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State of Ohio Environmental Protection Agency

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P.O. Box 1049  
Columbus, OH 43215-1049

May 14, 2008

Mr. Ezekiel Wolfe  
Westerman Companies  
245 North Broad Street  
Bremen, OH 43107

**Re: Westerman Companies  
Small Quantity Generator  
OHD986975357  
Fairfield County, CDO  
NOV**

Dear Mr. Wolfe:

Thank you for accompanying me during Ohio EPA's April 30, 2008 inspection of Westerman Companies facility in Bremen, Ohio. Also present during portions of the inspection representing Westerman Companies were Terry A. McGhee, Barry Keller, and John M. Sulzmann. I inspected Westerman Companies 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).

We found the following violation of Ohio's hazardous waste laws:

**Treatment, Storage, Disposal (ORC 3734.02(E) & (F))**

During the inspection, it was determined that Westerman Companies accepted and stored hazardous waste generated by Seifert Construction, Inc. About once each month during the previous two years, Seifert Construction, Inc. transported one 55-gallon drum of hazardous waste to Westerman Companies. Due to an increase in business activity Seifert Construction, Inc. transported two drums of hazardous waste to Westerman Companies the month of April, 2008.

Westerman Companies was advised during the inspection to immediately cease accepting off site hazardous waste from Seifert Construction, Inc. and to cease storing such hazardous waste without a hazardous waste installation and operation permit in violation of ORC 3734.02 (E) and (F).

Since the Westerman Companies violated ORC 3734.02 (E) and (F), the Westerman Companies is subject to all applicable general facility standards found in OAC chapters 3745-54 and 55. Additionally, at any time Ohio EPA may assert its right to have the Westerman Companies begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

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

Mr. Ezekiel Wolfe  
Westerman Companies  
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Because of the seriousness of this violation, Westerman Companies is being referred to the Central Office Enforcement Section for consideration of escalated enforcement.

Enclosed you will find a copy of the inspection checklists. Should you have any questions, please feel free to call me at 614.728.3882 or by e-mail at [andy.kubalak@epa.state.oh.us](mailto:andy.kubalak@epa.state.oh.us). You can find copies of the rules and other information on the division's web page at: <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



Andy Kubalak  
Hazardous Waste Inspector  
Division of Hazardous Waste Management  
Central District Office

Enclosure

c: Todd Anderson, Legal  
Kristina Durnell, DHWM  
CDO File

AK/nsm Westermancel050508

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

For Ohio EPA use only

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

2. Site EPA ID No.	EPA ID Number: OHD986975357								
3. Site Name	Name: Westerman Companies					Website: (Optional)			
4. Site Location Information	Street Address: 245 North Broad Street								
	City, Town, or Village: Bremen					State: OH			
	County Name: Fairfield					Zip Code: 43107			
5. Site Land Type (check only one)	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
6. NAICS code(s) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>									
7. Facility Representative  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: Ezekiel			MI:	Last Name: Wolfe				
	Phone Number: 740.569.4143				Phone Number Extension:				
	E-Mail Address:								
	Fax Number:				Fax Number Extension:				
	Street or P.O. Box:								
	City, Town or Village:								
	State:			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	Name of Site's Legal Owner: Westerman Inc.				Date Became Owner (mm/dd/yyyy): 1957				
	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Street or P.O. Box:								
	City, Town or Village:				Owner Phone #:				
	State:			Country:		Zip Code:			
	Name of Site's Operator:				Date Became Operator (mm/dd/yyyy):				
	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Street or P.O. Box:								
	City, Town or Village:				Operator Phone #:				
	State:			Country:		Zip Code:			
9. Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
10A. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)									
<input type="checkbox"/> Not Regulated				<input type="checkbox"/> Conditionally Exempt Small Quantity Generator					
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11				<input type="checkbox"/> United States Importer of Hazardous Waste					
<input type="checkbox"/> Large Quantity Generator (LQG)				<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator					
<input checked="" type="checkbox"/> Small Quantity Generator (SQG)									
<input type="checkbox"/> Hazardous Waste Transporter				<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace					
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste				<input type="checkbox"/> Small Quantity On-Site Burner Exemption					
<input type="checkbox"/> Recycler of Hazardous Waste				<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption					
<input type="checkbox"/> Underground Injection Control Facility									

10B. Universal Waste Activities (Indicate types of universal waste managed (check all boxes that apply))			
<input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste		<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	
<input type="checkbox"/> Destination Facility for Universal Waste			
Check all boxes below that apply for each of the three types of facilities above		10C. Used Oil Activities (Indicate Type(s) of Activity(ies))	
	Managed	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner
Batteries	<input checked="" type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
Pesticides	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner
Mercury containing equipment	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor	
Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner	
11. Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRA info source record, you do not need to list them all. Instead just indicate the date of the most recent source record.			
12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.			
Announced	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Additional Facility Representatives:	
Tanks	<input type="checkbox"/> Yes <input type="checkbox"/> No	Other Comments:	
Containers	<input type="checkbox"/> Yes <input type="checkbox"/> No		
13. Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)	
andy kubaak		4/30/2008	
14. OPTIONAL CERTIFICATION: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.			
Signature of Owner, Operator, or an Authorized Representative	Name and Title (Print)	Date (mm/dd/yyyy)	

## **Process Description Section [Westerman Companies]**

Westerman Companies manufacture oil field storage tanks, pressure vessels for UF6 cylinders in building #18 (previously USEC/bldg. # 7), air receivers, and cradles to move submarines in and out of the water. The facility manufactures the steel tanks and flat lids. The steel is rolled to form the tanks; then the seams of the tanks are welded. The tanks are painted after they are grit blasted. The flat-bottomed tanks are painted with a red primer. The facility collects the paint waste from this operation. The rounded head tanks are sent to UF6. These tanks have bands welded onto the containers before they are painted. The paint waste, floor sweepings, and tar paper are collected as a hazardous waste.

The facility has one parts washer (about 20 gallons) in the maintenance building. The parts washer is in Safety-Kleen's continued use program.

Westerman generates two kinds of paint related waste. They also generate floor sweepings (paint over spray), tar paper, used rags, used batteries, fluorescent bulbs, used oil, and scrap metal.

## **Waste Activities Summary Section**

**Paint waste (UF6 cylinders operation):** The U.S. Enrichment Corporation paint related waste is generated from excess paint, thinner, floor sweepings, and tar paper in building # 18 (previously building # 7). The floor in the paint booth is covered with tar paper so it is easier to clean up the paint on the floor. The tar paper is replaced every other month. Paint filters are replaced about weekly and go into the hazardous waste drum. If any rags containing solvent are generated, they are placed in the hazardous waste drum. The waste is classified as D001, D008, D035, F003, and F005 hazardous waste. The facility generates about 85 gallons of waste each month. When the tar paper is changed, the waste generation is about 165 gallons of waste per month. The waste is accumulated in 55-gallon drums.

**Paint waste (red primer)** The paint waste is generated from excess paint and xylene thinner in building #15 (formerly building #11). Paint filters are replaced about weekly and go into the hazardous waste drum. If the facility uses any rags these rags are also placed in the hazardous waste drum. This waste is classified as D001, F003, and F005. The waste is accumulated in 55-gallon drums located in building #14. The waste is sent off-site to Chemtron Corporation.

**Used batteries:** The used batteries are generated from maintenance of forklifts and vehicles used on site. The used batteries are traded for new batteries. Batteries come from Napa or elsewhere.

**Fluorescent bulbs:** Lamps are sent off to Veolia Environmental Services in Port Washington, WI. The lamps are managed on site at Building #4 in the same containers used for shipping.

**Oil filters:** I observed used oil filters which were being drained prior to disposal. I talked about possibly recycling the drained filters. Currently the filters are disposed off site as solid waste.

Used oil: Used oil is generated from maintenance of forklifts and the vehicles used on site. The used oil is picked up by Safety-Kleen about once each 8-9 months. Used oil is now accumulated on site in a 25 barrel drum located within a dike.

Scrap metal: The scrap metal is sent for recycling to PCP Iron and Metals (formerly Joyce Iron and Metal)

Additional Item: Seifert Construction, Inc. for approximately two years has been bring hazardous waste from their site one mile away to Westerman Companies for disposal.

Seifert has routinely brought about one 55 gallon drum each month. This month (April, 2008) the volume due to an increase in work activity was two drums. Westerman has a consultant and pays to train Seifert employees. Seifert employees conduct blasting, priming, and painting activity also at the Westerman site.

Westerman pays for disposal of the hazardous waste received from Seifert. Westerman belived that since they provide Seifert with the paint and the materials to be blasted, primed, and painted that they are in the loop regarding waste disposal; which is why they wanted to be certain that the waste is properly managed. Westerman did not intentionally or knowingly operate in violation of state of Ohio hazardous waste laws.

It was explained at the inspection that Westerman should immediately cease accepting any hazardous waste from Seifert or from any other generator. Westerman stated during the inspection that they do not accept any waste from other generators.

August Moon called/left voice mail and stated that they are conducting training for Seifert employees this coming Tuesday, May 6, 2008. They are also assisting Seifert to obtain a U.S. EPA ID#. August Mack also stated that they are preparing a reply to our inspection.

**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: [3745-52-20(E)] Yes  No  N/A
- a. Does the contractual agreement specify the type of waste and frequency of shipment? Yes  No  N/A

[Facility Name/Inspection Date]  
 [ID number]  
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- b. Is the transport vehicle owned  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

[Facility Name/Inspection Date]

[ID number]

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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]
- 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 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" or 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:
- 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 or offer the appropriate DOT placards to the initial transporter? [3745-52-33] 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 \_\_\_ 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 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)]

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#

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#

**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# \_\_\_
- 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# \_\_\_
- a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)] Yes  No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)] Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)] Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)] Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)] Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)] Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_

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)] Yes \_\_\_ No  N/A  RMK# \_\_\_\_\_
15. Is the material released characterized? [3745-273-17(B)] Yes \_\_\_ No  N/A  RMK# \_\_\_\_\_
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# \_\_\_\_\_

**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**



**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
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 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

*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)]
- 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: Yes  No  N/A
- 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 than 0.5 million BTU per hour? Yes  No  N/A
- c. Are the combustion gases from heater vented to the ambient air? Yes  No  N/A

**GENERATOR TRANSPORTATION**

11. If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24] Yes  No  N/A
- 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**

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
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes  No  N/A
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

*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.*

Keyword: UsedOilChecklistforGenerators.Oct.2007.doc

## 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# \_\_\_\_\_
- 
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# \_\_\_\_\_
- 
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# \_\_\_\_\_
- 
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# \_\_\_\_\_
-

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

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

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# \_\_\_

### 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# \_\_\_

### 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# \_\_\_

### REMARKS



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