



State of Ohio Environmental Protection Agency

**Northwest District Office**

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

TELE: (419) 352-6461 FAX: (419) 352-6468  
www.epa.state.oh.us

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

Re: Tam-O-Shanter Facility  
Lucas County  
Hazardous Waste  
Notice of Violation

March 9, 2007

Mr. Todd Butler, Maintenance Manager  
Sylvania Sports and Exhibition Center  
Tam-O-Shanter Facility  
7060 Sylvania Avenue  
Sylvania, Ohio 43560

Dear Mr. Butler:

On March 6, 2007, the Ohio Environmental Protection Agency (Ohio EPA) conducted a compliance evaluation inspection of Sylvania Sports and Exhibition Center (SSEC), Tam-O-Shanter Facility located in Sylvania, Ohio. Wendy Miller and I inspected SSEC to determine its 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). Pollution prevention options were also discussed during this inspection. This letter will explain the violations we found and what you need to do to correct these violations.

During our visit, we inspected your facility operations and reviewed applicable written documentation. SSEC is a sports and exhibition center that hosts trade shows, receptions, meetings, birthday parties, concerts, athletic leagues, and craft shows.

Used compressor oil is generated and stored in a 55-gallon drum located in the compressor room. The compressors operate to maintain the Tam-O-Shanter ice rink. Cousin's Waste Control picks up the used compressor oil for recycling. SSEC is managing the spent fluorescent bulbs generated at the facility as universal waste. Spent bulbs are stored in the original box and picked up by Gross Electric who transports them to Environmental Recycling in Bowling Green, Ohio.

We found the following violations of Ohio's universal waste and used oil laws. In order to correct these violations you must do the following and send me the required information within 30 days of your receipt of this letter:

**1. OAC Rule 3745-279-22(C)(1): Labeling:**

Containers, aboveground tanks and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "Used Oil."

SSEC had one blue poly drum of used oil located in the compressor room that was not properly labeled.

SSEC must properly label the blue poly drum with the words "Used Oil" and submit photographic documentation to demonstrate compliance. A copy of the Regulation of Used Oil Fact Sheet was given to you at the time of our inspection. Please review this information and contact me if you have any questions.

**2. OAC Rule 3745-273-13(D)(1): Universal Waste Packaging:**

A small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

SSEC did not place at least one dozen spent lamps into containers. In order to correct this violation, SSEC must place all spent lamps into containers or packages that are structurally sound and adequate to prevent breakage of the spent lamps; close each container of Universal Waste Lamps; and submit photographic documentation that this has been done.

**3. OAC Rule 3745-273-14(E): Universal Waste Labeling:**

Each lamp or a container or package in which such lamps are contained must be labeled or marked clearly with one of the following phrases: "Universal Waste Lamps", or "Waste Lamps" or "Used Lamps".

SSEC did not properly label at least one dozen loose spent lamps and two boxes of spent lamps with one of the required phrases. In order to correct this violation, SSEC must properly label each spent lamp and container and submit photographic documentation that this has been done. If spent lamps are placed into containers, only the container must be labeled.

**4. OAC Rule 3745-273-15(C): Accumulation Time for Universal Waste Lamps:**

A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

SSEC was not able to demonstrate the length of time the universal waste lamps were accumulated. The two boxes were properly dated, however the one dozen loose spent lamps were not dated. SSEC must containerize the loose spent lamps and properly date the container. In order to correct this violation, SSEC must submit photographic documentation showing the containers, located in the universal waste storage area, are properly dated to track accumulation time.

**5. OAC Rule 3745-273-16: Universal Waste Employee Training:**

A small quantity handler of universal waste shall inform all employees who handle or have responsibility for managing universal waste. The information shall describe proper handling and emergency procedures appropriate to the type of universal waste handled at the facility.

SSEC has not adequately informed its employees, handling universal waste lamps, of the proper handling procedures. In order to correct this violation, SSEC must describe how it will inform (train) its universal waste lamp handlers in proper handling procedures and state when this is accomplished. The training must include compliance with all rules for the handling of universal waste lamps and the corrective actions for all violations of universal waste rules, cited above.

Please be aware that incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer. Lamps may also contain lead and cadmium: Many lamps exhibit a characteristic of toxicity for heavy metals when disposed. During the inspection I gave you a copy of the following document to assist you in properly managing your spent lamps: Fluorescent Lamps: What you should know. I have also enclosed a copy of Universal Waste Rules for Handlers of Lamps and a list of Computer, Fluorescent Lamp and Ballast Recyclers. I recommend that you review these documents carefully and contact me if you have any questions.

Ohio EPA will issue an EPA ID number to track our inspection activity at SSEC. SSEC cannot use this number for manifesting hazardous waste shipments. If SSEC wants to use an EPA ID number for manifesting and other hazardous waste, used oil or universal waste activities, you must complete and submit a Notification of Regulated Waste Activity form (*EPA Form 9029 (Rev. 11/2002)*) to Ohio EPA. This form is available on our Web page at <http://www.epa.state.oh.us/dhwm/notiform.html> or you can call me at (419) 373-3066 or the Division of Hazardous Waste Management, Central Office, RIS at (614) 644-2977 and we will mail you a copy.

Enclosed you will find a copy of the checklists that I completed during the inspection.

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.state.oh.us/ocapp/ocapp.html>.

In addition, you can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dhwm>.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers  
Division of Hazardous Waste Management

/csl

pc: Cindy Lohrbach, DHWM, NWDO  
Colleen Weaver, DHWM, NWDO  
DHWM, NWDO Lucas County General File

ec: Melissa Boyers, DHWM, NWDO

**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.



E-mail this completed form to [tammy.mcconnell@epa.state.oh.us](mailto:tammy.mcconnell@epa.state.oh.us) or mail it to Tammy McConnell, Central Office

**Ohio Environmental Protection Agency  
RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

2. Site EPA ID No. **EPA ID Number:**

3. Site Name **Name:** Sylvania Sports & Exhibition Center, Tam-O-Shanter **Website (optional):** <http://www.sylvaniasportsandexhibitioncenter.com/>

4. Site Location Information  
**Street Address:** 7060 Sylvania Avenue  
**City, Town, or Village:** Sylvania **State:** OH  
**County Name:** Lucas **Zip Code:** 43560

5. Site Land Type (check only one)

Private	County	District	Federal	Indian	Municipal	State	Other
X							

6. NAICS code(s) [www.census.gov/epcd/www/naics.html](http://www.census.gov/epcd/www/naics.html)

A.	B.
C.	D.

7. Facility Representative:  
**First Name:** Todd **MI:** **Last Name:** Butler  
**Phone Number:** **Phone Number Extension:**  
**E-Mail Address:**  
**Fax Number:** **Fax Number Extension:**  
**Street or P.O. Box:** 7060 Sylvania Avenue  
**City, Town or Village:** Sylvania  
**State:** Ohio **Country:** Lucas **Zip Code:** 43560

Additional names can be recorded in number 12.  
 Only provide address information if it is different than the site address.

8. Legal Owner and Operator of the Site List Additional Owners and/or Operators in the Comment Section or on another copy of this form page.

**A. Name of Site's Legal Owner:** **Date Became Owner (mm/dd/yyyy):**

Owner Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other

**Street or P.O. Box:**  
**City, Town, or Village:** **Owner Phone #:**  
**State:** **Country:** **Zip Code:**

**B. Name of Site's Operator:** **Date Became Operator (mm/dd/yyyy):**

Operator Type: Mark with an X	Private	County	District	Federal	Indian	Municipal	State	Other

**Street or P.O. Box:**  
**City, Town, or Village:** **Operator Phone #:**  
**State:** **Country:** **Zip Code:**

9. Violations Cited?  Yes  No

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

## PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: SSEC - Tam-O-Shanter

Facility Type: LQG/SQG/CESQG/TSD

EPA ID#:

Description of Waste				On-Site Management			Off-Site Management
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation/Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.
1	Lighting	Spent Fluorescent Bulbs				Maintenance Storage Room	Currently managed as Universal Waste
2	Ice Compressors	Used Oil		Poly Drum		Mechanical/Electrical Room	Picked up for recycling by Cousins
3							
5							

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)] blue poly drum of compressor oil not labeled. 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] *Cousina*

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\USED OIL.SHORT.11.2004.fin.megaset.wpd

**REMARKS**

**SMALL QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS**  
**BATTERIES AND LAMPS**

*Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg (11,023 lbs) or more*  
*Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg (11,023 lbs) 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 BATTERIES**

3. Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
4. If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
5. Does the SQUWH conduct any of the following activities:
- a. Sort batteries by type? Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
  - b. Mix battery types in one container? Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
  - c. Discharge batteries to remove the electric charge? Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
  - d. Regenerated used batteries? Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
  - e. Disassemble them into individual batteries or cells? Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
  - f. Remove batteries from consumer products? Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
  - g. Remove the electrolyte from the battery? Yes \_\_\_ No \_\_\_ N/A \_\_\_ RMK# \_\_\_
- If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)] Yes  No \_\_\_ N/A \_\_\_ RMK# \_\_\_
6. If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- a. If the electrolyte or other waste is characteristic, is it managed in compliance with 3745-50 through 3745-69? [3745-273-13(A)(3)(a)] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
  - b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
7. Are the battery(ies) of container(s) of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)] Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

**UNIVERSAL WASTE LAMPS**

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

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

10. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)" [3745-273-14(E)] *loose lamps not labeled along w/ two (2) boxes of lamps*  
Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_

**NOTE: Treatment (such as crushing) by a UWH is prohibited under this rule unless the facility is permitted for such activities [3745-273-31(B)]. A generator crushing lamps must manage lamps according to hazardous waste rules (OAC Chapter 3745-52). Lamp crushing is a form of generator treatment (OAC 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.**

**ACCUMULATION TIME**

11. Is the waste accumulated for less than one year? [3745-273-15(A)]  
If not:  
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# \_\_\_  
Yes \_\_\_ No  N/A  RMK# \_\_\_

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

12. Is the length of time the universal waste is stored documented by one of the following: [3745-273-15(C)]  
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)] *two boxes dated*  
Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_  
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)] *approx. one dozen bulbs loose + not dated*  
Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_  
c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)]  
Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_  
d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)]  
Yes \_\_\_ No \_\_\_ N/A  RMK# \_\_\_

e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)]

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

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

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

**EMPLOYEE TRAINING**

13. Are employees who handle or have the responsibility for managing universal waste informed of waste handling/emergency procedures, relative to their responsibilities? [3745-273-16]

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

*no documented training.*

**RESPONSE TO RELEASES**

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

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

*no releases to date.*

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

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

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

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

**OFF-SITE SHIPMENTS**

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

17. Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]

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

*bulbs to go to E.R. in Bowling Green, OH.*

**NOTE: SQUWHs are prohibited to send waste to any other facility.**

*No bulbs have been sent to E.R. to date.*

18. If the universal waste meets the definition of hazardous material under 49 CFR 171-180, are DOT requirements met with regard to package, labels, placards and shipping papers? [3745-273-18(C)]

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

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

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

20. If the universal waste shipped off-site is rejected by another handler or destination facility does the originating handler do one of the following:

a. Receive the waste back? [3745-273-18(E)(1)]

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

b. Agree to where the shipment will be sent? [3745-273-18(E)(2)]

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

21. If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss one of the following:

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

a. Sending the waste back to the originating handler? [3745-273-18(F)(1)]

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

b. Sending the shipment to a destination facility? (If both the originating and receiving handler agree) [3745-273-18(F)(2)]

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

22. If the handler received a shipment of hazardous waste that was not universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]

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

23. If the handler received a shipment of nonhazardous, non-universal waste, was the waste managed in accordance with applicable law? [3745-273-18(H)]

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

**EXPORTS**

24. Is waste being sent to a foreign destination? If so:

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

a. Does the small quantity handler comply with primary exporter requirements in OAC 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]

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

b. Is waste exported only upon consent of the receiving country and in conformance with U.S. EPA's "Acknowledgment of Consent" as defined in 3745-52-50 to -52-57? [3745-273-20(B)]

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

c. Is a copy of U.S. EPA's "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]

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

**REMARKS**