



State of Ohio Environmental Protection Agency

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SUBJECT: Inspection of Facilities/Sites which have been Referred for Enforcement Action

GUIDANCE #: 0007

REFERENCE: Ohio Administrative Code Rule (OAC) 3745-37-08(A)(6)

CROSS REFERENCES: N/A

DATE: March 10, 1995 Supersedes document of **the** title dated July 20, 1993

TOTAL # OF PAGES: 2

I. Purpose:

To clarify the inspection responsibilities of Ohio EPA district office personnel and health department personnel at a facility that has been referred to the Ohio EPA central office for escalated enforcement action.

II. Applicability:

This guidance is applicable to Ohio' EPA Division of Solid and Infectious Waste Management district office personnel and approved health department staff.

III. Procedure:

OAC Rule 3745-37-08(A)(6) states:

"The Board of Health inspects solid waste facilities or infectious waste treatment facilities subject to Chapters 3745-27 and 3745-37 of the Administrative Code, with sufficient frequency to ensure substantial compliance therewith, and in any event inspects each such solid waste facility or infectious waste treatment facility at least quarterly, and inspects each such new solid waste facility or infectious waste treatment facility at least bi-weekly during the first three months of operation. Such quarterly inspections shall include inspection of any transport vehicles that are on the premises at the time of inspection. "

Quarterly inspections of facilities must also continue to be performed even after an entity has been referred to the central office for enforcement action. Such inspections are essential in documenting continued violations or new violations which may have occurred and could be included in the enforcement action. It is also important to document any violations that may have been corrected prior to final resolution of the case.



Guidance Note:

This document is intended to be used for guidance purposes only. Completion of the activities and procedures outlined in this document shall not be construed to release an owner or operator from any requirement or obligation for complying with Ohio Revised Code (ORC) Chapter 3734., the OAC rules adopted thereunder, or any authorizing document(s) or orders issued thereunder, nor shall it prevent Ohio EPA from pursuing enforcement actions to require an owner's or operator's compliance with ORC Chapter 3734., the OAC rules, or any authorizing document(s) or orders issued thereunder.

Iv. Point of Contact:

Ohio EPA
Division of Solid and Infectious Waste Management
Compliance Monitoring and Enforcement Unit