



## Ohio Administrative Code Rule 3745-65-13 General waste analysis.

Effective: June 12, 2023

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(A)

(1) Before an owner or operator treats, stores, or disposes of any hazardous wastes, or nonhazardous wastes if applicable under paragraph (D) of rule 3745-66-13 of the Administrative Code, the owner or operator shall obtain a detailed chemical and physical analysis of a representative sample of the wastes. At a minimum, this analysis shall contain all the information which shall be known to treat, store, or dispose of the waste in accordance with Chapters 3745-65 to 3745-69, 3745-256, and 3745-270 of the Administrative Code.

(2) The analysis may include data developed under Chapter 3745-51 of the Administrative Code and existing published or documented data on the hazardous waste or on waste generated from similar processes.

[Comment: For example, the facility's record of analyses performed on the waste before April 15, 1981, or studies conducted on hazardous waste generated from processes similar to that which generated the waste to be managed at the facility, may be included in the data base required to comply with paragraph (A)(1) of this rule. The owner or operator of an off-site facility may arrange for the generator of the hazardous waste to supply part of the information required by paragraph (A)(1) of this rule, except as otherwise specified in paragraphs (B) and (C) of rule 3745-270-07 of the Administrative Code. If the generator does not supply the information, and the owner or operator chooses to accept a hazardous waste, the owner or operator is responsible for obtaining the information required to comply with this rule.]

(3) The analysis shall be repeated as necessary to ensure that the analysis is accurate and up to date. At a minimum, the analysis shall be repeated:

(a) When the owner or operator is notified, or has reason to believe, that the process or operation generating the hazardous wastes or nonhazardous wastes, if applicable, under paragraph (D) of rule



3745-66-13 of the Administrative Code, has changed; and

(b) For off-site facilities, when the results of the inspection required in paragraph (A)(4) of this rule indicate that the hazardous waste received at the facility does not match the waste designated on the accompanying manifest or shipping paper.

(4) The owner or operator of an off-site facility shall inspect and, if necessary, analyze each hazardous waste movement received at the facility to determine whether the waste matches the identity of the waste specified on the accompanying manifest or shipping paper.

(B) The owner or operator shall develop and follow a written waste analysis plan which describes the procedures which the owner or operator will carry out to comply with paragraph (A) of this rule. The owner or operator shall keep this waste analysis plan at the facility. At a minimum, the waste analysis plan shall specify:

(1) The parameters for which each hazardous waste, or nonhazardous wastes if applicable under paragraph (D) of rule 3745-66-13 of the Administrative Code, will be analyzed and the rationale for the selection of these parameters [i.e., how analysis for these parameters will provide sufficient information on the waste's properties to comply with paragraph (A) of this rule].

(2) The test methods which will be used to test for these parameters.

(3) The sampling method which will be used to obtain a representative sample of the waste to be analyzed. A representative sample may be obtained using either:

(a) One of the sampling methods described in the appendix to rule 3745-51-20 of the Administrative Code; or

(b) An "equivalent method" as defined in rule 3745-50-10 of the Administrative Code.

(4) The frequency with which the initial analysis of the waste will be reviewed or repeated to ensure that the analysis is accurate and up to date.



- (5) For off-site facilities, the waste analyses that hazardous waste generators have agreed to supply.
- (6) Where applicable, the methods which will be used to meet the additional waste analysis requirements for specific waste management methods as specified in rules 3745-66-100, 3745-67-25, 3745-67-52, 3745-67-73, 3745-68-14, 3745-68-41, 3745-68-75, 3745-69-02, paragraph (D) of rule 3745-256-34, paragraph (D) of rule 3745-256-63, and rules 3745-256-84 and 3745-270-07 of the Administrative Code.
- (7) For surface impoundments exempted from land disposal restrictions under paragraph (A) of rule 3745-270-04 of the Administrative Code, the procedures and schedule for:
- (a) The sampling of impoundment contents;
  - (b) The analysis of test data; and
  - (c) The annual removal of residues which are not delisted by U.S. EPA pursuant to 40 CFR 260.22 or which exhibit a characteristic of hazardous waste and either:
    - (i) Such residues do not meet applicable treatment standards in rules 3745-270-40 to 3745-270-49 of the Administrative Code; or
    - (ii) Where no treatment standards have been established, such residues are prohibited from land disposal under:
      - (a) Section 3004(d) of RCRA; or
      - (b) Rule 3745-270-32 of the Administrative Code; or
      - (c) Rule 3745-270-33 of the Administrative Code.
- (8) For owners and operators seeking an exemption to the air emission standards in rules 3745-256-80 to 3745-256-90 of the Administrative Code, in accordance with rule 3745-256-83 of the Administrative Code:



(a) If direct measurement is used for the waste determination, the procedures and schedules for waste sampling and analysis, and the results of the analysis of test data to verify the exemption.

(b) If knowledge of the waste is used for the waste determination, any information prepared by the facility owner or operator or by the generator of the hazardous waste, if the waste is received from off-site, that is used as the basis for knowledge of the waste.

(C) For off-site facilities, the waste analysis plan required in paragraph (B) of this rule also shall specify the procedures which will be used to inspect and, if necessary, analyze each movement of hazardous waste received at the facility to ensure that the waste matches the identity of the waste designated on the accompanying manifest or shipping paper. At a minimum, the waste analysis plan shall describe:

(1) The procedures which will be used to determine the identity of each movement of waste managed at the facility;

(2) The sampling method which will be used to obtain a representative sample of the waste to be identified, if the identification method includes sampling; and

(3) The procedures that the owner or operator of an off-site landfill receiving containerized hazardous waste will use to determine whether a hazardous waste generator or treater has added a biodegradable sorbent to the waste in the container.

[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."]