

**Environmental
Protection Agency**

Gov. Kasich, Governor
Gov. Rousey, Lt. Governor
Dana Donnelly, Director

September 14, 2010

Mr. Robert Patton, Engineering Manager
Clamco Packaging Corporation
12900 Plaza Drive
Parma, OH 44130

**RE: CLAMCO PACKAGING CORPORATION, CONDITIONAL EXEMPT SMALL
QUANTITY GENERATOR, COMPLIANCE EVALUATION INSPECTION,
OHD 986 980 175, CUYAHOGA COUNTY, NOTICE OF VIOLATION**

Dear Mr. Patton:

On August 11, 2010, I conducted a hazardous waste compliance evaluation inspection (CEI) of Clamco Packaging Corporation (Clamco) in Parma. The purpose of the inspection was to determine Clamco's compliance with Ohio's hazardous waste laws and regulations found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC).

Thank you for giving me a tour of the operations at Clamco during my inspection. You explained that Clamco manufactures various sizes and types of packaging machines. The manufacturing process may include machining, grinding, sanding, cutting, and milling relatively small parts for the packaging machines. You informed me that most of the larger pieces are manufactured off site. The parts manufactured on-site may be painted using wet or dry techniques. You reported that an air agency inspected your facility approximately eleven years ago and required Clamco to get a paint booth and air permit. At this time, most of the painting is done off-site. There is light assembly conducted on site. Used oil is generated from machine operations. Waste cutting fluid is added to the used oil. Mineral spirits and lacquer thinner are used to clean parts and equipment.

This letter will explain the violations found as well as other general concerns observed and how the violations can be abated and concerns addressed. **Information requested should be provided to me within thirty days of the date of this letter.** Checklists used during the inspection are enclosed. Included in this letter is a list of websites that may be useful to you.

VIOLATIONS

1. **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, you informed me that when fluorescent lamps are replaced at Clamco, the lamps are disposed with the facility's solid waste. Used fluorescent lamps at Clamco have not been evaluated in accordance with OAC rule 3745-52-11 to determine if they are hazardous waste.

Used or spent fluorescent lamps could be hazardous waste because of mercury or other heavy metals they are likely to contain. Before disposal, you must analyze and document that your lamps are not a hazardous waste. Alternatively, you can assume they are hazardous waste and manage and dispose of them properly at a permitted hazardous waste facility. Or, you can manage them as a universal waste by sending them for recycling.

The guidance documents included in the e-mail dated August 13, 2010 provided instructions for managing the spent fluorescent bulbs as universal waste. In summary, a generator of spent lamps or bulbs is required to store the spent lamps in a closed container that is labeled, e.g., "Universal Waste – lamps"; the container must be capable of preventing breakage. You are also required to track the time the lamps are in storage (not to exceed a year) and maintain documentation to confirm the time in storage. Additional information can be found in the guidance document or on the Ohio EPA web page, <http://www.epa.ohio.gov/dhwm/fluorescent.aspx>.

To reiterate, in order to address this violation, Clamco may:

- Submit sufficient documentation, including any analytical work, supporting your determination that the waste is not a hazardous waste; or
- Submit a written commitment to manage these wastes as a universal waste. Include the name of the facility you plan to send your spent lamps to for recycling; or
- Submit a written commitment to manage these wastes as a hazardous waste. Include the name of the permitted facility that you plan to send your spent lamps.

2. OAC rule 3745-52-11. Hazardous waste determination. "Any person who generates a waste.... must determine if that waste is a hazardous waste"

Clamco occasionally does painting as part of their manufacturing operation. You explained that the operator sprays residual paint from the paint guns into the filters of the paint booth. When spent, the filters are dried and eventually discarded with your solid waste. The waste paint from the guns and the filters has not been evaluated in accordance with OAC rule 3745-52-11. Hazardous waste determination.

Review of the material data safety sheets (MSDSs) you provided reveal that several of the paint materials have a flash point less than 140^o Fahrenheit and contain significant amounts of methyl ethyl ketone (MEK). When discarded these paints could be a hazardous waste. To determine if your waste is hazardous due to ignitability (low flash point) or toxicity (MEK concentration), you will need to have a sample analyzed in accordance with OAC rule 3745-52-11. Hazardous waste determination.

Please submit your waste determination with supporting documentation.

3. **OAC rule 3745-52-11. Hazardous waste determination.** "Any person who generates a waste.... must determine if that waste is a hazardous waste"

Clamco uses mineral spirits and lacquer thinner to clean parts and equipment. During the inspection, you said the cleaning materials, when no longer viable, were evaporated. Based on the MSDS information you provided, these cleaning wastes would most likely be hazardous wastes due to ignitability and perhaps toxicity. For more information with regard to this issue, go to www.epa.ohio.gov/portals/32/pdf/GenLetter.pdf.

By evaporating this waste stream, Clamco may be illegally treating and/or disposing of hazardous waste, a violation of **ORC rule 3734.02.(F). Unlawful treatment, storage, disposal, or transportation of hazardous waste,** which states, "No person shall store, treat, or dispose...any hazardous waste except at or to a permitted hazardous waste facility."

Please submit a written waste determination immediately for this waste stream.

4. **OAC rule 3745-279-22 (C)(1). Used oil container labeling.** "Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words, "Used Oil".

One five gallon pail in the machine shop was observed approximately half full of used oil with no label. All containers accumulating used oil must have a label or be clearly marked with the words, "Used Oil".

The guidance document included in the August 13, 2010 e-mail, The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, explains how used oil must be managed on site as well as when sent off-site. The document includes information regarding transportation of the used oil off-site and how it can be recycled. Lists of acceptable used oil transporters and recyclers can be found on the Ohio EPA web site.

Please submit photographs documenting that all containers of used oil are properly labeled.

CONCERNS

Chemicals, such as paint, gasoline, primer, kerosene, and xylene, are currently stored in a chemical storage room at Clamco. During the inspection, you indicated Clamco may relocate and many of the chemicals in the storage area will not be needed. You may be able to recycle some of those chemicals through the Ohio Material Exchange. The internet address was included in the 8/13/10 e-mail. If you are not able to recycle the chemicals, it will be necessary for Clamco to evaluate all the materials to determine if they are a hazardous waste prior to discarding.

You should be able to find the information needed to characterize your waste, as well as how it should be managed, in the Hazardous Waste Generator Handbook that can be accessed via:

http://epa.ohio.gov/portals/32/pdf/gen_handbook.pdf.

Our generator web page may also be of help:
http://epa.ohio.gov/dhwm/generator_requirements.aspx.

Helpful Websites:

You can find Ohio's hazardous waste rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>

Ohio EPA, Division of Hazardous Waste Management has created an electronic news service to provide you with updates related to hazardous waste activities in Ohio. You can find more information and sign up for this free service at the following Web link:

http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscrip tionpage

ENERGY STAR is a government-backed program helping businesses and individuals protect the environment through superior energy efficiency. Their website is at: <http://www.energystar.gov/>

The Ohio Department of Development's Office of Energy Efficiency website at: <http://www.development.ohio.gov/cdd/oeef/>, may be able to help with energy efficiency issues.

Entrepreneurs for Sustainability is a group that seeks to "build a sustainable regional economy in Northeast Ohio that will create prosperity and total community health." They offer workshops, conferences, a business to business directory and more. Their website is at <http://www.e4s.org/content/index.asp>

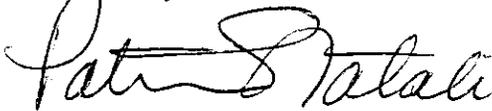
CLAMCO CORPORATION
SEPTEMBER 14, 2010
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Ohio Bureau of Workers' Compensation has an OSHA On-Site Consultation service which includes free on-site safety inspections and consultation, safety program assistance, and safety and hygiene training or seminars. More information can be found at: <http://www.ohiobwc.com/employer/programs/safety/SandHOSHAOnSite.asp>

I have forwarded your request for a pollution prevention (P2) assessment to our main office. You can also contact Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) directly at 800-329-7518 or <http://www.epa.ohio.gov/Default.aspx?alias=www.epa.ohio.gov/ocapp>. OCAPP provides compliance and pollution prevention assistance on environmental issues (including sources of funding) related to air, land, and water.

Thank you for your cooperation with my inspection of Clamco Corporation. Do not hesitate to contact me, (330) 963-1279, if you have any questions with regard to the violations and/or concern listed in this letter.

Sincerely,



Patricia Natali
Environmental Specialist
Division of Hazardous Waste Management

PN:ddw

Enclosure

cc: Marlene Kinney, DHWM, NEDO
ec: Frank Popotnik, DHWM, NEDO
Harry Sarvis, DHWM, CO
Natalie Oryshkewych, DHWM, NEDO
Paula Canter, DHWM, CO

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

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to paula.canter@epa.state.oh.us.

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: OHD 986 980 175 Name: Clamco Corporation Website: www.clamcopackaging.com (Optional) <hr/> Street Address: 12900 Plaza Drive City, Town, or Village: Cleveland (Parma) State: OH County Name: Cuyahoga Zip Code: 44130 <table style="width:100%; border: none;"> <tr> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"><input checked="" type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table>	Private	County	District	Federal	Indian	Municipal	State	Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
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Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Robert MI: J. Last Name: Patton Title: Engineering Manager Phone Number: 216.267.1911 Phone Number Extension: 24 E-Mail Address: rpatton@clamcocorp.com Fax Number: 216.267.8713 Fax Number Extension: Street or P.O. Box: 12900 Plaza Drive City, Town or Village: Parma State: OH Zip Code: 44130
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Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: Mark Goldman Date Became Owner (mm/dd/yyyy): November 2008 <table style="width:100%; border: none;"> <tr> <td style="border: none;">Owner Type:</td> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"><input checked="" type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table> Street or P.O. Box: 1533 Cresant Drive City, Town or Village: Carrollton Owner Phone #: 972.389.0778 State: TX Country: USA Zip Code: 75006 Name of Site's Operator: Audion Automation Date Became Operator (mm/dd/yyyy): November 2008 <table style="width:100%; border: none;"> <tr> <td style="border: none;">Operator Type:</td> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"><input checked="" type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table> Street or P.O. Box: same as above City, Town or Village: Operator Phone #: State: Country: Zip Code:	Owner Type:	Private	County	District	Federal	Indian	Municipal	State	Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Operator Type:	Private	County	District	Federal	Indian	Municipal	State	Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>														
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VIOLATIONS CITED? Yes No

TYPE OF HANDLER - MARK "X" AS APPROPRIATE

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input checked="" 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"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
	<input type="checkbox"/> Receives Hazardous Waste from Off-site

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 Used Oil
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

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, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. 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:
Tanks Yes No
Containers Yes No

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Patricia Natali		08/11/2010 10:40

Comments:
Company rep informed me there are plans to relocate the business before the end of this year.

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Clamco Corporation

Facility Type: CESQG

Date of Inspection: 8/11/10

EPA ID#: OHD986980175

Waste Generated

On- or Off-Site Management

P2 Activities

Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation <small>(container, tank, etc) and location of waste accumulation area</small>	Type of On- Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off- site facility.	Current P2 Activities	P2 Opportunities
1	Painting	Paint booth filters, paint cans, paint sticks, mixing cans; lacquer thinner	Varies, typically less than ten gallons each month	Dry out filters and paint in cans and disposes w/ solid waste	Allied Waste Services	Clamco has been sending parts and equipment off-site for painting. They are currently doing more powder coating on-site
2	Maintenance of machines and equipment	Cutting fluid (non-hazardous), mineral spirits, lacquer thinner, used oil	Varies, typically less than one gallon each month	Allows to evaporate		
3	Replacement of fluorescent lamps	Spent lamps	Varies	Disposal w/ solid waste	Allied Waste Service	Gave company rep information with regard to the proper management of spent fluorescent bulbs. Informed company rep the lamps should be recycled, i.e., managed as universal waste

4	Maintenance and clean-up activities	Rags	Varies	Dried out rags are disposed w/ solid waste	Allied Waste Service	None	Informed company rep about the benefits of using a laundry service
5	Process area	Empty aerosol cans	Varies	Disposal w/ solid waste	Allied Waste Service	None	Provided company rep with fact sheets about management of aerosol cans
6	Computer replacement	Electronic waste	Varies	Storage	Still on site	None	Gave company rep a list of vendors for e-waste
7	Shipping and receiving	Pallets and cardboard	Varies	Storage	Kurtz Brothers	None	Gave company rep a list of vendors for recycling pallets and card board
8	Milling and cutting metals	Scrap metal	Varies	Recycle to a scrap metal dealer	Aaromet Metal Recycling	Recycle metal	

REMARKS-GENERAL INFORMATION

General Process Information: Clamco manufactures packaging machines. They machine, grind, sand, cut, and mill relative small parts for the packaging machines. Some of the larger pieces are manufactured off-site. There are minimal welding activities. The smaller pieces may be painted (wet or dry). Used oil is generated from machine operations as is cutting fluid, mineral spirits, and lacquer thinner. Two lead-acid batteries have been generated in the last 9 years and these were taken to the Lakewood recycling center with alkaline batteries generated. There are no mercury-bearing devices or pesticide used in the day to day operations. An air agency (DAPC?) inspected the facility approximately 11 years ago and required Clamco to get a paint booth and air permit. The inspector informed them they could spray excess paint onto the filters (if any), dry the filters, and then dispose with solid waste.

Regulatory/Enforcement History (if applicable): None found in data base or files

Additional P2 remarks and information:

Would this facility be interested in a P2 assessment? Yes* XX No *If yes, refer promptly to your district P2 coordinator.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS		
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		
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 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 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 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 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 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 type="checkbox"/>
UNIVERSAL WASTE PESTICIDES		
8.	Does the SQUWH prevent releases to the environment by managing pesticides in containers that are closed, structurally sound, compatible with the pesticides, and lack evidence of leakage, spillage, or damage? [3745-273-13(B)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
9.	If the original pesticide container is in poor condition, was it over-packed into an acceptable container? [3745-273-13(B)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
10.	If the pesticide is stored in a tank, are the requirements of rules 3745-66-90 through 3745-66-101, except for paragraph (C) of 3745-66-97; 3745-66-100 and 3745-66-101 of the OAC met? (Use tank checklist) [3745-273-13(B)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
11.	If pesticides are stored in a transport vehicle, is it closed, structurally sound, compatible with the pesticide(s), and does it lack evidence of leakage, spillage, or damage that could cause leakage? [3745-273-13(B)(4)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	Are recalled universal waste pesticides that are in containers, tanks, or transport vehicles labeled with the label that was on or accompanied the product as sold or distributed and labeled with the words "Universal Waste Pesticides" or "Waste Pesticides"? [3745-273-14(B)(1)&(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
13.	Are unused pesticide products that are in containers, tanks, or transport vehicles labeled with either the label that was on the product when purchased (if still legible), the appropriate DOT label, or the designated label prescribed by the pesticide collection program and labeled with the words "Universal Waste Pesticides" or "Waste Pesticides"? [3745-273-14(C)(1)&(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
UNIVERSAL WASTE THERMOSTATS		

Clawco Corp
8/11/10
OHD 986.980.175

14.	Have thermostats that show evidence of leakage, spillage or damage that could cause leaks been contained in a container that is closed, structurally sound, compatible with contents of the thermostats and lacks evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	If the mercury-containing ampules are removed, does the SQUWH: [3745-273-13(C)(2)]	
a.	Remove the ampules in a manner to prevent breakage and is the removal done over or in a containment device? [3745-273-13(C)(2)(a)&(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Have a clean-up system readily available to transfer spilled mercury to another container that meets the requirements of OAC rule 3745-52-34 and is the spilled mercury transferred immediately? [3745-273-13(C)(2)(c)&(d)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Ensure that the area where ampules are removed is well ventilated and monitored in compliance with applicable OSHA exposure levels for mercury? [3745-273-13(C)(2)(e)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Ensure that employees are thoroughly familiar with the proper waste handling and emergency procedures? [3745-273-13(C)(2)(f)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	Ensure that removed ampules are stored in closed, non-leaking containers that are in good condition? [3745-273-13(C)(2)(g)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
f.	Pack removed ampules in containers with packing material to prevent breakage during storage, handling and transportation? [3745-273-13(C)(2)(h)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
16.	When removing mercury containing ampules from thermostats if there are mercury or clean-up residues resulting from spills or leaks, and/or other waste generated (e.g., remaining thermostat units), has it been determined whether those exhibit a characteristic of hazardous waste identified in OAC rules 3745-51-20 to 3745-51-24? [3745-273-13(C)(3)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	If the residues, and/or wastes are characteristic, are they managed in compliance with Chapters 3745-50 through 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code? (The handler is considered the generator of the mercury, residues, and/or other waste and is subject to OAC Chapter 3745-52) [3745-273-13(C)(3)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
17.	Are thermostats or containers of thermostats labeled either "Universal Waste-Mercury Thermostat(s)" or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)"? [3745-273-14(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
UNIVERSAL WASTE LAMPS		
18.	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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
19.	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"/>
<p>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.</p>		
20.	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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

Clamco throws the used lamps in w/ solid waste

ACCUMULATION TIME		
21.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	<i>Does not store</i>	
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>Does not store</i>		
NOTE: Accumulation is defined as date generated or date received from another handler.		
22.	Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	If yes, describe below:	
<i>Does not store</i>		
EMPLOYEE TRAINING		
23.	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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
RESPONSE TO RELEASES		
24.	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"/>
25.	Is the material released characterized? [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
26.	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 type="checkbox"/>
OFF-SITE SHIPMENTS		
NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.		
27.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
28.	Is the handler aware of DOT requirements for packaging and shipping?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	If no, make aware of 49 CFR 171-180.	
29.	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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
30.	Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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"/>
31.	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 checked="" 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)] (this change makes it like the LQUWH checklist)	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
32.	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 checked="" type="checkbox"/>
EXPORTS		

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040 986.980.175

33.	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 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 type="checkbox"/>

**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:

WASTE EVALUATION

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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GENERATOR CLASSIFICATION

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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TREATMENT OF HAZARDOUS WASTE

4.	Does the generator treat hazardous waste in a: <u>No</u>	
	a. Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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.

MIX HAZARDOUS WASTE WITH USED OIL

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

* Will make determination after Clameco submits requested information

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[Facility Name/Inspection Date]
 [ID number]
 CESQG/February 2009
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**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

NOTE: 1. A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

2. Inspectors can check BUSTR's web-site at https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at: https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp.

PROHIBITIONS

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

GENERATOR STANDARDS

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Stopped the release? <i>* Summer 08 stopped activity that resulted in a release of used oil on ground</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Contained the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Cleaned up and properly managed the used oil and other materials?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary? <i>changed procedures</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

w/ did store scrap w/ oil outside in a bin & there was leakage which was cleaned up

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ON-SITE BURNING IN SPACE HEATER		
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	No
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).		
GENERATOR TRANSPORTATION		
11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transported used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	No
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).		
COLLECTION CENTERS AND AGGREGATION POINTS		
13.	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.		

* At the time of the inspection, facility rep stated that no used oil had been shipped off-site

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