



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: OH0 000 028 621
Newman Technology, Inc.
Richland County
Hazardous Waste
Notice of Violation

April 3, 2007

Mr. Andy Pfeiffer, Coordinator
Environmental Health and Safety
Newman Technology, Inc.
100 Cairns Road
Mansfield, Ohio 44903

Dear Mr. Pfeiffer:

Thank you for accompanying Chris Maslo and me during Ohio EPA's January 26, 2007, inspection of Newman Technology, Inc. (NTI) located at 100 Cairns Road in Mansfield, Ohio. I inspected NTI 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). My inspection included observations of your company's operations and a review of written documentation.

NTI is an automotive supplier to Honda Manufacturing. NTI manufactures exhaust systems, chrome moldings and door sashes. NTI generated hazardous bag house (Torit System) dust from its welding operation (D007), waste paint and solvent related materials (D001, D007, D035, F003, F005), bag house filters (D007), paint booth filters (D007), waste acid (D002); used oil and universal waste lamps. NTI is a large quantity generator of hazardous waste.

I 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 your receipt of this letter.

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

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.

- a) During the inspection you stated that you are currently crushing the waste fluorescent light bulbs before disposal. You added that you took two samples of the crushed bulbs before disposal. The samples were analyzed for mercury. You failed to have the samples analyzed for lead and cadmium, two contaminants of concern for this waste.

To abate this violation, NTI must take representative samples of the bulbs prior to crushing. If spent bulbs are not available at this time, NTI must wait until spent bulbs are available. The samples shall be analyzed for Resource Conservation and Recovery Act (RCRA) metals: lead, cadmium and mercury. Toxicity Characteristic Leaching Procedure (TCLP) must be obtained to ensure these constituents are not present above Ohio EPA regulatory levels.

Ohio EPA will use the analytical 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 at 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.

If the bulbs are determined to be hazardous through a proper waste evaluation, NTI will have to manage their bulbs either as 1) a universal waste (OAC Chapter 3745-273) or 2) as a hazardous waste under Ohio's generator standards (OAC Chapter 3745-52). NTI may recycle their bulbs if they are hazardous or non-hazardous. Ohio EPA would encourage this option as a pollution prevention alternative and NTI may choose to select this option as a cost saving measure prior to sampling.

- b) NTI failed to take an adequate number of samples to properly characterize the spent filter waste stream.

To abate this violation, NTI must take representative samples of the paint filter waste. The samples shall be analyzed for RCRA metals. TCLP must be obtained to ensure these constituents are not present above Ohio EPA regulatory levels.

2. OAC Rule 3745-52-42(A)(1)&(2): Exception Report

A large quantity generator of hazardous waste who does not receive a copy of the manifest with the handwritten signature of the owner or operator of the designated facility within thirty-five days of the date the waste was accepted by the initial transporter shall contact the transporter and/or the owner or operator of the designated facility to determine the status of the hazardous waste.

- a) **3745-52-42(A)(1)**: NTI failed to contact the transporter and/or the Treatment, Storage and Disposal (TSD) facility within 35 days when it did not receive return copies of the completed manifests numbers MI 7501683 and 0559.
- b) **3745-52-42(A)(2)**: In addition, NTI did not file exception reports to Ohio EPA within 45 days when it did not receive the return copies of the same manifests stated above.

On February 16, 2007, NTI submitted signed copies of the missing manifests and the related exception reports sent on February 10, 2007. These violations have been abated.

3. OAC Rule 3745-65-16(D)(1)&(2): Personnel Training - Record Keeping

The owner or operator must maintain the following documents and records at the facility:

- (1) The job titles for each position at the facility related to hazardous waste management and the name of the employee filling each job.

- (2) A written job description for each position listed above.
- a) **3745-65-16(D)(1):** NTI failed to maintain the job titles of each job related to hazardous waste management.
- b) **3745-65-16(D)(2):** NTI failed to maintain written job descriptions for employees involved in the management of hazardous waste.

To abate this violation, NTI must develop a list of employees directly involved in the management of hazardous waste to include employees' names, job titles and job descriptions. A copy of the list must be sent to me.

4. OAC Rule 3745-65-16(C): Personnel Training - Refresher Training

Facility personnel must take part in an annual review of the initial training required by OAC Rule 3745-65-16(A)(1).

NTI failed to conduct refresher training on an annual basis (every twelve months or less).

To abate this violation, NTI must conduct refresher training to bring the employees up-to-date and submit a copy of the attendance sheet to me.

5. OAC Rules 3745-65-51(A)&(B); 3745-65-52(A), (B), (C), (D), (E) and (F); 3745-65-53(A)&(B); and 3745-65-55 - Contingency Plan

A facility shall have a contingency plan which will be implemented during an emergency. The contingency plan must describe the actions personnel will take during an emergency, describe arrangements with responders, list the emergency contact and related information, list emergency equipment and include an evacuation plan. A copy of the contingency plan must be maintained at the facility and submitted to entities that may be required to provide emergency services. A facility must have a designated emergency coordinator who is familiar with all aspects of the contingency plan, available to respond to an emergency and has the authority to commit the resources needed to implement a contingency plan.

NTI has violated all the applicable rules associated with the contingency plan requirements as follows:

- (a) 3745-65-51(A) The facility does not have a contingency plan.
- (b) 3745-65-51(B) By not having a contingency plan, the facility is unable to implement such a plan during a fire, explosion or release of hazardous waste.
- (c) 3745-65-52(A) The facility does not have a plan that describes actions the personnel must take.
- (d) 3745-65-52(B) The facility has a SPCC plan that has not been amended to incorporate hazardous waste management provisions.

- (e) 3745-65-52(C) The facility does not have a contingency plan that describes arrangements agreed to by local police departments, fire departments, hospitals, contractors, Ohio EPA and local emergency responders.
- (f) 3745-65-52(D) The facility does not have a contingency plan that lists the names, addresses and phone numbers of persons qualified to act as emergency coordinator.
- (g) 3745-65-52(E) The facility does not have a contingency plan that lists emergency equipment.
- (h) 3745-65-52(F) The facility does not have a contingency plan that includes an evacuation plan.
- (i) 3745-65-53(A) The facility does not maintain a contingency plan.
- (j) 3745-65-53(B) The facility has not submitted a contingency plan to all local police departments, fire departments, hospitals, Ohio EPA and local emergency response teams that may be requested to provide emergency services.
- (k) 3745-65-55 The facility did not designate an emergency coordinator.

To abate this violation, NTI must prepare a contingency plan and submit a copy to this office for review. This plan must include all the contents to demonstrate compliance with this rule. NTI must maintain a contingency plan at its facility and submit such plan to agencies or organizations that may be required to provide emergency services. NTI must designate an emergency coordinator and identify this person in its contingency plan. The contingency plan must demonstrate compliance with this rule.

6. **Rule 3745-52-34(C)(1)(b): Accumulation time of hazardous waste - Satellite Accumulation - Labeling**

A generator which accumulates hazardous waste at or near the point of generation must mark his container either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

NTI failed to properly label several satellite accumulation containers both inside and outside of the paint booths.

To abate this violation, NTI must properly label the above mentioned containers and provide to me photographic documentation that it has been done.

7. **OAC Rule 3745-52-34(A)(2): Use & Management of Containers - Dating**

The date upon which each period of accumulation and/or treatment begins is clearly marked and visible for inspection on each container.

NTI failed to write the date accumulation of hazardous waste started on the labels on containers collecting the hazardous waste dust (D007) from the Torit System. NTI stated that it has treated these containers as satellite accumulation.

According to 3745-52-35(C)(1), a generator may accumulate as much as fifty-five gallons of hazardous waste or one quart of acutely hazardous waste in containers at or near the point of generation where waste originally accumulates, which is under the control of the operator of the process generating the waste. The area in question does not comply with any of the highlighted points. Therefore, the accumulation area underneath the Torit System is not considered a satellite accumulation area.

To abate this violation, NTI must immediately start regarding this area as a 90-day accumulation area and comply with all regulations that apply. Photographic documentation showing that all containers have been properly dated must be submitted to me.

8. OAC Rule 3745-66-73(A): Use & Management of Containers - Storage

A container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.

NTI failed to have two five-gallon containers inside the paint booth closed at all times except when waste is being added to them. NTI stated that the containers must be kept opened to allow the automatic paint robotic arm to discharge the solvent while it is flushing during paint changes. This is not acceptable.

To abate this violation, NTI must modify its current painting operation to keep the five-gallon containers closed at all times except when waste is being put into them. NTI must submit to me a written explanation of the changes.

9. OAC Rule 3745-66-74: Use & Management of Containers - Inspections

The owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary.

NTI failed to conduct inspections of hazardous waste accumulation areas which included the areas mistakenly considered satellite accumulation underneath the Torit Systems and the 90-day accumulation areas.

To abate this violation, NTI must conduct weekly inspections (every 7 days or fewer) of the hazardous waste accumulation areas and record such inspections in an inspection log or summary. A copy of the inspection log or summary (for eight weeks worth of inspections) must be sent to me.

10. OAC Rule 3745-273-13(D)(1): Storage of waste lamps

A small quantity handler of universal waste must contain lamps in containers that are closed, structurally sound, compatible with the contents of the lamps and lack evidence of leakage, spillage or damage. For more specific information, refer to the following document that was given to you during the inspection: Universal Waste Rules for Handlers of Lamps, June 2005.

NTI failed to keep the storage containers of the universal waste lamps closed.

To abate this violation, NTI must close containers of spent lamps and submit photographic documentation to me showing that this has been done.

11. **OAC Rule 3745-273-14(E): Labeling of waste lamp storage containers**

A small quantity handler of universal waste must label the container or package in which such lamps are contained with one of the following phrases: "Universal Waste Lamp(s)," "Waste Lamp(s)" or "Used Lamp(s)."

NTI failed to label the universal waste lamp containers storing the spent lamps.

To abate this violation, NTI must properly label the containers of spent lamps. Submit photographic documentation to me showing that this has been done.

12. **OAC Rule 3745-273-15(A): Accumulation of waste lamps - Time limits**

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 requirement is necessary to facilitate its proper recovery, treatment or disposal.

NTI accumulated universal waste lamps longer than twelve months.

To abate this violation, NTI must send a detailed explanation of how it is planning to meet the twelve-month accumulation limit.

13. **OAC Rule 3745-273-15(C): Accumulation of waste lamps - Record Keeping**

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.

NTI failed to have a method to determine how long the waste was accumulated.

To abate this violation, NTI must include a statement in the response letter to me stating how you are planning to fulfill this requirement in the future.

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 information with your colleagues.

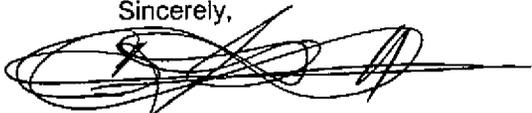
As we discussed during the inspection, you may be able to reduce the waste your company generates. If you find ways to recycle, reduce or altogether eliminate the amount of waste that your company generates, you may be able to reduce your treatment and disposal costs. Thus, you may possibly reduce your regulatory requirements. NTI is currently recycling scrap metal, paper and plastic. Ohio EPA has helpful information about pollution prevention at www.epa.state.oh.us/ocapp/ocapp.html.

Mr. Andy Pfeiffer
April 3, 2007
Page Seven

Enclosed you will find a copy of the checklists that were completed during the inspection. You can find copies of the rules and other information on the division's web page at www.epa.state.oh.us/dhwm.

Should you have any questions or if I can be of assistance, please contact me at (419)373-3015.

Sincerely,



Edgar V. Pulido
Division of Hazardous Waste Management

/cs

Enclosures

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, DHWM, NWDO
DHWM, NWDO File - Newman Technology, Inc. (New)

ec: John Pasquarette, DHWM, NWDO
Ed Pulido, DHWM, NWDO

<p>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.</p>

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

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

For Ohio EPA use only

2. Site EPA ID No.	EPA ID Number: OHO 000 028 621							
3. Site Name	Name: Newman Technology, Inc.						Website (optional):	
4. Site Location Information	Street Address: 100 Cairns Road							
	City, Town, or Village: Mansfield				State: OH			
	County Name: Richland				Zip Code: 44903			
5. Site Land Type (check only one)	Private	County	District	Federal	Indian	Municipal	State	Other
	<input checked="" type="checkbox"/>							
6. NAICS code(s) www.census.gov/epcd/www/naics.html	A. 336399			B.				
	C.			D.				

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: Andy		MI:	Last Name: Pfeiffer		
	Phone Number: 419-525-1856			Phone Number Extension: 287		
	E-Mail Address: apfeiffer@newmantech.com					
	Fax Number: 419-524-1965			Fax Number Extension:		
	Street or P.O. Box:					
	City, Town or Village:					
	State: Ohio		Country:		Zip Code:	

8. Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page.	A. Name of Site's Legal Owner:			Date Became Owner (mm/dd/yyyy):					
	Tolson Enterprises			02/15/1985					
	Owner Type:	Private	County	District	Federal	Indian	Municipal	State	Other
	Mark with an X	<input checked="" type="checkbox"/>							
	Street or P.O. Box: 6591 West Central Avenue								
	City, Town, or Village: Toledo			Owner Phone #: 419-843-6015					
	State: Ohio			Country: USA		Zip Code: 43617			
	B. Name of Site's Operator:			Date Became Operator (mm/dd/yyyy):					
	Operator Type:	Private	County	District	Federal	Indian	Municipal	State	Other
	Mark with an X	<input checked="" type="checkbox"/>							
Street or P.O. Box:									
City, Town, or Village:			Operator Phone #:						
State:			Country:		Zip Code:				

9. Violations Cited?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)

Not Regulated

A. Hazardous Waste Activities																
(choose only one of the following categories)																
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> 3. Treater, Storer or Disposer of Hazardous Waste															
<input checked="" type="checkbox"/> a. Large Quantity Generator (LQG):	<input type="checkbox"/> 4. Recycler of Hazardous Waste															
<input type="checkbox"/> b. Small Quantity Generator (SQG)	<input type="checkbox"/> 5. Exempt Boiler and/or Industrial Furnace															
<input type="checkbox"/> c. Conditionally Exempt Small Quantity Generator	<input type="checkbox"/> a. Small Quantity On-site Burner Exemption															
<input type="checkbox"/> d. United States Importer of Hazardous Waste	<input type="checkbox"/> b. Smelting, Melting, Refining Furnace Exemption															
<input type="checkbox"/> e. Mixed Waste (hazardous and radioactive) Generator	<input type="checkbox"/> 6. Underground Injection Control Facility															
B. Universal Waste Activities	C. Used Oil Activities															
<input checked="" type="checkbox"/> 1. Small Quantity Handler of Universal Waste (Indicate types of universal waste generated and/or accumulated (check all boxes that apply):	<input checked="" type="checkbox"/> 1. Used Oil Generator															
<input type="checkbox"/> 2. Large Quantity Handler of Universal Waste (accumulates 5,000 kg or more).	<input type="checkbox"/> 2. Used Oil Transporter Indicate Type(s) of Activity(ies)															
<input type="checkbox"/> 3. Destination Facility for Universal Waste (Check all boxes below that apply for each of the three types of facilities above.)	<input type="checkbox"/> Transporter															
	<input type="checkbox"/> Transfer Facility															
	<input type="checkbox"/> 3. Used Oil Processor and/or Re-refiner															
	Indicate Type(s) of Activity(ies)															
	<input type="checkbox"/> Processor															
	<input type="checkbox"/> Re-refiner															
	<input type="checkbox"/> 4. Off-Specification Used Oil Burner															
	<input type="checkbox"/> 5. Used Oil Fuel Marketer -															
	Indicate Type(s) of Activity(ies)															
	<input type="checkbox"/> a. Marketer Who Directs Shipment of Off- Specification Oil															
	<input type="checkbox"/> b. Used Oil to Off-Specification Used Oil Burner															
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align:center"><u>Generated</u></th> <th style="text-align:center"><u>Accumulated</u></th> </tr> </thead> <tbody> <tr> <td>A. Batteries</td> <td style="text-align:center"><input type="checkbox"/></td> <td style="text-align:center"><input type="checkbox"/></td> </tr> <tr> <td>B. Pesticides</td> <td style="text-align:center"><input type="checkbox"/></td> <td style="text-align:center"><input type="checkbox"/></td> </tr> <tr> <td>C. Thermostats</td> <td style="text-align:center"><input type="checkbox"/></td> <td style="text-align:center"><input type="checkbox"/></td> </tr> <tr> <td>D. Lamps</td> <td style="text-align:center"><input checked="" type="checkbox"/></td> <td style="text-align:center"><input checked="" type="checkbox"/></td> </tr> </tbody> </table>			<u>Generated</u>	<u>Accumulated</u>	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"/>
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A. Batteries	<input type="checkbox"/>	<input type="checkbox"/>														
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C. Thermostats	<input type="checkbox"/>	<input type="checkbox"/>														
D. Lamps	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>														

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.

F003					
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12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

<u>Y / N</u>	Announced ?	Additional Facility Representatives:
<u>Y / N</u>	Tanks?	Other comments:
<u>Y / N</u>	Containers?	

13. Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)
Ed Pulido (419)373-3015	Chris Maslo (419)373-3135	01/26/2007, 9:30 AM

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Newman Technology, Inc.

Facility Type: LQG/SQG/CESQG/TSD

EPA ID#: OHO 000 028 621

Description of Waste				On-Site Management			Off-Site Management	P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/ Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.	P2 Activities	
1	Welding	Waste torit dust	D007	691 lbs.	Container	NA	90 day hazardous waste storage area	Chemical Solvent, Inc., Cleveland, Ohio OHD980897656 Envirite of Ohio Canton, Ohio OHD980568992	None
2	Production auto/manual painting	Waste paint and solvent related materials	D001 D007 D035 F003 F005	1,434 lbs.	Container	NA	90 day hazardous waste storage area	Chemical Solvent, Inc., Cleveland, Ohio OHD980897656 Veolia ES Technical Solutions, LLC OHD093945293	None
3	Welding	Waste torit dust filters	D007	530 lbs.	Container	NA	90 day hazardous waste storage area	Envirosafe of Ohio Oregon, Ohio OHD045243706	None
4	Production auto/manual painting	Waste paint filters	D007	625 lbs.	Container	NA	90 Day hazardous waste storage area	Ross Incineration Services Columbus, Ohio OHD048415665	None
5	Quality control lab	Waste acid	D002	<1 gal.	Containmer	NA	90 day hazardous waste storage area		

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 that 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:\General Inspetion & Complaint Letters\Newman Technology, Inc\NTI_Cklist_UsedOil.wpd

REMARKS

LDR CHECKLIST

GENERAL LDR REQUIREMENTS

1. Has the generator adequately evaluated all wastes to determine if they are restricted from land disposal? [3745-270-07(A)(1)] If so: Yes No N/A RMK#
- a. For determinations based solely on knowledge of the waste: Is supporting data retained on-site? [3745-270-07(A)(6)] Yes No N/A RMK#
- b. For determinations based upon analytical testing: Is waste analysis data retained on-site? [3745-270-07(A)(6)] Yes No N/A RMK#
2. Has the generator determined each EPA hazardous waste code applicable to the waste? [3745-270-07(A)(2) see Table 1] Yes No N/A RMK#
3. Has the generator determined the correct "treatability group(s)" (e.g., wastewater, non-wastewater, etc.)? [3745-270-07(A), Table 1] Yes No N/A RMK#
4. Does the generator generate a characteristic hazardous waste? If so: Yes No N/A RMK#
- a. Have all underlying hazardous constituents (UHCs) been identified? [3745-270-09(A)] Yes No N/A RMK#

NOTE: *If the waste is D001 non-wastewater treated by CMBST, RORGS, POLYM in Table 1 of Rule 3745-270-42 UHCs do not need to be identified.*

5. Does the generator generate listed waste(s) which also exhibit hazardous characteristics? [3745-270-09] If so: Yes No N/A RMK#
- a. Has the generator also identified the appropriate treatment standard(s) for the constituent(s) which cause the waste to exhibit a characteristic? [3745-270-09(A)] Yes No N/A RMK#

NOTE: *The generator is not required to identify the treatment standard for the characteristic if the listing covers the associated characteristic (e.g., a F019/D007 hazardous waste - F019 being listed due to chromium content and D007 being the characteristic waste code for chromium). [See OAC Rule 3745-270-09(B)]*

6. Has the generator correctly determined if restricted wastes meet or do not meet treatment standards? [3745-270-07(A)(1)]

Yes ___ No N/A RMK# ___

NOTE: Wastes with EPA hazardous waste numbers K174 and K175 (chlorinated aliphatic wastes) have specific requirements in rule 3745-270-33. Waste with EPA hazardous waste numbers K176, K177 and K178 (inorganic chemical wastes) have specific requirements in rule 3745-270-36.

7. Does the owner/operator ensure that restricted wastes or treatment residues are not diluted as a method of achieving/circumventing LDR treatment standards? [3745-270-03]

Yes ___ No N/A RMK# ___

NOTE: A generator may dilute a waste (that is hazardous only because it exhibits a characteristic) in a treatment system that discharges to waters of the State pursuant to an NPDES permit (§402 of CWA), that treats waste in a CWA equivalent treatment system, or that treats waste for the purposes of pre-treatment requirements under §307 of CWA, unless a method other than DEACT is specified or the waste is a D003 reactive cyanide wastewater or non-wastewater.[3745-270-03(B)]

8. Is combustion of any of the wastes identified in the Appendix to Rule 3745-270-03 occurring without meeting one or more of the criteria under Rule 3745-270-03(C) upon generation or after treatment? [3745-270-03(C)]

Yes ___ No ___ N/A RMK# ___

NOTE: In other words, is combustion a legitimate treatment method.

9. Has the generator added iron to lead-containing hazardous waste in order to achieve LDR treatment standards for lead? [3745-270-03(D)]

Yes ___ No N/A ___ RMK# ___

10. Does the facility have a case-by-case extension to the effective date to land dispose of hazardous waste?[3745-270-05] If so:

Yes ___ No N/A ___ RMK# ___

a. The facility can dispose of hazardous waste in a on-site landfill or surface impoundment.[3745-270-05]

Yes ___ No N/A ___ RMK# ___

11. Does the facility have an extension to allow for a restricted waste to be land disposed?[3745-270-06] If so:

Yes ___ No N/A ___ RMK# ___

a. The facility can land dispose of the waste. [3745-270-06]

Yes ___ No N/A RMK# ___

12. Does the facility treat wastes that are otherwise prohibited from land disposal, in a surface impoundment?
If so:

Yes ___ No N/A ___ RMK# ___

a. Has the facility complied with 3745-270-04?

Yes ___ No N/A RMK# ___

REMARKS

NOTIFICATION AND CERTIFICATION REQUIREMENTS

13. If a generator's waste or contaminated soil does not meet the treatment standards, does the generator have the paperwork required in Column A of Table 1 of 3745-270-07? [3745-270-07(A)(2)] Yes ___ No N/A RMK# ___
14. If a generators' waste or contaminated soil meets the treatment standard at the original point of generation, does the generator have the paperwork required in Column B of Table 1 of 3745-270-07? [3745-270-07(A)(3)] Yes No N/A ___ RMK# ___
15. If a generators' waste is exempt (under 3745-270-05, 3745-270-06, national capacity or case-by-case variance, etc.) does the generator have the paperwork required in Column C of Table 1 of 3745-270-07? [3745-270-07(A)(4)] Yes ___ No N/A RMK# ___
16. If a generator manages a lab pack containing hazardous waste using the alternative treatment standard in 3745-270-42, does the generator have the paperwork required in Column D of Table 1 of 3745-270-07? [3745-270-07(A)(9)] Yes ___ No N/A RMK# ___
17. Does the generator produce a waste that is hazardous waste from the point of generation, but subsequently excluded from regulation under OAC 3745-51-02 through 3745-51-06? [3745-270-07(A)(7)] If so:
- a. Is a one-time notice placed in the facility's file stating such generation, subsequent exclusion or exemption, and disposition of the wastes? [3745-270-07(A)(7)] Yes ___ No N/A ___ RMK# ___

NOTE: *Examples include hazardous wastes discharged to a POTW or to a surface water under a NPDES permit.(See 270-07(A)(7))*

18. Does the generator retain on-site a copy of all notices, certifications, demonstrations and waste analysis data for at least three years from the last shipment of waste sent off-site? [3745-270-07(A)(8)] Yes No N/A ___ RMK# ___

REMARKS

GENERATORS TREATING HAZARDOUS WASTE

1. Is treatment of hazardous waste occurring to meet the treatment standards in 3745-270-40? Yes__ No__ N/A RMK#__
2. If so, does the generator have a waste analysis plan containing the following requirements? [3745-270-07(A)(5)] Yes__ No N/A RMK#__
- a. A detailed chemical and physical analysis of a representative sample of the wastes being treated? [3745-270-07(A)(5)(a)] Yes__ No N/A RMK#__
- b. All information necessary to treat the waste(s) in accordance with the requirements of 3745-270, including the selected frequency? [3745-270-07(A)(5)(a)] Yes__ No N/A RMK#__
3. Is the WAP on-site in the facility's files and available to inspectors? [3745-270-07(A)(5)(b)] Yes__ No N/A RMK#__
4. Has the generator followed their WAP [3745-270-07(A)(5)]? Yes__ No N/A RMK#__
5. Have the treated wastes met the applicable treatment standards in 3745-270-40? Yes__ No N/A RMK#__

NOTE: If the waste is a characteristic waste, which has been treated to render it non hazardous and subsequently sent to a solid waste landfill, proceed to question 7 & 8.

6. Has the generator sent a notification and certification with the initial shipment of waste?[3745-270-07(A)(5)(c)] Yes__ No N/A RMK#__
7. Does each notification/certification form completed, contain the information found in Table 1 of 3745-270-07? [3745-270-07(A)(5)(c)] Yes__ No N/A RMK#__
8. Has the generator, who is treating a characteristic waste, submitted a notification and certification to the director which contains the following:
- a. Name and address of the facility receiving the waste? [3745-270-09(D)(1)(a)] Yes__ No N/A RMK#__
- b. A description of the waste, including EPA hazardous waste codes and treatability group, and UHCs? [3745-270-09(D)(1)(b)] Yes__ No N/A RMK#__

NOTE: If the waste will be treated and monitored for all UHCs then they do not need to be listed on the notice.

9. Has the process/operation generating the waste or the solid waste landfill facility changed? If so: Yes__No__N/A RMK#__
- a. Has the notification and certification been updated in the generators and treaters files? [3745-270-09(D)] Yes__No N/A RMK#__
- b. Has the director been notified of such changes? [3745-270-09(D)] Yes__No N/A RMK#__

NOTE: The director need only be notified on an annual basis but no later than December 31.

10. Is the facility treating contaminated soil using the alternative treatment standards in 3745-270-49? If so: Yes__No__N/A RMK#__
- a. Has the facility treated the contaminated soil to less than 10 times the Universal Treatment Standards or has a 90% reduction in the total constituent concentrations occurred? [3745-270-49 (C)] Yes__No N/A RMK#__
11. Does each notification/certification form completed, contain the information found in Table 1? [3745-270-07(A)(3)] Yes__No N/A RMK#__

NOTE: If the waste will be treated and monitored for all constituents, there is no need to put them all on the LDR notice.

HAZARDOUS DEBRIS

1. Does the material in question meet the definition of hazardous debris as defined in rule 3745-270-02(A)(3)? Yes__No__N/A RMK#__
2. Is the hazardous debris being treated to the waste specific treatment standard in 3745-270-40 to 3745-270-49? (If yes, use the generator checklist.) Yes__No__N/A RMK#__
3. Is the hazardous debris being treated by the alternative treatment standards in 3745-270-45? If so: Yes__No__N/A RMK#__
- a. Has the debris or mixtures of debris been treated for each contaminant subject to treatment (toxicity, listed waste and cyanide reactive debris) using one or more of the treatment technologies found in Table 1 in 3745-270-45? [3745-270-45(A)] Yes__No N/A RMK#__

NOTE: If immobilization has been used in a treatment train, it must be the last treatment technology used.

4. Was the hazardous debris a listed waste treated by an immobilization technology in Table 1? [3745-270-45(A)(1)] If so: Yes__ No__ N/A RMK#__
- a. Was immobilization the last treatment technology used? [3745-270-45(A)(3)] Yes__ No N/A RMK#__
5. Is the waste a PCB waste under 40 CFR Part 761? If so: Yes__ No__ N/A RMK#__
- a. Has the waste been treated to the most stringent standard in 40 CFR 761 or 3745-270-45? [3745-270-45(A)(5)] Yes__ No N/A RMK#__
6. Has the residue from the treatment of hazardous debris been disposed of in accordance with 3745-270-40 to 3745-270-49? [3745-270-45(D)] Yes__ No N/A RMK#__
7. Does the owner/operator of a treatment facility that claims the debris is excluded from regulation as a hazardous waste under 3745-51-03(F)(1) maintain the following information?
- a. Records of all inspections, evaluations, and analyses of treated debris? [3745-270-07(D)(3)(a)] Yes__ No N/A RMK#__
- b. Records of key operating parameters of the treatment unit? [3745-270-07(D)(3)(b)] Yes__ No N/A RMK#__
- c. A certification statement for each shipment of treated debris? (See 270-07(D)(3)(c) for exact wording) [3745-270-07(D)(3)(c)] Yes__ No N/A RMK#__
8. Does the notifications and certifications of an owner/operator who first claims the debris is excluded under 3745-51-03(F)(1) have the following information? [3745-270-07(D)(3)]
- a. Name and address of licensed solid waste landfill receiving the treated debris? [3745-270-07(D)(1)(a)] Yes__ No N/A RMK#__
- b. Description of hazardous debris as initially generated with applicable waste codes? [3745-270-07(D)(1)(b)] Yes__ No N/A RMK#__
- c. Technology used from Table 1? [3745-270-07(D)(1)(c)] Yes__ No N/A RMK#__
9. Has the above notification been sent to the director? [3745-270-07(D)(1)] Yes__ No__ N/A RMK#__

TREATING FACILITIES WHICH TREAT WASTE TO MEET LDR STANDARDS

1. Does the treating facility test waste according to their waste analysis plan as required in 3745-54-13 or 3745-65-13?[3745-270-07(B)]
Yes No N/A RMK#

2. Has a one-time notification been sent with the initial shipment of waste or contaminated soil to the land disposal facility? [3745-270-07(B)(3)]
Yes No N/A RMK#

Note: *No further notification is necessary until such time that the waste changes or the receiving facility changes.*

3. Does the one-time notification and certification contain the information listed in Table 2 of 3745-270-07?[3745-270-07(B)(3)]
Yes No N/A RMK#

4. Are wastes or treatment residues being sent to another TSD to be further managed? **If so:**
Yes No N/A RMK#

a. Has the facility complied with the generator notification/certification requirements? [Table 1, 3745-270-07(B)(5)]
Yes No N/A RMK#

5. Are recyclable materials used in a manner constituting disposal and subsequently subject to 3745-266-20? **If so:**
Yes No N/A RMK#

a. Has the treatment facility (recycler) sent a notification (found at 3745-270-07(B)(4)), excluding the manifest number, with each shipment of waste? [3745-270-07(B)(6)]
Yes No N/A RMK#

b. Has the treatment facility (recycler) sent a certification found in 3745-270-07(B)(4)[3745-270-07(B)(6)]
Yes No N/A RMK#

c. Has a copy of the notification and certification been sent to the director? [3745-270-07(B)(6)]
Yes No N/A RMK#

6. Does the recycling facility maintain records of the name and location of each entity receiving the hazardous waste-derived products? [3745-270-07(B)(6)]
Yes No N/A RMK#

7. Does the owner or operator of any land disposal facility disposing of waste subject to regulation under 3745-270 have:

a. Copies of all notices and certifications required in 3745-270?
Yes No N/A RMK#

b. Test results indicating all waste, extracts of waste or treatment residue are in compliance with 3745-270-40 to 3745-270-49?
Yes No N/A RMK#

c. The testing frequency specified in the facility's WAP and have they followed the protocol?

Yes ___ No N/A RMK# ___

LARGE QUANTITY GENERATOR REQUIREMENTS

COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY

CESQG: < 100 Kg. (approximately 25-30 gallons) of waste in a calendar month

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

POLLUTION PREVENTION

Note to the Inspector: This checklist has been developed to help the division in gathering general information about the pollution prevention (P2) practices that the company may have initiated or attempted to initiate. The checklist is also used to:

- ◇ Facilitate P2 discussions;
- ◇ Identify barriers to P2;
- ◇ Define the P2 universe;
- ◇ Identify the need for future P2 initiatives;
- ◇ Identify partnership opportunities; and
- ◇ Link companies with better P2 resources.

As a prelude to completing this checklist the inspector should use the following list of questions as a way to initiate a dialogue concerning P2:

1. Have you tried to reduce the volume of waste (hazardous and nonhazardous) that you generate?
Yes
2. What is the largest waste stream that you generate?
Residual waste (non-hazardous), KOH sludge or TCE contaminated used oil.
3. How important would it be to you to eliminate that waste stream?
4. Does your company understand the reduced regulatory burden and cost saving benefits that eliminating or reducing a waste stream can have?
Yes
5. Could you use better housekeeping practices to reduce the amount of waste that you generate?
No

If the company responds with one of the answers below, the appropriate box should be checked. If the company's response does not correspond to one of the options below, please record the answer in the space provided in the remarks section.

1. Has the company undertaken any P2 activities to reduce the amount of waste generated? Yes No N/A RMK#

a. If so, what has the company done to minimize waste generation?

- A change in the process resulting in less waste.
- A change in the product resulting in less waste.
- Use of fewer and less toxic hazardous raw materials.
- Better operations/improved housekeeping.
- On-site recycling/reuse of hazardous materials.
- Sending waste off-site for recycling/reuse.
- Other activities (specify):

b. *If so*, what wastes have been addressed?

- Solvents
- Paint related wastes
- Industrial process wastes (sludges, slags, contaminated wastes waters, etc.)
- Contaminated oils/hydraulic fluids
- Off-spec chemicals
- Shop rags
- Other (specify):
- Waste water
- Solid waste (paper, plastic, metal, wood, blasting material)
- Air emissions
- Energy use
- Fluorescent light bulbs
- Used batteries

c. If they haven't minimized waste are there barriers that are preventing them from doing it?

- Lack of information about practical alternatives.
- Lack of capital to make process changes.
- Lack of internal management support.
- The company does not generate enough waste to consider P2.
- Other reason given (specify):

2. Does the company plan to do P2 activities in the future? ___ Yes ___ No X N/A ___ RMK#
3. Would the company be interested in receiving additional information from Ohio EPA about P2? ___ Yes X No ___ N/A ___ RMK#
4. Did you give the company information about P2 during the inspection? ___ Yes X No ___ N/A ___ RMK#

5. Would the company like a P2 assessment?

Yes No N/A RMK# 1

- A. If yes, provide information that makes the company a good candidate for an assessment (i.e., known specific P2 opportunities exist, the company is willing to cooperate and commit resources to the assessment, the company fully understands DHWM's P2 assessment process, etc.)
- B. If no, list the reasons the facility representative gave for not wanting an assessment.

If the company would like a P2 assessment done at their facility, the inspector must give the company representative a copy of the Pollution Prevention Assessments for Hazardous Waste Generators document and discuss it with them (Attachment III of the P2 Assessment Procedures Manual at: <http://www.epa.state.oh.us/dhwm/pdf/P2AssesmentHWGeneraotrs.pdf>).

REMARKS

1 - The company was interested in looking into hazardous waste reduction. They would like to be contacted by OCAPP personnel.

LARGE QUANTITY GENERATOR REQUIREMENTS

GENERAL REQUIREMENTS

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes ___ No N/A ___ RMK# 2
2. Has the generator obtained a U.S. EPA identification number? [3745-52-12] Yes No N/A ___ RMK# ___
3. Were annual reports filed with Ohio EPA on or before March 1st? [3745-52-41] Yes No N/A ___ RMK# ___

WASTE IMPORT/EXPORT REQUIREMENTS

4. Does the generator import or export hazardous waste? If so: Yes ___ No ___ N/A RMK# ___
- a. Has the generator notified U.S. EPA of export/import activity? [3745-52-53] Yes ___ No N/A RMK# ___
- b. Has the generator complied with special manifest requirements? [3745-52-54] Yes ___ No N/A RMK# ___
- c. For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55] Yes ___ No N/A RMK# ___
- d. Has an annual report been submitted to U.S. EPA? [3745-52-56] Yes ___ No N/A RMK# ___
- e. Are export related documents being maintained on-site? [3745-52-57] Yes ___ No N/A RMK# ___

GENERATOR CLOSURE REQUIREMENTS

5. Has the generator closed any <90-day accumulation unit(s) since the date of the last inspection? If so: Yes ___ No N/A ___ RMK# ___
- a. Describe the unit(s) which the generator has closed.

- b. Does closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)]

Yes No N/A RMK#

- c. Please provide a description of the documentation provided by the generator to demonstrate that closure was completed in accordance with the closure performance standards.

NOTE: If the generator has closed a <90-day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). [3745-52-34]

REMARKS

2 - Newman Technology, Inc. (NTI) failed to adequately characterized the paint filters waste stream. NTI took not enough samples to properly determine whether or not the waste was hazardous or not. In addition, analytical data of the fluorescent crush bulbs failed to include cadmium and lead as potential contaminants.

MANIFEST REQUIREMENTS

You must start this part of the inspection by telling the company representative about the certification statement on the hazardous waste manifest using the following question and statement:

Are you aware of what the statement that you sign on the manifest says? Yes No

If the answer is no, show them what the statement says using a signed manifest.

NOTE: *While the statement is a certification that a P2 strategy is in place, signing the statement does not establish any legal obligations with which the company must comply. In other words, there is no violation of the hazardous waste rules if they sign the manifest and they don't have a program in place.*

1. Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)] Yes No N/A RMK#

2. Have items (1) through (20) of each manifest been completed? [3745-52-20(A)] Yes No N/A RMK#

NOTE: *U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations items (21) through (35) must also be completed. [3745-52-20(A)]*

3. Does each manifest designate at least one permitted disposal facility? [3745-52-20(B)] Yes No N/A RMK#

NOTE: *The generator may designate on the manifest one alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)].*

4. Since the date of the last inspection, has the transporter been unable to deliver a shipment of hazardous waste to the designated facility? If so: Yes No N/A RMK#

a. Did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] Yes No N/A RMK#

5. Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1)(2)] Yes No N/A RMK#

6. Has the generator received a return copy of each completed manifest within 35 days of being accepted by the transporter? If not: Yes No N/A RMK# 3

a. Did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)]

Yes ___ No N/A ___ RMK# 3

b. If the manifest was not received within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)]

Yes ___ No N/A ___ RMK# 4

7. Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40]

Yes No N/A ___ RMK# ___

NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.

REMARKS

#3 - NTI failed to contact the transporter and/or TSD facility within 35 days when it did not receive return copies of the completed manifests number MI 7501683 and 0559.

#4 - NIT did not file exception reports to the Ohio EPA within 45 days when it did not receive the return copies of the manifests stated in remark #3.

PERSONNEL TRAINING

1. Does the generator keep records required by 3745-65-16(D) including:
- a. Job titles, as they relate to hazardous waste management, and the name of each employee filling each job? Yes No N/A RMK# 5
 - b. Job descriptions, including requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position? Yes No N/A RMK# 5
 - c. Type and amount of both introductory and continuing training to be given to each person filling a position? Yes No N/A RMK#
 - d. Documentation that personnel have completed the training or job experience required under 3745-65-16(A)(B) & (C)? Yes No N/A RMK#

NOTE: *If the facility's business practices precludes written job titles/descriptions, they should be able to identify, by name, all personnel who are involved with hazardous waste management, and the training/experience that they receive initially and annually. Item 9 on the next page can be used to document that all necessary employees have been trained.*

2. Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)] Yes No N/A RMK#
3. Does the personnel training program include instruction in the following areas to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with: [3745-65-16(A)(3)]
- a. Emergency procedures? Yes No N/A RMK#
 - b. Emergency equipment? Yes No N/A RMK#
 - c. Emergency systems? Yes No N/A RMK#

4. Does emergency training described in 3(a), (b) and (c) above include, *where applicable*: [3745-65-16(A)(3)(a-f)]
- a. Procedures for using, inspecting, repairing and replacing emergency and monitoring equipment? Yes No N/A ___ RMK# ___
- b. Key parameters for automatic waste feed cut-off systems? Yes No N/A ___ RMK# ___
- c. Communication or alarm system? Yes No N/A ___ RMK# ___
- d. Response procedures for fire/explosions? Yes No N/A ___ RMK# ___
- e. Response to groundwater contamination incidents? Yes No N/A ___ RMK# ___
- f. Shutdown procedures? Yes No N/A ___ RMK# ___
5. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes No N/A ___ RMK# ___
6. Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)] Yes No N/A ___ RMK# ___
7. Does the generator provide annual refresher training to employees? [3745-65-16(C)] Yes ___ No N/A ___ RMK# 6
8. Are training records for current personnel kept until closure of the facility? [3745-65-16(E)] Yes No N/A ___ RMK# ___
9. Are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)] Yes No N/A ___ RMK# ___

10. **Optional:** The following section can be used by the inspector to document that all personnel who are involved with hazardous waste management have been trained. The employees who need training (written and/or on-the-job) may include the following: environmental coordinators, drum handlers, emergency coordinators, personnel who conduct hazardous waste inspections, emergency response teams, personnel who prepare manifests, etc.

<u>Job Performed</u>	<u>Name of Employee</u>	<u>Date(s) Trained</u>
Paint Line	Mark Wicker	12/19/04, 12/10/05
Paint Line	Scott Ryan	12/10/05
EHS Coordinator	Andy Pfeiffer	9/11/01, 06/03/03

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REMARKS

#6 - NTI failed to provide annual refresher training i.e. within twelve month or less, to employees.

CONTINGENCY PLAN

- 1. Does the generator have a contingency plan which describes the following: [3745-65-52(A) through (F)] Yes No N/A RMK# 7
- a. Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste? Yes No N/A RMK# 7
- b. Arrangements with emergency authorities? [3745-65-37] Yes No N/A RMK# 7
- c. A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? Yes No N/A RMK# 7
- d. A list of all emergency equipment, including: location, physical description and brief outline of capabilities? Yes No N/A RMK# 7
- e. An evacuation plan for facility personnel where there is a possibility that evacuation may be necessary? Yes No N/A RMK# 7

NOTE: If the facility already has a "Spill Prevention, Control and Countermeasures Plan" under 40 CFR Part 112 or 40 CFR Part 1510, or some other emergency plan, the facility can amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with OAC requirements. [3745-65-52(B)]

- 2. Is the plan designed to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)] Yes No N/A RMK# 7
- 3. Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53(A)(B)] Yes No N/A RMK# 7

4. Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, failure to the plan or as required by the Director? [3745-65-54]

Yes ___ No ___ ~~N/A~~ RMK# ___

EMERGENCY COORDINATOR

5. Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55]

Yes ___ No N/A ___ RMK# 7

NOTE: The emergency coordinator shall be thoroughly familiar with: (a) all aspects of the facility's contingency plan; (b) all operations and activities at the facility; (c) the location and characteristics of waste handled; (d) the location of all records within the facility; (e) facility layout; and (f) shall have the authority to commit the resources needed to implement provisions of the contingency plan

6. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so:

Yes ___ No N/A ___ RMK# ___

a. Was the contingency plan implemented? [3745-65-51(B)]

Yes ___ No N/A RMK# ___

b. Did the facility follow the emergency procedures in 3745-65-56(A) through (H)?

Yes ___ No N/A RMK# ___

c. Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)?

Yes ___ No N/A RMK# ___

NOTE: OAC 3745-65-51(B) requires that the contingency plan be implemented immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents, which could threaten human health and the environment.

REMARKS

#7 - NTI failed to have a Contingency Plan on-site for review at the time of the inspection.

PREPAREDNESS AND PREVENTION [3745-52-34(A)(4)]

1. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] Yes No N/A ___ RMK# ___
2. Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste: [3745-65-32(A)(B)(C)(D)]
- a. Internal alarm system? Yes No N/A ___ RMK# ___
- b. Emergency communication device? Yes No N/A ___ RMK# ___
- c. Portable fire control, spill control and decon equipment? Yes No N/A ___ RMK# ___
- d. Water of adequate volume/pressure? Yes No N/A ___ RMK# ___
3. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] Yes No N/A ___ RMK# ___
4. Are emergency equipment tests (inspections) recorded in a log or summary: [3745-65-33] Yes No N/A ___ RMK# ___
5. Do personnel have immediate access to a communication device when handling hazardous waste (*unless the device is not required under 3745-65-32*)? [3745-65-34] Yes No N/A ___ RMK# ___
6. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes No N/A ___ RMK# ___
7. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)] Yes No ___ N/A ___ RMK# ___
- a. Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)] Yes ___ No N/A RMK# ___

REMARKS

GENERATOR ACCUMULATION

1. Has the generator accumulated hazardous wastes on-site in excess of 90 days without a permit or an extension from the director? [3745-52-34; ORC §3734.02(E)(F)] Yes ___ No N/A ___ RMK# ___
2. Is the facility a metal finisher that generates waste water treatment sludge with a F006 waste code? If yes: Yes ___ No N/A ___ RMK# ___

NOTE: If yes, they may accumulate F006 waste on-site for up to 180 days; or up to 270 days if they must transport the F006 waste over 200 miles for off-site metals recovery; without an Ohio hazardous waste permit, provided that they meet these special conditions (OAC 3745-52-34(G) and (H)):

- a. The generator has implemented pollution prevention practices that reduce the amount of any hazardous substances, pollutants or contaminants entering F006 or otherwise released to the environment prior to its recycling (see your P2 coordinator for a copy of Federal Register 3/00 for a listing of examples of P2 measures, the facility should be prepared to demonstrate this request); Yes ___ No N/A RMK# ___
- b. The F006 waste is legitimately recycled through metals recovery. Yes ___ No N/A RMK# ___
- c. No more than 20,000 kg. of F006 is accumulated on-site at any one time. Yes ___ No N/A RMK# ___
- d. The facility complies with the applicable management standards for containers, tanks or containment buildings for LQGs. Yes ___ No N/A RMK# ___

SATELLITE ACCUMULATION AREA REQUIREMENTS [3745-52-34(C)(1)]

3. Does the generator ensure that satellite accumulation area(s):
- a. Are at or near a point of generation? Yes No N/A ___ RMK# ___
- b. Are under the control of the operator of the process generating the waste? Yes No N/A ___ RMK# ___
- c. Do not exceed a total of 55 gallons of hazardous waste? Yes No N/A ___ RMK# ___

d. Do not exceed one quart of acutely hazardous waste at any one time?

Yes ___ No N/A RMK# ___

e. Containers are marked with the words "Hazardous Waste" or other words identifying the contents?

Yes ___ No N/A ___ RMK# 9

NOTE: The satellite accumulation area is limited to 55 gallons of hazardous waste accumulated from a distinct point of generation in the process under the control of the operator of the process generating the waste (less than 1 quart for acute hazardous waste). There could be individual waste streams accumulated in an area from different points of generation. The inspector should refer to Guidance Document #DHWM-008, Satellite Accumulation Under Ohio Hazardous Waste Rules.

4. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in either 2(c) or 2(d)? If so:

Yes ___ No N/A ___ RMK# ___

a. Did the generator comply with 3745-52-34(A) or other applicable generator requirements within three days?

Yes ___ No N/A RMK# ___

b. Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded?

Yes ___ No N/A RMK# ___

USE AND MANAGEMENT OF CONTAINERS

5. Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)]

Yes No ___ N/A ___ RMK# ___

6. Is the accumulation date on each container? [3745-52-34(A)(2)]

Yes ___ No N/A ___ RMK# 10

7. Are hazardous wastes stored in containers which are:

a. Closed (except when adding/removing wastes)? [3745-66-73(A)]

Yes ___ No N/A ___ RMK# 11

b. In good condition? [3745-66-71]

Yes No N/A ___ RMK# ___

- c. Compatible with wastes stored in them? [3745-66-72] Yes No N/A ___ RMK# ___
- d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] Yes No N/A ___ RMK# ___
8. Is the container accumulation area(s) inspected weekly? [3745-66-74] (Note location in general information section of checklist) Yes ___ No N/A ___ RMK# 12
- a. Are inspections recorded in a log or summary? [3745-66-74] Yes No N/A ___ RMK# ___
9. For ignitable and/or reactive hazardous waste(s):
- a. Are containers located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] Yes No N/A ___ RMK# ___
- b. Are containers stored separately from other materials which may interact with the waste in a hazardous manner? [3745-66-77(C)] Yes No N/A ___ RMK# ___

REMARKS

- #9 - NTI failed to labeled several containers storing hazardous waste.**
- #10 - NTI failed to write the starting date of hazardous waste accumulation on torid dust holding drums.**
- #11 - NTI failed to keep containers in paint booth except when waste is being added to them.**
- #12 - NTI failed to conduct weekly inspections of 90-storage areas.**

PRE-TRANSPORT REQUIREMENTS

10. Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, -52-31 and -52-32(A)] Yes No N/A ___ RMK# ___
11. Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes No N/A ___ RMK# ___
12. Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] Yes No N/A ___ RMK# ___

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) of 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# 1

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# 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

11. Is the waste accumulated for less than one year? [3745-273-15(A)] If not: Yes ___ No N/A ___ RMK# 3

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# 4

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)]
- 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# ___

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)]
15. Is the material released characterized? [3745-273-17(B)]
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# 5

Yes ___ No N/A RMK# ___

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.

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:
- 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

- #1 - NTI failed to keep universal storage containers closed.
- #2 - NTI failed to properly label universal waste storage containers.
- #3 - NTI exceeded the 12-month limit for storing universal waste lamps.
- #4 - NTI failed to adequately keep track of the universal waste lamps accumulation time.
- #5 - AI has not experienced a release to date.