices in the area. This waste is generated at a rate of approximately one drum every 2-3 weeks.

*Your email message on June 20, 2008, confirmed that the full drums have been moved to the less-than-90-day accumulation area. This violation is now considered resolved.*

4. **Satellite Accumulation Area Container Marking, OAC rule 3745-52-34(C)(1)(b):** Containers must be marked with the words "Hazardous Waste" or other words identifying the contents.

The three drums of hazardous waste conveyor ash near the oxidizing furnace exit and conveyor track were unmarked.

*You provided photos showing that the full containers were marked on June 20, 2008 as "Hazardous Waste". Please ensure that the partially full drum that remains in the satellite accumulation area is also clearly marked as either "Hazardous Waste" or with another suitable description of the contents.*

5. **Satellite Accumulation Area Accumulation Date Marking Requirements, OAC rule 3745-52-34(C)(2):** When the 55-gallon limit is exceeded, the container(s) holding excess must be marked with the accumulation date when that limit was exceeded.

The two full drums of hazardous waste conveyor ash in the accumulation area near the oxidizing furnace exit and conveyor track, lacked any accumulation start date markings.

*Your follow-up email indicated the two full drums were marked with the proper accumulation start date as of June 20, 2008. This violation has now been resolved.*

6. **Tank System Requirements, OAC rule 3745-66-92(A):** Each hazardous waste tank must have a written assessment attesting that the design, installation and structural integrity of the system is adequate for the management of hazardous waste(s). It must be certified by an independent, registered professional engineer, with consideration of the design standards and operation of the system (including secondary containment and ancillary equipment such as piping and alarms), taking into proper account the hazardous characteristics of the waste.

There was no record of a written assessment meeting the applicable requirements, for either tank SL-2 or W-03.

*Obtain and provide a copy of a suitable engineer's assessment for the two hazardous waste tank systems. Include copies of relevant supporting information such as calculations in order to validate the conclusions of the assessment. Include appropriate language in the certification statement as referenced in the above specified rules.*

7. **Tank System Secondary Containment Design/Operation Requirements, OAC rule 3745-66-93(B) and (E)(1):** The secondary containment must be designed, installed and operated to prevent any migration of wastes or liquid to the soil, ground water or surface water and be capable of detecting and collecting releases and accumulated liquids.

The concrete secondary containment system surface was cracked in numerous locations and pitted from apparent chemical erosion. A chemically compatible coating did not appear to have been provided. Chemically resistant water stops were not evident at all points. The containment floor surface in many locations was wet with spilled residues from the oily caustic waste reclamation and management process. The integrity of sumps in the area which were part of the secondary containment system, was also questionable. As mentioned in Violation #2 above, there was a resultant real possibility that wastes from the system could migrate to the soil and/or ground water.

*Please make the necessary repairs or upgrades to ensure that the secondary containment system meets the applicable requirements, including the above concerns. Describe actions taken to address this along with sending the engineer's certification related to Item 6 above.*

8. **Tank System Daily Operation Inspections, OAC rule 3745-66-95:** Hazardous waste tank systems must be inspected and documented in a log operating record, each operating day—including aboveground portions, spill control and leak detection equipment.

Tank inspections documented in a log were being conducted on a weekly, not daily, basis.

*Please change the inspection frequency with log recordkeeping to daily basis, and ensure that conditions assessed include items such as the presence of spillage or releases in the secondary containment system, as well as the condition of the primary tank system and the secondary containment system coatings and seals. If a certain specified freeboard level is to be maintained in either of the regulated hazardous waste tanks, that should also be evaluated in these daily checks.*

I also offer the following comments/suggestions:

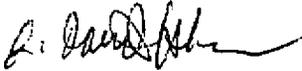
- Hazardous waste tank systems containing volatile or ignitable waste constituents must be provided with suitable controls to prevent release to the air of those constituents, according to applicable federal hazardous waste rules (known as the RCRA Subpart AA, BB and CC rules) which Ohio has not adopted at the state level but which still would apply with federal enforcement oversight. I recommend that the tank system engineering assessment and certification mentioned above also address this matter in order to appropriately prevent other possible pollution or air releases from these tanks. Controlling the vapors from this ignitable waste management unit may also be necessary in order to protect it from conditions which may cause ignition or reaction [as required per OAC Rule 3745-66-98(A)].
- Ohio EPA continues to appreciate and request the submittal of quarterly summary log reports of rejected "heavy" (non-empty) drum receipts which should show the timely return of such items by your facility to the original customers/owners.
- Ohio EPA is still in the process of reviewing a certification of closure received from your facility in March of 2008 for a former hazardous waste storage pad. The results of that review will be transmitted to you separately, as soon as they are available.
- I have informed DHWM-Central Office hazardous waste information unit staff of the company name change at your facility, which you indicated was effective on January 1, 2008 and which I learned has already been updated in some other agency database records.

Mr. Brian Grannan  
Industrial Container Services-OH, LLC  
Page - 4 -

- Copies of Ohio EPA's compliance checklists completed during my inspection are enclosed with this letter for your reference.

I look forward to receiving *the requested compliance follow-up information* from you within 30 days. Should you have any questions, please feel free to call me at (614) 728-3885.

Sincerely,



J. David Hohmann  
Environmental Specialist  
Division of Hazardous Waste Management  
Central District Office

c: Kristina Durnell--DHWM/CO  
CDO File

JDH/nsm ICS 08 NOV-PRTC

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

# LARGE QUANTITY GENERATOR REQUIREMENTS

## COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY

LQG:  $\geq 1,000$  Kg. (~300 gallons) of waste in a calendar month or  $\geq 1$  Kg. of acutely hazardous waste in a calendar month.

Safety Equipment Used: *safety glasses, ear protection, steel toed boots.*

### GENERAL REQUIREMENTS

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes  No  N/A
2. Are records of waste determination being kept for at least 3 years? [3745-52-40(C)] Yes  No  N/A
3. Has the generator obtained a U.S. EPA identification number? [3745-52-12] Yes  No  N/A
4. Were annual reports filed with Ohio EPA on or before March 1<sup>st</sup>? [3745-52-41(A)] Yes  No  N/A
5. Are annual reports kept on file for at least 3 years? [3745-52-40(B)] Yes  No  N/A
6. Has the generator transported or caused to be transported hazardous waste to **other** than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)] Yes  No  N/A
7. Has the generator disposed of hazardous waste **on-site without a permit** or at another facility **other** than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E) & (F)] Yes  No  N/A
8. Does the generator accumulate hazardous waste? Yes  No  N/A
9. Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director? [ORC §3734.02 (E) & (F)] Yes  No  N/A
10. Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)] *N/A. Only RCRA-empty containers were being processed on site, and waste from the reclamation process was not being treated after generation.*
11. Does the generator export hazardous waste? If so: *N/A* Yes  No  N/A

### MANIFEST REQUIREMENTS

12. Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)] *RMK: Non-empty "Heavy" rejected drums are set aside, temporarily held and returned to the owners (as mis-shipped materials) at the owners' expense, usually within 30 days.* Yes  No  N/A
13. Have items (1) through (20) of each manifest been completed? [3745-52-20(A)] Yes  No  N/A
14. Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)] Yes  No  N/A
15. If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] Yes  No  N/A
16. Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (2)] Yes  No  N/A
17. If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)] Yes  No  N/A
18. If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)] Yes  No  N/A
19. Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40] Yes  No  N/A

### PERSONNEL TRAINING

20. Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)] Yes  No  N/A
21. Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)] Yes  No  N/A
22. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes  No  N/A
23. Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)] Yes  No  N/A
24. Does the generator provide annual refresher training to employees? [3745-65-16(C)] *RMK: It was last done on 11/15/07* Yes  No  N/A
25. Does the generator keep records and documentation of:
  - a. Job titles? [3745-65-16(D)(1)] Yes  No  N/A

- b. Job descriptions? [3745-65-16D(2)] Yes  No  N/A
- c. Type and amount of training given to each person? [3745-65-16(D)(3)] Yes  No  N/A
- d. Completed training or job experience required? [3745-65-16(D)(4)] Yes  No  N/A
26. Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)] Yes  No  N/A

### CONTINGENCY PLAN

27. Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)] Yes  No  N/A   
*RMK: The plan was part of an integrated SPCC plan that was last revised dated 6/17/08.*
28. Does the plan describe the following:
- a. Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste [3745-65-52(A)] Yes  No  N/A
- b. Arrangements with emergency authorities [3745-65-52(C)]. Yes  No  N/A
- c. A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator [3745-65-52(D)] Yes  No  N/A
- d. A list of all emergency equipment, including: location, a physical description and brief outline of capabilities [3745-65-52(E)] *RMK: The location of equipment was not shown on Table 1-B in Appendix B. More information was needed on the location, description and brief outline of capabilities for items such as eyewash, spill response/absorbent kits, etc.* Yes  No  N/A
- e. An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)] Yes  No  N/A
29. Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53 (A) & (B)] Yes  No  N/A
30. Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54] Yes  No  N/A
31. Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] Yes  No  N/A

### EMERGENCY PROCEDURES

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

### PREPAREDNESS AND PREVENTION

33. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] *RMK: There was a non-minimized possibility of unplanned release of hazardous waste from the hazardous waste accumulation tanks, secondary containment system of which did not appear to be in good condition at the time of the inspection.* Yes  No  N/A
34. Does the generator have the following equipment at the facility, if required due to hazards associated with the waste:
- a. Internal communications or alarm system? [3745-65-32(A)] Yes  No  N/A
- b. Emergency communication device? [3745-65-32(B)] *RMK: P.A. system and phones.* Yes  No  N/A
- c. Portable fire control, spill control and decontamination 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
35. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] Yes  No  N/A
36. Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] Yes  No  N/A
37. Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)] Yes  No  N/A
38. 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
39. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes  No  N/A

40. Has the generator attempted to familiarize emergency authorities with possible risks and facility layouts? [3745-65-37(A)] Yes  No  N/A
41. 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

42. 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   
*RMK: Two full drums and one partial drum of conveyor ash waste were near the oxidizer exit.*
  - 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)] *RMK: The ash containers were unpainted, having just been processed in the oxidizing furnace. They might meet DOT shipping requirements for the contents (a solid dry material).* Yes  No  N/A
  - f. Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] *The three drums of conveyor ash waste were unmarked.* Yes  No  N/A
43. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so: Yes  No  N/A
- 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)] *RMK: They were generated about once every 2-3 weeks.* Yes  No  N/A
  - b. Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)] *RMK: The two full drums lacked start date markings.* Yes  No  N/A

#### USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS

44. Has the generator marked containers with the words "Hazardous Waste"? [3745-52-34(A)(3)] *RMK: with the exception of the two unmarked full drums in the satellite accumulation area.* Yes  No  N/A
45. Is the accumulation date on each container? [3745-52-34(A)(2)] *RMK: with the exception of the two unmarked full drums in the satellite accumulation area.* Yes  No  N/A
46. 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
47. Is the container accumulation areas(s) inspected weekly? [3745-66-74] *Per ORC§1.44(A) "Week" means 7 consecutive days.* Yes  No  N/A
- a. Are inspections recorded in a log or summary? [3745-66-74] Yes  No  N/A
48. Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] Yes  No  N/A
49. 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
50. 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
51. 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
52. If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)] *RMK: Formal closure pending for a >90 day area, done under enforcement orders. To be reviewed separately from this inspection.* Yes  No  N/A

#### PRE-TRANSPORT REQUIREMENTS

53. Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)] Yes  No  N/A
54. Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes  No  N/A
55. Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] Yes  No  N/A

## GENERATOR LDR CHECKLIST (DOES NOT APPLY TO CESQGS)

### GENERAL REQUIREMENTS

1.	If LDRs do not apply, does the generator have a statement that lists how the HW was generated, why LDRs don't apply and where the HW went? [3745-270-07 (A)(7)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
2.	Did the generator determine if the HW/soil must be treated to meet the LDR treatment standard prior to disposal? Generator knowledge or testing may be used. [3745-270-07(A)(1)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
3.	Does the generator have documentation of how it determined whether the HW/soil meets or does not meet the LDR treatment standard in 2, above? [3745-270-07(A)(6)(a) or 3745-270-07(A)(6)(b)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
4.	Does the generator keep the documentation required in #2, above, on-site for at least three years from the last date the HW/soil was sent on-site/off-site for treatment/disposal? [3745-270-07(A)(8)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
5.	Does the generator generate a listed HW that exhibits a characteristic? If yes,	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a. Did the generator determine if the listed HW exhibits a characteristic that is not treated under the LDR treatment standard for the listed HW? [3745-270-09(A)] <i>RMK: Characteristic = D001 (also equal to the reason for listing)</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
6.	Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
7.	Did the generator treat his HW /soil on-site to meet the LDR treatment standard?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
8.	Did the generator send a one-time LDR notification form to the TSD with the first shipment to that facility? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
9.	Did the generator resubmit the LDR notification form to the TSD when the HW changed or the generator used a new TSD? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
10.	Does the generator have a copy of the LDR notification form on file? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a. Is the form kept on file for three years after last HW shipped? [3745-270-07(A)(8)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

### NOTIFICATION FORM

11.	Does the LDR Notification form indicate:	
	a. Manifest number of the first waste shipment to the TSD? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b. Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c. A statement that conveys that the HW is subject to LDRs and must be treated to meet LDR treatment requirements? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d. Designate if the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	e. Designation of the waste subcategory when applicable? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	f. A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	g. If the HW is F001-F005 or F039, did the generator note on the LDR form what solvents or constituents, respectively, the waste contains and must be treated for? [3745-270-07(A)(2)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

### PROHIBITED DILUTION

12.	Is the HW treated by burning? <i>If "No," go to #15. RMK: YES, but only at the TSDF.</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
13.	Is the HW a metal-bearing HW? <i>RMK: YES, But not the waste that is burned.</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
14.	a. Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless <b>one</b> of the following conditions apply. [3745-270-03(c)]	
	i. Contains > 1% TOC?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii. Contains organic constituents or cyanide at levels greater than the UST levels?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iii. Is made up of combustible material e.g., paper, wood, plastic?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iv. Has a reasonable heating value (e.g., > 5000 Btu)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	v. Co-generated with a HW that must be combusted?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. If all responses to 14 a.i. through 14 a.v. are "No", HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW being treated by dilution?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

15.	Was the HW treated by wastewater treatment? <i>RMK: a-c = N/A</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
<b>GENERATOR TREATMENT</b>				
16.	Does the generator treat to meet LDRs on-site? [3745-270-40(A)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	Did the generator treat his hazardous waste/soil on-site in a tank, container, drip pad or containment building to meet the LDR treatment standard?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	If "Yes"...complete the rest of the checklist. If "No"...stop...you are done. <i>RMK: -- DONE--</i>			

### LQG TANK SYSTEM REQUIREMENTS (OAC rule 3745-52-34(A) and 3745-66-90 through 3745-66-100)

1. Is each tank clearly labeled/marked with the words "Hazardous Waste" [3745-52-34(A)(3)]? Yes  No  N/A   
*RMK: The tanks were marked with yellow "hazardous waste" container labels, with very small lettering that. The marking was not visible from any distance and not visible from other directions that the tank may have been approached in the event of an emergency.*

### TANK SYSTEM - GENERAL OPERATING REQUIREMENTS

2. Does the owner/operator ("o/o") follow the general operating requirements below:
- a. ... prevent placement of hazardous waste or treatment reagents in tank or secondary containment if such placement can cause the system to leak, rupture, corrode, or otherwise fail? [3745-66-94(A)] Yes  No  N/A
- b. ... use appropriate controls to prevent spills or overflows from the system (e.g., check valves, dry disconnect couplings, high level alarms, etc.)? [3745-66-94(B)] Yes  No  N/A   
*RMK: The rectangular tank #SL-2 was filled by workers using visual signals only. A tank level indicator (mechanical float) on the cylindrical tank #W-03 served this purpose. More detailed answer to this question will be determined when a written tank assessment is received.*
- c. If a leak or spill has occurred in the tank system, has the o/o complied with 3745-66-96? [3745-66-94(C)] Yes  No  N/A

### TANK SYSTEM - INSPECTION REQUIREMENTS

3. Has the o/o documented the inspections required in 3745-66-95, in the operating record, including inspection of:  
*RMK: Tank operating inspections were only being conducted and documented weekly.*
- a. Spill control equipment each operating day? [3745-66-95(A)(1)] Yes  No  N/A
- b. Above ground portion of tank each operating day? [3745-66-95(A)(2)] *RMK: Yes, weekly* Yes  No  N/A
- c. Data from leak detection equipment each operating day? [3745-66-95(A)(3)] Yes  No  N/A
- d. Construction materials and area immediately surrounding the tanks for signs of erosion or release of hazardous waste each operating day? [3745-66-95(A)(4)] *RMK: Yes, weekly* Yes  No  N/A
4. Where applicable, the cathodic protection system to confirm proper operation within six months of initial installation and annually thereafter? [3745-66-95(B)(1)] Yes  No  N/A
5. Where applicable, all sources of impressed current at least bi-monthly? [3745-66-95(B)(2)] Yes  No  N/A

### TANK SYSTEM CLOSURE REQUIREMENTS

6. If the generator has closed a <90 day tank, was closure completed in accordance with OAC 3745-66-97 (except for paragraph C)? Yes  No  N/A

### TANK SYSTEMS STORING IGNITABLE OR REACTIVE WASTES

7. For tanks used to treat or store ignitable or reactive wastes, has the o/o complied with **one of the following**: [3745-66-98(A)] Yes  No  N/A
- a. Is the waste treated immediately after placement in the tank so that the resultant mixture is no longer ignitable or reactive and the o/o has conducted such activities in compliance with 3745-66-17(B)? [3745-66-98(A)]; **OR** Yes  No  N/A
- b. Is the waste stored or treated to protect it from materials or conditions which may cause ignition or reaction? [3745-66-98(A)]; **OR** Yes  No  N/A   
*RMK: The open topped rectangular tank (#SL-2) may be at risk for this hazard.*
- c. The tank is used solely for emergencies? [3745-66-98(A)] Yes  No  N/A
8. If ignitable or reactive waste is stored or treated, are protective distances maintained between waste management areas and any public streets, alleys or adjoining property lines as required by the NFPA Flammable and Combustible Liquids Code (1996)? [3745-66-98(B)] Yes  No  N/A
9. Has the o/o placed incompatible wastes or materials into the same tank system, or into a tank system that has not been decontaminated and which previously held an incompatible waste or material? [3745-66-99(A) and/or (B)] *RMK: a. = N/A* Yes  No  N/A

## TANK SYSTEM – WASTE ANALYSIS REQUIREMENTS

10. In addition to conducting the waste analysis required by 3745-65-13, when the tank system is used to store or treat a waste which is substantially different or uses a substantially different process than previously used, has the o/o done one of the following: [3745-66-100]
- a. Conducted waste analysis and trial treatment or storage tests? [3745-66-100(A)]; **OR** Yes  No  N/A
- b. Obtained written documentation on similar waste under similar operating conditions to show that the proposed storage/treatment will meet the requirements of OAC 3745-66-94? [3745-66-100(B)] Yes  No  N/A

## TANK SYSTEM REQUIREMENTS

11. Is there a written assessment attesting that the design, installation and structural integrity of the system is adequate for the management of hazardous waste(s)? [3745-66-92(A)] Yes  No  N/A

*RMK: A written assessment of the tanks was not available and may not exist. The questions below will be answered when an assessment is provided by the owner/operator.*

12. Does the written assessment include the following: [3745-66-92(A)] *RMK: NO to related questions in #12 and #13 below, since no such assessment and certification could be located.*
- a. Certification by an independent registered, professional engineer? [3745-66-92(A)] Yes  No  N/A
- b. Consideration of the design standards of the system? [3745-66-92(A)] Yes  No  N/A
- c. Consideration of the hazardous characteristics of the waste(s)? [3745-66-92(A)] Yes  No  N/A
- d. An evaluation by a corrosion expert (only if the external system/components are metal and in contact with soil or water)? [3745-66-92(A)] Yes  No  N/A
- e. A determination of design and operational measures that will be needed to protect the tank system from potential damage (only for underground tank components)? [3745-66-92(A)] Yes  No  N/A
- f. Design considerations to ensure that the tank foundations will maintain the load of a full tank? [3745-66-92(A)] Yes  No  N/A
- g. Design considerations for anchoring the unit to prevent floatation (only for tanks situated in a seismic fault zone or saturated zone)? [3745-66-92(A)] Yes  No  N/A
- h. Design considerations to ensure that the tank system will withstand the effects of frost heave (only for underground tank systems)? [3745-66-92(A)] Yes  No  N/A
13. Are there written statements by those persons who supervised installation or certified design of the new tank system, that the tank system was properly installed and designed and that required repairs were performed? [3745-66-92(G)] Yes  No  N/A
- Do the written statements address all of the following:
- a. Inspection for damage and/or inadequate construction and installation was conducted? [3745-66-92(B)] Yes  No  N/A
- b. Statement that deficiencies were corrected before the tank system was covered or put into use? [3745-66-92(B)] Yes  No  N/A
- c. Proper backfilling? [3745-66-92(C)] Yes  No  N/A
- d. Tightness test; if the tank system was found not to be tight, does the statement indicate that proper repairs were made? [3745-66-92(D)] Yes  No  N/A
- e. Proper support and protection of ancillary equipment? [3745-66-92(E)] Yes  No  N/A
- f. Supervision of the installation of field fabricated corrosion protection? [3745-66-92(F)] Yes  No  N/A

## SECONDARY CONTAINMENT

14. Has secondary containment been provided? *RMK: The floor of the room in which the tanks were located, was intended to serve as secondary containment, The doorway was bermed and there was a floor trench sump. The exact capacity of the containment was not confirmed during the inspection; this will be reviewed when a tank assessment is received.* Yes  No  N/A

*All tank systems must have secondary containment at this point, except for tank systems that store/treat materials that become hazardous waste after January 12, 1987, must have secondary containment required within the time intervals in [3745-66-92(A)(1) to (A)(4)]. The date the material became a hazardous waste must be used in place of January 12, 1987. [3745-66-92(A)(5)]*

15. Is secondary containment one of the following:
- a. An **External Liner**? [3745-66-93(E)(1)] If so, Yes  No  N/A
- i. Is the liner designed or operated to contain 100% of the capacity of the largest tank? Yes  No  N/A
- ii. Is liner designed and operated to prevent run-on and infiltration or the collection system has excess capacity to contain run-on and infiltration from a 25-year, 24-hour storm? Yes  No  N/A

- iii. Is the liner free of cracks and gaps? *RMK: Visible gaps and cracks were present in the concrete floor and possibly in the sumps as well.* Yes  No  N/A
- iv. Does the liner completely surround the tank and cover all earth likely to be contacted by waste during a release? Yes  No  N/A   
*RMK: This could not be verified without an engineer's written tank assessment.*
- v. Are chemically resistant water stops in place at all points? (concrete liners only) Yes  No  N/A
- vi. Is there a compatible interior coating or lining to prevent migration of waste into the concrete? (concrete liners only) Yes  No  N/A
- b. **Vault System?** [3745-66-93(E)(2)] If so, Yes  No  N/A
- c. **Double-Walled Tank?** [3745-66-93(E)(3)] If so, Yes  No  N/A
- d. **An Equivalent Device?** As described in 3745-66-93(D)(4) which has been approved by the director? [3745-66-93(D&E)] Yes  No  N/A

## SECONDARY CONTAINMENT DESIGN/OPERATION/INSTALLATION

16. Has each secondary containment system been designed, installed and operated to prevent any migration of wastes or liquid to the soil, groundwater, or surface water and is it capable of detecting and collecting releases and accumulated liquids? [3745-66-93(B)(1) and (2)] Yes  No  N/A   
*RMK: The concrete secondary containment system surface was wet with spilled residues from the reclamation process, and there was a real possibility that wastes could migrate to the soil or groundwater through eroded areas, cracks or unsealed joints.*
17. Does the secondary containment system meet the following minimum requirements of [3745-66-93(C)]:  
*RMK: This could not be readily verified without an engineer's written tank assessment.*
- a. Constructed or lined with compatible materials of sufficient strength to prevent failure? [3745-66-93(C)(2)] Yes  No  N/A
- b. Placed on a foundation or base capable of providing support? [3745-66-93(C)(2)] Yes  No  N/A
- c. Provided with a leak detection system designed/operated to detect failure to primary or secondary containment or any release of hazardous waste within 24 hours or at earliest practicable time? [3745-66-93(C)(3)] Yes  No  N/A
- d. Sloped or designed to drain and remove liquid resulting from leaks, spills or precipitation? [3745-66-93(C)(4)] Yes  No  N/A
- e. Any liquid which accumulates in the containment unit resulting from spills, leaks or precipitation removed within 24 hours or in a timely manner? [3745-66-93(C)(4)] Yes  No  N/A

## ANCILLARY EQUIPMENT REQUIREMENTS

18. Is ancillary equipment provided with secondary containment (such as double-walled piping, jacketing or a trench)? *RMK: This could not be verified without an engineer's written tank assessment. Answers will be determined when one is received.* Yes  No  N/A   
**If not**, is the ancillary equipment one of the following: [3745-66-93(F)]
- a. Above ground piping (exclusive of flanges, joints, valves and connections) that is inspected daily? Yes  No  N/A
- b. Welded flanges, welded joints and/or welded connections that is inspected daily? Yes  No  N/A
- c. Sealless or magnetic coupling pumps and/or sealless valves? Yes  No  N/A
- d. Pressurized above ground piping systems with automatic shut-off devices (e.g., excess flow check valves, flow metering shutdown and/or loss of pressure-actuated shut-off devices) that is inspected daily? Yes  No  N/A

## TANK SYSTEMS FOUND TO BE LEAKING OR UNFIT FOR USE

19. Has there been a leak or spill from any tank system or has any tank system been found unfit for use? *RMK: This could not be evaluated without an engineer's written tank assessment. Answers will be determined when one is received* Yes  No  N/A   
**If so**, did the owner/operator:
- a. Immediately cease flow of material into tank and investigate the cause of the release? [3745-66-96(A)] Yes  No  N/A
- b. Remove waste from tank system to prevent further release within 24 hours of detection or earliest practicable time? [3745-66-96(B)(1)] Yes  No  N/A
- c. Remove all material released into secondary containment system within 24 hours or as timely as possible to prevent harm to human health and the environment? [3745-66-96(B)(2)] Yes  No  N/A

- d. For a visible release to the environment, immediately conduct a visual inspection of the release? [3745-66-96(C)] Yes  No  N/A
- e. For a visible release to the environment, prevent further migration of the leak or spill to soils or surface waters? [3745-66-96(C)] Yes  No  N/A
- f. For a visible release to the environment, properly dispose of any visibly contaminated soil or surface water? [3745-66-96(C)] Yes  No  N/A
- g. Report any release to the environment to the director within 24 hours unless it was less than one pound and was cleaned up immediately? [3745-66-96(D)(1)] Yes  No  N/A
- h. For a release to the environment, submit a written report of the incident to the director within 30 days of the release? [3745-66-96(D)(3)] Yes  No  N/A
- i. Remediate the spill and repair the unit prior to returning it to service? [3745-66-96(E)(2)] Yes  No  N/A
- j. For a release from a tank system without secondary containment, did the o/o provide secondary containment meeting the requirements of 3745-66-93 for the unit prior to putting it back into service? [3745-66-96(E)(4)] Yes  No  N/A

*Requirements noted in 20.j. do not apply if the release was from an above ground component of the tank which can be inspected visually after being put back into service.*

20. In the event that the repairs to the tank system were major (e.g., replacement of liner, repair of ruptured primary or secondary containment structure), did the o/o obtain a certification from an independent, registered P.E. attesting that the repaired unit is capable of handling hazardous waste? [3745-66-96(F)] Yes  No  N/A
21. Was a copy of the certification submitted to the director within seven days after returning the system to use? [3745-66-96(F)] Yes  No  N/A
22. If the o/o was unable to repair and return the unit to service as described in 20.a through 20.e, was the tank system closed in accordance with 3745-66-97? [3745-66-96(E)(1)] Yes  No  N/A
23. Does the o/o have a tank system **with a variance from secondary containment** from which a release has occurred but has not migrated beyond the zone of engineering control? If so, Yes  No  N/A
24. Does the o/o have a tank system **with a variance from secondary containment** from which a release occurred and has migrated from the zone of engineering control? If so, Yes  No  N/A