



State of Ohio Environmental Protection Agency

**Northeast District Office**

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

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

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

April 30, 2007

Ken Henline  
Manager, Quality, Safety and Environmental  
Erico International, Inc.  
34600 Solon Road  
Solon, OH 44139

**RE: ERICO PRODUCTS, INC., OHD037288875, CUYAHOGA COUNTY, RCRA/CESQG  
COMPLIANCE EVALUATION INSPECTION, NOTICE OF VIOLATION**

Dear Mr. Henline:

On March 22, 2007 Ohio EPA's Division of Hazardous Waste Management (DHWM) conducted a compliance evaluation inspection of Erico Products, Inc. (Erico Products) located at 31700 Solon Road in Solon, Ohio. Erico Products is a manufacturer of mechanical and electrical fasteners and a division of Erico International, Inc. Erico Products qualified as Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste at the time of this inspection. Waste streams generated at the facility include used oil, spent quench oil, cutting oils and universal waste lamps.

The purpose of this inspection was to determine Erico Products' compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and Ohio Administrative Code ("ORC" and "OAC" respectively). Erico Products was represented by you, John Ruppe and Norm Majba while Ohio EPA was represented by me. Ohio EPA's inspection included an inspection of the Erico Products facility and a review of written documentation. Ohio EPA also documented portions of the inspection using digital photography.

Based on this inspection, Ohio EPA has determined that Erico Products has violated at least the following state hazardous waste regulations:

1. **Ohio Revised Code (ORC) § 3734.02(F) Causing A Hazardous Waste To Be Transported To An Unpermitted Facility and associated violations of OAC rules:**
  - A. On October 14, 2003 Erico Products caused one drum containing a listed hazardous waste (F001, D040) to be transported to Vexor Technology, Inc. (Vexor Technology) in Medina, Ohio. In doing so, Erico Products violated ORC § 3734.02 (F) which states in part that no person shall dispose of or cause to be transported, hazardous waste, except at or to, a permitted hazardous waste treatment, storage, and/or disposal (TSD) facility. Vexor Technology is not a permitted TSD facility. Additionally, Erico Products violated OAC rule 3745-52-11 (Hazardous waste determination).

The original shipment of waste consisted of twelve drums designated as non-regulated material and described as "oils" per the waste profile (Vexor profile #4337). Based upon a records review conducted at Vexor Technology it was determined that one drum in the shipment was found to contain a chlorinated solvent and rejected. The container of hazardous waste was returned to the Erico Products facility via Emerald Environmental Services on November 14, 2003. Erico determined that the rejected drum contained used oil contaminated with Trichloroethylene (TCE). On November 14, 2003 Erico Products shipped the rejected drum of contaminated oil (D040, F001) off-site to Chemicals Solvents for disposal.

At the time of this inspection, Erico stated that the source of the TCE which contaminated the used oil was a drum of solvent bought without company authorization and any remaining TCE was shipped off site with the drum of contaminated used oil to Chemical Solvents for disposal. No further action regarding this violation is required at this time.

2. **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.*

A. Erico Products generates spent quench oil from a metal heat treating process. The spent quench oil is accumulated in a 500 gallon decant tank and shipped off-site to American Ultra Specialties for recycling. A sludge is drained from the bottom of the quench oil decant tank and shipped off-site as non-hazardous to Vexor Technology in Medina Ohio. At the time of the March 22, 2007 inspection, Erico could not demonstrate that the spent quench oil sludge had been properly characterized to determine whether it is hazardous for metals.

To demonstrate abatement of this violation, Erico Products must submit to this office documentation demonstrating that the spent quench oil sludge has been appropriately characterized. 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. Note, this waste need only be tested for the eight RCRA metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver). Erico Products must submit to this office documentation including, but not limited to:

- A brief narrative regarding how the waste is 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).

In addition, if the spent quench oil sludge is shipped off site for disposal, Erico Products must submit to this office documentation regarding said shipment including bills of lading, hazardous waste manifests and Land Disposal Restriction (LDR) forms.

B. Erico Products generates a grinding waste that is accumulated in a dust collector unit (baghouse and fifty-five gallon drum) located in the mezzanine of the production area. At the time of the March 22, 2007 inspection, Erico Products could not provide documentation to demonstrate that the grinding waste had been properly characterized to determine if it is a hazardous waste.

To demonstrate abatement of this violation, Erico Products must submit to this office documentation demonstrating that the grinding waste has been appropriately characterized. 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. Note, this waste need only be tested for the eight RCRA metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver). Erico Products must submit to this office documentation including, but not limited to:

- A brief narrative regarding how the waste is 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).

In addition, if the grinding waste is shipped off site for disposal, Erico Products must submit to this office documentation regarding said shipment including bills of lading, hazardous waste manifests and Land Disposal Restriction (LDR) forms.

3. **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.*

Erico Products accumulates universal waste lamps generated at the facility to be shipped off site for recycling. At the time of the March 22, 2007 inspection, Ohio EPA observed one open container of Universal Waste lamps (UW lamps) being accumulated in the mezzanine.

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

4. **OAC 3745-273-14(E) Labeling/marketing 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 March 22, 2007 inspection, Ohio EPA observed that the container being used to accumulate the UW lamps was 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.

5. **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, Erico Products did not have a system for demonstrating how long the UW lamps had been onsite.

To demonstrate abatement of Violations #3, #4 and #5, Erico Products will submit to this office documentation in the form of a photograph demonstrating that the UW lamps are being managed in containers that are kept closed and properly labeled per OAC 3745-273-14(E). Furthermore, Erico must develop a tracking system for demonstrating how long the UW lamps have been accumulated on site and submit to this office documentation demonstrating that this has been done.

6. **OAC 3745-273-15(A) Accumulation time limits for universal waste:** *A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated, or received from another handler, unless the requirements of paragraph (b) of this rule are met.*

Upon inquiry by Ohio EPA as to how long the UW lamps had been on site, Erico Products stated that the UW lamps had have been on site for "a couple of years". Erico Products has therefore, accumulated UW lamps on site in excess of one year.

To demonstrate abatement of this violation, Erico Products will ship the UW lamps offsite immediately and submit documentation to this office demonstrating that this has been done.

7. **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 March 22, 2007 inspection, Ohio EPA observed that Erico Products employees responsible for the management of universal waste lamps had not received training in proper universal waste management.

Erico Products must develop a written protocol for the proper management of UW managed at the facility. Employees who manage UW 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 universal waste management can be found on-line at:

[http://www.epa.state.oh.us/dhwm/pdf/New\\_Universal\\_Waste\\_Guidance.pdf](http://www.epa.state.oh.us/dhwm/pdf/New_Universal_Waste_Guidance.pdf)

8. **OAC 3745-279-22(C)(1) Used oil storage requirements for generators:** *Containers and aboveground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil."*

A. Erico Products generates used oil from equipment maintenance which is sent off-site for recycling. At the time of the March 22, 2007 inspection, Ohio EPA observed at least two containers of used oil that were not labeled with the words "Used Oil". Upon being informed of the used oil labeling requirements, Erico Products immediately labeled the containers of used oil with the words "Used Oil". Ohio EPA therefore considers this violation abated.

B. Erico Products also generates spent coolant, spent quench oil and spent quench oil sludge which the facility sends off-site for recycling. Ohio EPA informed the facility that each of these spent materials meet the definition of used oil. At the time of the March 22, 2007 inspection, Erico Products was not labeling the spent coolant and quench oil and sludge with the words "Used Oil" while on site waiting to be shipped off-site for recycling.

To demonstrate abatement of this violation, Erico Products must submit to this office documentation in the form of photographs demonstrating that containers of these used oils have been labeled with the words "Used Oil". Furthermore, if Erico Products has a contract (tolling arrangement) for the recycling and return of the spent quench oil, a copy of said contact must be submitted to this office.

Ohio EPA has the following concern that must be addressed.

1. Erico Products has made changes to the on-site Waste Water Treatment Unit (WWTU). However, the facility has failed to submit an updated Permit to Install (PTI) for the current WWTU. Ohio EPA discussed this with you at the time of this inspection and advised you to contact Donna Kniss, Ohio EPA's Division of Surface Water (DSW) Pretreatment Coordinator. You may contact her at (330) 963-1285 or by e-mail at: [Donna.Kniss@epa.state.oh.us](mailto:Donna.Kniss@epa.state.oh.us)

Enclosed you will find copies of the checklists completed at the time of the inspection. Please submit all of the 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 Erico Products from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve Erico Products 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

Enclosures

ec: Frank Popotnik, DHWM, NEDO, OEPA  
Harry Sarvis, DHWM, CO, OEPA  
cc: Natalie Oryshkewych, DHWM, NEDO, OEPA

E-mail this completed form to <a href="mailto:tammy.mcconnell@epa.state.oh.us">tammy.mcconnell@epa.state.oh.us</a> or mail it to Tammy McConnell, Central Office	<b>Ohio Environmental Protection Agency</b> <b>RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM</b>		For Ohio EPA use only																						
2. Site EPA ID No.	<b>EPA ID Number:</b> OHD037288875																								
3. Site Name	<b>Name:</b> Erico Products, Inc.		<b>Website (optional):</b>																						
4. Site Location Information	<b>Street Address:</b> 31700 Solon Road																								
	<b>City, Town, or Village:</b> Solon		<b>State:</b> OH																						
	<b>County Name:</b> Cuyahoga		<b>Zip Code:</b> 44139																						
5. Site Land Type (check only one)	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td>X</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>				Private	County	District	Federal	Indian	Municipal	State	Other	X												
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6. NAIICS code(s) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	<b>A.</b>		<b>B.</b>																						
	<b>C.</b>		<b>D.</b>																						
7. Facility Representative:  Additional names can be recorded in number 12.  Only provide address information if it is different than the site address.	<b>First Name:</b> Ken		<b>MI:</b>	<b>Last Name:</b> Henline																					
	<b>Phone Number:</b> 440-528-3704			<b>Phone Number Extension:</b>																					
	<b>E-Mail Address:</b> khenline@erico.com																								
	<b>Fax Number:</b>			<b>Fax Number Extension:</b>																					
	<b>Street or P.O. Box:</b> 34600 Solon Road																								
	<b>City, Town or Village:</b> Solon																								
	<b>State:</b> OH		<b>Country:</b>		<b>Zip Code:</b> 44139																				
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.	<b>A. Name of Site's Legal Owner:</b>  Erico International, Inc.		<b>Date Became Owner (mm/dd/yyyy):</b>																						
	<b>Owner Type:</b> Mark with an X	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td>X</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>								Private	County	District	Federal	Indian	Municipal	State	Other	X							
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	X																								
	<b>Street or P.O. Box:</b>																								
	<b>City, Town, or Village:</b> Solon		<b>Owner Phone #:</b>																						
	<b>State:</b> OH		<b>Country:</b>		<b>Zip Code:</b> 44139																				
	<b>B. Name of Site's Operator:</b>  Erico Products, Inc.		<b>Date Became Operator (mm/dd/yyyy):</b>  February 27, 2001																						
	<b>Operator Type:</b> Mark with an X	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>Private</td> <td>County</td> <td>District</td> <td>Federal</td> <td>Indian</td> <td>Municipal</td> <td>State</td> <td>Other</td> </tr> <tr> <td>X</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>								Private	County	District	Federal	Indian	Municipal	State	Other	X							
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<b>City, Town, or Village:</b>		<b>Operator Phone #:</b>																							
<b>State:</b>		<b>Country:</b>		<b>Zip Code:</b>																					
9. Violations Cited?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No																							
10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)																									

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

**A. Hazardous Waste Activities**

(choose only one of the following categories)

- UNKNOWN: Cited for violation of 3745-52-11
- a. Large Quantity Generator (LQG):
- b. Small Quantity Generator (SQG)
- c. Conditionally Exempt Small Quantity Generator
- d. United States Importer of Hazardous Waste
- e. Mixed Waste (hazardous and radioactive) Generator

- 3. Treater, Storer or Disposer of Hazardous Waste
- 4. Recycler of Hazardous Waste
- 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

**B. Universal Waste Activities**

- 1. Small Quantity Handler of Universal Waste  
(Indicate types of universal waste generated and/or accumulated (check all boxes that apply):
- 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.)

Generated      Accumulated

A. Batteries	<input type="checkbox"/>	<input type="checkbox"/>
B. Pesticides	<input type="checkbox"/>	<input type="checkbox"/>
C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>
D. Lamps	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

**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.

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:	John Ruppe
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		03/22/2007 / 08:50

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)

## 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  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  N/A  RMK# \_\_\_
- b. Contained the release? Yes \_\_\_ No  N/A  RMK# \_\_\_

- c. Cleaned up and properly managed the used oil and other materials? Yes \_\_\_ No  N/A  RMK# \_\_\_
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes \_\_\_ No  N/A  RMK# \_\_\_
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes \_\_\_ No \_\_\_ 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  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  RMK# \_\_\_
- c. Are the combustion gases from heater vented to the ambient air? Yes \_\_\_ No  N/A  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  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  RMK# \_\_\_
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes \_\_\_ No  N/A  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  RMK# \_\_\_

**WASTE EVALUATION**

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

C:\Documents and Settings\SPrusnek\My Documents\Folder\Inspection stuff\USED OIL.SHORT.11.2004.fin.megaset.wpd

**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? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_  
[3745-273-15(A)] If not:
- 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-transportes 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 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: 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**

**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**

- 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**