



State of Ohio Environmental Protection Agency

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has no
Ent 004

Southwest District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

November 6, 2009

Mr. Tim Kimmel
USA Lamp & Ballast Recycling, Inc
7806 Anthony Wayne Avenue
Cincinnati, Ohio 45216

RE: Compliance Evaluation Inspection – USA Lamp & Ballast Recycling, Inc
OHR000109849
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Dear Mr. Kimmel:

Thank you for assisting me on the October 26, 2009, compliance evaluation inspection of USA Lamp & Ballast Recycling, Inc.'s (USA Lamp) Cincinnati, Ohio facility. The purpose of the inspection was to determine USA Lamp's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC) and USA Lamp's Ohio hazardous waste installation and operation permit issued on May 17, 2007. Ohio EPA's inspection included an inspection of facility operations and a review of written documentation. However, compliance with the Ohio hazardous waste rules addressing financial requirements were not assessed during this inspection. Based on this inspection, Ohio EPA has determined that USA Lamp violated the following state hazardous waste regulation and condition of its Ohio hazardous waste installation and operation permit. All violations of USA Lamp's permit are violations of ORC 3734.11(B).

1. **Required aisle space, Condition B.12 and OAC 3745-54-35:** At a minimum, the Permittee must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operations in an emergency, as required by OAC Rule 3745-54-35.

USA Lamp failed to comply with this Condition and Rule by not having at least two feet of aisle space between container storage rows. **Therefore, USA Lamp is in violation of Condition B.12 and OAC 3745-54-35.**

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On November 5, 2009, I conducted a follow up inspection to verify the correction of the above noted violation. Based on the inspection, USA Lamp has adequately demonstrated abatement of the following violation:

1. Required aisle space, Condition B.12 and OAC 3745-54-35

Enclosed is a copy of the checklist completed during the inspection. If you have any questions, please contact me at (937) 285-6093.

Sincerely,



Cathy L. Altman
Division of Hazardous Waste Management

cc: (DHWM Data Entry/Facility File)

**OHIO PART B PERMITTED FACILITY
RCRA INSPECTION CHECKLIST**

Facility: USA Lamp & Ballast, Recycling Inc. ID #: OHR000109819

Address: 7806 Anthony Wayne Ave.
Cincinnati, Ohio 45216

County: Hamilton Phone: (513) 641-4155

Inspection Date: 10/26/2008 Time: 10:30-1:00

Advance notice of inspection given? (Y)___(N)X If so, how far in advance?

	<u>Name</u>	<u>Agency/Title</u>	<u>Phone</u>
Inspectors:	<u>Cathy Altman</u>	<u>Ohio EPA</u>	<u>(937) 285-6093</u>

Facility Representatives:	<u>Tim Kimmel</u>	<u>USA Lamp</u>	<u>(513) 641-4155</u>
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Is facility operating as a generator? (Y)___ (N)X

PERMIT STATUS

Permit Issued: May 17, 2007
Permit Effective Date: May 17, 2007
Permit Expiration Date: May 17, 2017

AUTHORIZED ACTIVITIES

Storage in Containers - no onsite disposal
Container storage - 14, 714 tons in a year, 325,000 lbs at any one time

GENERAL PERMIT COMPLIANCE AND ACTIVITIES

1. Is USA storing hazardous waste only in the 4 permitted container storage areas?
[Condition C.1] Y X/N /NA
2. Has USA exceeded the one year storage limit? Y /N X/NA
3. Is USA storing hazardous wastes only in the types and size of containers specified in Section D of the application? [Condition C.1.a] Y X/N /NA
4. Is each container in storage clearly marked to identify its contents and the date each period of storage began? Y X /N /NA
5. Are containers holding hazardous waste in good condition? [Condition C.4] Y X /N /NA
 (a) If not, did USA transfer the waste to a container that is in good condition or otherwise manage the waste in compliance with the permit and 3745-55-71 [Condition C.4] Y /N /NA
6. Does USA ensure that all containers used at the facility are compatible with the hazardous waste stored in them? [Condition C.5] Y X /N /NA
7. Does USA keep all containers closed during storage except when adding or removing waste? [Condition C.6] Y X /N /NA
8. Is USA maintaining aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment and decontamination equipment? (Minimum 2 ft) [Condition B.12] Y /N X /NA
9. Does USA continue to maintain the 24 hour surveillance system according to Section F of the application? [Condition B.4] Y X /N /NA
10. Is the fence surrounding the facility in good condition in accordance with Section F of the application? [Condition B.4] Y X /N /NA
11. Are warning signs (Danger - Unauthorized Personnel Keep Out) present at intervals along the fence in accordance with Section F of the application? [Condition B.4] Y X /N /NA
12. Is USA using pallets that are in good condition? [Condition B.1.a] Y X /N /NA
13. Is USA, at a minimum, maintaining the equipment set forth in Section F and G of the application? [Condition B.9] See attachments Y X /N /NA
14. Does USA store containers of ignitable or reactive wastes greater than 50 ft from the property line? [Condition C.11.a] Y X /N /NA
15. Does USA take precautions to prevent accidental ignition or reaction of ignitable or reactive waste and follow the procedures as specified by 3745-54-15 and Section F of the application including: [Condition C.11.b] Y X /N /NA
 (a) providing electrical grounding? [Condition B.7.b] Y /N /NA X
 (b) provide and require the use of spark proof tools? [Condition B.7.c] Y /N /NA
 (c) prohibit smoking and open flames and post appropriate signs? [Condition B.7.d] Y /N /NA X

UW Handler Standards

1. Does USA comply with universal waste labeling requirements? [OAC 3745-273-34] Y X /N_/NA_

Record Keeping

Inspections

1. Is USA following the approved inspection procedures and schedule for inspecting: monitoring equipment, safety equipment, emergency equipment, security devices and operating and structural equipment? [Condition B.5] Y X /N_/NA_
2. Does USA remedy deterioration or any malfunctions discovered by an inspection? [Condition B.5] Y X /N_/NA_
3. Is USA maintaining records of all inspections for a minimum of 3 years? [Conditions A.28.a.vii & B.5] Y X /N_/NA_
4. Do inspection records contain the following information: [Condition B.5]
- (a) Date and time of inspection? Y X /N_/NA_
 - (b) Signature of inspector? Y X /N_/NA_
 - (c) Notation of observations made? Y X /N_/NA_
 - (d) Date/nature of any repairs or other remedial actions? Y X /N_/NA_
5. Is USA inspecting the container area weekly for accumulation of waste, leaking or structurally impaired containers, labeling, aisle space, and closed containers in accordance with Section F of the application? [Condition C.9] Y X /N_/NA_
6. Are the inspections noted in the inspection log along with any remedial action taken? [Condition C.9] Y X /N_/NA_

Manifests

7. Is all hazardous waste shipped from the facility by a registered transporter? [Condition A.16] Y_/N_/NA_)
8. Have all hazardous wastes been shipped off-site with a completed manifest? [Condition B.24] Y_/N_/NA_)
9. Do all manifests contain the required information? [Condition B.24] Y_/N_/NA_)
10. Has USA received a return copy of each manifest within 35 days? [Condition B.24] Y_/N_/NA_)
- (a) if not, did USA submit an exception report? Y_/N_/NA_)
11. Has a significant discrepancy occurred since the last inspection? [Condition B.24b] Y_/N_X/NA_
- (a) if not reconciled within 15 days, was a discrepancy report submitted? Y_/N_/NA_)
12. Has USA accepted any unmanifested waste? [Condition B.24c] Y_/N_X/NA_
- (a) if so, did USA submit an unmanifested waste report within 15 days of receipt Y_/N_/NA_)

of the waste?

13. Does USA maintain copies of manifests and exception reports for at least 3 years? [Condition B.24] Y X /N_/NA_
14. Has USA received any waste from a foreign source without notifying the Director in writing at least 4 weeks in advance? [Condition B.2b] Y_/N_ X /NA_
15. Is USA informing generators that the facility has the appropriate permit to accept a waste and maintaining documentation of the notice? [Condition B.2.a] Y X /N_/NA_

Personnel Training

16. Is USA conducting personnel training in accordance with Section H, including instruction in safe equipment operation, emergency procedures, and implementation of the Contingency plan? [Condition B.6] Y X /N_/NA_
17. Does USA provide training to new employees within 6 months from date of employment, along with an annual refresher? [Condition B.6] Y X /N_/NA_
18. Is USA maintaining personnel training records? [Condition B.6] Y X /N_/NA_

Contingency Plan

19. Have there been any changes at USA requiring update of the plan? [Condition B.17] Y_/N_ X /NA_
20. Is USA reviewing the plan and updating it as needed? [Condition B.17] Y X /N_/NA_
21. Is an emergency coordinator available at all times with the authority to commit resources? [Condition B.19] Y X /N_/NA_
22. Has there been a fire, explosion or release of hazardous waste at the facility since the last inspection? [Condition B.14] Y_/N_ X /NA_
- (a) Did USA comply with the emergency procedures in the plan? [Condition B.14] Y_/N_/NA_
- (b) Did USA submit an incident report to the Director within 15 days? Y_/N_/NA_
- (c) Did USA record the incident in the operating record? [Condition B.22] Y_/N_/NA_

PERMIT MODIFICATION, REVISION, REVOCATION

1. Has USA made any or plans any changes that would require a modification? [Conditions A.2. & A.15] Y_/N_ X /NA_
2. Has there been a change in owner/operator? [Condition A.18] Y_/N_ X /NA_
3. Has USA identified any instances of noncompliance? Y_/N_ X /NA_
4. Is USA retaining a complete copy of the approved application on-site? [Condition A.14.c] Y X /N_/NA_

OPERATING RECORD

1. Is USA maintaining a written operating record at the facility which contains the following elements: [Condition B.22] Y X /N_/NA_
- (a) A description and the quantity of each hazardous waste received? Y X /N_/NA_

(b) Method(s) and date(s) of treatment, storage or disposal at the facility? Y X /N__/NA_

(c) The location of each hazardous waste within the facility and the quantity at each location? Y X /N__/NA_

2. Is USA maintaining, until closure is complete and certified, the following documents and amendments, revisions and modifications to these documents: [Condition A.28]

(a) Waste analysis plan? Y X /N__/NA_

(b) Contingency plan? Y X /N__/NA_

(c) Closure plan? Y X /N__/NA_

(d) Cost estimate for facility closure? Y X /N__/NA_

(e) Personnel training plan and records? Y X /N__/NA_

(f) Inspection schedules? Y X /N__/NA_

CLOSURE REQUIREMENTS

1. Has USA closed the facility or any portion of the facility? Y__/N X /NA_

STORAGE OF HAZARDOUS WASTES IN CONTAINERS

1. Does USA limit the total quantity of containerized waste in the container storage area to 325,000 pounds at any given time? [Condition C.1.(a)] Y X /N__/NA_

