

**Northwest District Office**

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Bob Taft, Governor  
Bruce Johnson, Lieutenant Governor  
Joseph P. Koncelik, Director

Re: Textileather Corp.  
OHD 980279376  
Lucas County  
Hazardous Waste  
**Notice of Violation**

January 5, 2007

Mr. John Cubberly, H&S Manager  
Textileather Corporation  
P.O. Box 875  
Toledo, Ohio 43697

Dear Mr. Cubberly:

Thank you for accompanying me during Ohio EPA's September 6, September 14, and September 22, 2006, inspections of the Textileather Corporation (TL) facility at 3729 Twining Street in Toledo, Ohio. I inspected TL 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). My inspection included a tour of your facility and a review of written documentation. This letter will explain the violations I found and what you need to do to correct the violations.

TL uses raw materials, such as PVC resins, fillers, plasticizers and additives to manufacture various widths and thicknesses of sheet rolled goods. The vinyl rolled goods are then mechanically decorated or chemically printed and sold, primarily, to the automotive industry.

There are 3 parts to the rolled goods:

1. Skin Coat - This is the outside coat that contains the pigments/colorants. It is the first layer to be manufactured. The other layers are placed on top. When it is time to change a run, TL attempts to reuse as much vinyl solution as possible. If it can, it will pump the solutions back into a storage tank, being careful to combine compatible colors.
2. Expansion Coat - This is the thicker spongy portion of the sheet. The color of this portion is not critical and mostly gray.
3. Tie Coat - The last coat is the Tie Coat. It is necessary to bind the vinyl sheet to the fabric.

TL generates the following hazardous wastes, used oil and universal waste:

1. **Spent Activated Carbon (D035)**: This waste is from the air pollution control vapor recovery system. It is coconut shell carbon. One third of the carbon is changed out every 12 to 18 months and, in the past, it was shipped off-site to Barnaby & Sutcliff for reclamation/regeneration. New carbon could have been supplied by the same company to refill the absorbers or new carbon from another company could have been purchased. Lately the carbon has been purchased from Jacobi Carbons. This company does not regenerate carbon, however, they may have identified a vendor who will. It is currently sent to EQ, Michigan Disposal Waste Treatment Plant. Approximately 7.1 tons was shipped in 2005.

The F005 waste code is not necessary since the carbon is contaminated from solvent vapors that are from product applications and not cleanup solvent. Since MEK is a component of the products, the D035 waste code should remain until TL is able to analyze a representative sample and determine that the concentration of MEK is below the regulatory level. If there are free liquids in this waste, TL must determine the flash point of the liquid.

If the spent carbon is regenerated it is not a waste. It would be a by-product exhibiting a characteristic of hazardous waste, which is reclaimed and therefore not a waste, according to OAC Rule 3745-51-02. Therefore, TL could eliminate this hazardous waste and the money needed for disposal of it. Ohio EPA recommends that TL ask EQ, Michigan Disposal what that facility does with this waste.

2. **Spent Watcon Cleaner (D002, D007 & D010)**: Watcon 1246 Cleaner (hydrochloric acid) is used to clean the interior of the process cooling cans. The cooling cans are larger rollers that are used to cool the sheet goods at the end of the production lines. They may be made of Stainless Steel or standard steel. The Watcon is mixed approximately 50/50 with water. It is poured into the cooling cans, agitated and then collected for disposal. In the process of cleaning and rinsing the cans more water becomes part of the resulting waste, therefore the hydrochloric acid will be quite dilute in the waste. The Watcon solution can be used possibly four times before it becomes a waste. The Watcon waste is collected in 55-gallon, blue, poly drums. The can cleaning is done only when the need arises. Approximately 2-3 drums are generated in a year. It is accumulated in the Maintenance Storage Area. It is sent to EQ, Michigan Disposal Waste Treatment Plant. Approximately 1.26 tons was shipped in 2005.

The Watcon MSDS (Material Safety Data Sheet) does not indicate that the product contains heavy metals. Possibly they come from the roller. I recommend that TL complete a waste evaluation involving sampling and analysis. TL should check the pH and TCLP metals concentrations of a representative sample of this waste. On September 14, 2006, you indicated that you intended to sample and analyze this waste for TCLP metals and pH. Please provide me with a copy of any analysis conducted for this waste.

3. **Waste Plastisol and Debris from Vinyl Manufacturing Operations (D006, D007 & D008)**: This waste consists of rags, gloves and cups used to clean minor spills in the vinyl coating operations, from cleaning operating machinery and from QA/QC tests. Plastisol oils are used in this vinyl product. Contaminated liquid plastisol and excess liquid plastisol that cannot be reused may be a part of this waste. The vinyl is water based, however, there is an organic component. This is a major waste stream. This waste is placed in a lined roll-off box located outside the Blue Shed. It is sent to EQ, Michigan Disposal Waste Treatment Plant. Approximately 100 tons was shipped in 2005.

I recommend that TL segregate rags & gloves from liquid waste plastisol. Boldly lettered drums could read something like "Plastisol Liquid Only" and "Plastisol Rags and Gloves Only". This way TL could possibly reduce the volume of its hazardous waste if the solid portion does not possess the toxicity characteristic for heavy metals and MEK (methyl ethyl ketone).

I also recommend that TL complete a waste evaluation involving sampling and analysis. TL should check the TCLP metals concentrations for this waste. If you decide to segregate the solid from the liquid portions, I recommend that you sample and analyze the two waste streams separately for TCLP metals. Please provide me with a copy of any analysis conducted for this waste.

Since most of the vinyl dries on the rags and gloves and in the cups, if TL segregates this waste, the solid portion may not meet the definition of an ignitable waste, if there are no free liquids. If TL identifies a beneficial reuse of the material it would not be a waste. According to OAC Rule 3745-51-02(E); materials are not waste when they are used or reused as effective substitutes for commercial products. I recommend that you call me before TL changes the way it manages this waste.

4. **HT - Solvent & Brine Solution from HT Solvent Recovery Operations (D001 & D035)**: HT refers to Hydro Tek. It is a distillation unit. The system has been in operation since at least 2000. The excess solvent-

based top coatings from Print & Finish, that cannot be reused, are pumped into two above ground 1,000 gallon storage tanks. The unused product is considered an off-spec commercial chemical product, which would not be waste when reclaimed, according to OAC Rule 3745-51-02 (so the tanks are not hazardous waste tanks). From there they are pumped into the HydroTek unit and heated. The solvent vapors are condensed and run through a salt dryer to remove water. Reclaimed solvent runs out the top of the dryer into storage. However, each time the unit is run about 2-3 buckets of solution are removed from the bottom of the dryer. This solution consists of some water and mostly solvent. The waste drums are marked "HT". The solid material ("bottoms") are scraped out and accumulated in cardboard gaylords. It is shipped to Georgia and used to make other vinyl products. The liquid waste is sent to Safety-Kleen Systems, Inc. of Smithfield, KY. Approximately 85 tons was shipped in 2005.

The F005 waste code is not necessary since this is distilled useless product, not cleanup solvent. Since MEK is a component of the products the D035 waste code should remain. TL may reclaim this solvent in its Solvent Recovery System without a permit. However, the waste is hazardous while it is accumulated, prior to distillation.

5. **HT - Spent Solvent from Cleaning Operations in Can Wash Room (F005):** Liners and vats are cleaned out in this room with solvent. The solvent used is 61-320, which is 100% MEK (see MSDS in file). I observed at least six, 55-gallon drums for hazardous waste cleaning solvent in use in this room. The waste is labeled HT.

TL may reclaim this solvent in its Solvent Recovery System without a permit. However, the waste is hazardous while it is accumulated, prior to distillation.

In the Can Wash Room product/batch drums are cleaned. The empty drums are mixed with vinyl solution, tumbled in a can dryer, removed from the heater and the vinyl skin is peeled out. This vinyl is recycled at another TL facility, PIXU, in Canada. This is the same place that the edge trim is recycled.

6. **Spent Solvent from Print & Finish (F005):** In Print & Finish the roller trays are cleaned with MEK. This waste is also HT waste. The solvent is pumped through the applicator and captured at the drain end.

7. **SB - Solvent Contaminated Debris (D001)**: SB refers to Solid Based waste. This waste consists of filters, cups, rags and gloves. This waste is from Vinyl Prep., Print & Finish and the Urethane Room. MEK is used in this product. In the Urethane Room urethane is put into cups for testing and then discarded. A certain amount of liquid urethane remains in the cups, but it dries out after a while. However, since the SB could contain some liquid, it is accumulated in steel drums. Other waste consists of rags and gloves that also dry out. The waste is sent to Safety-Kleen Systems, Inc. of Smithfield, KY. Approximately 49.5 tons was shipped in 2005.

The F005 waste code is probably not necessary since this waste seems to be related to product and not spent cleanup solvent.

Since most of the vinyl dries on the rags and gloves and in the cups, if TL segregates this waste, the solid portion may not meet the definition of an ignitable waste, if there are no free liquids. If TL identifies a beneficial reuse of the material it would not be a waste. According to OAC Rule 3745-51-02(E), materials are not waste when they are used or reused as effective substitutes for commercial products. I recommend that you call me before TL changes the way it manages this waste.

8. **WB - Contaminated Water-Borne Topfinish & Debris (D001)**: This is TL's largest hazardous waste stream. It is useless water-based coating. The WB waste was most of the hazardous waste I observed in the Blue Shed. The waste is sent to Safety-Kleen Systems, Inc. of Smithfield, KY. Approximately 150 tons was shipped in 2005.

The F005 waste code is probably not necessary since this waste seems to be related to product and not spent cleanup solvent.

9. **Solvent, Oil & Water from Tank 54101 Bottom (D001, D035, F003 & F005)**: This waste was generated when Tank #54101 was cleaned. This is the main collection tank in Solvent Recovery. It is sampled for water content and other constituents. Based on the color of the solvent in the tank, TL can tell if there is much phthalates in the solvent. When water and phthalates build up, the tank must be cleaned out. It was sent to Petro Chem Processing Inc. on June 30, 2005. The following statement was on the manifest: "Tank #54101 in Solvent Recovery was pumped out. (Oil layer was floating on top of solvent & water.)". The reclaimed MEK from Solvent Recovery is used for Bright and Dull Top Coats such as CV260, CV580 (B), CV540 (B), CV600 (D), CVR440. Approximately 835 gallons of this waste was shipped in 2005.

Since this is the reclaimed solvent tank, the F codes would not be necessary if the tank is just pumped out. If it is washed/cleaned with solvent then the F codes may apply.

10. **Used Oil:** Used oil is collected in 55-gallon drums from machinery throughout the facility. It is then pumped into totes and shipped off-site for recycling at Usher Oil in Michigan. A Hot Oil System is used for the calenders that make HDPE for pool liners and landfill liners. Used oil can come from this system also. The heat from the oil keeps the vinyl liquid.
11. **PCB Contaminated Used Oil:** TL generates a PCB contaminated used oil from a sump in the Tolex basement. Manifest # 62006 dated June 20, 2006, is for 450 gallons of waste oil and water which was sent to Evergreen Recycling & Disposal Facility (ERDF), where it was solidified in their mixing bins and placed into their landfill. The waste was shipped in a tanker truck.

TL operates a 9x5x3 foot oil/water separator in the Tolex basement. It has a capacity of about 1,000 gallons. The operation was described in the following manner: drains throughout the basement are directed to the oil/water pit. The oil/water in the sump is pumped to the 9 foot side of the oil/water separator. The oil is skimmed off the surface of the water and is collected in a 55-gallon drum beside the unit. The used oil collected is concentrated oil and solids from the recovered water in the sump. The used oil is pumped upstairs and into a tote on the ground floor. The tote and any drums filled are emptied every 6-9 months. The water is pumped through two filters and into the outlet side of the oil/water separator, prior to discharge to the city sewer. The outlet side is a smaller portion of tank of unknown volume.

TL uses parts washers in various places in the facility. They are part of Crystal Clean's Product Reuse Program, therefore, the material that Crystal Clean removes is not a waste.

The edge trim from rolls is sold to another Textileather company, PIXU of Canada, that chops it up and uses it for filler material.

TL has increased the purchase of pre-mixed materials and the use of raw materials in returnable containers.

In spite of these actions, I strongly recommend that TL request a Pollution Prevention Assessment by Ohio EPA's, Office of Compliance Assistance and Pollution Prevention (OCAPP), after it has analyzed its waste better.

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I found the following violations of Ohio's hazardous waste 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. Waste Evaluation  
OAC Rule 3745-52-11**

A generator must determine whether its waste is hazardous by first determining if the waste is listed as a hazardous waste in rules 3745-51-30 to 3745-51-35; by testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24 or by applying knowledge of the hazardous characteristic of the waste in light of the materials or the processes used.

TL has failed to adequately evaluate all of its waste properly, according to this rule, for the following reasons:

1. Waste Plastisol and Debris from Vinyl Manufacturing Operations (D006, D007 & D008): TL must determine the flash point of the liquid plastisol waste and any other liquid components in this waste stream. TL must determine the TCLP concentration of MEK in this waste stream (both liquid and solid portions).
2. HT - Solvent & Brine Solution from HT Solvent Recovery Operations (D001 & D035): You reported that top coats can have heavy metal pigments/colorants. Since the waste analysis for the vinyl waste (number one above) includes TCLP metals D006, D007 & D008, TL must determine the TCLP metals concentrations for this waste.
3. HT - Spent Solvent from Cleaning Operations in Can Wash Room (F005): You reported that top coats can have heavy metal pigments/colorants. Since the waste analysis for the vinyl waste (number one above) includes TCLP metals D006, D007 & D008, TL must determine the TCLP metals concentrations for this waste.
4. Spent Solvent from Print & Finish (F005): You reported that top coats can have heavy metal pigments/colorants. Since the waste analysis for the vinyl waste (number one above) includes TCLP metals D006, D007 & D008, TL must determine the TCLP metals concentrations for this waste.
5. SB - Solvent Contaminated Debris (D001): You reported that top coats can have heavy metal pigments/colorants. Since the waste analysis for the vinyl waste (number one above) includes TCLP metals D006, D007 & D008, TL must determine the TCLP metals concentrations for this waste. Since MEK is a component of the products, TL must evaluate this waste for the toxicity characteristic for MEK (D035).

6. WB - Contaminated Water-Borne Topfinish & Debris (D001): You reported that top coats can have heavy metal pigments/colorants. Since the waste analysis for the vinyl waste (number one above) includes TCLP metals D006, D007 & D008, TL must determine the TCLP metals concentrations for this waste. Since MEK is a component of the products, TL must evaluate this waste for the toxicity characteristic for MEK (D035).
7. Solvent, Oil & Water from Tank 54101 Bottom (D001, D035, F003 & F005): This waste was not evaluated for TCLP metals concentrations. Until TL determines, through laboratory analysis, that heavy metals above the regulatory level are not present in its waste, all waste streams must be evaluated for their TCLP metals concentrations. In order to correct this violation, TL must submit to me a plan for evaluating this waste in the future.
8. PCB Contaminated Used Oil: The used oil is disposed of at Evergreen Recycling and Disposal Facility. It has not been properly evaluated. TL must determine the TCLP metals and TCLP VOC concentrations.

In order to abate these violations, you must immediately evaluate the wastes listed above in accordance with the requirements of Ohio Administrative Code Rule 3745-52-11 and this letter.

You must obtain a representative sample of the wastes, according to OAC 3745-51-20. You must evaluate all samples, through laboratory analysis, for all appropriate characteristics and listings and submit the results of the laboratory analysis to Ohio EPA. TL will need to give Ohio EPA a five day advance notice of sampling activities, in order for an inspector to make arrangements to view the sampling.

The complete analytical results must be submitted to me as soon as they are available. Your results must document if the waste is hazardous or not, if it should be assigned any new hazardous waste numbers and whether it is restricted from land disposal.

Ohio EPA will use the data you provide, in addition to other documentation, to make regulatory decisions concerning the waste(s) tested. The data you submit should be reviewed using a data review process, referred to as data validation, to confirm the validity of your data prior to submission. Data validation includes a review of the following components: laboratory test methods, laboratory data completeness, documentation of holding time(s), chain(s) of custody, and quality assurance/quality control (QA/QC) data. To confirm the validity of your data, you may use Ohio EPA's tier 1 data validation plan review form, which can be obtained from Ohio EPA's web page:

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[http://www.epa.state.oh.us/dhwm/tier\\_i\\_data\\_validation\\_manual.html](http://www.epa.state.oh.us/dhwm/tier_i_data_validation_manual.html). Ohio EPA may request the documentation needed to confirm the validity of the data submitted.

Please submit, with your laboratory data, a brief narrative of each sampling event which includes: process generating the waste, point in the process the sample was obtained, sampling techniques used to obtain the sample and a description of how this sample was determined to be a representative sample of the waste tested.

In order to assist you in evaluating your wastes, I have enclosed a copy of the following document: Managing Your Hazardous Waste. I strongly urge you to review this document carefully and contact me immediately, if you have any questions.

**2. Container Accumulation Date**  
**OAC Rule 3745-52-34(A)(2)**

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

TL did not mark six, 55-gallon drums of spent solvent (F005) in the Can Wash Room with the date in which each period of accumulation began. In order to correct this violation, TL must properly mark these containers and submit photographic documentation that they have been properly marked.

**3. Container Inspections**  
**OAC Rule 3745-66-74**

The owner or operator must inspect areas where containers are stored, at least weekly, looking for leaks and for deterioration caused by corrosion or other factors. The owner or operator must record inspections in an inspection log or summary.

TL failed to conduct and record such inspections for, at least, six, 55-gallon drums of spent solvent (F005) in the Can Wash Room. In order to correct this violation, TL must conduct and record an inspection of each container of hazardous waste and submit to me a copy of the inspection log or summary for at least a four week period. For purposes of compliance with this rule, weekly means every seven days.

**4. Used Oil Labeling**  
**OAC Rule 3745-279-22(C)(1)**

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

TL failed to label the following containers of used oil with the words "Used Oil": two 20-gallon drums and one 55-gallon drum in the Tolex Area on the ground floor, one tote for PCB contaminated used oil on the ground floor, and one 55-gallon drum for PCB contaminated used oil in the Tolex basement beside the oil/water separator. In order to correct this violation, TL must label all containers of used oil with the words "Used Oil" and submit to me photographs documenting their proper labeling.

**5. Job Titles**  
**OAC Rule 3745-65-16(D)(1)**

The owner or operator must maintain the following documents and records at the facility: (1) The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job.

TL did not have a document that listed the name of each employee with a job title related to hazardous waste management. In order to correct this violation, TL must submit such a listing.

**6. Job Descriptions**  
**OAC Rule 3745-65-16(D)(2)**

The owner or operator must maintain the following documents and records at the facility: (2) A written job description for each position at the facility related to hazardous waste management. The description must include the requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position.

TL did not have a document that explained the job descriptions for each position at the facility related to hazardous waste management. In order to correct this violation, TL must submit such suitable job descriptions.

**7. Description of Training**  
**OAC Rule 3745-65-16(D)(3)**

The owner or operator must maintain the following documents and records at the facility: (3) A written description of the type and amount of both introductory and continuing training that will be given to each person with a job title related to hazardous waste management.

TL did not have a document that described the type and amount of training given to each employee with a job title related to hazardous waste management. In order to correct this violation, TL must submit a description of the training it provides. The training plan must include a statement that training will be given to new employees or persons filling a new position with a job title related to hazardous waste management within six months of filling that position and then annually thereafter.

**8. Training Provided - New Employees  
OAC Rule 3745-65-16(B)**

Facility personnel must successfully complete the training program within six months after the date they are hired.

TL has not provided the initial training that is required by these rules. In May of 2005, TL only provided hazardous waste management training to the following employees: Tracy Boros, James Leutz, Roche Roytek, Jake Estes and Trent Brown. Many other employees at the facility generate or handle hazardous waste. TL did not train all employees involved with the generation and management of hazardous waste and all employees that need to know about the contingency plan. TL has not yet provided training in 2006. This was a violation in 2005 and is now also a violation in 2006.

TL must provide its hazardous waste training program for every new or newly assigned employee with a job title related to hazardous waste management, and submit the records that document that each employee has completed the training.

**9. Training Provided - Annual Refresher  
OAC Rule 3745-65-16(C)**

Facility personnel must take part in an annual review of the initial training.

TL has not provided the annual training that is required by these rules. For purposes of compliance with these rules, annual means every 365 days. In May of 2005, TL only provided hazardous waste management training to the following employees: Tracy Boros, James Leutz, Roche Roytek, Jake Estes and Trent Brown. Many other employees at the facility generate or handle hazardous waste. TL did not train all employees involved with the generation and management of hazardous waste and all employees that need to know about the contingency plan. TL has not yet provided refresher training in 2006. It should have been done before the end of May 2006. This was a violation in 2005 and is now also a violation in 2006.

TL must provide its hazardous waste training program for every employee with a job title related to hazardous waste management, and submit the records that document that each employee has completed the training.

**10. Training Documentation  
OAC Rule 3745-65-16(D)(4)**

The owner or operator must maintain the following documents and records at the facility: (4) Records that document that the training or job experience required has been given to, and completed by, facility personnel.

TL has not properly maintained records that document that training has been performed, according to the above cited rules. TL must provide its hazardous waste training program for every employee with a job title related to hazardous waste management, and submit the records that document that each employee has completed the training, and maintain these records.

**11. OAC Rule 3745-270-09(A)  
Special Rules Regarding Wastes that Exhibit a Characteristic**

If the generator determines that his waste displays a hazardous characteristic, the generator must determine if any underlying hazardous constituents (as defined in rule 3745-270-02 of the Administrative Code) are present in the characteristic waste.

TL has failed to determine the underlying hazardous constituents for, at least, the following wastes: 1.) Waste Plastisol and Debris from Vinyl Manufacturing Operations (D006, D007 & D008), 2.) HT - Solvent & Brine Solution from HT Solvent Recovery Operations (D001, D035 & F005), 3.) HT - Spent Solvent from Cleaning Operations in Can Wash Room (F005), 4.) Spent Solvent from Print & Finish (F005), 5.) SB - Solvent Contaminated Debris (D001 & F005), 6.) WB - Contaminated Water-Borne Topfinish & Debris (D001 & F005), 7.) Solvent, Oil & Water from Tank 54101 Bottom (D001, D035, F003 & F005), 8.) PCB Contaminated Used Oil.

In order to correct this violation, 1.) TL may have each characteristic hazardous waste sampled and analyzed for underlying hazardous characteristics and record each on the accompanying land disposal restriction form; or 2.) TL may contact the disposal facility(s) and have them provide documentation that they are capable of treating TL's characteristic hazardous waste to below the regulatory level for underlying hazardous characteristics. TL must submit documentation that one of these two approaches has been properly taken. In order to correct this violation for the Tank 54101 bottoms, TL must submit to me a plan for evaluating this waste for underlying hazardous constituents in the future.

**12. Emergency Equipment  
OAC Rule 3745-65-32(C)**

All facilities shall be equipped with the following: (c) spill control equipment and decontamination equipment.

TL failed to have spill control and decontamination equipment for the Can Wash Room. In order to correct this violation, TL must provide spill control and decontamination equipment for the Can Wash Room, submit a list of the materials provided and its location and submit a photograph demonstrating that the spill control and decontamination equipment has been provided for the Can Wash Room.

**13. Testing and Maintenance of Equipment  
OAC Rule 3745-65-33**

All facility communications or alarm systems, fire protection equipment, spill control equipment, and decontamination equipment, where required, must be tested and maintained as necessary to ensure its proper operation in time of emergency. The owner or operator must record the inspections in a log or summary.

TL failed to provide necessary emergency equipment for the Can Wash Room. TL failed to test or inspect the spill control and decontamination equipment required for the Can Wash Room. TL also failed to record this inspection in a log or summary. In order to correct this violation, TL must conduct the required inspection, explain the frequency of future inspections and submit a copy(s) of the inspection report. Also, TL must revise its Minimum Spill Kit Materials inspection list to clearly explain what spill kits are inspected and where they are located.

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

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.

TL did not place at least two dozen spent lamps into containers. TL did not keep at least twelve boxes of spent lamps closed. In order to correct this violation, TL 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.

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

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".

TL did not properly label at least two dozen loose spent lamps and at least twelve boxes of spent lamps with one of the required phrases. In order to correct this violation, TL 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.

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

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.

TL was not able to demonstrate the length of time the universal waste lamps were accumulated. In order to correct this violation, TL must place a date on each container once a universal waste lamp is placed into it and submit photographic documentation that this has been done.

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

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.

TL has not adequately informed its employees, handling universal waste lamps, of the proper handling procedures. In order to correct this violation, TL 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.

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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: Universal Waste Rules for Handlers of Lamps. I have also enclosed a copy of Computer, Fluorescent Lamp and Ballast Recyclers. I recommend that you review these documents carefully and contact me if you have any questions. The first document describes the rules you must follow in order to manage lamps as a universal waste.

As a used oil generator you are required to: store used oil in containers or aboveground tanks that are in good condition (no severe rusting, apparent structural defects or deterioration) and not leaking. Containers, aboveground tanks and fill pipes for underground tanks must be labeled with the words "Used Oil." If leaks are detected, the generator must: stop the release; contain the release; clean up and manage properly the released used oil and other materials related to the release; and, if necessary, repair or replace any leaking containers or tanks prior to returning them to service. During the inspection I gave you copies of the following used oil fact sheets: The Regulation of Used Oil: Used Oil Generators, The Regulation of Used Oil: Used Oil Burners and Used Oil Recyclers. Please review these carefully and contact me immediately if you have any questions.

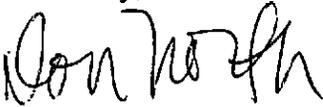
You may be able to reduce the waste your business generates. If you find ways to recycle, reduce or altogether eliminate the amount of waste that your business generates, you may be able to reduce your treatment and disposal costs and you may possibly reduce your regulatory requirements. During the inspection I gave you copies of the following fact sheets: What is Pollution Prevention?, Pollution Prevention - Getting Started, and Enhancing Employee Involvement in Pollution Prevention Activities. During the inspection I also gave you a copy of Pollution Prevention Opportunities, a worksheet that can help you recognize opportunities for reducing waste and conserving energy at your business. I also gave you a copy of the fact sheet: Management of Electronic Waste From Business. Please review this information and contact me if you have any questions.

The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste and used oil activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link <http://www.epa.state.oh.us/dhwm/listserv.html>. Please feel free to share this information with your colleagues.

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Enclosed you will find a copy of the inspection checklists that I completed during the inspection. If you have any questions about my inspection, please feel free to call me at (419) 373-3074. You can find copies of the rules and other information about used oil and hazardous waste management 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>.

Sincerely,



Don North  
District Representative  
Division of Hazardous Waste Management

/lb

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

ec: Don North, 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.





## LARGE QUANTITY GENERATOR REQUIREMENTS

### COMPLETE AND ATTACH A PROCESS DESCRIPTION SUMMARY

CESQG: < 100 Kg. (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

### POLLUTION PREVENTION

**Note to the Inspector:** This checklist has been developed to help the division in gathering general information about the pollution prevention (P2) practices that the company may have initiated or attempted to initiate. The checklist is also used to:

- ◇ Facilitate P2 discussions;
- ◇ Identify barriers to P2;
- ◇ Define the P2 universe;
- ◇ Identify the need for future P2 initiatives;
- ◇ Identify partnership opportunities; and
- ◇ Link companies with better P2 resources.

As a prelude to completing this checklist the inspector should use the following list of questions as a way to initiate a dialogue concerning P2:

1. Have you tried to reduce the volume of waste (hazardous and nonhazardous) that you generate?
2. What is the largest waste stream that you generate?
3. How important would it be to you to eliminate that waste stream?
4. Does your company understand the reduced regulatory burden and cost saving benefits that eliminating or reducing a waste stream can have?
5. Could you use better housekeeping practices to reduce the amount of waste that you generate?

If the company responds with one of the answers below, the appropriate box should be checked. If the company's response does not correspond to one of the options below, please record the answer in the space provided in the remarks section.

1. Has the company undertaken any P2 activities to reduce the amount of waste generated?

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

- a. If so, what has the company done to minimize waste generation?

- A change in the process resulting in less waste.
- A change in the product resulting in less waste.
- Use of fewer and less toxic hazardous raw materials. *Pre-mixed materials*
- Better operations/improved housekeeping.

On-site recycling/reuse of hazardous materials.

Sending waste off-site for recycling/reuse.

Other activities (specify):

b. If so, what wastes have been addressed?

Solvents

Paint related wastes

Industrial process wastes (sludges, slags, contaminated wastes waters, etc.)

Contaminated oils/hydraulic fluids

Off-spec chemicals

Shop rags

Other (specify):

Waste water

Solid waste (paper, plastic, metal, wood, blasting material)

Air emissions

Energy use

Fluorescent light bulbs

Used batteries

c. If they haven't minimized waste are there barriers that are preventing them from doing it?

Lack of information about practical alternatives.

Lack of capital to make process changes.

Lack of internal management support.

The company does not generate enough waste to consider P2.

Other reason given (specify):

2. Does the company plan to do P2 activities in the future?

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

3. Would the company be interested in receiving additional information from Ohio EPA about P2?

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

4. Did you give the company information about P2 during the inspection?

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

5. Would the company like a P2 assessment?

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

A. If yes, provide information that makes the company a good candidate for an assessment (i.e., known specific P2 opportunities exist, the company is willing to cooperate and commit resources to the assessment, the company fully understands DHWM's P2 assessment process, etc.)

B. If no, list the reasons the facility representative gave for not wanting an assessment.

**If the company would like a P2 assessment done at their facility, the inspector must give the company representative a copy of the Pollution Prevention Assessments for Hazardous Waste Generators document and discuss it with them (Attachment III of the P2 Assessment Procedures Manual at: <http://www.epa.state.oh.us/dhwm/pdf/P2AssesmentHWGeneraotrs.pdf> ).**

## REMARKS

TL uses parts baskets in various places in its facility. They are covered by Crystal Clear Product Reuse Program.

The edge trim from rolls is sold to another TL company called PIX II of Canada. This is used as the material up and used it for filler material.

TL reports increasing the use of pre-mixed materials and materials in reusable containers.

Vinyl recovered from Hydro Tech is used in Georgia to make other vinyl products.

## LARGE QUANTITY GENERATOR REQUIREMENTS

### GENERAL REQUIREMENTS

1. Have all wastes generated at the facility been adequately evaluated? [3745-52-11] Yes  No  N/A  RMK# 1
2. Has the generator obtained a U.S. EPA identification number? [3745-52-12] Yes  No  N/A  RMK#
3. Were annual reports filed with Ohio EPA on or before March 1<sup>st</sup>? [3745-52-41] Yes  No  N/A  RMK#

### WASTE IMPORT/EXPORT REQUIREMENTS

4. Does the generator import or export hazardous waste? If so: Yes  No  N/A  RMK#
- a. Has the generator notified U.S. EPA of export/import activity? [3745-52-53] Yes  No  N/A  RMK#
- b. Has the generator complied with special manifest requirements? [3745-52-54] Yes  No  N/A  RMK#
- c. For manifests that have not been returned to the generator: has an exception report been filed? [3745-52-55] Yes  No  N/A  RMK#
- d. Has an annual report been submitted to U.S. EPA? [3745-52-56] Yes  No  N/A  RMK#
- e. Are export related documents being maintained on-site? [3745-52-57] Yes  No  N/A  RMK#

### GENERATOR CLOSURE REQUIREMENTS

5. Has the generator closed any <90-day accumulation unit(s) since the date of the last inspection? If so: Yes  No  N/A  RMK#
- a. Describe the unit(s) which the generator has closed.
- b. Does closure appear to have met the closure performance standard of 3745-66-11? [3745-52-34(A)(1)] Yes  No  N/A  RMK#

*Handwritten notes:*  
1. Based on that is disposed of has not been able to...  
The following wastes have not been...  
TECP area of...  
2. PT - Solvent & Base Solvent, 3. AT...

- c. Please provide a description of the documentation provided by the generator to demonstrate that closure was completed in accordance with the closure performance standards.

**NOTE:** 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]

#### REMARKS

1. (cont.)

Solvent from cleaning operations in Can lead no. 1;  
4. Spent Solvent from Paint + Finish; 5. SB - solvent  
contaminated debris - also TCLP MEK(DSS) coal for  
the waste; 6. WB - contaminated water - Dorne Tapfritz  
+ Debris

PB - contaminated oil must be analyzed for, at least,  
TCLP metals + TCLP VOCs.

Solvent, oil & water from tank 54101 bottoms, not  
properly analyzed; TL must provide plan for  
proper handling of this waste in the future.

## MANIFEST REQUIREMENTS

You must start this part of the inspection by telling the company representative about the certification statement on the hazardous waste manifest using the following question and statement:

Are you aware of what the statement that you sign on the manifest says? Yes  No

If the answer is no, show them what the statement says using a signed manifest.

**NOTE:** *While the statement is a certification that a P2 strategy is in place, signing the statement does not establish any legal obligations with which the company must comply. In other words, there is no violation of the hazardous waste rules if they sign the manifest and they don't have a program in place.*

1. 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  RMK#

2. Have items (1) through (20) of each manifest been completed? [3745-52-20(A)] Yes  No  N/A  RMK#

**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)]*

3. Does each manifest designate at least one permitted disposal facility? [3745-52-20(B)] Yes  No  N/A  RMK#

**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)].*

4. Since the date of the last inspection, has the transporter been unable to deliver a shipment of hazardous waste to the designated facility? If so: Yes  No  N/A  RMK#

a. 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  RMK#

5. Have the manifests been signed by the generator and initial transporter? [3745-52-23(A)(1)(2)] Yes  No  N/A  RMK#

6. Has the generator received a return copy of each completed manifest within 35 days of being accepted by the transporter? If not: Yes  No  N/A  RMK#

a. 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  RMK#

b. If the manifest was not received within 45 days, did the generator file an exception report with Ohio EPA? [3745-52-42(A)(2)]

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

7. Are signed copies of all manifests and any exception reports being retained for at least three years? [3745-52-40]

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

**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.*

### REMARKS

**PERSONNEL TRAINING**

1. Does the generator keep records required by 3745-65-16(D) including:

(a) Job titles, as they relate to hazardous waste management, and the name of each employee filling each job?

Yes \_\_\_ No  N/A \_\_\_ RMK# 2

(b) Job descriptions, including requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position?

Yes \_\_\_ No  N/A \_\_\_ RMK# 2

(c) Type and amount of both introductory and continuing training to be given to each person filling a position?

Yes \_\_\_ No  N/A \_\_\_ RMK# 3

(d) Documentation that personnel have completed the training or job experience required under 3745-65-16(A)(B) & (C)?

Yes \_\_\_ No  N/A \_\_\_ RMK# 2

**NOTE: If the facility's business practices precludes written job titles/descriptions, they should be able to identify, by name, all personnel who are involved with hazardous waste management, and the training/experience that they receive initially and annually. Item 9 on the next page can be used to document that all necessary employees have been trained.**

2. 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 \_\_\_ RMK# 6

3. Does the personnel training program include instruction in the following areas to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with: [3745-65-16(A)(3)]

a. Emergency procedures?

Yes  No  N/A \_\_\_ RMK# 6

b. Emergency equipment?

Yes  No  N/A \_\_\_ RMK# 1

c. Emergency systems?

Yes  No  N/A \_\_\_ RMK# 1

4. Does emergency training described in 3(a), (b) and (c) above include, where applicable: [3745-65-16(A)(3)(a-f)]

a. Procedures for using, inspecting, repairing and replacing emergency and monitoring equipment?

Yes  No  N/A \_\_\_ RMK# 6

2. Must provide these

3. TL was able to provide some description of training, but

- b. Key parameters for automatic waste feed cut-off systems? Yes  No  N/A \_\_\_ RMK# 6
- c. Communication or alarm system? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- d. Response procedures for fire/explosions? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- e. Response to groundwater contamination incidents? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- f. Shutdown procedures? Yes \_\_\_ No  N/A \_\_\_ RMK# \_\_\_
- 5. Is the personnel training program directed by a person trained in hazardous waste management procedures? [3745-65-16(A)(2)] Yes  No  N/A \_\_\_ RMK# \_\_\_
- 6. 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 \_\_\_ RMK# 4
- 7. Does the generator provide annual refresher training to employees? [3745-65-16(C)] Yes \_\_\_ No  N/A \_\_\_ RMK# 4
- 8. Are training records for current personnel kept until closure of the facility? [3745-65-16(E)] Yes \_\_\_ No  N/A \_\_\_ RMK# 5
- 9. 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 \_\_\_ RMK# \_\_\_
- 10. **Optional:** 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 manifests, etc.

<u>Job Performed</u>	<u>Name of Employee</u>	<u>Date(s) Trained</u>

**REMARKS**

3 (cont) a more thorough review is necessary for compliance

4. Not done in 2005 or 2006

5. not properly maintained

6. records to be included in case however, compliance of these records will be further indicated once the 2006 training outlined.

## CONTINGENCY PLAN

1. Does the generator have a contingency plan which describes the following: [3745-65-52(A) through (F)]
- a. Actions to be taken in response to fires, explosions or any unplanned release of hazardous waste? Yes  No  N/A \_\_\_RMK#\_\_\_
- b. Arrangements with emergency authorities? [3745-65-37] Yes  No  N/A \_\_\_RMK#\_\_\_
- c. A current list of names, addresses and telephone numbers (office and home) of all persons qualified to act as emergency coordinator? Yes  No  N/A \_\_\_RMK#\_\_\_
- d. A list of all emergency equipment, including: location, physical description and brief outline of capabilities? Yes  No  N/A \_\_\_RMK#\_\_\_
- e. An evacuation plan for facility personnel where there is a possibility that evacuation may be necessary? Yes  No  N/A \_\_\_RMK#\_\_\_

**NOTE: If the facility already has a "Spill Prevention, Control and Countermeasures Plan" under 40 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)]**

2. Is the plan designed 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 \_\_\_RMK#\_\_\_
3. 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 \_\_\_RMK#\_\_\_
4. Has the generator revised the plan in response to rule changes, facility, equipment and personnel changes, failure to the plan or as required by the Director? [3745-65-54] Yes  No  N/A \_\_\_RMK#\_\_\_

## EMERGENCY COORDINATOR

5. Is an emergency coordinator available at all times (on-site or on-call)? [3745-65-55] Yes  No  N/A \_\_\_RMK#\_\_\_

**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**

6. 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 \_\_\_ RMK# \_\_\_

a. Was the contingency plan implemented? [3745-65-51(B)]

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

b. Did the facility follow the emergency procedures in 3745-65-56(A) through (H)?

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

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 \_\_\_ RMK# \_\_\_

**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.**

**REMARKS**

**PREPAREDNESS AND PREVENTION [3745-52-34(A)(4)]**

1. 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 \_\_\_ RMK# \_\_\_

2. Does the generator have the following equipment at the facility, if it is required due to actual hazards associated with the waste: [3745-65-32(A)(B)(C)(D)]

a. Internal alarm system?

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

b. Emergency communication device?

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

(c) Portable fire control, spill control and decon equipment?

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

*No spill control kit in Can Wash Room*  
d. Water of adequate volume/pressure?

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

3. Is emergency equipment tested (inspected) as necessary to ensure its proper operation in time of emergency? [3745-65-33]

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

*Spill kit Not tested in can wash*

4. Are emergency equipment tests (inspections) recorded in a log or summary: [3745-65-33]

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

*Not for Can Wash*

5. Do personnel have immediate access to a communication device when handling hazardous waste (unless the device is not required under 3745-65-32)? [3745-65-34]

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

6. Is adequate aisle space provided for unobstructed movement of emergency or spill control equipment? [3745-65-35]

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

7. Has the generator attempted to familiarize emergency authorities with possible hazards and facility layout? [3745-65-37(A)]

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

a. 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  RMK# \_\_\_

**REMARKS**

## GENERATOR ACCUMULATION

1. Has the generator accumulated hazardous wastes on-site in excess of 90 days without a permit or an extension from the director? [3745-52-34; ORC §3734.02(E)(F)]

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

2. Is the facility a metal finisher that generates waste water treatment sludge with a F006 waste code? If yes:

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

**NOTE:** If yes, they may accumulate F006 waste on-site for up to 180 days; or up to 270 days if they must transport the F006 waste over 200 miles for off-site metals recovery; without an Ohio hazardous waste permit, provided that they meet these special conditions (OAC 3745-52-34(G) and (H)):

a. The generator has implemented pollution prevention practices that reduce the amount of any hazardous substances, pollutants or contaminants entering F006 or otherwise released to the environment prior to its recycling (see your P2 coordinator for a copy of Federal Register 3/00 for a listing of examples of P2 measures, the facility should be prepared to demonstrate this request);

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

b. The F006 waste is legitimately recycled through metals recovery.

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

c. No more than 20,000 kg. of F006 is accumulated on-site at any one time.

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

d. The facility complies with the applicable management standards for containers, tanks or containment buildings for LQGs.

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

## SATELLITE ACCUMULATION AREA REQUIREMENTS [3745-52-34(C)(1)]

3. Does the generator ensure that satellite accumulation area(s):

a. Are at or near a point of generation?

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

b. Are under the control of the operator of the process generating the waste?

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

c. Do not exceed a total of 55 gallons of hazardous waste?

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

d. Do not exceed one quart of acutely hazardous

waste at any one time?

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

e. Containers are marked with the words "Hazardous Waste" or other words identifying the contents?

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

**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. The inspector should refer to Guidance Document #DHWM-008, Satellite Accumulation Under Ohio Hazardous Waste Rules.**

4. Is the generator accumulating hazardous waste(s) in excess of the amounts listed in either 2(c) or 2(d)? If so: *Not yet*

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

a. Did the generator comply with 3745-52-34(A) or other applicable generator requirements within three days?

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

b. Did the generator mark the container(s) holding excess with the accumulation date when the 55 gallon (one quart) limit was exceeded?

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

*labeled and dated upon filled accord to TL and observations to accumulation shed.*

**USE AND MANAGEMENT OF CONTAINERS**

5. Has the generator marked containers with the words "Hazardous Waste?" [3745-52-34(A)(3)]

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

6. Is the accumulation date on each container? [3745-52-34(A)(2)]

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

*6 drums in can wash not dated.*

7. Are hazardous wastes stored in containers which are:

a. Closed (except when adding/removing wastes)? [3745-66-73(A)]

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

b. In good condition? [3745-66-71]

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

c. Compatible with wastes stored in them? [3745-66-72]

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

d. Handled in a manner which prevents rupture/leakage? [3745-66-73(B)]

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

8. Is the container accumulation area(s) inspected weekly? [3745-66-74] (Note location in general information section of checklist)

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

a. Are inspections recorded in a log or summary? [3745-66-74]

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

9. For ignitable and/or reactive hazardous waste(s):

a. Are containers located at least 50 feet (15 meters) from the facility's property line? [3745-66-76]

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

b. Are containers stored separately from other materials which may interact with the waste in a hazardous manner? [3745-66-77(C)]

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

### PRE-TRANSPORT REQUIREMENTS

10. Does the generator package/label its hazardous waste in accordance with the applicable DOT regulations? [3745-52-30, -52-31 and -52-32(A)]

Yes  No  N/A \_\_\_ RMK# 1

11. Does each container <110 gallons have a completed hazardous waste label? [3745-52-32(B)]

Yes  No  N/A \_\_\_ RMK# 1

12. Before off-site transportation, does the generator placard or offer the appropriate DOT placards to the initial transporter? [3745-52-33]

Yes  No  N/A \_\_\_ RMK# 1

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### REMARKS

1. According to TL Safety - team completes entire label when loading. Will request example labels to confirm.

**LDR REQUIREMENTS**

1. Has the generator adequately evaluated all wastes to determine if they are restricted from land disposal? [3745-270-07(A)(1)] (possibly also cite 3745-52-11) **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] (possibly also cite 3745-52-11) 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# 1

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

5. Does the generator generate listed waste(s) which also exhibit hazardous characteristics? [3745-270-09] **If so:** Yes  No \_\_\_ N/A \_\_\_ RMK# \_\_\_

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

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

1. All wastes need to be evaluated for UHCs.

6. Has the generator **correctly** determined if restricted wastes meet or exceed treatment standards? [3745-270-07(A)(1)]

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

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]

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]

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

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

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

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

**REMARKS**

**NOTIFICATION AND CERTIFICATION REQUIREMENTS**

13. If a generator's waste or contaminated soil does not meet the treatment standards, does the generator have the paperwork required in Column A of Table 1? [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? [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? [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? [3745-270-07(A)(9)] Yes  No  N/A  RMK#
17. Does the generator produce a waste that is hazardous waste from the point of generation, but subsequently excluded from regulation under OAC 3745-51-02 through 3745-51-06? [3745-270-07(A)(7)] If so: Yes  No  N/A  RMK#
- a. Is a one-time notice placed in the facility's file stating such generation, subsequent exclusion or exemption, and disposition of the wastes? [3745-270-07(A)(7)] Yes  No  N/A  RMK#

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

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

**REMARKS**

**GENERATORS TREATING HAZARDOUS WASTE**

## USED OIL INSPECTION CHECKLIST (Long Version)

### 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-oil 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 a 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# \_\_\_

### REMARKS

1. Not thoroughly. See Generator checklist and letter.

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

**Large Quantity Universal Waste Handler (LQUWH) = 5,000 Kg or more**

**Small Quantity Universal Waste Handler (SQUWH) = 5,000 Kg or less**

**PROHIBITIONS**

1. Did the SQUWH dispose of universal waste? [3745-273-11(A)] Yes  No  N/A  RMK#
2. Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in 3745-273-17 or managing specific wastes as provided in 3745-273-13? [3745-273-11(B)] Yes  No  N/A  RMK#

**WASTE MANAGEMENT & LABELING/MARKING**

**UNIVERSAL WASTE BATTERIES**

3. Are battery(ies) that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] Yes  No  N/A  RMK#
4. If batteries are contained, are the containers closed and structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-13(A)(1)] Yes  No  N/A  RMK#
5. Does the SQUWH conduct any of the following activities:
- a. Sort batteries by type? Yes  No  N/A  RMK#
  - b. Mix battery types in one container? Yes  No  N/A  RMK#
  - c. Discharge batteries to remove the electric charge? Yes  No  N/A  RMK#
  - d. Regenerated used batteries? Yes  No  N/A  RMK#
  - e. Disassemble them into individual batteries or cells? Yes  No  N/A  RMK#
  - f. Remove batteries from consumer products? Yes  No  N/A  RMK#
  - g. Remove the electrolyte from the battery? Yes  No  N/A  RMK#
- If so, are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)(2)] Yes  No  N/A  RMK#

6. If the electrolyte is removed or other waste generated, has it been determined whether it is a hazardous waste? [3745-273-13(A)(3)]
- 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)]
- b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]
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# \_\_\_

9. Are lamps that show evidence of breakage, leakage or damage that could cause a release of mercury or hazardous constituents into the environment immediately cleaned up? Are they placed into a container that is closed, structurally sound, compatible with the contents of the lamps, and lack evidence of leakage spillage or damage that could cause leakage or releases of mercury or hazardous waste constituents to the environment? [3745-273-13(D)(2)]

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

10. Are the lamps or containers or packages of lamps labeled with the words "Universal Waste - Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)?" [3745-273-14(E)]

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

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

generator treatment (OAC 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility under a hazardous waste manifest.

**ACCUMULATION TIME**

11. Is the waste accumulated for less than one year? [3745-273-15(A)] If not: Yes  No  N/A  RMK#
- a. Was the waste accumulated over one year in order to facilitate proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)] Yes  No  N/A  RMK#

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

12. Is the length of time the universal waste is stored documented by one of the following: [3745-273-15(C)] Yes  No  N/A  RMK#
- a. Marking or labeling the container with the earliest date when the universal waste became a waste or was received? [3745-273-15(C)(1)] Yes  No  N/A  RMK#
- b. Marking or labeling individual item(s) of universal waste with the earliest date that it became a waste or was received? [3745-273-15(C)(2)] Yes  No  N/A  RMK#
- c. Maintaining an inventory system on-site that identifies the date the universal waste became a waste or was received? [3745-273-15(C)(3)] Yes  No  N/A  RMK#
- d. Maintaining an inventory system on-site that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers became a universal waste or was received? [3745-273-15(C)(4)] Yes  No  N/A  RMK#
- e. Placing the universal waste in a specific accumulation area and identifying the earliest start date or date received? [3745-273-15(C)(5)] Yes  No  N/A  RMK#
- f. Any other method, which clearly demonstrates, the length of time the universal waste has been accumulated from the date it became a waste or was received? [3745-273-15(C)(6)] Yes  No  N/A  RMK#

**EMPLOYEE TRAINING**

13.

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

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

**RESPONSE TO RELEASES**

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

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

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

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

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

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

**OFF-SITE SHIPMENTS**

**NOTE: If a SQUWH self-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# \_\_\_

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

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

Yes \_\_\_ No  N/A  RMK# 1

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# \_\_\_

1. None shipped at time of inspection

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:

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

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# \_\_\_

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

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:

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)]

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)]

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# \_\_\_

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

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

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

### REMARKS