



State of Ohio Environmental Protection Agency

Northeast District Office

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

July 25, 2007

RE: AGMET METALS, INC.
CUYAHOGA COUNTY
VARIANCE CEI NOV

OAKWOOD

Fred M. Warren
Director of Health and Safety
Agmet Metals, Inc.
7800 Medusa Street
Oakwood Village, OH 44146

Dear Mr. Warren:

On June 6 and 8, 200⁷, Sherry Slone, Robert Almquist, and I, representing Ohio EPA's Division of Hazardous Waste Management (DHW), conducted an inspection at Agmet Metals, Inc. (Agmet), located at 7800 Medusa Street, Oakwood Village, Ohio. The purpose of the inspection was to determine Agmet's compliance with their Variance under the Ohio Revised Code (ORC) and Chapter 3734 of the Ohio Administrative Code (OAC) rule 3745-50-23, and for compliance with Ohio's hazardous waste regulations, as found in Chapter 3734 of the Ohio Revised Code (ORC), and Chapter 3745 of the Ohio Administrative Code (OAC). You, John Rakin, Michael Agin and Dana Cassidy represented the facility during the inspection.

A copy of our checklist is enclosed for your information. The inspection revealed that Agmet is in violation of the following hazardous waste regulations, and Variance conditions.

VIOLATIONS:

1. **Variance Condition 2v:**

Agmet shall manage, as hazardous waste code F006, in accordance with all applicable Ohio EPA hazardous waste regulations, any unusable residues generated by Agmet from the storage or reclamation of Variance Material and Metal Concentrate Variance Material.

It was noted during the inspections that there was a significant amount of F006 filter cake waste inside of the Waste Management, Inc. roll-off box #3374, which constituted the illegal storage of a hazardous waste (please be advised that had this material gone to a landfill, Agmet would have caused hazardous waste to be transported and disposed of illegally). It was also noted that a significant amount of F006 filter cake was found on the ground in various areas around the property. Some (but not limited to) areas where significant amounts of F006 filter cake sludge was found include: the area around the Waste Management Inc. roll-off box #3374; around the black roll-off box (labeled as "H-Rock, 40 R1495); near the storm water drain on the west side of the Waste Management Inc. roll-off box #3374; around the north side of the Variance Building (piles of Variance Material was being stacked too high inside of the building, which caused the material to spill over the walls outside); on the west side of the Variance Building (especially around the conveyor belt); on the southwest side of the Variance Building there was a blind sump that contained chunks of F006 filter cake in standing water; on the south side of the Variance Building (especially below the kiln); around the sand pile that was located next to the drums on the west fence line; inside of the Maintenance Building (especially on and around the front end loader); around the south side of the Maintenance Building. On the southern portion of the "Product Storage Area," north of the railroad tracks, there were several roll-off boxes. There was a significant amount of F006 filter cake on the ground between two of the boxes.

Agmet failed to keep the variance material from being released and tracked outside of the Variance Building, therefore rendering the material regulated as a hazardous waste (code F006). Agmet also failed to properly manage the hazardous waste in accordance with all applicable Ohio EPA hazardous waste regulations. By abating the following violations, Agmet will have abated this violation.

2. **Variance Condition 2:**

Agmet shall construct, operate and maintain all of the equipment and Facilities associated with the reclamation process so as to minimize loss or release to the environment of Variance Material or Metal Concentrate as generally described in the Variance.

Agmet failed to properly operate and maintain all of the equipment and Facilities associated with the reclamation process by allowing Variance Material to be release and tracked from the Variance Building to the environment (including soils and possibly waters of the state – via storm water sewers).

It was noted during the inspection that Variance Material was being stacked too high, causing it to flow over the walls of the Variance Building. It was also noted that the conveyor belt, used to deliver Variance Material from the building to the kiln, was not being operated/maintained to minimize the loss/release of Variance Material to the environment. Per Mr. Warren's admission, there was approximately "two weeks worth" of Variance Material on the ground below the conveyor belt. It was also noted that the stairs and grated floor on the southwest side of the Variance Building (next to the kiln) had Variance Material on and below them. It was also noted that there was a front-end loader that was being fixed in the Maintenance Building. The front-end loader was normally used in the Variance Building. The bucket and tires of the front-end were covered with Variance Material. A wooden pallet (that held a 55-gallon drum of kerosene), stored on the south side of the Maintenance Building had a significant amount of Variance Material on it also. Along with the abovementioned examples, Variance Material was found throughout the property (it may have been tracked by personnel, equipment, or dispersed via weather conditions).

To abate this violation, Agmet shall construct, operate and maintain all of the equipment and Facilities associated with the reclamation process to minimize the release, tracking or dispersal of Variance Material into the environment. Please be advised that nothing shall prohibit Agmet from constructing, operating, maintaining, repairing, improving, enhancing, or changing equipment or the structures of the physical plant associated with the reclamation process so long as Agmet's equipment, structures and reclamation process remain generally consistent and functionally equivalent to those described in the Variance. You are encouraged to contact the Ohio EPA's District inspector for advice prior to making these changes. To document compliance, Agmet shall submit information/plans on how this violation has been or will be abated, and how a reoccurrence of this violation will be prevented. All documentation shall be submitted to the Ohio EPA's Northeast District Office (NEDO).

3. **Variance Condition 2m:**

Agmet shall maintain, revise if necessary, and implement procedures at the Oakwood Village Facility to control the release of Variance Material fugitive dust and the tracking of Variance Material from the bulk storage building by transport vehicles, equipment and personnel.

Agmet failed to prevent the release and tracking of Variance Material from the bulk storage building.

Agmet shall abate this violation by addressing Violation #2. Agmet shall document compliance by submitting the documentation requested to respond to Violation #2.

4. **Variance Condition 2t:**

Agmet shall manage and clean up any spills of Variance Material and manage cleanup residuals that cannot be reclaimed as hazardous waste, code F006.

Agmet failed to clean up spills of Variance Material and manage that material as hazardous waste.

To abate this violation, Agmet shall immediately, and in the future, manage and clean up any spills of Variance Material and manage cleanup residuals that cannot be reclaimed as hazardous waste, code F006. Agmet shall manage the F006 in accordance with all applicable Ohio EPA hazardous waste regulations. To document compliance, Agmet shall submit the requested documentation to respond to Violation #'s 2 and 6.

5. **Variance Condition u:**

Agmet shall maintain in good working order the condition and integrity of equipment used to handle, store, convey, contain and reclaim the Variance Material and Metal Concentrate. The equipment includes, but is not limited to: tanks, containers, bulk storage buildings, secondary containment systems, leachate collection systems, loading and unloading areas, sumps, piping and conveyance systems, blending and sizing equipment, the calciner and associated equipment.

Agmet failed to maintain the equipment used to manage the Variance Material

Agmet shall immediately comply with this Condition. Agmet shall document compliance by submitting the requested documentation to respond to Violations #2.

6. **Ohio Revised Code (ORC) Section 3734.02 (E) & (F), Unpermitted Treatment, Storage, Transport and Disposal:**

No person shall store, treat, dispose, or cause to be transported, hazardous waste identified or listed under this chapter and rules adopted under it...except to a hazardous waste facility operating under a permit.

Agmet failed to keep variance material inside of the Variance Building, therefore rendering the material regulated as a hazardous waste (code F006). This action also constitutes storage and disposal of hazardous waste without a permit.

As stated in Violation #1, F006 filter cake was found in a solid waste dumpster, in another building, as well as in various areas on the ground throughout the property. Since Agmet violated ORC 3734.02 (E & (F), Agmet is subject to all applicable general facility standards found in OAC rule 3745-54 & 55. To abate this violation, in accordance with OAC rules 3745-55-11 through 3745-55-20, Agmet shall conduct closure activities for all affected areas (i.e. the affected areas on the ground (soil as well as concrete areas) of the facility, the affected areas inside other buildings, the potentially affected storm water collection systems and the oil/water separator unit, etc. Closure activities will entail the following: removing and disposing of all wastes and residues, removing or decontaminating contaminated equipment and structures, removing or remediating contaminated soils, and managing all wastes generated from these activities in accordance with the hazardous waste regulations.

Agmet shall submit a closure plan which must ensure that the closure performance standards set forth in OAC rule 3745-55-11 are met. The closure performance standards require Agmet to remove and remediate contamination in these areas to prevent it from posing a risk to human health and the environment. The closure plan should be prepared in accordance with Ohio EPA's **Closure Plan Review Guidance for RCRA Facilities, March 1999** as supplemented. The plan shall be submitted to Ohio EPA's Northeast District Office, and one to the following address: Ohio EPA, DHWM, Attn: Manager, Information Technologies and Technical Support Section; Lazarus Government Center; P.O. Box 1049; Columbus, Ohio 43216-1049.

Additionally, at anytime Ohio EPA may assert its right to have Agmet begins a facility-wide cleanup pursuant to the Corrective Action Process under Ohio law.

7. **Variance Condition 2o:**

Agmet shall maintain, revise as necessary, and implement the spill response plans for the Facilities. Agmet shall document the occurrence of any spill of Variance Material or Metal Concentrate and describe the cause of the spill and action taken to remediate the spill. Agmet shall retain the documentation on-site for three years.

It was noted during the inspection that no documentation of the occurrence of a spill of Variance Material existed. It was also noted that the inspection logs that were reviewed indicated that everything was "Okay" for several months (including the inspections of the Waste Management Trash Box).

To abate this violation, Agmet shall explain, in writing, what additional training and/or procedures have been instituted to prevent further violations of this condition.

8. **OAC rule 3745-52-11 - Hazardous waste determination:**

Any person who generates a waste must determine if that waste is a hazardous waste.

During the inspection, Ohio EPA observed the following unevaluated waste:

- Tote (Ohio EPA marked as 1); approximately 12" of material in it.
- Tote (Ohio EPA marked as 2); approximately 5" of material in it.
- Tote (Ohio EPA marked as 3) approximately 12-14" of material in it.
- Tote (Ohio EPA marked as 4X); "Namet"; approximately 10" of material in it.
- Tote (Ohio EPA marked as 5X); the tote was damaged.
- Tote (Ohio EPA marked as 6X); approximately 12" of material in it.
- Tote (Ohio EPA marked as 7X); approximately 20" of material in it; the valve was leaking, labeled "Sulfuric Acid 93%"
- Tote (Ohio EPA marked as 8X); approximately 18" of material in it.
- Tote (Ohio EPA marked as 9X); approximately 18" of material in it; labeled as "Nickel, Chrome, 08-31-04."
- Tote (Ohio EPA marked as 10X); approximately 12" of material in it.
- Tote (Ohio EPA marked as 11X); "3082".
- Tote (Ohio EPA marked as 12X); approximately 2" of material in it.
- Tote (Ohio EPA marked as 13X); "Oxidizer, Material for recycle;" approximately 12" of material in it.
- Tote (Ohio EPA marked as 14X); it was a damaged tote, had a black dot on it; approximately 22" of material in it.
- Tote (Ohio EPA marked as 15X); had a black dot on it; approximately 20" of material in it.

- Tote (Ohio EPA marked as 16X); had a black dot on it; approximately 18” of material in it.
- Tote (Ohio EPA marked as 17X); had a red dot on it; approximately 18” of material in it.
- Tote (Ohio EPA marked as 18X); had a red dot on it; approximately 18” of material in it.
- Tote (Ohio EPA marked as 19X); had a black dot on it; approximately 22” of material in it.
- Tote (Ohio EPA marked as 20X); had a black dot on it; approximately 20” of material in it.
- Tote (Ohio EPA marked as 21X); had a black dot on it; approximately 12” of material in it.
- Tote (Ohio EPA marked as 22X); had a black do on it; “Super Hydraulic Oil; had 1-2” of material in it.
- Tote (Ohio EPA marked as 23X); approximately 2” of material in it.
- Tote (Ohio EPA marked as 24X); approximately half full.
- 55-gallon poly drum; located across the railroad tracks on the southern portion of the property (in the “Bone Yard” area).
- Three supersacks of material; located across the railroad tracks on the southern portion of the property (in the “Bone Yard” area).

To abate this violation, Agmet shall submit written waste evaluations (also include the generator of the waste, the length of time that they were stored at Agmet, and what will be done with the material) for each of the above items. For those items that have been disposed of, Agmet shall submit documentation describing the manner in which it was managed, treated and/or disposed (if it went offsite, please include the manifests/bills of lading documents). Also, Agmet shall describe what additional procedures have been instituted to prevent further violations of this rule.

9. **OAC rule 3745-52-34 (A), Labeling & Dating Accumulation Containers:**

While being accumulated on-site, each container or tank with hazardous waste contents must be labeled or clearly marked with the words “Hazardous Waste” and the date upon which the accumulation period began.

Agmet failed to properly label and provide an accumulation start date for the Waste Management Inc. roll-off box #3374 which contained hazardous waste, identified in Violation #'s 1 and 2. Please explain how the F006 in the roll-off box #3374 was managed subsequent to our inspection and describe, in writing, how Agmet will prevent a recurrence of this violation.

10. **OAC rule 3745-66-73, Container Management:**

Facilities shall manage hazardous wastes in containers which are: (A) closed (except when adding/removing waste); (B) in good condition (rule 3745-66-71); (C) compatible with wastes stored in them (rule 3745-66-72); and (D) handled in a manner which prevents rupture/leakage.

Agmet failed to store/manage hazardous wastes in containers which were closed. It was noted during the inspection that the Waste Management Inc. roll-off box #3374 that contained the F006 filter cake referenced in Violation #'s 1 and 2 was open. Please explain how the F006 in the roll-off box #3374 was managed subsequent to our inspection, and describe, in writing, how Agmet will prevent a recurrence of this violation.

11. **Variance Condition 2g:**

Agmet shall maintain, revise as necessary, and implement an employee training program regarding the procedures for spill response, facility inspections, Variance Material handling, Variance Material specifications, Metal Concentrate handling and emergency response.

Each employee shall be trained upon hiring and once within every twelve months thereafter with regards to his or her duties as they pertain to spill response, facility inspections, Variance Material handling, Variance Material specifications and emergency response. Documentation of training shall be signed by the employee and retained on-site at the Oakwood Village Facility for three years.

It was noted during the inspection that Agmet has a training program that covers such topics as: "Safety Review for Variance Materials" and "Spill Response." It was also noted that not all employees that should have been trained were being trained (per the training attendance sheets only 19 out of 50 personnel attended the "Spill Response" Training in 2006, and only 15 out of 50 personnel attended the "Safety Review for Variance Materials" Training in 2007). Other records could not be found at the time of the inspection.

Based on Violation #1 it appears that employees need to have "refresher" training on Variance Material handling procedures. To abate this violation, Agmet shall immediately train all appropriate employees, submit an outline of all items addressed in the training, submit a current list of all employees, and upon completion of the training, submit the "sign-in" documents.

12. **OAC rule 3745-273-13(D)(1), Lamp Management:**
Small Quantity Generators of Universal Waste Handlers (SQGUWH) shall contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps. All containers or packages shall be closed and lack evidence of leakage, spillage or damage that could cause leakage.

It was noted during the inspection that one cardboard box of 8' fluorescent bulbs were being stored in the Maintenance Garage. The cardboard box that contained the fluorescent bulbs was not closed.

This violation was abated during the June 8, 2007 inspection. No further action is required.

13. **OAC rule 3745-279-22 (C), Used Oil Containers:**
Containers used to store used oil must be marked clearly with the words "Used Oil."

A 5-gallon unlabelled container of used oil was observed near the garage doors inside of the Maintenance Building.

If this container still contains used oil, it must be labeled "Used Oil" immediately. Please verify that all containers of used oil have been properly labeled and describe in writing what additional training and/or procedures have been instituted to prevent further violations of this rule.

Along with the abovementioned violations, Ohio EPA has the following comment and concern.

1. **Ohio Revised Code (ORC) Section 6111.04**
(1) No person shall cause pollution or place, or cause to be placed, any sewage, sludge, sludge materials, industrial waste, or other wastes in a location where they cause pollution of any waters of the state.
(2) Such an action prohibited under division (A)(1) of this section is hereby declared to be a public nuisance.

As described in Violation #'s 1 and 2 there was a significant amount of F006 filter cake around the storm water drains located throughout the property (especially on the north side of the Variance Building, and by the trench located in the Maintenance Building). It is understood that the drains go to an oil/water separator prior to going to a creek. If F006 filter cake is put into the oil/water separator, and if Agmet does not have a National Pollutant Discharge Elimination System Permit (NPDES), the unit would be considered a hazardous waste treatment unit. All of the material in the unit would be considered a listed hazardous waste, and that material discharged to waters of the state would be considered hazardous.

Please submit Agmet's NPDES permit. Please describe how Agmet will implement best management practices to ensure that F006 filter cake does not get into the storm sewers located on the property. This information should be sent to the Ohio EPA's NEDO.

2. Agmet failed to stop the release, contain and clean-up, and properly manage oil that was released to the environment.

It was noted during the inspection that a significant amount of oil was located on the columns of the kiln and on the ground below them. There was also a significant amount of oil on the ground, below a front-end loader, located on the south side of the Maintenance Building.

To abate this concern, Agmet shall clean-up and properly manage the released oil and other materials (i.e. contaminated soil). Agmet shall submit documentation describing the remedial actions taken. Agmet shall also describe what best management practices will be implemented to prevent a reoccurrence of this concern. All documentation should be submitted to the Ohio EPA's NEDO.

3. During the inspection, Mr. Cassidy asked if Agmet could get a Hazardous Waste Site Identification Number for the Maple Heights facility. The purpose of obtaining the ID number is to satisfy those customers who are hesitant to send their waste/material to Agmet without one.

Agmet's Maple Heights facility is regulated via under a Variance and not a hazardous waste permit. As long as Agmet is in compliance with the Variance, Agmet does not need a Hazardous Waste Site Identification Number as a treater, storer or disposer of hazardous waste. However if Agmet would like, or needs, an identification number as a generator, please go to www.epa.state.oh.us/dhwm/notiform to obtain the form and filing instructions.

The above violations and concern must be corrected, and documentation of all corrections, (i.e. copies of documents and photographs) must be sent to this office, to my attention, within thirty (30) days after the date of this letter.

You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. Also, the Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link:

<http://www.epa.state.oh.us/dhwm/listserv.html>.

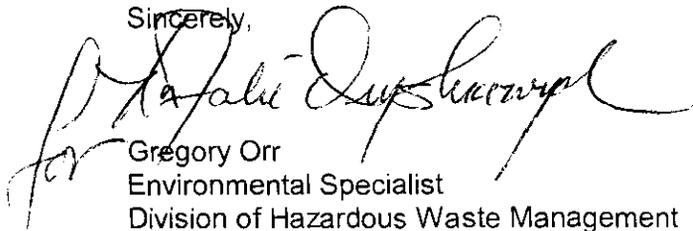
Please feel free to share this information with your colleagues.

AGMET METALS, INC.
JULY 25, 2007
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Failure to list specific deficiencies in this communication does not relieve Agmet from the responsibility of complying with all applicable Variance conditions and hazardous waste rules/regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Should you have any questions or concerns, please do not hesitate to call me at (330) 963-1189.

Sincerely,

for 

Gregory Orr
Environmental Specialist
Division of Hazardous Waste Management

GO:ddw

Enclosure

cc: Karen Hale, DHWM, CO
Frances Kovak, Legal, CO
Natalie Oryshkewych, DHWM, NEDO
ec: Sherry Slone, DHWM, NEDO
Robert Almquist, DHWM, NEDO

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 RMK#
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 RMK#

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 RMK#
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 RMK#
5. Does the SQUWH conduct any of the following activities:
- a. Sort batteries by type? Yes No N/A RMK#
- b. Mix battery types in one container? Yes No N/A RMK#
- c. Discharge batteries to remove the electric charge? Yes No N/A MK#

d. Regenerated used batteries? Yes__ No__ N/A X RMK#__

e. Disassemble them into individual batteries or cells? Yes__ No__ N/A X RMK#__

f. Remove batteries from consumer products? Yes__ No__ N/A X RMK#__

g. Remove the electrolyte from the battery? Yes__ No__ N/A X RMK#__

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 X RMK#__

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 X RMK#__

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 X RMK#__

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 X RMK#__

7. Are the battery(ies) or 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 X N/A __RMK#__

UNIVERSAL WASTE LAMPS

Yes ___ No N/A ___ RMK# ___

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 RMK# ___

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 releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)]

Yes No N/A ___ RMK# ___

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)]

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 ___ RMK# ___

- 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 ___ RMK# ___

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 RMK#
- 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 RMK#
- 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 RMK#
- 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 RMK#
- 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 RMK#
- 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 RMK#
- 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 RMK#

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 RMK#

RESPONSE TO RELEASES

14. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)] Yes ___ No N/A RMK# ___
15. Is the material released characterized? [3745-273-17(B)] Yes ___ No N/A RMK# ___
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 RMK# ___

OFF-SITE SHIPMENTS

NOTE: *If a SQUWH self-transport 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 ___ RMK# ___
Yes to bulbs.

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 RMK#
19. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)] Yes No N/A RMK#
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 RMK#
- b. Agree to where the shipment will be sent? [3745-273-18(E)(2)] Yes No N/A RMK#
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:
- a. Sending the waste back to the originating handler? [3745-273-18(F)(1)] Yes No N/A RMK#
- 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 RMK#
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 RMK#
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 RMK#

EXPORTS

24. Is waste being sent to a foreign destination? If so: Yes__ No X N/A __ RMK#__
- 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 X RMK#__
- 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 X RMK#__
- c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)] Yes __ No N/A X RMK#__

REMARKS

Name: Agmet Metals, Inc.
ID number:
Inspection date: 06/06/2007

USED OIL INSPECTION CHECKLIST (Short Version)

NOTE: This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.

PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes ___ No N/A ___ RMK# ___

Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes ___ No N/A RMK# ___
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes No N/A ___ RMK# ___
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes ___ No N/A ___ RMK# ___

USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes ___ No N/A ___ RMK# ___
5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes ___ No N/A ___ RMK# ___
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes No N/A ___ RMK# ___
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No N/A ___ RMK# ___

8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes__ No X N/A __RMK#__
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes __ No X N/A __RMK#__
- b. Contained the release? Yes __ No X N/A __RMK#__
- c. Cleaned up and properly managed the used oil and other materials? Yes __ No X N/A __RMK#__
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes__ No X N/A __RMK#__
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes__No X N/A __RMK#__
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes __ No N/A X RMK#__
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes __ No N/A X RMK#__
- c. Are the combustion gases from heater vented to the ambient air? Yes __ No N/A X RMK#__
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes X No N/A __RMK#__

USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] Yes __ No N/A X RMK#__
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes __ No N/A X RMK#__
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes __ No N/A X RMK#__

WASTE EVALUATION

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

Yes ___ No X N/A ___ RMK# ___

G:\WPDOCS\NOV\alside2006usedoilchecklist.wpd

Ohio Environmental Protection Agency
**RCRA SUBTITLE C SITE
 IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to kristina.durnell@epa.state.oh.us
 or mail it to Kristina Durnell, Central Office

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one!) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: OH 986 976 348 Name: AGMET, LLC Website: AGMET1.COM (Optional) Street Address: 7800 medusa street City, Town, or Village: OHWOOD VILLAGE County Name: Cuyahoga State: OH Zip Code: 44146 Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/>
Facility Representative Additional names can be recorded in number 12. Only provide address information if it is different than the site address.	First Name: FRED M. WARREN MI: Last Name: Phone Number: 440 439-7400 Phone Number Extension: 229 E-Mail Address: FWARREN@AGMET1.COM Fax Number: 440-439-7446 Fax Number Extension: Street or P.O. Box: SAME City, Town or Village: State: Zip Code:
Legal Owner And Operator of the Site. Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: Michael AGIN Date Became Owner (mm/dd/yyyy): Owner Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Street or P.O. Box: SAME City, Town or Village: State: Owner Phone #: Name of Site's Operator: Steve Jones Date Became Operator (mm/dd/yyyy): APRIL, 1, 2009 Operator Private <input checked="" type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Street or P.O. Box: SAME City, Town or Village: State: Operator Phone #: United States Zip Code:

VIOLATIONS CITED? Yes No

TYPE OF HANDLER- A MINIMUM OF ONE BOX MUST BE CHECKED

<input checked="" type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator
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TYPE OF REGULATED WASTE ACTIVITY (MARK 'X' IN ALL OF THE APPROPRIATE BOXES)

- | | |
|---|--|
| <input type="checkbox"/> Recycler of Hazardous Waste | <input type="checkbox"/> Exempt boiler and/or Industrial Furnace |
| <input type="checkbox"/> Underground Injection Control Facility | <input type="checkbox"/> Small Quantity On-Site Burner Exemption |
| <input type="checkbox"/> Hazardous Waste Transporter | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | |

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)

(CHECK ALL BOXES THAT APPLY)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste
(accumulates 5,000 kg. or more) | |

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES

- Batteries
- Pesticides
- Mercury containing equipment
- Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

- Used Oil Generator
- Used Oil Transporter
- Used Oil Transfer Facility
- Used Oil Processor
- Used Oil Re-refiner
- Off-Specification Used Oil Burner
- Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
- Used Oil Fuel Marketer to Off-Specification Used Oil Burner

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, U003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

COMMENTS. USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced Yes No Additional Facility Representatives: MICHAEL AGUIRRE, STEVE JONES
 Tanks Yes No Other Comments: UNIVERSAL WASTES ONLY
 Containers Yes No

Name of Inspector(s) _____ Date of Inspection/Time _____
 (mm/dd/yyyy) (hh:mm)

OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Owner, Operator, or an Authorized Representative _____ Name and Title (Print) _____ Date (mm/dd/yyyy) _____

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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |
| 2. | Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)] | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> |

WASTE MANAGEMENT AND LABELING/MARKING

UNIVERSAL WASTE BATTERIES - NO BATTERIES

- | | | |
|----|--|--|
| 3. | Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 5. | Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 6. | If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of hazardous waste? [3745-273-13(A)(3)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| a. | If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-13(A)(3)(a)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| 7. | Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

UNIVERSAL WASTE LAMPS

- | | | |
|----|---|--|
| 8. | Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and 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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 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 releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)] | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> |

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 rule 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility using a hazardous waste manifest.

- | | | |
|-----|--|--|
| 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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
|-----|--|--|

ACCUMULATION TIME		
11.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	If not, is 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Accumulation is defined as date generated or date received from another handler.</i>		
12.	Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)] If yes, describe below: <i>date on box</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
RESPONSE TO RELEASES		
14.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the material released characterized? [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
16.	If the material released is a hazardous waste, was 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 OAC Chapter 3745-52) [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
OFF-SITE SHIPMENTS		
<i>NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.</i>		
17.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	Is the handler aware of DOT requirements for packaging and shipping? If no, make aware of 49 CFR 171-180.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
20.	Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
21.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one of the following</u> :	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Send the waste back to the originating handler or send the shipment to a destination facility (If both the originating and receiving handler agree)? [3745-273-18(F)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
22.	If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
EXPORTS		
23.	Is waste being sent to a foreign destination? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

a.	Does the small quantity handler comply with primary exporter requirements in OAC rules 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Is waste exported only upon consent of the receiving country and in conformance with the U.S. EPA "Acknowledgment of Consent" as defined in OAC rules 3745-52-50 to 3745-52-57? [3745-273-20(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Is a copy of the U.S. EPA "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>