



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.ohio.gov

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

Re: BGSU
OHD 981 793 011
Universal Waste Generator
Wood County, NWDO
Complaint #2976
NOV / RTC

June 3, 2010

Mr. David Heinlen
Department of Environmental Health & Safety
102 College Park; BGSU
Bowling Green, Ohio 43403

Dear Mr. Heinlen:

On May 17, 2010, I conducted a complaint investigation at the Bowling Green State University (BGSU) Offenbauer Towers located at 522 Thurstin Avenue in Bowling Green, Ohio. I conducted this investigation after Ohio EPA received a complaint alleging that BGSU maintenance personnel were storing spent fluorescent lamps in the lobby of the residential building. My investigation included a tour of the first floor of the facility.

Offenbauer Towers is a residential housing unit for BGSU students. Hazardous Waste is not typically generated at this location. While inspecting the lobby I observed several spent fluorescent lamps being stored along the north wall of the lobby along with other building materials. After observing the spent lamps, I spoke with Mr. Rick Logren, Offenbauer Hall Director, who referred me to Mr. John Hashizume, BGSU Assistant Director for Facilities & Operations. Mr. Hashizume and I observed the spent lamps and spoke with one of the BGSU maintenance staff. BGSU is performing maintenance in the Offenbauer Towers while the BGSU students are on summer break. I informed Mr. Hashizume and the maintenance person of the importance of storing spent fluorescent lamps in closed containers to prevent breakage of the lamps

After the site visit I spoke with you and Mr. Duane Hamilton, Director of Campus Services, regarding the BGSU fluorescent lamp recycling program. According to Mr. Hamilton, BGSU manages spent lamps as universal waste. Maintenance staff have been instructed to place all spent fluorescent lamps in closed containers marked with the words "Used Lamps", "Waste Lamps" or "Universal Waste Lamps". BGSU contracts with a third party (Kellermeyer Company) which picks up and delivers the lamps to a universal waste lamp recycling facility (Environmental Recycling) on a weekly basis.

I found the following violations of Ohio's hazardous waste laws which were corrected during the complaint investigation.

1. **OAC Rule 3745-273-13(D)(1), Packaging of Universal Waste Lamps:** "A small quantity universal waste handler must contain universal waste lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with contents of the lamps. The containers or packages must be closed and lack evidence of leakage, spillage or damage that could cause leakage.

BGSU failed to store universal waste lamps in a container. BGSU maintenance staff placed the universal waste fluorescent lamps into a labeled cardboard box during the complaint investigation. Therefore, this violation has been abated.

Mr. David Heinlen
June 3, 2010
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2. **OAC Rule 3745-273-13(D)(2), Packaging of Broken Universal Waste Lamps:** A small quantity of universal waste handler must place broken universal waste lamps into a container that is closed, structurally sound, compatible with the contents of the lamps, and capable of preventing leakage, spillage or damage that could cause releases of mercury or hazardous waste constituents to the environment.

BGSU failed to store a broken universal waste lamp in a container. BGSU maintenance staff placed the broken universal waste fluorescent lamp into a labeled cardboard box during the complaint investigation. Therefore, this violation has been abated.

The Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. Their website is at: <http://www.development.ohio.gov/cdd/oeef/>

If you would like a free, non-regulatory on-site pollution prevention assessment or if you would like more information about pollution prevention, please contact me at (419) 373-3056. Ohio EPA has helpful information about this at the following web address: <http://www.epa.ohio.gov/ocapp/>

The Division of Hazardous Waste Management (DHWM) has created an electronic news service to provide you with updates related to hazardous waste activities in Ohio. You can find more information and sign up for this free service at the following Web link:
http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage

Enclosed is a copy of the checklists that I completed as a result of the inspection. You can find Ohio's hazardous waste rules and other information on the division's web page at:
<http://www.epa.ohio.gov/dhwm/>

Should you have any questions, please feel free to call me at 419 (373-3056).

Sincerely,



Gary S. Deutschman
Environmental Specialist III
Division of Hazardous Waste Management

/cs

pc: Mr. John Hashizume, Assistant Director for Facilities & Operations
Mr. Duane Hamilton, Director of Campus Services
Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, Supervisor, DHWM, NWDO
~~(DHWM, NWDO-File - BGSU-File, Wood-County)~~
ec: Gary Deutschman, DHWM, NWDO

NOTICE:

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

Send to Central Office

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

For Ohio EPA use only

Completed verification forms required to be submitted to CO should be e-mailed to kristina.durnell@epa.state.oh.us.

Site EPA ID No. Site Name	EPA ID Number: ohd981793011		Website: bgsu.edu (Optional)	
	Name: Bowling Green State University			
Site Location Information	Street Address: 522 Thurstin Avenue			
	City, Town, or Village: Bowling Green		State: OH	
Site Land Type (check only one) NAICS code(s) www.census.gov/eppcd/www/naics.html	County Name: Wood		Zip Code: 43403	
	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>
				Municipal <input type="checkbox"/>
				State <input checked="" type="checkbox"/>
				Other <input type="checkbox"/>
	61131			

Facility Representative Additional names can be recorded in number 12. Only provide address information if it is different than the site address.	First Name: David		MI: E	Last Name: Heinlen	
	Title:				
	Phone Number: 419-372-2173			Phone Number Extension:	
	E-Mail Address: daveh@bgnnet.bgsu.edu				
	Fax Number:			Fax Number Extension:	
	Street or P.O. Box: 102 College Park				
City, Town or Village: Bowling Green					
State: Ohio			Zip Code: 43403		

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: State of Ohio, Bowling Green State			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 checked="" type="checkbox"/>
					Other <input type="checkbox"/>
Street or P.O. Box:					
City, Town or Village: Bowling Green			Owner Phone #:		
State: Ohio			Country: USA	Zip Code: 43403	
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:			Operator Phone #:		
State:			Country:	Zip Code:	

VIOLATIONS CITED? Yes No**TYPE OF HANDLER - MARK "X" AS APPROPRIATE**

<input type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<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"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
	<input type="checkbox"/> Receives Hazardous Waste from Off-site

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))

<input checked="" 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 checked="" type="checkbox"/> Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))

<input 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 or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRA info source record, you do not need to list them. 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:	John Hashizume
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
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)
Gary Deutschman		05/17/2010

Comments:
 BGSU does not generate hazardous waste from this location within the Campus.

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 <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. | Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)] | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |

WASTE MANAGEMENT AND LABELING/MARKING

UNIVERSAL WASTE BATTERIES

- | | | | | |
|----|--|------------------------------|--|---|
| 3. | Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 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 <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. | Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)] | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 6. | If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of hazardous waste? [3745-273-13(A)(3)] | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| a. | If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-13(A)(3)(a)] | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 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 <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 7. | Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)] | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

UNIVERSAL WASTE LAMPS

- | | | | | |
|----|---|------------------------------|--|------------------------------|
| 8. | Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and 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 <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 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 <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |

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 rule 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility using a hazardous waste manifest.

- | | | | | |
|-----|--|---|-----------------------------|------------------------------|
| 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 <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
|-----|--|---|-----------------------------|------------------------------|

ACCUMULATION TIME		
11.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	If not, is 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: Accumulation is defined as date generated or date received from another handler.</i>		
12.	Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)] If yes, describe below: Disposal records and accumulation date on container 9/10/09	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
RESPONSE TO RELEASES		
14.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the material released characterized? [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
16.	If the material released is a hazardous waste, was 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 OAC Chapter 3745-52) [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
OFF-SITE SHIPMENTS		
<i>NOTE: If a SQUWH self-transportes waste, then the handler must comply with the Universal Waste transporter requirements.</i>		
17.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	Is the handler aware of DOT requirements for packaging and shipping? If no, make aware of 49 CFR 171-180.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
20.	Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
21.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one of the following</u> :	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Send the waste back to the originating handler or send the shipment to a destination facility (If both the originating and receiving handler agree)? [3745-273-18(F)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
22.	If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
EXPORTS		
23.	Is waste being sent to a foreign destination? If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

	a. Does the small quantity handler comply with primary exporter requirements in OAC rules 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Is waste exported only upon consent of the receiving country and in conformance with the U.S. EPA "Acknowledgment of Consent" as defined in OAC rules 3745-52-50 to 3745-52-57? [3745-273-20(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Is a copy of the U.S. EPA "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>