



State of Ohio Environmental Protection Agency

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**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

April 18, 2007

Ken Henline  
Manager, Quality, Safety and Environmental  
Erico International, Inc.  
34600 Solon Road  
Solon, Ohio 44139

**RE: ERICO INTERNATIONAL, INC., OHD 066 049 172, CUYAHOGA COUNTY,  
RCRA/LQG COMPLIANCE EVALUATION INSPECTION, NOTICE OF VIOLATION**

Dear Mr. Henline:

On March 20, 2007 Ohio EPA Division of Hazardous Waste Management (DHWM) conducted a compliance evaluation inspection of Erico International, Inc. (Erico) located at 34600 Solon Road in Solon, Ohio. Erico is a manufacturer of precision-engineered specialty metal products and qualified as Large Quantity Generator (LQG) of hazardous waste. Hazardous waste streams generated at the facility include a spent corrosive cleaner (D002), spent paint related material (D001, D035, F003, F005) and aluminum baghouse dust (D001).

The purpose of this inspection was to determine Erico'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). Erico was represented by you, William Deak and Chet Bertel while Ohio EPA was represented by me. Ohio EPA's inspection included an inspection of the Erico facility and a review of written documentation. Ohio EPA also documented portions of the inspection using digital photography.

Based on this inspection, Ohio EPA has determined that Erico has violated at least the following state hazardous waste regulations:

1. **Ohio Revised Code (ORC) § 3734.02(F) Causing A Hazardous Waste To Be Transported To An Unpermitted Facility and associated violations of OAC rules:**

- A. On November 21, 2005 Erico caused one drum containing D002 hazardous waste to be transported to Vexor Technology, Inc. (Vexor Technology) in Medina, Ohio. In doing so, Erico violated ORC § 3734.02 (F) which states in part that no person shall dispose of or cause to be transported, hazardous waste, except at or to, a permitted hazardous waste treatment, storage, and/or disposal (TSD) facility. Vexor Technology is not a permitted TSD facility. Additionally, Erico violated OAC rule 3745-52-20 through OAC rule 3745-52-23 (Manifest Use); OAC rule 3745-52-31 and OAC rule 3745-52-32 (Labeling and Marking Containers of Hazardous Waste); and OAC rule 3745-270-07 (Land Disposal Restriction Requirements) since these regulations were not complied with when the waste was initially shipped on November 21, 2005.

The original shipment of waste consisted of three drums designated as non-regulated material and described as water and cleaner per the waste profile (Vexor profile #4669). Based upon a records review conducted at Vexor Technology it was determined that one drum in the shipment was found to have a pH of 12.9 thus resulting in the application of the D002 hazardous waste code. The container of hazardous waste was returned to the Erico facility, via Emerald Environmental Services, and remained onsite until March 3, 2006. See Violation #1B for additional information.

- B. On March 3, 2006 Erico caused 1300 gallons of a D002 hazardous waste to be transported to Vexor Technology, Inc. (Vexor Technology) in Medina, Ohio. In doing so, Erico violated ORC § 3734.02 (F) which states in part that no person shall dispose of or cause to be transported, hazardous waste, except at or to, a permitted hazardous waste treatment, storage, and/or disposal (TSD) facility. Vexor Technology is not a permitted TSD facility. Additionally, Erico violated OAC rule 3745-52-20 through OAC rule 3745-52-23 (Manifest Use); OAC rule 3745-52-31 and OAC rule 3745-52-32 (Labeling and Marking Containers of Hazardous Waste); and OAC rule 3745-270-07 (Land Disposal Restriction Requirements) since these regulations were not complied with when the waste was initially shipped on March 3, 2006.

The shipment of waste consisted of 1300 gallons designated as non-regulated material and described as a potassium hydroxide solution per the waste profile (Vexor profile #6383). Erico also pumped into the tanker truck, the drum of D002 waste previously rejected by Vexor on November 21, 2005. Based upon a records review conducted at Erico, the facility was informed that the shipment of waste had a pH greater than 12.5 thus resulting in the application of the D002 hazardous waste code. The 1300 gallons of D002 hazardous waste was shipped to General Environmental Management (GEM), a permitted TSD facility, in Cleveland, Ohio on March 8, 2006.

Erico shipped hazardous waste (D002) off-site as non-hazardous to an unpermitted facility on two occasions. Information obtained at the time of the March 20, 2007 inspection reveals that one container of hazardous waste (D002) rejected by Vexor was pumped into a subsequent load of waste in an attempt to dilute the corrosive nature of the container of hazardous waste and shipped off site as non-hazardous only to be rejected a second time.

On February 20, 2007 Erico shipped 2200 gallons of the spent potassium hydroxide solution off site to Envirite as a hazardous waste (D002). No further action regarding this violation is required at this time.

2. **Ohio Revised Code (ORC) § 3734.02(E) and (F) Storage of hazardous waste without a facility installation and operation permit:**

On November 21, 2005 Erico shipped one drum containing a spent potassium hydroxide cleaning solution to Vexor Technology in Medina, where it was determined to have a pH of 12.9 thus resulting in the application of the D002 hazardous waste code. The container of hazardous waste was rejected by Vexor Technology and returned to the Erico facility via Emerald Environmental Services. The container of D002 hazardous waste remained onsite until March 3, 2006 (102 days) at which time it was pumped in with a 1300 gallon shipment of spent potassium hydroxide solution and shipped offsite as non-hazardous to Vexor Technology where the shipment was again rejected due to having a pH greater than 12.5 (D002). Erico has therefore stored hazardous waste on site in excess of ninety-days without a hazardous waste permit.

At the time of the March 20, 2007 inspection, Ohio EPA received documentation demonstrating that the shipment of D002 hazardous waste was sent to GEM, a permitted TSD facility. No further action is required at this time.

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

3. **OAC Rule 3745-52-11 Hazardous waste determination:** *Any person who generates a waste in the state of Ohio, as defined in rule 3745-51-02 of the Administrative Code shall determine if that waste is a hazardous waste.*

A. Erico generates a spent potassium hydroxide cleaning solution from the CRP wash line. On March 3, 2006 Erico shipped the CRP waste off-site as non-hazardous to an unpermitted facility on two occasions. Testing at the receiving facility revealed the waste to have pH greater than 12.5, making the waste a corrosive (D002) hazardous waste. Information obtained at the time of the March 2007 inspection reveals that Erico failed to properly characterize the CRP waste to determine if it was a hazardous waste.

To demonstrate abatement of this violation, Erico must submit to this office documentation demonstrating that the spent CRP cleaning solution has been appropriately characterized. A **representative** sample of the waste must be collected and tested using the Toxicity Characteristic Leaching Procedure (TCLP), test Method 1311 in "Test Methods for Evaluating Solid Waste. Physical/Chemical Methods," U.S. EPA Publication SW-846. Note, this waste need only be tested for the eight RCRA metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver) and pH. Erico must submit to this office documentation including, but not limited to:

- A brief narrative regarding how the waste is generated and managed.
- A brief narrative on how the sampling was performed and by whom.
- A copy of the analytical data report from the lab performing the analysis.
- A copy of the Chain of Custody (COC).

In addition, if the spent CRP cleaning solution is shipped off site for disposal, Erico must submit to this office documentation regarding said shipment including bills of lading, hazardous waste manifests and Land Disposal Restriction (LDR) forms.

- B. Erico generates an alkaline skimming waste from the CRP wash line. The waste is skimmed from the top of a process tanks and transferred to a fifty-five gallon container labeled as "oil/soap/water". At the time of the March 20, 2007 inspection, Ohio EPA observed at least five (5) fifty-five gallon containers of this waste on site. Information received at the facility during this inspection revealed that Erico had consolidated at least sixteen (16) containers of this waste stream with a bulk shipment of the spent CRP cleaning solution shipped off site as a D002 hazardous waste to Envirite on February 20, 2007. However, at the time of this inspection, the CRP skimming waste was not being managed in compliance with hazardous waste regulations and Erico could not provide documentation to demonstrate that the CRP skimming waste had been properly characterized.

To demonstrate abatement of this violation, Erico must submit to this office documentation demonstrating that the CRP skimming waste has been appropriately characterized. A **representative** sample of the waste must be collected and tested using the Toxicity Characteristic Leaching Procedure (TCLP), test Method 1311 in "Test Methods for Evaluating Solid Waste. Physical/Chemical Methods," U.S. EPA Publication SW-846. Note, this waste need only be tested for the eight RCRA metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver) and pH. Erico must submit to this office documentation including, but not limited to:

- A brief narrative regarding how the waste is generated and managed.
- A brief narrative on how the sampling was performed and by whom.
- A copy of the analytical data report from the lab performing the analysis.
- A copy of the Chain of Custody (COC).

In addition, if the CRP skimming waste is shipped off site for disposal, Erico must submit to this office documentation regarding said shipment including bills of lading, hazardous waste manifests and Land Disposal Restriction (LDR) forms.

- C. Erico generates spent mop water that the facility does not discharge to the sanitary sewer in an effort to come back into compliance with local discharge limits for metals. The mop water is accumulated in fifty-five gallon steel containers. At the time of the March 20, 2007 inspection, Ohio EPA observed at least twenty-two containers of mop water being accumulated outdoors in various areas of the rear parking lot. Many of the containers were bulged due to being outside in freezing weather. Erico stated that the mop water cannot be discharged and would have to be shipped off site as a waste. However, Erico could not provide documentation demonstrating that the mop water has been properly characterized to determine if it is a hazardous waste.

To demonstrate abatement of this violation, Erico must submit to this office documentation demonstrating that the spent mop water has been appropriately characterized. A **representative** sample of the waste must be collected and tested using the Toxicity Characteristic Leaching Procedure (TCLP), test Method 1311 in "Test Methods for Evaluating Solid Waste. Physical/Chemical Methods," U.S. EPA Publication SW-846. Note, this waste need only be tested for the eight RCRA metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium and silver) and pH. Erico must submit to this office documentation including, but not limited to:

- A brief narrative regarding how the waste is generated and managed.
- A brief narrative on how the sampling was performed and by whom.
- A copy of the analytical data report from the lab performing the analysis.
- A copy of the Chain of Custody (COC).

In addition, if the spent mop water is shipped off site for disposal, Erico must submit to this office documentation regarding said shipment including bills of lading, hazardous waste manifests and Land Disposal Restriction (LDR) forms.

During this inspection, Ohio EPA discussed with Erico the option of on-site treatment (elementary neutralization) of corrosive waste streams generated at the facility. As a generator, Erico is allowed to treat hazardous waste on-site without obtaining a hazardous waste permit but must comply with the requirements found in OAC 3745-52-34. Large quantity generators can treat waste for up to 90 days after generation, while small quantity generators can treat waste for up to 180 days after generation. A copy of Ohio EPA's guidance on generator treatment was given to Erico at the time of this inspection and can be found online at:

[http://www.epa.state.oh.us/dhwm/pdf/Generator\\_Treatment\\_Guidance.pdf](http://www.epa.state.oh.us/dhwm/pdf/Generator_Treatment_Guidance.pdf)

Ohio EPA wishes to point out that wastes which are immediately managed in an elementary neutralization unit, a totally enclosed treatment facility or a wastewater treatment unit, without being accumulated in a separate container or tank that is not a part of the treatment unit first, are not counted towards the facility's monthly hazardous waste generation.

4. **OAC Rule 3745-66-91 Assessment of existing tank system' s integrity:**

(A) For each existing tank system that does not have secondary containment meeting the requirements of rule 3745-66-93 of the Administrative Code, the owner or operator shall determine that the tank system is not leaking or is unfit for use. Except as provided in paragraph (C) of this rule, the owner or operator shall obtain and keep on file at the facility a written assessment reviewed and certified by an independent, qualified, registered professional engineer in accordance with paragraph (D) of rule 3745-50-42 of the Administrative Code, that attests to the tank system' s integrity within thirty days from the effective date of this rule December 8, 1988.

(B) This assessment shall determine that the tank system is adequately designed and has sufficient structural strength and compatibility with the waste(s) to be stored or treated to ensure that it will not collapse, rupture, or fail. At a minimum, this assessment shall consider the following:

- (1) Design standard(s), if available, according to which the tank and ancillary equipment were constructed;
- (2) Hazardous characteristics of the waste(s) that have been or will be handled;
- (3) Existing corrosion protection measures;
- (4) Documented age of the tank system, if available (otherwise, an estimate of the age);and
- (5) Results of a leak test, internal inspection, or other tank integrity examination such that:
  - (a) For non-enterable underground tanks, this assessment shall consist of a leak test that is capable of taking into account the effects of temperature variations, tank end deflection, vapor pockets, and high water table effects.
  - (b) For other than non-enterable underground tanks and for ancillary equipment, this assessment shall be either a leak test, as described in paragraph (B)(5)(a) of this rule, or an internal inspection and/or other tank integrity examination certified by an independent, qualified, registered professional engineer in accordance with paragraph (D) of rule 3745-50-42 of the Administrative Code that addresses cracks, leaks, corrosion, and erosion. [Note: The practices described in the "American Petroleum Institute (API)" publication, "Guide for Inspection of Refinery Equipment," chapter XIII, "Atmospheric and Low-Pressure Storage Tanks," 4th edition, 1981, may be used, where applicable, as guidelines in conducting the integrity examination of an other than non-enterable underground tank system.]

*(C) Tank systems that store or treat materials that become hazardous wastes subsequent to July 14, 1986, shall conduct this assessment within twelve months after the date that the waste becomes a hazardous waste.*

*(D) If, as a result of the assessment conducted in accordance with paragraph (A) of this rule, a tank system is found to be leaking or unfit for use, the owner or operator shall comply with the requirements of rule 3745-66-96 of the Administrative Code.*

Erico generates a spent CRP cleaning solution which is managed in a 1500 gallon Underground Storage Tank (UST). On March 3, 2006 Erico shipped 1300 gallons of the spent CRP cleaning solution waste to Vexor Technology in Medina, Ohio where it was determined to be a D002 hazardous waste and rejected. The shipment was sent on to GEM, a permitted TSD, in Cleveland, Ohio. Erico continued to accumulate the D002 hazardous waste in the UST and on February 20, 2007 shipped the hazardous waste as a D002 to Envirite for disposal. Erico therefore has operated a hazardous waste tank system and at the time of the March 20, 2007 inspection, could not produce documentation in the form of assessments or other relevant documentation pertaining to the integrity and installation of the hazardous waste tank system per OAC Rule 3745-66-91.

To demonstrate abatement of this violation, please see Violation #6

5. **OAC Rule 3745-66-93 Containment and detection of releases:**

*(A) In order to prevent the release of hazardous wastes or hazardous constituents to the environment, secondary containment that meets the requirements of this rule must be provided...*

At the time of the March 20, 2007 inspection, Ohio EPA observed that Erico was operating a hazardous waste tank system that did not meet the requirements of OAC Rule 3745-66-93 for the accumulation of the D002 hazardous waste.

To demonstrate abatement of this violation, please see Violation #6.

6. **OAC 3745-66-95 Tank Inspections:**

*(A) The owner or operator must inspect, where present, at least once each operating day:*

*(1) Overfill/spill control equipment (e.g., waste-feed cut-off systems, bypass systems, and drainage systems) to ensure that it is in good working order;*

*(2) The aboveground portions of the tank system, if any, to detect corrosion or releases of waste;*

*(3) Data gathered from monitoring equipment and leak-detection equipment (e.g., pressure and temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design; and*

*(4) The construction materials and the area immediately surrounding the externally accessible portion of the tank system including secondary containment structures (e.g., dikes) to detect erosion or signs of releases of hazardous waste (e.g., wet spots, dead vegetation).*

*(B) The owner or operator must inspect cathodic protection systems, if present, according to, at a minimum, the following schedule, to ensure that they are functioning properly:*

*(C) The owner or operator must document in the operating record of the facility an inspection of those items in paragraphs (A) and (B) of this rule.*

At the time of the March 20, 2007 inspection, Erico could not produce documentation demonstrating that daily inspections of the hazardous waste tank system, used for the accumulation of the D002 hazardous waste, were being performed per OAC Rule 3745-66-95.

To demonstrate abatement of Violations #4, #5 and #6, Erico must submit to this office a statement regarding past and future use of the UST for the accumulation of the D002 hazardous waste generated from the CRP wash line. At the time of this inspection, Erico stated that the UST would no longer be used for hazardous waste accumulation and that the facility would use containers instead. If this is the case, then Erico must include a discussion on how the D002 hazardous waste will be managed.

Ohio EPA wishes to remind you that should Erico choose to continue the use of this tank system for the accumulation of hazardous waste, the facility must comply with all hazardous waste tank system rules. Ohio hazardous waste laws and rules may be found online at:

[http://www.epa.state.oh.us/dhwm/laws\\_regs.html](http://www.epa.state.oh.us/dhwm/laws_regs.html)

Ohio EPA wishes to remind Erico that should Erico cease using the current hazardous waste tank in lieu of using containers, the UST is subject to generator closure and must be decontaminated and disposed properly.

7. **OAC 3745-52-34(A)(3) Labeling:** *A generator may, for ninety days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit, provided that, while being accumulated and/or treated on-site, each container and tank is labeled or marked clearly with the words "Hazardous Waste".*

- A. At the time of the March 20, 2007 inspection, Ohio EPA observed one full container of waste aluminum bag house dust (D001) that was not labeled with the words "Hazardous Waste".

Upon being informed of this violation by Ohio EPA, Erico labeled the container with the words "Hazardous Waste". Ohio EPA therefore considers this violation abated and no further action is required at this time.

- B. At the time of the March 20, 2007 inspection, Ohio EPA observed one container of waste paint related material (D001, D035, F003, F005) in the hazardous waste accumulation area that was not labeled with the words "Hazardous Waste".

Upon being informed of this violation by Ohio EPA, Erico labeled the container with the words "Hazardous Waste". Ohio EPA therefore considers this violation abated and no further action is required at this time.

- C. At the time of the March 20, 2007 inspection, Ohio EPA observed at least five containers of CRP skimming waste (D002) being accumulated in the rear lot of the facility were not labeled with the words "Hazardous Waste".

To demonstrate abatement of this violation, please see Violation #8C.

- D. At the time of the March 20, 2007 inspection, Ohio EPA observed that the hazardous waste tank system (UST) used for the accumulation of the D002 waste was not labeled with the words "Hazardous Waste".

To demonstrate abatement of this violation, please see Violation #6. Note; should Erico continue to use the UST for the accumulation of hazardous waste, the tank system area must be labeled with the words "Hazardous Waste".

8. **OAC Rule 3745-52-34(A)(2) Accumulation Date:** *A generator may, for ninety days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit, provided that the date upon which each period of accumulation and/or treatment begins is clearly marked and visible for inspection on each container.*

- A. At the time of the March 20, 2007 inspection, Ohio EPA observed one full container of waste aluminum bag house dust (D001) that was not labeled with an accumulation date.

Upon being informed of this violation by Ohio EPA, Erico labeled the container with an accumulation date. Ohio EPA therefore considers this violation abated and no further action is required at this time.

- B. At the time of the March 20, 2007 inspection, Ohio EPA observed one container of waste paint related material (D001, D035, F003, F005) in the hazardous waste accumulation area that was not labeled with an accumulation date.

Upon being informed of this violation by Ohio EPA, Erico labeled the container with an accumulation date. Ohio EPA therefore considers this violation abated and no further action is required at this time.

- C. At the time of the March 20, 2007 inspection, Ohio EPA observed at least five containers of CRP skimming waste (D002) being accumulated in the rear lot of the facility were not labeled with an accumulation date.

To demonstrate abatement of this violation, Erico must label the containers of CRP skimming waste with the words "Hazardous Waste" and an appropriate accumulation date and submit to this office documentation in the form of a photograph demonstrating that this has been done.

9. **OAC Rule 3745-66-73(A) Management of containers:** *A container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.*

At the time of this inspection Ohio EPA observed an open funnel in the container of CRP skimming waste (D002) at the end of the CRP wash line.

Upon being informed of this violation, Erico immediately removed the funnel and closed the container. Ohio EPA therefore considers this violation abated.

10. **OAC 3745-52-34(C)(1) Satellite Accumulation:** *A generator may accumulate as much as fifty-five gallons of hazardous waste or one quart of acutely hazardous waste listed in paragraph (E) of rule 3745-51-33 of the Administrative Code in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit and without complying with paragraph (A) of this rule provided he:*

*(a) Complies with rules 3745-66-71, 3745-66-72, and paragraph (A) of rule 3745-66-73 of the Administrative Code; and*

*(b) Marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.*

At the time of this inspection Ohio EPA observed two (2) satellite accumulation containers being used to accumulate the waste aluminum bag house dust (D001), each at a separate point of generation. The containers were not labeled with the words "Hazardous Waste" or words describing the contents.

Upon being informed of this violation by Ohio EPA, Erico labeled the containers with the words "Hazardous Waste". Ohio EPA therefore considers this violation abated and no further action is required at this time.

11. **OAC Rule 3745-66-74 Inspections:** *The owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary.*

At the time of this inspection, Erico was not performing the required **weekly** inspections of the aluminum baghouse dust (D001) hazardous waste accumulation area. Erico has been inspecting this area monthly instead of weekly.

To demonstrate abatement of this violation, Erico must begin performing the weekly inspections of the aluminum baghouse dust hazardous waste accumulation area immediately and log the inspection in an inspection log or summary. Erico will submit to this office, copies of two consecutive weeks of completed inspection log sheets for **all hazardous waste accumulation areas on site**. This submittal must include any new hazardous waste accumulation areas established for the CRP wastes (D002). Ohio EPA provided Erico with example inspection log sheets at the time of this inspection.

12. **OAC 3745-65-32(B) Required equipment:** *All facilities shall be equipped portable fire extinguishers, fire control equipment (including, but not limited to, special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment, and decontamination equipment.*

At the time of this inspection, Erico did not have spill control (shovel and broom) equipment available for the hazardous waste accumulation area.

At the time of the March 27, 2007 follow-up inspection, Ohio EPA observed that Erico had provided a shovel and broom as part of the spill equipment for the hazardous waste accumulation area. Ohio EPA therefore considers this violation abated.

13. **OAC Rule 3745-65-33 Testing and maintenance of equipment:** *All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to assure its proper operation in time of emergency. The owner or operator must record the inspections in a log or summary.*

At the time of this inspection, Erico was not performing the required inspections of the emergency equipment associated with the hazardous waste accumulation area.

To demonstrate abatement of this violation, Erico must begin performing the inspections of the emergency equipment associated with the hazardous waste accumulation areas (spill control supplies, fire control and the emergency communication device) and log the inspections in an inspection log or summary. Erico will submit copies of two completed inspection log sheets to this office. Ohio EPA provided Erico with example inspection log sheets at the time of the inspection.

14. **OAC 3745-273-13(D)(1) Universal waste lamp management:** *A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages **must remain closed** and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.*

Erico accumulates universal waste lamps generated at the facility to be shipped off site for recycling. At the time of the March 20, 2007 inspection, Ohio EPA observed the following open containers of Universal Waste lamps (UW lamps) being accumulated outside in the rear parking lot:

- At least two open wooden boxes filled past capacity with eight foot and four foot spent fluorescent lamps.
- One fifty-five gallon open-head steel drum containing spent mercury vapor and metal halide lamps. The drum was filled past capacity resulting in the drum lid not being able to fit on the container and close the drum. As a result of this poor management, the drum had accumulated a significant amount of precipitation.

To demonstrate abatement of this violation, please see Violation #19.

15. **OAC 3745-273-14(A) Labeling/marketing of universal waste:** *Universal waste batteries (i.e., each battery), or a container in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste - Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies)."*

Erico collects universal waste batteries generated at the facility, to be shipped off site for recycling. At the time of this inspection, Ohio EPA observed one full fifty-five gallon open-head steel drum containing UW batteries was not labeled with the words being "Universal Waste - Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies)." Furthermore, as a result of the container being stored outside and not being fully closed, the container of universal waste batteries had accumulated a significant amount of precipitation.

To demonstrate abatement of this violation, please see Violation #18.

16. **OAC 3745-273-14(E) Labeling/marketing of universal waste:** *Each lamp or a container or package in which such 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)."*

At the time of the March 20, 2007 inspection, Ohio EPA observed at least six (6) wooden boxes and one steel fifty-five gallon drum being used to accumulate UW lamps were not labeled with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

To abate this violation, please see Violation #19.

17. **OAC 3745-273-15(C) Accumulation time limits for universal waste:** *A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.*

At the time of this inspection, Erico did not have a system for demonstrating how long the universal waste lamps had been onsite.

To abate this violation, please see Violation #19.

18. **OAC Rule 3745-273-13(D)(2) Universal waste management - standards for small quantity handlers of universal waste:** *A small quantity handler of universal waste must immediately clean up and place in a container any lamp that is broken and must place in a container any lamp that shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment. Containers must be closed, structurally sound, compatible with the contents of the lamps, and must lack evidence of leakage, spillage, or damage that could cause leakage or releases of mercury or other hazardous constituents to the environment under reasonably foreseeable conditions.*

At the time of the March 20, 2007 inspection, Ohio EPA observed evidence of broken UW lamps due to the mismanagement of the UW in the rear parking lot. During a follow up inspection on March 27, 2007, Ohio EPA observed that Erico had collected and containerized the UW lamps for shipment offsite. A count performed by the facility during this process revealed that over one thousand (1000) UW lamps had been accumulated onsite at the time the March 20, 2007 inspection.

To abate this violation, please see Violation #19.

19. **OAC 3745-273-16 Employee Training for Small Quantity handlers of universal waste:** *A small quantity handler of universal waste shall inform all employees who handle or have responsibility for managing universal waste. The information shall describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.*

At the time of the March 20, 2007, Ohio EPA observed poorly managed containers of UW lamps and batteries. These observations include:

- Open containers of UW lamps and batteries being accumulated outside exposed to weather and risk of breakage.
- Signs of broken UW lamps due to the quantity and negligent nature in which the UW lamps were accumulated.
- Containers of UW lamps and batteries half-full of precipitation due to poor container management.

On site discussions with Erico employees combined with observations made at the time of this inspection revealed that employees responsible for the management of universal waste lamps and batteries had not received training in proper universal waste management.

Erico must develop a written protocol for the proper management of UW managed at the facility. Employees who manage UW must be trained in this protocol. After receiving said training, employees must sign the written protocol acknowledging the receipt of training on this topic and a copy must be submitted to this office. Guidance regarding proper universal waste management can be found on-line at:

[http://www.epa.state.oh.us/dhwm/pdf/New\\_Universal\\_Waste\\_Guidance.pdf](http://www.epa.state.oh.us/dhwm/pdf/New_Universal_Waste_Guidance.pdf)

To abate Violations #14, through #19, Erico must also submit to this office the following documentation regarding the management of UW on site.

- During a follow-up inspection performed on March 27, 2007, Ohio EPA observed that the UW lamps had been containerized in closed containers and properly labeled. However, the facility was still in the process of containerizing the UW batteries. Erico must submit to this office documentation in the form of photographs demonstrating that the UW batteries are being managed in containers which are properly labeled per OAC 3745-273-14.
- Analytical data (TCLP analysis) from the sampling of the wastewater collected from the UW containers referenced in Violation #19, including a statement on how the waste water is to be managed.
- Erico must submit a statement regarding how long the UW lamps and batteries observed during the March 20, 2007 inspection had been accumulated on site. Furthermore, Erico must develop a tracking system to enable the facility to track how long the UW is accumulated on site and submit to this office documentation demonstrating how this tracking system will be implemented. This may be in the form of a photograph demonstrating that containers of UW are labeled with an accumulation date or one of the other methods described in OAC 3745-273-15(C).

- Erico must submit to this office a discussion and photograph demonstrating that the area where the UW was previously being mismanaged has been cleaned up and any broken UW lamps containerized.

20. **OAC 3745-65-52 Content of contingency plan:**

*(A) The contingency plan must describe the actions facility personnel must take to comply with rules 3745-65-51 and 3745-65-56 of the Administrative Code in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.*

*(B) If the owner or operator has already prepared a "Spill Prevention, Control, and Countermeasures Plan" in accordance with 40 CFR Part 112 or 40 CFR Part 1510, or some other emergency or contingency plan, he need only amend that plan to incorporate hazardous waste management provisions that are 3745-256 of the Administrative Code.*

*(C) The contingency plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and Ohio EPA and local emergency response teams to coordinate emergency services, pursuant to rule 3745-65-37 of the Administrative Code.*

*(D) The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see rule 3745-65-55 of the Administrative Code), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator alternates.*

*(E) The contingency plan must include a list of all emergency equipment at the facility [such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment] where this equipment is required. This list must be kept up to date. In addition, the contingency plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities.*

*(F) The contingency plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).*

At the time of this inspection, Erico qualified as an LQG and did not have a hazardous waste contingency plan meeting the above requirements.

To demonstrate compliance, see Violation # 22

21. **OAC 3745-65-52 Copies of contingency plan:** *A copy of the contingency plan and all revisions to the plan shall be:*

- (A) Maintained at the facility; and*
- (B) Submitted to all local police departments, fire departments, hospitals, and Ohio EPA and local emergency response teams that may be requested to provide emergency services.*

At the time of this inspection, Erico qualified as an LQG and did not have a hazardous waste contingency plan.

To demonstrate abatement of this violation, please see Violation #22.

22. **OAC 3745-65-16 Personnel training:**

- (A) (1) Facility personnel /must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of Chapters 3745-65 to 3745-69 and 3745-2483745-256 of the Administrative Code. The owner or operator shall/must ensure that this program includes all the elements described in the document required under paragraph (D)(3) of this rule.*
- (2) This program /must be directed by a person trained in hazardous waste management procedures, and must include instruction which teaches facility personnel hazardous waste management procedures, (including, but not limited to, contingency plan implementation), relevant to the positions in which they are employed.*
- (3) At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including, where applicable;*
  - (a) Procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment;*
  - (b) Key parameters for automatic waste feed cut-off systems;*
  - (c) Communications or alarm systems;*
  - (d) Response to fires or explosions;*
  - (e) Response to ground water contamination incidents; and*
  - (f) Shutdown of operations.*

- (B) *Facility personnel must successfully complete the program required in paragraph (A) of this rule within six months after January 7, 1983 or six months after the date of their employment or assignment to a facility, or to a new position at a facility, whichever is later. Employees hired after January 7, 1983 must not work in unsupervised positions until they have completed the training requirements of paragraph (A) of this rule.*
- (C) *Facility personnel shall/must take part in an annual review of the initial training required in paragraph (A) of this rule.*
- (D) *The owner or operator must maintain the following documents and records at the facility:*
  - (1) *The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job;*
  - (2) *A written job description for each position listed under paragraph (D)(1) of this rule. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but shall/must include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position;*
  - (3) *A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under paragraph (D)(1) of this rule; and*
  - (4) *Records that document that the training or job experience required under paragraph (A), (B), and (C) of this rule has been given to, and completed by, facility personnel.*
- (E) *Training records on current personnel must be kept until closure of the facility. Training records on former employees must be kept for at least three years from the date the employee last worked at the facility. Personnel training records may accompany personnel transferred within the same company.*

Erico generates a spent CRP washing solution that is characteristically hazardous for corrosivity (D002) and managed in a 1500 gallon UST. Approximately 400 gallons (3,300 pounds) of the D002 hazardous waste is pumped to the UST every three or four months and shipped off site once a year. Based upon information and documentation received at the time of this inspection, this generation and accumulation of hazardous waste qualifies Erico as a LQG of hazardous waste. At the time of the March 20, 2007 inspection, Erico did not have a hazardous waste contingency plan or personnel training program for hazardous waste management as required by Ohio hazardous waste regulations.

To demonstrate abatement of Violations #20, #21 and #22, Erico must develop a hazardous waste contingency plan to comply with the requirements of OAC 3745-65-52. Erico will submit a copy of said contingency plan to this office for review. Upon approval by Ohio EPA, Erico will send a copy of the contingency plan to all local police departments, fire departments, hospitals, and local emergency response teams that may be requested to provide emergency services. Erico must document that this has been done and submit said documentation to this office. An example hazardous waste contingency plan can be found on the Ohio EPA's website at:

<http://www.epa.state.oh.us/dhwm/SampleContingencyPlan.doc>

In addition, Erico must develop a personnel training program which meets all the requirements of OAC 3745-65-16. **The personnel training program must be tailored to hazardous waste management at the Erico facility and specifically cover proper management of the hazardous wastes generated at the facility.** Incorporated into this program will be annual refreshers and a policy to train new employees within six months of their hiring date or transfer to a new position which manages hazardous waste. Erico will train its employees in this plan and the facility contingency plan and submit to this office a copy of the training program, the qualifications of the trainer, a list of employees receiving the training and sign-in sheets demonstrating the training has been performed.

Furthermore, Erico will develop job titles and descriptions for all positions that manage hazardous waste which meet the requirements of OAC 3745-65-16(D). The facility will submit to this office:

- A list of employees which fill positions that manage hazardous waste.
- A list of job titles and descriptions for positions involved in hazardous waste management.
- The job descriptions should make clear who has the duty to inspect hazardous waste containers and emergency equipment, to label, date and close hazardous waste containers, to sign manifests, to create annual reports and any other duties regarding the management of hazardous waste.

Example job titles and descriptions may be found on Ohio EPA's website at:

<http://www.epa.state.oh.us/dhwm/SamplePersonnelTraining.doc>

Erico must also submit to this office a discussion regarding the future generation, accumulation and management of hazardous waste at the Erico facility. Ohio EPA discussed with the facility the options of onsite treatment of the D002 waste stream at the time of the inspection. A copy of Ohio EPA's fact sheet on generator treatment was given to you at the time of the inspection.

22. **OAC 3745-279-22(C)(1) Used oil storage requirements for generators:**

*Containers and aboveground tanks used to store used oil at generator facilities shall be labeled or marked clearly with the words "Used Oil."*

At the time of the March 20, 2007 inspection, Ohio EPA observed two containers of used oil that were not labeled with the words "Used Oil".

Upon being informed of the used oil labeling requirements, Erico immediately labeled the containers of used oil with the words "Used Oil". Ohio EPA therefore considers this violation abated.

23. **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 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.*

A. At the time of the March 20, 2007 inspection, Erico did not have on site a Land Disposal Restriction (LDR) form for the waste paint related hazardous waste stream shipped off site to Chemical Solvents.

Upon being informed of this violation Erico contacted Chemical Solvents and received a copy of the LDR form via fax. Ohio EPA therefore considers this violation abated

B. At the time of the March 20, 2007 inspection, Erico did not have on site an LDR form for the D002 hazardous waste shipped off site to General Environmental Management on March 8, 2006.

To demonstrate abatement of this violation, Erico must submit to this office a copy of the LDR form for the D002 hazardous waste stream shipped off site to General Environmental Management on March 8, 2006. Submitted LDR forms must be legible and complete. Erico must retain copies of these records on site for a minimum of three years.

24. **OAC Rule 3745-52-20(A) Manifest - general requirements:** *A generator who transports, or offers for transportation, hazardous waste for off-site treatment, storage, or disposal must prepare a uniform hazardous waste manifest, U.S.EPA form 8700-22, and if necessary, U.S. EPA form 8700-22A (the continuation sheet) before transporting the hazardous wastes off-site. Completion of items one through twenty and items twenty-one through thirty-five, respectively, on these forms must be accomplished by the generator, transporter, or owner/operator.*

Based upon a review of documentation received at the time of this inspection and subsequent documentation received, Ohio EPA has determined that Erico has used not correctly filled out item #1 (US EPA ID No.) on the following hazardous waste manifests:

- Hazardous waste manifest #03036 to General Environmental Management, dated March 8, 2006 lists the generators ID number in Item #1 as OHR066049172 instead of the correct ID number OHD066049172.
- Hazardous waste manifest #11215 to Chemical Solvents, dated November 21, 2005 lists the generators ID number in Item #1 as OHR066049172 instead of the correct ID number OHD066049172.

Ohio EPA also observed the same incorrect generator ID number used on waste profiles from Envirite and Clean Harbors.

To demonstrate abatement of this violation, Erico must submit to this office corrected copies of the above referenced hazardous waste manifests. Furthermore, Erico must contact Chemical Solvents, General Environmental Management, Envirite, Clean Harbors and Emerald Environmental and inform them of this error and instruct them to correct their records to reflect the correct generator ID number. Erico must submit documentation to this office demonstrating that this has been done.

25. **OAC Rule 3745-52-41 Annual Reports:**

*(A) A generator who ships any hazardous waste off-site must prepare and submit to Ohio EPA the "Annual Hazardous Waste Report" by March first of each year. The generator must prepare the "Annual Hazardous Waste Report" using forms 9027, 9028, and 9029 Ohio EPA forms EPA9027, EPA9028, and EPA9029 provided by the director upon the request of the generator. The "Annual Hazardous Waste Report" must cover generator activities during the previous year, and must include the following information:*

- (1) The U.S. EPA identification number, name, and address of the generator;*
- (2) The calendar year covered by the report;*
- (3) The U.S. EPA identification number, name, and address for each off-site treatment, storage, or disposal facility to which waste was shipped during the year;*
- (4) The name and U.S. EPA identification number of each transporter used during the reporting year for shipments to a treatment, storage, or disposal facility;*
- (5) A description, U.S. EPA hazardous waste number (from rules 3745-51-20 to 3745-51-24 or 3745-51-30 to 3745-51-35 of the Administrative Code), U.S. DOT hazard class, and quantity of each hazardous waste shipped off-site for shipments to a treatment, storage, or disposal facility. This information must be listed by U.S. EPA identification number of each such off-site facility to which waste was shipped.*

- (6) A description of the efforts undertaken during the year to reduce the quantity and toxicity of hazardous waste generated;*
- (7) A description of the changes in quantity and toxicity of waste actually achieved during the year in comparison to previous years; and*
- (8) The certification signed by the generator or authorized representative.*

Erico generates a (D002) waste and managed in a 1500 gallon UST. Approximately 400 gallons (3,300 pounds) of the D002 hazardous waste is pumped to the UST every three or four months and shipped off site once a year. Based upon information and documentation received at the time of this inspection, this generation and accumulation of hazardous waste qualifies Erico as a LQG of hazardous waste for at least one month during the calendar years of 2006 and 2007. Erico has not submitted Annual Hazardous waste for all hazardous waste generated at the facility in 2006.

To demonstrate abatement of this violation Erico must prepare and submit to Ohio EPA Central Office, an Annual Hazardous Waste Report for all hazardous waste generated at the facility during the calendar year of 2006 and submit a copy of said report to this office. Information regarding the preparation and submittal of reports may be accessed online at:

[http://www.epa.state.oh.us/dhwm/ann\\_report.html](http://www.epa.state.oh.us/dhwm/ann_report.html)

You may also contact Tammy Heffelfinger at (614) 644-2954 for additional information.

Enclosed you will find copies of the checklists completed at the time of the inspection. Please submit all of the requested documentation to my attention within thirty (30) days of receipt of this letter demonstrating that all issues have been addressed.

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 have not 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>.

ERICO INTERNATIONAL, INC.  
APRIL 18, 2007  
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Failure to list specific deficiencies in this communication does not relieve Erico from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve Erico from liability for any past or present violations of the state's hazardous waste laws.

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  
Harry Sarvis, DHWM, CO, OEPA  
cc: Natalie Oryshkewych, DHWM, NEDO, OEPA

When 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: OHD006049172

3. Site Name Name: Erico International Inc. Website (optional):

4. Site Location Information  
 Street Address: 34600 Solon Road  
 City, Town, or Village: Solon State: OH  
 County Name: Cuyahoga Zip Code: 44139

5. Site Land Type (check only one)  
 Private County District Federal Indian Municipal State Other

6. NAICS code(s) www.census.gov/epcd/www/naics.html  
 A. 332312 B. 335999  
 C. 33651 D.

7. Facility Representative: Ken Henline  
 MI: Last Name: Henline  
 Phone Number: 440-528-3704 Phone Number Extension:  
 E-Mail Address: khenline@erico.com  
 Fax Number: Fax Number Extension:  
 Street or P.O. Box:  
 City, Town or Village:  
 State: Country: Zip Code:

8. Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page.  
 A. Name of Site's Legal Owner: Erico Inc. Date Became Owner (mm/dd/yyyy):  
 Owner Type: Private County District Federal Indian Municipal State Other  
 Mark with an X          
 Street or P.O. Box:  
 City, Town, or Village: Solon Owner Phone #:  
 State: OH Country: Zip Code:  
 B. Name of Site's Operator: Erico International Date Became Operator (mm/dd/yyyy):  
 Operator Type: Private County District Federal Indian Municipal State Other  
 Mark with an X          
 Street or P.O. Box:  
 City, Town, or Village: Operator Phone #:  
 State: Country: Zip Code:

9. Violations Cited?  Yes  No

10. Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes.)  
 Not Regulated

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

<b>A. Hazardous Waste Activities</b>						
(choose only one of the following categories)						
<input type="checkbox"/>	UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> 3. Treater, Storer or Disposer of Hazardous Waste				
<input checked="" type="checkbox"/>	a. Large Quantity Generator (LQG):	<input type="checkbox"/> 4. Recycler of Hazardous Waste				
<input type="checkbox"/>	b. Small Quantity Generator (SQG)	<input type="checkbox"/> 5. Exempt Boiler and/or Industrial Furnace				
<input type="checkbox"/>	c. Conditionally Exempt Small Quantity Generator	<input type="checkbox"/> a. Small Quantity On-site Burner Exemption				
<input type="checkbox"/>	d. United States Importer of Hazardous Waste	<input type="checkbox"/> b. Smelting, Melting, Refining Furnace Exemption				
<input type="checkbox"/>	e. Mixed Waste (hazardous and radioactive) Generator	<input type="checkbox"/> 6. Underground Injection Control Facility				
<input type="checkbox"/>		<input type="checkbox"/> 7. Hazardous Waste Transporter				
<b>B. Universal Waste Activities</b>		<b>C. Used Oil Activities</b>				
<input checked="" type="checkbox"/>	1. Small Quantity Handler of Universal Waste	<input checked="" type="checkbox"/> 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)				
<input type="checkbox"/>	2. Large Quantity Handler of Universal Waste	<input type="checkbox"/> Transporter				
	(accumulates 5,000 kg or more).	<input type="checkbox"/> Transfer Facility				
<input type="checkbox"/>	3. Destination Facility for Universal Waste	3. Used Oil Processor and/or Re-refiner				
	(Check all boxes below that apply for each of the three types of facilities above.)	Indicate Type(s) of Activity(ies)				
		<input type="checkbox"/> Processor				
		<input type="checkbox"/> Re-refiner				
	Generated Accumulated	<input type="checkbox"/> 4. Off-Specification Used Oil Burner				
A. Batteries	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	5. Used Oil Fuel Marketer -				
B. Pesticides	<input type="checkbox"/> <input type="checkbox"/>	Indicate Type(s) of Activity(ies)				
C. Thermostats	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> a. Marketer Who Directs Shipment of Off-Specification Oil				
D. Lamps	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> 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	D002	D035	F003	F005		
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:				
Y	Tanks?	Other comments:				
Y	Containers?					
13. Name of Inspector(s)		Name of Inspector(s)			Date of Inspection/ Time (mm-dd-yyyy) (HH:MM)	
Suzanne Prusnek DHWM / NEDO					03/20/2007 / 08:45	
14. OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.						
Signature of owner, operator, or an authorized representative			Name and Title (Print)		Date (mm-dd-yyyy)	

## PROCESS, WASTE, P2 SUMMARY SHEET

**Facility Name:** Erico International     
 **Facility Type:** LQG     
 **Date of Inspection:** 3/20/2007     
 **EPA ID#:** OHD006049172

<b>Waste Generated</b>			<b>On- or Off-Site Management</b>		<b>P2 Activities</b>	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Aluminum Dust Baghouse	D001 Containers	N/A	Hukill Chemical, OH		
2	Painting, cleaning	D001, D035, F003, F005 Containers	N/A	Chemical Solvents		
3	Alkaline cleaning	D002 Tank (UST)	N/A	Envirite		Elementary Neutralization ?
4	Skimming waste	D002 Containers	N/A	Envirite		Elementary Neutralization ?
5						
6						
7						
8						
9						

**COMPLETE ID 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 1<sup>st</sup>? [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)] 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

(Erico International)  
 [Facility Name/Inspection Date]  
 [ID number]  
 LQG/February 2007  
 Page 1 of 4

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 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
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)] 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 experience required [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.

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

**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

necessary? [3745-65-52(F)]

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
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 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

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 alarm system? [3745-65-32(A)] Yes  No  N/A
- b. Emergency communication device? [3745-65-32(B)] Yes  No  N/A
- c. Portable fire control, spill control and decon equipment? [3745-65-32(C)] Yes  No  N/A
- d. Water of adequate volume/pressure per documentation or facility rep? [3745-65-32(D)] Yes  No  N/A

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] 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 one quart of acutely hazardous waste at any one time? [3745-52-34(C)(1)] Yes  No  N/A

[Facility Name/Inspection Date]

[ID number]

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- inem?[3745-52-34(C)(1)(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
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
- 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**

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 wastes 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)] 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

## LDR CHECKLIST

### GENERAL LDR REQUIREMENTS

1. Has the generator adequately evaluated all wastes to determine if they are restricted from land disposal? [3745-270-07(A)(1)] If so:
- Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- a. For determinations based solely on knowledge of the waste: Is supporting data retained on-site? [3745-270-07(A)(6)]
- Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- b. For determinations based upon analytical testing: Is waste analysis data retained on-site? [3745-270-07(A)(6)]
- Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
2. Has the generator determined each EPA hazardous waste code applicable to the waste? [3745-270-07(A)(2) see Table 1]
- Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
3. Has the generator determined the correct "treatability group(s)" (e.g., wastewater, non-wastewater, etc.)? [3745-270-07(A), Table 1]
- Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
4. Does the generator generate a characteristic hazardous waste? If so:
- Yes  No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- a. Have all underlying hazardous constituents (UHCs) been identified? [3745-270-09(A)]
- Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

**NOTE:** *If the waste is D001 non-wastewater treated by CMBST, RORGS, POLYM in Table 1 of Rule 3745-270-42 UHCs do not need to be identified.*

5. Does the generator generate listed waste(s) which also exhibit hazardous characteristics? [3745-270-09] If so:
- Yes  No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- a. Has the generator also identified the appropriate treatment standard(s) for the constituent(s) which cause the waste to exhibit a characteristic? [3745-270-09(A)]
- Yes  No  N/A \_\_\_ RMK# \_\_\_

**NOTE:** *The generator is not required to identify the treatment standard for the characteristic if the listing covers the associated characteristic (e.g., a F019/D007 hazardous waste - F019 being listed due to chromium content and D007 being the characteristic waste code for chromium). [See OAC Rule 3745-270-09(B)]*

6. Has the generator correctly determined if restricted wastes meet or do not meet treatment standards? [3745-270-07(A)(1)]
- Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

**NOTE: Wastes with EPA hazardous waste numbers K174 and K175 (chlorinated aliphatic wastes) have specific requirements in rule 3745-270-33. Waste with EPA hazardous waste numbers K176, K177 and K178 (inorganic chemical wastes) have specific requirements in rule 3745-270-36.**

7. Does the owner/operator ensure that restricted wastes or treatment residues are not diluted as a method of achieving/circumventing LDR treatment standards? [3745-270-03] Yes\_\_ No  N/A\_\_ RMK#\_\_

**NOTE: A generator may dilute a waste (that is hazardous only because it exhibits a characteristic) in a treatment system that discharges to waters of the State pursuant to an NPDES permit (§402 of CWA), that treats waste in a CWA equivalent treatment system, or that treats waste for the purposes of pre-treatment requirements under §307 of CWA, unless a method other than DEACT is specified or the waste is a D003 reactive cyanide wastewater or non-wastewater.[3745-270-03(B)]**

8. Is combustion of any of the wastes identified in the Appendix to Rule 3745-270-03 occurring without meeting one or more of the criteria under Rule 3745-270-03(C) upon generation or after treatment? [3745-270-03(C)] Yes\_\_ No  N/A  RMK#\_\_

**NOTE: In other words, is combustion a legitimate treatment method.**

9. Has the generator added iron to lead-containing hazardous waste in order to achieve LDR treatment standards for lead? [3745-270-03(D)] Yes\_\_ No  N/A  RMK#\_\_

10. Does the facility have a case-by-case extension to the effective date to land dispose of hazardous waste?[3745-270-05] If so: Yes\_\_ No  N/A\_\_ RMK#\_\_

a. The facility can dispose of hazardous waste in a on-site landfill or surface impoundment.[3745-270-05] Yes\_\_ No  N/A  RMK#\_\_

11. Does the facility have an extension to allow for a restricted waste to be land disposed?[3745-270-06] If so: Yes\_\_ No  N/A\_\_ RMK#\_\_

a. The facility can land dispose of the waste. [3745-270-06] Yes\_\_ No  N/A  RMK#\_\_

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

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

a. Has the facility complied with 3745-270-04?

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

**REMARKS**

**NOTIFICATION AND CERTIFICATION REQUIREMENTS**

13. If a generator's waste or contaminated soil does not meet the treatment standards, does the generator have the paperwork required in Column A of Table 1 of 3745-270-07? [3745-270-07(A)(2)]  
Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

14. If a generators' waste or contaminated soil meets the treatment standard at the original point of generation, does the generator have the paperwork required in Column B of Table 1 of 3745-270-07? [3745-270-07(A)(3)]  
Yes \_\_\_ No  N/A  RMK# \_\_\_

15. If a generators' waste is exempt (under 3745-270-05, 3745-270-06, national capacity or case-by-case variance, etc.) does the generator have the paperwork required in Column C of Table 1 of 3745-270-07? [3745-270-07(A)(4)]  
Yes \_\_\_ No  N/A  RMK# \_\_\_

16. If a generator manages a lab pack containing hazardous waste using the alternative treatment standard in 3745-270-42, does the generator have the paperwork required in Column D of Table 1 of 3745-270-07? [3745-270-07(A)(9)]  
Yes \_\_\_ No  N/A  RMK# \_\_\_

17. Does the generator produce a waste that is hazardous waste from the point of generation, but subsequently excluded from regulation under OAC 3745-51-02 through 3745-51-06? [3745-270-07(A)(7)] If so:  
Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

a. Is a one-time notice placed in the facility's file stating such generation, subsequent exclusion or exemption, and disposition of the wastes? [3745-270-07(A)(7)]  
Yes \_\_\_ No  N/A  RMK# \_\_\_

**NOTE: Examples include hazardous wastes discharged to a POTW or to a surface water under a NPDES permit.(See 270-07(A)(7))**

18. Does the generator retain on-site a copy of all notices, certifications, demonstrations and waste analysis data for at least three years from the last shipment of waste sent off-site? [3745-270-07(A)(8)]  
Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

**REMARKS**

## GENERATORS TREATING HAZARDOUS WASTE

1. Is treatment of hazardous waste occurring to meet the treatment standards in 3745-270-40? Yes\_\_ No\_\_ N/A  RMK# \_\_
2. If so, does the generator have a waste analysis plan containing the following requirements? [3745-270-07(A)(5)] Yes\_\_ No  N/A  RMK# \_\_
- a. A detailed chemical and physical analysis of a representative sample of the wastes being treated? [3745-270-07(A)(5)(a)] Yes\_\_ No  N/A  RMK# \_\_
- b. All information necessary to treat the waste(s) in accordance with the requirements of 3745-270, including the selected frequency? [3745-270-07(A)(5)(a)] Yes\_\_ No  N/A  RMK# \_\_
3. Is the WAP on-site in the facility's files and available to inspectors? [3745-270-07(A)(5)(b)] Yes\_\_ No  N/A  RMK# \_\_
4. Has the generator followed their WAP [3745-270-07(A)(5)] Yes\_\_ No  N/A  RMK# \_\_
5. Have the treated wastes met the applicable treatment standards in 3745-270-40? Yes\_\_ No  N/A  RMK# \_\_

**NOTE:** *If the waste is a characteristic waste, which has been treated to render it non hazardous and subsequently sent to a solid waste landfill, proceed to question 7 & 8.*

6. Has the generator sent a notification and certification with the initial shipment of waste?[3745-270-07(A)(5)(c)] Yes\_\_ No  N/A  RMK# \_\_
7. Does each notification/certification form completed, contain the information found in Table 1 of 3745-270-07? [3745-270-07(A)(5)(c)] Yes\_\_ No  N/A  RMK# \_\_
8. Has the generator, who is treating a characteristic waste, submitted a notification and certification to the director which contains the following:
- a. Name and address of the facility receiving the waste? [3745-270-09(D)(1)(a)] Yes\_\_ No  N/A  RMK# \_\_
- b. A description of the waste, including EPA hazardous waste codes and treatability group, and UHCs? [3745-270-09(D)(1)(b)] Yes\_\_ No  N/A  RMK# \_\_

**NOTE:** *If the waste will be treated and monitored for all UHCs then they do not need to be listed on the notice.*

9. Has the process/operation generating the waste or the solid waste landfill facility changed? If so: Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- a. Has the notification and certification been updated in the generators and treaters files? [3745-270-09(D)] Yes \_\_\_ No  N/A  RMK# \_\_\_
- b. Has the director been notified of such changes? [3745-270-09(D)] Yes \_\_\_ No  N/A  RMK# \_\_\_

**NOTE: The director need only be notified on an annual basis but no later than December 31.**

10. Is the facility treating contaminated soil using the alternative treatment standards in 3745-270-49? If so: Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- a. Has the facility treated the contaminated soil to less than 10 times the Universal Treatment Standards or has a 90% reduction in the total constituent concentrations occurred? [3745-270-49 (C)] Yes \_\_\_ No  N/A  RMK# \_\_\_
11. Does each notification/certification form completed, contain the information found in Table1? [3745-270-07(A)(3)] Yes \_\_\_ No  N/A  RMK# \_\_\_

**NOTE: If the waste will be treated and monitored for all constituents, there is no need to put them all on the LDR notice.**

### REMARKS

HAZARDOUS DEBRIS

1. Does the material in question meet the definition of hazardous debris as defined in rule 3745-270-02(A)(3)?  
 Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
2. Is the hazardous debris being treated to the waste specific treatment standard in 3745-270-40 to 3745-270-49? (If yes, use the generator checklist.)  
 Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
3. Is the hazardous debris being treated by the alternative treatment standards in 3745-270-45? If so:  
 Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- a. Has the debris or mixtures of debris been treated for each contaminant subject to treatment (toxicity, listed waste and cyanide reactive debris) using one or more of the treatment technologies found in Table 1 in 3745-270-45? [3745-270-45(A)]  
 Yes \_\_\_ No  N/A  RMK# \_\_\_

**NOTE: If immobilization has been used in a treatment train, it must be the last treatment technology used.**

4. Was the hazardous debris a listed waste treated by an immobilization technology in Table 1? [3745-270-45(A)(1)] If so:  
 Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- a. Was immobilization the last treatment technology used? [3745-270-45(A)(3)]  
 Yes \_\_\_ No  N/A  RMK# \_\_\_
5. Is the waste a PCB waste under 40 CFR Part 761? If so:  
 Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- a. Has the waste been treated to the most stringent standard in 40 CFR 761 or 3745-270-45? [3745-270-45(A)(5)]  
 Yes \_\_\_ No  N/A  RMK# \_\_\_
6. Has the residue from the treatment of hazardous debris been disposed of in accordance with 3745-270-40 to 3745-270-49? [3745-270-45(D)]  
 Yes \_\_\_ No  N/A  RMK# \_\_\_
7. Does the owner/operator of a treatment facility that claims the debris is excluded from regulation as a hazardous waste under 3745-51-03(F)(1) maintain the following information?  
 Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_
- a. Records of all inspections, evaluations, and analyses of treated debris? [3745-270-07(D)(3)(a)]  
 Yes \_\_\_ No  N/A  RMK# \_\_\_
- b. Records of key operating parameters of the treatment unit? [3745-270-07(D)(3)(b)]  
 Yes \_\_\_ No  N/A  RMK# \_\_\_
- c. A certification statement for each shipment of treated debris? (See 270-07(D)(3)(c) for exact wording) [3745-270-07(D)(3)(c)]  
 Yes \_\_\_ No  N/A  RMK# \_\_\_

8. Does the notifications and certifications of an owner/operator who first claims the debris is excluded under 3745-51-03(F)(1) have the following information? [3745-270-07(D)(3)]

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

a. Name and address of licensed solid waste landfill receiving the treated debris? [3745-270-07(D)(1)(a)]

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

b. Description of hazardous debris as initially generated with applicable waste codes? [3745-270-07(D)(1)(b)]

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

c. Technology used from Table 1? [3745-270-07(D)(1)(c)]

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

9. Has the above notification been sent to the director? [3745-270-07(D)(1)]

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

**REMARKS**

## TREATING FACILITIES WHICH TREAT WASTE TO MEET LDR STANDARDS

1. Does the treating facility test waste according to their waste analysis plan as required in 3745-54-13 or 3745-65-13?[3745-270-07(B)]  
Yes \_\_\_ No  N/A  RMK# \_\_\_

2. Has a one-time notification been sent with the initial shipment of waste or contaminated soil to the land disposal facility? [3745-270-07(B)(3)]  
Yes \_\_\_ No  N/A  RMK# \_\_\_

**Note:** *No further notification is necessary until such time that the waste changes or the receiving facility changes.*

3. Does the one-time notification and certification contain the information listed in Table 2 of 3745-270-07?[3745-270-07(B)(3)]  
Yes \_\_\_ No  N/A  RMK# \_\_\_

4. Are wastes or treatment residues being sent to another TSD to be further managed? **If so:**

a. Has the facility complied with the generator notification/certification requirements?  
[Table 1, 3745-270-07(B)(5)]

5. Are recyclable materials used in a manner constituting disposal and subsequently subject to 3745-266-20? **If so:**

a. Has the treatment facility (recycler) sent a notification (found at 3745-270-07(B)(4)), excluding the manifest number, with each shipment of waste? [3745-270-07(B)(6)]

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

b. Has the treatment facility (recycler) sent a certification found in 3745-270-07(B)(4)[3745-270-07(B)(6)]

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

c. Has a copy of the notification and certification been sent to the director? [3745-270-07(B)(6)]

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

6. Does the recycling facility maintain records of the name and location of each entity receiving the hazardous waste-derived products?  
[3745-270-07(B)(6)]

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

7. Does the owner or operator of any land disposal facility disposing of waste subject to regulation under 3745-270 have:

a. Copies of all notices and certifications required in 3745-270?

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

b. Test results indicating all waste, extracts of waste or treatment residue are in compliance with 3745-270-40 to 3745-270-49?

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

c. The testing frequency specified in the facility's WAP and have they followed the protocol?

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

**REMARKS**

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**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-transportes 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**

## 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#

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**REMARKS**