



## Ohio Administrative Code

### Rule 3745-256-90 Recordkeeping - tanks, surface impoundments, and containers.

Effective: June 12, 2023

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(A) Each owner or operator of a facility subject to requirements in rules 3745-256-80 to 3745-256-90 of the Administrative Code shall record and maintain the information specified in paragraphs (B) to (J) of this rule, as applicable to the facility. Except for air emission control equipment design documentation and information required by paragraphs (I) and (J) of this rule, records required by this rule shall be maintained in the operating record for a minimum of three years. Air emission control equipment design documentation shall be maintained in the operating record until the air emission control equipment is replaced or otherwise no longer in service. Information required by paragraphs (I) and (J) of this rule shall be maintained in the operating record for as long as the waste management unit is not using air emission controls specified in rules 3745-256-85 to 3745-256-88 of the Administrative Code in accordance with the conditions specified in paragraph (D) or (B)(7) of rule 3745-256-80 of the Administrative Code, respectively.

(B) The owner or operator of a tank using air emission controls in accordance with the requirements of rule 3745-256-85 of the Administrative Code shall prepare and maintain records for the tank that include the following information:

(1) For each tank using air emission controls in accordance with the requirements of rule 3745-256-85 of the Administrative Code, the owner or operator shall record:

(a) A tank identification number (or other unique identification description as selected by the owner or operator).

(b) A record for each inspection required by rule 3745-256-85 of the Administrative Code that includes the following information:

(i) Date inspection was conducted.

(ii) For each defect detected during the inspection: the location of the defect, a description of the



defect, the date of detection, and corrective action taken to repair the defect. In the event that repair of the defect is delayed in accordance with rule 3745-256-85 of the Administrative Code, the owner or operator also shall record the reason for the delay and the date that completion of repair of the defect is expected.

(2) In addition to the information required by paragraph (B)(1) of this rule, the owner or operator shall record the following information, as applicable to the tank:

(a) The owner or operator using a fixed roof to comply with the "Tank Level 1" control requirements specified in paragraph (C) of rule 3745-256-85 of the Administrative Code shall prepare and maintain records for each determination for the maximum organic vapor pressure of the hazardous waste in the tank performed in accordance with the requirements of paragraph (C) of rule 3745-256-85 of the Administrative Code. The records shall include the date and time the samples were collected, the analysis method used, and the analysis results.

(b) The owner or operator using an internal floating roof to comply with the "Tank Level 2" control requirements specified in paragraph (E) of rule 3745-256-85 of the Administrative Code shall prepare and maintain documentation describing the floating roof design.

(c) Owners and operators using an external floating roof to comply with the "Tank Level 2" control requirements specified in paragraph (F) of rule 3745-256-85 of the Administrative Code shall prepare and maintain the following records:

(i) Documentation describing the floating roof design and the dimensions of the tank.

(ii) Records for each seal gap inspection required by paragraph (F)(3) of rule 3745-256-85 of the Administrative Code describing the results of the seal gap measurements. The records shall include the date that the measurements were performed, the raw data obtained for the measurements, and the calculations of the total gap surface area. In the event that the seal gap measurements do not conform to the specifications in paragraph (F)(1) of rule 3745-256-85 of the Administrative Code, the records shall include a description of the repairs that were made, the date the repairs were made, and the date the tank was emptied, if necessary.



(d) Each owner or operator using an enclosure to comply with the "Tank Level 2" control requirements specified in paragraph (I) of rule 3745-256-85 of the Administrative Code shall prepare and maintain the following records:

(i) Records for the most recent set of calculations and measurements performed by the owner or operator to verify that the enclosure meets the criteria of a permanent total enclosure as specified in "Procedure T- Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741 appendix B.

(ii) Records required for the closed-vent system and control device in accordance with the requirements of paragraph (E) of this rule.

(C) The owner or operator of a surface impoundment using air emission controls in accordance with the requirements of rule 3745-256-86 of the Administrative Code shall prepare and maintain records for the surface impoundment that include the following information:

(1) A surface impoundment identification number (or other unique identification description as selected by the owner or operator).

(2) Documentation describing the floating membrane cover or cover design, as applicable to the surface impoundment, that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in paragraph (C) of rule 3745-256-86 of the Administrative Code.

(3) A record for each inspection required by rule 3745-256-86 of the Administrative Code that includes the following information:

(a) Date inspection was conducted.

(b) For each defect detected during the inspection the location of the defect, a description of the defect, the date of detection, and corrective action taken to repair the defect. In the event that repair of the defect is delayed in accordance with paragraph (F) of rule 3745-256-86 of the Administrative



Code, the owner or operator also shall record the reason for the delay and the date that completion of repair of the defect is expected.

(4) For a surface impoundment equipped with a cover and vented through a closed-vent system to a control device, the owner or operator shall prepare and maintain the records specified in paragraph (E) of this rule.

(D) The owner or operator of containers using "Container Level 3" air emission controls in accordance with the requirements of rule 3745-256-87 of the Administrative Code shall prepare and maintain records that include the following information:

(1) Records for the most recent set of calculations and measurements performed by the owner or operator to verify that the enclosure meets the criteria of a permanent total enclosure as specified in "Procedure T- Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741 appendix B.

(2) Records required for the closed-vent system and control device in accordance with the requirements of paragraph (E) of this rule.

(E) The owner or operator using a closed-vent system and control device in accordance with the requirements of rule 3745-256-88 of the Administrative Code shall prepare and maintain records that include the following information:

(1) Documentation for the closed-vent system and control device that includes:

(a) Certification that is signed and dated by the owner or operator stating that the control device is designed to operate at the performance level documented by a design analysis as specified in paragraph (E)(1)(b) of this rule or by performance tests as specified in paragraph (E)(1)(c) of this rule when the tank, surface impoundment, or container is or would be operating at capacity or the highest level reasonably expected to occur.

(b) If a design analysis is used, then design documentation as specified in paragraph (B)(4) of rule 3745-256-35 of the Administrative Code. The documentation shall include information prepared by



the owner or operator or provided by the control device manufacturer or vendor that describes the control device design in accordance with paragraph (B)(4)(c) of rule 3745-256-35 of the Administrative Code and certification by the owner or operator that the control equipment meets the applicable specifications.

(c) If performance tests are used, then a performance test plan as specified in paragraph (B)(3) of rule 3745-256-35 of the Administrative Code and all test results.

(d) Information as required by paragraphs (C)(1) and (C)(2) of rule 3745-256-35 of the Administrative Code, as applicable.

(e) An owner or operator shall record, on a semiannual basis, the information specified in paragraphs (E)(1)(e)(i) and (E)(1)(e)(ii) of this rule for those planned routine maintenance operations that would require the control device not to meet the requirements of paragraph (C)(1)(a), (C)(1)(b), or (C)(1)(c) of rule 3745-256-88 of the Administrative Code, as applicable.

(i) A description of the planned routine maintenance that is anticipated to be performed for the control device during the next six-month period. This description shall include the type of maintenance necessary, planned frequency of maintenance, and lengths of maintenance periods.

(ii) A description of the planned routine maintenance that was performed for the control device during the previous six-month period. This description shall include the type of maintenance performed and the total number of hours during those six months that the control device did not meet the requirements of paragraph (C)(1)(a), (C)(1)(b), or (C)(1)(c) of rule 3745-256-88 of the Administrative Code, as applicable, due to planned routine maintenance.

(f) An owner or operator shall record the information specified in paragraphs (E)(1)(f)(i) to (E)(1)(f)(iii) of this rule for those unexpected control device system malfunctions that would require the control device not to meet the requirements of paragraph (C)(1)(a), (C)(1)(b), or (C)(1)(c) of rule 3745-256-88 of the Administrative Code, as applicable.

(i) The occurrence and duration of each malfunction of the control device system.



(ii) The duration of each period during a malfunction when gases, vapors, or fumes are vented from the waste management unit through the closed-vent system to the control device while the control device is not properly functioning.

(iii) Actions taken during periods of malfunction to restore a malfunctioning control device to normal or usual manner of operation of the control device.

(g) Records of the management of carbon removed from a carbon adsorption system conducted in accordance with paragraph (C)(3)(b) of rule 3745-256-88 of the Administrative Code.

(F) The owner or operator of a tank, surface impoundment, or container exempted from standards in accordance with paragraph (C) of rule 3745-256-83 of the Administrative Code shall prepare and maintain the following records, as applicable:

(1) For tanks, surface impoundments, or containers exempted under the hazardous waste organic concentration conditions specified in paragraph (C)(1) or paragraphs (C)(2)(a) to (C)(2)(f) of rule 3745-256-83 of the Administrative Code, the owner or operator shall record the information used for each waste determination (e.g., test results, measurements, calculations, and other documentation) in the facility operating log. If analysis results for waste samples are used for the waste determination, then the owner or operator shall record the date, time, and location that each waste sample is collected in accordance with applicable requirements of rule 3745-256-84 of the Administrative Code.

(2) For tanks, surface impoundments, or containers exempted under paragraph (C)(2)(g) or (C)(2)(h) of rule 3745-256-83 of the Administrative Code, the owner or operator shall record the identification number for the incinerator, boiler, or industrial furnace in which the hazardous waste is treated.

(G) An owner or operator designating a cover as "unsafe to inspect and monitor" pursuant to paragraph (L) of rule 3745-256-85 of the Administrative Code and paragraph (G) of rule 3745-256-86 of the Administrative Code shall record in a log that is kept in the facility operating record the identification numbers for waste management units with covers that are designated as "unsafe to inspect and monitor," the explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.



(H) The owner or operator of a facility that is subject to rules 3745-256-80 to 3745-256-90 of the Administrative Code and to the control device standards in 40 CFR Part 60 subpart VV or 40 CFR Part 61 subpart V, may elect to demonstrate compliance with the applicable provisions in rules 3745-256-80 to 3745-256-90 of the Administrative Code by documentation either pursuant to rules 3745-256-80 to 3745-256-90 of the Administrative Code, or pursuant to 40 CFR Part 60 subpart VV or 40 CFR Part 61 subpart V, to the extent that the documentation required by 40 CFR Part 60 or 40 CFR Part 61 duplicates the documentation required by this rule.

(I) For each tank or container not using air emission controls specified in rules 3745-256-85 to 3745-256-88 of the Administrative Code in accordance with the conditions specified in paragraph (D) of rule 3745-256-80 of the Administrative Code, the owner or operator shall record and maintain the following information:

(1) A list of the individual organic peroxide compounds manufactured at the facility that meet the conditions specified in paragraph (D)(1) of rule 3745-256-80 of the Administrative Code.

(2) A description of how the hazardous waste containing the organic peroxide compounds identified in paragraph (I)(1) of this rule are managed at the facility in tanks and containers. This description shall include the following information:

(a) For the tanks used at the facility to manage this hazardous waste, sufficient information shall be provided to describe for each tank a facility identification number for the tank; the purpose and placement of this tank in the management train of this hazardous waste; and the procedures used to ultimately dispose of the hazardous waste managed in the tanks.

(b) For containers used at the facility to manage these hazardous wastes, sufficient information shall be provided to describe a facility identification number for the container or group of containers; the purpose and placement of this container, or group of containers, in the management train of this hazardous waste; and the procedures used to ultimately dispose of the hazardous waste handled in the containers.

(3) An explanation of why managing the hazardous waste containing the organic peroxide



compounds identified in paragraph (I)(1) of this rule in the tanks and containers as described in paragraph (I)(2) of this rule would create an undue safety hazard if the air emission controls, as required under rules 3745-256-85 to 3745-256-88 of the Administrative Code, are installed and operated on these waste management units. This explanation shall include the following information:

(a) For tanks used at the facility to manage these hazardous wastes, sufficient information shall be provided to explain how use of the required air emission controls on the tanks would affect the tank design features and facility operating procedures currently used to prevent an undue safety hazard during the management of this hazardous waste in the tanks; and why installation of safety devices on the required air emission controls, as allowed under rules 3745-256-80 to 3745-256-90 of the Administrative Code, will not address those situations in which evacuation of tanks equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

(b) For containers used at the facility to manage these hazardous wastes, sufficient information shall be provided to explain how use of the required air emission controls on the containers would affect the container design features and handling procedures currently used to prevent an undue safety hazard during the management of this hazardous waste in the containers; and why installation of safety devices on the required air emission controls, as allowed under rules 3745-256-80 to 3745-256-90 of the Administrative Code, will not address those situations in which evacuation of containers equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

(J) For each hazardous waste management unit not using air emission controls specified in rules 3745-256-85 to 3745-256-88 of the Administrative Code in accordance with paragraph (B)(7) of rule 3745-256-80 of the Administrative Code, the owner and operator shall record and maintain the following information:

(1) Certification that the waste management unit is equipped with and operating air emission controls in accordance with the requirements of an applicable Clean Air Act regulation codified under 40 CFR Part 60, Part 61, or Part 63.

(2) Identification of the specific requirements codified under 40 CFR Part 60, Part 61, or Part 63 with





which the waste management unit is in compliance.

[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."]