OhioEPA
State of Ohio Environmental Protection Agency
Northeast District Office

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

April 30, 2008

RE: HALL CHEMICAL
OHD 004 215 224
LAKE COUNTY
CESQG/RCRA
NOTICE OF VIOLATION

Robert Baker
28960 Lakeland Blvd.
P.O. Box 200
Wickliffe, OH 44092

Dear Mr. Baker:

On April 2 and 3, 2008, Ohio EPA conducted a compliance evaluation inspection of Hall Chemical (Hall) located at 28960 Lakeland Blvd. in Wickliffe, Ohio. The facility resumed regulated operations in November of 2003 after being purchased by Dunagan Acquisition Ltd. Hall is a manufacturer of cobalt and nickel compounds for the chemicals industry and at the time of this inspection qualified as a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste. Hazardous waste streams generated at the facility include off-spec process chemicals and spent paint thinner generated during the clean up and renovation of the facility.

The purpose of this inspection was to determine Hall's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and Ohio Administrative Code ('ORC' and 'OAC' respectively). Hall was represented by you and Dennis Spring while Ohio EPA was represented by me. Ohio EPA's inspection included an inspection of the Hall facility and a review of written documentation.

Based on this inspection, Ohio EPA has determined that Hall has violated the following state hazardous waste regulations:

1. ***OAC Rule 3745-52-11 Hazardous waste determination:*** *Any person who generates a waste in the state of Ohio, as defined in rule 3745-51-02 of the Administrative Code shall determine if that waste is a hazardous waste.*

   At the time of this inspection, Ohio EPA observed the following containers of waste, which the facility was unable to identify the contents or provide documentation as to whether the waste is a hazardous waste:

   A. At least twenty-eight (28) fifty-five gallon containers of spent carbon generated from the solvent extraction process. At the time of this inspection Hall could not produce documentation demonstrating that the facility had characterized this waste to determine if the waste is a hazardous waste.

B. Two (2) fifty-five gallon containers of paint waste, generated during the clean-up of the facility in 2004. MSDS's obtained at the time of this inspection reveal some the paint waste to be a solvent based paint with a flash point of less that 80° F. At the time of this inspection Hall could not produce documentation demonstrating that the facility had characterized this waste to determine if the waste is a hazardous waste.

C. At least ten (10) fifty-five gallon containers of scrap, scale and calcium bearing waste cleaned out of tanks taken out of service. At the time of this inspection Hall could not produce documentation demonstrating that the facility had characterized this waste to determine if the waste is a hazardous waste.

D. At least ten (10) five gallon containers of clean up and paint waste, being accumulated on a pallet outside in the facility "equipment graveyard". At the time of this inspection Hall could not produce documentation demonstrating that the facility had characterized this waste to determine if the waste is a hazardous waste.

E. To the south west of the LUD building, Ohio EPA observed at least five (5) plastic five-gallon containers of what appeared to be old asphalt or roof repair tar. At the time of this inspection Hall could not produce documentation demonstrating that the facility had characterized this waste to determine if the waste is a hazardous waste.

To demonstrate abatement of this violation, Hall must submit to this office, documentation demonstrating that the facility has characterized these wastes to determine if they are hazardous wastes. For waste streams requiring analytical testing, a **representative** sample of the waste must be collected and tested using the Toxicity Characteristic Leaching Procedure (TCLP), test Method 1311 in "Test Methods for Evaluating Solid Waste: Physical/Chemical Methods," U.S. EPA Publication SW-846. Wastes described in Violations #1A, #1B and #1D must also be tested for flashpoint due to the possible presence of volatile organic compounds. Containers of waste described in Violation #1E may be characterized using generator knowledge if relevant process or material information is available and submitted to this office for review.

Hall must submit to this office documentation including, but not limited to:

- A brief narrative regarding how and when each of the wastes were generated and managed.
- A brief narrative on how the sampling was performed and by whom.
- A copy of the analytical data report from the lab performing the analysis.
- A copy of the Chain of Custody (COC).

2. ***OAC 3745-273-13(D)(1) Universal waste lamp management:*** *A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages* ***must remain closed*** *and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.*

   Hall accumulates universal waste lamps generated at the facility to be shipped off site for recycling. At the time of the April 2, 2008 inspection, Ohio EPA observed numerous open containers of Universal Waste lamps (UW lamps) being accumulated in the east office building which is no longer used and referred to as the 'Black Mold Building' (BMB). Some of the lamps were in open boxes while others were not containerized at all. Hall stated that there were at least 100 spent lamps accumulated in the BMB, some of which had been on site for over a year.

   To demonstrate abatement of this violation, please see Violation #5.

3. ***OAC 3745-273-14(E) Labeling/marking of universal waste:*** *Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste- Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."*

   At the time of the April 2, 2008 inspection, Ohio EPA observed the containers being used to accumulate the UW lamps were not labeled with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

   To abate this violation, please see Violation #5.

4. ***OAC 3745-273-15(C) Accumulation time limits for universal waste:*** *A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.*

   At the time of this inspection, Hall stated that there were at least 100 spent lamps some of which had been on site for over a year.

   To abate this violation, please see Violation #5.

5. ***OAC 3745-273-16 Employee Training for Small Quantity handlers of universal waste:*** *A small quantity handler of universal waste shall inform all employees who handle or have responsibility for managing universal waste. The information shall describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.*

   At the time of the April 2, 2008 inspection, Ohio EPA observed poor management of UW lamps. These observations include:

- UW lamps being accumulated outside exposed to weather and risk of breakage.

- Open containers of UW lamps and numerous loose UW lamps being accumulated haphazardly in the BMB in addition to loose UW lamps observed in various locations throughout the facility.

On site discussions with Hall employees combined with observations made at the time of this inspection revealed that employees responsible for the management of universal waste lamps had not received training in proper universal waste management.

To demonstrate abatement of Violations #2, #3, #4 and #5, Hall must submit the following information and documentation to this office:

- Hall must develop a written protocol for the proper management of UW lamps managed at the facility. Employees who manage UW lamps must be trained in this protocol. After receiving said training, employees must sign the written protocol acknowledging the receipt of training on this topic and a copy must be submitted to this office. Guidance regarding proper UW lamp management was provided to you at the time of this inspection.

- Hall must submit a statement regarding how long the UW lamps observed during the April 2, 2008 inspection have been accumulating on site. Hall must containerize the UW lamps, ship the UW lamps off site for recycling and submit documentation to this office demonstrating this has been done.

- Hall must develop a tracking system to enable the facility to track how long the UW lamps are accumulated on site and submit to this office documentation demonstrating how this tracking system will be implemented. This may be in the form of a photograph demonstrating that containers of UW are labeled with an accumulation date or one of the other methods described in the guidance provided to you at the time of this inspection.

- Hall must submit to this office a discussion and photograph demonstrating that the area where the UW was previously being mismanaged has been cleaned up and any broken UW lamps containerized.

Ohio EPA has the following concerns which must be addressed:

1. Hall Chemical reclaims metal bearing compounds from industrial byproducts generated on and off site. The majority of these compounds are stored in containers and super sacks until such time as they can be processed. Many of these containers are stored inside Building IX, while a large number of them are stored outside on pallets. Ohio EPA's inspection of these containers revealed that Hall has significant problems with respect to its container management.

Specifically:

a. At the time of Ohio EPA's previous inspection in 2004, Hall had a significant amount of material on site that was to be reclaimed and processed after the facility started operating full time again. At the time of the April 2, 2008 inspection, Ohio EPA observed a significant amount of this material was still being held in Building IX in the same containers. Many of the containers were beginning to be compromised by the contents, while others were spilling their contents onto the floor. While Hall may claim that the materials are not a waste Ohio EPA is very concerned by the poor management of these metal bearing materials. In addition the poor container condition, the pallets of materials have been stacked in the building in such a way that there is no aisle space or even room to maneuver between containers in order to evaluate them or respond to a spill.

   Ohio EPA recommends that the facility re-evaluate these wastes and place them at a higher priority with respect to reclaiming the metals in them so that they no longer represent a liability for the facility or a threat to the environment. Ohio EPA also recommends that the facility maintain aisle space between the stacks of containers so that a leaking or severely compromised container may be attended to.

   Please submit to this office a detailed discussion regarding this issue including actions to be taken and those that have already been initiated regarding the container management.

b. As referenced above, Hall accumulates numerous containers of metal bearing wastes that are stored outside on pallets waiting processing. Many of the containers used for this purpose are reconditioned or used steel drums that may or may not have plastic liners. At the time of this inspection, Ohio EPA observed that many of the steel containers were in poor condition, showing signs of corrosion or leaking their contents onto the ground or concrete pad.

   Hall does not discharge to a Public Owned Treatment Works (POTW), but instead has applied to renew its NPDES permit to discharge to Lake Erie. At the time of this inspection, Hall did not have a general storm water permit. Ohio EPA wishes to remind Hall to contact Mike Stevens at Ohio EPAs Division of Surface Water to discuss the necessity of the inclusion of storm water management in Halls' NPDES permit renewal.

c. At the time of this inspection, Ohio EPA observed that the drum crusher located next to the maintenance department was leaking oil onto the concrete pad. Ohio EPA instructed you to stop the leak and clean up the release. Hall responded to Ohio EPAs request immediately and instructed employees to fix the leak and clean up any of the released oil.

Please submit to this office a photograph of the area demonstrating that the leaking equipment has been repaired and the release cleaned up. Please include information regarding how the released oil was managed.

Ohio EPA has the following comment:

During the April 2, 2008 inspection, Ohio EPA observed numerous instances of sloppy operations and what appeared to be employee neglect with respect to preventing, responding to or cleaning up spills and releases.

Ohio EPA observed at least three process tanks that had been overfilled resulting in process chemicals spilling down the sides of the tanks and onto the floor. In the case of the LUD building, the lack of an employee's attention to the task at hand resulted in approximately six inches to a foot of liquid on the floor. In the SX Building XIII, Ohio EPA observed leaks that went unattended and very casual handling of the nickel and metal bearing compounds being managed in that building.

Most of these instances involved nickel bearing materials, and while these spills and releases involved process chemicals and not wastes, Ohio EPA wishes to remind the facility that although nickel is not one of the eight RCRA metals, it is a constituent of concern for which there are clean up standards and which USEPA referenced as a basis of listing for a number of listed hazardous wastes. Ohio EPA strongly recommends that the facility train plant personnel to manage these materials with more care and attention in order to reduce the potential for spills and to respond to releases expediently.

Enclosed you will find checklists completed at the time of the inspection. Please submit all requested documentation to my attention within thirty (30) days of receipt of this letter demonstrating that all issues have been addressed.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (*i.e.* source reduction). For those wastes and pollutants that are generated, the second is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment and improve your public image by implementing pollution prevention programs. The Office of Compliance Assistance and Pollution Prevention provides compliance and pollution prevention assistance on environmental issues related to air, land and water. Their web site is: http://www.epa.state.oh.us/opp/ocapp.html.

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 have not 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.

Failure to list specific deficiencies in this communication does not relieve Hall from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve Hall from liability for any past or present violations of the state's hazardous waste laws.

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,

Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

Enclosure

cc: Natalie Oryshkewych, DHWM, NEDO, OEPA
Mike Stevens, DSW, NEDO, OEPA
Dan Bogoevski, DSW, NEDO, OEPA

ec: Frank Popotnik, DHWM, NEDO, OEPA
Harry Sarvis, DHWM, CO, OEPA

E-mail this completed form to tammy.mcconnell@epa.state.oh.us or mail it to Tammy McConnell, Central Office

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

For Ohio EPA use only

2. Site EPA ID No.

EPA ID Number: OHD004215224

3. Site Name

Name: Hall Chemical Corporation **Website (optional:)**

4. Site Location Information

Street Address: 28960 Lakeland Blvd

City, Town, or Village: Wickliffe **State:** OH

County Name: Lake **Zip Code:** 44092

5. Site Land Type (check only one)

Private	County	District	Federal	Indian	Municipal	State	Other
X							

6. NAICS code(s) www.census.gov/epcd/www/naics.html

A. **B.**

C. **D.**

7. Facility Legal Representative: Additional names can be recorded on number 12.

First Name: Robert **MI:** G **Last Name:** Baker

Phone Number: 440-944-8500 **Phone Number Extension:**

E-Mail Address: Rbaker@hallchem.com

Fax Number: **Fax Number Extension:**

Only provide address information if this is different than the site address.

Street or P.O. Box:

City, Town or Village:

State: **Country:** **Zip Code:**

8. 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.

A. Name of Site's Legal Owner: **Date Became Owner (mm/dd/yyyy):** 09/10/2003

Dunagan Acquisitions

Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other
	x							

Street or P.O. Box: 600 E. Exchange St.

City, Town, or Village: Akron **Owner Phone #:**

State: Ohio **Country:** **Zip Code:** 44306

B. Name of Site's Operator: **Date Became Operator (mm/dd/yyyy):** 09/10/2003

Same as above

Operator Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other

Street or P.O. Box:

City, Town, or Village: **Operator Phone #:**

State: **Country:** **Zip Code:**

9. Violations Cited? [X] Yes [ ] No

10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)

[ ] **Not Regulated**

A. Hazardous Waste Activities

(choose only one of the following categories)

[ ] **UNKNOWN**: Cited for violation of 3745-52-11

[ ] 3. Treater, Storer or Disposer of Hazardous Waste

[ ] 4. Recycler of Hazardous Waste

9. Violations Cited? [X] Yes [ ] No

[ ] a. Large Quantity Generator (LQG):
[ ] b. Small Quantity Generator (SQG)
[X] c. Conditionally Exempt Small Quantity Generator
[ ] d. United States Importer of Hazardous Waste
[ ] e. Mixed Waste (hazardous and radioactive) Generator

B. Universal Waste Activities

[X] 1. Small Quantity Handler of Universal Waste

(Indicate types of universal waste generated and/or accumulated (check all boxes that apply):

	Generated	Accumulated
A. Batteries	[ ]	[ ]
B. Pesticides	[ ]	[ ]
C.Thermostats	[ ]	[ ]
D. Lamps	[X]	[X]

[ ] 2. Large Quantity Handler of Universal Waste

(accumulates 5,000 kg or more).

[ ] 3. Destination Facility for Universal Waste

(Check all boxes below that apply for each of the three types of facilities above.)

[ ] 5. Exempt Boiler and/or Industrial Furnace
[ ] a. Small Quantity On-site Burner Exemption
[ ] b. Smelting, Melting, Refining Furnace Exemption
[ ] 6. Underground Injection Control Facility
[ ] 7. Hazardous Waste Transporter

C. Used Oil Activities

[ ] 1. Used Oil Generator
2. Used Oil Transporter Indicate Type(s) of Activity(ies)
[ ] Transporter
[ ] Transfer Facility
3. Used Oil Processor and/or Re-refiner
Indicate Type(s) of Activity(ies)
[ ] Processor
[ ] Re-refiner
[ ] 4. Off-Specification Used Oil Burner
5. Used Oil Fuel Marketer -
Indicate Type(s) of Activity(ies)
[ ] a. Marketer Who Directs Shipment of Off- Specification Oil
[ ] b. Used Oil to Off-Specification Used Oil Burner

11. Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, 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.

D001	D002					

12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

N	Announced ?	Additional Facility Representatives:	Dennis Spring, Plant Mgr.
N	Tanks?	Other comments:	
Y	Containers?		

13. Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)
Suzanne Prusnek DHWM/NEDO		04/02/2008 & 04/03/2008

14. 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)

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 ☐ No ☒ N/A ☐

GENERATOR CLASSIFICATION

2. Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")] Yes ☑ No ☒ N/A ☐

*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 ☑ No ☐ N/A ☐

TREATMENT OF HAZARDOUS WASTE

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

NOTE: Complete appropriate checklist for each unit.

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

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

REMARKS

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 ✓ RMK#___

   d. Regenerated used batteries? — Yes___ No___ N/A ✓ RMK#___

   e. Disassemble them into individual batteries or cells? — Yes___ No___ N/A ✓ RMK#___

   f. Remove batteries from consumer products? — Yes___ No___ N/A ✓ RMK#___

   g. Remove the electrolyte from the battery? — Yes___ No___ N/A ✓ 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 ✓ 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 ✓ 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 ✓ 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 ✓ 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 ☐ N/A ✓ RMK#___

UNIVERSAL WASTE LAMPS

8. Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)] — Yes ___ No ☑ N/A ___ 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)] — Yes ___ No ☑ N/A ___ RMK#___

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-transports waste, then they must comply with the Universal Waste transporter requirements.

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

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 <u>one of the following</u>:

    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: Yes ___ No ❑ N/A ✓ RMK#___

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 ✓ 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 ✓ 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 ✓ 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 ✓ RMK#___

REMARKS