

TO BE RESCINDED

3745-66-101 **Special requirements for generators of between one hundred and one thousand kilograms per month that accumulate hazardous waste in tanks.**

(A) This rule applies to small quantity generators of more than one hundred kilograms but less than one thousand kilograms of hazardous waste in a calendar month, that accumulate hazardous waste in tanks for less than one hundred eighty days (or two hundred seventy days if the generator shall ship the waste greater than two hundred miles), and do not accumulate over six thousand kilograms on-site at any time.

(B) Generators of between one hundred and one thousand kilograms per calendar month of hazardous waste shall comply with the following general operating requirements:

(1) Treatment or storage of hazardous waste in tanks shall comply with paragraph (B) of rule 3745-65-17 of the Administrative Code.

(2) Hazardous wastes or treatment reagents shall not be placed in a tank if such wastes or reagents could cause the tank or the tank's inner liner to rupture, leak, corrode, or otherwise fail before the end of the tank's intended life.

(3) Uncovered tanks shall be operated to ensure at least sixty centimeters (two feet) of freeboard, unless the tank is equipped with a containment structure (e.g., dike or trench), a drainage control system, or a diversion structure (e.g., standby tank) with a capacity that equals or exceeds the volume of the top sixty centimeters (two feet) of the tank.

(4) Where hazardous waste is continuously fed into a tank, the tank shall be equipped with a means to stop this inflow (e.g., waste-feed cutoff system or by-pass system to a stand-by tank).

[Comment: These systems are intended to be used in the event of a leak or overflow from the tank due to a system failure (e.g., a malfunction in the treatment process, a crack in the tank, etc.).]

(C) Except as noted in paragraph (D) of this rule, generators of between one hundred and one thousand kilograms per calendar month that accumulate hazardous waste in tanks shall inspect, where present:

(1) Discharge control equipment (e.g., waste-feed cutoff systems, by-pass systems, and drainage systems) at least once each operating day, to ensure that the discharge control equipment is in good working order.

- (2) Data gathered from monitoring equipment (e.g., pressure and temperature gauges) at least once each operating day to ensure that the tank is being operated according to the tank's design.
- (3) The level of waste in the tank at least once each operating day to ensure compliance with paragraph (B)(3) of this rule.
- (4) The construction materials of the tank at least weekly to detect corrosion or leaking of fixtures or seams.
- (5) The construction materials of, and the area immediately surrounding, discharge confinement structures (e.g., dikes) at least weekly to detect erosion or obvious signs of leakage (e.g., wet spots or dead vegetation).

[Comment: As required by paragraph (C) of rule 3745-65-15 of the Administrative Code, the owner or operator shall remedy any deterioration or malfunction the owner or operator finds.]

- (D) Generators that accumulate between one hundred and one thousand kilograms per calendar month of hazardous waste in tanks or in tank systems that have full secondary containment and that either use leak detection equipment to alert facility personnel to leaks, or that implement established workplace practices to ensure leaks are promptly identified, shall inspect at least weekly, where applicable, the areas identified in paragraphs (C)(1) to (C)(5) of this rule. Use of the alternate inspection schedule shall be documented in the facility's operating record. This documentation shall include a description of the established workplace practices at the facility.

(E) [Reserved.]

- (F) Generators of between one hundred and one thousand kilograms per calendar month that accumulate hazardous waste in tanks shall, upon closure of the facility, remove all hazardous waste in tanks, discharge control equipment, and discharge confinement structures.

[Comment: At closure, as throughout the operating period, unless the owner or operator can demonstrate, in accordance with paragraph (C) or (D) of rule 3745-51-03 of the Administrative Code, that any waste removed from the owner's or operator's tank is not a hazardous waste, the owner or operator becomes a generator of hazardous waste and shall manage the hazardous waste in accordance with all applicable requirements of Chapters 3745-52, 3745-53, 3745-65 to 3745-69, and 3745-256 of the Administrative Code.]

(G) Generators of between one hundred and one thousand kilograms per calendar month shall comply with the following special requirements for ignitable waste or reactive waste:

(1) Ignitable waste or reactive waste shall not be placed in a tank, unless one of the following occurs:

(a) The waste is treated, rendered, or mixed before or immediately after placement in a tank so that:

(i) The resulting waste, mixture, or dissolution of material no longer meets the description of ignitable waste or reactive waste under rule 3745-51-21 or 3745-51-23 of the Administrative Code.

(ii) Paragraph (B) of rule 3745-65-17 of the Administrative Code is complied with.

(b) The waste is stored or treated in such a way that the waste is protected from any material or conditions that may cause the waste to ignite or react.

(c) The tank is used solely for emergencies.

(2) The owner or operator of a facility which treats or stores ignitable waste or reactive waste in covered tanks shall comply with the buffer zone requirements for tanks provided in the national fire protection association's (NFPA) "Flammable and Combustible Liquids Code."

(H) Generators of between one hundred and one thousand kilograms per calendar month shall comply with the following special requirements for incompatible wastes:

(1) 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 tank, unless paragraph (B) of rule 3745-65-17 of the Administrative Code is complied with.

(2) Hazardous waste shall not be placed in an unwashed tank which previously held an incompatible waste or material, unless paragraph (B) of rule 3745-65-17 of the Administrative Code is complied with.

[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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Certification

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