



Ohio Administrative Code Rule 3745-266-111 Standards for direct transfer.

Effective: June 12, 2023

(A) Applicability. This rule applies to owners and operators of boilers and industrial furnaces subject to rule 3745-266-102 or 3745-266-103 of the Administrative Code if hazardous waste is directly transferred from a transport vehicle to a boiler or industrial furnace without the use of a storage unit.

(B) Definitions.

(1) When used in this rule, the following terms have the following meanings:

(a) "Direct transfer equipment" means any device (including but not limited to, such devices as piping, fittings, flanges, valves, and pumps) that is used to distribute, meter, or control the flow of hazardous waste between a container (i.e., transport vehicle) and a boiler or industrial furnace.

(b) "Container" means any portable device in which hazardous waste is transported, stored, treated, or otherwise handled, and includes transport vehicles that are containers themselves (e.g., tank trucks, tanker-trailers, and rail tank cars), and containers placed on or in a transport vehicle.

(2) This rule references several requirements in rules 3745-55-70 to 3745-55-79, 3745-55-90 to 3745-55-100, 3745-66-70 to 3745-66-78, and 3745-66-90 to 3745-66-102 of the Administrative Code. For purposes of this rule, the term "tank systems" in those referenced requirements means "direct transfer equipment" as defined in paragraph (B)(1)(a) of this rule.

(C) General operating requirements.

(1) No direct transfer of a pumpable hazardous waste shall be conducted from an open-top container to a boiler or industrial furnace.

(2) Direct transfer equipment used for pumpable hazardous waste shall always be closed, except



when necessary to add or remove the waste, and shall not be opened, handled, or stored in a manner that may cause any rupture or leak.

(3) The direct transfer of hazardous waste to a boiler or industrial furnace shall be conducted so that the direct transfer does not:

(a) Generate extreme heat or pressure, fire, explosion, or violent reaction;

(b) Produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health;

(c) Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions;

(d) Damage the structural integrity of the container or direct transfer equipment containing the waste;

(e) Adversely affect the capability of the boiler or industrial furnace to meet the standards in rules 3745-266-104 to 3745-266-107 of the Administrative Code; or

(f) Threaten human health or the environment.

(4) Hazardous waste shall not be placed in direct transfer equipment if the hazardous waste could cause the equipment or the equipment's secondary containment system to rupture, leak, corrode, or otherwise fail.

(5) The owner or operator of the facility shall use appropriate controls and practices to prevent spills and overflows from the direct transfer equipment or the equipment's secondary containment systems. These include, at a minimum:

(a) Spill prevention controls (e.g., check valves, dry discount couplings); and

(b) Automatic waste feed cutoff to use if a leak or spill occurs from the direct transfer equipment.



(D) Areas where direct transfer vehicles (containers) are located. Applying the definition of "container" under this rule, owners and operators shall comply with the following requirements:

(1) The containment requirements of rule 3745-55-75 of the Administrative Code;

(2) The use and management requirements of rules 3745-66-70 to 3745-66-78 of the Administrative Code, except for rules 3745-66-70 and 3745-66-74 of the Administrative Code, and except that in lieu of the special requirements of rule 3745-66-76 of the Administrative Code for ignitable waste or reactive waste, the owner or operator may comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys, or an adjacent property line that can be built upon as required in the national fire protection association's (NFPA) "Flammable and Combustible Liquids Code." The owner or operator shall obtain and keep on file at the facility a written certification by the local fire marshal that the installation meets the subject NFPA codes; and

(3) The closure requirements of rule 3745-55-78 of the Administrative Code; and

(E) Direct transfer equipment. Direct transfer equipment shall meet the following requirements:

(1) Secondary containment. Owners and operators shall comply with the secondary containment requirements of rule 3745-66-93 of the Administrative Code, except for paragraphs (A), (D), (E), and (I) of rule 3745-66-93 of the Administrative Code, as follows:

(a) For all new direct transfer equipment, prior to the equipment being put into service.

(b) For existing direct transfer equipment, within two years after December 7, 2004.

(2) Requirements prior to meeting secondary containment requirements.

(a) For existing direct transfer equipment that does not have secondary containment, the owner or operator shall determine whether the equipment is leaking or is unfit for use. The owner or operator shall obtain and keep on file at the facility a written assessment reviewed and certified by a qualified, registered professional engineer in accordance with paragraph (D) of rule 3745-50-41 of the



Administrative Code that attests to the equipment's integrity.

(b) This assessment shall determine whether the direct transfer equipment is adequately designed and has sufficient structural strength and compatibility with the wastes to be transferred to ensure that the equipment does not collapse, rupture, or fail. At a minimum, this assessment shall consider the following:

(i) Design standards, if available, according to which the direct transfer equipment was constructed;

(ii) Hazardous characteristics of the wastes that have been or will be handled;

(iii) Existing corrosion protection measures;

(iv) Documented age of the equipment, if available, (otherwise, an estimate of the age); and

(v) Results of a leak test or other integrity examination such that the effects of temperature variations, vapor pockets, cracks, leaks, corrosion, and erosion are accounted for.

(c) If, as a result of the assessment specified in paragraphs (E)(2)(a) to (E)(2)(b)(v) of this rule, the direct transfer equipment is found to be leaking or unfit for use, the owner or operator shall comply with paragraphs (A) and (B) of rule 3745-66-96 of the Administrative Code.

(3) Inspections and recordkeeping.

(a) The owner or operator shall inspect at least once each operating hour when hazardous waste is being transferred from the transport vehicle (container) to the boiler or industrial furnace:

(i) Overfill or spill control equipment (e.g., waste-feed cutoff systems, bypass systems, and drainage systems) to ensure that the equipment is in good working order;

(ii) The above ground portions of the direct transfer equipment to detect corrosion, erosion, or releases of waste (e.g., wet spots, dead vegetation); and



(iii) Data gathered from monitoring equipment and leak-detection equipment, (e.g., pressure and temperature gauges) to ensure that the direct transfer equipment is being operated according to the equipment's design.

(b) The owner or operator shall inspect cathodic protection systems, if used, to ensure that the systems are functioning properly according to the schedule provided by paragraph (B) of rule 3745-66-95 of the Administrative Code.

(c) Records of inspections made in accordance with paragraphs (E)(3) to (E)(3)(c) of this rule shall be maintained in the operating record at the facility, and available for inspection for at least three years after the date of the inspection.

(4) Design and installation of new ancillary equipment. Owners and operators shall comply with rule 3745-66-92 of the Administrative Code.

(5) Response to leaks or spills. Owners and operators shall comply with rule 3745-66-96 of the Administrative Code.

(6) Closure. Owners and operators shall comply with rule 3745-66-97 of the Administrative Code, except for paragraphs (C)(2) to (C)(4) of rule 3745-66-97 of the Administrative Code.

[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."]