Ohio | Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Marion County
Compliance Evaluation Inspection
Whirlpool Corporation Marion Division
OHD 004 302 220
Notice of Violation/Return to Compliance

December 6, 2011

Ms. Mary Jakeway, Senior Environmental Engineer
Whirlpool Corporation Marion Division
1300 Marion-Agosta Road
Marion, Ohio 43302

Dear Ms. Jakeman:

Thank you for accompanying me during Ohio EPA's November 22, 2011, compliance evaluation inspection of Whirlpool Corporation Marion Division (Whirlpool) located at 1300 Marion-Agosta Road, Marion, Ohio. I inspected Whirlpool 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). The inspection included observations of your company's operations and a review of written documentation.

Whirlpool is a manufacturer of laundry dryers. Although typically a large quantity generator of hazardous waste, in 2010 Whirlpool operated as a small quantity generator of hazardous wastes and as a result did not submit an annual report to Ohio EPA. As of the end of 2009, Whirlpool completed its replacement of its solvent based paint operations with a state of the art powder paint system. Therefore, Whirlpool has dramatically reduced its generation of hazardous waste and does not generate paint related solvent based hazardous waste any longer. Hazardous waste streams that are still generated at the facility include: barrel crusher waste (D001, D002), and spent fuller adhesive (D001, F003). Other wastes generated at the facility include used oil, which is sent off site to be recycled and fluorescent light bulbs which are managed as universal waste.

I found the following violations of Ohio's hazardous waste laws during this inspection. You must provide me the requested information within 30 days of receipt of this letter.

Northwest District Office
347 North Dunbridge Road
Bowling Green, OH 43402-9398

419 | 352 8461
419 | 352 8468 (fax)
www.epa.ohio.gov

1. ***OAC Rule 3745-273-14(E), Universal Waste Lamp Container Labeling.*** A small quantity handler of universal waste must label each lamp or container where lamps are contained with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamps."

   Whirlpool failed to properly label the storage containers of spent fluorescent lamps.

   On ***November 23, 2011***, you sent me an email containing photographic documentation showing the proper labeling and storage of the used bulbs. Therefore, ***this violation has been abated***.

2. ***OAC Rule 3745-273-13(D)(1), Universal Waste Lamp Container Storage.*** The small quantity handler of universal waste must keep containers closed at all times unless spent lamps are added to them.

   BPT failed to properly close the storage containers of spent fluorescent lamps.

   On ***November 23, 2011***, you sent me an email containing photographic documentation showing the proper labeling and storage of the used bulbs. Therefore, ***this violation has been abated***.

As we discussed during the inspection, you may be able to find other ways to reduce the waste your company generates. A viable option for your corrosive waste (D002) being generated from your barrel crusher operation may be treatment through a simple elementary neutralization. Please refer to the treatment guidance I have enclosed for further information. If you would like more information on topics concerning pollution prevention, you can visit http://www.epa.state.oh.us/ocapp/ocapp.html. If you find additional ways to recycle, reduce, or altogether eliminate the amount of waste that your company generates, you may be able to reduce treatment and disposal costs. In addition, you may possibly reduce your regulatory requirements.

The Division of Materials and Waste Management (DMWM) 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 http://www.epa.state.oh.us/dhwm/listserv.html. Please feel free to share this information with your colleagues. You can find copies of the rules and other information at http://www.epa.state.oh.us/dhwm.

Enclosed, you will find a copy of the checklists that I completed during the inspection. In addition, I am enclosing the following documents for your information: Containers Washing Operations, January 2003; Universal Waste, December 2004; Universal Waste Rules for Handlers of lamps, June 2005; and Generator Treatment, November 2006.

Should you have any questions, please feel free to contact me at (419) 373-3015.

Sincerely,

Edgar V. Pulido
Division of Materials and Waste Management

Enclosures

/llr

pc: Cindy Lohrbach, DMWM, NWDO
Colleen Weaver, Supervisor, DMWM, NWDO w/ Enclosures
ec: Colleen Weaver, Supervisor, DMWM, NWDO
Ed Pulido, DMWM, NWDO

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

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 brad.hauser@epa.state.oh.us.

Site EPA ID No. **Site Name**	EPA ID Number: OHD004302220 Name: Whirlpool Corporation Marion Division				Website http://www.whirlpool.com (Optional)			
Site Location Information	Street Address: 1300 Marion-Agosta Road							
	City, Town, or Village: Marion				State: OH			
	County Name: Marion				Zip Code: 43302			
Site Land Type (check only one)	Private ☒	County ☐	District ☐	Federal ☐	Indian ☐	Municipal ☐	State ☐	Other ☐
NAICS code(s) www.census.gov/epcd/www/naics.html	335224							

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Mary	MI: K.	Jakeway
	Phone Number: (740)383-7607	Phone Number Extension:	
	E-Mail Address: mary_k_jakeman@whirlpool.com		
	Fax Number: (740)383-7656	Fax Number Extension:	
	Street or P.O. Box:		
	City, Town or Village:		
	State:	Zip Code:	

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: Brian Gahr			Date Became Owner (mm/dd/yyyy): 08/01/2007				
	Owner Type:	Private ☒	County ☐	District ☐	Federal ☐	Indian ☐	Municipal ☐	State ☐	Other ☐
	Street or P.O. Box:							
	City, Town or Village:			Owner Phone #:				
	State:			Country: USA		Zip Code:		
	Name of Site's Operator:			Date Became Operator (mm/dd/yyyy):				
	Operator Type:	Private ☒	County ☐	District ☐	Federal ☐	Indian ☐	Municipal ☐	State ☐	Other ☐
	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

☐ Not a HW Generator	☐ UNKNOWN: Cited for violation of 3745-52-11	☐ Large Quantity Generator (LQG)
		☒ Small Quantity Generator (SQG)
		☐ Conditionally Exempt Small Quantity Generator
		☐ U.S. Importer of Hazardous Waste
		☐ Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)

- ☐ Recycler of Hazardous Waste
- ☐ Underground Injection Control Facility
- ☐ Hazardous Waste Transporter
- ☐ Exempt Boiler and/or Industrial Furnace
- ☐ Small Quantity On-Site Burner Exemption
- ☐ Smelting, Melting, Refining Furnace Exemption

☐ Treater, Storer or Disposer of Hazardous Waste

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

☒ Small Quantity Handler of Universal Waste
☐ Destination Facility for Universal Waste
☐ 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

☒ Batteries
☐ Pesticides
☒ Mercury containing equipment
☒ Lamps

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

☒ Used Oil Generator
☐ Used Oil Transporter
☐ Used Oil Transfer Facility
☐ Used Oil Processor
☐ Used Oil Re-refiner
☐ Off-Specification Used Oil Burner
☐ Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
☐ 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 RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

D001 D002 F003

COMMENTS:

Announced ☐ Yes ☒ No Additional Facility Representatives:

Tanks ☐ Yes ☒ No
Containers ☒ Yes ☐ No

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Ed Pulido		**11/22/2011 9:00 Hrs**

Comments:

Revised 03.25.09.SiteVerifyForm.doc

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Whirlpool Corporation Marion Division LQG/SQG/CESQG/TSD **EPA ID#:** OHD 004 302 220

	Description of Waste				***On-Site Management***			***Off-Site Management***	
	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	Barrel Crusher	Spent solvent/corrosive liquid waste	D001 D002	50 lbs.	Container	N/A	90-day storage area	Heritage Environmental Services, Inc. 7901 West Morris Indianapolis, IN 46231 IND093219012	
2	Manufacturing	Spent Fuller adhesive	D001 F003	350 lbs.	Container	N/A	90-day storage area	Heritage Environmental Services, Inc. 7901 West Morris Indianapolis, IN 46231 IND093219012	
3	Maintenance	Used oil	N/A	3000 gals	Container	N/A	Indoors	Heritage-Crystal Clean, LLC 1020 Claycraft Rd. Gahanna, Ohio 43230	
4	Maintenance	Waste lamps	N/A	50 Units	Container	N/A	Indoors (Basement)	Resource One 471 County Road 32 N Bellefontaine, Oh 43311 (937)593-0422	
5									

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

CESQG: ≤100 Kg. (approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.
SQG: Between 100 and 1,000 Kg. (about 25 to under 300 gallons) of waste in a calendar month
LQG: ≥1,000 Kg. (-300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month
NOTE: *To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.*

Safety Equipment Used:

GENERAL REQUIREMENTS

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]		Yes ☒ No ☐ N/A ☐
2.	Has the generator obtained a U.S. EPA I.D. number? [3745-52-12]		Yes ☒ No ☐ N/A ☐
3.	Has the generator transported or caused to be transported hazardous waste to **other** than a facility authorized to manage the hazardous waste? [ORC 3734.02 (F)]		Yes ☐ No ☒ N/A ☐
4.	Has the generator disposed of hazardous waste **on-site without a permit** or at another facility **other** than a facility authorized to dispose of hazardous waste? [ORC 3734.02 (E) & (F)]		Yes ☐ No ☒ N/A ☐
5.	Does the generator accumulate hazardous waste?		Yes ☒ No ☐ N/A ☐
NOTE: If the SQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements might still apply, e.g. manifest, marking, LDR, etc.			
6.	Has the generator accumulated hazardous wastes in excess of (180/270) days without a permit or an extension from the Director? [3745-52-34; ORC §3734-02(E)&(F)]		Yes ☐ No ☒ N/A ☐
NOTE: SQG's shipping waste to a facility greater than 200 miles away can accumulate on-site for 270 days. [3745-52-34 (E)]			
7.	Is the generator accumulating more than 6,000 kg on site? [3745-52-34(D)]		Yes ☐ No ☒ N/A ☐
NOTE: 6,000 kg = approximately 27, 55-gallon drums. If the facility is accumulating waste for greater than 180/270 days without an extension/permit or is accumulating greater than 6,000 kg on-site, it is classified as a storage facility and TSD standards apply. Complete applicable TSD checklists.			
8.	Does the generator treat hazardous waste in a:		
	a.	Container that meets 3745-66-70 to 3745-66-77?	Yes ☐ No ☐ N/A ☒
	b.	Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C)?	Yes ☐ No ☐ N/A ☒
	c.	Drip pads that meet 3745-69-40 to 3745-69-45?	Yes ☐ No ☐ N/A ☒
	d.	Containment building that meets 3745-256-100 to 3745-256-102?	Yes ☐ No ☐ N/A ☒
NOTE: Complete appropriate checklist for each unit.			
NOTE: If waste is treated to meet LDRs, use LDR checklist.			

MANIFEST REQUIREMENTS

9.	Are all hazardous wastes either reclaimed under a contractual agreement as defined in OAC rule 3745-52-20(E), or shipped off-site accompanied by a manifest (U.S. EPA Form 8700-22)? [3745-52-20(A)]		Yes ☒ No ☐ N/A ☐
10.	Are wastes reclaimed under a contractual agreement? If so: [3745-52-0(E)]		Yes ☐ No ☒ N/A ☐
	a.	Does the contractual agreement specify the type of waste and frequency of shipment?	Yes ☐ No ☐ N/A ☒
	b.	Is the transport vehicle owned and operated by the reclaimer?	Yes ☐ No ☐ N/A ☒

	c.	Is a copy of the reclamation agreement kept on-site for at least three years after termination/expiration of the agreement?	Yes ☐ No ☐ N/A ☒
NOTE: If wastes are reclaimed under a contractual agreement and an answer to questions 10(a) through 10(c) is no, the generator is in violation of 3745-52-20 (A) (B) & (D), 3745-52-22 and 3745-52-23. Even if the waste is being reclaimed under agreement, LDRs still apply. Complete LDR checklist.			
11.	Have items 1 through 20 of each manifest been completed?[3745-52-20(A)]		Yes ☒ No ☐ N/A ☐
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 complete. [3745-52-20 (A)]			
12.	Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)]		Yes ☒ No ☐ N/A ☐
NOTE: The generator may designate on the manifest one alternative 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)]			
13.	If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternative TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)]		Yes ☐ No ☐ N/A ☒
14.	Have the manifests been signed by the generator and initial transporter? [3745-52-23 (A) (1) and (2)]		Yes ☒ No ☐ N/A ☐
NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have made a good faith effort to minimize their waste generation.			
15.	If the generator did not receive a return copy of each completed manifest within 60 days of being accepted by the transporter did the generator submit to Ohio EPA, a copy of the manifest with some indication that the generator has not received confirmation of delivery? [3745-52-42(B)]		Yes ☐ No ☐ N/A ☒
16.	Are signed copies of all manifests being retained for at least three years? [3745-52-40]		Yes ☒ No ☐ N/A ☐
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.			
PREPAREDNESS AND PREVENTION			
17.	Is an emergency coordinator available at all times (on-site or on-call)? [3745-52-34(D)(5)(a)]		Yes ☒ No ☐ N/A ☐
18.	Has the following been posted by the telephone: [3745-52-34(D)(5)(b)]		
	a.	Name and telephone number of emergency coordinator?	Yes ☒ No ☐ N/A ☐
	b.	Location of fire and spill control equipment, and, if present, fire alarm(s)?	Yes ☒ No ☐ N/A ☐
	c.	Telephone number of local fire department?	Yes ☒ No ☐ N/A ☐
19.	Are employees familiar with waste handling and emergency procedures? [3745-52-34(D)(5)(c)]		Yes ☒ No ☐ N/A ☐
20.	Has the facility properly responded to all fires and spills? [3745-52-34(D)(5)(d)]		Yes ☒ No ☐ N/A ☐
21.	Is the facility operated to minimize the possibility of fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste? [3745-65-31]		Yes ☒ No ☐ N/A ☐
22.	Does the generator have the following equipment at the facility if it is required due to actual hazards associated with the waste:		
	a.	Internal Alarm system? [3745-65-32(A)]	Yes ☒ No ☐ N/A ☐
	b.	Emergency communication device? [3745-65-32(B)]	Yes ☒ No ☐ N/A ☐

	c.	Portable fire control, spill control and decon equipment? [3745-65-32(C)]?	Yes ☒ No ☐ N/A ☐
	d.	Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)]	Yes ☒ No ☐ N/A ☐
23.	Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]		Yes ☒ No ☐ N/A ☐
	a.	Are inspections recorded in a log or summary? [3745-65-33]	Yes ☒ No ☐ N/A ☐
24.	Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (*unless the device is not required under OAC 3745-65-32)? [3745-65-34(A)]*		Yes ☒ No ☐ N/A ☐
25.	If there is only one employee on the premises is there immediate access to a device (ex. phone, hand-held two-way radio) capable of summoning external emergency assistance (*unless not required under OAC 3745-65-32*)? [3745-65-34(B)]		Yes ☒ No ☐ N/A ☐
26.	Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]		Yes ☒ No ☐ N/A ☐
27.	Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)]		Yes ☒ No ☐ N/A ☐
28.	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 ☒
SATELLITE ACCUMULATION AREA REQUIREMENTS			
29.	Does the generator ensure that satellite accumulation area(s):		
	a.	Are at or near a point of generation? {3745-52-34(C)(1)]	Yes ☒ No ☐ N/A ☐
	b.	Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)]	Yes ☒ No ☐ N/A ☐
	c.	Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)]	Yes ☒ No ☐ N/A ☐
	d.	Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)]	Yes ☐ No ☐ N/A ☒
	e.	Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)]	Yes ☒ No ☐ N/A ☐
	f.	Containers are marked with the words "Hazardous Waste" <u>or</u> other words identifying the contents? [3745-52-34(C)(1)(b)]	Yes ☒ No ☐ N/A ☐
30.	Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so:		Yes ☐ No ☒ N/A ☐
	a.	Did the generator comply with 3745-52-34(A)(1) through (4) or other applicable generator requirements within three days? [3745-52-34(C)(2)]	Yes ☐ No ☐ N/A ☒
	b.	Did the generator mark the container(s) holding the excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)]	Yes ☐ No ☐ N/A ☒

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.

USE AND MANAGEMENT OF CONTAINERS		
31.	Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(D)(4)]	Yes ☒ No ☐ N/A ☐
32.	Is the accumulation date on each container? [3745-52-34(D)(4)]	Yes ☒ No ☐ N/A ☐

33.	Are hazardous wastes stored in containers which are:		
	a.	Closed (except when adding/removing wastes)? [3745-66-73(A)]	Yes ☒ No ☐ N/A ☐
	b.	In good condition? [3745-66-71]	Yes ☒ No ☐ N/A ☐
	c.	Compatible with wastes stored in them? [3745-66-72]	Yes ☒ No ☐ N/A ☐
	d.	Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]	Yes ☒ No ☐ N/A ☐
NOTE: Record location on process summary sheets and photograph the area.			
34.	Is the container accumulation area(s) inspected at least weekly? [3745-66-74] Per ORC§1.44(A) "Week" means seven(7) consecutive days.		Yes ☒ No ☐ N/A ☐
	a.	Are inspections recorded in a log or summary? [3745-66-74]	Yes ☒ No ☐ N/A ☐
35.	Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)]		Yes ☐ No ☐ N/A ☒
36.	If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)]		Yes ☐ No ☐ N/A ☒
37.	If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)]		Yes ☐ No ☐ N/A ☒
NOTE: OAC 3745-65-17(B) requires that the generator treat, store, or dispose of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials so that it does not create undesirable conditions or threaten human health or the environment.			
PRE-TRANSPORT REQUIREMENTS			
38.	Does each generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)]		Yes ☒ No ☐ N/A ☐
39.	Does each container ≤100 gallons have a completed hazardous waste label? [3745-52-32(B)]		Yes ☒ No ☐ N/A ☐
40.	Before off-site transportation, does the generator placard <u>or</u> offer the appropriate DOT placards to the initial transporter? [3745-52-33]		Yes ☒ No ☐ N/A ☐

GENERATOR LDR CHECKLIST
DOES NOT APPLY TO CESQGS

GENERAL REQUIREMENTS			
1.	If LDRs do not apply, does the generator have a statement that lists how the HW was generated, why LDRs don't apply and where the HW went? [3745-270-07 (A)(7)]		Yes ☐ No ☐ N/A ☒
2.	Did the generator determine if the HW/soil must be treated to meet the LDR treatment standard prior to disposal? Generator knowledge or testing may be used. [3745-270-07(A)(1)]		Yes ☒ No ☐ N/A ☐
NOTE: This is done by determining if the HW /soil contain levels of constituents greater than the levels given in its LDR treatment standard in 3745-270-40. However, if a specific treatment method is given in 3745-270-40 for the HW, no determination is required [3745-270-07 (A)(1)(b)]. If soil, generator can choose to have soil treated to LDR levels given in 3745-270-49 (alternative treatment levels for soils).			
3.	Does the generator has documentation of how he determined whether the HW/soil meets or does not meet the LDR treatment standard in 2, above? [3745-270-07(A)(6)(a) or 3745-270-07(A)(6)(b)]		Yes ☒ No ☐ N/A ☐
4.	Does the generator keep the documentation required in #2, above, on-site for at least three years from the last date the HW/soil was sent on-site/off-site for treatment/disposal? [3745-270-07(A)(8)]		Yes ☒ No ☐ N/A ☐
5.	Does the generator generate a listed HW that exhibits a characteristic? If yes,		Yes ☒ No ☐ N/A ☐
	a.	Did the generator determine if the listed HW exhibits a characteristic that is not treated under the LDR treatment standard for the listed HW? [3745-270-09(A)	Yes ☒ No ☐ N/A ☐
FOR EXAMPLE: F006 that exhibits the characteristic for silver or K062 that is corrosive, D002. Review LDR treatment standard in 3745-270-40 to determine what constituents the listed HW is treated for.			
6.	Did the generator determine if its characteristic HW contains underlying hazardous constituents that need to be treated? [3745-270-09(A)]		Yes ☒ No ☐ N/A ☐
NOTE: This is done by evaluating which underlying hazardous constituents (UHC) are in the HW at levels above the universal treatment standards given in 3745-270-48. This requirement does not apply to high total organic carbon (i.e., contains >10% TOC) D001 wastes or listed HWs.			
NOTE: Written documentation of this determination is not required.			
7.	Did the generator treat his HW /soil on-site <u>to meet</u> the LDR treatment standard?		Yes ☐ No ☒ N/A ☐
NOTE If Yes• see question #16.			
8.	Did the generator send a one-time LDR notification form to the TSD with the first shipment to that facility?[3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
9.	Did the generator resubmit the LDR notification form to the TSD when the HW changed or the generator used a new TSD? [3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
10.	Does the generator have a copy of the LDR notification form on file?[3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
	a.	Is the form kept on file for three years after last HW shipped? [3745-270-07(A)(8)]	Yes ☒ No ☐ N/A ☐
NOTIFICATION FORM			
11.	Does the LDR Notification form contain the following information:		
	a.	Manifest number of the first waste shipment to the TSD?[3745-270-07(A)(2)]	Yes ☒ No ☐ N/A ☐
	b.	Applicable waste codes (includes characteristic codes for a listed HW if applicable)? [3745-270-07(A)(2)]	Yes ☒ No ☐ N/A ☐
	c.	A statement that conveys that the HW is subject to LDRs and must be treated to meet LDR treatment requirements? [3745-270-07(A)(2)]	Yes ☒ No ☐ N/A ☐
	d.	A designation whether the HW is a wastewater or non-wastewater? [3745-270-07(A)(2)].	Yes ☒ No ☐ N/A ☐
NOTE: A wastewater contains <1% by wt. total suspended solids(TSS) and <1% by wt. TOC. If you doubt the HW is			

a wastewater or non-wastewater, the HW can be tested using for example, Standard Methods (SM) 160.2 for TSS, SW-846 method 9060a for TOC.				
	e.	Designation of the waste subcategory when applicable? [3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
NOTE: Subcategories are found on the LDR treatment standards table under the applicable waste code. Not all HWs have subcategories				
	f.	A listing of the underlying hazardous constituents for which a characteristic waste must be treated? [3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
NOTE: Not required if the waste is high TOC D001 or the TSD tests its treatment residues for all underlying hazardous constituents.				
	g.	If the HW is F001-F005 or F039, did the generator note on the LDR form what solvents or constituents, respectively, the waste contains and must be treated for?[3745-270-07(A)(2)]		Yes ☒ No ☐ N/A ☐
NOTE: Not required if the TSD tests its treatment residues for all underlying hazardous constituents.				
PROHIBITED DILUTION				
12.	Is the HW treated by burning? If No, go to #15.			Yes ☒ No ☐ N/A ☐
13.	Is the HW a metal-bearing HW?			Yes ☐ No ☒ N/A ☐
NOTE: Generally, metal-bearing HWs contain heavy metals above TCLP levels or were listed due to the presence of metals. A list of the restricted metal-bearing HWs are given in the Appendix to 3745-270-03.				
14.	a.	Metal-bearing HWs cannot be incinerated, combusted or, blended and burned for fuel unless **one** of the following conditions apply. [3745-270-03(c)]		
		i.	Contains > 1% TOC?	Yes ☐ No ☐ N/A ☒
		ii.	Contains organic constituents or cyanide at levels greater than the UST levels?	Yes ☐ No ☐ N/A ☒
		iii.	Is made up of combustible material e.g., paper, wood, plastic?	Yes ☐ No ☐ N/A ☒
		iv.	Has a reasonable heating value (e.g., > 5000 Btu)?	Yes ☐ No ☐ N/A ☒
		v.	Co-generated with a HW that must be combusted?	Yes ☐ No ☐ N/A ☒
	b.	If all responses to 14 a.i. through 14 a.v. are No, HW is being improperly treated by dilution, violation of 3745-270-03(C). Is HW being treated by dilution?		Yes ☐ No ☐ N/A ☒
15.	Was the HW treated by wastewater treatment?			Yes ☐ No ☐ N/A ☒
	a.	Is a LDR treatment method, other than DEACT or a numerical value, specified for the waste? [3745-270-03(B) and 3745-270-40(A)(3)]		Yes ☐ No ☐ N/A ☒
NOTE: If Yes, HW is improperly being treated by dilution.				
	b.	Does the waste carry the D001 code <u>and</u> contain ≥10% TOC?		Yes ☐ No ☐ N/A ☒
	c.	Does the wastewater treatment process include a process to separate/recover the organic phase of the waste?		Yes ☐ No ☐ N/A ☒
NOTE: If the answers to b & c are yes and no, respectively, waste is improperly being treated by dilution and generator is in violation of [3745-270-03(B) and 3745-270-40(A)(3)].				
NOTE: A list of separation/recovery processes are given in 3745-270-42 under RORG.				
GENERATOR TREATMENT				
16.	Does the generator treat to meet LDRs on-site [3745-270-40(A)]?			Yes ☐ No ☒ N/A ☐

	Did the generator treat his hazardous waste/soil on-site in a tank, container, drip pad or containment building to meet the LDR treatment standard?				Yes ☐ No ☒ N/A ☐
	If Yes...complete the rest of the checklist. If No...stop...you are done.				
	a.	Does the generator have a written waste analysis plan (WAP) that describes the procedures he will follow to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)]			Yes ☐ No ☐ N/A ☒
	b.	Did the generator use a detailed chemical and physical analysis of the HW/soil in order to develop the WAP? [3745-270-07(A)(5)(a)]			Yes ☐ No ☐ N/A ☒
NOTE: This is a laboratory analysis but it does not have to be kept by the generator.					
	c.	Does the WAP contain all information necessary to treat the HW/soil to the LDR treatment standard? [3745-270-07(A)(5)(a)]			Yes ☐ No ☐ N/A ☒
	d.	Does the WAP include the testing frequency of the treated HW/soil to demonstrate that the LDR treatment standard is being met? [3745-270-07(A)(5)(a)]			Yes ☐ No ☐ N/A ☒
	e.	Does the generator keep the WAP on-site? [3745-270-07(A)(5)(b)]			Yes ☐ No ☐ N/A ☒
	f.	Is the WAP available for the inspector review during the inspection? [3745-270-07(A)(5)(b)]			Yes ☐ No ☐ N/A ☒
NOTIFICATION FORM					
17.	a.	Contains all information in #11 a-g above and			Yes ☐ No ☐ N/A ☒
	b.	If the treated HW/soil is listed.....notification contains the following certification statement: I certify under penalty of law that I personally have examined and am familiar with the waste, through analysis and testing or trough knowledge of the waste, to support this certification that the waste complies with the treatment stands specified in rule 3745-270-40 to 3745-270-49 of the Administrative Code. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.			Yes ☐ No ☐ N/A ☒
	c.	If the treated HW/soil no longer exhibits a characteristic and is no longer a HW, did the generator:			
		i.	Send a one-time notification to the director?[3745-270- 09 (D)]		Yes ☐ No ☐ N/A ☒
		ii.	Maintain a copy of the notice onsite?[3745-270-09(D)]		Yes ☐ No ☐ N/A ☒
		iii.	Include in the notification: [3745-270-09(D)(1)(a)]		
			1.	Name & address of receiving landfill?	Yes ☐ No ☐ N/A ☒
			2.	Description of HW when generated?	Yes ☐ No ☐ N/A ☒
			3.	HW code when generated?	Yes ☐ No ☐ N/A ☒
			4.	Treatability group when generated?	Yes ☐ No ☐ N/A ☒
			5.	Underlying hazardous constituents present when generated?	Yes ☐ No ☐ N/A ☒
		iv.	Contain the right certification statement as required by 3745-70-07(b)(4)?		Yes ☐ No ☐ N/A ☒

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 ☐
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 ☐
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 ☒
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 ☒
5.	Does the SQUWH conduct any of the following activities:		
	a.	Sort batteries by type?	Yes ☐ No ☒ N/A ☐
	b.	Mix battery types in one container?	Yes ☒ No ☐ N/A ☐
	c.	Discharge batteries to remove the electric charge?	Yes ☐ No ☒ N/A ☐
	d.	Regenerated used batteries?	Yes ☐ No ☒ N/A ☐
	e.	Disassemble them into individual batteries or cells?	Yes ☐ No ☒ N/A ☐
	f.	Remove batteries from consumer products?	Yes ☐ No ☒ N/A ☐
	g.	Remove the electrolyte from the battery?	Yes ☐ No ☒ N/A ☐
	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 ☒
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 ☒
	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 ☒
	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 ☒
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 ☒
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 ☐
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?		Yes ☒ No ☐ N/A ☐

	[3745-273-13(D)(2)]		
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 ☐
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 ☐
	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 ☐
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 ☒
	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 ☒
	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 ☒
	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 ☒
	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 ☒
	e.	Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)]	Yes ☐ No ☐ N/A ☒
	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 ☐
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 ☐
RESPONSE TO RELEASES			
14.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]		Yes ☐ No ☐ N/A ☒
15.	Is the material released characterized? [3745-273-17(B)]		Yes ☐ No ☐ N/A ☒
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 ☒
OFF-SITE SHIPMENTS			
NOTE: If a SQUWH self-transports 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 ☐
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 ☒
19.	Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)]		Yes ☐ No ☐ N/A ☒
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 ☒
	b.	Agree to where the shipment will be sent? [3745-273-18(E)(2)]	Yes ☐ No ☐ N/A ☒
21.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following:		Yes ☐ No ☐ N/A ☒
	a.	Sending the waste back to the originating handler? [3745-273-18(F)(1)]	Yes ☐ No ☐ N/A ☒
	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 ☒
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 ☒
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 ☒
EXPORTS			
24.	Is waste being sent to a foreign destination? If so:		Yes ☐ No ☒ N/A ☐
	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 ☒
	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 ☒
	c.	Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	Yes ☐ No ☐ N/A ☒

USED OIL INSPECTION CHECKLIST
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS

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

PROHIBITIONS			
1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:		Yes ☐ No ☒ N/A ☐
	a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes ☐ No ☐ N/A ☒
NOTE: For example, used oil contaminated scrap metal stored in a pile.			
2.	Is used oil used as a dust suppressant? [3745-279-12(B)]		Yes ☐ No ☒ N/A ☐
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?		Yes ☐ No ☐ N/A ☒
NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., If generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).			
GENERATOR STANDARDS			
4.	Does the generator mix hazardous waste with used oil? If so,		Yes ☐ No ☒ N/A ☐
	a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes ☐ No ☐ N/A ☒
NOTE: Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.			
5.	Does the generator of 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 ☒
NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.			
6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]		Yes ☐ No ☐ N/A ☒
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 ☐
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 ☐
9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]		Yes ☒ No ☐ N/A ☐
	a.	Stopped the release?	Yes ☒ No ☐ N/A ☐
	b.	Contained the release?	Yes ☒ No ☐ N/A ☐
	c.	Cleaned up and properly managed the used oil and other materials?	Yes ☒ No ☐ N/A ☐
	d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes ☒ No ☐ N/A ☐
ON-SITE BURNING IN SPACE HEATER			
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:		
	a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes ☐ No ☐ N/A ☒
	b.	Is the heater designed to have a maximum capacity of not more that	Yes ☐ No ☐ N/A ☒

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