OhioEPA
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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

October 15, 2007

Carrie Harding
EHS Manager
GE Ivanhoe Road Plant
1099 Ivanhoe Road
Cleveland, Ohio 44110

RE: GE LIGHTING INC., OHD 048 433 080, CUYAHOGA COUNTY, RCRA/SQG COMPLIANCE EVALUATION INSPECTION, NOTICE OF VIOLATION / RETURN TO COMPLIANCE

Dear Ms. Harding:

On September 24, 2007 Ohio EPA's Division of Hazardous Waste Management (DHWM) conducted a compliance evaluation inspection of the General Electric Ivanhoe Road Plant (GE Ivanhoe) located on Ivanhoe Road in Cleveland, Ohio. GE Ivanhoe is a manufacturer of fluorescent bulb components and qualified as a Small Quantity Generator (SQG) of hazardous waste at the time of this inspection. Hazardous waste streams generated at the facility include spent furnace brick (D006), spent solvent and paint waste (D001, F003), waste vanadium pentoxide (P120), waste phosphorus pentasulfide (D003), waste zirconium powder (D001) and barium waste (D005).

The purpose of this inspection was to determine GE Ivanhoe's compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code and Ohio Administrative Code ("ORC" and "OAC" respectively). The facility was represented by you and the plant manager Scott Wightman, while Ohio EPA was represented by me. Ohio EPA's inspection included an inspection of the GE Ivanhoe facility and a review of written documentation. Based on this inspection, Ohio EPA has determined that GE Ivanhoe has violated at least the following state hazardous waste regulations:

1. ***OAC Rule 3745-270-07 Testing, Tracking, and Record keeping Requirements for Generators, Treaters, and Disposal Facilities***: *If the waste or contaminated soil does not meet the treatment standard. With the initial shipment of waste to each treatment or storage facility, the generator must send a one-time written notice to each treatment or storage facility receiving the waste, and place a copy in the generator's files. The notice must include the information in Column A of Table 1 of this rule. No further notification is necessary until such time as the waste changes or the or the treatment or storage facility changes, in which case a new notification must be sent to the new treatment or storage facility and a copy placed in the generator's files.*

During a review of the facility's shipping documentation, Ohio EPA observed that GE did not have in its generator files correct and completed Land Disposal Restriction (LDR) forms for the following hazardous wastes shipped to Chemtron in Avon, Ohio:

- Hazardous waste manifest #000004769 JJK, shipped on May 7, 2007 did not list the waste codes D001 and F003 on the LDR form for the spent methanol.
- Hazardous waste manifest #002680186 JJK, shipped on July 20, 2007 did not list the treatability group (NWW or WW) for line 27b(c) on the LDR form for the barium waste.
- Hazardous waste manifest #002680186 JJK, shipped on July 20, 2007 did not list line 27b(f) on the LDR form for the lab pack waste.
- Hazardous waste manifest #002680037 JJK, shipped on July 7, 2007 failed to list the underlying hazardous constituent for line 27b(c) on LDR form for the spent methanol waste.
- Hazardous waste manifest #002680170 JJK, shipped on July 20, 2007 did not list line 27b(h) on the LDR form for the D001 hazardous waste.

Upon Ohio EPA's discovery of these errors and omissions, GE Ivanhoe contacted Chemtron and had corrected copies of the above referenced LDR forms faxed to the facility while Ohio EPA was still on site. Ohio EPA therefore considers this violation abated and the facility is hereby returned to compliance.

Ohio EPA has the following comments:

1. At the time of this inspection, Ohio EPA observed several manifest discrepancy notices from Chemtron regarding hazardous wastes shipped offsite from the GE Ivanhoe facility. While both Chemtron and GE Ivanhoe corrected the manifests, both the facility and Chemtron failed to correct the LDR forms on file. At the time of this inspection GE Ivanhoe stated that the facility has implemented operating controls to insure that hazardous waste shipped offsite to Chemtron is properly characterized. Ohio EPA reminds GE Ivanhoe that it is the generators responsibility to properly characterize waste generated at the facility. However, should the permitted facility report a discrepancy regarding the nature of the waste, GE Ivanhoe should confirm the TSDF's analytical data and methods used by the lab.

   Please find listed below links to guidance documents regarding characterizing waste generated at the facility, including a link to Ohio EPA's guidance documents on data validation:

http://www.epa.state.oh.us/ocapp/sb/publications/identifyingwaste.pdf

http://www.epa.state.oh.us/dhwm/pdf/GeneratorKnowledge6.pdf

http://www.epa.state.oh.us/dhwm/tier_i_data_validation_manual.html

2. At the time of this inspection, Ohio EPA observed an unlabeled, open white steel container in the mezzanine area of the shut down first fire area of the plant. While you could not identify the contents initially, one of the facility employees eventually identified it as material still in process and not a waste. Ohio EPA wishes to caution the facility about the use of open, unlabeled containers for material handling. Employees should be instructed to label containers whether it contains a waste or material in process.

3. GE Ivanhoe has changed some of the critical manufacturing components and production processes of their phosphor production lines. At the time of this inspection, GE Ivanhoe had not begun generating waste from these modified processes. Ohio EPA wished to remind GE Ivanhoe that any waste generated from a new or modified process must be evaluated to determine if that waste is a hazardous waste.

4. GE utilizes a blind sump at the truck loading dock to catch spills or releases that may occur during material transfers. At the time of this inspection, Ohio EPA observed the blind sump contained several inches of liquid, which the facility could not identify. Ohio EPA reminded GE Ivanhoe that a stationary unit, like the sump, may qualify as a tank, and may be subject to hazardous waste tank rules should it be used to manage hazardous waste. Ohio EPA advised GE Ivanhoe to instruct employees to inspect the sump on a regular basis and pump any standing liquid in the sump to the permitted on-site waste water treatment unit (WWTU). GE Ivanhoe immediately instructed the WWTU operator to pump out the sump to the WWTU. On October 1, 2007, GE Ivanhoe submitted via fax, an updated tanker unloading protocol which included the sump inspection and instructions to pump any standing liquid to the WWTU. The protocol submitted had been signed by employees demonstrating that they had been trained in the new protocol.

Enclosed you will find copies of the checklists and updated RCRA Site Identification Form completed at the time of the inspection. No further action is required from GE Ivanhoe at this time in regard to Ohio EPA's September 24, 2007 Compliance Evaluation Inspection and the facility is hereby returned to compliance.

Failure to list specific deficiencies in this communication does not relieve GE Ivanhoe from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve GE Ivanhoe from liability for any past or present violations of the state's hazardous waste laws.

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 (*i.e.* source reduction). For those wastes and pollutants that are generated, the second 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. The Office of Compliance Assistance and Pollution Prevention provides compliance and pollution prevention assistance on environmental issues related to air, land and water. Their web site is: http://www.epa.state.oh.us/opp/ocapp.html

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/listserv.html.

Please feel free to share this information with your colleagues.

Should you have any questions, please feel free to call me at (330) 963-1181.

Sincerely,

Suzanne Prusnek
Environmental Specialist
Division of Hazardous Waste Management

SP:ddw

Enclosures

ec: Frank Popotnik, DHWM, NEDO, OEPA
cc: Harry Sarvis, DHWM, CO, OEPA
Natalie Oryshkewych, DHWM, NEDO, OEPA

E-mail this completed form to tammy.mcconnell@epa.state.oh.us or mail it to Tammy McConnell, Central Office	Ohio Environmental Protection Agency **RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM**	For Ohio EPA use only

2. Site EPA ID No.	**EPA ID Number:**	OHD048433080						
3. Site Name	**Name:**	GE Ivanhoe Road Plant			**Website (optional:)**	www.ge.com		
4. Site Location Information	**Street Address:**	1099 Ivanhoe Road						
	City, Town, or Village:	Cleveland		**State:** OH				
	County Name:	Cuyahoga		**Zip Code:**	44110			
5. Site Land Type (check only one)	**Private**	**County**	**District**	**Federal**	**Indian**	**Municipal**	**State**	**Other**
	X							
6. NAICS code(s) www.census.gov/epcd/www/naics.html	**A.**	32518		**B.**	325131			
	C.			**D.**				
7. Facility Representative: Additional names can be recorded in number 12.	**First Name:**	Carrie	**MI:**	H.	**Last Name:**	Harding		
	Phone Number:	216-266-4201			**Phone Number Extension:**			
	E-Mail Address:	Carolyn.harding@ge.com						
	Fax Number:	216-266-4257			**Fax Number Extension:**			
Only provide address information if it is different than the site address.	**Street or P.O. Box:**							
	City, Town or Village:							
	State:		**Country:**		**Zip Code:**			
8. Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page.	**A. Name of Site's Legal Owner:**		**Date Became Owner (mm/dd/yyyy):**					
	General Electric Company		01/01/1948					
	Mark with an X	**Private**	**County**	**District**	**Federal**	**Indian**	**Municipal**	**State**	**Other**
		X						
	Street or P.O. Box:	3135 Easton Turnpike						
	City, Town, or Village:	Fairfield	**Owner Phone #:**					
	State:	CT	**Country:**	USA	**Zip Code:**	06431		
	B. Name of Site's Operator:		**Date Became Operator (mm/dd/yyyy):**					
	Same as Owner							
	Operator Type: Mark with an X	**Private**	**County**	**District**	**Federal**	**Indian**	**Municipal**	**State**	**Other**
	Street or P.O. Box:							
	City, Town, or Village:		**Operator Phone #:**					
	State:		**Country:**		**Zip Code:**			

9. Violations Cited? [X] Yes [ ] No

10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)

[ ] **Not Regulated**

A. Hazardous Waste Activities

(choose only one of the following categories)

[ ] **UNKNOWN:** Cited for violation of 3745-52-11

[ ] **3. Treater, Storer or Disposer of Hazardous Waste**

[ ] **4. Recycler of Hazardous Waste**

9. Violations Cited? [X] Yes [ ] No

[ ] a. Large Quantity Generator (LQG):	[ ] 5. Exempt Boiler and/or Industrial Furnace
[X] b. Small Quantity Generator (SQG)	[ ] a. Small Quantity On-site Burner Exemption
[ ] c. Conditionally Exempt Small Quantity Generator	[ ] b. Smelting, Melting, Refining Furnace Exemption
[ ] d. United States Importer of Hazardous Waste	[ ] 6. Underground Injection Control Facility
[ ] e. Mixed Waste (hazardous and radioactive) Generator	[ ] 7. Hazardous Waste Transporter
B. Universal Waste Activities	C. Used Oil Activities
[X] 1. Small Quantity Handler of Universal Waste	[ ] 1. Used Oil Generator
(Indicate types of universal waste generated and/or accumulated (check all boxes that apply):	2. Used Oil Transporter Indicate Type(s) of Activity(ies)
	[ ] Transporter
[ ] 2. Large Quantity Handler of Universal Waste	[ ] Transfer Facility
(accumulates 5,000 kg or more).	3. Used Oil Processor and/or Re-refiner Indicate Type(s) of Activity(ies)
[ ] 3. Destination Facility for Universal Waste	
(Check all boxes below that apply for each of the three types of facilities above.)	[ ] Processor
	[ ] Re-refiner

	Generated	Accumulated
A. Batteries	[ ]	[ ]
B. Pesticides	[ ]	[ ]
C.Thermostats	[ ]	[ ]
D. Lamps	[X]	[X]

[ ] 4. Off-Specification Used Oil Burner	
5. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies)	
[ ] a. Marketer Who Directs Shipment of Off- Specification Oil	
[ ] b. Used Oil to Off-Specification Used Oil Burner	

11. Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.

D001	D003	D005	D006	F003	P120	

12. Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.

N	Announced ?	Additional Facility Representatives:	Scott Wightman (Plant Manager), William Cohen (Operations Leader)
N	Tanks?	Other comments: Facility was operating as an SQG at the time of this inspection and may be an episodic LQG.	
Y	Containers?		

13. Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)
Suzanne Prusnek OEPA/DHWM/NEDO		09/24/2007

14. OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of owner, operator, or an authorized representative	Name and Title (Print)	Date (mm-dd-yyyy)

LARGE QUANTITY GENERATOR REQUIREMENTS

COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.

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

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

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

Safety Equipment Used:

GENERAL REQUIREMENTS

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] — Yes ☑ No ☐ N/A ☐
2. Are records of waste determination being kept for at least 3 years?[3745-52-40(C)] — Yes ☐ No ☐ N/A ☐
3. Has the generator obtained a U.S. EPA identification number? [3745-52-12] — Yes ☑ No ☐ N/A ☐
4. Were annual reports filed with Ohio EPA on or before March 1st? [3745-52-41(A)] — Yes ☑ No ☐ N/A ☐
5. Are annual reports kept on file for at least 3 years?[3745-52-40(B)] — Yes ☑ No ☐ N/A ☐
6. 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 ☐
7. 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 ☐
8. 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.

9. 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).

10. 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)? — 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.

11. 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

12. Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)] See exception reports from Chemtron Yes ☐ No ☑ N/A ☐

13. 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)]

14. 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)].

15. 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 ☐

16. 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 certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity waste they generate.

17. If the generator did not receive a retu[illegible]opy of each completed manifest within 35 [illegible]s 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 ☑

18. 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 ☑

19. 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

20. 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)] Facility is SQG at time of inspection — Yes ☐ No ☐ N/A ☑

21. Does the personnel training program, at a minimum, include instructions to ensure that facility personnel are able to respond effectively to emergencies involving hazardous waste by familiarizing them with emergency procedures, emergency equipment and emergency systems (where applicable)? [3745-65-16(A)(3)(a-f)] — Yes ☐ No ☐ N/A ☑

22. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] — Yes ☑ No ☐ N/A ☐

23. 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 ☐

24. Does the generator provide annual refresher training to employees? [3745-65-16(C)] — Yes ☑ No ☐ N/A ☐

25. Does the generator keep records and documentation of:

    a. Job titles [3745-65-16D(1)]? — Yes ☑ No ☐ N/A ☐

    b. Job descriptions [3745-65-16D(2)]? — Yes ☑ No ☐ N/A ☐

    c. Type and amount of training given to each person[3745-65-16D(3)]? — Yes ☑ No ☐ N/A ☐

d. Completed training or job experien[illegible]equired [3745-65-16D(4)]? Yes ☑ No ☐ N/A ☐

26. 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.

Job Performed	Name of Employee	Date Trained

CONTINGENCY PLAN

27. 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 ☐

28. 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)]

29. 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 ☐

    climo has. need to send to hosp.

30. 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 ☐

31. 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 throughly 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

32. 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

33. 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 ☐

34. Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:

    a. Internal communications or 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 a[illegible]econ equipment? [3745-65-32(C)] Yes ☐ No ☐ N/A ☐

d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] Yes ☑ No ☐ N/A ☐

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

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

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

37. 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 ☐

38. 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 ☐

39. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] no waste on site Yes ☐ No ☐ N/A ☑

40. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] Yes ☑ No ☐ N/A ☐

41. 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

42. Does the generator ensure that satellite accumulation area(s):

a. Are at or near a point of generation? [3745-52-34(C)(1)] Yes ☑ No ☐ N/A ☐

b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)] Yes ☑ No ☐ N/A ☐

c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)] Yes ☑ No ☐ N/A ☐

d. Do not exceed one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)] Yes ☑ No ☐ N/A ☐

e. Containers are closed, in good condition and compatible with wastes stored in them?[3745-52-34(C)(1)(a)] Yes ☑ No ☐ N/A ☐

f. Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] Yes ☑ No ☐ N/A ☐

43. 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 ☑

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 then 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

44. Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)] Yes ☑ No ☐ N/A ☐

45. Is the accumulation date on each container? [3745-52-34(A)(2)] Yes ☑ No ☐ N/A ☐

46. 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, photograph the area, and record on facility map.

47. Is the container accumulation areas(s) inspected weekly? [3745-66-74] Per ORC§1.44(A) "Week" means 7 consecutive days. Yes ☑ No ☐ N/A ☐

a. Are inspections recorded in a log or summary? [3745-66-74] Yes ☑ No ☐ N/A ☐

48. 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 ☐

49. Are containers of incompatible waste stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)] Yes ☑ No ☐ N/A ☐

50. 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 ☑

51. 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.

52. 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)] See file Yes ☑ No ☐ N/A ☐

NOTE: Please provide a description of the unit and documentation provided by the generator for the file 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

53. 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 ☐

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

55. 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 that 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#___

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REMARKS

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) or container(s) of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)?" [3745-273-14(A)] — Yes ✓ No ☐ N/A ___ RMK#___

UNIVERSAL WASTE LAMPS

8. Does the SQGUHW contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and are compatible with contents of the lamps? Are containers or packages closed and do they lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(D)(1)] — Yes ✓ No ☐ N/A ___ RMK#___

9. Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)] — Yes ✓ No ☐ N/A ___ RMK#___

10. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)?" [3745-273-14(E)] — Yes ✓ No ☐ N/A ___ RMK#___

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

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

ACCUMULATION TIME

11. Is the waste accumulated for less than one year? [3745-273-15(A)] If not: — Yes ✓ No___ N/A ___RMK#___

    a. Was the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)] — Yes ___ No ☐ N/A ✓ RMK#___

NOTE: ***Accumulation is defined as date generated or date received from another handler.***

12. Is the length of time the universal waste is stored documented by **one** of the following: [3745-273-15(C)] — Yes ✓ No ☐ N/A ___RMK#___

    a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)] — Yes ✓ No___ N/A ___RMK#___

    b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)] — Yes___ No___ N/A ___RMK#___

    c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)] — Yes___ No___ N/A ___RMK#___

    d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)] — Yes___ No___ N/A ___RMK#___

    e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)] — Yes___ No___ N/A ___RMK#___

    f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)] — Yes___ No___ N/A ___RMK#___

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#___

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-transports waste, then they must comply with the Universal Waste transporter requirements.***

17. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)] — Yes ✓ No ❑ N/A ___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 <u>one of the following</u>:

    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