



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nally, Director

March 28, 2012

RE: SCHUSTER'S GREENHOUSE LLC
CUYAHOGA COUNTY
OHR000167601
NON-GENERATOR
NOV/RTC
COMPLAINT NUMBER 7507

David Schuster
Schuster's Greenhouse LLC
9165 Columbia Road
Olmstead Falls, OH 44138

Dear Mr. Schuster:

On March 14, 2012, I as a representative of the Ohio EPA Division of Materials and Waste Management, conducted a complaint inspection of Schuster's Greenhouse LLC (Schuster's Greenhouse) located at 9165 Columbia Road, Olmstead Falls, for compliance with Ohio's hazardous waste and used oil regulations. You and John Clark represented Schuster's Greenhouse during the inspection. You also provided additional information via email subsequent to the on-site inspection.

Ohio EPA had received a complaint alleging that fuel leaks and spillage to the ground had been occurring for an extended period of time near the truck fueling area at Schuster's Greenhouse. As I explained during the inspection, when we receive a complaint, we usually also conduct a general compliance inspection as part of the complaint response.

No hazardous wastes were observed during the inspection. Schuster's Greenhouse must, like all waste generators, evaluate all wastes generated in the future to determine if they are hazardous wastes. For example, in the Front Boiler Room, I observed two bottles of partially full dark brown bottles with a label: Soil Fumigant, VORLEX, methyl isothiocyanate 20%, chlorinated hydrocarbons 80%, apparently still usable, but no longer used at Schuster's Greenhouse. Based on information I found on the internet, the material in these bottles may have a flash point of about 88°F, which would make the contents hazardous waste for Ignitability (D001), if they become wastes in the future.

The facility generates used oil and used fluorescent lamps.

Oil-stained soil and gravel were observed near the diesel oil storage tank and refueling pump in the truck refueling area. It appeared this staining is probably from minor leaks and spillage from vehicle refueling. I estimated the size of the stained area near the drum holding the dispenser nozzle to approximately 4 feet by 15 feet. There is also a nearby oil-stained area in the approximate shape of ¼ of a six foot in diameter circle near the diesel transfer pump, possibly from a minor leak or seep on or near the pump. Because the diesel oil involved is not a used oil, the release is not subject to regulation under the used oil rules. However, clean-up of the stained area is highly advisable to ensure that storm water runoff from the area does not result in the discharge of oil to waters of the state, which could be a violation of state water pollution control rules.

Based on observations made during the facility walk-through and inspection, Ohio EPA has determined that Schuster's Greenhouse has violated the following state used oil and universal waste regulations:

1. **OAC 3745-279-22(C)(1) Used Oil Containers Must Be Labelled With The Words "Used Oil"**

One 30 gallon drum partially full of used oil from small engine oil changes was on-site in the Shipping Barn at the time of the inspection. The drum was not labelled or marked with the words "Used Oil". The drum was labelled with the words "Used Oil" during the inspection.

Labelling the container during the inspection abated this violation. No further action regarding this violation is necessary at this time. In the future all containers holding used oil should be marked with the words "Used Oil".

2. **OAC 3745-273-13(D)(2) Small quantity handler must respond to broken lamps and place them in proper containers or packaging and containers or packaging must be closed.**

During the inspection I observed a broken fluorescent lamp on the floor in the North Barn near the pesticides cabinet. On March 22, 2012, I received an e-mail from you with a picture of a bag containing the broken lamp in a labeled drum and a picture of the area near the pesticide cabinet.

This action abated this violation. No further action is necessary at this time. The broken lamp must continue to be managed as universal waste.

Enclosed you will find a copy of the checklist completed during the March 14, 2012 inspection. Also enclosed are the guidance documents that we discussed on management of used lamps and used oil.

Concerns

Drums of Used Oil and Diesel Fuel/Water Mixture.

At the time of the inspection Schuster's Greenhouse had a 30 gallon drum of used oil on-site and three 30 gallon drums with water and diesel fuel from the vehicle refueling area. As we discussed, a business cannot give away used oil without either complying with the used oil marketer rules or determining and documenting that its used oil is "on spec" and so not subject to these rules. Small businesses almost never choose to be marketers of used oil. Instead they nearly always choose to have a used oil recycler with an Ohio EPA ID number remove their used oil.

Diesel oil of the type handled at your facility could have a flash point of less than 140°F and so be a hazardous waste if it were to become a waste. (An MSDS found on the internet reports the flash point for No. 1 Diesel, Ultra-low Sulfur to be in the range of 120° to 190°F.) There is an exception from the classification as waste for oil/water mixtures from which oil is recovered for re-use. Consequently it is important that when these drums are removed that either they are managed in a manner that meets the exclusion for oil/water mixtures or that they are evaluated to determine if they are hazardous waste.

SPCC Plans

Facilities that store more than 1,320 gallons of "oil" in above ground oil storage require a Spill Prevention Control and Countermeasure Plan (SPCC Plan) to reduce the potential for releases and plan a response to any releases that occur. The capacity of the diesel fuel tank at Schuster's Greenhouse is far in excess of this volume. Reportedly diesel fuel volume in the on-site tank is only a small fraction of tank capacity. A SPCC Plan would require secondary containment for diesel oil and other liquid fuels in storage and plan preparation may require hiring a Professional Engineer. You may want to limit the amount of oil you have on-site to potentially limit the need for an SPCC Plan. A Fact Sheet on SPCC Plans is attached for your information. (The Fact Sheet is out-of date when it advises the reader to contact OEPA for more information; the SPCC program is managed by USEPA in Ohio.)

Other Information

The Division of Materials and Waste Management 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.

Should you have any questions regarding this letter, please contact me at (330) 963-1165.

Sincerely,



Neil J. Wasilk
Environmental Specialist
Division of Materials and Waste Management

NJW:ddw

Enclosure

cc: Marlene Kinney, Ohio EPA, DMWM, NEDO
ec: Natalie Oryshkewych, Ohio EPA, DMWM, NEDO
Nyall McKenna, Ohio EPA, DMWM, NEDO
Jeff Mayhugh, Ohio EPA, DMWM, CO
Shirley Phillips, Ohio EPA, DMWM, NEDO

Send to Central Office <input checked="" type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to brad.hauser@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHR000167601	
Site Name	Name: Schuster's Greenhouse LLC	Website: (Optional)
Site Location Information	Street Address: 9165 Columbia Road	
	City, Town, or Village: Olmstead Falls	State: OH
Site Land Type (check only one)	County Name: CUYAHOGA	
NAICS code(s) www.census.gov/epcd/www/naics.html	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"/>

Facility Representative	First Name: David	MI:	Last Name: Schuster
Additional names can be recorded in number 12	Title:		
Only provide address information if it is different than the site address	Phone Number: 440-235-4115		Phone Number Extension:
	E-Mail Address:		
	Fax Number:		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: Schuster Limited Partnership		Date Became Owner (mm/dd/yyyy):	
	Owner Type:	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"/>	
	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):	
	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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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TYPE OF HANDLER - MARK "X" AS APPROPRIATE	
<input checked="" type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>
	<input type="checkbox"/> Large Quantity Generator (LQG) <input type="checkbox"/> Small Quantity Generator (SQG) <input type="checkbox"/> Conditionally Exempt Small Quantity Generator <input type="checkbox"/> U.S. Importer of Hazardous Waste <input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

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

<input type="checkbox"/> 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"/> 72-Hour Recycler	<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 checked="" type="checkbox"/> Used Oil Generator
<input type="checkbox"/> Used Oil Transporter
<input type="checkbox"/> Used Oil Transfer Facility
<input type="checkbox"/> Used Oil Processor
<input type="checkbox"/> Used Oil Re-refiner
<input type="checkbox"/> Off-Specification Used Oil Burner
<input type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

Eligible Academic Entities with Laboratories: Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

<input type="checkbox"/> College or University
<input type="checkbox"/> Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university
<input type="checkbox"/> Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

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.

COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.

Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Containers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
N. Wasilk		3/14/2012 2:00 p.m.

Comments:

Hazardous Waste Process Flow

Facility:

OHR000167601

Schuster's Greenhouse LLC
9165 Columbia Road
Olmstead Falls, OH 44138

Facility is a large commercial greenhouse operation growing flowering and other indoor plants. Plants are grown in numerous greenhouse rooms in over 10 acres of greenhouses.

The facility has 6 boilers for greenhouse heating. All boilers operate on natural gas. The largest boilers are rated at 5.2 MMBTU/HR. The boilers were originally built to burn both oil & gas; no fuel oil burned in about 10 years.

Company vehicles are used for customer deliveries. A storage tank for No. 1 Ultra-low Sulfur Diesel with an estimated capacity of about 44,000 gallons, reportedly typically holding about 1,300 gallons or less, is used to fuel these vehicles. A small pump on a concrete pad is used to pump fuel from the tank into vehicles. The nozzle on the end of the refueling hose is placed into bughole of a 55 gallon plastic drum to catch drips. Oil stained area (gravel and soil) present, probably from spillage when refueling, approximate size: 4 feet by 15 feet. Also oil stained area in shape of $\frac{1}{4}$ of a circle approx. six foot in diameter near the pump, possibly from a minor leak on or near the pump.

The facility also has tank of about 75 gallon capacity for kerosene used to fuel an emergency electrical generator and some gasoline storage to re-fuel small gasoline engines for equipment used in the greenhouse.

Used oil is generated from changing oil in small engines. One 30 gallon drum holding used oil was present in the Shipping Barn.

Facility has a parts washer that uses a sugar based solvent.

Facility reported that it had a clean out of old agricultural chemicals about 5 years ago.

Facility reported that used lamps are taken to Home Depot

The brick stack in back of greenhouses has not used since 1988, when an old coal boiler was destroyed in a fire.

No hazardous wastes were observed.

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

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

PROHIBITIONS

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

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

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

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

GENERATOR STANDARDS

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

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

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

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

ON-SITE BURNING IN SPACE HEATER

10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	NO
a.	Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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#? <i>NOT TRANSPORTED IN SEVERAL YEARS</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
12.	If the generator self-transported 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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time?[3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

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.

SCHUSTER'S GREENHOUSE

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 *NO U. W. BATTERIES OBSERVED.*

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 type="checkbox"/> N/A <input 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 type="checkbox"/> N/A <input 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 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 type="checkbox"/> N/A <input 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 type="checkbox"/> N/A <input 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 type="checkbox"/> N/A <input 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 type="checkbox"/> N/A <input 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 type="checkbox"/> N/A <input type="checkbox"/> <i>NO LAMPS ON-SITE DURING INSPECTION</i>
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)] <i>NO LAMPS ON-SITE DURING INSPECTION</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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ACCUMULATION TIME		
11.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes <input 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 type="checkbox"/>
NOTE: Accumulation is defined as date generated or date received from another handler.		
12.	Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	If yes, describe below: FACILITY REPORTS RECYCLING USED LAMPS THROUGH HOME DEPOT	
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 NO. U.W. RELEASES OBSERVED		
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 type="checkbox"/>
15.	Is the material released characterized? [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input 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 type="checkbox"/>
OFF-SITE SHIPMENTS		
NOTE: If a SQUWH self-transport waste, then the handler 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 <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 one of the following:	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 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 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 type="checkbox"/> N/A <input checked="" type="checkbox"/>

Regulation of above ground oil and petroleum product storage tanks

Answer ID 308 | This answer was first published on: 02/08/2006 03:52 PM | This answer was last updated on: 05/19/2011 04:30 PM

Who regulates above ground oil and petroleum product storage tanks?

There are several areas where above ground oil and petroleum product storage tanks could be regulated:

SPCC Regulations: There are spill prevention planning and secondary containment requirements for above ground storage tanks (ASTs) under the Spill Prevention Control and Countermeasure (SPCC) regulations. The SPCC program was promulgated under federal regulations by U.S. EPA and applies to non-transportation facilities that store oil and/or oil products. Because Ohio has not promulgated its own oil pollution prevention regulations, facilities in the state that are subject to the SPCC requirements must comply with the federal regulations (40 CFR part 112). Ohio EPA's Division of Emergency and Remedial Response (DERR) conducts investigations for the SPCC program.

Whether you are subject to the SPCC requirements depends on the material stored and quantity.

Oil and oil products are regulated. Under the SPCC regulations, the definition of oil is very broad and includes animal, vegetable and soluble oils.

Other common oil and petroleum products that are regulated include: heating oil, crude oil, mineral oil, gasoline and diesel fuel.

If you have an oil or oil product, you then need to determine your storage capacity. In order for the SPCC regulations to apply, you need to have an above ground storage capacity of 1,320 gallons or more.

It is important to note that the total capacity of your tanks or containers must be considered, not the actual amount of oil stored or the portion commonly used.

If you are storing oil in containers that are less than 55 gallons in size, you do not need to include these in calculating your SPCC storage capacity.

If you'd like more information on the SPCC requirements, see Ohio EPA's fact sheet Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements which can be found at <http://www.epa.ohio.gov/portals/41/sb/publications/spcc.pdf>.

For more information and a list of contacts in your area, visit www.epa.gov/region5oil/. U.S. EPA's SPCC Web site is at www.epa.gov/oilspill/.

NPDES Storm water Discharge Permit: Activities that take place at industrial facilities, such as material handling and storage, are often exposed to storm water.

The runoff from these activities can lead to discharges of industrial pollutants into nearby storm sewer systems and water bodies. Because of this, certain industrial activities (and construction sites) are required to get an National Pollutant Discharge Elimination (NPDES) storm water permit from Ohio EPA.

For more information, visit our Division of Surface Water, Industrial Storm Water Program's Web site at http://www.epa.ohio.gov/dsw/storm/industrial_index.aspx.

AST Flammable/Combustible Liquid Storage: You should also be aware that the State Fire Marshal's Office has regulations related to above ground tank storage for flammable and combustible materials, including a requirement to register tanks.

If you are not familiar with these requirements, you may want to visit their Web site at <http://com.ohio.gov/fire/OneStopTankShop.aspx>.

In addition to the State Fire Marshal, you should also contact your local fire department. Some fire departments have adopted specific codes pertaining to above ground tank storage. Not all fire departments enforce the same fire code and your local department may have regulations more stringent than the Ohio Fire Code pertaining to siting criteria, etc.

Air Permit: Sources of air pollution are required to have air permits, unless they are specifically exempt under the rules, or are considered small (de minimis) sources. If you are storing petroleum products in tanks, particularly in large quantities, you will likely need an air permit from Ohio EPA.

Small tanks (storing liquid with a capacity of less than 700 gallons) and other tanks are exempt under Ohio Administrative Code 3745-31-03 (C)(1) (I) which can be found here: http://www.epa.ohio.gov/portals/27/regs/3745-31/3745-31-03_Final.pdf.

If you have questions about the air permitting requirements, you can start by contacting your local Ohio EPA district office or local air agency. If you are unsure of your local office, visit our Web site for a map and contact information at www.epa.ohio.gov/directions.aspx.

Emergency Planning and Community Right-to-Know (EPCRA): Under the EPCRA requirements, businesses are required to submit a report if they are subject to OSHA's Hazard Communication Standard and they use, produce or store a hazardous chemical and or an extremely hazardous chemical above the threshold quantity.

The threshold quantity for a hazardous chemical is 10,000 pounds on site at anytime and for the 500 extremely hazardous chemicals, the applicable threshold is chemical specific. For more information on the EPCRA requirements, visit the State Emergency Response Commission's Web page at www.epa.ohio.gov/dapc/serc/index.aspx.

November 2009

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

If you handle oil or oil products, you could be subject to the Spill Prevention Control and Countermeasure (SPCC) regulations. These regulations are found in federal regulations (40 CFR Part 112) and require that certain procedures, methods and equipment be used to prevent and contain discharges of oil or petroleum products. This includes the development of an emergency action plan.

The regulations apply to non-transportation-related facilities that store oil or petroleum products in greater than threshold quantities.

Facilities are regulated if, due to their location, a discharge could reasonably be expected to reach a waterway (including sewer pathways).

This fact sheet has been prepared to help you determine if your business is subject to the SPCC requirements.

***** NOTE *****

Under the SPCC regulations, the definition of oil is very broad and includes animal, vegetable and soluble oils.

Other common oil and petroleum products that are regulated include: heating oil, crude oil, mineral oil, gasoline and diesel fuel.

How do I know if my facility is subject to these regulations?

First you need to determine the oil storage capacity at your facility. If you

have any of the following storage capacities, you are subject to the SPCC regulations:

- A total aboveground storage capacity of 1,320 gallons; or
- More than 42,000 gallons of underground storage capacity. This excludes tanks regulated under 40 CFR Parts 280 or 281. In Ohio these tanks are regulated by the State Fire Marshal's Bureau of Underground Storage Tank Regulations (BUSTR).

Storage tanks in basements are considered aboveground storage tanks rather than underground storage tanks.

It is important to note that the total capacity of your tanks or containers must be considered, not the actual amount of oil stored or the portion commonly used.

If you are storing oil in containers that are less than 55 gallons in size, you do not need to include these in calculating your SPCC storage capacity.

What are examples of SPCC regulated facilities?

Some examples of facilities covered by the SPCC program are listed below; however, other facilities may also be subject to the regulations:

- Vehicle maintenance and refueling facilities;
- Facilities that use, store, produce, gather or process oil or petroleum products;
- Oil drilling, production and refining facilities;
- Waste treatment facilities;

- Loading areas/racks, transfer hoses, loading arms and other equipment which are part of a non-transportation-related facility;
- Highway vehicles and railroad cars used to transport oil within the confines of a non-transportation-related facility; or
- Pipeline systems used to transport oil exclusively within the confines of a non-transportation-related facility.

Are there any exemptions?

The following are exempt from the SPCC regulations:

- Some transportation-related activities. These include highway vehicles, railroad cars, pipelines and breakout storage tanks needed for the continuous operation of a pipeline. Transportation facilities used for routine on-site storage may not be exempt;
- Containers less than 55 gallons;
- Permanently closed containers;
- Underground storage tanks regulated in Ohio by BUSTR; or licensed by the Nuclear Regulatory Commission;
- Tanks used exclusively for wastewater treatment. The production, recovery or recycling of oil is not considered wastewater treatment;
- Hot mix asphalt;
- Residential heating oil;
- Pesticide application and mixing; and
- Onboard bulk storage containers used to power the movement of a motor vehicle or ancillary onboard oil-filled operational equipment.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

How do I comply with the SPCC requirements?

If you are subject to the SPCC rules, there are two basic requirements:

- Provide adequate secondary containment for oil or petroleum product storage and transfer areas to contain any releases; and
- Prepare and implement a written SPCC plan.

What is adequate secondary containment?

The secondary containment system must be constructed so that a discharge from a storage tank or pipe will not escape before a cleanup occurs. To meet this criteria, containment systems are usually designed to hold 110 percent of the volume of the largest tank or container in the area.

Transfer areas also need to have sufficient containment capacity to hold at least the largest single compartment of the tank car or truck. Appropriate containment for onshore facilities may include:

- Impervious dikes, berms or retaining walls;
- Curbing;
- Culverts, gutters or other drainage systems;
- Weirs, booms or other barriers;
- Spill diversion or retention ponds;
- Sorbent materials; or
- Shop fabricated double-walled tanks meeting UL standards.

What are the requirements of a written SPCC plan?

In addition to secondary containment, if you are subject to the SPCC regulations you must have a written SPCC plan. The SPCC plan needs to describe all measures taken at your facility to

prevent and control a release of oil or petroleum products, including:

- Facility operations, staffing, site security, spill history and documentation of annual oil-handling employee training;
- Oil release scenarios that include possible volume of the spill and the direction of flow;
- Notification procedures (including an emergency call down list);
- A facility site plan showing areas of oil storage and transfer;
- A description of containment structures or equipment used to prevent releases;
- A description of the procedures to stop, contain and clean up any released materials, including procedures for managing collected rain water;
- Oil storage inspection procedures;
- A written commitment of manpower, equipment and materials to expeditiously control and remove any amount of oil that may be spilled; and
- Written procedures for integrity and leak testing of tanks, containers, valves and piping.

The SPCC plan must be prepared and implemented before you begin operations, and it must be updated every five years or whenever significant changes in oil storage occur. In addition, your oil-handling employees need to be trained on the contents of the SPCC plan.

The SPCC plan must also be signed by your management and you must have the plan certified by a professional engineer (PE) familiar with your facility, unless you meet the requirements to self-certify your plan as described below. The PE is certifying that he is familiar with the SPCC requirements, that he or his agent has visited and examined your facility, that your SPCC plan has been prepared in accordance with the SPCC

requirements and good engineering practices, that procedures for inspections and testing have been established, and your that plan is adequate for your facility.

You must document that your management has reviewed your plan every five years, even when there are no changes. Any technical modification to your plan also needs to be certified by a PE. Non-technical modifications, such as changes to the contact list or phone numbers, do not require a PE certification.

Your SPCC plan must be kept on site and be available for review if your facility is attended at least four hours per day.

Do I have to hire a PE to review and certify my plan?

If you meet the following criteria, you have the option to self-certify your SPCC plan instead of having your plan reviewed and certified by a PE:

- Have 10,000 gallons or less in aggregate aboveground oil storage capacity, and
- For the three years prior to your plan's certification date, you have not had discharges of oil to waters of the state that exceed:
 - A single discharge of 1,000 gallons of oil from your facility; or
 - Two discharges of more than 42 gallons of oil in a 12-month period.

However, if you want to use alternative methods that provide equivalent environmental protection, or if you have determined that secondary containment is impractical, then a PE will need to review and certify those aspects of your plan. You can still self-certify the remaining portions of your plan.

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

Are there other reduced requirements for facilities that don't store a lot of oil?

Yes. If you meet the criteria mentioned in the previous paragraph you also have the option to use streamlined facility security and tank integrity inspections requirements designed for smaller facilities.

How will I know if my SPCC plan is adequate?

You can compare your plan to sample plans, available from a number of sources, such as the American Petroleum Institute (www.api.org). In addition, you can access resources to help you understand, develop, and implement your SPCC plan from U.S. EPA's Web site at www.epa.gov/oilspill/spcc.htm.

Does Ohio EPA have to approve my SPCC plan?

No, Ohio EPA does not approve SPCC plans. Rather, you verify through management sign-off and certification that your company's SPCC plan has been implemented and meets the requirements of the regulations.

Only facilities subject to the Facility Response Plan (FRP) portion of the SPCC regulations must have their plans approved by U.S. EPA or the Coast Guard in order to operate. FRP facilities are those that have one million gallons or more of oil storage capacity, or transfer oil over water in vessels that have oil storage capacities of 42,000 gallons or more.

Do I need to send my SPCC plan to the EPA?

After you complete your SPCC plan, you are not required to submit it to the EPA, unless either U.S. EPA or Ohio EPA specifically requests that you submit it, or if the following conditions exist:

- If a release of 1,000 gallons or more occurs from your facility; or
- You have two releases of more than 42 gallons each within a 12-month period.

In this case, you must submit specific information related to the release and, if requested, your SPCC plan, to U.S. EPA Region 5 and the appropriate Ohio EPA district office emergency response program.

However, you should note that either U.S. EPA or Ohio EPA may, at some time, inspect your facility and ask to see your SPCC plan. In this situation, it is important that you are able to locate and provide your plan for review.

What if my facility doesn't have a plan or hasn't followed the SPCC requirements?

Depending on the circumstances and degree of inadequacy, you may be able to reach compliance without facing fines. That's why it is important to contact Ohio EPA if you are unsure about your status of compliance with the SPCC regulations or how to develop a plan. In serious cases, though, a company can be subject to violations or penalties.

Are there other environmental regulations affecting my oil storage?

If your facility has any oily wastewater that flows through a treatment device such as an oil/water separator, a wastewater permit may be required for this unit. For more information, contact your Ohio EPA district office Division of Surface Water.

If you generate, collect, transport, burn or market used oil, you will also be subject to Ohio's used oil regulations. Contact the Division of Hazardous Waste Management at your Ohio EPA district office for more information.

If you store oil in underground tanks, you may be subject to BUSTR's regulations. Contact BUSTR at (614) 752-7938 for more information.

Where can I get more information on the SPCC program?

For more information on the SPCC program, ~~contact the SPCC coordinator at your Ohio EPA district office, or visit U.S. EPA's Web site at www.epa.gov/oilspill.~~

Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements

OhioEPA District Offices



Toll-free numbers are for citizens with questions or concerns about environmental issues. The regulated community should use the business line for routine business. Spills and emergencies should be reported to (800) 282-9378.

CDO Central District Office
50 W. Town St. Suite 700
Columbus, OH 43215
(614) 728-3778
(614) 728-3898 Fax
(800) 686-2330
www.epa.ohio.gov/cdo

NWDO Northwest District Office*
347 N. Dunbridge Rd.
Bowling Green, OH 43402
(419) 352-8461
(419) 352-8468 Fax
(800) 686-6930
www.epa.ohio.gov/nwdo

SEDO Southeast District Office
2195 Front St.
Logan, OH 43138
(740) 385-8501
(740) 3856490 Fax
(800) 686-7330
www.epa.ohio.gov/sedo

NEDO Northeast District Office
2110 E. Auroa Rd.
Twinsburg, OH 44087
(330) 963-1200
(330) 487-0769 Fax
(800) 686-6330
www.epa.ohio.gov/nedo

* For businesses in Ashland, Richland and Marion counties, contact the Central District Office.

SWDO Southwest District Office
401 E. Fifth St.
Dayton, OH 45402-6357
(937) 285-6357
(937) 285-6249 Fax
(800) 686-6357
www.epa.ohio.gov/swdo

Fluorescent Lamps: What You Should Know

DHWM Guidance Document

DATE: January 2007

Do you use lamps?

EVERYONE uses lamps! Many people don't realize they can be hazardous because of the mercury, lead and cadmium they contain. When Ohio EPA uses the term "lamp" it includes:

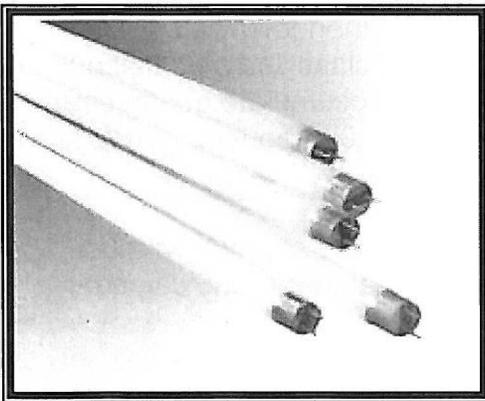
- incandescent;
- fluorescent;
- metal halide;
- neon;
- high-intensity discharge (HID);
- high-pressure sodium;
- mercury-vapor;
- and LED lamps.

Why are waste lamps harmful?

Lamps can contain mercury, lead, cadmium and barium, which are toxic chemicals that can accumulate in living tissue and cause health problems. A small amount of mercury is needed in all fluorescent and HID lamps to make the lamp work. When a lamp breaks or is thrown away in a solid waste landfill or incinerator, the mercury can contaminate air, soil, surface water and ground water.

Be Aware!

Some fluorescent lamps contain up to 40 mg of mercury!



Are fluorescent lamps a good environmental and economic choice?

Yes. The use of energy-efficient lighting reduces electricity needed from power plants. This reduces harmful power plant emissions of mercury, carbon dioxide and nitrogen oxide. Using less energy reduces demands on electric utilities and results in cost savings for customers.

What is the best way to manage the hazardous lamps I generate?

We recommend that you manage your waste lamps under the Universal Waste Rule (UWR). The UWR eliminates many regulatory requirements such as waste evaluation, manifesting and record keeping. This rule ensures waste lamps will be properly recycled. By following the UWR, you will reduce the financial and regulatory burden on your company and help protect the environment.

What is the UWR?

The UWR streamlines collection requirements for certain hazardous wastes in the following categories: batteries, pesticides, mercury-containing equipment (such as thermostats) and lamps (such as fluorescent bulbs). The rule is designed to make it easier for universal waste (UW) handlers to collect these items and send them for recycling or proper disposal.

Advantages of managing waste lamps under the UWR:

- UW is not counted toward hazardous waste generator status.
- No manifesting required unless the waste lamps are transported through states, or treated or disposed in states that do not recognize mercury-containing lamps as a universal waste.
- Increased storage time available.
- Reduced administrative requirements for record-keeping, training, and emergency preparedness.

Managing your lamps as UW

If you choose to manage your waste lamps as UW, you are not required to evaluate them. You are, however, required to determine your handler category and then follow all requirements associated with that category. Most UW handlers are classified as small quantity handlers based on the total quantity of **all types** of UW waste they accumulate at any time. Small quantity handlers accumulate less than 5,000 kilograms, or 11,023 pounds of UW at any time. For example, 5,000 kg is approximately 17,000 four-foot lamps.

UW handlers who accumulate more than 5,000 kilograms of UW on-site at any time must comply with the large quantity UW handler requirements for the remainder of the calendar year.

The main advantages to managing waste under the UWR instead of the hazardous waste rules are that, the UWR requires less paperwork, less man-hours and saves you money.

May I use a lamp crusher to crush the lamps I generate?

Yes. However, if you choose to crush your lamps, you must manage them under the hazardous waste rules. You may not manage crushed lamps under the UWR.

What if I decide not to manage my lamps as UW?

If you choose not to manage your lamps as UW, then you must evaluate them to determine if they are hazardous. To evaluate your waste lamps, you can either:

- send a representative sample to a laboratory for testing; or
- obtain complete up-to-date analysis of the lamps from the manufacturer.

Managing your lamps as hazardous waste

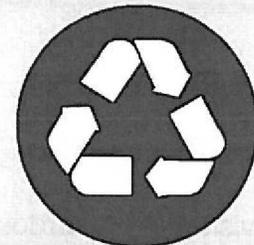
If your lamps are hazardous, you must manage them according to Ohio's hazardous waste rules. To know what rules to follow, you must know your generator category. Generator category is determined by how much hazardous waste you generate in a calendar month. For more details, please see our Hazardous Waste Generator Categories guidance document.

What if my lamps have green tips?

Some fluorescent lamp manufacturers have created "green tipped" lamps that they claim are not hazardous. Although it's true that green tipped lamps contain less mercury than other lamps, this may not be enough for the green tipped lamps to avoid being regulated as hazardous waste. For the lamps to be non-hazardous, and therefore not subject to the hazardous waste rules, the laboratory test results must be less than all the regulatory limits found in Ohio Administrative Code (OAC) rule 3745-51-24. Some examples are:

- mercury - 0.2 mg/L;
- cadmium - 1.0 mg/L;
- lead - 5.0 mg/L;
- and barium - 100.0mg/L.

When you are done using any lamps at your facility, and are disposing or recycling them, they are a waste stream. According to OAC rule 3745-52-11, all wastes, except universal wastes, must be evaluated to determine if they are hazardous.



Non-hazardous Lamps: While these lamps are not hazardous waste, they still contain low amounts of heavy metals such as mercury, lead and cadmium that can potentially harm the environment! Ohio EPA encourages recycling rather than disposing of non-hazardous lamps.

What if I have non-hazardous lamps?

If you determine your lamps are not hazardous, you have the option to manage them as solid waste. However, we recommend you manage them as UW even though the UW compliance standards are not required.

Lamp Recyclers in Ohio:

Environmental Recycling

527 E. Woodland Circle
P.O. Box 167
Bowling Green, OH 43402
wgrabowski@envrecycle.com
www.envrecycle.com
phone: (800) 284-9107
fax: (419) 354-5110

U.S.A. Lamp & Ballast Recycling

7806 Anthony Wayne Ave.
Cincinnati, OH 45216
www.usalamp.com
phone: (800) 778-6645
fax: (513) 641-4156

Resources:

Division of Hazardous Waste Management Web site: www.epa.state.oh.us/dhwm

If you have more questions about hazardous waste please check the Answer Place, call the DHWM Regulatory Services Unit at (614) 644-2917, or contact your local district inspector.

Universal Waste Rules for Handlers of Lamps

DHWM Guidance Document

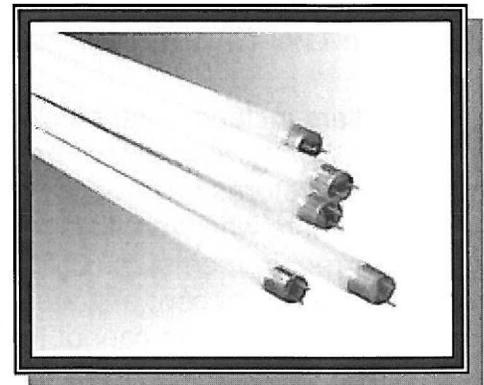
Date: June 2005

Purpose:

This guidance document is intended to provide handlers with an overview of the universal waste rules (UWR) as they pertain to hazardous waste lamps. Ohio's UWR are found in Ohio Administrative Code (OAC) Chapter 3745-273. This document is not intended to be a substitute for reading the universal waste rules.

Introduction:

Ohio EPA's use of the term "lamp" [see OAC rule 3745-50-10(A)] applies generically to hazardous waste lamps including: incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps. Fluorescent lamps may contain up to 40 milligrams (mg) of elemental mercury, depending on the brand and manufacturer date. Lamps may also contain lead and cadmium. Because most lamps exhibit the characteristic of toxicity for heavy metals when disposed, they could be a hazardous waste.



A waste must be a hazardous waste before it is defined as a universal waste. If a hazardous waste stream is not managed under the universal waste rules, then it must be managed as a hazardous waste under the applicable regulations if the waste exhibits any hazardous waste characteristic. Non-hazardous lamps also can be managed as universal wastes, although the universal waste compliance standards are not required.

Background:

Lamps have been added to Ohio's list of universal wastes (UW). The list of UW includes certain suspended and recalled pesticides, mercury-containing thermostats, and discarded batteries. When lamps were added to the list of universal wastes, Ohio revised the classification of hazardous lamps in the hazardous waste program.

Universal Waste Rules for Handlers of Lamps

Previously, **used** lamps that were being recycled were considered characteristic byproducts. This removed them from regulation as wastes and therefore hazardous wastes. Used lamps that were being discarded were to be evaluated to determine whether they were hazardous. Now hazardous lamps are considered “spent materials” and remain hazardous waste even when recycled, unless they are managed as universal wastes (see OAC rule [3745-51-02](#)). Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as UW. Managing hazardous waste lamps under the UWR eases certain regulations imposed on generators of spent lamps.



Non-hazardous Lamps: Ohio EPA recommends recycling lamps that do not exhibit hazardous waste characteristics. While these lamps are not hazardous waste, Ohio EPA encourages recycling rather than disposal. Non-hazardous lamps still contain low amounts of heavy metals such as mercury that could potentially harm the environment.

Who are UW handlers?

UW handlers include persons who generate, receive and store, but do not treat, dispose of or recycle UW generated elsewhere. Ohio’s hazardous waste rules state that a person who receives and stores hazardous waste is required to have a storage permit. Generators of universal waste who want to take advantage of the UWR instead of the hazardous waste generator requirements, must comply with all UW handler requirements. The UWR allows these persons to accept and store UW from off-site without having to obtain a storage permit. However, UW handlers cannot treat, dispose of or recycle UW.

What are the UW handler categories?

UW handlers are classified into two categories based on the quantity of UW waste they accumulate at any time:

- small quantity handlers [accumulate less than 5,000 kilograms (11,023 pounds) of UW (not by type) at any time], or
- large quantity handlers [accumulate more than 5,000 kilograms (11,023 pounds) of UW (not by type) at any time].

If a small quantity UW handler accumulates more than 5,000 kilograms of UW on-site at any time, they must comply with the large quantity UW handler requirements for the remainder of the calendar year. All generators have the option of handling their UW under the UWR or under Ohio’s hazardous waste generator requirements found in OAC Chapter [3745-52](#).

Note: UW should not be counted when making quantity determinations for hazardous waste generator categories (i.e., conditionally exempt small quantity generators (CESQGs), small quantity generators (SQGs) and large quantity generators (LQGs)). Universal waste handlers' status levels should not be confused with hazardous waste generator status levels.

May I use a lamp crusher to crush the lamps I generate?

The UWR prohibits handlers from crushing lamps. If you are the lamp generator and you want to continue crushing them, you have the option of managing those lamps under the hazardous waste generator requirements in OAC Chapter [3745-52](#). You cannot send crushed hazardous lamps to an unpermitted handler. They must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility accompanied by a hazardous waste manifest. While some commercially available lamp crushers are designed to control mercury emissions when properly maintained, please beware that due to the unique properties of mercury, there is a high potential for exposure to harmful mercury vapors when lamps are crushed.

What are the packaging requirements for UW lamps?

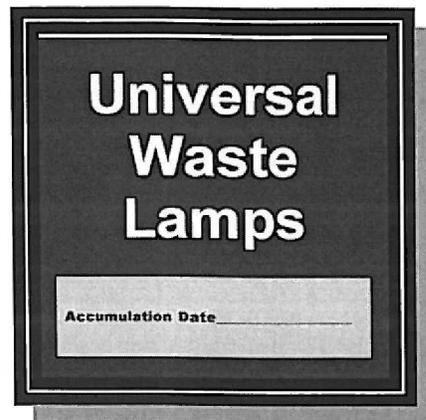
Lamps must be packaged to minimize breakage and must be designed to contain potential releases due to breakage. Some examples of acceptable packaging include double- or triple-ply cardboard containers with closed lids or packaging in which new lamps are shipped from the manufacturer. Broken, damaged or leaking lamps can be sent to permitted recycling facilities. Acceptable storage for broken lamps includes a closed 55-gallon steel drum or a closed wax fiberboard drum.

Warning: Because of its unique properties, mercury from broken or crushed lamps can become airborne at room temperature and can seep into cracks and porous materials such as cloth, carpet or wood, slowly emitting vapors over a long period. Immediate and proper containment of a mercury release is very important. For information on mercury containment and clean up, contact your local fire department or call [Ohio EPA's spill hotline](#) at (800) 282-9378.

What are the labeling requirements for UW lamps?

Universal waste lamps or their containers must be clearly marked "Universal Waste Lamp(s)," "Waste Lamp(s)" or "Used Lamp(s)." The containers should never be labeled "Hazardous Waste" unless being managed as such.

UW handlers must be able to demonstrate the accumulation time for all universal wastes. Accumulation begins with the date the lamps became a waste or were received. The handler may make this determination by:



- placing the lamps in a container and marking or labeling the container with the earliest date that any UW in the container became a waste or was received;
- marking or labeling the individual item of UW (i.e., each lamp) with the date it became a waste or was received;
- maintaining an inventory system on-site that identifies the date the lamp(s) being accumulated became a waste or was received;
- maintaining an inventory system on-site that identifies the earliest date that any UW in a group of UW items or a group of containers of UW became a waste or was received;
- placing the UW in a specific accumulation area and identifying the earliest date that any UW in the area became a waste or was received; or
- any other method which clearly demonstrates the length of time that the UW has been accumulated from the date it became a waste or was received.

Am I required to notify Ohio EPA of my UW activities?

Small quantity UW handlers and transporters are not required to notify Ohio EPA of their activities and are not required to obtain an EPA hazardous waste ID number. Large quantity UW handlers must notify Ohio EPA in writing and must obtain an EPA hazardous waste ID number prior to exceeding the 5,000 kg storage limit. Large quantity UW handlers that have previously notified Ohio EPA of their hazardous waste activities and who have received an EPA identification number are not required to renotify. For specifics on the notification requirements, see OAC rule 3745-273-32.

How long may I accumulate UW lamps?

If you are a UW handler, you may accumulate UW fluorescent lamps on-site for up to one year regardless of your status. If greater than a year accumulation is required, you must be able to prove that the accumulation is necessary in order to facilitate proper recovery, treatment or disposal.

Who can I send or take my UW lamps to?

As a universal waste handler, you can send or take lamps only to another UW handler or to a permitted (if in Ohio) destination facility. If you are sending your UW lamps to a facility outside Ohio, the out-of-state destination facility must be authorized by that state to accept lamps.

Am I required to manifest my UW lamps?

No. UW handlers are not required to manifest their off-site shipments. However, all UW handlers must ensure delivery of their universal waste to another UW handler or to a permitted destination facility as defined in OAC rule 3745-273-09(B).

Do I need to use a special transporter like I do for my other hazardous waste?

No. UW handlers are not required to use a certain transporter. Universal waste transporters, however, must comply with DOT packaging/labeling requirements, transfer facility storage requirements and must immediately contain all releases of universal waste in the event of a spill.

May I transport my own universal waste lamps?

Yes. Both small and large quantity universal waste handlers can transport their universal waste lamps to either another universal waste handler or to a universal waste destination facility if they comply with the universal waste transporter requirements in OAC rules 3745-273-50 through 3745-273-56.

What are my record-keeping requirements?

If you are a small quantity UW handler, you are not required to keep off-site shipment records of UW. If you are a large quantity UW handler, you are required to retain shipment records received on-site and shipments sent off-site for at least three years. For specifics, see OAC rule 3745-273-39.

For more information on Ohio's UWR, please see our guidance document entitled, "Universal Waste Rule" and our universal waste handler requirements summary table available on our Web page. If you have questions regarding information contained in this guidance document, please contact Ohio EPA's Division of Hazardous Waste Management's Regulatory Services Unit at 614-644-2917 or visit our Web site.

The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil

DHWM Guidance Document

Date: April 2006

If your business generates used oil, it is important that you understand and comply with Ohio EPA's used oil regulations. This guidance document outlines the basic used oil generator requirements in Ohio Administrative Code (OAC) rules [3745-279-20](#) through [3745-279-24](#). If you need more information or have questions about Ohio's used oil regulations, please contact the Division of Hazardous Waste Management (DHWM) at (614) 644-2917 or visit our [Web site](#).

Why is Used Oil Regulated?

Used oil that is not managed safely can pose a threat to humans and the environment. Improperly disposing of used oil can also lead to contamination of drinking water, surface water, ground water and soils. The used oil regulations describe proper used oil management. Because used oil is a reusable resource, the regulations also promote used oil recycling.

What is Used Oil?

Petroleum-based or synthetic oils that are used and contaminated with physical and chemical impurities are defined as used oil. To determine whether your material meets the definition of used oil, you must determine if it meets the following three criteria:

Did you know that...

U.S. businesses produce about 1.2 billion gallons of used oil a year?

- 1) Origin -** The material must come from either refined crude oil or from synthetic materials including materials derived from coal, shale or polymer-based starting material (e.g., Mobil 1, Castrol Syntec, and water based cutting and hydraulic oils).
- 2) Use -** The material must be used as a lubricant, hydraulic fluid, heat transfer fluid (coolant), cutting fluid, buoyant or for some other similar purpose. Materials that have not been used, such as bottoms from a virgin oil tank clean-out or a virgin oil spill, are not considered used oil. Other materials that are not considered used oil include petroleum products used for cleaning (solvents) and other petroleum-derived products such as antifreeze and kerosene.

Used Oil Generators

- 3) Contaminants -** the material must be contaminated with either physical or chemical impurities from its use. Examples of contaminants could include dirt, metal shavings, solvents or halogens.

What is a Used Oil Generator?

A used oil generator is a person whose action or process first causes used oil to become subject to regulation. Used oil is commonly generated through vehicle or equipment maintenance. Many different types of businesses generate used oil, including: manufacturing companies, machine shops, metal working industries, auto service stations, quick lube shops and others.

There are additional regulations for other used oil activities such as:

- [transportation](#)
- [collection centers](#)
- [re-refining or reprocessing](#)
- [burning](#)
- [marketing](#)

If your business is involved in any of these activities, you may have to comply with the applicable requirements. For information about the regulations that might apply to you, contact the [Division of Hazardous Waste Management](#).

What Are My Responsibilities if I Generate Used Oil?

Ohio's regulations include some specific requirements for used oil generators. Most of these regulations relate to good housekeeping practices. See the checklist on the following page for used oil generator requirements.

What is Used Oil?

Used Oil Includes:

- engine oils from vehicles and equipment
- lubricating oil
- brake fluids
- transmission fluid
- hydraulic fluid
- insulating oils
- metal cutting fluids
- industrial process oils
- compressor/refrigerant oils

Used oil does not include:

- oil products
- cleanup materials from oil product spills
- animal or vegetable oils
- oil sludge from virgin oil storage tanks
- antifreeze
- kerosene (unless used as a lubricant)
- petroleum distillates used as solvents

Used Oil Generators

Besides Ohio's used oil regulations, you may be subject to regulation under other programs. For example, if your facility has the ability to store 660 or more gallons of used oil in a single above ground storage container or tank, you may need to develop a spill prevention plan (called an SPCC plan). Call Ohio EPA's Division of Emergency and Remedial Response at (614) 644-2924 for more information.

If you store used oil in an underground tank, you may be subject to regulation by the Bureau of Underground Storage Tank Regulation (BUSTR), Division of State Fire Marshal. Contact BUSTR for more information at (614) 752-7938.

How Can I Dispose of or Recycle My Used Oil?

As a used oil generator, you have several recycling and management options. Under no circumstances, however, can you dispose of used oil on your property.

Take your used oil to a collection center

You can transport small amounts of used oil generated at your site to a registered used oil collection center without being subject to the used oil transporter requirements. To do this, you must use your own vehicle or a vehicle owned by an employee and transport no more than fifty-five gallons at a time.

Take your used oil to an aggregation point(s)

You can transport small amounts of used oil that you generate to aggregation points that you own. A used oil aggregation point is a site or facility that you own in which you transport used oil to. You can transport your used oil to your aggregation point(s) without being subject to the used oil transporter requirements if you use your own vehicle or a vehicle owned by an employee and you transport no more than fifty-five gallons at a time.

Burn your used oil in a space heater

You can burn used oil generated at your business or used oil received from a household do-it-yourselfer in an on-site space heater.

Used Oil Generator ✓ List

- ✓ Label containers or tanks of used oil with the words, "Used Oil."
- ✓ Store used oil in containers or tanks that are in good condition (not rusting, leaking, etc.).
- ✓ If there is a leak of used oil: stop the leak, contain it, clean it up and properly manage the cleanup materials.
- ✓ Use a transporter with an EPA identification number when shipping used oil off site.
- ✓ Do not mix your used oil with other wastes such as mineral spirits, brake cleaner fluid or washer solvents, unless you are sure that you are complying with the appropriate regulations.

Used Oil Generators

To do this, your space heater cannot burn used oil at a rate exceeding 0.5 million Btu per hour and all combustion gases from your space heater must be vented to the outside. Please note, though, that besides complying with the used oil regulations, you may also be subject to regulation by Ohio EPA's Division of Air Pollution Control. If you want to burn used oil in a space heater, you should contact the air division at your local Ohio EPA District Office to discuss any applicable requirements.

Contact a used oil recycler

The best way to manage your used oil is to send it to a used oil recycler. Ohio EPA maintains a list of companies that recycle used oil. Used oil recyclers conduct various recycling methods such as:

Reconditioning

Involves removing impurities and reusing the oil.

Re-refining

Involves treating the used oil and removing impurities. Re-refining returns the oil to close to its original state so that it can be used to make new products.

Reusing

Used oil is returned to a petroleum refiner to be used as a feedstock for gasoline or coke production.

Burning for energy recovery

Used oil is treated to remove impurities such as water and solids. It is then burned as a fuel to generate heat.

Note: If you mix your used oil with other wastes (solvents, for example), this may cause the entire mixture to become a hazardous waste. This mixture may subject you to the hazardous waste rules, or to other rules which may result in higher recycling/disposal costs.

If you plan to send your used oil off-site to a used oil recycler, you must use a used oil transporter who has a U.S. EPA identification number.

Additional Tips on Handling Used Oil

Good housekeeping practices and training can help your company stay in compliance with the used oil regulations. In addition, there are other things you can do to reduce the amount of used oil generated at your company. These include:

- 1) Use high performance or long-lasting oils. They prolong the need for an oil change.

Used Oil Generators

- 2) Consider testing the oil periodically to determine the level of contamination or degradation. The testing may reveal problems in machinery or equipment.
- 3) Install by-pass on vehicle engines. These small devices are used to complement “full-flow” oil filters by removing contaminants smaller than 40 microns. These filters extend engine and oil life.

Handling Used Oil...

DO inspect equipment for oil leaks and take quick actions if repairs are needed.

DO train personnel on the correct methods for handling used oil.

DO look for ways to reduce the amount of used oil waste that your business generates.

Handling Used Oil...

DON'T throw your used oil on the ground, down the sewer, in a septic tank or down a floor drain.

DON'T put liquid used oil in the trash dumpster with your solid waste. Solid waste landfills cannot take liquids.

DON'T mix your used oil with other wastes that might cause the whole mixture to become a hazardous waste.

You can contact your vendor or supplier for additional information. Ohio EPA's [Office of Pollution Prevention](#) at (614) 644-3469 also can provide information about reducing the amount of waste you generate.

How Can I Dispose of Used Oil Filters?

According to OAC rule [3745-51-04\(B\)\(13\)](#), non-terne plated used oil filters that are hot-drained are not hazardous wastes. Non-terne plated filters do not contain lead in the metal portion of the filter. Hot-draining may be accomplished by either:

- puncturing the anti-drain back valve or the filter dome end and hot-draining;
- hot-draining and crushing;
- dismantling and hot-draining; or
- other equivalent method.

We consider a filter to be hot-drained when it is brought up to normal engine operating temperature just before you remove it for draining. The oil filter should be allowed to drain for 12 hours. After the oil has been drained, the filter may be disposed of in the municipal waste stream. However, we encourage you to recycle the filters as scrap metal. The oil collected must be managed as used oil.

Used Oil Generators

While most automobile oil filters are non-terne plated, industrial filters and other types may still be terne-plated. The Filter Manufacturers Council (FMC) maintains information on filters. For more specific data on the discontinuation of terne-plated oil filters and other types of filters, you should refer to [FMC's Web site](#).

Where Can I Go For More Help?

Please contact Ohio EPA's Division of Hazardous Waste Management's [Regulatory Services Unit](#) at 614-644-2917 if you have used oil management questions or wish to learn about ways you can reduce the amount of waste you generate.

Common Used Oil Management Standards (Ohio Administrative Code Chapter 3745-279)

Handler Type Mgmt. Standards	<u>Generator/ Collection Center</u>	<u>Transporter/ Transfer Facility</u>	<u>Off-Spec Burner</u>	<u>Processor/ Re-refiner</u>	<u>Marketer*</u>
Storage	Yes 3745-279-22(A)	Yes 3745-279-45(A)	Yes 3745-279-64(A)	Yes 3745-279-54(A)	N/A
Secondary Containment	No	Yes 3745-279-45(D)	Yes 3745-279-64(C)	Yes 3745-279-54(C)	N/A
Response to Releases	Yes 3745-279-22(D)	Yes 3745-279-45(H)	Yes 3745-279-64(G)	Yes 3745-279-54(G)	N/A
<u>Notification/ EPA ID Number</u>	No (Non-DIY collection centers must register with the state)	Yes 3745-279-42(A)	Yes 3745-279-62(A)	Yes 3745-279-51(A)	Yes 3745-279-73(A)
Tracking	No	Yes 3745-279-46	Yes 3745-279-65	Yes 3745-279-56	Yes 3745-279-74

* Storage, secondary containment and release response issues are not applicable to marketers, however, marketers must be one other type of handler.