



State of Ohio Environmental Protection Agency

**Northwest District Office**

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

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.ohio.gov

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

Re: University of Toledo  
Westwood Campus  
Lucas County  
Hazardous Waste  
OHD 178 302 709  
**Return to Compliance**

March 30, 2010

Mr. Michael Kovacs  
University of Toledo  
2801 W. Bancroft Street  
MS 219  
Toledo, Ohio 43606-3390

Dear Mr. Kovacs:

Thank you, Heather Lorenz, Michael Valigosky, and Ben Batey for accompanying Colleen Weaver and me during the Ohio Environmental Protection Agency's (Ohio EPA's) February 11, 2010, site visit to verify your hazardous waste compliance status. This site visit was to follow-up on a compliance evaluation inspection that was conducted on May 23 and May 24, 2007.

On May 23 and May 24, 2007, the Ohio EPA and United States Environmental Protection Agency (U.S. EPA) conducted a compliance evaluation inspection of the University of Toledo - Westwood Campus (UT-Westwood) located at 1700 N. Westwood in Toledo, Ohio. A Notice of Violation (NOV) letter was sent to the facility from Ohio EPA on June 21, 2007. UT-Westwood submitted information on July 24, 2007, and August 11, 2009. During Ohio EPA's site visit on February 11, 2010, the outstanding violations were reviewed and abated accordingly.

The following is a summary of the violations cited in the June 21, 2007, NOV as a result of Ohio EPA's May 23 and May 24, 2007, inspection and your compliance with respect to each:

**1. Waste Evaluation, OAC Rule 3745-52-11:**

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

a. UT-Westwood failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility. UT-Westwood cannot take the spent fluorescent bulbs to the Main Campus for disposal since Main Campus is managing the spent bulbs as a hazardous waste.

Hazardous bulbs are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their lamps as hazardous waste or as universal waste. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent lamps.

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.

UT-Westwood must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If UT-Westwood decides to conduct waste sampling, please notify me at least 7 days prior to the sampling event date, so that a representative from Ohio EPA can be present to observe the sampling and to split samples if necessary. If UT-Westwood plans to manage the spent fluorescent bulbs as universal waste, please submit photographic documentation showing the storage containers properly closed, labeled, and dated.

UT-Westwood must also properly train employees, who handle or have responsibility for managing universal waste, on waste handling and emergency procedures relative to their responsibilities. In addition, UT-Westwood must submit the name of the facility where you plan to recycle the bulbs.

**On February 11, 2010, Ohio EPA verified that UT-Westwood is no longer managing spent fluorescent bulbs as hazardous waste. The spent bulbs are collected in a designated building on the Westwood Campus and managed as universal waste. UT-Westwood has the spent bulbs picked up by Cleanlights located in Michigan and they are recycled. UT-Westwood provided documentation showing that the last two pick-ups made by Cleanlights occurred on 5/19/09 and 2/9/10.**

b. UT-Westwood failed to have waste evaluation documentation for the rags/shop towels generated in the machine shops located in the North Engineering building. UT-Westwood has historically disposed of this waste stream in the solid waste dumpster.

UT-Westwood must immediately cease disposing of the spent rags/shop towels until a proper waste evaluation has been completed. UT-Westwood must obtain a representative sample of the waste and have it analyzed for Toxicity Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010). In lieu of waste evaluation, UT-Westwood should consider laundering of the re-usable rags/shop towels purchased from Coyne Textile Services.

To abate this violation, UT-Westwood must submit either waste evaluation documentation or a written policy that outlines how the rags/shop towels will be collected and laundered.

**On February 11, 2010, UT-Westwood stated that they plan to have the rags/shop towels evaluated for metals if they plan to dispose of this waste stream as a solid waste. UT-Westwood looked into laundering options, however the very limited amount of rags/shop towels generated in the machine shops makes it cost prohibitive.**

c. UT-Westwood failed to have waste evaluation documentation for the metal shavings that are generated in the machine shops located in the North Engineering building. UT-Westwood has historically disposed of this waste stream in the solid waste dumpster.

UT-Westwood must immediately cease disposing of the metal shavings until a proper waste evaluation has been completed. UT-Westwood must obtain a representative sample of the waste and have it analyzed for Toxicity Characteristic Leaching Procedure (TCLP) Resource Conservation and Recovery Act (RCRA) metals (SW-846 Method 1311/6010). In lieu of waste evaluation, UT-Westwood should consider recycling the metal shavings.

To abate this violation, UT-Westwood must submit either waste evaluation documentation or a written policy that outlines how all generated scrap metal, including the metal shavings, will be collected and recycled.

**On August 11, 2009, UT-Westwood submitted a copy of the policy that outlines the procedures for recycling the metal cuttings and shavings. Dedicated scrap metal containers will be provided for all the machine shops on campus.**

*With this information, this violation has been completely abated.*

**2. Emergency Procedures/Preparedness and Prevention, OAC Rule 3745-52-34(D)(5)(b):**

A generator must post the following information next to the telephone: the name and telephone number of the emergency coordinator; location of fire extinguishers and spill control equipment, and if present, fire alarms; and the telephone number of the fire department, unless the facility has a direct alarm.

UT-Westwood failed to have the required information posted next to the telephone located in the laboratories where hazardous waste is located.

To abate this violation, UT-Westwood must post the required information next to the telephone and submit a copy of the posted list. UT-Westwood must also submit photographic documentation, from two different locations, to show that the list has been properly posted in the laboratories.

**On August 11, 2009, UT-Westwood submitted a copy of the emergency contact information that is posted next to the laboratory telephones. In addition, photographic documentation was submitted showing two different laboratories with the information posted next to the telephone.**

*With this information, this violation is considered abated.*

**3. Emergency Procedures/Preparedness and Prevention, OAC Rule 3745-52-34(D)(5)(c):**

A generator must ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relevant to their responsibilities during normal facility operations and emergencies.

UT-Westwood failed to properly train the laboratory employees on proper waste handling and emergency procedures related to the wastes generated in each laboratory.

To abate this violation, UT-Westwood must immediately provide training to all employees involved in the management of the laboratory hazardous waste. A copy of the training outline must be submitted for review. In addition, a copy of the sign-in sheets used to document employee attendance must be submitted.

**On July 24, 2007, UT-Westwood submitted a copy of the employee training outline that will be used to properly train all employees involved in the management of hazardous waste generated in the laboratory. On February 11, 2010, Ohio EPA verified that UT-Westwood conducted lab safety training to all employees who manage hazardous waste on January 15, 2010.**

*With this information, this violation is considered abated.*

**4. Testing and maintenance of equipment, OAC Rule 3745-65-33:**

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

UT-Westwood does not test or maintain the emergency equipment to assure its proper operation in the event of an emergency. These tests must be recorded in a log. It is recommended that the log include the following information: date and time of test, name of person conducting the test, observations made and date/nature of any repairs.

To abate this violation, UT-Westwood must submit a copy of an internal policy regarding the testing and maintenance of all emergency equipment and the frequency of the inspections. UT-Westwood must submit a copy of a completed inspection log to verify compliance with this rule.

On February 11, 2010, Ohio EPA reviewed the contingency plan UT-Westwood last updated in December 2009. The contingency plan lists the description and location of the emergency equipment required for the hazardous waste storage areas and states that "On a weekly basis spill supplies are monitored by the individual performing the required inspection of the hazardous waste storage areas." Weekly inspection logs were also reviewed on February 11, 2010.

On March 25, 2010, UT-Westwood submitted a copy of the new weekly inspection log that will be used for the less than 90-day hazardous waste storage areas. UT-Westwood added emergency spill equipment to the log which will be checked on a weekly basis and noted on the log.

*With this information, this violation is considered abated.*

**5. Management of Containers, OAC Rule 3745-66-73(B):**

A container holding hazardous waste shall not be opened, handled, or stored in a manner which may rupture the container or cause it to leak.

Located in room #2020 of the North Engineering Building, UT-Westwood had several satellite accumulation containers stored on the floor. These containers were located in an area where they could easily be tripped over by students working in this laboratory. The satellite accumulation containers must be stored in a manner that prevents the possibility of a release.

To abate this violation, UT-Westwood must move these containers off of the floor and into an area where they are less likely to be at risk. UT-Westwood must also submit photographic documentation to show that the satellite accumulation containers are properly stored.

On August 11, 2009, UT-Westwood submitted photographic documentation showing the satellite accumulation area containers properly stored in a cabinet and no longer on the laboratory floor in a high traffic area.

*With this information, this violation is considered abated.*

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**6. 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."

UT-Westwood had one container of used oil located in room #1184 of the North Engineering Building that was not properly labeled.

UT-Westwood properly labeled the container with the words "Used Oil" at the time of our inspection.

***This violation was previously abated in the Notice of Violation letter dated June 21, 2007.***

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/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

/lb

pc: Cindy Lohrbach, DHWM, NWDO  
Colleen Weaver, DHWM, NWDO

~~DHWM, NWDO University of Toledo-Westwood-File~~

ec: Melissa Boyers, DHWM, NWDO