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State of Ohio Environmental Protection Agency  
Southwest District

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December 29, 2004

Mr. William J. Taylor, Director  
U.S. Department of Energy  
Ohio Field Office  
Fernald Closure Project  
176 Tri-County Parkway  
Springdale, Ohio 45246

PERNOLD  
LOG F-0265  
JAN 3, 2005 CAS  
JAN 10 2005 P 10 13  
5493

**Re: Hazardous Waste Compliance Evaluation Inspection  
USEPA ID# OH6890008976  
Exempt Treatment, Storage, and Disposal Facility**

Dear Mr. Taylor:

On November 18, 2004, Paul Pardi and I inspected the U.S. Department of Energy Fernald Environmental Management Project (DOE-FEMP) facility to determine DOE-FEMP's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). Mr. Ed Skintek (DOE), and Mr. Tim Poff and Ms. Elizabeth Brucken (Fluor Fernald) represented the facility.

Subsequent to the inspection, the Ohio Environmental Protection Agency (OEPA) requested additional information.

**Characterization of Waste**

Generator Standards – Hazardous Waste Determination 3745-52-11 and Permit Application Section C and D

Any generator of a waste must determine if that waste is a hazardous waste. At the time of our inspection there were 30 waste streams not characterized. This is based on information provided by DOE-FEMP personnel. Some of the containers have remained uncharacterized for years.

DOE-FEMP has provided Ohio EPA information regarding this population of uncharacterized waste including reasons for not characterizing the waste. Currently, OEPA management is reviewing this issue.

At the time of the inspection, uncharacterized waste was being stored in Sea-Land containers. As a reminder, the uncharacterized waste must be managed properly.



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Jennette Bradley, Lt. Governor  
Christopher Jones, Director

Mr. William J. Taylor, Director  
December 29, 2004  
Page 2

### **Weekly Inspection Requirements**

#### OAC 3745-66-74, -54-14, -55-74 and ORC General Provisions, Chapter 1, Section 1.44(A)

Generally, Fernald personnel inspect areas where hazardous waste containers are stored every seven days as required. However, there were several instances in the last year where the 7 day period was exceeded by one or two days. The owner or operator must inspect at least weekly. As a reminder, Ohio EPA and Ohio Revised Code define weekly as every seven days.

#### OAC 3745-54-15 and 3745-66-74 and Permit Application Section F

We observed what appears to be precipitation in several of the hazardous waste storage lockers in the secondary containment area. There also appeared to be condensation on some of the hazardous waste drums. Fernald should review procedures to ensure that the secondary containment contains no hazardous waste and that no drums are leaking.

#### OAC 3745-65-35, -54-35

Hazardous Storage Locker MS-4 contained several hazardous waste drums that were potentially stored without adequate aisle space. This did not appear to be an issue since there were multiple doors allowing access. Please be reminded that adequate aisle space is required for safety reasons and allows easier access for daily inspections.

#### OAC 3745-54-16

We discussed Inspector Training Requirements. Currently, it appears that RCRA Inspectors receive an annual 8 hour Hazwoper refresher. Training for inspectors should be relevant to the positions they hold. While an 8 hour Hazwoper refresher is worthwhile, Fernald should also consider additional periodic relevant training for inspectors such as the training provided by Fernald in June of 2000; HMWU/RCRA Area Inspector OJT Training, and Inspection of Hazardous Waste Management Units and RCRA. All inspectors should receive this training at least annually.

#### Inspection Logs

Fernald should review the amount and types of information required on its RCRA Inspection logs. Suggestions include; having a date of inspection rather than just signature dates (one of the inspection forms appeared to have a date of both 4-29-04 and 4-30-04); using all military or all civilian time; tracking drums by noting when they are placed in storage and when they are shipped; and noting when there are no hazardous drums in a storage locker.

### **Shipment from Offsite to Onsite**

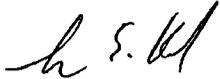
On October 6, 2004 Fluor Fernald, Inc. initiated a RCRA Hazardous Waste shipment from offsite. The material was 30,000 pounds of sewer outfall associated with the

Mr. William J. Taylor, Director  
December 29, 2004  
Page 3

Fernald facility that was removed as part of CERCLA cleanup activities at the site and which carried the D008 waste code. The shipment was manifested, Manifest number 04030, and sent onsite. The manifest shows that the Generator and Designated Facility are the same entity. Fernald personnel stated that they will work with Tammy Heffelfinger to ensure that this manifested information is reported properly on the Annual Generator report.

Enclosed you will find a copy of the checklist that we completed during the inspection. If you have any questions, I can be reached directly at 937-285-6594.

Sincerely,



Thomas E. Koch  
Division of Hazardous Waste Management

cc: Tammy McConnell, DHWM/CO  
Ed Skintek

TEK/rif

**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. ✓

**2004**  
**FERNALD ENVIRONMENTAL MANAGEMENT PROJECT**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**  
**RCRA INSPECTION CHECKLIST**

Facility: U.S. DOE-FEMP Ohio Permit: N/A  
 Address: 7400 Wiley Road USEPA ID: OH6890008976  
 Cincinnati, Ohio 45030

County: Hamilton

Facility Phone: 513-648-3101

Inspection Date: 11/18/2004 Time: approx. 1015 to 1620

Advance notice of inspection given? (yes) x (no) \_\_\_\_\_  
 If so, how far in advance? Approximately 10 days

	<u>Name</u>	<u>Representing</u>	<u>Phone</u>
Inspectors:	<u>Thomas Koch</u>	<u>Ohio EPA</u>	<u>937-285-6594</u>
	<u>Paul Pardi</u>	<u>Ohio EPA</u>	<u>937-285-6079</u>
Facility Representatives:	<u>Betsy Brucken</u>	<u>Fluor Fernald</u>	<u>513-648-5254</u>
	<u>Tim Poff</u>	<u>Fluor Fernald</u>	<u>513-648-5286</u>
	<u>Ed Skintek</u>	<u>Dept. of Energy</u>	<u>513-648-3151</u>

Is facility operating as a generator? (yes) x (no) \_\_\_\_\_

If so, complete the applicable sections of the Generator Requirements checklist for wastes being managed under generator status.

**PERMIT STATUS**

Department of Defense Fernald Facility is exempt from Part B Permit approval. Facility must maintain Part B Application required by Director's Findings and Orders.

**AUTHORIZED ACTIVITIES**

STORAGE	TREATMENT	DISPOSAL
<input checked="" type="checkbox"/> Container	<input type="checkbox"/> Tank	<input type="checkbox"/> Injection Well
<input type="checkbox"/> Tank	<input type="checkbox"/> Surface Impoundment	<input type="checkbox"/> Landfill
<input type="checkbox"/> Waste Pile	<input type="checkbox"/> Incinerator	<input type="checkbox"/> Land Application
<input type="checkbox"/> Surface Impoundment	<input type="checkbox"/> Thermal Treatment	<input type="checkbox"/> Surface Impoundment

**RECORDKEEPING REQUIREMENTS**

**OPERATING RECORD**

Y/N/NA RMK#

1. Is the Generator maintaining a written operating record at the facility as set forth in O.A.C. Rules 3745-54-73 and 3745-54-74 which contains the following elements:

- (a) A description and the quantity of each hazardous waste received? N/A
- (b) Method(s) and date(s) of treatment, storage or disposal facility? N/A
- (c) The location of each hazardous waste within the facility and the quantity at each location? Y
2. Is the Generator maintaining, until closure is complete and certified, the following documents and amendments, revisions and modifications to these documents:
- (a) Waste analysis plan in accordance with O.A.C. Rule 3745-54-13? Y
- (b) Contingency plan in accordance with O.A.C. Rule 3745-54-53? Y
- (c) Closure plan in accordance with O.A.C. Rule 3745-55-12? Y
- (d) Personnel training plan and records required by O.A.C. Rule 3745-54-16? Y
- (e) Inspection schedules developed in accordance with O.A.C. Rules 3745-54-15 and 3745-55-74? Y 1

RMK #1 - Some inspections exceeded 7 calendar days. Management agreed to work with inspectors on adhering to the 7 day requirement.

3. Is the Generator maintaining copies of all inspection logs at the facility for a period of at least three years from date of inspection? Y

#### ANNUAL REPORT REQUIREMENT

1. Is the Generator complying with annual report requirement set forth in O.A.C. Rule 3745-54-75 and the additional report requirements set forth in O.A.C. Rule 3745-54-77? Y

#### OFF-SITE SHIPMENTS/MANIFEST REQUIREMENTS

1. (A) Is all hazardous waste transported from the facility by a properly registered transporter of hazardous waste in accordance with all applicable laws, rules and standards? Y
2. Is the Generator complying with the following manifest requirements set forth in O.A.C. Chapter 3745-52 and O.A.C. Rules 3745-54-70, 3745-54-71, 3745-54-72 and 3745-54-76:
- (a) All hazardous wastes shipped off-site have been accompanied by a completed manifest, USEPA form 8700-22 and, if necessary, USEPA form 8700-22A in compliance with O.A.C. Rule 3745-52-20(A)? Y

- (b) The manifest form used contains all information required by O.A.C. Rule 3745-52-20 and the minimum number of copies required by O.A.C. Rule 3745-52-22? Y
- (c) The facility has designated at least one permitted disposal facility and has/will designate an alternate facility or instructions to return waste in compliance with O.A.C. Rule 3745-52-20(C)(D)(E)? Y
- (d) Prepared manifests have been signed by the facility and initial transporter in compliance with O.A.C. Rule 3745-52-23? Y
3. Has the Generator received a return copy of each completed manifest within (35) days of the date the waste was accepted by the initial transporter? Y
- (a) If not, has the Generator complied with the manifest exception reporting requirements of O.A.C. Rule 3745-52-42? N/A
4. Are signed copies of all hazardous waste manifests and any documentation required for exception reports retained for at least three years at the facility as required by O.A.C. Rule 3745-52-40? N/A

**WASTE ANALYSIS/WASTE ANALYSIS PLAN**

1. Does the Generator have a detailed chemical and physical analysis of waste streams which contains all information which is necessary to properly treat, store, or dispose of the waste in accordance with O.A.C. Chapters 3745-54 to 3745-57? Y
2. Is the Generator following the procedures described in the approved waste analysis plan (Section C of permit application) and the requirements of O.A.C. Rule 3745-54-13? N 6

RMK #6 - See Storage Of Hazardous Wastes In Containers Section below.

**GENERAL INSPECTION REQUIREMENTS**

1. Is the Generator following the inspection procedures and schedules described in Section F of the permit application and the requirements of O.A.C. Rule 3745-54-15? Y
2. Does the Generator inspect the facility with such regularity as to identify problems resulting from deterioration, malfunctions, operator errors or discharges which may lead to a release of hazardous waste to the environment or a threat to human health? [O.A.C. Rule 3745-54-15(A)(1)(2)] Y 1
3. Is the Generator following the inspection schedule for inspecting: monitoring equipment, safety equipment,

emergency equipment, security devices and operating and structural equipment as specified in O.A.C. Rule 3745-54-15(1)?

Y

(a) Is the schedule kept at the facility?  
[O.A.C. Rule 3745-54-15(B)(2)]

Y

(b) Does the schedule identify the types of problems which are to be looked for during the inspection?  
[O.A.C. Rule 3745-54-15(B)(3)]

Y 2

RMK #2 - Inspectors should note and correct precipitation collecting in hazardous waste storage lockers.

(c) Does the schedule include inspection of areas subject to spills daily when in use and according to other applicable regulations when not in use?  
[O.A.C. Rule 3745-54-15(B)(4)]

Y

4. Does the Generator remedy deterioration or any malfunctions discovered by an inspection as required by O.A.C. Rule 3745-54-15)?

N 2

5. Is the Generator maintaining records of inspections for a minimum of three years?

Y

6. In accordance with O.A.C. Rule 3745-54-15(D), do inspection records contain the following information:

(a) Date and time of inspection?

Y 3

RMK #3 - Does not appear to specifically state "Date of Inspection", it is inferred from Inspector's Signature Date.

(b) Signature of inspector?

Y 2

(c) Notation of observations made?

Y 2

(d) Date/nature of any repairs or other remedial actions?

Y 2

#### SECURITY PROVISIONS/FACILITY OPERATION

1. Is the Generator complying with the security provisions of O.A.C. Rule 3745-54-14 and Section F of the permit application, including the following:

(a) Does the Generator have a 24-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility, or;

Y

(b) An artificial or natural barrier (in good repair) which completely surrounds the active portion of the facility, or;

Y

- (c) A means to control entry, at all times, through gates or other entrances, to the active portion of the facility? Y
2. In accordance with O.A.C. Rule 3745-54-14(C), does the Generator have signs reading "Danger-Unauthorized Personnel Keep Out" posted at each entrance and at other locations and in sufficient numbers to be seen when approaching the active portion of the facility? Y
3. Is construction, maintenance and operation of the facility being conducted to minimize the possibility of a fire, explosion, or unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil ground or surface waters? Y

**PERSONNEL TRAINING**

1. Is the facility conducting personnel training in accordance with Section H of the permit application and the following requirements of O.A.C. Rule 3745-54-16:
- (a) The facility provides personnel training which includes instruction in safe equipment operation and emergency procedures and implementation of the contingency plan? [O.A.C. Rule 3745-54-16(A)(B)(C)] Y 4
- RMK #4 - Inspectors should receive not just a 40 hour Hazwoper annual refresher, but also a periodic review of inspection procedures and specific job related duties.
- (b) The facility provides personnel training to new employees within 6 months after their date of employment as required by O.A.C. Rule 3745-54-16(B)? Y 4
- (c) The facility provides an annual refresher training course as required by O.A.C. Rule 3745-54-16(B)? Y
2. Is the Generator maintaining personnel training records as required by O.A.C. Rule 3745-54-16(D) and of the application, including; written job titles, job descriptions and documented employee training records? Y

**REQUIRED EQUIPMENT**

1. Is the Generator, at a minimum, maintaining the equipment set forth in the permit application (Section G) at the facility? Y
2. Is the Generator inspecting, testing and maintaining the equipment specified in Question #1 to assure its proper operation as specified in O.A.C. Rule 3745-54-33, the inspection plans and Section F of the permit application? Y
3. Whenever hazardous waste is being managed at the facility, has the Generator provided all personnel involved in the operation

with immediate access to an internal alarm or emergency communication device as required by O.A.C. Rule 3745-54-34 and Section F of the permit application?

Y

### CONTINGENCY PLAN REQUIREMENTS

#### EMERGENCY PROCEDURES

1. Does the Generator:

- (a) Familiarize the emergency response agencies likely to respond to an emergency at the facility?

Y 5

RMK #5 - The facility maintains an updated Contingency Plan available at the main gate.

- (b) The layout of the facility?

Y

- (c) Properties of hazardous waste managed at the facility and associated hazards?

Y

- (d) Places where facility personnel will normally be working?

Y

- (e) Entrances to the facility and roads inside the facility?

Y

- (f) Evacuation routes as depicted in Section G of the permit application?

Y

- (g) Inform emergency response agencies of safety equipment, supplies, proper emergency procedures that are applicable to the facility, and any further requirements imposed by the permit application? and;

Y

- (h) Familiarize local ambulance services, fire depts., hospitals and any other local emergency services with the properties of hazardous waste managed at the facility and the types of injuries or illness which could result from fires, explosions or a release of hazardous wastes at the facility?

Y

### EMERGENCY AUTHORITIES

1. Has a state or local agency declined to enter into the arrangements set forth in O.A.C. Rule 3745-54-37(A)? If so,

N

- (a) Has the Generator documented the refusal in the operating record as required by O.A.C. Rule 3745-54-37(B)?

N/A

2. Has the Generator, in accordance with O.A.C. Rule 3745-54-53 submitted a copy of the contingency plan (including amendments, revisions or changes) to all local authorities, agencies and response contractors designated in the contingency plan?

Y 5

**EMERGENCY COORDINATOR**

1. At all times is there an individual on-site or on call to act as an emergency coordinator as required by O.A.C. Rule 3745-54-55?

Y

**AMENDMENT OF PLAN**

1. Is the Generator reviewing the contingency plan regularly and amending the plan immediately if needed in compliance with O.A.C. Rule 3745-54-54?
2. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents at the facility since date of last inspection

Y

N

**REQUIREMENTS FOR IGNITABLE, REACTIVE OR INCOMPATIBLE WASTES**

1. Is the Generator in compliance with the requirements of O.A.C. Rules 3745-54-17, 3745-55-77 (for incompatible wastes)?
2. As required by O.A.C. Rule 3745-55-76 does the Generator store containers of ignitable or reactive wastes greater than 15 feet (50 feet) from the facility's property line? (Note: the facility is not permitted to accept ignitable or reactive wastes)
3. Does the Generator take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and follow the procedures as specified by O.A.C. Rule 3745-54-15 and in Section F of the permit application? (Note: the facility is not permitted to accept ignitable or reactive wastes.
4. Does the Generator provide electrical grounding for all containers and tanks, and transport vehicles during all operations involving the handling of flammable and/or combustible wastes?
5. Does the Generator require the use of spark proof tools during all operations involving the handling of ignitable wastes?
6. Does the Generator prohibit smoking and open flames in areas where hazardous wastes are managed and post appropriate signs?
7. Where applicable, does all wiring and electrical equipment at the container storage building meet the National Fire Protection Association, "National Electric Code" National Fire Codes, 1985 Edition, Vol. 3, Chapter 5, Special Occupancies, Articles 500-503, pp. 176 through 189.?)

Y

Y

Y

Y

Y

Y

Y

8. Does the Generator prevent hazardous waste from being placed in an unwashed container that previously held an incompatible waste or material? [OAC 3745-55-77(B)] Y

**STORAGE OF HAZARDOUS WASTES IN CONTAINERS**

1. Is each container stored clearly marked to identify its contents and the date each period of accumulation/storage begins? Y 6

RMK #6 - Facility currently maintains a list of approximately 31 uncharacterized drums.

2. Are containers holding hazardous wastes in good condition? Y

- (a) If not, (e.g. severe rusting, structural defects) did the Generator transfer the hazardous waste from such a container to a container that is in good condition or otherwise manage the waste in a manner that complies with O.A.C. Rule 3745-55-71? N/A

3. Does the Generator ensure that all containers used at the facility are compatible with the hazardous waste to be stored in them as required by O.A.C. Rule 3745-55-72? Y

4. Does the Generator keep all containers closed during storage except when it is necessary to add or remove waste as required by O.A.C. Rule 3745-55-73? Y

5. Are lab-pack wastes handled in compliance with the applicable storage requirements? Y

6. Are lab pack wastes packaged in drums containing absorbent material that is compatible with the wastes? Y

7. Does the Generator ensure that hazardous waste drums are stacked no more than two high in the permitted storage area? Y

**INSPECTIONS**

1. Is the Generator inspecting the container area weekly in accordance with O.A.C. Rule 3745-55-74 and the inspection schedule (Section F) to detect leaking containers and deterioration of containers and the containment system? N 1

- (a) Does the Generator note the results of these inspections in the inspection log along with any remedial action taken? Y 2

**CONTAINMENT SYSTEMS**

1. Does the Generator maintain the containment system as described in the plans and specifications contained in the permit application, including: Y

- (a) Sufficient design to contain ten percent of the total volume of the containers? Y
- (b) A system which is free of gaps and sufficiently impervious to contain leaks and spills? Y
- (c) Equipped with a coating which is compatible with each waste stored in the area? Y
- (d) For those wastes which are deemed incompatible with liner material: Has the Generator installed a separate secondary containment structure within the existing structure which is equipped with a compatible liner? N/A
2. Has the Generator had a spill or leak of wastes or an accumulation of precipitation in the containment system? Y
- If so,
- (a) Are spilled or leaked wastes and accumulated precipitation removed from the sump or collection area in a timely manner? N 2
- (b) Does removal of spilled/leaked wastes and accumulated precipitation occur within (24) hours from the time the spilled or leak waste is discovered? N 2

**REQUIRED AISLE SPACE**

1. Is the Generator maintaining aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment in the event of an emergency to any area of the facility as required by O.A.C. Rule 3745-54-35? Y 7

RMK #7 - Better aisle space should be provided in Storage Locker MS-4.

**LAND DISPOSAL RESTRICTION REQUIREMENTS**

**PROHIBITION AGAINST DILUTION**

1. Does the entity dilute a restricted waste or a treatment residue from a restricted waste: [O.A.C. Rule 3745-59-03];
- (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)? N
- (c) To otherwise avoid a prohibition in O.A.C. Rules 3745-59-30 through 3745-59-35? N

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

N

**NOTE:** If the answer to any of the Questions 1(a) through 1(d) above is yes, the entity is impermissibly diluting a restricted waste and is in violation of O.A.C. Rule 3745-59-03. 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.

### LAND DISPOSAL RESTRICTION REQUIREMENTS

**NOTE:** This Facility operates under an approved Site Treatment Plan.

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);

Y

(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);]

Y

(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);]

Y

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,

3. Has the generator correctly determined if restricted wastes meet or exceed treatment standards? [O.A.C. Rule 3745-59-07(A);]

Y

4. Does the entity generate any listed waste(s) which are restricted from land disposal? If so,

Y

(a) Do such wastes also exhibit hazardous waste characteristics as identified in O.A.C. Rules 3745-51-20 to 3745-52-24?

Y

(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)]

Y

**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)]

### NOTIFICATION/CERTIFICATION

1. 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)] N/A

If so, does the notification include the following:

(a) EPA hazardous waste number? [O.A.C. Rule 3745-59-07(A)(1)(a)] N/A

(b) Appropriate treatment standard for the waste? [O.A.C. Rule 3745-59-07(A)(1)(b)] N/A

(c) The manifest number associated with the shipment of waste? [O.A.C. Rule 3745-59-07(A)(1)(c)] N/A

(d) Waste analysis data, where available? [O.A.C. Rule 3745-59-07(A)(1)(d)] N/A

2. Is the notification identified in Question #6 submitted with each shipment of waste? [O.A.C. Rule 3745-59-07(A)(1)] N/A

3. For wastes that meet treatment standards: Does the generator maintain a written notice, stating wastes being received meet applicable treatment standards? [O.A.C. Rule 3745-59-07(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)] Y

(b) The corresponding treatment standards and applicable prohibitions for the waste? [O.A.C. Rule 3745-59-07(A)(2)(a)(ii)] Y

(c) The manifest number associated with the shipment of waste? [O.A.C. Rule 3745-59-07(A)(2)(a)(iii)] Y

(d) Waste analysis data, where available? [O.A.C. Rule 3745-59-07(A)(2)(a)(iv)] Y

(e) Is the certification signed by the generator or an authorized representative? [O.A.C. Rule 3745-59-07(A)(2)(b)] Y

4. 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)] Y

**STORAGE OF LAND DISPOSAL RESTRICTED WASTES**

1. Is the owner/operator storing land disposal restricted wastes in containers? If so, is each container marked with the following information in accordance with O.A.C. Rule 3745-59-50(A)(2)(a) :

(a) The identification of the contents? Y

(b) The date which accumulation began?

Y

**NOTE:** A TSD facility may store land disposal restricted wastes on-site for the purpose of accumulating a sufficient amount of waste for proper recovery, treatment or disposal. [O.A.C. Rule 3745-59-50(B)] During the first of storage, the burden of proof is on Ohio EPA to demonstrate that such storage is not necessary by the facility. Following one year, the burden of proof shifts to the storage facility to demonstrate that such storage of LDR wastes is necessary to facilitate proper recovery, treatment or disposal.

2. Does the facility's waste analysis plan include analytical procedures to ensure compliance with the LDR requirements of Chapter 3745-59?

Y