



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

September 28, 2012

**WASHINGTON COUNTY  
GENERAL FILE  
(JOHN EPLER)  
DMWM/SEDO  
NON NOTIFIER**

Mr. John Epler  
John Epler Company  
21 Epler Road  
Lowell, Ohio 45744

Dear Mr. Epler:

On September 18, 2012, Ohio EPA inspected John Epler Company ("JEC"), formerly known as P&M Foundry, on Epler Rd (Township Road 150) in Lowell, Ohio to determine compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC). Compliance with Ohio's air pollution regulations was also evaluated. Present during the inspection were Christina Wieg of the Division of Air Pollution Control (DAPC), Donna Goodman and Rich Stewart of the Division of Materials and Waste Management (DMWM), and you.

During the inspection we observed the small open furnace that you use for melting of aluminum scrap which you purchase from dealers. This operation has been in existence for thirty years or more. The furnace is primed with natural gas and waste paper, and then switched over to its predominant source of fuel which is used oil that you regularly collect from local businesses. The used oil is piped to the furnace from two 250-gallon tanks situated in a small shed adjacent to the furnace. When aluminum is melted, the furnace is tipped by hand and the aluminum is poured into several ingot molds. Waste ash from the burning of used oil, and dross from the melting of aluminum is disposed of onsite in waste piles. You stated that you use approximately one drum of used oil per week and you produce approximately 1000 pounds per week of aluminum ingots which you sell to Sewah Studio in Marietta, Ohio. As part of this sale, you also accept scrap aluminum ("grindings"), dross and spent foundry sand from Sewah Studio. These are transported by you back to your business where the scrap (and sometimes the dross) is remelted into ingots. Waste from that process is then disposed of onsite in the waste piles along with Sewah's spent foundry sand.

During the inspection we also documented the open burning of solid waste and trash at your facility.

**We found the following violation of Ohio's air pollution laws and made other observations:**

**(1) Notice of Violation of Open Burning Regulations**

During the inspection Ohio EPA documented the open burning of solid waste/trash at your facility.

The open burning of solid waste/trash is not permitted in Ohio. Open burning of this type is in violation of Ohio Administrative Code (OAC) rule 3745-19-04 and is punishable by a maximum fine of up to \$25,000 per day per violation. All open burning in violation of the requirements specified in OAC rule 3745-19-04 must stop immediately. If you continue to open burn improper waste materials, legal action may be taken against you.

Open burning of this type is prohibited due to the adverse health impacts to people, especially children and the elderly, who may have breathing problems such as asthma, allergies or emphysema. Open burning adversely impacts the ambient air quality by emitting air pollution at ground level where people are immediately exposed to the pollutants.

**(2) Aluminum Furnace Operation**

During the September 18, 2012 site visit, it was determined that you have been melting aluminum scrap in a furnace for the purpose of reclaiming the aluminum for resale. Past correspondence dating back to 1997 between the previous owner of this furnace (Mr. Mike Cox) and Ohio EPA DAPC indicates that based on the information provided to the Agency at the time, the furnace was believed to be "de-minimus" air contaminant source per Ohio Administrative Code rule (OAC) 3745-15-05 and was not in need of air pollution permits if the furnace was maintained in good operating condition and daily records were kept per OAC rule 3745-15-05. However, based on the information obtained during the September 18, 2012 site visit it has been determined that the furnace operation may no longer meet the definition of a "de-minimus" air contaminant source as defined in OAC rule 3745-15-05 and therefore, the furnace operation would be subject to applying for and receiving a permit-to-install and operate the air pollution source in the State of Ohio. The following observations were made during the inspection visit:

- The original de-minimus source determination was based on the furnace operating in good conditions and at high enough temperatures to reduce air pollution emissions emanating from the source. During the site visit the furnace was observed to be in poor condition and lacked a cover or stack to the source;
- The original de-minimus source determination was based on the owner/operator of the furnace maintaining daily records of furnace charge. During the visit it was determined that the facility has kept no daily records of the quantity of furnace charge;

- The original de-minimus source determination was based on the furnace being fuelled by natural gas alone. During the site visit it was determined that the primary fuel source for the furnace is now used oil; and
- A federal regulation (40 Code of Federal Regulation Part 63, Subpart RRR) which addresses sources of secondary aluminum production became effective on March 23, 2000. This regulation applies to small secondary aluminum production plants that use equipment such as sweat furnaces to recover aluminum from scrap. If this federal requirement applies to your furnace operation, your furnace will be required to stack test your source to show compliance with the applicable stack allowable or install an add on air pollution control device in the form of an afterburner.

Based on the above information, Ohio EPA is requesting that your facility evaluate the need to obtain air pollution control permits for the State of Ohio. **Please submit the requested evaluation in writing to Mr. Dean Ponchak within 30 days of receiving this letter.** The response should include the furnace's potential to emit for all criteria air pollutants and should also include applicability to the federal regulation 40 CFR Part 63, Subpart RRR.

Please contact Ralph Witte, with Ohio EPA's Small Business Compliance Assistance at (740)380-5241 in order to assist you when preparing your requested evaluation. Ohio EPA provides small business compliance assistance to help small businesses understand and comply with environmental regulations. The service is free, non-regulatory, and available to small business with fewer than 100 employees.

Should you have any questions regarding #1 and #2 above, feel free to contact Dean Ponchak at (740) 380-5297 or email [Dean.Ponchak@epa.state.oh.us](mailto:Dean.Ponchak@epa.state.oh.us).

**We also found the following violations of Ohio's hazardous waste laws. In order to correct these violations, you must do the following within 30 days of receiving this letter unless otherwise specified:**

- (3) **OAC Rule 3745-52-11, Hazardous Waste Determination:** Any person who generates a waste, as defined in rule 3745-51-02 of the Ohio Administrative Code, must determine if that waste is a hazardous waste using the following method: (A) He should first determine if the waste is excluded from regulation under rule 3745-51-04 of the Administrative Code (B) He must then determine if the waste is listed as a hazardous waste in rules. (C) For purposes of compliance with Chapter 3745-270 of the Administrative Code, or if the waste is not listed as a hazardous waste in rules 3745-51-30 to 3745-51-35 of the Administrative Code, the generator must then determine whether the waste is identified in rules 3745-51-20 to 3745-51-24 of the Administrative Code by either: (1) Testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 of the Administrative Code, or according

to an equivalent method approved by the Region V Administrator of U.S. EPA pursuant to 40 CFR 260.21; or (2) Applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

JEC failed to evaluate ash from burning used oil, and dross wastes generated in its secondary aluminum smelting process. This waste has been disposed of onsite in waste piles for the past thirty years of foundry operation. In addition, for approximately the past 15 years, JEC has accepted dross and spent foundry sand wastes from an offsite sign manufacturing facility, Sewah Studios. Some of Sewah's ash and dross were recycled into JEC's furnace due to its aluminum content, while some was immediately disposed of onsite in waste piles with Sewah's spent foundry sand. JEC also failed to evaluate these waste in accordance with OAC rule 3745-52-11.

In order to abate this violation, JEC must sample and analyze the waste in each waste pile in order to determine if it is a hazardous waste. If hazardous, it must be excavated and managed as such. If a solid waste, it must be excavated and disposed of at a licensed municipal solid waste landfill that accepts dross (the Athens Hocking Reclamation Center in Nelsonville, Ohio). Further instructions on sampling, analyzing and disposing of these wastes will be forthcoming from Ohio EPA. Should the wastes be hazardous, JEC will be required to close the units in accordance with OAC 3745-55-10 through 3745-55-20.

- (4) **OAC 3745-279-12(C), Prohibitions on Used Oil Management:** Off-spec used oil must be burned for energy recovery in an enclosed device that is an integral component of a manufacturing process, such as a foundry furnace.

JEC's furnace is open to the environment and does not have a stack; therefore, it is not an enclosed device. It does not meet the requirements of this regulation for burning off-specification used oil.

JEC must first document that it is in full compliance with all air pollution control laws referenced in #2 above before taking the following actions to abate the violation: JEC must either abate violation #5 below by proving that used oil burned in the furnace is on-specification, or immediately cease burning used oil until the furnace is upgraded to meet the requirements of this rule.

- (5) **OAC rule 3745-279-72, On Specification Used Oil Fuel:** Used oil burned for energy recovery is subject to regulation under OAC Chapter 3745-279 unless it is shown not to exceed specifications for arsenic (5 ppm), cadmium (2 ppm), chromium (10 ppm), lead (100 ppm), flash point (100 degrees F) and total halogens (4000 ppm).

As described above in #4, OAC rule 3745-279-12 prohibits used oil from being burned for energy recovery except in certain specified devices. A person who burns used oil for energy recovery in a prohibited device is claiming that the used oil meets the specification in 3745-279-11. JEC burned used oil in a prohibited device and therefore became the first person to claim the used oil met the specification. According to OAC rule 3745-279-70(A)(2), JEC is a marketer of used oil. Marketers who claim that used oil meets the specification must comply with OAC 3745-279-71.

JEC failed to test used oil that it collected from generators for many years for the above referenced specifications, or failed to require the generators of this used oil to determine if it met the specifications, in violation of this rule. In addition, as a result of this violation, JEC is subject to the rules cited in #7 through 22 below.

JEC must first document that it is in full compliance with air pollution control laws referenced in #2 above before taking the following actions to abate the violation of OAC rule 3745-279-72: JEC must immediately begin to test and maintain records regarding used oil that it accepts from each generator per OAC 3745-279-72 to determine that the used oil meets the specifications. Alternatively, JEC may require that the used oil generator provide copies of analyses or other information documenting that used oil meets the specifications.

- (6) **OAC Rule 3745-279-64 (B), (C), (D) (F) and (G), Used Oil Storage Requirements for Generators:** (B) Containers and tanks used to store used oil must be in good condition with no leaks, severe rusting or deterioration; (C) Containers of used oil must be equipped with a secondary containment system, including dikes, berms or retaining wall, and a floor impervious to used oil to prevent releases to the environment; (D) Existing above-ground tanks must be equipped with a secondary containment system consisting of dikes, berms, retaining walls and an impervious floor; (F) Containers and above-ground tanks of used oil must be labeled with the words "Used Oil"; (G) Upon detection of a release of used oil to the environment, the burner must stop the release, contain the released used oil, clean up and properly manage the released used oil and materials used to clean up the used oil, and if necessary, repair or replace any leaking used oil storage containers prior to returning them to service for used oil storage.

During the inspection we observed (B) JEC's two 250-gallon used oil storage tank systems are deteriorated and rusting; a line feeding the system was leaking used oil into a five-gallon bucket; (C) The five-gallon bucket of used oil which was capturing a leak from the used oil storage system did not have secondary containment; (D) JEC's two 250 gallon used oil tanks did not have secondary containment systems; (F) The two used oil tanks and the five-gallon container were not labeled; and (G) The used oil storage tank system had an active leak that was not stopped. Chronic used oil spills on the ground under and around the two

used oil tanks, the leaking line, the furnace, the driveway, and various other areas of the facility had not been cleaned up. Fresh gravel had been spread over oil-saturated soils in the gravel/dirt driveway in an attempt to cover up the saturated soils.

In order to abate (B) of this violation, within thirty days of the date of this letter you must submit evidence that the used oil tanks are not leaking, and if leaking, they must be repaired or taken out of service. To abate (C) and (D). JEC must first document that it is in full compliance with air pollution control laws referenced in #2 above before taking the following actions: you must provide secondary containment which meets this rule for all tanks and containers used for storage of used oil. During the inspection, JEC partially abated (F) by labeling the used oil tanks, In order to fully abate (F), you must abate (G). In order to abate (G), you must stop the leaking oil by repairing the line to the storage system or taking it out of service.

Within thirty days of receipt of this this letter you also must excavate all visible signs of oil from the ground under and around the leaking line, furnace, driveway, and all other areas of the facility until remaining soils appear clean. Excavated soils must be evaluated per OAC 3745-52-11 of this rule and managed appropriately based on guidance to be provided by Ohio EPA. This waste evaluation and photographs of the excavation activities must be submitted to this office. You may not backfill the excavated areas or dispose of excavated soils until a re-inspection has occurred by Ohio EPA.

Used oil is presumed to be off specification until it is proven to be on specification. Therefore JEC is subject to the following requirements for used oil transporters, burners and marketers unless it can prove that the used oil is on specification. Information on actions that JEC can take to address these will be provided to JEC at such time that JEC abates all violations of air pollution regulations cited by DAPC.

- (7) Notification by Used Oil Transporters, OAC 3745-279-42(A)**
- (8) Used Oil Transportation, OAC 3745-279-43(B)**
- (9) Rebuttal Presumption for Used Oil Transporters, OAC 3745-279-44(A)(B)(D)**
- (10) Tracking of Used Oil by Transporters, OAC 3745-279-46**
- (11) Management of Residues by Used Oil Transporters, OAC 3745-279-47**
- (12) Restrictions on Burning Off-Specification Used Oil, OAC 3745-279-61(A)**
- (13) Notification by Used Oil Burners, OAC 3745-279-62(A)**
- (14) Rebuttal Presumption for Used Oil Burners, OAC 3745-279-63(A)(D)**
- (15) Tracking of Used Oil by Burners, OAC 3745-279-65**
- (16) Notices Provide by the Used Oil Burner, OAC 3745-279-67**
- (17) Management of Used Oil Residues by the Used Oil Burner, OAC 3745-279-10(E)**
- (18) Prohibitions on Used Oil Fuel Marketers, OAC 3745-279-71**
- (19) On-specification Used Oil Fuel, OAC 3745-279-72 (B)**

(20) Notification by a Used Oil Fuel Marketer, OAC 3745-279-73(C)

(21) Tracking of Used Oil to a Burner, OAC 3745-279-74(A)

(22) Notices Obtained by the Used Oil Generator, Transporter, Processor or Refiner, OAC 3745-279-75

## GENERAL COMMENTS

- A. JEC is currently accepting dross, ash and spent foundry sand for recycling and disposal from Sewah Studio. JEC must immediately cease accepting these materials and wastes from Sewah until it is in compliance with all OAC rules cited above.
- B. During the inspection, we observed a five-gallon bucket of capacitors. Please note that capacitors may contain PCB's and for that reason, they should be sent offsite to a ballast recycler. Please see the enclosed list for ballast recyclers. Please submit a receipt as documentation that capacitors have been properly managed.
- C. During the inspection, you asked for information on where to sell small amounts of gold that you have collected over the years as a result of your business operations. Ohio Precious Metals in Jackson, Ohio is a gold and silver refinery that purchases gold. They can be reached at 740/286-6457.
- D. Enclosed is a list of municipal solid waste landfills for your reference.

Your company must immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within **30 days of the receipt of this letter unless otherwise specified**, your company is requested to provide documentation to this office including the steps taken to abate the violations and address the violations cited in #3 through #6, and the general comments cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to [donna.goodman@epa.ohio.gov](mailto:donna.goodman@epa.ohio.gov).

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder, may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, your company is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Enclosed you will find checklists that were completed as a result of the inspection. Questions about citations #1 and 2 should be directed to Dean Ponchak at (740) 380-5297 or email [Dean.Ponchak@epa.state.oh.us](mailto:Dean.Ponchak@epa.state.oh.us). If you have any questions about

violations #3 through 6, please contact Donna Goodman by telephone at (740) 380-5293 or by e-mail at [Donna.Goodman@epa.state.oh.us](mailto:Donna.Goodman@epa.state.oh.us).

Sincerely,



Donna Goodman  
Inspector  
Division of Materials and Waste Management



Sara Harter  
Supervisor  
Division of Air Pollution Control

DG/mr

Enclosure

cc: Joe Holland, DMWM  
Christina Wieg, DAPC  
Dean Ponchak, DAPC  
Ralph Witte, OCAPP

**NOTICE:**

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

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

<b>Site EPA ID No.</b> <b>Site Name</b>	EPA ID Number:		Website: (Optional)						
	Name: <b>John Epler Company</b>		Website: (Optional)						
<b>Site Location Information</b>	Street Address: <b>Epler Road (there is no numerical address assigned to this facility)</b>								
	City, Town, or Village: <b>Lowell</b>		State: <b>OH</b>						
	County Name: <b>WASHINGTON</b>		Zip Code: <b>45744</b>						
<b>Site Land Type</b> (check only one) <b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>	
	<b>333994</b>								

<b>Facility Representative</b>  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: <b>John</b>		MI:	Last Name: <b>Epler</b>	
	Title: <b>Owner/Operator</b>				
	Phone Number: <b>740-984-2549</b>			Phone Number Extension:	
	E-Mail Address:				
	Fax Number:			Fax Number Extension:	
	Street or P.O. Box: <b>21 Epler Road</b>				
City, Town or Village: <b>Lowell</b>					
State: <b>OH</b>			Zip Code: <b>45744</b>		

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

<b>VIOLATIONS CITED?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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**TYPE OF HANDLER - MARK "X" AS APPROPRIATE**

<input type="checkbox"/> Not a HW Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>	<input type="checkbox"/> Small Quantity Generator (SQG)
		<input type="checkbox"/> Conditionally Exempt Small Quantity Generator
		<input type="checkbox"/> U.S. Importer of Hazardous Waste
		<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)	
<input type="checkbox"/> Hazardous Waste Transporter	<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace
<input type="checkbox"/> Hazardous Waste Transfer Facility	<input type="checkbox"/> Small Quantity On-Site Burner Exemption
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste	<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption
<input type="checkbox"/> Recycler of Hazardous Waste	<input type="checkbox"/> Underground Injection Control Facility
<input type="checkbox"/> 72-Hour Recycler	<input type="checkbox"/> Receives Hazardous Waste from Off-site

UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED (CHECK ALL BOXES THAT APPLY)	
<input type="checkbox"/> Small Quantity Handler of Universal Waste	<input type="checkbox"/> Destination Facility for Universal Waste
<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)	

CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES	
<input type="checkbox"/> Batteries	
<input type="checkbox"/> Pesticides	
<input type="checkbox"/> Mercury containing equipment	
<input type="checkbox"/> Lamps	

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))	
<input type="checkbox"/> Used Oil Generator	
<input checked="" type="checkbox"/> Used Oil Transporter	
<input type="checkbox"/> Used Oil Transfer Facility	
<input type="checkbox"/> Used Oil Processor	
<input type="checkbox"/> Used Oil Re-refiner	
<input checked="" type="checkbox"/> Off-Specification Used Oil Burner	
<input checked="" type="checkbox"/> Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil	
<input type="checkbox"/> Used Oil Fuel Marketer who first claims the Used Oil meets the specifications	

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

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

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

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

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

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Donna Goodman	Rich Stewart	9/18/12 10:30 AM

**Comments:**  
Company manages used oil in tanks. Company was formerly known as P&M Foundry.

## PROCESS, WASTE, P2 SUMMARY SHEET

**Facility Name:** John Epler Company **Facility Type:** Unknown **Date of Inspection:** 9/18/12 **EPA ID#:** NA

Waste Generated		On- or Off-Site Management			P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Secondary smelting of aluminum	Ash and dross, unevaluated	Unknown	Illegal onsite disposal		
2	Acceptance of waste from off-site source (Sewah Studio)	Spent foundry sand and dross unevaluated	unknown	Illegal onsite disposal		

### REMARKS/ GENERAL INFORMATION

**General Process Information:**

John Epler Company (formerly known as P&M Foundry) has been in operation for thirty years. They are a secondary aluminum smelter which takes aluminum scrap purchased from dealers and individuals, and melts it into ingots using a very small, open furnace. The ingots are sold to Sewah Studio, an aluminum sign foundry/manufacturer in Marietta, Ohio. The John Epler. Company furnace does not meet the definition of "industrial furnace" in 3745-50-10 nor does it appear to meet air pollution control requirements. The energy source for the furnace is used oil which is collected by Epler from small businesses and farmers in the area; therefore Epler is a transporter, marketer and burner of used oil although they are not in compliance with any applicable used oil regulations. Ash and dross generated in the Epler furnace, as well as spent foundry sand and dross taken from Sewah Studio (an aluminum sign foundry in Marietta) by Epler back to the Epler Company. Anything that is further recoverable from Sewah, including their aluminum scrap, is further smelted by Epler into ingots, and anything unusable, such as the Sewah's dross, ash and foundry sand, is buried onsite at Epler in wastepiles.

**Regulatory/Enforcement History** (if applicable):

NA

**Additional P2 remarks and information:**

NA

Would this facility be interested in a P2 assessment?  Yes\*  No \*If yes, refer promptly to your district P2 coordinator.

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or [p2mail@epa.state.oh.us](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html)

**Other:**

NA

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

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.  
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.  
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.  
*NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.*

Safety Equipment Used:

**WASTE EVALUATION**

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Epler failed to evaluate ash and dross from the smelting process.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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**GENERATOR CLASSIFICATION**

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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*NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.*

**OFF-SITE SHIPMENT OF HAZARDOUS WASTE**

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

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

*NOTE: Complete appropriate checklist for each unit.*

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

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

**MIX HAZARDOUS WASTE WITH USED OIL**

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

**USED OIL INSPECTION CHECKLIST  
BURNERS OF OFF-SPEC USED OIL**

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

**PROHIBITIONS**

1.	Does the used oil burner manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: For example, scrap metal contaminated with used oil or used oil managed in a surface impoundment (i.e., pond).</i>		
2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? <b>The device (furnace) does not meet the specification.</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).</i>		
4.	Is off-spec used oil fuel burned for energy recovery in industrial furnaces identified in 3745-50-10, or boilers as defined in 3745-50-10 and identified in 3745-279-61(A)(2), or hazardous waste incinerators? [3745-279-61(A)] <b>The furnace does not meet these definitions.</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
5.	Does the used oil burner process used oil? [3745-279-61(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	If so, have they complied with the requirements for processors in 3745-279-50 to 3745-279-59? [3745-279-61(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
6.	Has the used oil burner notified Ohio EPA or U.S. EPA and obtained a U.S. EPA ID#? [3745-279-62(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
7.	Does the used oil burner determine whether the total halogen content of the used oil being managed at the facility is above or below 1000 ppm? [3745-279-63(A)] If yes, then;	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	How did the burner determine halogen level content:	
i.	Testing (approved SW-846 method)? or	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
ii.	Applying knowledge of the halogen content of the used oil in light of the materials or processes used? or	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
iii.	Information provided by the processor/re-refiner?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: If determination was not made by one of the three methods, then determination is not valid.</i>		
b.	If halogens are equal to/above 1000 ppm, did the burner successfully rebut the presumption the used oil was mixed with a listed hazardous waste?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	If yes, what method did burner use to rebut the presumption (e.g, testing, exclusion, generator process information, etc.) (describe below)	
	If no, did the burner manage the material as a hazardous waste? [ORC 3734.02(E)(F)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.</i>		
8.	Does the used oil burner retain records of all analyses conducted or information used to comply with 3745-279-63 for at least three years? [3745-279-63(D)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.	Does the used oil burner:	

	a.	Store used oil in tanks, containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-64(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	b.	Stored used oil in containers and aboveground tanks that are in good condition, with no visible leaks? [3745-279-64(B)] <b>Above ground tanks are very old, in poor conditions and of questionable integrity.</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	c.	Provided secondary containment for containers as required by 3745-279-64(C)? <b>No containers were onsite at time of inspection.</b>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d.	Provided secondary containment for existing aboveground tanks as required by 3745-279-64(D)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	e.	Provided secondary containment for new aboveground tanks as required by 3745-279-64(E)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	f.	Labeled all containers, aboveground tanks and fill pipes used for underground tanks with the words "Used Oil"? [3745-279-64(F)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	g.	Upon detection of a release of used oil, done the following in accordance with 3745-279-64(G):	
	i.	Stopped the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	ii.	Contained the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	iii.	Cleaned up and managed the used oil and other materials? <b>Many years worth of releases onto the ground have not been cleaned up. Much of the area was saturated with used oil.</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	iv.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
10.		Does the used oil burner keep a record of each used oil shipment accepted for burning? [3745-279-65(A)]	
	a.	Does each record include the name and address of the transporter who delivers the used oil to the burner? [3745-279-65(A)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Does each record include the name and address of the generator or processor/re-refiner who sent the used oil to the burner? [3745-279-65(A)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	c.	Does each record include the U.S. EPA ID# of the transporter that delivers the used oil to the burner? [3745-279-65(A)(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	d.	Does each record include the U.S. EPA ID# (if applicable) of the generator or processor/re-refiner who sent the used oil to the burner? [3745-279-65(A)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	e.	Does each record include the quantity of the used oil accepted? [3745-279-65(A)(5)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	f.	Does each record include the date of acceptance? [3745-279-65(A)(6)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
11.		Does the used oil burner generate residues from the storage or burning of used oil? [3745-279-67]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
	a.	If yes, does burner manage residues in accordance with OAC rule 3745-279-10(E)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

**USED OIL INSPECTION CHECKLIST - MARKETERS**

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

**PROHIBITIONS**

1.	Does the Used Oil Marketer manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: For example, scrap metal contaminated with used oil or used oil managed in a surface impoundment (i.e., pond).</i>		
2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? <b>The device (furnace) does not meet the specification.</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: All used oil burned for energy recovery is presumed to be off-specification until all requirements of OAC rule 3745-279-11 have been met.</i>		
<i>NOTE: Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).</i>		
4.	Does the used oil fuel marketer initiate shipments of <b>off-spec</b> used oil only to a used oil burner that has a U.S. EPA ID# and burns the used oil in an industrial furnace or boiler identified in 3745-279-61(A)? [3745-279-71]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
5.	Does the generator, transporter, processor/re-refiner, or burner who first claims that the used oil meets the specification for used oil fuel under 3745-279-11 keep copies of analyses of the used oil (or other information used to make the determination) for at least three years? [3745-279-72(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
6.	Has the used oil marketer notified Ohio EPA or U.S. EPA and obtained a U.S. EPA ID#? [3745-279-73(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
7.	Does the used oil marketer keep a record of each shipment of <b>off-spec</b> used oil directed to a used oil burner? [3745-279-74(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Does each record include the name and address of the transporter who delivers the used oil to the burner? [3745-279-74(A)(1)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	Does each record include the name and address of the burner who receives the oil? [3745-279-74(A)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Does each record include the U.S. EPA ID# of the transporter that delivers the used oil to the burner? [3745-279-74(A)(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
d.	Does each record include the U.S. EPA ID# of the burner? [3745-279-74(A)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
e.	Does each record include the quantity of the used oil shipped? [3745-279-74(A)(5)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
f.	Does each record include the date of shipment? [3745-279-74(A)(6)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
8.	Does the generator, transporter, processor/re-refiner, or burner who first claims that the used oil <b>meets the fuel specifications</b> under 3745-279-11 keep a record of each shipment of used oil to an on-spec used oil burner? [3745-279-74(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Does each record include the name and address of the facility receiving the shipment? [3745-279-74(B)(1)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	Does each record include quantity of used oil fuel delivered? [3745-279-74(B)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Does each record include date of shipment or delivery? [3745-279-74(B)(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

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	d.	Does each record include a cross-reference to the record of used oil analysis or other information used to make the determination that the used oil meets the specification as required in 3745-279-72(A)? [3745-279-74(B)(4)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
9.		Are the records described in 3745-279-74(A) and (B) maintained for at least three years? [3745-279-74(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
10.		Before the used oil generator, transporter or processor/re-refiner directs the first shipment of <b>off-spec</b> used oil to a burner, does he obtain a one time written and signed notice from the burner certifying that:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	The burner has notified Ohio EPA stating the location and general description of the used oil management activities? [3745-279-75(A)(1)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	b.	The burner will burn the off-spec used oil only in an industrial furnace or boiler identified in 3745-279-61(A)? [3745-279-75(A)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
11.		Is the certification maintained for at least three years from the date the last shipment of off-spec used oil was shipped to the burner? [3745-279-75(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

**USED OIL INSPECTION CHECKLIST  
TRANSPORTER AND TRANSFER FACILITIES**

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

**PROHIBITIONS**

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

*NOTE: For example, scrap metal contaminated with used oil or used oil managed in a surface impoundment (i.e., pond).*

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)? <b>The smelting furnace does not meet these requirements.</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

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

**TRANSPORTER AND TRANSFER FACILITIES**

4.	Does the used oil transporter process used oil or store used oil for greater than 35 days? [3745-279-41(A)] If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	Is the used oil transporter in compliance with the requirements for processors/re-refiners in 3745-279-50 to 3745-279-59 (except as provided in 3745-279-41(B) and (C))? [3745-279-41(A)] (Complete Used Oil Processor/Re-refiner checklist.)	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
5.	Has the used oil transporter notified Ohio EPA or U.S. EPA and obtained a U.S. EPA ID#? [3745-279-42(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
6.	Has the used oil transporter delivered all used oil to:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Another used oil transporter that has a U.S. EPA ID#? [3745-279-43(A)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	A used oil processing/re-refining facility that has a U.S. EPA ID#? [3745-279-43(A)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	An off-spec used oil burning facility that has a U.S. EPA ID#? [3745-279-43(A)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	An on-spec used oil burning facility? [3745-279-43(A)(4)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
7.	Has the used oil transporter complied with all applicable USDOT regulations (49 CFR 171 to 180)? [3745-279-43(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
8.	Has the used oil transporter had a discharge of used oil? If yes: [OAC rule 3745-279-43(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
a.	Did they take immediate action to protect human health and the environment? [3745-279-43(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Did they give notice (phone call), if required, to the national response center? [3745-279-43(C)(3)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
c.	Did they report in writing to DOT per 49 CFR 171.16? [3745-279-43(C)(3)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
d.	Did they give notice (phone call) to Ohio EPA - DERR? [3745-279-43(C)(3)(c)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
e.	If a water transporter, did they give notice per 33 CFR 153.203? [3745-279-43(C)(4)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	f.	Did they clean up any used oil discharged during transportation or take any necessary action so the discharge no longer presents a hazard to human health or the environment? [3745-279-43(C)(5)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
9.		Has the used oil transporter determined whether the total halogen content of the used oil being transported or stored at a transfer facility is above or below 1000 ppm? [3745-279-44(A)] If yes, then;	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	How did transporter determine halogen level content:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	i.	Testing (approved SW-846 method)? or	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii.	Applying knowledge of the halogen content of the used oil in light of the materials or processes used?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: If determination was not made by one of the two methods, then determination is not valid.</i>			
	b.	If halogens are equal to/above 1000 ppm, did the transporter successfully rebut the presumption the used oil was mixed with a listed hazardous waste?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
		If yes, what method did transporter use to rebut the presumption (e.g., testing, exclusion, generator process information, etc.) (describe below)	
		If no, did the transporter manage the material as a hazardous waste? [ORC 3734.02(E) and/or (F)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
<i>NOTE: If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.</i>			
10.		Does the transporter retain all records of analyses and information used to comply with 3745-279-44 for at least three years? [3745-279-44(D)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
11.		Does the owner/operator of a used oil transfer facility:	
	a.	Store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-45(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Store used oil in containers and aboveground tanks that are in good condition, with no visible leaks? [3745-279-45(C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	Provide secondary containment for containers used to store used oil as required by 3745-279-45(D)? [3745-279-45(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d.	Provide secondary containment for existing aboveground tanks required by 3745-279-45(E)? [3745-279-45(E)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	e.	Provide secondary containment for new aboveground tanks as required by 3745-279-45(F)? [3745-279-45(F)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	f.	Label all containers, aboveground tanks, and fill pipes used for underground tanks with the words "Used Oil?" [3745-279-45(G)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	g.	Upon detection of a release of used oil: [3745-279-45(H)]	
	i.	Stopped the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	ii.	Contained the release?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iii.	Cleaned up and managed the used oil and other materials?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	iv.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
12.		Does the used oil transporter keep a record of each shipment of used oil? [3745-279-46(A)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a.	Does each record include the name and address of the generator, transporter or processor/re-refiner who provides the used oil for transport? [3745-279-46(A)(1)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

	b.	Does each record include the U.S. EPA ID# of the generator, transporter or processor/re-refiner (if applicable) that provides the used oil for transport? [3745-279-46(A)(2)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	c.	Does each record include the quantity of used oil accepted? [3745-279-46(A)(3)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
	d.	Does each record include the date of acceptance? [3745-279-46(A)(4)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
	e.	Does each record include the signature of a representative of the generator, transporter, processor/re-refiner that provided the used oil for transport? [3745-279-46(A)(5)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
13.		Does the used oil transporter keep a record of each shipment of used oil that is delivered to another used oil transporter, burner, processor/re-refiner, or disposal facility? [3745-279-46(B)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	a.	Does each record include the name and address of the receiving facility or transporter? [3745-279-46(B)(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	b.	Does each record include the U.S. EPA ID# of the receiving facility or transporter? [3745-279-46(B)(2)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	c.	Does each record include the quantity of used oil delivered? [3745-279-46(B)(3)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	d.	Does each record include the date delivered? [3745-279-46(B)(4)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
	e.	Does each record include the signature of a representative of the receiving facility or transporter (intermediate rail transporters are not required to sign a record of delivery)? [3745-279-46(B)(5)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
14.		Does the used oil transporter who exports used oil to a foreign country comply with 3745-279-46(B)(1) to (B)(4)? [3745-279-46(C)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
15.		Does the used oil transporter retain all records required under 3745-279-46 for at least three years? [3745-279-46(D)]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
16.		Does the used oil transporter generate residues from the storage or transportation of used oil?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
		If so, are they managed as specified in 3745-279-10(E)? [3745-279-47]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>