

**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director



September 13, 2010

RE: FENIX FABRICATION, INC.  
SUMMIT COUNTY  
COMPLAINT INSPECTION #7357  
CESQG NOV/RTC

Mr. Christopher Forgan  
President  
Fenix Fabrication, Inc.  
2689 Wingate Avenue  
Akron, OH 44314

Dear Mr. Forgan:

On August 20, 2010, Ohio EPA conducted a complaint inspection of Fenix Fabrication, Inc. The complaint alleged mismanagement of hazardous waste. Ohio EPA also inspected Fenix Fabrications to determine their compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC), and Chapter 3745 of the Ohio Administrative Code (OAC). Ohio EPA was represented by Ron Shadrach and me. Fenix Fabrication was represented by you and Tony Leipold.

During the inspection, Ohio EPA learned that Fenix Fabrication is a commercial steel fabricating company. They generally produce rotary tunnel boring cutting heads.

Ohio EPA identified the following violation of Ohio's hazardous waste rules or laws during our inspection. Fenix Fabrication was inspected as a Conditionally Exempt Small Quantity Hazardous Waste Generator.

Used Oil Labels OAC, rule 3745-279-22(C)(1):

Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil". One 55 gallon drum of used oil and five 5 gallon pails were not labeled with the words "used oil".

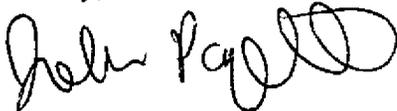
This issue was abated during the inspection by placing used oil labels on the containers. No further action is needed at this time.

FENIX FABRICATION, INC.  
SEPTEMBER 13, 2010  
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Copies of the checklists completed for this inspection are enclosed. You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov/dhwm>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/opp>. The Division of Hazardous Waste Management offers a free news service to provide you with timely updates on activities related to hazardous waste. You can find out more information and sign up for this service at: [www.epa.ohio.gov/dhwm/listserv](http://www.epa.ohio.gov/dhwm/listserv).

Should you have any questions regarding this letter, please contact me at (330) 963-1246.

Sincerely,



John Paquelet  
Environmental Specialist II  
Division of Hazardous Waste Management

JP:ddw

Enclosure

ec: Harry Sarvis, Ohio EPA, DHWM, CO  
Nyall McKenna, Ohio EPA, DHWM, NEDO  
Ron Shadrach, Ohio EPA, DHWM, NEDO  
Natalie Oryshkewych, Ohio EPA, DHWM, NEDO

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

|  |   |                       |
|--|---|-----------------------|
| Send to Central Office<br><input type="checkbox"/> | <b>Ohio Environmental Protection Agency</b><br><b>RCRA SUBTITLE C SITE</b><br><b>IDENTIFICATION/VERIFICATION FORM</b> | For Ohio EPA use only |
|--|---|-----------------------|

Completed verification forms required to be submitted to CO should be e-mailed to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us).

|  |  |   |                                     |                                      |                                       |                                    |                                       |                                   |                                   |  |
|--|--|---|-------------------------------------|--------------------------------------|---------------------------------------|------------------------------------|---------------------------------------|-----------------------------------|-----------------------------------|--|
| <b>Site EPA ID No.</b>   | EPA ID Number: <b>OHD 089 254 528</b>  |   |                                     |                                      |                                       |                                    |                                       |                                   |                                   |  |
| <b>Site Name</b>   | Name: <b>Fenix Fabrication, Inc.</b>   | Website:<br>(Optional) <a href="http://www.fenixfab.com">www.fenixfab.com</a> |                                     |                                      |                                       |                                    |                                       |                                   |                                   |  |
| <b>Site Location Information</b>   | Street Address: <b>2689 Wingate Ave.</b>   |   |                                     |                                      |                                       |                                    |                                       |                                   |                                   |  |
| <b>Site Land Type</b><br>(check only one)  | City, Town, or Village: <b>Akron</b>   | State: <b>OH</b>  |                                     |                                      |                                       |                                    |                                       |                                   |                                   |  |
| <b>NAICS code(s)</b><br><a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a> | County Name: <b>Akron</b>  | Zip Code:   |                                     |                                      |                                       |                                    |                                       |                                   |                                   |  |
|  | <table style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Private<br/><input checked="" type="checkbox"/></td> <td style="text-align: center;">County<br/><input type="checkbox"/></td> <td style="text-align: center;">District<br/><input type="checkbox"/></td> <td style="text-align: center;">Federal<br/><input type="checkbox"/></td> <td style="text-align: center;">Indian<br/><input type="checkbox"/></td> <td style="text-align: center;">Municipal<br/><input type="checkbox"/></td> <td style="text-align: center;">State<br/><input type="checkbox"/></td> <td style="text-align: center;">Other<br/><input type="checkbox"/></td> </tr> </table> | Private<br><input checked="" type="checkbox"/>                                | County<br><input type="checkbox"/>  | District<br><input type="checkbox"/> | Federal<br><input type="checkbox"/>   | Indian<br><input type="checkbox"/> | Municipal<br><input type="checkbox"/> | State<br><input type="checkbox"/> | Other<br><input type="checkbox"/> |  |
| Private<br><input checked="" type="checkbox"/>   | County<br><input type="checkbox"/>   | District<br><input type="checkbox"/>  | Federal<br><input type="checkbox"/> | Indian<br><input type="checkbox"/>   | Municipal<br><input type="checkbox"/> | State<br><input type="checkbox"/>  | Other<br><input type="checkbox"/>     |                                   |                                   |  |

|   |                                   |           |                           |
|---|-----------------------------------|-----------|---------------------------|
| <b>Facility Representative</b>  | First Name: <b>Christopher</b>    | MI:       | Last Name: <b>Schmidt</b> |
| Additional names can be recorded in number 12                             | Phone Number: <b>330-860-8800</b> |           | Phone Number Extension:   |
| Only provide address information if it is different than the site address | E-Mail Address:                   |           |                           |
|   | Fax Number:                       |           | Fax Number Extension:     |
|   | Street or P.O. Box:               |           |                           |
|   | City, Town or Village:            |           |                           |
|   | State:                            | Zip Code: |                           |

|   |                                       |                                     |                                    |                                       |
|---|---------------------------------------|-------------------------------------|------------------------------------|---------------------------------------|
| <b>Legal Owner And Operator of the Site.</b><br>List Additional Owners and/or Operators in the Comment Section or on another copy of this form page | Name of Site's Legal Owner:           |                                     | Date Became Owner<br>(mm/dd/yyyy): |                                       |
|   | Owner Type:                           | Private<br><input type="checkbox"/> | County<br><input type="checkbox"/> | District<br><input type="checkbox"/>  |
|   | Street or P.O. Box:                   | Federal<br><input type="checkbox"/> | Indian<br><input type="checkbox"/> | Municipal<br><input type="checkbox"/> |
|   | City, Town or Village:                | State<br><input type="checkbox"/>   | Other<br><input type="checkbox"/>  | Zip Code:                             |
|   | State:                                | Owner Phone #:                      |                                    |                                       |
|   | Name of Site's Operator:              |                                     |                                    |                                       |
|   | Operator Type:                        | Private<br><input type="checkbox"/> | County<br><input type="checkbox"/> | District<br><input type="checkbox"/>  |
|   | Street or P.O. Box:                   | Federal<br><input type="checkbox"/> | Indian<br><input type="checkbox"/> | Municipal<br><input type="checkbox"/> |
|   | City, Town or Village:                | State<br><input type="checkbox"/>   | Other<br><input type="checkbox"/>  | Zip Code:                             |
|   | State:                                | Operator Phone #:                   |                                    |                                       |
|   | Date Became Operator<br>(mm/dd/yyyy): |                                     |                                    |                                       |
|   | Country: Zip Code:                    |                                     |                                    |                                       |

|                          |   |
|--------------------------|---|
| <b>VIOLATIONS CITED?</b> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--------------------------|---|

**TYPE OF HANDLER - MARK "X" AS APPROPRIATE**

|   |  |   |
|---|--|---|
| <input type="checkbox"/> Not a HW Generator | <input type="checkbox"/> UNKNOWN:<br>Cited for violation of 3745-52-11 | <input type="checkbox"/> Large Quantity Generator (LQG)                           |
|   |  | <input type="checkbox"/> Small Quantity Generator (SQG)                           |
|   |  | <input checked="" 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"/> Recycler of Hazardous Waste                    | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace       |
| <input type="checkbox"/> Underground Injection Control Facility         | <input type="checkbox"/> Small Quantity On-Site Burner Exemption       |
| <input type="checkbox"/> Hazardous Waste Transporter                    | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste |  |

|   |   |   |
|---|---|---|
| <b>UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY))</b>  |   |   |
| <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<br>(accumulates 5,000 kg. or more)   |   |   |
| <b>CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES</b>   |   |   |
| <input type="checkbox"/> Batteries  |   |   |
| <input type="checkbox"/> Pesticides   |   |   |
| <input type="checkbox"/> Mercury containing equipment   |   |   |
| <input checked="" type="checkbox"/> Lamps   |   |   |
| <b>USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))</b>  |   |   |
| <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. Oil   |   |   |
| <input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner  |   |   |
| <b>Waste Codes for Federally Regulated Hazardous Wastes.</b> 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 RCRA info source record, you do not need to list them. Instead just indicate the date of the most recent source record. |   |   |
| <b>COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.</b>   |   |   |
| Announced   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Additional Facility Representatives:            |
| Tanks   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |   |
| Containers  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |   |
| Name of Inspector(s)  |   | Date of Inspection/Time<br>(mm/dd/yyyy) (hh:mm) |
| John Paquelet   |   | August 20, 2010                                 |
| Name of Inspector(s)  |   |   |
| Ron Shadrach  |   |   |
| <b>Comments:</b>  |   |   |

## PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Fenix Fabrication, Inc Facility Type: CESQG

Date of Inspection: 8/20/10

EPA ID#: OHD089254528

| Waste Generated   |  | On- or Off-Site Management   |  |   | P2 Activities         |                  |
|---|--|--|--|---|-----------------------|------------------|
| Process/Activity Generating Waste<br>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc) | Waste Description<br>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic. | QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area | Type of On-Site Treatment<br>(recycle, wwt, etc) | Name, state, and type of activity occurring at the off-site facility. | Current P2 Activities | P2 Opportunities |
| 1   | Used Oil   |  |  | Saftey Clean  |                       |                  |
| 2   |  |  |  |   |                       |                  |
| 3   |  |  |  |   |                       |                  |
| 4   |  |  |  |   |                       |                  |
| 5   |  |  |  |   |                       |                  |
| 6   |  |  |  |   |                       |                  |
| 7   |  |  |  |   |                       |                  |
| 8   |  |  |  |   |                       |                  |

**REMARKS-GENERAL INFORMATION****General Process Information:****Regulatory/Enforcement History** (if applicable):**Additional P2 remarks and information:**

Would this facility be interested in a P2 assessment? Yes\*      No      \*If yes, refer promptly to your district P2 coordinator.  
Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or [p2mail@epa.state.oh.us](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html)

**Other:**

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

**NOTE:** 1. 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.

2. Inspectors can check BUSTR's web-site at [https://www.comapps.ohio.gov/sfm/fire\\_apps/bust/bustr/PublicInquiry.asp](https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp) to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at: [https://www.comapps.ohio.gov/sfm/fire\\_apps/bust/bustr/SearchByCounty.asp](https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp).

**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"/> |
|----|--|------------------------------|-----------------------------|---|

**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)]   | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| a. | Stopped the release?   | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| b. | Contained the release?   | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" 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 checked="" 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 checked="" type="checkbox"/> |

[Facility Name/Inspection Date]

[ID Number]

Used Oil Checklist for Generators/August 2009

Page 1 of 2

| <b>ON-SITE BURNING IN SPACE HEATER</b>   |  |   |
|--|--|---|
| 10.  | Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:   |   |
| a.   | Does the heater burn only used oil that owner/operator generates or used oil received from household do-it-yourself (DIY) used oil generators? | Yes <input type="checkbox"/> No <input checked="" 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 checked="" 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 checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>  |  |   |
| <b>GENERATOR TRANSPORTATION</b>  |  |   |
| 11.  | Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]                              | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>            |
| 12.  | If the generator self-transport 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 checked="" type="checkbox"/> N/A <input checked="" 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 checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>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).</i> |  |   |
| <b>COLLECTION CENTERS AND AGGREGATION POINTS</b>   |  |   |
| 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/> |
| <i>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.</i>                          |  |   |

**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**

|    |  |                              |                             |   |
|----|--|------------------------------|-----------------------------|---|
| 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |
| 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 type="checkbox"/> | N/A <input checked="" 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)] | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
|-----|--|---|-----------------------------|------------------------------|

| ACCUMULATION TIME   |   |  |
|---|---|--|
| 11.   | Is the waste accumulated for less than one year? [3745-273-15(A)]   | Yes <input checked="" 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 checked="" type="checkbox"/> |
| <i>NOTE: Accumulation is defined as date generated or date received from another handler.</i>                                 |   |  |
| 12.   | Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)]<br><br>If yes, describe below:   | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> |
| 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  |   |  |
| 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 checked="" type="checkbox"/> |
| 15.   | Is the material released characterized? [3745-273-17(B)]  | Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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 checked="" type="checkbox"/> |
| OFF-SITE SHIPMENTS  |   |  |
| <i>NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.</i> |   |  |
| 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?<br><br>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 <u>one of the following</u> :   | 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 type="checkbox"/> N/A <input checked="" 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 checked="" type="checkbox"/> | N/A <input type="checkbox"/> | <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 checked="" type="checkbox"/> | N/A <input type="checkbox"/> | <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 type="checkbox"/> | <input checked="" type="checkbox"/> |

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

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:

**WASTE EVALUATION**

|    |  |   |                             |   |
|----|--|---|-----------------------------|---|
| 1. | Have all wastes generated at the facility been adequately evaluated?<br>[3745-52-11] | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
|----|--|---|-----------------------------|---|

**GENERATOR CLASSIFICATION**

|    |  |   |                             |   |
|----|--|---|-----------------------------|---|
| 2. | Does the generator produce <100 kg. of hazardous waste per month?<br>[conditionally exempt small quantity generator ("CESQG")] | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
|----|--|---|-----------------------------|---|

NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

**OFF-SITE SHIPMENT OF HAZARDOUS WASTE**

|    |   |                              |                             |   |
|----|---|------------------------------|-----------------------------|---|
| 3. | Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)] | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
|----|---|------------------------------|-----------------------------|---|

**TREATMENT OF HAZARDOUS WASTE**

|    |  |                              |                             |   |
|----|--|------------------------------|-----------------------------|---|
| 4. | Does the generator treat hazardous waste in a:                     |                              |                             |   |
|    | a. Container that meets 3745-66-70 to 3745-66-77?                  | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
|    | b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
|    | c. Drip pads that meet 3745-69-40 to 3745-69-45?                   | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
|    | d. Containment building that meets 3745-256-100 to 3745-256-102?   | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

**MIX HAZARDOUS WASTE WITH USED OIL**

|    |   |                              |                             |   |
|----|---|------------------------------|-----------------------------|---|
| 5. | Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so: | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
|    | a. Does the CESQG manage the mixture in accordance with 3745-279-21?  | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |