

7702

G-000-103.97

**HAMILTON CO TSDF/LQG - HAZARDOUS WASTE COMPLIANCE  
EVALUATION INSPECTION**

06/17/96

OEPA

DOE-FN

30

COMMENTS



State of Ohio Environmental Protection Agency

**Southwest District Office**

401 East Fifth Street  
Dayton, Ohio 45402-2911  
(513) 285-6357  
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7702 103  
J-2238  
JUN 19 8 11 AM '96  
George V. Voinovich  
Governor

June 17, 1996

RE: DOE-FEMP  
HAZARDOUS WASTE  
OH6 890 008 976  
HAMILTON CO  
TSDF/LQG

Mr. Jack Craig, Director  
Department of Energy  
Fernald Environmental Management Project  
P.O. Box 538705  
Cincinnati, Ohio 45239-8705

Dear Mr. Craig:

On May 29 and May 31, 1996, Mr. Phil Harris, and I visited the U.S. Department of Energy Fernald Environmental Management Project (U.S. DOE-FEMP) facility in order to conduct a Hazardous Waste Compliance Evaluation Inspection. We were accompanied by Mr. Ryan Stahl of the Ohio EPA Office of Federal Facility Oversight. The purpose of this inspection was to assess the level of compliance with regard to State of Ohio and federal regulations governing the management of hazardous waste stored on-site. Facility representatives accompanying us on the site inspection and/or assisting with records review included; Ed Skintik, Matt Harper, Barry Ko and Christa Scott. A copy of checklists used to complete the inspection are enclosed.

Based on our inspection, Ohio EPA has determined that DOE-FEMP has violated the following state hazardous waste regulation:

1. **Manifests, General Requirements; OAC Rule 3745-52-20(B):**  
This rule requires the generator to identify applicable EPA waste codes on the hazardous waste manifest.

DOE-FEMP manifests for hazardous waste shipments to the TSCA incinerator at Oak Ridge dating from 8/31/95 to the present, did not include EPA waste codes.

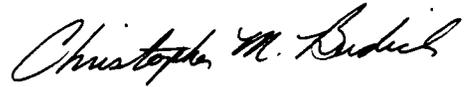
DOE-FEMP must take measures to ensure that EPA waste codes are include on all future manifested shipments in accordance with the above OAC rule.

Failure to list a deficiency in this correspondence does not relieve DOE-FEMP from the responsibility of complying with all applicable hazardous waste regulations.

Should you have questions concerning this inspection, please do not hesitate to contact either myself at (513) 285-6083, or Phil Harris at (513) 285-6090.

Mr. Jack Craig, Director  
June 17, 1996  
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Sincerely,



Christopher M. Budich  
Division of Hazardous Waste Management

Enclosure

cc: Linda Neumann, RCRA Enforcement, CO  
Terry Hagen, FERMCO

RCRA HAZARDOUS WASTE FACILITY  
COMPLIANCE EVALUATION INSPECTION CHECKLIST

Facility: U.S. DOE-FEMP (FERNALD)

USEPA I.D.: OH6 890 008 976 HWFB No.: \_\_\_\_\_

Street: 7400 WILLEY RD. / MAILING: P.O. BOX 538705  
CINCINNATI, OH. 45253-8705

City: FERNALD State: OH Zip: 45030

County: HAMILTON Telephone: (513)648-3101

Fax No: \_\_\_\_\_ PUCO No.: \_\_\_\_\_

Owner/Operator: U.S. DOE / CO-OP; FLOOR DANIEL

Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Inspection Date: 5 / 29 / 96 Time: 0945 - 1420  
5 / 31 / 96 Time: 1000 - 1440

Advance notice of inspection given? (yes) \_\_\_\_\_ (no) X

If so, how far in advance? \_\_\_\_\_

	Name	Agency/Title	Phone
Inspectors:	PHIL HARRIS	OEPA SWDO/ESII	(513) 285-6090
	CHRIS BUDICH	OEPA SWDO/ESII	(513) 285-6083
Facility Representative:	ED SKINTEK	- DOE	
	BARRY KO	- FERMCO	

STATUS

Cond. Ex. SQG \_\_\_\_\_ SQG \_\_\_\_\_ Large Quantity Generator

Treatment \_\_\_\_\_ Storage  Disposal \_\_\_\_\_ Transporter \_\_\_\_\_

Part A Permit: (yes)  (no) \_\_\_\_\_ Part B Permit: (yes) \_\_\_\_\_ (no)

LDR Checklist Attached: (yes)  (no) \_\_\_\_\_

ACTIVITIES

Containers  Used oil burner \_\_\_\_\_

Tanks \_\_\_\_\_ Hazardous waste fuel burner/blender \_\_\_\_\_

Wastepile \_\_\_\_\_ Incineration/Thermal treatment \_\_\_\_\_

Landfill \_\_\_\_\_ Land treatment \_\_\_\_\_

Surface Impoundment \_\_\_\_\_ Groundwater monitoring

REMARKS - GENERAL INFORMATION

Include a list of wastes being managed at the site and a brief description of site activity and waste handling procedures:

U.S. DOE-FEMP IS FORMER URANIUM PROCESSING FACILITY UNDER GOING CERCLA REMEDIATION.

MIXED WASTES STORED ON-SITE (CONTAINERS) IN SEVEN IN-DOOR STORAGE UNITS.

OFF-SITE SHIPMENTS INCLUDE

ENVIRO CARE

NTS

TSCA @ OAK-RIDGE



PERMIT STATUS

**GENERAL REQUIREMENTS**

Y/N/NA RMK #

1. Has the owner/operator submitted a Part A application to Ohio EPA in accordance with OAC 3745-50-40?

Y \_\_\_\_\_

When was the owner/operator's Part A submitted:

\_\_\_\_\_

2. Is the owner/operator operating in compliance with the terms and conditions of its HWFB permit?

NA \_\_\_\_\_

If not, has a Permit Change Request (PCR) been submitted in accordance with 3745-50-51?

| \_\_\_\_\_

If yes, what date was the PCR submitted? \_\_\_\_\_

3. Has the owner/operator submitted a Part B?

Y \_\_\_\_\_

**PERMIT BY RULE REQUIREMENTS**

4. Has there been a rule or statute change which has caused the owner/operator to become subject to Ohio's hazardous waste facility permitting requirements?

NA \_\_\_\_\_

a. If so, please describe the rule change below:

b. What was the effective date of the rule or statute change in Ohio?

c. Did the owner/operator submit a Part A to the Director in accordance with the requirements of OAC rule 3745-50-40 (C) (D)?

↓  
\_\_\_\_\_

**NOTE:** In accordance with 3745-50-40 (D), owners/operators are required to submit the Part A within 30 days after the date they first become subject to Ohio's TSD facility standards. Small quantity generators who treat, store or dispose of wastes were required to submit a Part A by the effective date OAC Rule 3745-50-40. [See OAC Rule 3745-50-40]

d. Did the owner/operator notify the US EPA of its hazardous waste activity? [3745-50-40 (C) (1) (a)]

↓  
\_\_\_\_\_

i. What was the date of notification? \_\_\_\_\_

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OAC 3745-65-et seq. GENERAL FACILITY STANDARDS

**IDENTIFICATION NUMBER (OAC 3745-65-11)**

Y/N/NA RMK #

1. Has the facility owner/operator received an identification number from Ohio EPA (or US EPA) as required by OAC 3745-65-11?

Y \_\_\_\_\_

**ANNUAL REPORT REQUIREMENT (OAC 3745-65-75)**

2. Has the owner/operator submitted an annual Treatment-Storage-Disposal report to the Director of Ohio EPA by March 1st of each calendar year? [3745-65-75]

Y \_\_\_\_\_

**WASTE ANALYSIS/WASTE ANALYSIS PLAN (OAC 3745-65-13)**

3. Does the owner/operator (o/o) have a detailed chemical and physical analysis of the waste material containing all of the information which must be known to properly treat, store or dispose of the waste as required by 3745-65-13 (A) (1)?
4. Is the waste analysis repeated when a process or operation generating hazardous waste changes? [3745-65-13 (A) (3) (a)]
5. For off-site facilities; Is the waste analysis repeated when results of inspections under 3745-65-13 (A) (4) reveal hazardous waste received at the facility does not match the waste designated on the accompanying manifest? [3745-65-13 (A) (3) (b)]
6. Does o/o have a written waste analysis plan which includes the following information [3745-65-13 (B) (1) through (6)]:
- a. The parameters for which each hazardous waste will be analyzed and rationale for the selection of these parameters? [3745-65-13 (B) (1)]
- b. The test methods to be used? [3745-65-13 (B) (2)]
- c. The sampling method which will be used, either one of the sampling methods described in Appendix I of 3745-51-20 or an equivalent method as defined in OAC 3745-50-10? [3745-65-13 (B) (3) (a) (b)]
- d. The frequency with which the initial analysis of the waste will be reviewed/repeated to ensure that the analysis is accurate and up-to-date? [3745-65-13 (B) (4)]
- e. FOR OFF-SITE FACILITIES: The waste analysis that hazardous waste generators have agreed to supply? [3745-65-13 (B) (5)]

Y \_\_\_\_\_

NA Characterization for disposal

NA \_\_\_\_\_

Y \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NA \_\_\_\_\_

f. **FOR OFF-SITE FACILITIES:** The sampling methods and procedures which will be used to inspect and, if necessary, analyze each movement of hazardous waste received at the facility to ensure that it matches the identification of the waste on the manifest [3745-65-13 (C)]?

NA

g. **FOR FACILITIES OPERATING SURFACE IMPOUNDMENTS EXEMPT FROM LAND DISPOSAL RESTRICTIONS UNDER 3745-59-04 (A):**

Does the waste analysis plan include procedures and schedules for:

- i. The sampling of impoundment contents? [3745-65-13 (B) (7)]
- ii. The analysis of test data? [3745-65-13 (B) (7)]
- iii. The annual removal of residues which are not delisted or which exhibit the characteristic of a hazardous waste and either do not meet treatment standards (3745-59-44) or where no treatment standards have been established? [3745-65-13 (B) (7)]

h. **Where applicable:** The methods which will be used to meet the additional waste analysis requirements of rules 3745-59-07, 3745-67-25, 3745-67-52, 3745-67-73, 3745-68-14, 3745-68-41, 3745-68-75 and 3745-69-02 of the OAC? [3745-65-13 (B) (6)]

↓

**WASTE ANALYSIS PLAN - LDR REQUIREMENTS**

**NOTE:** The following requirements identified in Question #7 apply to both on-site and off-site TSD facilities.

7. In accordance with OAC Rule 3745-65-13 (B) (6), does the the facility's waste analysis plan includes analytical procedures necessary to ensure compliance with the land disposal restriction requirements of Chapter 3745-59, including:

- a. Procedures for conducting the TCLP for wastes which have a CCWE treatment standard?
- b. Procedures for conducting a total constituent analysis for wastes which have a CCWE treatment standard?

Y

↓



- 2. Does the operating record include documentation required to be maintained under the land disposal restriction requirements of Chapter 3745-59? [3745-65-73 (b) (9) through (14)]

Y \_\_\_\_\_

NOTE: The following recordkeeping requirements are applicable only to off-site TSDS.

- 3. Are manifests received by the facility signed and dated? [3745-65-71 (A) (1)]
- 4. Is one copy given to the transporter, one copy sent to the generator within 30 days and one copy kept for at least 3 years? [3745-65-71 (A)]
  - a. If shipping papers are used in lieu of manifests (bulk shipments, etc.), are the same requirements met [3745-65-71 (B)]?
  - b. Are any significant discrepancies in the manifest, as defined in 3745-65-72 (A) noted in writing on the manifest document?
- 5. Have any manifest discrepancies been reconciled within 15 days as required by 3745-65-72 (B) or has the o/o submitted the required information to the Director?
- 6. If the facility has accepted any unmanifested hazardous wastes from off-site sources for treatment, storage, or disposal, has an unmanifested waste report containing all the information required by 3745-65-76 (A) been submitted to the Director within 15 days?

NA \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REMARKS - OPERATING RECORD REQUIREMENTS

GENERAL INSPECTION REQUIREMENTS (OAC 3745-65-15)

Y/N/NA RMK #

1. Does the o/o inspect the facility on a weekly basis for malfunctions, deterioration, operator errors and discharges which may cause a release of hazardous waste or hazardous waste constituents or may pose a threat to human health? [3745-65-15(A) (1)(2)] If so,

Y

a. Are the inspections recorded in an inspection log or summary as required by 3745-65-15(D)? [3745-65-15(A)]

|

b. Do records contain date and time of inspection, name of inspector, notation of observations made and date and nature of any repairs or remedial actions as required by 3745-65-15(D)? [3745-65-15(A)]

|

c. Are inspection records maintained at the facility for at least (3) years as required by 3745-65-15(D)? [3745-65-15(A)]

|

2. Has the owner/operator developed a written inspection schedule for inspecting; monitoring equipment, safety equipment, emergency equipment, security devices and operating and structural equipment (e.g. dikes, sumps)? [3745-65-15(B)] If so,

Y

a. Is the schedule kept at the facility? [3745-65-15(B) (2)]

|

b. Does the schedule identify the types of problems which are to be looked for during the inspection? [3745-65-15(B) (3)]

|

c. Does the schedule include inspection of areas subject to spills (i.e. loading and unloading areas) daily when in use and according to other applicable regulations when not in use? [3745-65-16(B) (4)]

|

NOTE: See Preparedness and Prevention checklist for additional testing/recordkeeping requirements applicable to emergency equipment.

REMARKS - GENERAL INSPECTION REQUIREMENTS

||

SECURITY REQUIREMENTS (OAC 3745-65-14)

Y/N/NA RMK #  
REMARKS

- 1. a. Would physical contact with the waste structures or equipment injure unknowing/unauthorized person or livestock entering the facility? [3745-65-14(A)(1)]
- b. Would disturbance of the waste cause a violation of the hazardous waste regulations? [3745-65-14(A)(2)]

Y	
↓	

IF BOTH 1A AND 1B ARE NO, MARK QUESTIONS 2 AND 3 NOT APPLICABLE.

- 2. Does the facility have -
  - a. A 24-hour surveillance system, or;
  - b. An artificial or natural barrier and a means to control entry at all times? [3745-65-14(B)(2)(a)(b)]
- 3. Does the facility have a sign "Danger-Unauthorized Personnel Keep Out" at each entrance to the active portion of the facility and at other locations as necessary? [3745-65-14(C)]

Y	
↓	
↓	

REMARKS - SECURITY REQUIREMENTS

12

PERSONNEL TRAINING (OAC 3745-65-16)

Y/N/NA RMK #

- 1. Does the facility provide a personnel training program in compliance with 3745-65-16(A) (B) (C) including instruction in safe equipment operation and emergency procedures, and implementation of the contingency plan?
- 2. Does the facility provide personnel training to new employees within 6 months after the date of their employment as required by 3745-65-16(B)?
- 3. Does the facility provide an annual training program refresher course as required by 3745-65-16(B)?
- 4. Does the facility keep all of the records required by 3745-65-16(D) (E) including written job titles, job descriptions and documented employee training records?

Y	

REMARKS - PERSONNEL TRAINING



PREPAREDNESS AND PREVENTION (OAC 3745-65-30 TO 3745-65-37)

Y/N/NA RMK #

- |  |                  |              |
|--|------------------|--------------|
| <p>1. Is the facility operated to minimize the possibility of fire, explosion, or non-planned release of hazardous waste? [3745-65-31]</p>   | <p><u>Y</u></p>  | <p>_____</p> |
| <p>2. Has there been a fire, explosion or non-planned release of waste at the facility since date of last inspection?</p>  | <p><u>N</u></p>  | <p>_____</p> |
| <p>a. If yes, was the contingency plan implemented? [3745-65-51(B)]</p>  | <p><u>NA</u></p> | <p>_____</p> |
| <p>3. If required due to actual hazards associated with the waste, does the facility have the following equipment: [3745-65-32 (A) (B) (C) (D)]</p>  | <p><u>Y</u></p>  | <p>_____</p> |
| <p>a. Internal alarm system?</p>   | <p> </p>         | <p>_____</p> |
| <p>b. Access to telephone, radio or other device for summoning emergency assistance?</p>   | <p> </p>         | <p>_____</p> |
| <p>c. Portable fire control equipment, spill control and decontamination equipment?</p>  | <p> </p>         | <p>_____</p> |
| <p>d. Water of adequate volume and pressure via hoses, sprinkler, foamers or sprayers?</p>   | <p> </p>         | <p>_____</p> |
| <p>4. Is all required spill control and decontamination equipment, fire and communications equipment tested on a weekly basis and maintained as necessary? [3745-65-33 (A)]</p>  | <p> </p>         | <p>_____</p> |
| <p>a. Does the facility keep an equipment testing log required by 3745-65-33(B), including date and time of test, observations made, and date and nature of any repairs?</p>   | <p> </p>         | <p>_____</p> |
| <p>5. If required due to the actual hazards associated with the waste, do personnel have immediate access to an emergency communication device? [3745-65-34]</p>   | <p> </p>         | <p>_____</p> |
| <p>6. If required due to the actual hazards associated with the waste, is adequate aisle space maintained to allow unobstructed movement of emergency or spill control equipment? [3745-65-35]</p>   | <p> </p>         | <p>_____</p> |
| <p>7. If required due to the actual hazards associated with the waste, has the facility attempted to make appropriate arrangements with local authorities to familiarize them with possible hazards and facility layout? [3745-65-37(A)]</p> | <p> </p>         | <p>_____</p> |

Y/N/NA RMK #

8. Where state and local emergency service authorities have declined to enter into any proposed special arrangements or agreements, has the refusal been documented?  
[OAC 3745-65-37(B)]

NA

**REMARKS - CONTINGENCY PLAN/PREPAREDNESS AND PREVENTION REQUIREMENTS**

USE AND MANAGEMENT OF CONTAINERS (OAC 3745-66-70 TO 3745-66-77)

Y/N/NA RMK #

- 1. Are hazardous wastes stored in containers which are:
  - a. Closed? [3745-66-73(A)] Y
  - b. In good condition? [3745-66-71] ↓
  - c. Compatible with wastes stored in them? [3745-66-72] ↓
- 2. Are containers stored closed except when it is necessary to add or remove wastes? [3745-66-73(A)] Y
- 3. Are hazardous waste containers stored, handled and opened in a manner which prevents container rupture or leakage? [3745-66-73(B)] ✓
- 4. Is the area where containers are stored inspected for evidence of leaks or corrosion at least weekly? [3745-66-74] ✓
- 5. Is the facility recording inspections described in Question #4 in an inspection log or inspection summary as required by OAC 3745-66-74(B) which contains the following information:
  - a. Date and time of inspections? Y
  - b. Name of inspector? ↓
  - c. Notation of observations made during the inspection? ↓
  - d. The date and nature of any repairs or other remedial action? ↓
- 6. Are ignitable and/or reactive hazardous waste(s) being managed at the facility? If so,
  - a. Are containers holding ignitable or reactive waste located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] Y

NOTE: OAC Rule 3745-66-76 as referenced in Question 6.a. does not apply to Small Quantity Generators (except for wastes accumulated in a satellite accumulation area). [See OAC Rules 3745-52-34(D)(2) and (C)(1)(a)]

- b. Are containers holding hazardous wastes stored separately from other materials which may interact with the waste in a hazardous manner? [3745-66-77(C)] ↓

**SPECIAL REQUIREMENTS FOR IGNITABLE/REACTIVE/INCOMPATIBLE  
WASTES (OAC 3745-65-17)**

**Y/N/NA RMK #**

**NOTE:** The following requirements are generally applicable to TSD facilities only. See OAC Rule 3745-66-992(F)(2) for applicability of ignitable/reactive/incompatible waste requirements for SQGs accumulating hazardous waste in tanks.

1. If ignitable, reactive or incompatible wastes are handled, does the facility meet the following requirements?  
[3745-65-17]

- a. Wastes are protected from sources of ignition and/or reaction?
- b. Physical separation of incompatible waste materials?
- c. "No Smoking" or "No Open Flames" signs are placed near areas where ignitable or reactive wastes are handled?
- d. Commingling of waste materials is done in a controlled, safe manner as prescribed by 3745-65-17(B)?

Y	_____
	_____
	_____
	_____
↓	_____

**REMARKS - IGNITABLE/REACTIVE/INCOMPATIBLE WASTE REQUIREMENTS**



- 8. Did the owner/operator submit to the local zoning authority and the Director a survey plat in accordance with OAC 3745-66-16? NA
  
- 9. What permitted units at the facility have been closed in accordance with an approved closure plan?  


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- 10. If closure was partial, list the regulated units which remain in use at the facility:  


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- 11. If required, has the facility prepared a written post-closure plan? [3745-66-18]
  - If so, does the post-closure plan include:
  - a. A description of proposed ground water monitoring?
  - b. A description of planned maintenance activities?
  - c. The name, address and phone number of person/office to contact during the post-closure period?
  
- 12. For disposal facilities; has the owner/operator submitted to local land authorities and the Director a survey plat within 60 days after certification of closure? [3745-66-19]
  
- 13. Has the owner of the property on which a disposal unit is located recorded on the deed that:
  - a. The land has been used to manage hazardous waste and the type, quantity and location of waste?
  - b. Land use is restricted under closure and post-closure rules? [3745-66-19]

REMARKS - CLOSURE/POST CLOSURE REQUIREMENTS

OAC 3745-52 - LARGE QUANTITY GENERATOR REQUIREMENTS

WASTE EVALUATION (OAC 3745-52-11)

Y/N/NA RMK #

1. Have wastes generated at the facility been evaluated in compliance with the waste evaluation requirements of OAC rule 3745-52-11(A) (B) and (C)?

Y \_\_\_\_\_

(a) Has the generator's evaluation identified in Question #1 included an evaluation for the (TC) Toxicity Characteristics identified in 3745-51-24? [3745-52-11(C)]

Y \_\_\_\_\_

NOTE: The TC rule requirement noted above must include an evaluation of the metal as well as organic TC constituents identified in 3745-51-24.

If not, specify those waste streams which the generator has failed to adequately evaluate:

2. Are any wastes generated at the facility identified by the generator as being excluded from regulation under Rule 3745-51-04?

N \_\_\_\_\_

If so, specify those waste streams identified by the generator as being excluded under 3745-51-04:

3. Is the facility generating any wastes which are identified as recyclable materials as defined in OAC 3745-51-06(A)?

N \_\_\_\_\_

If so, please identify these waste streams below:

- 4. In accordance with OAC rule 3745-51-02(E), is the generator recycling any materials on-site by:
  - a. Using or reusing the material as an ingredient in an industrial process to make a product?
    - i. If so, is the material being reclaimed before it is used or reused?
  - b. Using the material as a substitute for commercial products?
  - c. Returning the material to the original process from which it was generated as a substitute for a raw material feedstock?
    - i. If so, is the material reclaimed before returning to the original process?

✓	_____
	_____
	_____
	_____
↓	_____

**NOTE:** The materials identified in Question #4 may not be considered wastes if recycled as described above, unless the conditions identified in Questions 4(a)(i) or 4(c)(i) are true. See O.A.C. Rule 3745-51-02(E).

Please identify those materials that the generator is recycling as described in 4.a., 4.b. and/or 4.c. below:

- 5. Has the generator identified any waste treatment activity as being excluded from regulation because of totally enclosed treatment or via operation of an elementary neutralization unit and/or wastewater treatment unit as described in Rule 3745-65-01?

N \_\_\_\_\_

If so, specify those waste treatment activities which the generator has identified as being excluded from regulation:

**GENERATOR IDENTIFICATION NUMBER (OAC 3745-52-12)**

- 6. Prior to treating, storing, disposing, transporting or offering to transport hazardous waste, has the generator obtained a generator identification number from US EPA or Ohio EPA as required by 3745-52-12?

✓ \_\_\_\_\_

**GENERATOR ANNUAL REPORT (OAC 3745-52-41)**

- 7. Has the generator filed annual reports to the Director on or before March 1st of each calendar year as required by 3745-52-41?

✓ \_\_\_\_\_

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GENERATOR ACCUMULATION IN CONTAINERS AND TANKS  
(OAC 3745-52-34)

Y/N/NA RMK #

1. If the generator elects to accumulate hazardous waste on-site in containers or tanks for 90 days or less without a permit as provided under 3745-52-34, are the following requirements met:

a. The containers or tanks are clearly marked with the words "Hazardous Waste?" [3745-52-34 (A) (3)]

Y \_\_\_\_\_

b. The date that accumulation began is clearly marked on each container? [3745-52-34 (A) (2)]

Y \_\_\_\_\_

In addition, OAC 3745-52-34 (A) (1) also requires generators accumulating hazardous waste(s) in containers < 90 days to comply with the "Container Management" Rules of OAC 3745-66-70 to 3745-66-77. If the generator is accumulating hazardous waste(s) in containers, please complete Management of Containers checklist to document compliance with these requirements.

2. Is the generator accumulating hazardous waste(s) in tanks? \_\_\_\_\_

N \_\_\_\_\_

If so, OAC 3745-52-34 (A) (1) requires generators to comply with rules 3745-66-90 to 3745-66-992 except paragraph (C) of rule 3745-66-97 and rule 3745-66-991.

If the generator is accumulating hazardous waste(s) in tanks, complete the Tank System Requirements checklist to document compliance with these requirements.

3. Has the generator accumulated hazardous wastes in excess of ninety (90) days? \_\_\_\_\_

Y #1

a. If so, has the generator been granted an extension by the Director for accumulation in excess of (90) days? \_\_\_\_\_

\_\_\_\_\_

REMARKS - GENERATOR ACCUMULATION REQUIREMENTS

*#1 Mixed wastes stored in excess of 90 days per RCRA*

**HAZARDOUS WASTE IMPORT/EXPORT (OAC 3745-52-50 TO 3745-52-57  
AND OAC 3745-52-60)**

**Y/N/NA RMK #**

8. Does the generator import or export hazardous waste?

N \_\_\_\_\_

If so, are the wastes handled in accordance with the requirements of 3745-52-50 through 3745-52-57 and 3745-52-60?

\_\_\_\_\_

**REMARKS - HAZARDOUS WASTE IMPORT/EXPORT**

**PRE-TRANSPORT REQUIREMENTS (OAC 3745-52-30 TO 3745-52-33)**

9. Does the generator meet the following pre-transport requirements prior to offering hazardous wastes for transport off-site:

a. The waste material is packaged, labeled, and marked in accordance with the applicable DOT regulations [3745-52-30, 3745-52-31, and 3745-52-32(A)]?

Y \_\_\_\_\_

b. Each container with a capacity of 110 gallons or less is affixed with a completed hazardous waste label as required by 3745-52-32(B)?

Y \_\_\_\_\_

c. Before transporting hazardous wastes off-site or offering hazardous wastes for transportation off-site, does the generator placard or offer the appropriate DOT placards to the initial transporter in compliance with 3745-52-33?

Y \_\_\_\_\_

**REMARKS - PRETRANSPORT REQUIREMENTS**

MANIFEST REQUIREMENTS (OAC 3745-52-20 TO 3745-52-23)

Y/N/NA RMK #

- 1. Does the generator meet the following requirements with respect to the preparation, use and retention of the hazardous waste manifest:
  - a. All hazardous wastes shipped off-site have been accompanied by a completed manifest, US EPA form 8700-22 in compliance with 3745-52-20 (A)?
  - b. The manifest contains all information required by 3745-52-20 and the minimum number of copies required by 3745-52-22?
  - c. The generator has designated at least one permitted disposal facility and has/will designate an alternate facility or instructions to return waste in compliance with 3745-52-20 (C) (D) (E)?
  - d. Prepared manifests have been signed by the generator and initial transporter in compliance with 3745-52-23 (A) (1) (2)?
- 2. Has the generator received a return copy of each completed manifest within thirty-five (35) days of the date the waste was accepted by the initial transporter?
  - a. If not, has the generator complied with the manifest exception reporting requirements in 3745-52-42?

Y \_\_\_\_\_

N #1 \_\_\_\_\_

Y \_\_\_\_\_

Y \_\_\_\_\_

Y \_\_\_\_\_

NA \_\_\_\_\_

**NOTE:** The manifest exception reporting requirement identified in Question #2 above is applicable to large quantity generators only. See Question #3 for manifest exception reporting requirements for small quantity generators.

- 3. If the generator is acting as a small quantity generator, (> 100 kg but < 1000 kg of hazardous waste in a calendar month) has the generator received a return copy of each completed manifest within sixty days of receipt by the initial transporter? [3745-52-42(B)]
  - a. If not, did the generator submit a legible copy of the manifest with some indication that the generator has not received confirmation of delivery to the Ohio EPA? [3745-52-42(B)]
- 4. Are signed copies of all hazardous waste manifests and any documentation required for Exception Reports retained for at least 3 years as required by 3745-52-40?

NA \_\_\_\_\_

Y \_\_\_\_\_

Y \_\_\_\_\_

#1 Manifests did not include EPA waste codes

**GENERATOR CLOSURE REQUIREMENTS (3745-52-34)**

**Y/N/NA RMK #**

1. Has the generator closed any < 90-day accumulation unit(s) since date of last inspection?

\_\_\_\_\_

If so, describe the unit(s) which the generator has closed:

2. If the generator has closed any < 90-day accumulation unit(s) as described in Question #1, was closure completed to meet the closure performance standard of 3745-66-11? [3745-52-34 (A) (1)]

\_\_\_\_\_

Please provide a description of the type of documentation provided by the generator to confirm that closure was completed in accordance with the closure performance standard:

3. If the < 90 day unit closed was a tank system, did the generator also complete closure in accordance with the tank system closure requirements of 3745-66-97(A) and (B)? [3745-52-34 (A) (1)]

\_\_\_\_\_

**REMARKS - GENERATOR CLOSURE REQUIREMENTS**

OAC CHAPTER 3745-59 - LDR GENERAL REQUIREMENTS

CASE-BY-CASE EXTENSIONS

Y/N/NA RMK#

1. Has the entity received an extension for compliance with land disposal restrictions from US EPA pursuant to 40 CFR 268.5? If yes,

NA# \_\_\_\_\_

(a) List the waste(s) affected:

*\*FFCA Provisions regarding mixed waste*

(b) Has the extension been recognized by the Director of Ohio EPA? [O.A.C. Rule 3745-59-05(C)]

↓  
\_\_\_\_\_

(c) When does the extension expire? \_\_\_\_\_

NOTE: A case-by-case extension can be granted for up to one year. The extension is renewable once (by US EPA) for an additional year. Until receiving approval of the extension by US EPA and recognition of the extension by the Director of Ohio EPA, the entity must continue to manage the waste in accordance with all applicable LDR requirements.

VARIANCE FROM A TREATMENT STANDARD

2. Has the entity been granted a variance from a treatment standard by US EPA pursuant to 40 CFR 268.44? If yes,

✓  
\_\_\_\_\_

(a) List the waste(s) affected:

(b) Has the variance been recognized by the Director of Ohio EPA? [O.A.C. Rule 3745-59-44(C)]

↓  
\_\_\_\_\_

NOTE: Until the variance has been approved by US EPA and recognized by the Director of Ohio EPA, the entity must continue to manage the waste in compliance with the LDR requirements.

**NO MIGRATION PETITION**

Y/N/NA RMK#

3. Has the entity received a variance from US EPA to allow for continued land disposal of untreated LDR wastes based upon a demonstration that there will be no migration from the disposal unit pursuant to 40 CFR 268.6? If yes,

N \_\_\_\_\_

(a) List the waste(s) affected:

(b) Has the entity's "no migration" demonstration been recognized by the Director of Ohio EPA? [O.A.C. Rule 3745-59-06 (C)]

↓  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE:** Until the no migration petition has been approved by US EPA and recognized by the Director of Ohio EPA, the entity must continue to manage the waste in compliance with the LDR requirements.

**PROHIBITION AGAINST DILUTION**

4. Does the entity dilute a restricted waste or a treatment residue from a restricted waste: [O.A.C. Rule 3745-59-03; 40 CFR 268.3]

(a) As a substitute for adequate treatment to achieve compliance with LDR treatment standards?

N \_\_\_\_\_

(b) To circumvent the effective date of a prohibition (e.g. to dilute a "non-wastewater" waste to a "wastewater" to avoid complying with the "non-wastewater" treatment standard)?

↓  
\_\_\_\_\_  
\_\_\_\_\_

(c) To otherwise avoid a prohibition in O.A.C. Rules 3745-59-30 through 3745-59-35 (40 CFR 268.30 through 268.35)?

↓  
\_\_\_\_\_  
\_\_\_\_\_

(d) To otherwise avoid a prohibition imposed by Section 3004 of RCRA?

↓  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE:** If the answer to any of the Questions 4(a) through 4(d) above is yes, the entity is impermissibly diluting a restricted waste and is in violation of O.A.C. Rule 3745-59-03 (40-CFR 268.3).

**NOTE:** Dilution of wastes is permissible under some conditions. See O.A.C. Rule 3745-59-03(B) (40 CFR 268.3) and the Third Third final rule preamble for additional information.

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LDR - GENERATOR REQUIREMENTS

**NOTE:** The following requirements apply only to large quantity generators and small quantity generators. Conditionally exempt small quantity generators are exempt from land disposal restriction requirements as referenced in O.A.C. Rules 3745-59-01(E) (1) (40 CFR 268.1(e) (1)) and 3745-51-05(B) (40 CFR 261.5(b)).

**EVALUATION OF WASTES/DETERMINING APPROPRIATE TREATMENT STANDARDS**

**Y/N/NA RMK#**

- 1. Has the generator adequately evaluated all wastes to determine if they are restricted from land disposal? [O.A.C. Rule 3745-59-07(A); 40 CFR 268.7(a)] ✓

  - (a) For determinations based solely on knowledge of the waste: Is supporting data used to make this determination being retained on-site? [O.A.C. Rule 3745-59-07(A) (5); 40 CFR 268.7(a) (5)] |
  - (b) For determinations based upon analytical testing: Is a copy of waste analysis data being retained on-site? [O.A.C. Rule 3745-59-07(A) (5); 40 CFR 268.7(a) (5)] |

- 2. Has the generator determined the correct "treatability group" for each waste restricted from land disposal (e.g. wastewater, non-wastewater, high arsenic, low arsenic, high zinc, low zinc, etc.)? [O.A.C. Rule 3745-59-07(A); 40 CFR 268.7(a)] ✓
- 3. Has the generator correctly determined if restricted wastes meet or exceed treatment standards? [O.A.C. Rule 3745-59-07(A); 40 CFR 268.7(a)] ✓
- 4. Does the entity generate any listed waste(s) which are restricted from land disposal? If so, ✓
  - (a) Do such wastes also exhibit hazardous waste characteristics as identified in O.A.C. Rules 3745-51-20 to 3745-52-24? (40 CFR 261.20 through 261.24)? |
  - (b) For listed wastes which also exhibit a characteristic: Does the generator also identify the appropriate treatment standard for the constituent(s) which cause the waste to exhibit the characteristic(s)? [O.A.C. Rule 3745-59-09(A); 40 CFR 268.9(a)] |

**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 O.A.C. Rule 3745-59-09(B); 40 CFR 268.9(b)]

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TREATMENT OF CHARACTERISTIC HAZARDOUS WASTE

Y/N/NA RMK#

5. Does the generator treat characteristic hazardous waste(s) in a RCRA-exempt unit to render such wastes non-hazardous?

Y

(a) If so, are treated waste(s) sent to a licensed solid waste disposal facility?

NA

i. If so, with each shipment of waste, does the generator submit a notification and certification to the Regional Administrator/Director which contains the following:

a. Name and address of the facility receiving the waste? [O.A.C. Rule 3745-59-09 (D) (1) (a); 40 CFR 268.9 (d) (1) (i)]

b. A description of the waste as initially generated, including EPA hazardous waste numbers and treatability group? [O.A.C. [Rule 3745-59-09 (D) (1) (b); 40 CFR 268.9 (d) (1) (ii)]

c. The treatment standards applicable to the waste at the initial point of generation? [O.A.C. Rule 3745-59-09 (D) (1) (c); 40 CFR 268.9 (d) (1) (iii)]

ii. Is the certification signed by an authorized representative and does it contain the language in O.A.C. Rule 3745-59-07 (B) (5) (a) (40 CFR 268.7 (b) (5) (i)? [O.A.C. Rule 3745-59-09 (D) (2); 40 CFR 268.9 (d) (2)]

NA

NOTE: An example of a RCRA-exempt unit would include an elementary neutralization unit or a wastewater treatment unit as defined by O.A.C. Rule 3745-50-10. [See O.A.C. Rule 3745-65-01]

REMARKS

NOTIFICATION/CERTIFICATION

Y/N/NA RMK#

6. For wastes that do not meet treatment standards: Does the generator notify the treatment/storage facility receiving the wastes, in writing, that wastes being received do not meet treatment standards? [O.A.C. Rule 3745-59-07(A) (1); 40 CFR 268.7(a) (1)]

NA

If so, does the notification include the following:

- (a) EPA hazardous waste number? [O.A.C. Rule 3745-59-07(A) (1) (a); 40 CFR 268.7(a) (1) (i)]
- (b) Appropriate treatment standard for the waste? [O.A.C. Rule 3745-59-07(A) (1) (b); 40 CFR 268.7(a) (1) (ii)]
- (c) The manifest number associated with the shipment of waste? [O.A.C. Rule 3745-59-07(A) (1) (c); 40 CFR 268.7(a) (1) (iii)]
- (d) Waste analysis data, where available? [O.A.C. Rule 3745-59-07(A) (1) (d); 40 CFR 268.7(a) (1) (iv)]

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7. Is the notification identified in Question #6 submitted with each shipment of waste? [O.A.C. Rule 3745-59-07(A) (1); 40 CFR 268.7(a) (1)]

NA

8. For wastes that meet treatment standards: Does the generator submit a written notice and certification to the treatment, storage or disposal facility receiving the wastes stating wastes being received meet applicable treatment standards? [O.A.C. Rule 3745-59-07(A) (2); 40 CFR 268.7(a) (2)]

Y

If so, does the notice/certification include the following:

- (a) EPA hazardous waste number? [O.A.C. Rule 3745-59-07(A) (2) (a) (i); 40 CFR 268.7(a) (2) (i) (A)]
- (b) The corresponding treatment standards and applicable prohibitions for the waste? [O.A.C. Rule 3745-59-07(A) (2) (a) (ii); 40 CFR 268.7(a) (2) (i) (B)]
- (c) The manifest number associated with the shipment of waste? [O.A.C. Rule 3745-59-07(A) (2) (a) (iii); 40 CFR 268.7(a) (2) (i) (C)]
- (d) Waste analysis data, where available? [O.A.C. Rule 3745-59-07(A) (2) (a) (iv); 40 CFR 268.7(a) (2) (i) (D)]
- (e) Is the certification signed by the generator or an authorized representative? [O.A.C. Rule 3745-59-07(A) (2) (b); 40 CFR 268.7(a) (2) (ii)]

Vertical line with arrow pointing down

Y/N/NA RMK#

9. Is the notification/certification identified in Question #8 submitted with each shipment of waste? [O.A.C. 3745-59-07 (A) (2); 40 CFR 268.7(a) (2)]

Y

10. For wastes subject to a case-by-case extension, exemption or a variance: Does the generator provide written notice to the facility receiving the waste that the waste is not prohibited from land disposal? [O.A.C. Rule 3745-59-07 (A) (3); 40 CFR 268.7(a) (3)]

NA

If so, does the notice contain the following information:

(a) EPA hazardous waste number? [O.A.C. Rule 3745-59-07 (A) (3) (a); 40 CFR 268.7(a) (3) (i)]

|

(b) The corresponding treatment standard and applicable prohibitions? [O.A.C. Rule 3745-59-07(A) (3) (b); 40 CFR 268.7(a) (3) (ii)]

|

(c) The manifest number associated with the shipment of waste? [O.A.C. Rule 3745-59-07(A) (3) (c); 40 CFR 268.7(a) (3) (iii)]

|

(d) Waste analysis data, where available? [O.A.C. Rule 3745-59-07(A) (3) (d); 40 CFR 268.6(a) (3) (iv)]

|

(e) The date the waste is subject to the prohibitions? [O.A.C. Rule 3745-59-07(A) (3) (e); 40 CFR 268.7(a) (3) (v)]

|

11. Does the generator retain on-site a copy of all notices, certifications, demonstrations and waste analysis data for at least five years? [O.A.C. Rule 3745-59-07(A) (6); 40 CFR 268.7(a) (7)]

Y

REMARKS