

3745-52-17

**Conditions for exemption for large quantity generators that accumulate hazardous waste.**

A large quantity generator may accumulate or treat hazardous waste on-site without a hazardous waste permit or a permit by rule, and without complying with Chapters 3745-50, 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, and 3745-266 of the Administrative Code, or the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, provided that all of the following are met:

(A) Accumulation. A large quantity generator accumulates or treats hazardous waste on-site for no more than ninety days, unless in compliance with the accumulation time limit extension ~~or for F006~~ accumulation conditions for exemption in paragraphs (B) to (E) of this rule. ~~All of the~~ The following accumulation conditions also apply:

(1) Accumulation or treatment of hazardous waste in containers. If the hazardous waste is placed in containers, the large quantity generator shall comply with the following:

(a) ~~[Reserved.]~~ Air emission standards. The applicable requirements of rules 3745-256-30 to 3745-256-35, 3745-256-50 to 3745-256-64, and 3745-256-80 to 3745-256-90 of the Administrative Code.

~~[Comment: Pursuant to federal law, generators also shall comply with the applicable requirements of 40 CFR Part 265 subparts AA, BB, and CC.]~~

(b) Condition of containers. If a container holding hazardous waste is not in good condition, or if the container begins to leak, the large quantity generator shall immediately transfer the hazardous waste from this container to a container that is in good condition, or immediately manage the waste in some other way that complies with the conditions for exemption of this rule.

(c) Compatibility of waste with container. The large quantity generator shall use a container made of or lined with materials that shall not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired.

(d) Management of containers.

(i) A container holding hazardous waste shall always be closed during accumulation, except when necessary to add or remove waste.

- (ii) A container holding hazardous waste shall not be opened, handled, or stored in a manner that may rupture the container or cause the container to leak.
- (e) Inspections. At least weekly, the large quantity generator shall inspect central accumulation areas. The large quantity generator shall look for leaking containers and for deterioration of containers caused by corrosion or other factors. See paragraph (A)(1)(b) of this rule for remedial action required if deterioration or leaks are detected.
- (f) Special conditions for accumulation of ignitable and reactive wastes.
  - (i) Containers holding ignitable or reactive waste shall be located at least fifteen meters (fifty feet) from the facility's property line unless a written approval is obtained from the authority having jurisdiction over the local fire code allowing hazardous waste accumulation to occur within this restricted area. A record of the written approval shall be maintained as long as ignitable or reactive hazardous waste is accumulated in this area.
  - (ii) The large quantity generator shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste shall be separated and protected from sources of ignition or reaction including but not limited to ~~the following:~~ open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the large quantity generator shall confine smoking and open flame to specially designated locations. "No Smoking" signs shall be conspicuously placed where there is a hazard from ignitable waste or reactive waste.
- (g) Special conditions for accumulation of incompatible wastes.
  - (i) Incompatible wastes, or incompatible wastes and materials, (see the appendix to rule 3745-66-99 of the Administrative Code for examples) shall not be placed in the same container unless paragraph (B) of rule 3745-65-17 of the Administrative Code is complied with.
  - (ii) Hazardous waste shall not be placed in an unwashed container that previously held an incompatible waste or material (see the appendix

to rule 3745-66-99 of the Administrative Code for examples) unless paragraph (B) of rule 3745-65-17 of the Administrative Code is complied with.

(iii) A container holding a hazardous waste that is incompatible with any waste or other materials accumulated or stored nearby in other containers, piles, open tanks, or surface impoundments shall be separated from the other materials or protected from wastes or materials by means of a dike, berm, wall, or other device.

(2) Accumulation or treatment of hazardous waste in tanks. If the hazardous waste is placed in tanks, the large quantity generator shall comply with the applicable requirements of rules 3745-66-90 to ~~3745-66-99~~ 3745-66-102 of the Administrative Code, except paragraph (C) of rule 3745-66-97 and rule 3745-66-100 of the Administrative Code, as well as the applicable requirements of rules 3745-256-30 to 3745-256-35, 3745-256-50 to 3745-256-64, and 3745-256-80 to 3745-256-90 of the Administrative Code.

~~[Comment: Pursuant to federal law, generators also shall comply with the applicable requirements of 40 CFR Part 265 subparts AA, BB, and CC.]~~

(3) Accumulation of hazardous waste on drip pads. If the hazardous waste is placed on drip pads, the large quantity generator shall comply with ~~all of~~ the following:

(a) Rules 3745-69-40 to 3745-69-45 of the Administrative Code;

(b) The large quantity generator shall remove all wastes from the drip pad at least once every ninety days. Any hazardous wastes that are removed from the drip pad are then subject to the ninety day accumulation limit in paragraph (A) of this rule and rule 3745-52-15 of the Administrative Code, if the hazardous wastes are being managed in satellite accumulation areas prior to being moved to a central accumulation area; and

(c) The large quantity generator shall maintain on-site at the facility all of the following records readily available for inspection:

(i) A written description of procedures that are followed to ensure that all wastes are removed from the drip pad and the sump or collection system at least once every ninety days; and

(ii) Documentation of each waste removal, including the quantity of waste removed from the drip pad and the sump or collection system, and the date and time of removal.

(4) Accumulation or treatment of hazardous waste in containment buildings. If the waste is placed in containment buildings, the large quantity generator shall comply with rules 3745-256-100 to 3745-256-102 of the Administrative Code. The generator shall label the large quantity generator's containment building with the words "Hazardous Waste" in a conspicuous place easily visible to employees, visitors, emergency responders, waste handlers, or other persons on-site, and also in a conspicuous place to provide an indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste characteristic (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the department of transportation requirements at 49 CFR Part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the occupational safety and health administration hazard communication standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the national fire protection association code 704]. The generator also shall maintain ~~all of the following~~:

(a) The professional engineer certification that the building complies with the design standards specified in rule 3745-256-101 of the Administrative Code. This certification shall be in the generator's files prior to operation of the unit; and

(b) The following records by use of inventory logs, monitoring equipment, or any other effective means:

(i) A written description of procedures to ensure that each waste volume remains in the unit for no more than ninety days, a written description of the waste generation and management practices for the facility showing that the generator is consistent with respecting the ninety day limit, and documentation that the procedures are complied with; or

(ii) Documentation that the unit is emptied at least once every ninety days.

(iii) Inventory logs or records with the information required in paragraph (A)(4)(b) of this rule shall be maintained on-site and readily available for inspection.

(5) Labeling and marking of containers and tanks.

(a) Containers. A large quantity generator shall mark or label the generator's containers with ~~all of the following~~:

(i) The words "Hazardous waste."

- (ii) An indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste ~~characteristic~~characteristics (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the department of transportation requirements at 49 CFR Part 172 ~~subpart~~subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the occupational safety and health administration hazard communication standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the national fire protection association code 704]; ~~and~~
  - (iii) The date upon which each period of accumulation or treatment begins, clearly visible for inspection on each container.
- (b) Tanks. A large quantity generator accumulating hazardous waste in tanks shall do ~~all of~~ the following:
- (i) Mark or label the generator's tanks with the words "Hazardous waste."
  - (ii) Mark or label the generator's tanks with an indication of the ~~hazardous~~hazards of the contents [examples include, but are not limited to, the applicable hazardous waste ~~characteristic~~characteristics (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the department of transportation requirements at 49 CFR Part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the occupational safety and health administration hazard communication standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the national fire protection association code 704]; ~~and~~
  - (iii) Use inventory logs, monitoring equipment, or other records to demonstrate that hazardous waste has been emptied within ninety days after first entering the tank if using a batch process, or in the case of a tank with a continuous flow process, demonstrate that estimated volumes of hazardous waste entering the tank daily exit the tank within ninety days after first entering; ~~and~~
  - (iv) Keep inventory logs or records with the information required by paragraph (A)(5)(b) of this rule on-site and readily available for inspection.

(6) Emergency procedures. The large quantity generator complies with the standards in rules 3745-52-250 to 3745-52-265 of the Administrative Code.

(7) Personnel training.

(a) ~~Personnel training requirements.~~

(i) Facility personnel shall successfully complete a program of classroom instruction, online training (e.g., computer-based or electronic), or on-the-job training that teaches the facility personnel to perform the facility personnel's duties in a way that ensures compliance with Chapter 3745-52 of the Administrative Code. The large quantity generator shall ensure that this program includes all the elements described in the documents required in paragraph (A)(7)(d) of this rule.

(ii) This program shall be directed by a person trained in hazardous waste management procedures, and shall include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which the facility personnel are employed.

(iii) At a minimum, the training program shall be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing personnel with emergency procedures, emergency equipment, and emergency systems, including ~~(where applicable)~~ ~~all of the following:~~

(a) Procedures to use, inspect, repair, and replace facility emergency and monitoring equipment;

(b) Key parameters for automatic waste feed cut-off systems;

(c) Communications or alarm systems;

(d) Response to fires or explosions;

(e) Response to groundwater contamination incidents; and

(f) Shutdown of operations.

(iv) For facility personnel who receive emergency response training pursuant to occupational safety and health administration regulations 29 CFR 1910.120(p)(8) and 1910.120(q), the large

quantity generator is not required to provide separate emergency response training pursuant to this rule, provided that the overall facility training meets all the conditions of exemption in this rule.

- (b) Facility personnel shall successfully complete the program required in paragraph (A)(7)(a) of this rule within six months after the date of employment or assignment to the facility, or to a new position at the facility, whichever is later. Facility personnel shall not work in unsupervised positions until personnel have completed the training standards of paragraph (A)(7)(a) of this rule.
- (c) Facility personnel shall take part in an annual review of the initial training required in paragraph (A)(7)(a) of this rule.
- (d) The large quantity generator shall maintain ~~all of~~ the following documents and records at the facility:
  - (i) The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job;
  - (ii) A written job description for each position listed under paragraph (A)(7)(d)(i) of this rule. This description may be consistent in the description's degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but shall include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position;
  - (iii) A written description of the type and amount of both introductory and continuing training that shall be given to each person filling a position listed under paragraph (A)(7)(d)(i) of this rule; and
  - (iv) Records that document that the training or job experience, required under paragraphs (A)(7)(a) to (A)(7)(c) of this rule, has been given to, and completed by, facility personnel.
- (e) Training records on current personnel shall be kept until closure of the facility. Training records on former employees shall be kept for at least three years after the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.

(8) Closure. A large quantity generator accumulating hazardous wastes in containers, tanks, drip pads, and containment buildings, prior to closing a unit at the facility, or prior to closing the facility, shall meet ~~all of~~ the following conditions:

(a) Notification for closure of a waste accumulation unit. A large quantity generator shall perform one of the following when closing a waste accumulation unit:

(i) Place a notice in the operating record within thirty days after closure identifying the location of the unit within the facility: or

(ii) Meet the closure performance standards of paragraph (A)(8)(c) of this rule for container, tank, and containment building waste accumulation units, or paragraph (A)(8)(d) of this rule for drip pads, and notify Ohio EPA following the procedures in paragraph (A)(8)(b)(ii) of this rule for the waste accumulation unit. If the waste accumulation unit is subsequently reopened, the generator may remove the notice from the operating record.

(b) Notification for closure of the facility.

(i) Notify Ohio EPA using Ohio EPA form EPA 9029 no later than thirty days prior to closing the facility.

(ii) Notify Ohio EPA using Ohio EPA form EPA 9029 within ninety days after closing the facility that the facility has complied with the closure performance standards of paragraph (A)(8)(c) or (A)(8)(d) of this rule. If the facility cannot meet the closure performance standards of paragraph (A)(8)(c) or (A)(8)(d) of this rule, notify Ohio EPA using Ohio EPA form EPA 9029 that the facility shall close as a landfill under rule 3745-68-10 of the Administrative Code in the case of a container, tank or containment building units, or for a facility with drip pads, notify using Ohio EPA form EPA 9029 that the facility shall close under the standards of paragraph (B) of rule 3745-69-45 of the Administrative Code.

(iii) A large quantity generator may request additional time to clean close, but the large quantity generator shall notify Ohio EPA using Ohio EPA form EPA 9029 within seventy-five days after the date provided in paragraph (A)(8)(b)(i) of this rule to request an extension and provide an explanation as to why the additional time is required.



(c) Closure performance standards for container, tank systems, and containment building waste accumulation units.

(i) At closure, the generator shall close the waste accumulation unit or facility in a manner that ~~conforms to the following:~~

(a) Minimizes the need for further maintenance by controlling, minimizing, or eliminating, to the extent necessary to protect human health and the environment, the post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated run-off, or hazardous waste decomposition products to the ground water or surface water or to the atmosphere.

(b) Removes or decontaminates all contaminated equipment, structures, and soil, and any remaining hazardous waste residues from waste accumulation units including containment system components (pads, liners, etc.), contaminated soils and subsoils, bases, and structures and equipment contaminated with waste, unless paragraph (D) of rule 3745-51-03 of the Administrative Code applies.

(c) Any hazardous waste generated in the process of closing either the generator's facility or units accumulating hazardous waste shall be managed in accordance with all applicable standards of Chapters 3745-52, 3745-53, 3745-65 to 3745-69, 3745-256, and 3745-270 of the Administrative Code, including removing any hazardous waste contained in these units within ninety days after generating the hazardous waste, and managing these wastes in a hazardous waste permitted treatment, storage and disposal facility or a facility operating under permit by rule.

(d) If the generator demonstrates that any contaminated soils and wastes cannot be practicably removed or decontaminated as required in paragraph (A)(8)(c)(i)(b) of this rule, then the waste accumulation unit is considered to be a landfill and the generator shall close the waste accumulation unit and perform post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (rule 3745-68-10 of the Administrative Code). In addition, for the purposes of closure, post-closure, and financial responsibility, such a waste accumulation unit is

then considered to be a landfill, and the generator shall meet all of the requirements for landfills specified in rules 3745-66-10 to 3745-66-21 and rules 3745-66-40 to 66-48 of the Administrative Code.

(d) Closure performance standards for drip pad waste accumulation units. At closure, the generator shall comply with the closure requirements of paragraphs (A)(8)(b) and (A)(8)(c)(i)(a) and (A)(8)(c)(i)(c) of this rule, and paragraphs (A) and (B) of rule 3745-69-45 of the Administrative Code.

(e) The closure requirements of paragraph (A)(8) of this rule do not apply to satellite accumulation areas.

(9) Land disposal restrictions. The large quantity generator complies with all applicable requirements in Chapter 3745-270 of the Administrative Code.

(B) Accumulation time limit extension. A large quantity generator who accumulates hazardous waste for more than ninety days is subject to the requirements of Chapters 3745-50, 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code, and the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, unless the large quantity generator has been granted an extension to the ninety-day period. Such extension may be granted by the director if hazardous wastes shall remain on-site for longer than ninety days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to thirty days may be granted at the discretion of the director on a case-by-case basis.

(C) Accumulation of F006. A large quantity generator who also generates wastewater treatment sludges from electroplating operations that meet the listing description for the EPA hazardous waste number F006 may accumulate F006 waste on-site for more than ninety days, but not more than one hundred eighty days without being subject to Chapters 3745-50, 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, and 3745-266 of the Administrative Code and the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, provided that the large quantity generator complies with all of the following additional conditions for exemption:

(1) The large quantity generator has implemented pollution prevention practices that reduce the amount of any hazardous substances, pollutants, or contaminants entering F006 or otherwise released to the environment prior to the F006 waste's recycling;

(2) The F006 waste is legitimately recycled through metals recovery;

- (3) No more than twenty thousand kilograms of F006 waste is accumulated on-site at any one time; and
- (4) The F006 waste is managed in accordance with ~~all of~~ the following:
- (a) ~~F006 management requirements.~~
- (i) If the F006 waste is placed in containers, the large quantity generator shall comply with the applicable conditions for exemption in paragraph (A)(1) of this rule; or
- (ii) If the F006 is placed in tanks, the large quantity generator shall comply with the applicable conditions for exemption of paragraph (A)(2) of this rule; and
- (iii) If the F006 is placed in containment buildings, the large quantity generator shall comply with rules 3745-256-100 to 3745-256-102 of the Administrative Code, and has placed the large quantity generator's professional engineer certification that the building complies with the design standards specified in rule 3745-256-101 of the Administrative Code in the facility's files prior to operation of the unit. The large quantity generator shall maintain ~~either of~~ the following records:
- (a) A written description of procedures to ensure that the F006 waste remains in the unit for no more than one hundred eighty days, a written description of the waste generation and management practices for the facility showing that the practices are consistent with the one hundred eighty-day limit, and documentation that the large quantity generator is complying with the procedures; or
- (b) Documentation that the unit is emptied at least once every one hundred eighty days.
- (b) The large quantity generator is exempt from all the requirements in rules 3745-66-10 to 3745-66-21 and 3745-66-40 to 3745-66-48 of the Administrative Code, except for those referenced in paragraph (A)(8) of this rule; and
- (c) The date upon which each period of accumulation begins is clearly marked and is clearly visible for inspection on each container; and

(d) While being accumulated on-site, each container and tank is labeled or marked clearly with ~~all of the following~~:

(i) The words "Hazardous Waste;" and

(ii) An indication of the hazards of the contents [examples include, but are not limited to, the applicable hazardous waste ~~characteristic~~ characteristics (i.e., ignitable, corrosive, reactive, toxic); hazard communication consistent with the department of transportation requirements at 49 CFR Part 172 subpart E (labeling) or subpart F (placarding); a hazard statement or pictogram consistent with the occupational safety and health administration hazard communication standard at 29 CFR 1910.1200; or a chemical hazard label consistent with the national fire protection association code 704].

(e) The large quantity generator complies with the requirements in paragraphs (A)(6) and (A)(7) of this rule.

(D) F006 transported over two hundred miles. A large quantity generator who also generates wastewater treatment sludges from electroplating operations that meet the listing description for the EPA hazardous waste number F006, and who must transport this waste, or offer this waste for transportation, over a distance of two hundred miles or more for off-site metals recovery, may accumulate F006 waste on-site for more than ninety days, but not more than two hundred seventy days without being subject to Chapters 3745-50, 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, and 3745-266 of the Administrative Code, and the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, if the large quantity generator complies with all of the conditions for exemption of paragraphs (C)(1) to (C)(4) of this rule.

(E) F006 accumulation time extension. A large quantity generator accumulating F006 in accordance with paragraphs (C) and (D) of this rule who accumulates F006 waste on-site for more than one hundred eighty days (or for more than two hundred seventy days if the generator must transport this waste, or offer this waste for transportation, over a distance of two hundred miles or more), or who accumulates more than twenty thousand kilograms of F006 waste on-site is an operator of a storage facility and is subject to the requirements of Chapters 3745-50, 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, and 3745-256 of the Administrative Code and the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, unless the generator has been granted an extension to the one hundred eighty-day (or two hundred seventy-day if applicable) period or an exception to the twenty thousand kilogram accumulation limit. Such extensions and exceptions may be granted by Ohio EPA if F006 waste shall remain on-site for longer than one hundred eighty days (or two hundred seventy

days if applicable) or if more than twenty thousand kilograms of F006 waste shall remain on-site due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to thirty days or an exception to the accumulation limit may be granted at the discretion of the director ~~of~~ on a case-by-case basis.

(F) Consolidation of hazardous waste received from very small quantity generators. Large quantity generators may accumulate or treat on-site hazardous waste received from very small quantity generators under control of the same "person," as defined in rule 3745-50-10 of the Administrative Code, without a storage permit or permit by rule and without complying with the requirements of Chapters 3745-50, 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code and the requirement to notify Ohio EPA or U.S. EPA of regulated waste activity, provided that the large quantity generator complies with ~~all~~ ~~of~~ the following conditions. "Control," for the purposes of this rule, means the power to direct the policies of the generator, whether by the ownership of stock, voting rights, or otherwise, except that contractors who operate generator facilities on behalf of a different person shall not be deemed to "control" such generators.

(1) The large quantity generator notifies Ohio EPA at least thirty days prior to receiving the first shipment from a very small quantity generator using Ohio EPA form EPA 9029-; and

(a) Identifies on the form the name and site address for the very small quantity generator as well as the name and business telephone number for a contact person for the very small quantity generator-; and

(b) Submits an updated Ohio EPA form EPA 9029 within thirty days after a change in the name or site address for the very small quantity generator.

(2) The large quantity generator maintains records of shipments for three years ~~from~~after the date the hazardous waste was received from the very small quantity generator. These records shall identify the name, site address, and contact information for the very small quantity generator and include a description of the hazardous waste received, including the quantity and the date the waste was received.

(3) The large quantity generator complies with the independent requirements identified in paragraph (A)(1)(c) of rule 3745-52-10 of the Administrative Code and the conditions for exemption in this rule for all hazardous waste received from a very small quantity generator. For purposes of the labeling and marking requirements in paragraph (A)(5) of this rule, the large quantity generator shall label the container or unit with the date accumulation started (i.e., the date the hazardous waste was received from the very small quantity generator). If the

large quantity generator is consolidating incoming hazardous waste from a very small quantity generator with either the large quantity generator's hazardous waste or with hazardous waste from other very small quantity generators, the large quantity generator shall label each container or unit with the earliest date any hazardous waste in the container was accumulated or treated on-site.

(G) Rejected load. A large quantity generator who sends a shipment of hazardous waste to a designated facility with the understanding that the designated facility can accept and manage the waste and later receives that shipment back as a rejected load or residue in accordance with the manifest discrepancy provisions of rule 3745-54-72 or 3745-65-72 of the Administrative Code may accumulate the returned waste on-site in accordance with paragraphs (A) and (B) of this rule. Upon receipt of the returned shipment, the generator shall ~~perform one of the following:~~

- (1) Sign item 18c of the manifest, if the transporter returned the shipment using the original manifest; or
- (2) Sign item 20 of the manifest, if the transporter returned the shipment using a new manifest.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]

Effective:

Five Year Review (FYR) Dates: 3/27/2023

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Certification

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Date

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3745-54-01

**Purpose, scope, and applicability of Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code.**

(A) The purpose of Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code is to establish minimum standards which define the acceptable management of hazardous waste.

(B) Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code apply to owners and operators of all facilities which treat, store, or dispose of hazardous waste, except as specifically provided otherwise in Chapters 3745-54 to 3745-57 and 3745-205 or Chapter 3745-51 of the Administrative Code.

(C) [Reserved.]

(D) Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code apply to a person disposing of hazardous waste by means of underground injection subject to a permit issued under an underground injection control program approved or promulgated under the Safe Drinking Water Act, only to the extent specified in rule 3745-34-09 of the Administrative Code.

[Comment: Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code apply to the above-ground treatment or storage of hazardous waste before the hazardous waste is injected underground.]

(E) Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code apply to the owner or operator of a publicly owned treatment works (POTW) which treats, stores, or disposes of hazardous waste only to the extent such activities are included in a permit granted to such a person under Chapter 3745-50 of the Administrative Code.

(F) [Reserved.]

(G) Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code do not apply to:

(1) The owner or operator of a facility permitted, licensed, or registered by a state to manage municipal or industrial waste, if the only hazardous waste the facility treats, stores, or disposes of is excluded from regulation under Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code by rule 3745-52-14 of the Administrative Code;

(2) The owner or operator of a facility managing recyclable materials described in paragraphs (A)(2), (A)(3), and (A)(4) of rule 3745-51-06 of the Administrative Code, except to the extent recyclable materials are referred to in Chapter 3745-279 or rules 3745-266-20 to 3745-266-23, 3745-266-70, 3745-266-80, or 3745-266-100 to 3745-266-112 of the Administrative Code;



- (3) A generator accumulating hazardous waste on-site in compliance with rule 3745-52-14, 3745-52-15, 3745-52-16, or 3745-52-17 of the Administrative Code;
- (4) A farmer disposing of waste pesticides from the farmer's own use in compliance with rule 3745-52-70 of the Administrative Code; or
- (5) The owner or operator of a "totally enclosed treatment facility," as defined in rule 3745-50-10 of the Administrative Code.
- (6) The owner or operator of an "elementary neutralization unit" or a "wastewater treatment unit" as defined in rule 3745-50-10 of the Administrative Code, provided that if the owner or operator is diluting hazardous ignitable (D001) waste [other than the D001 high total organic carbon (TOC) subcategory described in rule 3745-270-40 of the Administrative Code in the table of treatment standards for hazardous waste], or reactive (D003) waste, to remove the characteristic before land disposal, the owner or operator shall comply with paragraph (B) of rule 3745-54-17 of the Administrative Code.
- (7) [Reserved.]
- (8)
  - (a) Except as provided in paragraph (G)(8)(b) of this rule, a person engaged in treatment or containment activities during immediate response to any of the following situations:
    - (i) A discharge of a hazardous waste;
    - (ii) An imminent and substantial threat of a discharge of hazardous waste;
    - (iii) A discharge of a material which, when discharged, becomes a hazardous waste; or
    - (iv) An immediate threat to human health, public safety, property, or the environment, from the known or suspected presence of military munitions, other explosive material, or an explosive device, as determined by an "explosives or munitions emergency response specialist" as defined in rule 3745-50-10 of the Administrative Code.
  - (b) An owner or operator of a facility otherwise regulated by Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code shall comply

with all applicable requirements of rules 3745-54-30 to 3745-54-37 and 3745-54-50 to 3745-54-56 of the Administrative Code.

- (c) Any person who is covered by paragraph (G)(8)(a) of this rule and who continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code and 40 CFR Part 122, 40 CFR Part 123, and 40 CFR Part 124 for those activities.
  - (d) In the case of an explosives or munitions emergency response, if a federal, state, or local official acting within the scope of the official's official responsibilities, or an explosives or munitions emergency response specialist, determines that immediate removal of the material or waste is necessary to protect human health or the environment, that official or specialist may authorize the removal of the material or waste by transporters who do not have U.S. EPA identification numbers and without the preparation of a manifest. In the case of emergencies involving military munitions, the responding military emergency response specialist's organizational unit shall retain records for three years identifying the dates of the response, the names of the responsible persons responding, the type and description of material addressed, and the disposition of the material.
- (9) A transporter storing manifested shipments of hazardous waste in containers in compliance with rule 3745-52-30 of the Administrative Code at a transfer facility for a period of ten days or less.
  - (10) The addition of absorbent material to waste in a "container," as defined in rule 3745-50-10 of the Administrative Code, or the addition of waste to absorbent material in a container, provided that these actions occur at the time waste is first placed in the container, and rules 3745-55-71, 3745-55-72, and paragraph (B) of rule 3745-54-17 of the Administrative Code are complied with.
  - (11) "Universal waste handlers" and "universal waste transporters," as defined in rule 3745-50-10 of the Administrative Code, handling the wastes listed in paragraphs (G)(11)(a) to (G)(11)(e) and (G)(11)(f) of this rule. These handlers are subject to regulation under Chapter 3745-273 of the Administrative Code when handling these universal wastes:
    - (a) Batteries as described in rule 3745-273-02 of the Administrative Code;
    - (b) Pesticides as described in rule 3745-273-03 of the Administrative Code;

- (c) Mercury-containing equipment as described in rule 3745-273-04 of the Administrative Code;
  - (d) Lamps as described in rule 3745-273-05 of the Administrative Code;
  - (e) Aerosol cans as described in rule 3745-273-06 of the Administrative Code;  
and
  - (f) Ohio-specific universal wastes, which include:
    - (i) Antifreeze as described in rule 3745-273-89 of the Administrative Code; and
    - (ii) Paint and paint-related waste as described in rule 3745-273-89 of the Administrative Code.
- (12) [Reserved.]
- (13) Reverse distributors accumulating "potentially creditable hazardous waste pharmaceuticals" and "evaluated hazardous waste pharmaceuticals," as defined in rule 3745-266-500 of the Administrative Code. Reverse distributors are subject to regulation under rules 3745-266-500 to 3745-266-510 of the Administrative Code in lieu of Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code for the accumulation of potentially creditable hazardous waste pharmaceuticals and evaluated hazardous waste pharmaceuticals.
- (H) Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code apply to owners or operators of all facilities which treat, store, or dispose of hazardous wastes referred to in Chapter 3745-270 of the Administrative Code.
- (I) Rule 3745-266-205 of the Administrative Code identifies when Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code apply to the storage of military munitions classified as waste under rule 3745-266-202 of the Administrative Code. The treatment and disposal of hazardous waste military munitions are subject to the applicable permitting, procedural, and technical standards in Chapters 3745-50, 3745-51, 3745-52, 3745-53, 3745-54 to 3745-57, 3745-65 to 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code.
- (J) Rules 3745-54-10 to 3745-54-19, 3745-54-30 to 3745-54-37, 3745-54-50 to 3745-54-56, and 3745-54-101 of the Administrative Code do not apply to remediation waste management sites. (However, some remediation waste management sites may be a part of a facility that is subject to an Ohio hazardous waste permit because the facility is also treating, storing, or disposing of hazardous wastes that are not

remediation wastes. In these cases, rules 3745-54-10 to 3745-54-19, 3745-54-30 to 3745-54-37, 3745-54-50 to 3745-54-56, and 3745-54-101 of the Administrative Code do apply to the facility subject to the Ohio hazardous waste permit.) Instead of rules 3745-54-10 to 3745-54-19, 3745-54-30 to 3745-54-37, and 3745-54-50 to 3745-54-56 of the Administrative Code, owners or operators of remediation waste management sites shall:

- (1) Obtain a U.S. EPA identification number by applying to Ohio EPA using Ohio EPA form EPA 9029;
- (2) Obtain a detailed chemical and physical analysis of a representative sample of the hazardous remediation wastes to be managed at the site. At a minimum, the analysis shall contain all of the information which is required to be known to treat, store, or dispose of the waste according to Chapters 3745-54 to 3745-57, 3745-205, and 3745-270 of the Administrative Code, and shall be kept accurate and up to date;
- (3) Prevent people who are unaware of the danger from entering, and minimize the possibility for livestock or unauthorized people to enter onto the active portion of the remediation waste management site, unless the owner or operator can demonstrate to the director that:
  - (a) Physical contact with the waste, structures, or equipment within the active portion of the remediation waste management site will not injure livestock or people who may enter the active portion of the remediation waste management site; and
  - (b) Disturbance of the waste or equipment by livestock or people who enter onto the active portion of the remediation waste management site will not cause a violation of Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code;
- (4) Inspect the remediation waste management site for malfunctions, deterioration, operator errors, and discharges that may be causing, or may lead to, a release of hazardous waste constituents to the environment, or a threat to human health. The owner or operator shall conduct these inspections often enough to identify problems in time to correct the problems before the problems harm human health or the environment, and shall remedy the problem before the problem leads to a human health or environmental hazard. Where a hazard is imminent or has already occurred, the owner or operator shall take remedial action immediately;

- (5) Provide personnel with classroom or on-the-job training on how to perform the personnel's duties in a way that ensures the remediation waste management site complies with Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code, and on how to respond effectively to emergencies;
- (6) Take precautions to prevent accidental ignition or reaction of ignitable waste or reactive waste, and prevent threats to human health and the environment from ignitable waste, reactive waste, and incompatible waste;
- (7) For remediation waste management sites subject to regulation under rules 3745-55-70 to ~~3745-55-78~~3745-55-79, 3745-55-90 to ~~3745-55-99~~3745-55-100, 3745-57-02 to 3745-57-17, 3745-57-40 to 3745-57-51, 3745-57-90 to 3745-57-93, and Chapter 3745-56 of the Administrative Code, the owner or operator shall design, construct, operate, and maintain a unit within a one-hundred-year floodplain to prevent washout of any hazardous waste by a one-hundred-year flood, unless the owner or operator can meet the demonstration of paragraph (B) of rule 3745-54-18 of the Administrative Code;
- (8) Not place any non-containerized or bulk liquid hazardous waste in any salt dome formation, salt bed formation, underground mine, or cave;
- (9) Develop and maintain a construction quality assurance program for all surface impoundments, waste piles, and landfill units that are required to comply with paragraphs (C) and (D) of rule 3745-56-21, paragraphs (C) and (D) of rule 3745-56-51, and paragraphs (C) and (D) of rule 3745-57-03 of the Administrative Code at the remediation waste management site, according to rule 3745-54-19 of the Administrative Code;
- (10) Develop and maintain procedures to prevent accidents and a contingency and emergency plan to control accidents that occur. These procedures shall address proper design, construction, maintenance, and operation of remediation waste management units at the site. The goal of the contingency plan shall be to minimize the possibility of, and the hazards from, a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water that could threaten human health or the environment. The contingency plan shall explain specifically how to treat, store, and dispose of the hazardous remediation waste in question, and shall be implemented immediately when a fire, explosion, or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment occurs;

- (11) Designate at least one employee, either on the facility premises or on call (that is, available to respond to an emergency by reaching the facility quickly), to coordinate all emergency response measures. This emergency coordinator shall be thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, the location and characteristics of waste handled, the location of all records within the facility, and the facility layout. In addition, this person shall have the authority to commit the resources needed to carry out the contingency plan;
- (12) Develop, maintain, and implement a plan to comply with paragraphs (J)(2) to (J)(6) and (J)(9) to (J)(10) of this rule; and
- (13) Maintain records documenting compliance with paragraphs (J)(1) to (J)(12) of this rule.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]

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10/31/2015, 12/21/2017, 10/05/2020

3745-54-10

**Applicability - general facility standards.**

- (A) Rules 3745-54-10 to 3745-54-19 of the Administrative Code apply to owners and operators of all hazardous waste facilities, except as provided in rule 3745-54-01 of the Administrative Code and in paragraph (B) of this rule.
- (B) Paragraph (B) of rule 3745-54-18 of the Administrative Code applies only to facilities subject to regulation under rules 3745-55-70 to ~~3745-55-78~~3745-55-79, 3745-55-90 to ~~3745-55-99~~3745-55-100, 3745-56-20 to ~~3745-56-31~~3745-56-32, 3745-56-50 to 3745-56-59, 3745-56-70 to 3745-56-83, 3745-57-02 to 3745-57-17, 3745-57-40 to 3745-57-51, and 3745-57-90 to 3745-57-93 of the Administrative Code.



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3745-54-13

**General waste analysis.****(A) ~~The analysis.~~**

- (1) Before an owner or operator treats, stores, or disposes of any hazardous wastes, or nonhazardous wastes if applicable under paragraph (D) of rule 3745-55-13 of the Administrative Code, the owner or operator shall obtain a detailed chemical and physical analysis of a representative sample of the wastes. At a minimum, this analysis shall contain all the information which shall be known to treat, store, or dispose of the waste in accordance with Chapters 3745-54 to 3745-57, 3745-205, and 3745-270 of the Administrative Code.

- (2) The analysis may include data developed under Chapter 3745-51 of the Administrative Code and existing published or documented data on the hazardous waste or on hazardous waste generated from similar processes.

[Comment: For example, the facility's records of analyses performed on the waste before April 15, 1981, or studies conducted on hazardous waste generated from processes similar to that which generated the waste to be managed at the facility, may be included in the data base required to comply with paragraph (A)(1) of this rule. The owner or operator of an off-site facility may arrange for the generator of the hazardous waste to supply part of the information required by paragraph (A)(1) of this rule, except as otherwise specified in paragraphs (B) and (C) of rule 3745-270-07 of the Administrative Code. If the generator does not supply the information, and the owner or operator chooses to accept a hazardous waste, the owner or operator is responsible for obtaining the information required to comply with this rule.]

- (3) The analysis shall be repeated as necessary to ensure that the analysis is accurate and up to date. At a minimum, the analysis shall be repeated:
  - (a) When the owner or operator is notified, or has reason to believe, that the process or operation generating the hazardous waste, or nonhazardous waste if applicable under paragraph (D) of rule 3745-55-13 of the Administrative Code, has changed; and
  - (b) For off-site facilities, when the results of the inspection required in paragraph (A)(4) of this rule indicate that the hazardous waste received at the facility does not match the waste designated on the accompanying manifest or shipping paper.
- (4) The owner or operator of an off-site facility shall inspect and, if necessary, analyze each hazardous waste movement received at the facility to determine

whether the hazardous waste matches the identity of the waste specified on the accompanying manifest or shipping paper.

(B) The owner or operator shall develop and follow a written waste analysis plan which describes the procedures ~~to be implemented in order that the owner or operator will carry out~~ to comply with paragraph (A) of this rule. The owner or operator shall keep this waste analysis plan at the facility. At a minimum, the waste analysis plan shall specify:

- (1) The parameters for which each hazardous waste, or nonhazardous waste if applicable under paragraph (D) of rule 3745-55-13 of the Administrative Code, will be analyzed and the rationale for the selection of these parameters [i.e., how analysis for these parameters will provide sufficient information on the waste's properties to comply with paragraph (A) of this rule].
- (2) The test methods which will be used to test for these parameters.
- (3) The sampling method which will be used to obtain a representative sample of the waste to be analyzed. A representative sample may be obtained using either:
  - (a) One of the sampling methods described in the appendix to rule 3745-51-20 of the Administrative Code; or
  - (b) An "equivalent method" as defined in rule 3745-50-10 of the Administrative Code.
- (4) The frequency with which the initial analysis of the waste will be reviewed or repeated to ensure that the analysis is accurate and up to date.
- (5) For off-site facilities, the waste analyses that hazardous waste generators have agreed to supply.
- (6) Where applicable, the methods which will be used to meet the additional waste analysis requirements for specific waste management methods as specified in rules 3745-54-17, 3745-57-14, 3745-57-41, ~~and paragraph (D) of rule 3745-205-34, paragraph (D) of rule 3745-205-63, and rules 3745-205-83 and 3745-270-07~~ of the Administrative Code.
- (7) For surface impoundments exempted from land disposal restrictions under paragraph (A) of rule 3745-270-04 of the Administrative Code, the procedures and schedules for:
  - (a) The sampling of impoundment contents;

- (b) The analysis of test data; and
  - (c) The annual removal of residues which are not delisted under rule 3745-50-19 of the Administrative Code or which exhibit a characteristic of hazardous waste and either:
    - (i) Such residues do not meet the applicable treatment standards of rules 3745-270-40 to 3745-270-49 of the Administrative Code; or
    - (ii) Where no treatment standards have been established, such residues are prohibited from land disposal under ~~any of the following~~:
      - (a) Section 3004(d) of RCRA; or
      - (b) Rule 3745-270-32 of the Administrative Code; or
      - (c) ~~Rule~~ Paragraph (F) of rule 3745-270-33 of the Administrative Code.
- (8) ~~Reserved.~~ For owners and operators seeking an exemption to the air emission standards in rules 3745-205-80 to 3745-205-90 of the Administrative Code, in accordance with rule 3745-205-82 of the Administrative Code:
- (a) If direct measurement is used for the waste determination, the procedures and schedules for waste sampling and analysis, and the results of the analysis of test data to verify the exemption.
  - (b) If knowledge of the waste is used for the waste determination, any information prepared by the facility owner or operator or by the generator of the hazardous waste, if the waste is received from off-site, that is used as the basis for knowledge of the waste.
- (C) For off-site facilities, the waste analysis plan required in paragraph (B) of this rule also shall specify the procedures which will be used to inspect and, if necessary, analyze each movement of hazardous waste received at the facility to ensure that the hazardous waste matches the identity of the waste designated on the accompanying manifest or shipping paper. At a minimum, the waste analysis plan shall describe:
- (1) The procedures which will be used to determine the identity of each movement of waste managed at the facility; and
  - (2) The sampling method which will be used to obtain a representative sample of the waste to be identified, if the identification method includes sampling.

- (3) The procedures that the owner or operator of an off-site landfill receiving containerized hazardous waste will use to determine whether a hazardous waste generator or treater has added a biodegradable sorbent to the waste in the container. ~~(See rule 3745-57-14 of the Administrative Code.)~~

[Comment 1: The waste analysis plan shall be submitted with "Part B" of the permit application.]

[Comment 2: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]

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03/13/2002, 12/07/2004, 02/16/2009, 10/31/2015,  
09/29/2021

3745-54-15

**General inspection requirements.**

(A) The owner or operator shall inspect the facility for malfunctions and deterioration, operator errors, and discharges which may be causing or may lead to ~~either of the following:~~

(1) Release of hazardous waste constituents to the environment; or

(2) A threat to human health. The owner or operator shall conduct these inspections with such regularity as to be able to identify problems in time to correct the problems before such problems harm human health or the environment.

(B) ~~Inspection schedule.~~

(1) The owner or operator shall develop and follow a written schedule for inspecting monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment (such as dikes and sump pumps) that are important to preventing, detecting, or responding to environmental or human health hazards.

(2) The owner or operator shall keep this schedule at the facility.

(3) The schedule shall identify the types of problems (e.g., malfunctions or deterioration) which are to be looked for during the inspection (e.g., inoperative sump pump, leaking fitting, eroding dike, and other such problems).

(4) The frequency of inspection may vary for the items on the schedule. However, the frequency of inspection should be based on the rate of deterioration of the equipment and the probability of an environmental or human health incident if the deterioration, malfunction, or ~~any~~ operator error goes undetected between inspections. Areas subject to spills, such as loading and unloading areas, shall be inspected daily when in use. At a minimum, the inspection schedule shall include the ~~terms~~items and frequencies called for in rules 3745-55-74, 3745-55-93, 3745-55-95, 3745-56-26, 3745-56-54, 3745-56-78, 3745-57-05, 3745-57-47, ~~and 3745-57-92,~~ 3745-205-33, 3745-205-52, 3745-205-53, 3745-205-58, and 3745-205-83 to 3745-205-89 of the Administrative Code, where applicable. Rules 3745-50-40 to 3745-50-235 of the Administrative Code require the inspection schedule to be submitted with "Part B" of the permit application. Ohio EPA ~~shall~~will evaluate the schedule along with the rest of the application to ensure that the inspection schedule is adequately protective of human health and the environment. As part of this review, Ohio EPA may modify or amend the inspection schedule as may be necessary.

(5) [Reserved.]

- (C) The owner or operator shall remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or has already occurred, remedial action shall be taken immediately.
- (D) The owner or operator shall record inspections in an inspection log or summary. The owner or operator shall keep these records for at least three years after the date of inspection. At a minimum, these records shall include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions.



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3745-54-73

**Operating record.**

- (A) The owner or operator shall keep a written operating record at the facility.
- (B) The following information shall be recorded, as the information becomes available, and maintained in the operating record for three years unless noted as follows:

- (1) A description and the quantity of each hazardous waste received, and the methods and dates of the hazardous waste's treatment, storage, or disposal at the facility as required by the appendix to this rule. This information shall be maintained in the operating record until closure of the facility.
- (2) The location of each hazardous waste within the facility and the quantity at each location. For disposal facilities, the location and quantity of each hazardous waste shall be recorded on a map or diagram that shows each cell or disposal area. For all facilities, this information shall include cross-references to manifest document numbers if the waste was accompanied by a manifest. This information shall be maintained in the operating record until closure of the facility.

[Comment: See rule 3745-55-19 of the Administrative Code for related requirements.]

- (3) Records and results of waste analyses and waste determinations performed as specified in paragraph (A) of rule 3745-270-04 and in rules 3745-54-13, 3745-54-17, 3745-57-14, 3745-57-41, 3745-205-34, 3745-205-63, 3745-205-83, and 3745-270-07 of the Administrative Code.
- (4) Summary reports and details of all incidents that require implementation of the contingency plan as specified in paragraph (I) of rule 3745-54-56 of the Administrative Code.
- (5) Records and results of inspections as required by paragraph (D) of rule 3745-54-15 of the Administrative Code, except these data need be kept only three years.
- (6) Monitoring, testing or analytical data, and corrective action where required by rules 3745-54-90 to 3745-54-101 of the Administrative Code, and rules 3745-54-19, 3745-54-90 to 3745-54-101, 3745-55-91, 3745-55-93, 3745-55-95, 3745-56-22, 3745-56-23, 3745-56-26, 3745-56-52 to 3745-56-54, 3745-56-76, 3745-56-78, 3745-56-80, 3745-57-04 to 3745-57-06, 3745-57-09, and 3745-57-92, paragraphs (C) to (F) of rule 3745-205-34, rule 3745-205-35, paragraphs (D) to (I) of rule 3745-205-63, 3745-205-64, and rules 3745-205-82 to 3745-205-90 of the Administrative Code. Maintain in the operating record for three years, except for records and results pertaining to ground water

monitoring and cleanup which shall be maintained in the operating record until closure of the facility.

- (7) For off-site facilities, notices to generators as specified in paragraph (B) of rule 3745-54-12 of the Administrative Code.
- (8) All closure cost estimates under rule 3745-55-42 of the Administrative Code, and, for hazardous waste disposal facilities, all post-closure estimates under rule 3745-55-44 of the Administrative Code. This information shall be maintained in the operating record until closure of the facility.
- (9) A certification by the permittee, no less often than annually, that the permittee has a program in place to reduce the volume and toxicity of hazardous waste that the permittee generates to the degree determined by the permittee to be economically practicable, and the proposed method of treatment, storage, or disposal is that practicable method currently available to the permittee which minimizes the present and future threat to human health and the environment.
- (10) Records of the quantities and date of placement for each shipment of hazardous waste placed in land disposal units under an extension to the effective date of any land disposal restriction granted pursuant to rule 3745-270-05 of the Administrative Code, a petition pursuant to rule 3745-270-06 of the Administrative Code, and the applicable notice required by a generator under paragraph (A) of rule 3745-270-07 of the Administrative Code. ~~All of this~~ This information shall be maintained in the operating record until closure of the facility.
- (11) For an off-site treatment facility, a copy of the notice required by the generator or the owner or operator under rule 3745-270-07 of the Administrative Code.
- (12) For an on-site treatment facility, the information in the notice (except the manifest number) required by the generator or the owner or operator under rule 3745-270-07 of the Administrative Code.
- (13) For an off-site land disposal facility, a copy of the notice required by the generator or the owner or operator of a treatment facility under rule 3745-270-07 of the Administrative Code.
- (14) For an on-site land disposal facility, the information in the notice required by the generator or the owner or operator of a treatment facility under rule 3745-270-07 of the Administrative Code, except for the manifest number.
- (15) For an off-site storage facility, a copy of the notice required by the generator or the owner or operator under rule 3745-270-07 of the Administrative Code.

- (16) For an on-site storage facility, the information in the notice (except the manifest number) required by the generator or the owner or operator under rule 3745-270-07 of the Administrative Code.
- (17) Any records required under paragraph (J)(13) of rule 3745-54-01 of the Administrative Code.
- (18) Monitoring, testing, or any analytical data where required by rule 3745-57-47 of the Administrative Code shall be maintained in the operating record for five years.
- (19) Certifications as required by paragraph (F) of rule 3745-55-96 of the Administrative Code shall be maintained in the operating record until closure of the facility.

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3745-54-73

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## Appendix to rule 3745-54-73 of the Administrative Code

## Recordkeeping Instructions

The recordkeeping provisions of rule 3745-54-73 of the Administrative Code specify that an owner or operator shall keep a written operating record at the facility. This appendix provides additional instructions for keeping portions of the operating record. See paragraph (B) of rule 3745-54-73 of the Administrative Code for additional recordkeeping requirements.

The following information shall be recorded, as the information becomes available, and maintained in the operating record until closure of the facility in the following manner:

Records of each hazardous waste received, treated, stored, or disposed of at the facility which include all of the following:

- (1) A description by its common name and the EPA hazardous waste numbers from Chapter 3745-51 of the Administrative Code which apply to the waste. The waste description also shall include the waste's physical form, i.e., liquid, sludge, solid, or contained gas. If the waste is not listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code, the description also shall include the process that produced the waste (for example, solid filter cake from production of ----, EPA hazardous waste number W051).

Each hazardous waste listed in rules 3745-51-30 to 3745-51-35 of the Administrative Code and each hazardous waste characteristic identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code has a four-digit EPA hazardous waste number assigned to the hazardous waste. This number shall be used for recordkeeping and reporting purposes. Where a hazardous waste contains more than one listed hazardous waste, or where more than one hazardous waste characteristic applies to the waste, the waste description shall include all applicable EPA hazardous waste numbers.

Table 1	
Unit of measure	Code <sup>1</sup>
Gallons	G
Gallons per hour	E
Gallons per day	U
Liters	L
Liters per hour	H
Liters per day	V
Short tons per hour	D
Metric tons per hour	W

Table 1	
Unit of measure	Code <sup>1</sup>
Short tons per day	N
Metric tons per day	S
Pounds per hour	J
Kilograms per hour	R
Cubic yards	Y
Cubic meters	C
Acres	B
Acre-feet	A
Hectares	Q
Hectare-meter	F
British thermal units (Btu's) per hour	I
Pounds	P
Short tons	T
Kilograms	K
Tons	M
1 Single digit symbols are used here for data processing purposes.	

- (2) The estimated or manifest-reported weight, or volume and density, where applicable, in one of the units of measure specified in Table 1 of this appendix.
- (3) The methods [by handling codes as specified in Table 2 of this appendix] and dates of treatment, storage, or disposal.

Table 2- Handling Codes for Treatment, Storage, and Disposal Methods	
Enter the handling codes listed below that most closely represents the techniques used at the facility to treat, store, or dispose of each quantity of hazardous waste received.	
1.	Storage
S01	Container (barrel, drum, etc.)
S02	Tank
S03	Waste pile
S04	Surface impoundment
S05	Other (specify)
S06	Containment building (storage)

Table 2- Handling Codes for Treatment, Storage, and Disposal Methods		
2.	S99	Other storage (specify)
	Treatment	
	(a)	Thermal Treatment
	T06	Liquid injection incinerator
	T07	Rotary kiln incinerator
	T08	Fluidized bed incinerator
	T09	Multiple hearth incinerator
	T10	Infrared furnace incinerator
	T11	Molten salt destructor
	T12	Pyrolysis
	T13	Wet Air oxidation
	T14	Calcination
	T15	Microwave discharge
	T18	Other (specify)
	(b)	Chemical Treatment
	T19	Absorption mound
	T20	Absorption field
	T21	Chemical fixation
	T22	Chemical oxidation
	T23	Chemical precipitation
	T24	Chemical reduction
	T25	Chlorination
	T26	Chlorinolysis
	T27	Cyanide destruction
	T28	Degradation
	T29	Detoxification
	T30	Ion exchange
	T31	Neutralization
	T32	Ozonation
	T33	Photolysis
	T34	Other (specify)



Table 2- Handling Codes for Treatment, Storage, and Disposal Methods		
(c)	Physical Treatment	
	(1)	Separation of components
		T35 Centrifugation
		T36 Clarification
		T37 Coagulation
		T38 Decanting
		T39 Encapsulation
		T40 Filtration
		T41 Flocculation
		T42 Flotation
		T43 Foaming
		T44 Sedimentation
		T45 Thickening
		T46 Ultrafiltration
		T47 Other (specify)
	(1)	Removal of Specific Components
		T48 Absorption-molecular sieve
		T49 Activated carbon
		T50 Blending
		T51 Catalysis
		T52 Crystallization
		T53 Dialysis
		T54 Distillation
		T55 Electrodialysis
		T56 Electrolysis
		T57 Evaporation
		T58 High gradient magnetic separation
		T59 Leaching
		T55 Electrodialysis
		T56 Electrolysis
		T57 Evaporation

Table 2- Handling Codes for Treatment, Storage, and Disposal Methods		
	T58	High gradient magnetic separation
	T59	Leaching
	T60	Liquid ion exchange
	T61	Liquid-liquid extraction
	T62	Reverse osmosis
	T63	Solvent recovery
	T64	Stripping
	T65	Sand filter
	T66	Other (specify)
(d)	Biological Treatment	
	T67	Activated sludge
	T68	Aerobic lagoon
	T69	Aerobic tank
	T70	Anaerobic lagoon
	T71	Composting
	T72	Septic tank
	T73	Spray irrigation
	T74	Thickening filter
	T75	Trickling filter
	T76	Waste stabilization pond
	T77	Other (specify)
	T78	[Reserved]
	T79	[Reserved]
(e)	Boilers and Industrial Furnaces	
	T80	Boiler
	T81	Cement kiln
	T82	Lime kiln
	T83	Aggregate kiln
	T84	Phosphate kiln
	T85	Coke oven
	T86	Blast furnace

Table 2- Handling Codes for Treatment, Storage, and Disposal Methods		
	T87	Smelting, melting, or refining furnace
	T88	Titanium dioxide chloride process oxidation reactor
	T89	Methane reforming furnace
	T90	Pulping liquor recovery furnace
	T91	Combustion device used in the recovery of sulfur values from spent sulfuric acid
	T92	Halogen acid furnaces
	T93	Other industrial furnaces listed in rule 3745-50-10 of the Administrative Code (specify)
	(f)	Other Treatment
	T94	Containment building (treatment)
3.	Disposal	
	D79	Underground injection
	D80	Landfill
	D81	Land treatment
	D82	Ocean disposal
	D83	Surface impoundment (to be closed as a landfill)
	D99	Other disposal (specify)
4.	Miscellaneous (Subpart X)	
	X01	Open burning or Open detonation
	X02	Mechanical processing
	X03	Thermal unit
	X04	Geologic repository
	X99	Other Subpart X (specify)

3745-54-77

**Additional reports.**

In addition to submitting the biennial report and unmanifested waste report described in rules 3745-54-75 and 3745-54-76 of the Administrative Code, the owner or operator also shall report to the director:

- (A) Releases, fires, and explosions as specified in paragraph (I) of rule 3745-54-56 of the Administrative Code;
- (B) Facility closure as specified in rule 3745-55-15 of the Administrative Code; and
- (C) As otherwise required by rules 3745-54-90 to 3745-54-101, 3745-56-20 to ~~3745-56-31~~3745-56-32, 3745-56-50 to 3745-56-59, 3745-56-70 to 3745-56-83, ~~and 3745-57-02 to 3745-57-17,~~ 3745-205-30 to 3745-205-36, 3745-205-50 to 3745-205-65, and 3745-205-80 to 3745-205-90 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 3/27/2023 and Exempt

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Certification

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Date

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Statutory Authority: 3734.12  
Rule Amplifies: 3734.12(D)(2)  
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