



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

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

Re: Tenneco - Clevite Elastomers  
OHD 022 969 653  
Erie County  
Notice of Violation

September 14, 2007

Mr. Bill King, EHS Engineer  
Tenneco - Clevite Elastomers  
33 Lockwood Road  
Milan, Ohio 44846

Dear Mr. King:

Thank you for accompanying Kara Reynolds and me during the May 2, 2007, hazardous waste compliance evaluation inspection (CEI) of Tenneco located at 33 Lockwood Road, Milan, Ohio. This inspection was conducted to determine Tenneco's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC), and Ohio's hazardous waste regulations as adopted under Chapter 3745. of the Ohio Administrative Code (OAC). The inspection included a tour of facility operations and a review of facility paperwork. This letter will explain the violations I found, what you need to do to correct these violations, one area of concern, what you need to do to satisfy this area of concern, and pollution prevention information.

Tenneco is a rubber manufacturer. Tenneco stated they are operating as a large quantity generator of hazardous waste. Hazardous wastes generated at the facility include mixed acids/zinc phosphate waste (D002), mixture of dry chemicals from rubber mixing operations (P205, U190, U244), dilute/phosphoric acid (D002), aerosol cans (D001), solvent from parts washer (D039), and caustic liquid (D002). However, based on the CEI, Tenneco's hazardous waste generation status is unknown (see violation number 1 below). Other wastes generated at the facility include fluorescent light bulbs and used oil.

During the CEI, I provided you with the following Ohio EPA fact sheets: Universal Waste Rules for Handlers of Lamps - December 2004; The Regulation of Used Oil: An Overview for Ohio Businesses, Used Oil Generators and a U.S. EPA document entitled Hazardous Waste Requirements for Large Quantity Generators. Please let me know if you have any questions pertaining to this information.

I found the following violations of Ohio's hazardous waste laws. In order to correct the following violations you must send me the required information **within 30 days** of your receipt of this letter:

1. **Waste Evaluation.**  
**OAC Rule 3745-52-11**

Any person who generates a waste must determine if that waste is a hazardous waste in accordance with the criteria for hazardous waste as set forth in Chapter 3745-51 of the Administrative Code.

A.) Tenneco failed to properly evaluate its parts washing solvent.

Mr. Bill King  
September 14, 2007  
Page Two

Based on your waste evaluation you have determined that your parts washing solvent is a D039 waste. This waste evaluation is based on information you received from Safety-Kleen (SK). On May 23, 2007, I discussed with you that this information is data that SK has collected from all of their customers and generically applied to all generators of this waste stream. This is not reflective of the waste that you generate in your facility. In addition, it does not appear that you have evaluated your waste for metals.

Tenneco must conduct a proper waste evaluation of this waste stream. The waste evaluation can be conducted by one of two options: 1) Tenneco may take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. Tenneco must sample for any reasonable characteristics that would be expected to be in this waste stream as listed in OAC Rule 3745-51-24 following the methods as outlined in U.S. EPA's SW-846, or 2) Tenneco must apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation (Material Safety Data Sheets, ingredient labels, etc.).

- To abate this violation, Tenneco must submit the analytical information or the documentation for generator knowledge to me.

B.) Tenneco failed to adequately evaluate their mixture of waste dry chemicals from the rubber mixing operations.

Tenneco is currently disposing of this waste stream as a hazardous waste for the waste codes P205, U190, and U244. Based on the P205, this would make this waste stream an acute hazardous waste. Tenneco generated 2016 pounds of this waste stream between 1-9-07 and 3-22-07, well above the upper limit of 2.2 pounds of acute hazardous waste allowance generated per month, thus making Tenneco a large quantity generator of hazardous waste. Upon discussing this with you, you stated that you place all the waste dry chemicals from the rubber mixing operations in the same drum and that you were not sure if your company still utilized the material Ziram (upon disposal P205) and / or actually how much of this particular waste material is generated per month. We discussed one possible option is segregating the P waste stream from the rest of your waste so that all of your waste does not become P-listed.

Tenneco must conduct a proper waste evaluation of this waste stream. The waste evaluation can be conducted by one of three options: 1) Tenneco may take a representative sample of this waste to properly evaluate this waste stream through a laboratory analysis which lists constituents present and at what concentration. Tenneco must sample for any reasonable characteristics that would be expected to be in this waste stream as listed in OAC Rule 3745-51-24 following the methods as outlined in U.S. EPA's SW-846, or 2) Tenneco must apply generator knowledge of the hazardous characteristic(s) of the waste in light of the materials or the processes used through adequate documentation (Material Safety Data Sheets, ingredient labels, etc.). In addition, Tenneco must determine any listed waste codes or P or U codes as listed in OAC Rule 3745-51-30 through 3745-51-33, or 3) a combination of one and two.

- To abate this violation, Tenneco must submit the analytical information or the documentation for generator knowledge to me. Tenneco shall also submit a management plan of how they will manage this waste stream (whether they will segregate this waste stream, etc.). Please explain if your facility still utilizes Ziram and if so, how often. If your facility does not still utilize Ziram, please explain when Tenneco stopped using it, etc.

Mr. Bill King  
September 14, 2007  
Page Three

I have enclosed the fact sheet entitled Use of Generator Knowledge In Complying with OAC rule 3745-52-11 Hazardous Waste Evaluation which you may find useful.

If you perform sampling, Ohio EPA will use the data you provide, in addition to other documentation, to make regulatory decisions concerning the wastes tested. The data you submit should be reviewed using a data review process, referred to as data validation, to confirm the validity of your data prior to submission. Data validation includes a review of the following components: laboratory test methods, laboratory data completeness, documentation of holding time(s), chain(s) of custody, and quality assurance/quality control (QA/QC) data. To confirm the validity of your data, you may use Ohio EPA's tier 1 data validation plan review form which can be obtained from Ohio EPA's web page:

[http://www.epa.state.oh.us/dhwm/tier\\_i\\_data\\_validation\\_manual.html](http://www.epa.state.oh.us/dhwm/tier_i_data_validation_manual.html). Ohio EPA may request the documentation needed to confirm the validity of the data submitted.

Please submit a brief narrative of each sampling event which includes: process generating the waste, point in the process the sample was obtained, sampling techniques used to obtain the sample and a description of how this sample was determined to be a representative sample of the waste tested.

*In addition, if sampling is performed, please notify me at least seven days prior to taking the samples so that I or an Ohio EPA representative may be present.*

***Tenneco shall note that based on a proper waste evaluation and / or segregation of the waste P205, Tenneco may be a small quantity generator of hazardous waste or an episodic large quantity generator, at most.***

***In addition, note that based on the outcome of this waste evaluation, Tenneco's compliance with other appropriate generator standards will be summarized in a future letter.***

2. **Waste management - standards for small quantity handlers of universal waste (lamps).  
OAC Rule 3745-273-13 (D) (1)**

A small quantity handler of universal waste must manage lamps in a way that prevents releases of any universal waste or component of a universal waste to the environment by containing lamps in containers or packages and such containers must remain closed.

Tenneco was storing 14 fluorescent bulbs not in a container. In addition, two cardboard boxes of used lamps were open.

To abate this violation, Tenneco must submit photograph documentation to me indicating all bulbs are in closed containers.

3. **Waste management - Labeling/marketing standards for small quantity handlers of universal waste (lamps).  
OAC Rule 3745-273-14 (E)**

A small quantity handler of universal waste must label or mark a container or package with such lamps with one of the following phrases: "Universal Waste-Lamps", or "Waste Lamps", or "Used Lamps".

Mr. Bill King  
September 14, 2007  
Page Four

Tenneco failed to mark two boxes of used lamps with the proper label.

To abate this violation, Tenneco shall submit to me photograph documentation of all containers of bulbs marked with a proper label.

**Area of Concern:**

**1. Containers containing acute hazardous waste.**

According to OAC Rule 3745-51-07 (B) (3), a container that has held an acute hazardous waste is considered empty if the container or inner liner has been triple rinsed with an appropriate cleaner, cleansed by another equivalent method, or if the inner liner (if present) has been removed.

I did not inquire as to how your facility manages the containers that hold the P205 hazardous waste. Please note that if your facility triple rinses these containers that all rinseate would need to be properly evaluated.

To satisfy this area of concern, please submit a brief outline of your management practices for these containers.

**Pollution Prevention information:**

- Tenneco recycles their used oil with PSC and recycles their fluorescent bulbs with US Industrial Technologies. I suggested to you during the CEI that you may wish to contact your current parts washing solvent company (Safety-Kleen) about eligibility to participate in their solvent continued use program. In addition, we discussed Tenneco recycling their aerosol cans. Please consult the websites I emailed to you on 5-17-07, pertaining to recycling and management of aerosol cans. These are both possible options for reduction of your facility's hazardous waste generation.
- Most importantly if you determine that your facility no longer generates P205 or you can successfully segregate this waste stream from your U code waste streams you may be able to significantly reduce your regulatory burden.

If you find other ways to recycle, reduce, or altogether eliminate the amount of waste that your company generates you may be able to reduce treatment and disposal costs. Furthermore, you may possibly reduce your regulatory requirements. Ohio EPA has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>.

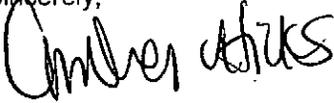
The Division of Hazardous Waste Management (DHWM) has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link <http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

Enclosed you will find a copy of the checklists that I completed during the inspection. Please address all correspondence to Amber Hicks, Ohio EPA, 347 N. Dunbridge Road, Bowling Green, Ohio 43402. Should you have any questions, please feel free to call me at (419) 373-3082.

Mr. Bill King  
September 14, 2007  
Page Five

You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Sincerely,



Amber M. Hicks  
Division of Hazardous Waste Management

/lb

Enclosures

pc: Colleen Weaver, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO

~~DHWM, NWDO File: Clevite Elastomers - Tenneco (w/ original checklists)~~

ec: Amber Hicks, DHWM, NWDO

**NOTICE:**

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

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

For Ohio EPA use only

E-mail this completed form to  
[tammy.mcconnell@epa.state.oh.us](mailto:tammy.mcconnell@epa.state.oh.us) or mail it to Tammy  
 McConnell, Central Office

2. Site EPA ID No.	EPA ID Number: OHD 022 969 653								
3. Site Name	Name: Tenneco - Clevite Elastomers				Website: (Optional)				
4. Site Location Information	Street Address: 33 Lockwood Road								
	City, Town, or Village: Milan				State: OH				
	County Name: Erie				Zip Code: 44846				
5. Site Land Type (check only one)	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
6. NAICS code(s) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>									
7. Facility Representative  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: Bill		MI:	Last Name: King					
	Phone Number: 419-499-6269				Phone Number Extension:				
	E-Mail Address: bking@tenneco.com								
	Fax Number: 419-499-4149				Fax Number Extension:				
	Street or P.O. Box:								
	City, Town or Village:			State:		Country: USA		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	Name of Site's Legal Owner:				Date Became Owner (mm/dd/yyyy):				
	Owner Type:	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Street or P.O. Box:								
	City, Town or Village:			State:		Owner Phone #:		Zip Code:	
	Name of Site's Operator:				Date Became Operator (mm/dd/yyyy):				
	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Street or P.O. Box:								
	City, Town or Village:			State:		Operator Phone #:		Zip Code:	
9. Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)									
<input type="checkbox"/> Not Regulated				<input type="checkbox"/> Conditionally Exempt Small Quantity Generator					
<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11				<input type="checkbox"/> United States Importer of Hazardous Waste					
<input type="checkbox"/> Large Quantity Generator (LQG)				<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator					
<input type="checkbox"/> Small Quantity Generator (SQG)									
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace					
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste				<input type="checkbox"/> Small Quantity On-Site Burner Exemption					
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption					
<input type="checkbox"/> Underground Injection Control Facility									

10B. Universal Waste Activities (Indicate types of universal waste managed (check all boxes that apply))					
<input checked="" type="checkbox"/> <b>Small Quantity Handler of Universal Waste</b>		<input type="checkbox"/> <b>Large Quantity Handler of Universal Waste</b> (accumulates 5,000 kg. or more)			
<input type="checkbox"/> <b>Destination Facility for Universal Waste</b>					
Check all boxes below that apply for each of the three types of facilities above		10C. Used Oil Activities (Indicate Type(s) of Activity(ies))			
	<b>Managed</b>	<input checked="" type="checkbox"/> <b>Used Oil Generator</b>	<input type="checkbox"/> <b>Off-Specification Used Oil Burner</b>		
<b>Batteries</b>	<input type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Transporter</b>	<input type="checkbox"/> <b>Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil</b>		
<b>Pesticides</b>	<input type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Transfer Facility</b>	<input type="checkbox"/> <b>Used Oil Fuel Marketer to Off-Specification Used Oil Burner</b>		
<b>Mercury containing equipment</b>	<input type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Processor</b>			
<b>Lamps</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/> <b>Used Oil Re-refiner</b>			
11. 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 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.					
<b>D001</b>	<b>D002</b>	<b>D039</b>	<b>P205</b>	<b>U190</b>	<b>U244</b>
12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.					
<b>Announced</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Additional Facility Representatives:</b> Terry Youngerman		
<b>Tanks</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Other Comments:</b> Unknown if an LQG, episodic generator (LQG), or SQG. Cited for 52-11 and will evaluate generator status based on response.		
<b>Containers</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			
13. Name of Inspector(s)		Name of Inspector(s)		Date of Inspection/Time (mm/dd/yyyy) (hh:mm)	
Amber Hicks		Kara Reynolds		5/7/2007 10:04-14:45	
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)	

## PROCESS, WASTE, P2 SUMMARY SHEET

**Facility Name:** Tenneco - Clevite Elastomers **Facility Type:** (unknown cited for 52-11) **Date of Inspection:** 5-2-07 **EPA ID#:** OHD 022 969 653

Waste Generated			On- or Off-Site Management		P2 Activities		
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities	
1	Lab waste	mixed acids/zinc phosphate waste/D002	Generally generate once or twice a year on limited basis - 2240 lbs.		EQ Detroit- MI	NA	NA
2	Mixing of rubber ingredients	mixture of dry chemicals from rubber mixing operations/U190, U244, P205	~ 3 drums		EQ Detroit- MI	None	Suggested facility segregate out acute waste (P205), rather than commingling all dry wastes thus only manage this small portion as acute. Facility may reduce waste to enough to be a SQG.
3	Metal Cleaning - cleaning out of tank	cilute/phosphoric acid/D002	14,270 lbs. (tank only cleaned out once or twice a year)		General Environmental Mgmt. - Ohio		
4	General Maintenance	Aerosol cans /D001	112 lb (per year)		Petro-Chem Processing Group - MI		Suggested recycled. Gave aerosol can recycling and management info.

5	General maintenance/cleaning	solvent from parts washer/D039	15 gallons		Safety-Kleen - IL		Suggested facility inquire about continued use and/or re-evaluate waste to determine if haz based on their own analytical.
6	Clean conventional molds	caustic liquid/D002	50 lb (only generated once a year - tank clean-out)		Petro-Chem Processing Group - MI		
7	Lighting	fluorescent light bulbs	?		US Industrial Technologies, Inc. - MI	Recycled.	
8	Hydraulics	Used oil	?		US Industrial Technologies, Inc. - MI	Recycled.	
9							

### REMARKS-GENERAL INFORMATION

**General Process Information:**

**Regulatory/Enforcement History** (if applicable):

**Additional P2 remarks and information:**

Would this facility be interested in a P2 assessment? Yes\*      No X      \*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](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html)

**Other:**

# 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 X 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 X RMK# \_\_\_
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes  No X 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 X 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 X 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 X 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 X 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 X 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 X 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 X No  N/A \_\_\_ RMK# \_\_\_
- b. Contained the release? Yes X 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# 1

G:\Compliance letters\LQG\Tenneco.used.oil.wpd

**REMARKS**

1 - Tenneco failed to have adequate waste evaluation documentation for the mixture of dry chemicals from rubber mixing operations (P205, U190, U244).

**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  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 LAMPS\*\*\***

3. 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#\_1\_\_\_
4. 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#\_\_\_
5. 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#\_2\_\_\_

**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**

6. 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.*

7. 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# 3

### EMPLOYEE TRAINING

8. 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], spillage, or damage? [3745-273-13(B)(1)]

Yes  No  N/A \_\_\_ RMK# \_\_\_

### RESPONSE TO RELEASES

9. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]

Yes  No  N/A \_\_\_ RMK# \_\_\_

10. Is the material released characterized? [3745-273-17(B)]

Yes  No  N/A \_\_\_ RMK# \_\_\_

11. If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)]

Yes  No  N/A \_\_\_ RMK# \_\_\_

### OFF-SITE SHIPMENTS

**NOTE:** *If a SQUWH self-transport waste, then they must comply with the Universal Waste transporter requirements.*

12. 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.*

13. 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# \_\_\_
14. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)] Yes  No  N/A \_\_\_ RMK# \_\_\_
15. 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# \_\_\_
16. If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following:
- a. Sending the waste back to the originating handler? [3745-273-18(F)(1)] Yes  No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)] Yes  No \_\_\_ N/A \_\_\_ RMK# \_\_\_
17. 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# \_\_\_
18. 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

19. 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

1. Whirlpool was storing lamps and two ballasts on the shelf in their "satellite lamp area". Thus, these lamps were not in a container that was closed. Four lamps were not in a closed container in the hazardous waste storage area. They were also just being stored loose. In addition, six boxes of lamps in the hazardous waste storage area were contained, but not closed.
2. Whirlpool failed to mark their used lamps in their "satellite lamp area" with a proper label.
3. Facility shows lamps off-site w/in a year through waste disposal receipts.