



State of Ohio Environmental Protection Agency

Northeast District Office

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George V. Volnovich
Governor

40-8724

August 20, 1991

RE: Bert Avenue Dump
OEPA ID # 218-0506
Cuyahoga County

Tony Huffert
U.S. Nuclear Regulatory Commission
Mail Stop 5E2
Washington, D.C. 20555

Dear Mr. Huffert:

Per our conversation of August 16, 1991 I have enclosed a copy of Ohio Administrative Code (OAC) 3745-52-11. Our hazardous waste regulations (OAC 3745) were adopted from 40 CFR 261. The specific citation (3745-52-11) specifies that generators must properly evaluate waste to determine if the waste is hazardous, and if so, must manage the waste in accordance with state regulations.

I am also providing several phone numbers and addresses where interested parties can obtain federal guidance documents.

- 1) National Technical Information Service (NTIS)
Telephone: (703) 487-4650 8:30 am-5:30 pm EST
Fax: (703) 321-8547
- 2) U.S.EPA Publications
Telephone: (513) 569-7562
- 3) Catalog of Superfund Program Publications
EPA/540/8-9/015; EPA/9200.7-02A October 1990.
Office of Emergency and Remedial Response
U.S. Environmental Protection Agency
Washington, D.C. 20460
- 4) Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402
Telephone: (202) 783-3238
- 5) U.S.EPA
Office of Research and Development
Publications - CERL
Cincinnati, OH 45268
Telephone: (513) 684-7562

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For copies of our regulations, a request can be made through Mary Cavin, Legal Records at our Central Office. Write to:

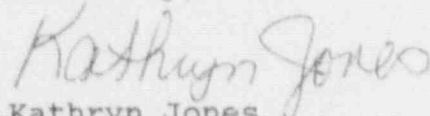
Ohio EPA
1800 Watermark Drive
P.O. Box 1049
Columbus, OH 43266
ATTN: Mary Cavin.

You may wish to first contact her by phone to inquire about the availability of the documents and any associated fees.

I believe this information will help Chemetron properly characterize the waste and therefore enable them to properly handle the wastes as it relates to the decontamination and decommissioning activities under NRC supervision.

If you have any questions, feel free to contact me at (216) 963-1200.

Sincerely,



Kathryn Jones
Project Coordinator
Division of Emergency and Remedial Response

KJ:lt

enclosure

cc: Steve Love, NEDO/DERR
Rod Beals, NEDO/DERR
Jenny Tiell, Division Chief, CO/DERR
Catherine Stroup, CO/Legal
Chuck Norelius, NRC
Robert Bernero, NRC

3745-52 STANDARDS FOR GENERATORS OF HAZARDOUS WASTES

3745-52-10	Applicability.
3745-52-11	Evaluation of wastes.
3745-52-12	Generator identification numbers.
3745-52-20	Manifest—general requirements.
3745-52-21	Manifest—required information.
3745-52-22	Manifest—number of copies.
3745-52-23	Manifest—use.
3745-52-30	Packaging.
3745-52-31	Labeling.
3745-52-32	Marking.
3745-52-33	Placarding.
3745-52-34	Accumulation time of hazardous waste.
3745-52-40	Recordkeeping.
3745-52-41	Annual report.
3745-52-42	Exception report.
3745-52-43	Additional reports.
3745-52-44	Special requirements for generators of between one hundred and one thousand kilograms per month.
3745-52-50	Applicability.
3745-52-51	Definitions.
3745-52-52	General requirements.
3745-52-53	Notification of intent to export to a foreign country.
3745-52-54	Special manifest requirements.
3745-52-55	Exception reports.
3745-52-56	Annual reports.
3745-52-57	Record keeping.
3745-52-60	Imports of hazardous waste from a foreign country.
3745-52-70	Farmers.

3745-52-10 Applicability.

(A) This chapter establishes standards for generators of hazardous wastes.

(B) A generator who treats, stores, or disposes of hazardous wastes on-site must comply with the following standards with respect to that waste:

(1) Rule 3745-52-70 of the Administrative Code, if applicable, for farmers;

(2) Rule 3745-52-11 of the Administrative Code for determining whether or not he has a hazardous waste;

(3) Paragraphs (C) and (D) of rule 3745-52-40 of the Administrative Code for recordkeeping;

(4) Rule 3745-52-12 of the Administrative Code for obtaining a U.S. EPA identification number;

(5) Rule 3745-52-43 of the Administrative Code for additional reporting; and

(6) Rule 3745-52-34 of the Administrative Code for accumulation of his waste.

(C) Any person who imports hazardous wastes from a foreign country into the state of Ohio shall comply with the standards established in this chapter.

(D) A farmer who generates waste pesticides which are hazardous wastes and who complies with all the requirements of rule 3745-52-70 of the Administrative Code is not required to comply with other standards in this chapter or Chapters 3745-50, 3745-54 to 3745-57, 3745-59, and 3745-65 to 3745-69 of the Administrative Code with respect to such pesticides.

(E) An owner or operator who initiates a shipment of hazardous waste from a treatment, storage, or disposal facility must comply with the standards set forth in this chapter.

[Comment: The provisions of rule 3745-52-34 of the Administrative Code are applicable to the on-site accumulation of hazardous waste by generators. Therefore, the provisions of rule 3745-52-34 of the Administrative Code only apply to owners or operators who are shipping hazardous waste which they generated at that facility.]

(Effective December 30, 1989)

3745-52-11 Evaluation of wastes.

(A) Any person who produces a waste in