



Ohio Administrative Code

Rule 3745-51-789 Recordkeeping requirements - tanks and containers.

Effective: June 12, 2023

(A) Each remanufacturer or other person who stores or treats the hazardous secondary material subject to requirements of rules 3745-51-780 to 3745-51-789 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 shall be maintained at the facility for a minimum of three years. Air emission control equipment design documentation shall be maintained at the facility 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 at the facility for as long as the hazardous secondary material management unit is not using air emission controls specified in rules 3745-51-784 to 3745-51-787 of the Administrative Code in accordance with the conditions specified in paragraph (B)(7) or (D) of rule 3745-51-780 of the Administrative Code, respectively.

(B) The remanufacturer or other person who stores or treats the hazardous secondary material using a tank with air emission controls in accordance with the requirements of rule 3745-51-784 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 3745-51-784 of the Administrative Code, the remanufacturer or other person who stores or treats the hazardous secondary material shall record:

(a) A tank identification number (or other unique identification description as selected by the remanufacturer or other person who stores or treats the hazardous secondary material).

(b) A record for each inspection required by rule 3745-51-784 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 the requirements of rule 3745-51-784 of the Administrative Code, the remanufacturer or other person who stores or treats the hazardous secondary material shall also 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 remanufacturer or other person who stores or treats the hazardous secondary material shall record the following information, as applicable to the tank:

(a) The remanufacturer or other person who stores or treats the hazardous secondary material using a fixed roof to comply with the "Tank Level 1" control requirements specified in paragraph (C) of rule 3745-51-784 of the Administrative Code shall prepare and maintain records for each determination for the maximum organic vapor pressure of the hazardous secondary material in the tank performed in accordance with the requirements of paragraph (C) of rule 3745-51-784 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 remanufacturer or other person who stores or treats the hazardous secondary material using an internal floating roof to comply with the "Tank Level 2" control requirements specified in paragraph (E) of rule 3745-51-784 of the Administrative Code shall prepare and maintain documentation describing the floating roof design.

(c) Remanufacturer or other persons who store or treat the hazardous secondary material using an external floating roof to comply with the "Tank Level 2" control requirements specified in paragraph (F) of rule 3745-51-784 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 3745-51-784 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 3745-51-784 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 remanufacturer or other person who stores or treats the hazardous secondary material using an enclosure to comply with the "Tank Level 2" control requirements specified in paragraph (I) of rule 3745-51-784 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 remanufacturer or other person stores or treats the hazardous secondary material 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) [Reserved.]

(D) The remanufacturer or other person who stores or treats the hazardous secondary material using containers with "Container Level 3" air emission controls in accordance with the requirements of rule 3745-51-786 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 remanufacturer or other person who stores or treats the hazardous secondary material 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 remanufacturer or other person who stores or treats the hazardous secondary material using a closed-vent system and control device in accordance with the requirements of rule 3745-51-787 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 remanufacturer or other person who stores or treats the hazardous secondary material 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 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 3745-51-735 of the Administrative Code. The documentation shall include information prepared by the remanufacturer or other person who stores or treats the hazardous secondary material or provided by the control device manufacturer or vendor that describes the control device design in accordance with paragraph (B)(4)(c) of rule 3745-51-735 of the Administrative Code and certification by the remanufacturer or other person who stores or treats the hazardous secondary material 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 3745-51-735 of the Administrative Code and all test results.

(d) Information as required by paragraphs (C)(1) to (C)(2) of rule 3745-51-735 of the Administrative Code, as applicable.

(e) A remanufacturer or other person who stores or treats the hazardous secondary material 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 3745-51-787 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 3745-51-787 of the Administrative Code as applicable, due to planned routine maintenance.

(f) A remanufacturer or other person who stores or treats the hazardous secondary material 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 3745-51-787 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 hazardous secondary material 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 control device's normal or usual manner of operation.

(g) Records of the management of carbon removed from a carbon adsorption system conducted in accordance with paragraph (C)(3)(b) of rule 3745-51-787 of the Administrative Code.

(F)

(1) The remanufacturer or other person who stores or treats the hazardous secondary material using a



tank or container exempted under the hazardous secondary material organic concentration conditions specified in paragraph (C)(1) or paragraphs (C)(2)(a) to (C)(2)(f) of rule 3745-51-782 of the Administrative Code, shall prepare and maintain at the facility records documenting the information used for each material determination (e.g., test results, measurements, calculations, and other documentation). If analysis results for material samples are used for the material determination, then the remanufacturer or other person who stores or treats the hazardous secondary material shall record the date, time, and location that each material sample is collected in accordance with applicable requirements of rule 3745-51-783 of the Administrative Code.

(2) [Reserved.]

(G) A remanufacturer or other person who stores or treats the hazardous secondary material designating a cover as "unsafe to inspect and monitor" pursuant to paragraph (L) of rule 3745-51-784 or paragraph (G) of rule 3745-51-785 of the Administrative Code shall record and keep at facility the identification numbers for hazardous secondary material 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 remanufacturer or other person who stores or treats the hazardous secondary material that is subject to rules 3745-51-780 to 3745-51-789 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 of rules 3745-51-780 to 3745-51-789 of the Administrative Code by documentation either pursuant to rules 3745-51-780 to 3745-51-789 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.

[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."]