



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: Michael Byrne Manufacturing
Richland County
DHWM, NWDO
Notice of Violation
Complaint 2836**

January 29, 2009

Mr. Jim Weist
Michael Byrne Manufacturing
P.O. Box 444
Mansfield, Ohio 44901

Dear Mr. Weist:

Thank you for accompanying Ed Pulido and me during the Ohio Environmental Protection Agency's (Ohio EPA's) January 8, 2009, complaint investigation and compliance evaluation inspection of Michael Byrne Manufacturing's (MBM's) facility located at 1855 Earthboring Road, Mansfield, Ohio. I investigated an alleged complaint that MBM disposes of paint, paint thinner, and tar on the ground. I also inspected MBM to determine its compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). During the inspection, I helped you identify ways to prevent pollution by reducing waste.

This letter will explain the violations I found, what you need to do to correct the violations, other general concerns I have, what you need to do to respond to my general concerns, and the pollution prevention opportunities I identified.

MBM manufactures horizontal auger boring machines. Approximately five machines are produced per year. At the time of the inspection, MBM was a conditionally exempt small quantity generator of hazardous waste. MBM's only hazardous waste stream is paint related waste. However, MBM generates used oil and spent lamps as well.

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

Violations:

- OAC Rule 3745-52-11, Hazardous Waste Determination:** "Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste..."

MBM failed to evaluate the following waste streams to determine if they were a hazardous waste in accordance with OAC Rule 3745-52-11, prior to sending them off site: a) spent lamps, b) paint chips from the paint building filtration system, c) used oil contaminated material, and d) spent sandblasting material.

In order to abate this violation, MBM must do the following and submit the requested information to Ohio EPA **within 30 days of receipt of this letter**.

- a. Spent Lamps-MBM failed to have waste evaluation documentation or an established recycling plan in place for all fluorescent lamps generated at the facility.

MBM must immediately cease disposing of the fluorescent lamps as non-hazardous waste until a proper waste evaluation has been completed. Fluorescent lamps typically contain mercury and other heavy metals which could make them a hazardous waste. Hazardous waste lamps are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps.

Within 30 days of receipt of this letter, MBM must choose one of the following options and submit to Ohio EPA the requested information as documentation to demonstrate how MBM plans to properly manage the fluorescent lamps: **1)** If MBM decides to manage the lamps as a waste, then MBM will need to sample each type and brand of lamp at the facility using a Toxicity Characteristic Leaching Procedure (TCLP) test for Resource Conservation and Recovery Act (RCRA) metals. MBM must then submit all analytical results to Ohio EPA along with a summary describing whether the spent lamps are a hazardous waste or non-hazardous waste and how the spent lamps will be managed. **2)** The other alternative is that MBM can begin to manage all spent lamps as universal waste. If MBM chooses this option, then MBM must submit a summary that outlines how the spent lamps will be managed as universal waste and where they will be shipped. MBM must also submit photographic documentation that the containers used to store the spent lamps are all closed and have the proper labels and accumulation start dates located on them. Ohio EPA recommends that spent lamps be managed as a universal waste and recycled.

It should also be noted that even though green tipped lamps or "environmentally friendly" lamps are sometimes guaranteed by the manufacturers to pass a TCLP test, more information is needed to dispose of these lamps as solid waste. Most manufacturers base this guarantee on the amount of mercury contained in the lamp.

Without analytical results showing a representative sample of these lamps passing the TCLP test for ALL RCRA metals (mercury, cadmium, lead, etc.), these lamps cannot be disposed of as solid waste. Spent lamps can contain other RCRA metals such as cadmium and lead which could be above the hazardous waste limits.

For more information the following fact sheets have been enclosed:
Universal Waste Rules for Handlers of Lamps, dated June 2005;
Fluorescent Lamps: What You Should Know, dated January 2007;
Computer, Fluorescent Lamp and Ballast Recyclers, dated July 2008; and
Universal Waste, dated December 2004.

- b. Paint Chips from the Paint Building Filtration System-MBM conducts all painting inside a special building. This building has a filtration system that filters the air through a large fan before reaching the outside. The paint particles in the air are deposited into a cardboard box outside of the building. These chips are then disposed of via the local landfill.

MBM failed to evaluate the paint chips prior to disposal to determine if this waste is a hazardous waste.

In order for MBM to determine whether the paint chips exhibit any hazardous waste characteristics, MBM must obtain a chemical analysis of a representative sample of the paint chips. MBM will need to contract the services of an environmental laboratory to analyze this material. MBM must at least determine the concentrations of the RCRA metals and volatile organic compounds (VOCs) in the waste.

As a screening tool, MBM has the option of analyzing the paint chips for total RCRA metals and total VOCs. However, based on the results of these tests, a TCLP test for RCRA metals and TCLP test for VOCs may also be required.

Based on the results of the analytical tests, MBM shall label the container(s) appropriately and dispose of the waste at a proper disposal facility.

MBM shall submit the analytical results indicating the proper evaluation of the paint chips and appropriate manifest documents or shipping papers indicating proper disposal of the paint chips. The results must document if the waste is hazardous or not and, if hazardous, whether it is restricted from land disposal. If the waste is hazardous, MBM must explain what treatment, storage, or disposal facility the waste will be sent to.

If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

Please notify me at least five days prior to taking the sample(s) so that I may be present.

It should also be noted that there is evidence around the cardboard box on the ground and on the side of the building that not all of the paint is captured in the box. If this waste is hazardous waste, then MBM may need to clean up the area contaminated with paint on the outside of the building.

For more information, the fact sheet titled Handling Paint Waste from Your Business, dated August 2000, has been enclosed.

- c. Used Oil Contaminated Material-MBM generates used oil contaminated material from the cleanup of used oil spills. The used oil contaminated material is disposed of via the local landfill.

MBM failed to evaluate the used oil contaminated material prior to disposal to determine if this waste is a hazardous waste.

In order for MBM to determine whether the used oil contaminated material exhibits any hazardous waste characteristics, MBM must obtain a chemical analysis of a representative sample of the used oil contaminated material. MBM will need to contract the services of an environmental laboratory to analyze this material. MBM must at least determine the concentrations of the RCRA metals in the waste.

As a screening tool, MBM has the option of analyzing the used oil contaminated material for total RCRA metals. However, based on the results of this test, a TCLP test for RCRA metals may also be required.

Based on the results of the analytical test, MBM shall label the container(s) appropriately and dispose of the waste at a proper disposal facility.

MBM shall submit the analytical results indicating the proper evaluation of the used oil contaminated material and appropriate manifest documents or shipping papers indicating proper disposal of the used oil contaminated material. The results must document if the waste is hazardous or not and, if hazardous, whether it is restricted from land disposal. If the waste is hazardous, MBM must explain what treatment, storage, or disposal facility the waste will be sent to.

If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

Please notify me at least five days prior to taking the sample(s) so that I may be present.

For more information, the fact sheet titled The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, dated April 2006, has been enclosed.

- d. Spent Sandblasting Material- MBM generates sand from the stationary sandblasting machine approximately once every year.

MBM failed to evaluate the sandblasting material prior to disposal to determine if this waste is a hazardous waste.

In order for MBM to determine whether the spent sand exhibits any hazardous waste characteristics, MBM must obtain a chemical analysis of a representative sample of the spent sand. This sample should be taken once the sand is spent and ready to be changed. MBM will need to contract the services of an environmental laboratory to analyze this material. MBM must at least determine the concentrations of the RCRA metals in the waste.

As a screening tool, MBM has the option of analyzing the spent sand for total RCRA metals. However, based on the results of this test, a TCLP test for RCRA metals may also be required.

Based on the results of the analytical tests, MBM shall label the container(s) appropriately and dispose of the waste at a proper disposal facility.

MBM shall submit the analytical results indicating the proper evaluation of the spent sand and appropriate manifest documents or shipping papers indicating proper disposal of the spent sand. The results must document if the waste is hazardous or not and, if hazardous, whether it is restricted from land disposal. If the waste is hazardous, MBM must explain what treatment, storage, or disposal facility the waste will be sent to.

If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

Please notify me at least five days prior to taking the sample(s) so that I may be present.

Since the spent sand from this machine is only generated approximately once a year, it could potentially be an extended period of time before the sand is spent and ready to be evaluated. **If the sand will not be generated within the next month, then MBM can abate this violation by sending in a written description of how the sand will be evaluated the next time it is generated.**

MBM should include who will take the sample of the sand, how the waste will be sampled, what analyses the sample will be evaluated for, and the name, address, and phone number of the laboratory that will analyze the sample. MBM must also include an approximation of when the waste will be generated so that Ohio EPA can check that it has properly been evaluated in the future.

General Concerns:

- A. **Paint Building Filtration System:** As discussed during the inspection, Ohio EPA's Division of Hazardous Waste Management (DHWM) does not have jurisdiction over the paint particles that are being released to the air via the paint building filtration system. This area is regulated by the Division of Air Pollution Control (DAPC). DHWM has notified DAPC concerning the paint building filtration system. DAPC will contact MBM in the future to discuss this system in more detail.

Ohio EPA will issue an EPA ID number to track our inspection activity at MBM. MBM cannot use this number for manifesting hazardous waste shipments. If MBM wants to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, MBM must complete and submit a Notification of Regulated Waste Activity form (EPA Form 9029 (Rev. 11/2002)) to Ohio EPA. This form is available on our Web page at <http://www.epa.state.oh.us/dhwm/notiform.html> or MBM can call the Division of Hazardous Waste Management, Central Office, RIS at (614) 644-2977 and a copy will be sent through the mail.

As we discussed during the inspection, you may be able to reduce the waste your company generates. If you find 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. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>. If you would like to be considered for an in-depth on-site pollution prevention assessment, or if you would like more information about pollution prevention assessments, please contact me at (419) 373-3065.

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

Enclosed you will find a copy of the checklists that were completed during the inspection. Should you have any questions, please feel free to call me at (419) 373-3065. You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Mr. Jim Weist
January 29, 2009
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Please send all correspondence **within 30 days of receipt of this letter** to Ohio EPA, Northwest District Office, Attn: Kara Reynolds, 347 North Dunbridge Road, Bowling Green, Ohio 42402.

Sincerely,

Kara Reynolds

Kara Reynolds
Environmental Specialist
Division of Hazardous Waste Management

/llr

Enclosure

pc: Colleen Weaver, DHWM, NWDO
Kara Reynolds, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
Tom Cikotte, DAPC, NWDO
DHWM, NWDO Richland County File: Richland-Gounty General 2001E7

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 kristina.durnell@epa.state.oh.us
or mail it to Kristina Durnell, Central Office

Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: Name: Michael Byrne Manufacturing		Website: (Optional)						
	Street Address: 1855 Earthboring Road City, Town, or Village: Mansfield County Name: Richland		State: OH Zip Code: 44901						
	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"/>	
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Jim		MI:	Last Name: Weist		Phone Number Extension:			
	Phone Number: 419-525-1214			E-Mail Address: jweist@byrnegear.com		Fax Number Extension:			
	Fax Number: 419-525-2386			Street or P.O. Box: P.O. Box 444		City, Town or Village: Mansfield			
	City, Town or Village: Mansfield			State: Ohio		Zip Code: 44901			
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 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 #: Country: Zip Code:				
	Name of Site's Operator:				Date Became Operator (mm/dd/yyyy):				
Operator 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 #: United States Zip Code:					

VIOLATIONS CITED? Yes No

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

<input type="checkbox"/> Not a HW Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
		<input type="checkbox"/> Small Quantity Generator (SQG)
		<input type="checkbox"/> Conditionally Exempt Small Quantity Generator
		<input type="checkbox"/> U.S. Importer of Hazardous Waste
		<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)	
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Underground Injection Control Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))	
<input type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Destination Facility for Universal Waste
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES	
<input type="checkbox"/> Batteries	
<input type="checkbox"/> Pesticides	
<input type="checkbox"/> Mercury containing equipment	
<input type="checkbox"/> Lamps	

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))	
<input checked="" type="checkbox"/> Used Oil Generator	
<input type="checkbox"/> Used Oil Transporter	
<input type="checkbox"/> Used Oil Transfer Facility	
<input type="checkbox"/> Used Oil Processor	
<input type="checkbox"/> Used Oil Re-refiner	
<input type="checkbox"/> Off-Specification Used Oil Burner	
<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil	
<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner	

Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, 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 RCRA Info source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.			
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments:
Containers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Kara Reynolds	Ed Pulido	1/8/2009 11:05 AM

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: Michael Byrne Manufacturing Facility Type: CESQG Date of Inspection: 01-08-2009 EPA ID#:

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 Machine Maintenance	Used Oil	Drums		Heritage-Crystal Clean.	Recycle	
2 Maintenance	Spent Lamps	Minimal		Local Landfill		Recycle
3 Spill cleanup	Used Oil Contaminated Material	Minimal Drums		Local Landfill		
4 Painting	Paint Chips	Cardboard Box Outside of Paint Building		Local Landfill		
5 Sandblasting	Spent Sand	Minimal		Local Landfill		
6 Painting	Paint related waste	Less than 55 gallons per year		Giant Resource Recovery, SC		

7							
8							
9							

REMARKS, GENERAL INFORMATION

General Process Information:

See Letter

Regulatory/Enforcement History (if applicable):

N/A

Additional P2 remarks and information:

N/A

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

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

Other:

N/A

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤ 100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.
 LQG: ≥1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

WASTE EVALUATION

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

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A. <input type="checkbox"/>
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NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

OFF-SITE SHIPMENT OF HAZARDOUS WASTE

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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TREATMENT OF HAZARDOUS WASTE

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

NOTE: Complete appropriate checklist for each unit.

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

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

**USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

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

PROHIBITIONS

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

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

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

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

GENERATOR STANDARDS

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

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

5.	Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

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

ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Is the heater designed to have a maximum capacity of not more than	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	0.5 million BTU per hour?	
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>		
GENERATOR TRANSPORTATION		
11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).</i>		
COLLECTION CENTERS AND AGGREGATION POINTS		
13.	Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.</i>		