



State of Ohio Environmental Protection Agency



Northeast District Office

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

February 2, 2007

RE: GREGORY INDUSTRIES
STARK COUNTY
OHD ~~004 469 375~~ 986 979 425
LQG, CEI, NOTICE OF VIOLATION

Mr. Brian Lester, Plant Manager
Gregory Industries
4100 13th Street SW
Canton, OH 44710

Dear Mr. Lester:

On January 17 and 18, 2007, the Ohio EPA conducted a compliance evaluation inspection (CEI) of Gregory Industries (Gregory), in Canton, Ohio to determine Gregory's compliance with Ohio's hazardous waste laws and regulations as found in the Ohio Revised Code and the Ohio Administrative Code ("ORC" and "OAC" respectively). Gregory was represented by Mr. Mike Rothacker and Mr. Phil Tweedy on January 17, 2007 while Kris Coder and I represented the Ohio EPA Division of Hazardous Waste Management (DHWM). On January 18, 2007 Mr. Brian Lester and Mr. Mike Weaver represented Gregory while I represented the DHWM.

Ohio EPA's inspection included an inspection of the site and review of written documentation. Based on this inspection, Ohio EPA has determined that Gregory has violated the following state hazardous waste regulations:

1. Personnel Training OAC 3745-65-16: Gregory did not appear to provide or document training of personnel to specific **hazardous waste management procedures** or duties. In addition, observations indicated RCRA containers and inspections were not properly labeled or documented.

To abate this violation, submit a written description specific to personnel hazardous waste management appropriate for each job title or duty. Provide updated training that addresses the nature of violations identified below (e.g. emergency equipment inspections, 90-day area inspection, tank inspection, labeling of: satellite containers, hazardous waste, used oil, and universal waste etc. Provide a dated list that shows each employee has been properly trained per the rule(s).

2. Emergency Equipment Inspection Log OAC 3745-65-33: Gregory did not have a log of emergency equipment inspections.

To abate this violation, Gregory must inspect and log, at a frequency adequate to insure function and availability of all emergency equipment, including: facility communication, alarm, fire protection, spill control and decontamination equipment. Document these inspections in a log, determine a frequency of inspection and provide a copy of the log.

3. Labeling of Satellite Accumulation Containers OAC 3745-52-34 (C)(1)(b): Gregory did not label the aerosol waste satellite accumulation container.

This violation was abated on January 18, 2007, during the inspection.

4. Dating of Hazardous Waste Container Labels OAC 3745-52-34 (A)(2) and (A)(3): Gregory failed to label a drum of Perma Treat (D002/D007) waste, a roll-off waste container of D008 waste water treatment sludge and the hazardous waste acid tanks (D002).

To abate this violation, Gregory must clearly date and label each container with the words "hazardous waste". The "hazardous waste tank" portion of the violation was abated January 18, 2007, when the tanks were observed properly labeled as "hazardous waste". Gregory must document by photograph the labeling of the other containers.

5. Container Inspections OAC 3735-66-74 (A) and (B): Gregory was not conducting weekly inspections of the 90-day hazardous waste container storage areas where drums are accumulated and where the roll container waste water sludge is accumulated.

To abate this violation, Gregory must immediately begin weekly inspection of the areas where 90-day hazardous waste containers are accumulated. Provide a copy of your inspection log showing at least three weeks of completed inspections.

6. Tank Inspections OAC 3745-66-95 (A)(1) to (A)(4): Gregory failed to inspect, at least once each operating day, spill control equipment, the above ground portion of tanks, leak detection equipment/data, construction materials and signs of erosion or release from the hazardous waste tanks.

To abate this violation, Gregory must immediately begin daily inspection of the hazardous waste storage tanks and ancillary piping per the rule. Provide a copy of your inspection log showing at least three weeks of completed inspections.

7. Containment and detection of releases OAC 3745-66-93: Gregory failed to provide a tank and secondary containment assessment.

To abate this violation, Gregory must provide documentation that tank and secondary containment meet the requirements of this rule. A "Tank System Requirement" checklist was provided during the inspection as guidance to these rules.

8. Used Oil Storage Requirements for Generators (Labels) OAC 3745-279- 2(C): Gregory failed to label drums and two tote containers as "used oil" per the rule.

This violation was abated during the site visit when containers of used oil were properly labeled as "used oil".

9. Labeling/markings - universal waste OAC 3745-273-14(E): Gregory failed to properly label each container of universal waste lamps.

To abate this violation each container or package in which lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)".

COMMENT

- It is recommended that an emergency response contractor be identified and noticed with your contingency plan. In regard to **OAC 3745-65-53: Copies of contingency plan**, be advised that revisions to your contingency plan may require you to copy or re-notify emergency authorities listed in the plan. Please provide confirmation that the identified authorities in your plan have been copied.

GREGORY INDUSTRIES
FEBRUARY 2, 2007
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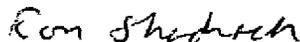
Please respond to this letter, within 30 days of receipt, with the documentation requested above. Enclosed are inspection checklists for Large Quantity Generators (LQG), Used Oil and Small Quantity Universal Waste Handlers (SQUWH). Should you have any questions or require additional information, please contact me at (330) 963-1146 or at ron.shadrach@epa.state.oh.us.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs.

For more information about pollution prevention, including fact sheets or U.S. EPA's "Facility Pollution Prevention Guide" (EPA/600/R-92/088), please contact the Ohio EPA Pollution Prevention Section at (614) 644-3469.

The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link <http://www.epa.state.oh.us/dhwm/listerserv.html>. Please feel free to share this information with your colleagues.

Sincerely,



Ronald J. Shadrach
Division of Hazardous Waste Management

RJS:ddw

Enclosures

ec: Frank Popotnik, DHWM, NEDO
Kris Coder, DHWM, NEDO
cc: Harry Sarvis, DHWM, CO

NOTICE:

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



LARGE QUANTITY GENERATOR REQUIREMENTS
COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY

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

SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.

LQG: >1,000 Kg. (~300 gallons) of waste in a calendar month or >1 Kg. Of acutely hazardous waste in a calendar month.

NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

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 identification number? [3745-52-12] Yes No N/A
3. Were annual reports filed with Ohio EPA on or before March 1st? [3745-52-41(A)] Yes No N/A
4. 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

5. Has the generator disposed of hazardous waste **on-site without a permit** or at another facility **other** than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E) & (F)] Yes No N/A

6. Does the generator accumulate hazardous waste? Yes No N/A

NOTE: If the LQG does not accumulate or treat hazardous waste, it is not subject to 52-34 standards. All other requirements still apply, e.g., annual reports, manifest, marking, record keeping, LDR, etc.

7. Has the generator accumulated hazardous waste on-site in excess of 90 days without a permit or an extension from the director ORC §3734.02 (E) & (F)? Yes No N/A

NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G) & (H).

8. Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)]
- 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) and 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.

9. Does the generator export hazardous waste? If so: Yes No N/A
- a. Has the generator notified U.S. EPA of export activity? [3745-52-53(A)] Yes No N/A
- b. Has the generator complied with special manifest requirements? [3745-52-54] Yes No N/A
- c. For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55] Yes No N/A

- d. Has an annual report been submitted to U.S. EPA? [3745-52-56] Yes No N/A
- e. Are export related documents being maintained on-site? [3745-52-57(A)] Yes No N/A

MANIFEST REQUIREMENTS

10. Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)] Yes No N/A
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 completed. [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 alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)].*

13. If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] Yes No N/A
14. Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (2)] Yes No N/A
- NOTE: Remind the generator that the signed certification statement indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity of the waste they generate.*

15. If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)] Yes No N/A
16. If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)] Yes No N/A
17. Are signed copies of all manifests and any exception reports 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.*

PERSONNEL TRAINING

18. Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)] Yes No N/A
19. Does the personnel training program include instructions to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)] Yes No N/A

20. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes No N/A
21. Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)] Yes No N/A
22. Does the generator provide annual refresher training to employees? [3745-65-16(C)] Yes No N/A
23. Does the generator keep records including: job titles [D(1)], job descriptions [D(2)], type and amount of training given to each person [D(3)] and documentation of completed training or job experience required [D(4)]? [3745-65-16(D)] Yes No N/A
24. Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)] Yes No N/A

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

<u>Job Performed</u>	<u>Name of Employee</u>	<u>Date Trained</u>
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CONTINGENCY PLAN

25. Does the owner/operator have a contingency plan to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste? [3745-65-51(A)] Yes No N/A
26. Does the plan describe the following:
- a. Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste [3745-65-52(A)]? Yes No N/A
 - b. Arrangements with emergency authorities [3745-65-52(C)]. Yes No N/A
 - c. A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? [3745-65-52(D)] Yes No N/A
 - d. A list of all emergency equipment, including: location, a physical description and brief outline of capabilities? [3745-65-52(E)] Yes No N/A
 - e. An evacuation plan for facility personnel where there is possibility that evacuation may be necessary? [3745-65-52(F)] Yes No N/A

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

27. Is a copy of the plan (plus revisions) kept on-site and been given to all emergency authorities that may be requested to provide emergency services? [3745-65-53 (A) & (B)] Yes No N/A

28. Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54] Yes No N/A

29. Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] Yes No N/A

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

EMERGENCY PROCEDURES

30. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so: Yes No N/A

a. Was the contingency plan implemented? [3745-65-51(B)] Yes No N/A

b. Did the facility follow the emergency procedures in 3745-65-56(A) through (H)? Yes No N/A

c. Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)? Yes No N/A

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

PREPAREDNESS AND PREVENTION

31. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] Yes No N/A

32. 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? [3745-65-32(D)] Yes No N/A

NOTE: Verify that the equipment is listed in the contingency plan.

33. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] Yes No N/A

34. Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] Yes No N/A

35. Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34(A)] Yes No N/A

36. 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
37. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes No N/A
38. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] Yes No N/A
39. 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

40. 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 one quart of acutely hazardous waste at anyone time? [3745-52-34(C)(1)] Yes No N/A
- d. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)] Yes No N/A
- e. Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] Yes No N/A
41. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so: Yes No N/A
- a. Did the generator comply with 3745-52-34(A)(1)through(4) or other applicable generator requirements within three days? [3745-52-34(C)(2)] Yes No N/A
- b. Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)] 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

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 IN <90 DAY ACCUMULATION AREAS

42. Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)] Yes No N/A
43. Is the accumulation date on each container? [3745-52-34(A)(2)] Yes No N/A
44. 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.

45. Is the container accumulation areas(s) inspected 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
46. Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] Yes No N/A
47. 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
48. 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
49. 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.

50. If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)] Yes No N/A

NOTE: Please provide a description of the unit and documentation provided by the generator to demonstrate that closure was completed in accordance with the closure performance standards. If the generator has closed a <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). [3745-52-34]

PRE-TRANSPORT REQUIREMENTS

51. Does the 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
52. Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes No N/A
53. 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

USED OIL INSPECTION CHECKLIST (Short Version)

NOTE: This checklist does not include requirements for used oil transporters and transfer facilities, processors and re-refiners, burners, and marketers.

PROHIBITIONS

1. Is used oil being managed in a surface impoundment or waste pile? If so: Yes ___ No N/A ___ RMK# ___
Is the surface impoundment or waste pile being regulated under OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-12(A)] Yes ___ No N/A RMK# ___
2. Is used oil being used as a dust suppressant? [3745-279-12(B)] Yes No ___ N/A RMK# ___
3. Is off-specification used oil fuel burned for energy recovery only in devices specified in 3745-279-12(C)? Yes ___ No N/A RMK# ___

USED OIL GENERATOR STANDARDS

4. Does the generator mix hazardous waste with used oil only as provided in 3745-279-10(B)? [2745-279-21(A)] Yes ___ No N/A RMK# ___
5. Does the generator of a used oil containing greater than 1,000 ppm total halogens manage the used oil as a hazardous waste unless the presumption is rebutted successfully? [3745-279-21(B)] Yes ___ No N/A RMK# ___
6. Does the generator only store used oil in tanks, containers, or units subject to OAC 3745-54 to 3745-57 and 3745-205 or 3745-65 to 3745-69 and 3745-256? [3745-279-22(A)] Yes No N/A ___ RMK# ___
7. Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)] Yes No N/A ___ RMK# ___
8. Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)] Yes ___ No N/A ___ RMK# ___
9. Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]
- a. Stopped the release? Yes ___ No N/A RMK# ___
- b. Contained the release? Yes ___ No N/A RMK# ___

- c. Cleaned up and properly managed the used oil and other materials? Yes ___ No N/A RMK#___
- d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary? Yes ___ No N/A RMK#___
10. Does the generator burn used oil in used fired space heaters? [3745-279-23] If so: Yes ___ No N/A ___ RMK#___
- a. Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? Yes ___ No N/A RMK#___
- b. Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour? Yes ___ No N/A RMK#___
- c. Are the combustion gases from heater vented to the ambient air? Yes ___ No N/A RMK#___
11. Does the generator have the used oil hauled only by transporters that have obtained U.S. EPA ID#, unless the generator qualifies for an exemption pursuant to 3745-279-24 (self transportation or tolling agreements)? [3745-279-24] Yes No N/A ___ RMK#___

USED OIL COLLECTION CENTERS AND AGGREGATION POINTS

12. Is the DIY used oil collection center in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-30] Yes ___ No N/A RMK#___
13. Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31] Yes ___ No N/A RMK#___
14. Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32] Yes ___ No N/A RMK#___

WASTE EVALUATION

15. Have all wastes generated at the facility been evaluated? [3745-52-11] Yes No N/A ___ RMK#___

C:\Documents and Settings\RSShadrach\My Documents\Folder\Inspections\Gregory Industries\GregoryUSED OIL.wpd

REMARKS

Drums and totes not labeled per the rule. Other labeling indicating source of oils was marked on the containers. Labeling violation abated during 1/18/07 site visit.

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS - BATTERIES AND LAMPS

Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more

Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less

PROHIBITIONS

1. Did the SQUWH dispose of universal waste? [3745-273-11(A)] Yes No N/A RMK#
2. Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)] Yes No N/A RMK#

WASTE MANAGEMENT & LABELING/MARKING

UNIVERSAL WASTE BATTERIES

3. Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] Yes No N/A RMK#
4. If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)] Yes No N/A RMK#
5. Does the SQUWH conduct any of the following activities:
- a. Sort batteries by type? Yes No N/A RMK#
- b. Mix battery types in one container? Yes No N/A RMK#
- c. Discharge batteries to remove the electric charge? Yes No N/A RMK#
- d. Regenerated used batteries? Yes No N/A RMK#
- e. Disassemble them into individual batteries or cells? Yes No N/A RMK#
- f. Remove batteries from consumer products? Yes No N/A RMK#
- g. Remove the electrolyte from the battery? Yes No N/A RMK#
- If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)] Yes No N/A RMK#

6. If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)] Yes ___ No N/A RMK# ___
- a. If the electrolyte or other waste is characteristic, is it managed in compliance with 3745-50 through 3745-69? [3745-273-13(A)(3)(a)] Yes ___ No N/A ___ RMK# ___
- b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)] Yes ___ No N/A ___ RMK# ___
7. Are the battery(ies) of container(s) of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)?" [3745-273-14(A)] Yes ___ No N/A RMK# ___

UNIVERSAL WASTE LAMPS

8. Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)] Yes ___ No N/A ___ RMK# 1
9. Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)] Yes ___ No N/A RMK# ___
10. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)?" [3745-273-14(E)] Yes ___ No N/A ___ RMK# 2

NOTE: Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of

generator treatment (OAC 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.

ACCUMULATION TIME

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

EMPLOYEE TRAINING

13. Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16] Yes No N/A RMK# 3

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:

Yes No N/A RMK#

a. Sending the waste back to the originating handler? [3745-273-18(F)(1)]

Yes No N/A RMK#

b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)]

Yes No N/A RMK#

22. If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]

Yes No N/A RMK#

23. If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)]

Yes No N/A RMK#

EXPORTS

24. Is waste being sent to a foreign destination? If so:

Yes No N/A RMK#

a. Does the small quantity handler comply with primary exporter requirements in OAC 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]

Yes No N/A RMK#

b. Is waste exported only upon consent of the receiving country and in conformance with U.S. EPA's "Acknowledgment of Consent" as defined in 3745-52-50 to -52-57? [3745-273-20(B)]

Yes No N/A RMK#

c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]

Yes No N/A RMK#

REMARKS

1. Packages stored with drums and open. Suggest storage where drum movement not potential hazard.
2. Both boxes did not appear labeled per the rule.
3. Suggest refresher training on labeling and management. Shipping documentation indicates lamps are sent off several times a year.



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