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OhioEPA

State of Ohio Environmental Protection Agency

Southwest District

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August 11, 2008

Mr. Wade Grabowski
Facilities Director
Clermont County Facilities Management
4001 Filager Road
Batavia, Ohio 45103

RE: CEI/RTC -Clermont County Engineer -CESQG (OHD987050770)

Dear Mr. Grabowski:

On August 1, 2008 I inspected the Filager Campus of the Clermont County government. The purpose of the inspection was to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). Consistent with long-standing practice, the inspection was unannounced. You represented Clermont County in your capacity as Facilities Director. Mr. Rob Alfieri represented the Clermont Count Engineer's Office in his capacity as Operations Director. Jennifer Morgan was present during part of my inspections of the Fleet Maintenance Garage.

Let me begin with a quick recap and some background. Ohio EPA records show that on February 8, 1993 the Clermont County Engineer's office notified Ohio EPA of hazardous waste activity and received USEPA Identification Number OHD987050770. This ID number is assigned based on geographic location. The number stays with a location despite ownership changes. If a business entity changes address, they must obtain a new ID number for the new address. Further, only one ID number is required regardless of the size of the facility, as long as the entire facility can be traversed with out traveling along a public right-of-way. For these reasons, I decided to inspect the Fleet Maintenance Garage and Facilities Maintenance building in addition to the County Engineer's Operations. In summary, I have concluded that the entire Filager Road campus is operating as one conditionally exempt small quantity generator (CESQG) for purposes of compliance with the hazardous waste rules of the State of Ohio.

I found the following violations of Ohio's universal waste rules:

1. **Labeling of universal waste batteries or containers -OAC 3745-273-14(A)** requires that universal waste batteries or their containers be labeled with the words "Universal Waste-Battery(ies)" or "Waste Battery(ies)" or "Used Batteries".

Two used batteries were stored in their proper place in one of the bays of the Fleet Maintenance Garage. They were not labeled in any way. The batteries were scheduled to be picked up the next day.

☞ Since the batteries have been recycled by now, there is nothing you can do to correct this violation. In the future, all used batteries or their container must be properly labeled. No additional actions are required by you to be considered in compliance on this issue.

2. **Labeling of used oil tanks and containers-OAC 3745-279-22(C)** requires that containers, above-ground tanks be clearly labeled "Used oil".

When I inspected the Fleet Maintenance Garage, I could not see used oil labels on any of the following: the storage tanks that supply the three Reznor burners; the oil-storage tank (roughly 250 gallon capacity) located in one of the bays; the 55-gallon drum used to collect the drippings from the used oil filters or; the 55-gallon drum that collects the drippings from the oil filter crusher.

☞ Since the inspection, I have received photographic documentation that the tanks now have the required signage. There are no further actions required by you to be considered in compliance on this issue.

3. **Lamp Management standards-OAC 3745-273-13(D)(1)** requires that universal waste lamps be stored in containers or packages that are structurally sound and adequate to prevent breakage. The container must be closed.

When I inspected the storage room in the Facilities Maintenance Building, three or four long fluorescent lamps were stored upright and leaning against the wall.

☞ Obtain an appropriate container and properly store the lamps. To return to compliance, please e-mail me a photo showing the properly stored lamps within 30 days of your receipt of this letter.

Enclosed you will find a copy of the CESQG checklist, a process description summary, a small quantity universal waste handler checklist and a used oil checklist. I have also included copies of the following guidance documents:

- Management of Electronic Wastes from Businesses
- Universal Waste Rules for Handlers of Lamps

- The Regulation of Used Oil- An Over view for Ohio Businesses That Generate Used Oil
- Ohio EPA's Parts Washer Handbook
- Ask the Inspector: "May I throw my used oil filters in the trash?", an article from the Spring 2004 'Notifier'

Should you have any questions, please feel free to call me (937) 285-6090. My e-mail address is: tom.ontko@epa.state.oh.us

Sincerely,

Tom Ontko

Tom Ontko
Hazardous Waste Inspector
Southwest District Office

Enclosure

cc: Dinah/file
Rob Alfieri, Clermont County Engineers Office (w/o enclosures)
Jennifer J. Morgan (w/ guidance only enclosed)

TO/plh

NOTICE
Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS - BATTERIES AND LAMPS			
Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more			
Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less			
PROHIBITIONS			
1.	Did the SQUWH dispose of universal waste? [3745-273-11(A)]		Yes ☐ No ☐ N/A ☐
2.	Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)]		Yes ☐ No ☐ N/A ☐
WASTE MANAGEMENT & LABELING/MARKING			
UNIVERSAL WASTE BATTERIES			
3.	Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)]		Yes ☐ No ☐ N/A ☐
4.	If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)]		Yes ☐ No ☐ N/A ☐
5.	Does the SQUWH conduct any of the following activities:		
	a.	Sort batteries by type?	Yes ☐ No ☐ N/A ☐
	b.	Mix battery types in one container?	Yes ☐ No ☐ N/A ☐
	c.	Discharge batteries to remove the electric charge?	Yes ☐ No ☐ N/A ☐
	d.	Regenerated used batteries?	Yes ☐ No ☐ N/A ☐
	e.	Disassemble them into individual batteries or cells?	Yes ☐ No ☐ N/A ☐
	f.	Remove batteries from consumer products?	Yes ☐ No ☐ N/A ☐
	g.	Remove the electrolyte from the battery?	Yes ☐ No ☐ N/A ☐
	If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)]		Yes ☐ No ☐ N/A ☐
6.	If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)]		Yes ☐ No ☐ N/A ☐
	a.	If the electrolyte or other waste is characteristic, is it managed in compliance with 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]	Yes ☐ No ☐ N/A ☐
	b.	If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]	Yes ☐ No ☐ N/A ☐
7.	Are the battery(ies) of container(s) of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)?" [3745-273-14(A)]		Yes ☐ No ☐ N/A ☐
UNIVERSAL WASTE LAMPS			
8.	Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)]		Yes ☐ No ☐ N/A ☐
9.	Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage spillage or damage that could cause leakage or		Yes ☐ No ☐ N/A ☐

	releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)]		
10.	Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)?" [3745-273-14(E)]		Yes ☐ No ☐ N/A ☐

NOTE: ***Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)].*** *A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of generator treatment (OAC 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.*

ACCUMULATION TIME

11.	Is the waste accumulated for less than one year? [3745-273-15(A)] If not:		Yes ☐ No ☐ N/A ☐
	a.	Was the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)]	Yes ☐ No ☐ N/A ☐

NOTE: Accumulation is defined as date generated or date received from another handler.

12.	Is the length of time the universal waste is stored documented by **one** of the following: [3745-273-15(C)]		Yes ☐ No ☐ N/A ☐
	a.	Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)]	Yes ☐ No ☐ N/A ☐
	b.	Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)]	Yes ☐ No ☐ N/A ☐
	c.	Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)]	Yes ☐ No ☐ N/A ☐
	d.	Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)]	Yes ☐ No ☐ N/A ☐
	e.	Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)]	Yes ☐ No ☐ N/A ☐
	f.	Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)]	Yes ☐ No ☐ N/A ☐

EMPLOYEE TRAINING

13.	Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16]	Yes ☐ No ☐ N/A ☐

RESPONSE TO RELEASES

14.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	Yes ☐ No ☐ N/A ☐
15.	Is the material released characterized? [3745-273-17(B)]	Yes ☐ No ☐ N/A ☐
16.	If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)]	Yes ☐ No ☐ N/A ☐

OFF-SITE SHIPMENTS

NOTE: If a SQUWH self-transports waste, then they must comply with the Universal Waste transporter requirements.

17.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes ☐ No ☐ N/A ☐

NOTE: SQUWHs are prohibited to send waste to any other facility.			
18.	If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)]		Yes ☐ No ☐ N/A ☐
19.	Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)]		Yes ☐ No ☐ N/A ☐
20.	If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do one of the following:		
	a.	Receive the waste back? [3745-273-18(E)(1)]	Yes ☐ No ☐ N/A ☐
	b.	Agree to where the shipment will be sent? [3745-273-18(E)(2)]	Yes ☐ No ☐ N/A ☐
21.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following:		Yes ☐ No ☐ N/A ☐
	a.	Sending the waste back to the originating handler? [3745-273-18(F)(1)]	Yes ☐ No ☐ N/A ☐
	b.	Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)]	Yes ☐ No ☐ N/A ☐
22.	If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]		Yes ☐ No ☐ N/A ☐
23.	If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)]		Yes ☐ No ☐ N/A ☐
EXPORTS			
24.	Is waste being sent to a foreign destination? If so:		Yes ☐ No ☐ N/A ☐
	a.	Does the small quantity handler comply with primary exporter requirements in OAC 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]	Yes ☐ No ☐ N/A ☐
	b.	Is waste exported only upon consent of the receiving country and in conformance with U.S. EPA's "Acknowledgment of Consent" as defined in 3745-52-50 to -52-57? [3745-273-20(B)]	Yes ☐ No ☐ N/A ☐
	c.	Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	Yes ☐ No ☐ N/A ☐

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name:Clermont County Engineer's -Facility Type:SQG **EPA ID#:OHD987050770**

	Description of Waste				On-Site Management			Off-Site Management	
	Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/ Storage	Type of On-Site Treatment	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.	P2 Activities
1	crushing oil filters manufactured by Hasting's					discard with solid waste	Fleet maintenance garage		
2	vehicle maintenance	used oil					burned in 3 Reznor burners in Fleet maintenance garage		
3	parts washer	used Safety Kleen 105 solvent					Fleet maintenance garage	recycled by Safety-Kleen	
4	spent vehicle batteries						Fleet maintenance garage		
5	painting stripes on roads	water-based paint wastes	not regulated				County Engineer's operatins area		

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name:Clermont County Engineer's -Facility Type:CESQG **EPA ID#:OHD987050770**

	Description of Waste				On-Site Management			Off-Site Management	
	Process/Activity Generating Waste (e.g. plating bath, machining, [illegible]house, paintin[illegible])	Waste Generated (e.g. sludge, spent solvent [illegible]ash [illegible])	EPA Waste Code	QTY Generated per Month	Type of Accumulation/ Storage (e.g. container, [illegible]ank, etc)	Type of On-Site Treatment (recycle, wwt [illegible] etc)	Waste Location (include map if possible)	Name, state, and type of activity occurring at the facility.	P2 Activities
6	used fluorescents								
7									
8									
9									
10									

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PROCESS DESCRIPTION SECTION

Give a general process description (include all processes at the facility)

The Clermont County Engineer's Operations facility is located at the Filager Campus. The facility is used to store vehicles and equipement mostly used for street and highway maintenance (snow plows, paint striping, salt storage, gravel, road paint, signs and reflectors, etc.) Only light equipement maintenance (topping off fluids, cleaning, etc) is done at this facility. Most repairs are contracted out and performed elsewhere. Since switching to a water-based highway striping paint, the Engineer's Operation facility does not generate hazardous waste.

The County's Facilities Maintenance is also located at the Filager Campus. Facilities maintenance provides janitorial and support functions for county buildings such as computer recycling, cleaning, etc. Fluoescent bulbs and universal waste lamps are stored here.

I also inspected the Fleet Maintenance Garage. This garage services Sherriff's vehicles, CART buses, and other County vehicles. The used oil is stored here and burned in three Reznor oil burners. These are larger than the space heaters and I was told that they are permited by the Air local. The oil filter crusher and used batteries are stored here. The Sherriff's office, courts, jail and other are lalso located at the Filager Road campus, but they were not inspected.

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WASTE ACTIVITIES AND P2 SUMMARY SECTION

REMARKS–GENERAL INFORMATION

Regulatory/Enforcement History:

CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
LQG: ≥1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.
NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used: safety shoes

WASTE EVALUATION

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes

*NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). **If so,** complete the Small Quantity Generator Requirements checklist.*

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3. Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)] Yes

TREATMENT OF HAZARDOUS WASTE

4. Does the generator treat hazardous waste in a:

   a. Container that meets 3745-66-70 to 3745-66-77? No

   b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? No

   c. Drip pads that meet 3745-69-40 to 3745-69-45? No

   d. Containment building that meets 3745-256-100 to 3745-256-102? No

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

REMARKS