



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Hearn Plating Co.
OHD005045554
Lucas Co.
NOV

February 22, 2007

Mr. John Drumheller
Hearn Plating Company
3184 Bellevue Road
Toledo, Ohio 43606

Dear Mr. Drumheller:

On February 7, 2007, Melissa Boyers, Chris Maslo and I inspected Hearn Plating Company located at 3184 Bellevue Road in Toledo, Ohio. The compliance evaluation inspection was completed to determine Hearn Plating Company's (hereafter referenced as HPC) compliance with Ohio's hazardous waste laws and regulations as adopted under chapter 3734 of the Ohio Revised Code (ORC) and chapter 3745 of the Ohio Administrative Code (OAC). Our inspection included a tour of the facility and paperwork review. We also discussed pollution prevention. This letter will explain the violations we found and what you need to do to correct the violations.

HPC has two zinc electroplating lines (one barrel line and one rack line). HPC plates parts for the auto industry and also for furniture manufacturers. Hazardous wastes generated include electroplating sludge(F006), and outdated/unused paint (D001). Used oil is collected in a drum and has not been recycled yet. Universal waste fluorescent bulbs are generated but have not been recycled yet.

I found the following violations of Ohio's hazardous waste laws. In order to correct this violation you must do the following and send me the required information **within 30 days** of your receipt of this letter:

1) Unpermitted Storage of Hazardous Waste, Ohio Revised Code Section 3734.02(E)&(F):
HPC has stored hazardous waste on-site for greater than 90 days without a permit. Ohio Administrative Code (OAC) rule 3745-52-34(B) states that a generator who accumulates hazardous waste for more than ninety days is an operator of a storage facility and is subject to

Mr. John Drumheller
February 22, 2007
Page Two

the applicable requirements of rules 3745-50-40 to 3745-50-62 and Chapters 3745-54 to 3745-57 and 3745-65 to 3745-69 of the OAC.

The F006 filtercake was last picked up for disposal on December 11, 2006. The previous disposal was on August 21, 2006. Based on our records review during our inspection, it was determined that waste actually went into the roll-off box on September 6, 2006. Therefore, HPC had hazardous waste on-site for 96 days.

You submitted documentation to us showing that this was an isolated incident and that your waste transporter was scheduled to pick up the waste on the 89th day. Based on unforeseen circumstances, the driver was unable to pick up your waste and the waste transporter re-scheduled your pick up for the following week. You provided us the details of this incident in an email dated February 8, 2007.

Although no further action is being required by Ohio EPA at this time, be advised that due to the nature of the violation Ohio EPA may require closure pursuant to OAC rule 3745-52-34.

Since HPC violated ORC 3734.02(E) and (F), HPC 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 HPC begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

This violation is considered abated.

2) Labeling, OAC Rule 3745-52-34(A)(2):

The date upon which each period of accumulation begins must be clearly marked and visible for inspection on each container.

HPC had a roll off containing F006 sludge which did not have an accumulation start date.

At the time of our inspection, the roll-off was labeled with the accumulation start date. Therefore, this violation is considered abated.

3) Satellite Accumulation Area, OAC Rule 3745-52-34(C)(1)&(C)(2):

The sludge cart under the filter press can hold approximately one cubic yard. At the time of our inspection, this cart was estimated to be about half full. This amount exceeds the 55-gallon allowable amount allowed in a satellite area

The sludge cart under the filter press was not labeled with the words "hazardous waste" or other identifying words at the time of inspection. The cart also did not have an accumulation start date on it as it contained excess hazardous waste.

On the date of the inspection, you emailed me an electronic photograph showing that the sludge cart had been properly labeled.

I have enclosed our Satellite Accumulation guidance document for your review. The guidance will explain that you can exceed the 55-gallon amount, however, you have three days to put in

Mr. John Drumheller
February 22, 2007
Page Three

in your hazardous waste storage area and you must immediately label the excess with an accumulation start date and mark it with the words "hazardous waste" or with other words identifying the contents of the container. Since you don't run your filter press on a specific schedule, I would suggest just dumping the sludge cart more frequently and NOT deal with excess in your accumulation area.

To abate this violation, you must send me documentation as to how you will be managing the satellite area to ensure compliance.

5) Container Management, OAC Rule 3745-66-73(A):

All containers holding hazardous waste must remain closed except for when waste is being added or removed. During the inspection, HPC's sludge cart under the filter press was open with F006 sludge inside. The sludge cart is a satellite accumulation area.

To abate this violation, please submit to me a photograph showing that the sludge cart has been closed. A piece of plywood would be acceptable to use on your current sludge cart. If it cannot lay flat on the cart for some reason, you must also use a layer of plastic or visqueen over the opening prior to laying down the plywood.

6) Annual Refresher Training, OAC Rule 3745-65-16(C):

All employees who manage hazardous waste are to receive annual hazardous waste refresher training. This includes emergency coordinators. The Ohio EPA interprets "annual" to mean one time each 365 days. HPC exceeded the 365 day annual training in 2006. The 2005 training was completed on January 7, 2005 and the 2006 training was completed on January 18. You completed training for 2007 on January 18, 2007, which is exactly 365 days.

Therefore, this violation is considered abated.

7) Personnel training, OAC Rule 3745-65-16(A)(1)- (3): The personnel training program shall include instruction on hazardous waste management procedures including contingency plan implementation. The training must ensure that personnel are able to respond effectively to emergencies.

HPC did not include training on the contingency plan.

On February 20, 2007, I received a training outline and documentation that employees had been re-trained to include the emergency procedures related to the contingency plan.

Therefore, this violation is considered abated.

8) Contingency Plan, OAC Rule 3745-65-52(E): The contingency plan must include a list of emergency equipment, the capabilities of the equipment and the location of the equipment in the facility. HPC had a list of equipment, however, did not have a brief description of capabilities or location.

To abate this violation, you must submit to me a revised page of your contingency plan showing this information.

Also, as a reminder, any time that you change your plan you must re-submit it to your local police, fire department and response team. Lastly, you were going to remove the name of an emergency coordinator no longer working at your facility.

Mr. John Drumheller
February 22, 2007
Page Four

9) Universal Waste, Fluorescent Bulb Labeling and Packaging, OAC Rule 3745-273-14(E) & OAC Rule 3745-273-13(D)(1):

Packages and containers of universal waste fluorescent bulbs are to be labeled with the words "Universal Waste - Lamps", "Waste Lamps" or "Used Lamps". SK did not have the fluorescent bulbs labeled properly.

Additionally, a handler of fluorescent bulbs must contain any lamp in containers or packages that are structurally sound and adequate to prevent breakage. The containers must also remain closed. SK had bulbs in cardboard boxes, however, one of the boxes containing the longer length bulbs was not closed and not preventing the potential for breakage.

To abate this violation, you must submit to me a photograph showing the containers of bulbs properly labeled and closed.

10) Emergency Equipment Inspections, OAC Rule 3745-65-33:

HPC does not record emergency equipment inspections of the absorbents, floor dry, shovels, etc. or fire extinguishers in an inspection log. You must set up a schedule to inspect these items and document these inspections. At the time of the inspection, we gave you an example inspection log.

To abate this violation, please send me a written standard on the frequency you will be inspecting emergency equipment. You must also send me documentation that you have completed an inspection of HPC's emergency equipment.

11) Weekly Inspections of Containers, OAC Rule 3745-66-74: Ohio EPA interprets weekly to be once every seven days from the previous inspection. HPC had several exceedances of weekly inspections of the storage area. The inspection log was also inadequate. At the time of the inspection we gave you an example inspection log.

To abate this violation, please send me four weeks of completed inspection logs since the date of our inspection.

12) Universal Waste, Fluorescent Bulb Labeling, OAC Rule 3745-273-14(E):

All packages and containers holding spent fluorescent bulbs are to be labeled with the words "Universal Waste - Lamps", "Waste Lamps" or "Used Lamps". HPC did not properly label their containers of fluorescent bulbs that are being managed as a universal waste.

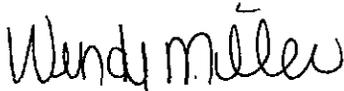
At the time of the inspection, you labeled the containers holding the bulbs. **Therefore, this violation is considered abated.**

You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>. If you are interested in an assessment of your company like we discussed, please contact me or Colleen Weaver at 419-373-3059.

Mr. John Drumheller
February 22, 2007
Page Five

Enclosed you will find a copy of the checklists that Ohio EPA completed during the inspection. Should you have any questions, please feel free to call me at (419) 373-3114.

Sincerely,



Wendy Miller
Division of Hazardous Waste Management

/lb

Enclosures

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
~~NWDO File (w/original enclosure)~~

ec: John Pasquarette, DHWM, NWDO

NOTE: Failure to list specific deficiencies in this communication does not relieve you from the responsibility of complying with all applicable regulations.

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name:

Facility Type: LQG/SQG/CESQG/TSD

Date of Inspection:

EPA ID#:

Waste Generated		On- or Off-Site Management			P2 Activities	
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 (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	plating wastewater/sludge	F006 filtercake 350 lbs/month		Michigan Disposal		
2	maintenance	used oil little if any		will go to PSC		
3	lighting	fluorescent bulbs n/a		undetermined		
4	Outdated paints	D001 waste paint one time clean up		PSC to EQ		
5						
6						
7						
8						
9						

REMARKS-GENERAL INFORMATION

General Process Information:

Regulatory/Enforcement History (if applicable):

Additional P2 remarks and information:

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

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or p2mail@epa.state.oh.us or www.epa.state.oh.us/ocapp/ocapp.html

Other:

LARGE QUANTITY GENERATOR REQUIREMENTS

COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY

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

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

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

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

Safety Equipment Used:

GENERAL REQUIREMENTS

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes No N/A
2. Has the generator obtained a U.S. EPA identification number? [3745-52-12] Yes No N/A
3. Were annual reports filed with Ohio EPA on or before March 1st? [3745-52-41(A)] Yes No N/A
4. Has the generator transported or caused to be transported hazardous waste to **other** than a facility authorized to manage the hazardous waste? [ORC 3734.02(F)] Yes No N/A
5. Has the generator disposed of hazardous waste **on-site without a permit** or at another facility **other** than a facility authorized to dispose of the hazardous waste? [ORC 3734.02(E) & (F)] Yes No N/A
6. Does the generator accumulate hazardous waste? Yes No N/A

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

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

NOTE: If F006 waste is generated and accumulated for > 90 days and is recycled see 3745-52-34(G) & (H). 8-21-06 →
12-11-06

8. Does the generator treat hazardous waste in a: [ORC 3734.02(E)&(F)]
 - a. Container that meets 3745-66-70 to 3745-66-77? Yes No N/A
 - b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97 (C) and Yes No N/A
 - c. Drip pads that meet 3745-69-40 to 3745-69-45? Yes No N/A
 - d. Containment building that meets 3745-256-100 to 3745-256-102? Yes No N/A

NOTE: Complete appropriate checklist for each unit.

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

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

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

MANIFEST REQUIREMENTS

10. Have all hazardous wastes shipped off-site been accompanied by a manifest? (U.S. EPA Form 8700-22) [3745-52-20(A)] Yes No N/A
11. Have items (1) through (20) of each manifest been completed? [3745-52-20(A)] Yes No N/A
- NOTE: U.S. EPA Form 8700-22(A) (the continuation form) may be needed in addition to Form 8700-22. In these situations items (21) through (35) must also be completed. [3745-52-20(A)]

12. Does each manifest designate at least one facility which is permitted to handle the waste? [3745-52-20(B)] Yes No N/A
- NOTE: The generator may designate on the manifest one alternate facility to handle the waste in the event of an emergency which prevents the delivery of waste to the primary designated facility. [3745-52-20(C)].

13. If the transporter was unable to deliver a shipment of hazardous waste to the designated facility did the generator designate an alternate TSD facility or give the transporter instructions to return the waste? [3745-52-20(D)] Yes No N/A

14. Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1) & (2)] Yes No N/A
- NOTE: Remind the generator that the certification statement they signed indicates: 1) they have properly prepared the shipment for transportation and 2) they have a program in place to reduce the volume and toxicity of the waste they generate.

15. If the generator did not receive a return copy of each completed manifest within 35 days of the waste being accepted by the transporter did the generator contact the transporter and/or TSD facility to check on the status of the waste? [3745-52-42(A)(1)] Yes No N/A

16. If the generator has not received the manifest within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)] Yes No N/A

17. Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40] Yes No N/A

NOTE: Waste generated at one location and transported along a publicly accessible road for temporary consolidated storage or treatment on a contiguous property also owned by the same person is not considered "on-site" and manifesting and transporter requirements must be met. To transport "along" a public right-of-way the destination facility has to act as a transfer facility or have a permit because this is considered to be "off-site." For additional information see the definition of "on-site" in OAC rule 3745-50-10.

PERSONNEL TRAINING

18. Does the generator have a training program which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to their positions? [3745-65-16(A)(2)] Yes No N/A

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

20. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes No N/A
21. Do new employees receive training within six months after the date of hire (or assignment to a new position)? [3745-65-16(B)] Yes No N/A
22. Does the generator provide annual refresher training to employees? [3745-65-16(C)] Yes No N/A
23. Does the generator keep records including: job titles [D(1)], job descriptions [D(2)], type and amount of training given to each person [D(3)] and documentation of completed training or job experience required [D(4)]? [3745-65-16(D)] Yes No N/A
do not utilize job/titles/descriptions
24. Are training records for current personnel kept until closure of the facility and are training records for former employees kept for at least three years from the date the employee last worked at the facility? [3745-65-16(E)] Yes No N/A

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

Job Performed	Name of Employee	Date Trained (sign-in sheet needed)
" "	Ed Przybylski	1-18-06
Forklift-Manages hw	Ed Przybylski	1-18-07
	Ed "	1-7-05

CONTINGENCY PLAN

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

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

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

fire dept → cyanide

28. Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, or failure of the plan? [3745-65-54] Yes No N/A
29. Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] Yes No N/A
- NOTE: The emergency coordinator shall be thoroughly familiar with: (a) all aspects of the facility's contingency plan; (b) all operations and activities at the facility; (c) the location and characteristics of waste handled; (d) the location of all records within the facility; (e) facility layout; and (f) shall have the authority to commit the resources needed to implement provisions of the contingency plan.

EMERGENCY PROCEDURES

30. Has there been a fire, explosion or release of hazardous waste or hazardous waste constituents since the last inspection? If so: Yes No N/A
- a. Was the contingency plan implemented? [3745-65-51(B)] Yes No N/A
- b. Did the facility follow the emergency procedures in 3745-65-56(A) through (H)? Yes No N/A
- c. Did the facility submit a report to the Director within 15 days of the incident as required by 3745-65-56(J)? Yes No N/A
- NOTE: OAC 3745-65-51(b) requires that the contingency plan be implemented immediately whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents, which could threaten human health and the environment.

PREPAREDNESS AND PREVENTION

31. Is the facility operated to minimize the possibility of fire, explosion, or any unplanned release of hazardous waste? [3745-65-31] Yes No N/A
32. Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste:
- a. Internal alarm system? [3745-65-32(A)] Yes No N/A
- b. Emergency communication device? [3745-65-32(B)] paging system Yes No N/A
- c. Portable fire control, spill control and decon equipment? [3745-65-32(C)] Yes No N/A
- d. Water of adequate volume/pressure? [3745-65-32(D)] Yes No N/A
- NOTE: Verify that the equipment is listed in the contingency plan.
33. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33] Yes No N/A
34. Are emergency equipment tests (inspections) recorded in a log or summary? [3745-65-33] Yes No N/A
need to revise log / add this item
35. Do personnel have immediate access to an internal alarm or emergency communication device when handling hazardous waste (unless the device is not required under 3745-65-34(A)) Yes No N/A

36. If there is only one employee on the premises is there immediate access to a device (ex. phone, hand held two-way radio) capable of summoning external emergency assistance? (Unless not required under 3745-65-32) [3745-65-34(B)] Yes No N/A
37. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35] Yes No N/A
38. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layouts? [3745-65-37(A)] Yes No N/A
39. Where authorities have declined to enter into arrangements or agreements, has the generator documented such a refusal? [3745-65-37(B)] Yes No N/A

SATELLITE ACCUMULATION AREA REQUIREMENTS

40. Does the generator ensure that satellite accumulation area(s):
- a. Are at or near a point of generation? [3745-52-34(C)(1)] Yes No N/A
 - b. Are under the control of the operator of the process generating the waste? [3745-52-34(C)(1)] Yes No N/A
 - c. Do not exceed one quart of acutely hazardous waste at anyone time? [3745-52-34(C)(1)] Yes No N/A
 - d. Containers are closed, in good condition and compatible with wastes stored in them? [3745-52-34(C)(1)(a)] refers to OAC 66-13. Filter press container open, needs to be closed. Yes No N/A
 - e. Containers are marked with words "Hazardous Waste" or other words identifying the contents? [3745-52-34(C)(1)(b)] Yes No N/A
41. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in the preceding question? If so: Yes No N/A
- a. Did the generator comply with 3745-52-34(A)(1)through(4) or other applicable generator requirements within three days? [3745-52-34(C)(2)] Yes No N/A
 - b. Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded? [3745-52-34(C)(2)] Yes No N/A
 - c. Do not exceed a total of 55 gallons of hazardous waste per waste stream? [3745-52-34(C)(1)] Yes No N/A

NOTE: The satellite accumulation area is limited to 55 gallons of hazardous waste accumulated from a distinct point of generation in the process under the control of the operator of the process generating the waste (less than 1 quart for acute hazardous waste). There could be individual waste streams accumulated in an area from different points of generation.

USE AND MANAGEMENT OF CONTAINERS IN <90 DAY ACCUMULATION AREAS

42. Has the generator marked containers with the words "Hazardous Waste"? [3745-52-34(A)(3)] Yes No N/A S.A. needs labeled (filter press)
43. Is the accumulation date on each container? [3745-52-34(A)(2)] Yes No N/A no date on roll-off
44. Are hazardous wastes stored in containers which are: abated during CEI

- a. Closed (except when adding/removing wastes)? [3745-66-73(A)] Yes No N/A
- b. In good condition? [3745-66-71] Yes No N/A
- c. Compatible with wastes stored in them? [3745-66-72] Yes No N/A
- d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)] Yes No N/A

NOTE: Record location on process summary sheets and photograph the area.

- 45. Is the container accumulation areas(s) inspected weekly? [3745-66-74] Per ORC§1.44(A) "Week" means seven 7 consecutive days. Yes No N/A
- a. Are inspections recorded in a log or summary? [3745-66-74] *revise log* Yes No N/A
- 46. Are containers of ignitable or reactive wastes located at least 50 feet (15 meters) from the facility's property line? [3745-66-76] *ignitable & reactus - indoors* Yes No N/A
- 47. Are containers of incompatible wastes stored separately from each other by means of a dike, berm, wall or other device? [3745-66-77(C)] Yes No N/A
- 48. If the generator places incompatible wastes, or incompatible wastes and materials in the same container, is it done in accordance with 3745-65-17(B)? [3745-66-77(A)] Yes No N/A
- 49. If the generator places hazardous waste in an unwashed container that previously held an incompatible waste, is it done in accordance with 3745-65-17(B)? [3745-66-77(B)] Yes No N/A

NOTE: OAC 3745-65-17(B) requires that the generator treat, store, or dispose of ignitable or reactive waste, and the mixture or commingling of incompatible wastes, or incompatible wastes and materials so that it does not create undesirable conditions or threaten human health or the environment.

- 50. If the generator has closed a <90 day accumulation area does the closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)] Yes No N/A
- NOTE: Please provide a description of the unit and documentation provided by the generator to demonstrate that closure was completed in accordance with the closure performance standards. If the generator has closed a <90 day tank, closure must also be completed in accordance with OAC 3745-66-97 (except for paragraph C of this rule). [3745-52-34]

PRE-TRANSPORT REQUIREMENTS

- 51. Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, 3745-52-31 and 3745-52-32(A)] Yes No N/A
- 52. Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)] Yes No N/A
- 53. Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33] *CWCC* 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: F006 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? Yes ___ No N/A ___ RMK# ___
If so:

a. Has the facility complied with 3745-270-04? Yes ___ No N/A RMK# ___

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# ___

SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS

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# ___

UNIVERSAL WASTE LAMPS

- 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# ___
3. 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# ___
4. 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# ___
abated during inspection

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

5. Is the waste accumulated for less than one year? Yes No N/A RMK#
 [3745-273-15(A)] If not: *just began accumulating in NOV/DEC '06.*
- 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.*

6. 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#

will be utilizing one of these

EMPLOYEE TRAINING

7. 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

8. Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]

Yes No N/A RMK#

9. Is the material released characterized? [3745-273-17(B)]

Yes No N/A RMK#

10. If the material released is a hazardous waste, is it managed as required in OAC Chapters 3745-50 through 3745-69? (If the waste is hazardous, the handler is considered the generator of the waste and is subject to Chapter 3745-52) [3745-273-17 (B)]

Yes No N/A RMK#

OFF-SITE SHIPMENTS

NOTE: *If a SQUWH self-transport waste, then they must comply with the Universal Waste transporter requirements.*

11. 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.*

12. 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#

13. Prior to shipping universal waste off-site, does the receiver agree to receive the shipment? [3745-273-18(D)]

Yes No N/A RMK#

14. 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# ___

15. 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# ___

16. 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# ___

17. 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

18. 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#

G:\Checklists & Forms\USED OIL.SHORT.11.2004.fin.megaset[1]

REMARKS