



State of Ohio Environmental Protection Agency

**Northwest District Office**

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

Re: University of Toledo  
Main Campus  
Lucas County  
Hazardous Waste  
OHD 051 623 734  
**Partial Return to Compliance**

April 14, 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 - Main Campus (UT-Main) located at 2801 West Bancroft Street in Toledo, Ohio. A Notice of Violation (NOV) letter was sent to the facility from Ohio EPA on July 20, 2007. UT-Main submitted information on June 6, 2007, and July 18, 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 July 20, 2007, NOV as a result of Ohio EPA's May 23 and May 24, 2007, inspection and your compliance with respect to each:

**1. ORC Section 3734.02(E)&(F): Unpermitted Hazardous Waste Treatment, Storage or Disposal:**

No person shall store, treat, or dispose of hazardous waste identified or listed under this chapter and rules adopted under it, regardless of whether generated on or off the premises where the waste is stored, treated, or disposed of, or transport or cause to be transported any hazardous waste identified or listed under this chapter and rules adopted under it to any other premises, except at or to any of the following: (1) A hazardous waste facility operating under a permit issued in accordance with this chapter; (2) A facility in another state operating under a license or permit issued in accordance with the "Resource Conservation and Recovery Act of 1976" 90 Stat. 2806, 42 U.S.C.A. 6921, as amended.

a. UT-Main has established an unpermitted hazardous waste storage facility by: storing hazardous waste in its Student Classroom Annex building from facilities that are not contiguous. UT-Main has been receiving spent fluorescent bulbs from the UT-Westwood Campus and managing them as hazardous waste. **UT-Main must immediately cease the storage of hazardous waste from non-contiguous facilities.** UT-Main must provide documentation that describes the procedures that will be taken, immediately, to ensure that unpermitted storage does not happen again.

**On February 11, 2010, Ohio EPA verified that UT-Main 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-Main has the spent bulbs picked up by Cleanlights located in Michigan and they are recycled. UT-Main provided documentation showing that the last two pick-ups made by Cleanlights occurred on 5/19/09 and 2/9/10.**

b. UT-Main stored hazardous waste for greater than 90-days. Specifically, UT-Main had three containers, approximately one liter each, of hazardous waste currently on-site in the chemical storage area with the following dates: 12/2/06, 1/7/07, and 2/1/07. UT-Main also had one drum of spent fluorescent lamps labeled hazardous waste, located in the Student Classroom Annex building, which were crushed via the use of an on-site bulb crusher. The drum was labeled "Hazardous Waste" but did not have an accumulation start date on it. The maintenance log for the bulb crusher located next to the drum indicated that the new drum was started on July 8, 2004. In addition, UT-Main had at least one box (duct taped end) that contained spent hazardous waste fluorescent bulbs waiting to be crushed. UT-Main also had one drum of crushed lamps labeled hazardous waste located in the center bay of the outside hazardous waste storage area that did not have an accumulation start date.

UT-Main must immediately properly dispose of the drums and containers of hazardous waste that have been on-site for more than 90 days. UT-Main must properly label and date each drum of hazardous waste and submit photographic documentation to Ohio EPA. In addition, a copy of the manifests, complete with land disposal restriction (LDR) forms, for these materials must be submitted to Ohio EPA once the waste is transported off-site for disposal.

**On April 2, 2010, UT-Main submitted a copy of the manifests for the shipment of waste containers that were on-site greater than 90-days. UT-Main is no longer managing spent fluorescent bulbs as hazardous waste. The spent bulbs located in the Student Classroom Annex building were managed as universal waste and this building has since been demolished. On 6/7/07, UT-Main had the contents of the three bays located in the outside hazardous waste storage area lab-packed and shipped off-site for proper disposal. On February 11, 2010, Ohio EPA verified that the containers located in the outside hazardous waste storage area are currently being managed properly.**

c. UT-Main, Wolfe Hall, laboratory #2223 was allowing a container of hazardous waste to evaporate while sitting in the laboratory hood. The student in this laboratory stated that they leave the lids off of the containers of hazardous waste and allow the contents to volatilize. Ohio EPA considers this treatment and disposal of hazardous waste to the air. According to ORC Section 3734.02 (E) & (F) this practice is not legal as a permit is required to treat and/or dispose of hazardous waste.

UT-Main has become an unpermitted hazardous waste disposal/treatment facility. UT-Main must immediately cease treating and disposing of the laboratory waste by allowing it to evaporate. UT-Main must properly collect, store and dispose of the spent laboratory waste. The lid was placed on the container of hazardous waste at the time of our inspection. UT-Main must create and submit an internal policy to address the proper storage of hazardous waste containers located in the satellite accumulation areas within each laboratory.

**On February 11, 2010, Ohio EPA reviewed the Laboratory Safety training slides and verified that lab employees are directed to "keep hazardous waste containers closed at all times except when adding waste". UT-Main conducted lab safety training for all employees who manage hazardous waste on January 15, 2010.**

Since UT-Main has violated ORC Section 3734.02(E) & (F) by becoming an unpermitted storage facility (TSD), it is subject to OAC Rules 3745-55-10 through 3745-55-48 and 3745-55-97. Therefore, you may be required to close the storage areas. A closure plan describes the steps necessary to investigate the extent of contamination and to clean up all contamination found.

UT-Main also is subject to all applicable general facility standards found in OAC Chapters 3745-54 and 55 until such time as UT-Main has demonstrated that it has ceased operations as an unpermitted storage facility. Additionally, at any time, Ohio EPA may assert its right to have UT-Main begin facility-wide cleanup pursuant to the Corrective Action process under Ohio law.

**2. OAC Rule 3745-52-11: Waste Evaluation:**

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-Main had several containers, approximately 1 liter each, located in the outside hazardous waste storage area that were not labeled and facility personnel were unsure of the contents. Containers located in the west end bay were rusted and sitting in a cardboard box. A container, approximately 16 ounces, labeled hazardous waste was lying on its side on the top shelf and the lid was missing. Containers located in the middle bay were in a cardboard box that was labeled "dark room chemicals". Additional containers in the middle bay were sitting on the floor or in cardboard boxes. The east end bay was full and we were unable to completely enter it at the time of the inspection. The east end bay was full of asbestos supplies, a spill kit, buckets, and miscellaneous boxes. It is unclear if any hazardous waste was stored in the east end bay area. However, if a spill occurred in this area, employees would have a difficult time getting to the spill kit.

UT-Main must provide proper waste evaluation documentation for all the containers located in the outside hazardous waste storage area. This documentation can include Material Safety Data Sheets, laboratory analytical results, or generator knowledge that is based upon adequate information of the waste generated. If samples are collected to evaluate the waste, UT-Main must notify me at least seven 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. UT-Main must submit a copy of the analytical results or other documentation to Ohio EPA for review.

**On 6/7/07, UT-Main had the contents of the three bays located in the outside hazardous waste storage area lab-packed and shipped off-site for proper disposal. On February 11, 2010, Ohio EPA discussed your waste evaluation determination and reviewed the manifests for the shipment of the above identified waste. In addition, Ohio EPA verified that the containers located in the outside hazardous waste storage area currently are being managed properly.**

***This violation has been abated.***

b. UT-Main failed to have waste evaluation documentation for the metal shavings that are generated in the machine shop, room 106, located in McMasters Hall. UT-Main has historically disposed of this waste stream in the solid waste dumpster.

UT-Main must immediately cease disposing of the metal shavings until a proper waste evaluation has been completed. UT-Main 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-Main should consider recycling the metal shavings.

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

**On August 11, 2009, UT-Main submitted a copy of the new procedure they have implemented to recycle the metal cuttings and shavings. UT-Main has placed dedicated containers in the machine shops and submitted photographs of the storage containers.**

*This violation has been abated.*

**3. OAC Rules 3745-65-52(D) and 3745-65-52(E): Contingency Plan:**

A facility shall have a written contingency plan designed to minimize hazards to human health or the environment from fires, explosions or any unplanned sudden or non-sudden releases of hazardous waste or hazardous waste constituents to air, soil or surface water.

UT-Main does not have an adequate contingency plan. UT-Main failed to have a current list of emergency coordinators and a list of emergency equipment in the contingency plan. UT-Main is required to do the following to bring the contingency plan into compliance with the regulations:

- 3745-65-52(D) - The plan must include a current list of emergency coordinators including home addresses, home phone numbers and office numbers and have an emergency coordinator available on-site or on-call at all times. Where more than one person is listed, one shall be named as primary emergency coordinator and others shall be listed in the order in which they will assume responsibility as alternates.
- 3745-65-52(E) - The plan must include a list of the emergency equipment, including its location, physical description and a brief outline of capabilities.

To abate this violation, UT-Main must update the list of emergency coordinators to include office and home addresses and telephone numbers and submit the corrected page to the Ohio EPA, NWDO, for review. In addition, UT-Main must add the list of emergency equipment and submit the page(s) with the required information to Ohio EPA, NWDO, for review. An adequate contingency plan must be written prior to conducting employee training as directed in violation number four. Additionally, UT-Main must submit documentation (cover sheet, certified mail receipt, etc.) to Ohio EPA, NWDO, to verify that the updated contingency plan has been sent to the appropriate emergency authorities as required by OAC Rule 3745-65-53(B).

**On February 11, 2010, Ohio EPA reviewed the contingency plan UT-Main last updated in December 2009. The contingency plan has the current list of emergency coordinators and the required addresses and telephone numbers. In addition, the contingency plan lists the description and location of the emergency equipment required for the hazardous waste storage areas. On March 25, 2010, UT-Main submitted a copy of the cover sheet along with the certified mail receipt for the updated contingency plan that was submitted to Toledo Fire & Rescue Department, Bureau of Fire Prevention on March 22, 2010.**

*This violation has been abated.*

**4. OAC Rules 3745-65-54: Amendment of Contingency Plan:**

The contingency plan must be reviewed, and immediately amended, in response to rule changes, facility, equipment and personnel changes, or failure of the plan.

UT-Main failed to amend the contingency plan when the facility merged with the Medical College of Ohio and personnel changes occurred. UT-Main was not reviewing the contingency plan on a regular basis to update it as needed in response to the ongoing changes at the university.

To demonstrate a return to compliance, UT-Main shall submit to Ohio EPA, NWDO, a copy of a written internal policy that ensures the contingency plan will be reviewed and amended, as necessary, on a regular basis.

**On April 2, 2010, UT-Main submitted an updated page to the contingency plan that states that the contingency plan will be reviewed at least annually by the Safety & Health Department and updated as required by the hazardous waste regulations.**

*This violation has been abated.*

**5. OAC Rule 3745-65-16(A)(1-3), (B), (C), (D)(1-4) and (E): Personnel Training:**

Facility personnel must complete training on hazardous waste management procedures.

UT-Main violated all the applicable requirements of this rule as follows:

(a) 3745-65-16(A)(1) through (3) - UT-Main did not conduct personnel training for all employees involved in the handling or management of hazardous waste at the facility. The training shall include, but is not limited to, instruction in safe equipment operation, emergency procedures and the generator's contingency plan. It must also familiarize employees with procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment. The personnel training must be directed by a person trained in hazardous waste management procedures.

UT-Main must develop a personnel training plan that includes procedures for using, inspecting, repairing, and replacing emergency & monitoring equipment, what to do in case of fire in a hazardous waste area, what wastes are considered hazardous, how to label hazardous wastes, what to do in case of waste spills, how to inspect waste storage areas, contingency plan evacuation routes, and communication/alarm systems. UT-Main must also identify the students and/or employees who will be responsible for managing the hazardous waste and therefore will receive training.

Prior to conducting training, a copy of the training program or plan shall be submitted to Ohio EPA for review. UT-Main must also submit a copy of the instructor's name and credentials, resume, work experience or OSHA 40-hour certificate which shows they have been trained in hazardous waste management procedures.

This violation will be abated once the personnel training has been completed and class sign-in sheets from those attending have been received by Ohio EPA.

**On February 11, 2010, Ohio EPA reviewed the following training material currently used to train laboratory personnel and those employees responsible for the management of hazardous waste: Laboratory Safety training slides, Hazardous Material Spill Procedures, Hazardous Materials and Wastes Management Plan, Safety & Health Training, and the RCRA Hazardous Waste Annual Training Review which covers the Contingency Plan. In addition, Ohio EPA also reviewed and verified the credentials for the instructors conducting the hazardous waste training. UT-Main conducted lab safety training to all employees who manage hazardous waste on January 15, 2010, and provided a copy of the employee sign-in sheets.**

*This violation has been abated.*

(b) 3745-65-16(B) - UT-Main does not have in place hazardous waste management training for new employees.

UT-Main must immediately begin to train new employees within six months of their initial date of employment or switching to a new position involving hazardous waste management. To demonstrate a return to compliance, UT-Main shall submit to Ohio EPA, NWDO, a copy of a written internal policy that ensures new employees are properly trained.

**On February 11, 2010, Ohio EPA reviewed the Safety & Health Training procedures which list the training requirements for new employees.**

*This violation has been abated.*

(c) 3745-65-16(C) - UT-Main failed to provide annual refresher training for all employees involved in the handling or management of hazardous waste.

To abate this violation, UT-Main must conduct the required training and shall submit signed class rosters to Ohio EPA, NWDO, to demonstrate that all employees have received the required training. In addition, UT-Main shall immediately establish a written procedure to provide annual refresher training and shall submit a copy of this procedure to Ohio EPA, NWDO. Annual refresher training must be completed at least once every 365 days.

**On February 11, 2010, Ohio EPA reviewed the Safety & Health Training procedures which list the annual refresher training requirement for all employees involved in the management of hazardous waste. UT-Main conducted lab safety training to all employees who manage hazardous waste on January 15, 2010, and provided a copy of the employee sign-in sheets.**

*This violation has been abated.*

(d) 3745-65-16(D)(1) through (4) - UT-Main does not maintain personnel training records which include employee name, job title, job descriptions, type and amount of introductory and continuous training for employees responsible for waste handling and spill response duties.

To abate this violation, UT-Main must submit to Ohio EPA, NWDO, written job titles, job descriptions, name of each employee filling that position and documentation that all applicable training has been completed for all employees involved in the handling and management of hazardous-waste.

**On February 11, 2010, Ohio EPA reviewed the Safety & Health Training procedures which list the job description and training documentation requirements for all employees involved in the management of hazardous waste. In addition, Ohio EPA reviewed the computer print-out of training dates for UT-Main employees which listed the employee name, position, and the date they attended or are due to attend training.**

*This violation has been abated.*

(e) 3745-65-16(E) - UT-Main did not maintain training records on current and former employees.

UT-Main must submit to Ohio EPA, NWDO, a copy of a written internal policy that ensures all personnel training records will be maintained. Specifically, current employees until facility closure and former employees for three years.

On February 11, 2010, Ohio EPA reviewed the Safety & Health Training procedures in place for maintaining personnel training records. The procedure states that training records for current personnel will be maintained until closure of the facility. Training records for former employees will be kept for at least three years from the date the employee last worked at the facility.

*This violation has been abated.*

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

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-Main 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-Main must submit a copy of an internal policy regarding the testing and maintenance of all emergency equipment and the frequency of the inspections. UT-Main must also 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-Main 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-Main submitted a copy of the new weekly inspection log that will be used for the less than 90-day hazardous waste storage areas. UT-Main added emergency spill equipment to the log which will be checked on a weekly basis and noted on the log.

*This violation has been abated.*

**7. OAC Rule 3745-65-34(A): Access to communication or alarm system:**

Whenever hazardous waste is being poured, mixed, spread, or otherwise handled, all personnel involved in the operation shall have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee.

Laboratory technicians do not have immediate access to an alarm or communication device when placing hazardous waste in the chemical storage area located in the Bowman-Oddy building. In addition, no alarm or communication device is located near the outside hazardous waste storage area and it is unclear which employee(s) would have access to this area.

To abate this violation, UT-Main must provide employees immediate access to an alarm or communication device in the hazardous waste storage areas. UT-Main must submit written and/or photographic documentation of the alarm or communication device employees will have access to when handling hazardous waste.

On March 25, 2010, UT-Main submitted a copy of the new procedure/policy that has been implemented since there is not a telephone located inside the chemical storage room located in the Bowman-Oddy building. UT-Main plans to implement the use of a buddy system when hazardous waste is being managed in the storage areas. This will allow the employee handling the hazardous waste to have immediate contact, either directly or through visual or voice contact, with another employee.

*This violation has been abated.*

**8. OAC Rule 3745-65-35: Required Aisle Space:**

The owner/operator shall maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency.

UT-Main failed to maintain adequate aisle space in the three bays of the outside hazardous waste storage area. Spill control equipment was located inside the east bay, however it was un-accessible due to other items stacked in front of it. In addition, UT-Main failed to maintain adequate aisle space in the Student Classroom Annex building (Sociology Annex) where the drum of crushed hazardous waste fluorescent bulbs and boxes of stored bulbs waiting to be crushed were stored.

UT-Main must clean-up the three bays of the outside hazardous waste storage area and the Student Classroom Annex building to allow unobstructed movement in the event of an emergency. UT-Main must submit photographic documentation showing that adequate aisle space has been established in these areas.

On February 11, 2010, Ohio EPA verified that UT-Main is no longer managing spent fluorescent bulbs as hazardous waste. The spent bulbs located in the Student Classroom Annex building were managed as universal waste and this building has since been demolished. On 6/7/07, UT-Main had the contents of the three bays located in the outside hazardous waste storage area lab-packed and shipped off-site for proper disposal. On February 11, 2010, Ohio EPA verified that adequate aisle space is being maintained in the bays of the outside hazardous waste storage area.

*This violation has been abated.*

**9. OAC Rule 3745-52-34(C)(1)(a): Container Management:**

A container holding hazardous waste shall always be closed during storage except when it is necessary to add or remove waste.

UT-Main had one satellite container of waste phenol chloroform located in Wolfe Hall, lab# 2223, that was open and sitting in the fume hood.

The laboratory technician replaced the cap on the container of waste at the time of the inspection.

*This violation was previously abated in the Notice of Violation letter dated July 20, 2007.*

**10. OAC Rule 3745-52-34(A)(2): Accumulation time of hazardous waste:**

A generator may, for ninety days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit provided that the waste is placed in containers that have the date upon which each period of accumulation begins clearly marked and visible for inspection on each container.

UT-Main had multiple containers of waste located in the outside hazardous waste storage area that did not have accumulation start dates. Specifically, in the middle bay there were several one liter bottles and paint cans that contained waste acids, solvents, and paint that did not have an accumulation start date. Also, in the middle bay there was a drum of crushed fluorescent lamps that was labeled hazardous waste but did not have an accumulation start date listed on the label. UT-Main also had one drum of spent fluorescent lamps labeled hazardous waste, located in the Student Classroom Annex building, which did not have an accumulation start date listed on the label. In addition, UT-Main had at least one box (duct taped end) that contained spent hazardous waste fluorescent bulbs waiting to be crushed.

UT-Main must properly label the containers of waste acids, solvents, paints, and spent bulbs with the accumulation start date. To abate this violation, UT-Main must submit photographic documentation to show that all the containers in the hazardous waste storage areas are properly labeled.

**UT-Main is no longer managing spent fluorescent bulbs as hazardous waste. The spent bulbs located in the Student Classroom Annex building were managed as universal waste and this building has since been demolished. On 6/7/07, UT-Main had the contents of the three bays located in the outside hazardous waste storage area lab-packed and shipped off-site for proper disposal. On February 11, 2010, Ohio EPA verified that the containers located in the outside hazardous waste storage area are properly labeled.**

*This violation has been abated.*

**11. OAC Rule 3745-52-34(A)(3): Accumulation time of hazardous waste:**

A generator may, for ninety days or less, accumulate and/or conduct treatment of hazardous waste that is generated on-site without an Ohio hazardous waste permit provided that the waste is placed in containers that are labeled or marked clearly with the words "Hazardous Waste" while being accumulated and/or treated on-site.

UT-Main had multiple containers of waste located in the outside hazardous waste storage area that were not marked with the words "Hazardous Waste." Specifically, in the middle bay there were several one liter bottles and paint cans that contained hazardous waste acids, solvents, and paint that were not marked with the words "Hazardous Waste."

UT-Main must properly label the containers of waste acids, solvents, and paints with the words "Hazardous Waste." To abate this violation, UT-Main must submit photographic documentation to show that the containers in the outside hazardous waste storage area are properly labeled.

**On 6/7/07, UT-Main had the contents of the three bays located in the outside hazardous waste storage area lab-packed and shipped off-site for proper disposal. On February 11, 2010, Ohio EPA verified that the containers located in the outside hazardous waste storage area are properly labeled "Hazardous Waste".**

*This violation has been abated.*

**12. OAC Rule 3745-66-74: Inspections:**

Container storage areas shall be inspected on a weekly basis looking for leaks and for deterioration. These inspections shall be recorded in an inspection log which includes at a minimum the date and time of inspection, name of the inspector, a notation of observations made, and the date/nature of any repairs. Ohio EPA interprets weekly to mean once within the seven day period following the previous inspection.

UT-Main failed to document the weekly inspections of the outside hazardous waste container storage area in an inspection log. On several occasions UT-Main exceeded the weekly inspection requirement for the chemical storage area located in Bowman-Oddy. Specifically, UT-Main exceeded the weekly requirement for inspections from 6/19/06 to 6/27/06; 12/18/06 to 12/27/06; and 4/23/07 to 5/7/07.

To abate this violation, UT-Main must submit four (4) weeks of completed inspection logs for the outside hazardous waste container storage area and the chemical storage area located inside Bowman-Oddy to this office.

**On February 11, 2010, Ohio EPA verified that the outside hazardous waste storage area was being inspected on a weekly basis. Six weeks of completed inspection logs were reviewed at the time of our site visit.**

*This violation has been abated.*

**13. 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-Main had approximately four containers of used oil located in the maintenance shop that were not properly labeled.

UT-Main must properly label the containers located in the maintenance shop with the words "Used Oil" and submit photographic documentation to demonstrate compliance.

**On February 11, 2010, Ohio EPA verified that the used oil storage containers located in the maintenance shop, along with the ones in the outside hazardous waste storage area, were properly labeled with the words "used oil".**

*This violation has been abated.*

**14. OAC Rule 3745-273-34(A): Universal Waste Labeling - Batteries:**

Universal waste batteries (i.e., each battery), or a container or tank in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste - Batteries", or "Waste Batteries", or "Used Batteries".

UT-Main did not properly label at least one drum and several individual Universal Waste Batteries, in the west bay of the outside hazardous waste storage area, with one of the required phrases.

In order to correct this violation, UT-Main must properly label each Universal Waste Battery or the container they are placed in and submit photographic documentation that this has been done.

**On February 11, 2010, Ohio EPA verified that the universal waste batteries located in the outside hazardous waste storage area were properly labeled.**

*This violation has been abated.*

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

A small quantity handler of 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.

UT-Main was not able to demonstrate the length of time the universal waste batteries were accumulated. There were no dates on the batteries located in the outside hazardous waste storage area.

In order to correct this violation, UT-Main must place a date on each battery, or on the container they are placed on or in, with the earliest date that a battery is placed on or in the container. UT-Main must submit photographic documentation that this has been done.

**On February 11, 2010, Ohio EPA verified that the universal waste batteries located in the outside hazardous waste storage area were properly labeled with the accumulation start date.**

*This violation has been abated.*

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

A small quantity handler of universal waste shall ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities during normal facility operations and emergencies.

UT-Main has not ensured that all employees are thoroughly familiar with proper waste handling and emergency procedures.

In order to correct this violation, UT-Main must describe, through a training outline, how it will thoroughly familiarize (train) its universal waste battery handlers in proper handling and emergency procedures. UT-Main must submit some form of documentation demonstrating that this training has been accomplished. The training must also include compliance with all rules for the handling of universal waste batteries and the corrective actions for all violations of universal waste rules, cited above.

**On February 11, 2010, Ohio EPA reviewed UT-Main's Universal Waste and Pollution Prevention procedures. UT-Main conducted lab safety training, which included a section on the management of Universal Waste, to all employees who manage hazardous and/or universal waste on January 15, 2010, and provided a copy of the employee sign-in sheets.**

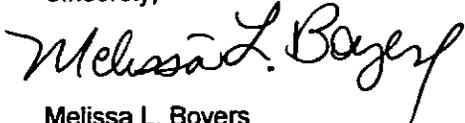
*This violation has been abated.*

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/>.

Mr. Michael Kovacs  
April 14, 2010  
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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: ~~Gindy Lohrbach, DHWM, NWDO~~  
Colleen Weaver, DHWM, NWDO  
DHWM, NWDO University of Toledo-Main File

ec: Melissa Boyers, DHWM, NWDO