



**Environmental  
Protection Agency**

Ted Strickland, Governor  
Lee Fisher, Lt. Governor  
Chris Korleski, Director

**RE: H&K Chevy Pontiac Buick  
OHD017929969  
Putnam County  
DHWM, NWDO  
Notice of Violation**

November 23, 2010

Mr. Bob Quigley  
H&K Chevy Pontiac Buick  
200 South Main Street  
Continental, Ohio 45831

Dear Mr. Quigley:

Thank you for accompanying Ed Pulido and me during the Ohio Environmental Protection Agency's (Ohio EPA's) November 4, 2010, focused compliance inspection at H&K Chevy Pontiac Buick's (H&K's) facility located at 200 South Main Street, Continental, Ohio. Ohio EPA conducted this inspection both as a follow-up to the February 23, 2009, and October 8, 2009, compliance evaluation inspections, and to conduct a focused compliance evaluation inspection on several waste streams at H&K. These waste streams included universal waste lamps, used oil, and spent parts washer fluid. This focused inspection determined compliance with Ohio's universal waste rules as found in Ohio Administrative Code (OAC) Chapter 3745-273 and Ohio's used oil rules as found in OAC Chapter 3745-279.

The following is a summary of the violations observed during the February 23, 2009, October 8, 2009, and November 4, 2010, compliance evaluation inspections and the facility's compliance with respect to each violation. In an attempt to streamline this letter, details concerning previously abated violations have been omitted. Please submit the required information **within 30 days of receipt of this letter**.

**Previously Cited Violations:**

1. **OAC Rule 3745-52-11, Hazardous Waste Determination:** "Any person who generates a waste, as defined in rule 3745-51-02 of the Administrative Code, must determine if that waste is a hazardous waste..."

H&K failed to evaluate the following waste streams to determine if they were a hazardous waste in accordance with OAC Rule 3745-52-11, prior to sending them off site: a) spent lamps, b) waste paint booth filters, c) water and sludge from the paint booth channel, d) parts washer solution, and e) antifreeze.

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In order to abate this violation, H&K must do the following and submit the requested information to Ohio EPA **within 30 days of receipt of this letter.**

- a. **Spent Lamps**-*This violation is considered abated on August 21, 2009, per the December 22, 2009, letter.*
- b. **Waste Paint Booth Filters**-*This violation is considered abated on August 21, 2009, per the December 22, 2009, letter.*
- c. **Water and Sludge from the Paint Booth Channel**-H&K failed to have proper waste evaluation documentation for the water and sludge generated from the paint booth channel.

During the November 4, 2010, site visit, Ohio EPA observed no water or solids in the paint booth channel. H&K told Ohio EPA that the liquid waste was pumped out of the channel and into the main building drain in the back shop "a few weeks ago". When asked what happened to the solids/sludge from the paint booth channel, H&K told Ohio EPA the solids/sludge "were swept up" and disposed of "in the dumpster." H&K also informed Ohio EPA that H&K may switch paints that will be used at the facility at the beginning of the year.

On August 21, 2009, and March 16, 2010, Mark Mercer of Shumaker, Loop & Kendrick, LLP submitted information on behalf of H&K to Ohio EPA. This information claims that H&K is using generator knowledge to determine that the liquid waste and sludge from the paint booth channel generated by H&K is a non-hazardous waste. However, the information submitted is not sufficient to make the determination that H&K's liquid waste and sludge from the paint booth channel is a non-hazardous waste.

H&K must properly evaluate the liquid waste and sludge in the paint channel in accordance with OAC rule 3745-52-11. H&K must submit the information which demonstrates that these wastes have been properly evaluated within 30 days after receipt of this letter.

Feel free to contact me to discuss sampling strategies, including constituents of concern which need to be sampled and analyzed. Also, please notify me at least five days prior to taking the samples so that I may be present.

If this waste stream will not be generated within the next 30 days, then H&K must submit the date (or an approximate date) the waste stream will be generated next. H&K must also submit a detailed description of how H&K will sample and analyze this waste stream the next time the waste is generated. This description must include the following: the person that will sample the waste, sampling methods used to gather the waste, the constituents of concern the waste will be analyze for, the laboratory that will be used, and the analytical test methods used by the laboratory. For more information please refer to the enclosed document titled Ohio EPA, Division of Hazardous Waste Management, Hazardous Waste Generator Handbook, dated October 2009.

If the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

- d. Waste Parts Washer Fluid- *This violation is considered abated on August 21, 2009, per the December 22, 2009, letter.*
- e. Antifreeze-H&K failed to have proper waste evaluation documentation for the antifreeze.

On August 21, 2009, and March 16, 2010, Mark Mercer of Shumaker, Loop & Kendrick, LLP submitted information on behalf of H&K to Ohio EPA. This information claims that H&K is using generator knowledge to determine that the antifreeze generated by H&K is a non-hazardous waste. However, the information submitted is not sufficient to make the determination that H&K's antifreeze is a non-hazardous waste.

On November 4, 2010, Ohio EPA sampled the antifreeze at H&K; analytical results are pending. If the analytical results show the waste is hazardous, I will determine the status of your compliance with other hazardous waste laws and notify you of my findings in a separate letter.

- 2. OAC Rule 3745-279-22 (C)(1), Used oil storage requirements for generators:  
*This violation was abated on February 23, 2009, per the March 16, 2009, letter.*
- 3. OAC Rule 3745-52-34(D)(5)(b), Accumulation time of hazardous waste:  
*This violation is considered abated on August 21, 2009, per the December 22, 2009, letter.*

4. **OAC Rule 3745-65-33, Testing and Maintenance of equipment:** This violation is considered abated on August 21, 2009, per the December 22, 2009, letter.
5. **OAC Rule 3745-52-34(C)(1)(a), Accumulation time of hazardous waste:** This violation is considered abated on February 23, 2009, per the December 22, 2009, letter.
6. **OAC Rule 3745-52-34(C)(1)(b), Accumulation time of hazardous waste:** This violation is considered abated on February 23, 2009, per the December 22, 2009, letter.
7. **OAC Rule 3745-66-74: Inspections:** This violation is considered abated on August 21, 2009, per the December 22, 2009, letter.

**Additional Violations:**

The following violations were observed during the November 4, 2010, focused compliance evaluation inspection. Please submit the required information **within 30 days of receipt of this letter.**

8. **OAC Rule 3745-279-22 (C)(1), Used oil storage requirements for generators:** "Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words 'Used Oil'".

H&K failed to mark one used oil drain dispenser located in the front shop with the words "Used Oil."

H&K marked the used oil drain dispenser with the words "Used Oil" while Ohio EPA was on site.

***Therefore, this violation was abated on November 4, 2010.***

9. **OAC Rule 3745-273-13(D)(1), Waste management-standards for small quantity handlers of universal waste:** "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."

H&K failed to store two universal waste lamps in a container.

H&K placed the universal waste lamps into the container and closed the container while Ohio EPA was on site.

*Therefore, this violation was abated on November 4, 2010.*

**10. OAC Rule 3745-273-15(C), Accumulation time limits-standards for small quantity handlers of universal waste:** "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."

H&K failed to demonstrate the length of time the universal waste lamps have been accumulated from the date the universal waste lamps became a waste.

H&K placed an accumulation start date on the container holding the universal waste lamps while Ohio EPA was on site. The date placed on the container signifying the lamps became waste was 11-04-10.

*Therefore, this violation was abated on November 4, 2010.*

**11. OAC Rule 3745-273-16, Employee training for small quantity handlers of universal waste:** "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(s) of universal waste handled at the facility."

During the site visit, Ohio EPA observed two universal waste lamps, approximately 8 feet long, leaning against a cardboard box next to the used oil tank in the back shop. The lamps were not contained in a container, the lamps were not labeled, and the lamps were in an area of high traffic where the possibility of damage or breakage is high. It is obvious to Ohio EPA from the observations made during the site visit that any training given to H&K personnel whose job duties include managing or handling universal waste was not sufficient to ensure the proper management of universal waste lamps.

In order to abate this violation, H&K must submit the following information **within 30 days of receipt of this letter:** names of all employees that manage and/or handle universal waste; a training plan including a detailed description of how the employees will be trained (e.g. an on-site training, topic in a staff meeting, etc.) and what material the training will include.

Once Ohio EPA reviews the training plan, H&K will have 30 days to submit documentation that all employees managing and/or handling universal waste have been properly trained. This documentation must include hand written printed names and corresponding signatures from all employees that handle and/or manage universal waste signifying each employee has been properly trained.

**Previously Cited General Concerns:**

- A. **Used Oil:** This general concern is considered addressed per the March 16, 2009, letter.
- B. **Sandblasting Sand and Other Waste Streams:** This general concern is considered addressed per the March 16, 2009, letter.
- C. **Parts Washer Fluid:** This general concern is considered addressed on August 21, 2009, per the December 22, 2009, letter.
- D. **Paint Booth Sump/Channel:** H&K should determine if the channel in the paint booth which receives and manages the paint booth wash water and sludge (see violation #1(c)) is a tank or surface impoundment based on the Ohio Administrative Code and Ohio Revised Code rule definitions. For more information, I have previously sent the Tank and Surface Impoundment, Definitions Memorandum dated April 8, 1983. If H&K determines this unit ultimately manages a hazardous waste (either now or in the future), H&K should be aware that there are significant regulatory requirement differences between a surface impoundment and a tank.

**At this time, no information regarding this general concern has been submitted to Ohio EPA. Please forward your findings regarding this issue to me within 30 days of receipt of this letter.**

**Additional General Concerns/More Information Required:**

The following general concerns were observed during the November 4, 2010, focused compliance evaluation inspection. Please submit the required information **within 30 days of receipt of this letter.**

- E. **Universal Waste Lamp Labeling:** OAC Rule 3745-273-14(E), labeling/markings standards for small quantity handlers of universal waste states, "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-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)" (emphasis added).

Ohio EPA observed two universal waste lamps leaning against a cardboard box during the November 4, 2010, site visit. Neither lamp was labeled with the proper universal waste label. However, the cardboard box the lamps were leaning against was labeled "Universal Waste-Lamps." This cardboard box that was properly labeled was empty until you placed the two universal waste lamps into the properly labeled box.

Since Ohio EPA has never observed lamps being stored in any container at H&K, Ohio EPA has no visual proof that H&K has ever stored universal waste lamps in a properly labeled container. Ohio EPA observed that each individual lamp was not properly labeled with the words "Universal Waste-Lamp" or other proper wording.

Universal waste lamps must be stored in a closed container. The container that stores the universal waste lamps or the individual lamps must be properly labeled at all times. Storing unlabeled universal waste lamps beside a properly labeled container at any time does not show that H&K is in compliance with the rule citation. H&K is reminded that each lamp or the container storing the lamps must be properly labeled at all times.

- F. Universal Waste Lamps:** During Ohio EPA's November 4, 2010, site visit, Ohio EPA reviewed a hazardous waste manifest where H&K had shipped off three (3) boxes of spent lamps to Petro-Chem Processing Group (PCPG) in Michigan. This manifest was dated by the generator "11-02-10". During the site tour you told Ohio EPA that three (3) boxes of universal waste lamps had been shipped off site "a couple days ago".

After reviewing the manifest and speaking to PCPG, it is unclear if the lamps shipped off-site utilizing the hazardous waste manifest will be recycled as universal waste lamps or if they will be disposed of as a hazardous waste. **Within 30 days of receipt of this letter**, H&K must provide documentation that details the destination facility for the lamps and the disposal/recycling method for the lamps. If PCPG is not the destination facility for the lamps, then H&K must detail where the lamps will be shipped once they leave PCPG and other facilities the lamps will be transferred to prior to arriving at their destination facility. Please include address and phone numbers for each facility.

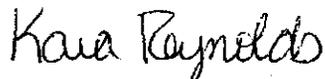
- G. Spill Prevention Control and Countermeasure (SPCC) Requirements:** H&K has at least twelve used oil tanks on site; each tank has an approximate capacity of 200 gallons. H&K also has three large product tanks on site; each tank has an approximate capacity of 1000 gallons. Combined storage capacity at H&K is approximately 5400 gallons.

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H&K may be subject to the federal SPCC regulations. For more information the fact sheet titled Understanding the Spill Prevention, Control and Countermeasure (SPCC) Requirements, dated November 2009 has been included.

Should you have any questions, please feel free to call me at (419) 373-3065. Please also feel free to have Mr. Mercer contact Todd Anderson of Ohio EPA's Legal Office at (614) 644-2840. Please send all correspondence **within 30 days of receipt of this letter** to Ohio EPA, Northwest District Office, Attn: Kara Reynolds, 347 North Dunbridge Road, Bowling Green, Ohio 43402.

Sincerely,



Kara Reynolds  
Environmental Specialist  
Division of Hazardous Waste Management

/llr

pc: Colleen Weaver, DHWM, NWDO  
Kara Reynolds, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO  
\*DHWM, NWDO Putnam County File: H&K Chevrolet Pontiac Buick

**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.

Send to Central Office <input checked="" type="checkbox"/>	<b>Ohio Environmental Protection Agency</b> <b>RCRA SUBTITLE C SITE</b> <b>IDENTIFICATION/VERIFICATION FORM</b>	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to [paula.canter@epa.state.oh.us](mailto:paula.canter@epa.state.oh.us).

<b>Site EPA ID No.</b> <b>Site Name</b>	EPA ID Number: <b>OHD017929969</b>		Website: (Optional)
<b>Site Location Information</b>	Name: <b>H&amp;K Chevy Pontiac Buick</b>		
<b>Site Land Type</b> (check only one)	Street Address: <b>200 South Main Street</b>		
<b>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>	City, Town, or Village: <b>Continental</b>		State: <b>OH</b>
	County Name: <b>Putnam</b>		Zip Code: <b>45831</b>
	Private <input checked="" type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>
	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>
	State <input type="checkbox"/>	Other <input type="checkbox"/>	

<b>Facility Representative</b>  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: <b>Bob</b>	MI:	Last Name: <b>Quigley</b>
	Title:		
	Phone Number: <b>419-596-3808</b>		Phone Number Extension:
	E-Mail Address:		
	Fax Number:		Fax Number Extension:
	Street or P.O. Box:		
	City, Town or Village:		
	State:		Zip Code:

<b>Legal Owner And Operator of the Site.</b> List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner:		Date Became Owner (mm/dd/yyyy):						
	Owner Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Street or P.O. Box:								
	City, Town or Village:				Owner Phone #:				
	State:				Country:		Zip Code:		
	Name of Site's Operator:								
	Operator Type:	Private <input type="checkbox"/>	County <input type="checkbox"/>	District <input type="checkbox"/>	Federal <input type="checkbox"/>	Indian <input type="checkbox"/>	Municipal <input type="checkbox"/>	State <input type="checkbox"/>	Other <input type="checkbox"/>
	Street or P.O. Box:								
	City, Town or Village:				Operator Phone #:				
	State:				Country:		Zip Code:		

<b>VIOLATIONS CITED?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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<b>TYPE OF HANDLER - MARK "X" AS APPROPRIATE</b>		
<input type="checkbox"/> Not a HW Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11	<input type="checkbox"/> Large Quantity Generator (LQG)
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<input type="checkbox"/> Small Quantity Generator (SQG)
		<input type="checkbox"/> Conditionally Exempt Small Quantity Generator
		<input type="checkbox"/> U.S. Importer of Hazardous Waste
		<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator

**TYPE OF REGULATED WASTE ACTIVITY (MARK "X" IN ALL OF THE APPROPRIATE BOXES)**

- |   |  |
|---|--|
| <input type="checkbox"/> Hazardous Waste Transporter                    | <input type="checkbox"/> Exempt Boiler and/or Industrial Furnace       |
| <input type="checkbox"/> Hazardous Waste Transfer Facility              | <input type="checkbox"/> Small Quantity On-Site Burner Exemption       |
| <input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste | <input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption |
| <input type="checkbox"/> Recycler of Hazardous Waste                    | <input type="checkbox"/> Underground Injection Control Facility        |
| <input type="checkbox"/> 72-Hour Recycler                               | <input type="checkbox"/> Receives Hazardous Waste from Off-site        |

**UNIVERSAL WASTE ACTIVITIES (INDICATE TYPES OF UNIVERSAL WASTE MANAGED)**

(CHECK ALL BOXES THAT APPLY)

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste                         | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input type="checkbox"/> Large Quantity Handler of Universal Waste<br>(accumulates 5,000 kg. or more) |   |

**CHECK ALL BOXES BELOW THAT APPLY FOR THE TYPES OF UNIVERSAL WASTE THE FACILITY MANAGES**

- Batteries  
 Pesticides  
 Mercury containing equipment  
 Lamps

**USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))**

- Used Oil Generator  
 Used Oil Transporter  
 Used Oil Transfer Facility  
 Used Oil Processor  
 Used Oil Re-refiner  
 Off-Specification Used Oil Burner  
 Used Oil Fuel Marketer who directs shipment of Off-Spec Used Oil  
 Used Oil Fuel Marketer who first claims the Used Oil meets the specifications

**Eligible Academic Entities with Laboratories:** Facility has previously notified that they are opting into managing laboratory hazardous waste pursuant to OAC rules 3745-52-200 through 3745-52-216. Check the box(es) below to indicate the laboratory type.

- College or University  
 Teaching hospital that is owned by or has a formal written affiliation agreement with a college or university  
 Non-profit Institute that is owned by or has a formal written affiliation agreement with a college or university

**Waste Codes for Federally Regulated Hazardous Wastes.** Please list the codes for the federally regulated hazardous waste handled at the site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page or list them in the comments if more space is needed. If the waste codes are the same as listed in the most recent RCRAInfo source record, you do not need to list them. Instead just indicate the date of the most recent source record.

**COMMENTS: USE THIS AREA TO DESCRIBE WHETHER THE INSPECTION WAS ANNOUNCED, WHETHER THE WASTE IS STORED IN TANKS OR CONTAINERS, ETC.**

- Announced  Yes  No      Additional Facility Representatives:  
Tanks  Yes  No  
Containers  Yes  No

Name of Inspector(s)  
**Kara Reynolds**

Name of Inspector(s)  
**Ed Pulido**

Date of Inspection/Time  
(mm/dd/yyyy) (hh:mm)  
**11-04-2010 9:20 AM**

**Comments:**

**Facility is a CESQG but may be a SQG based on outstanding waste evaluation violations. This inspection was a focused inspection on UW lamps, used oil, and spent parts washer fluid (continued use) management practices.**

## PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: H&K Chevy Pontiac Buick Facility Type: CESQG

Date of Inspection: 11-04-2010

EPA ID#:OHD017929969

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, general maintenance, etc)	Waste Description (e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment (recycle, wwt, etc)	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1 Maintenance	Spent lamps	Several, varies Cardboard box Back shop beside used oil tanks		Petro-chem Processing Group, Michigan	Recycle	
2 Maintenance	Used oil	~50 Gallons Tanks Used oil area in front shop and back shop	Storage/ Burnt on site		Recycle	
3 Maintenance	Parts washer fluid	30-50 Gallons Not stored Changed directly from parts washer		Safety-Kleen, Continued Use	Continued Use	
4						

5							
6							
7							
8							
9							

**REMARKS/GENERAL INFORMATION**

**General Process Information:** See Attached Letter.

**Regulatory/Enforcement History** (if applicable): N/A

**Additional P2 remarks and information:** See Attached Letter.

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

Office of Compliance Assistance and Pollution Prevention - 1-800-329-7518 or [p2mail@epa.state.oh.us](mailto:p2mail@epa.state.oh.us) or [www.epa.state.oh.us/ocapp/ocapp.html](http://www.epa.state.oh.us/ocapp/ocapp.html)

**Other:** This inspection was a focused inspection on UW lamps, used oil, and spent parts washer fluid (continued use) management practices. Other waste streams exist at this site, but are not listed on this sheet. For more information on other waste streams, please refer to inspection records from the February 23, 2009 compliance evaluation inspection.

**USED OIL INSPECTION CHECKLIST  
GENERATORS, COLLECTION CENTERS AND AGGREGATION POINTS**

**NOTE:** 1. A facility is subject to the federal SPCC regulations (40 CFR 112) if it is non-transportation related (e.g., fixed) and has an aggregate above ground storage capacity greater than 1,320 gallons or a total underground storage capacity greater than 42,000 gallons of oil (including used oil), and there is reasonable expectation of a discharge to navigable waters.

2. Inspectors can check BUSTR's web-site at [https://www.comapps.ohio.gov/sfm/fire\\_apps/bust/bustr/PublicInquiry.asp](https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/PublicInquiry.asp) to determine if a UST containing used oil is registered with BUSTR. Inspectors may call BUSTR at 614-752-7938 or a BUSTR site coordinator to report an unregistered UST or a UST that appears to not be in compliance with BUSTR regulations. A list of BUSTR coordinators by county are at:

[https://www.comapps.ohio.gov/sfm/fire\\_apps/bust/bustr/SearchByCounty.asp](https://www.comapps.ohio.gov/sfm/fire_apps/bust/bustr/SearchByCounty.asp).

**PROHIBITIONS**

1.	Does the generator manage used oil in a surface impoundment or waste pile? If yes:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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a.	Is the surface impoundment or waste pile regulated as a hazardous waste management unit? [3745-279-12(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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**NOTE:** For example, used oil contaminated scrap metal stored in a pile.

2.	Is used oil used as a dust suppressant? [3745-279-12(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**NOTE:** Multiple used oil checklists may be applicable if used oil handler is performing multiple tasks (e.g., if generating used oil and shipping directly to a burner, complete generator and marketer checklists at a minimum).

**GENERATOR STANDARDS**

4.	Does the generator mix hazardous waste with used oil? If so,	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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a.	Is the mixture managed as specified in 3745-279-10(B)? [3745-279-21(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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**NOTE:** Used Oil mixed with listed (3745-51-30 to 3745-51-35) or characteristic (3745-51-20 to 3745-51-24) hazardous waste are subject to regulation as a hazardous waste, unless the listed hazardous waste is listed solely because it exhibits a hazardous characteristic, and the resultant mixtures do not exhibit a characteristic. Mixtures of used oil and CESQG hazardous waste are subject to OAC Chapter 3745-279.

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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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**NOTE:** If used oil contains greater than 1000 ppm total halogens, it is presumed to be listed hazardous waste until the presumption is successfully rebutted.

6.	Does the generator store used oil in tanks; or containers; or a unit(s) subject to regulation as a hazardous waste management unit? [3745-279-22(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
----	--	--

7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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8.	Are containers, above ground tanks, and fill pipes used for underground tanks clearly labeled or marked "Used Oil?" [3745-279-22(C)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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9.	Has the generator, upon detection of a release of used oil, done the following: [3745-279-22(D)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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a.	Stopped the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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b.	Contained the release?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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c.	Cleaned up and properly managed the used oil and other materials?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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d.	Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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<b>ON-SITE BURNING IN SPACE HEATER</b>		
10.	Does the generator burn used oil in used-oil fired space heaters? [3745-279-23] If so:	
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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

*NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).*

<b>GENERATOR TRANSPORTATION</b>		
11.	Does the generator have the used oil hauled only by transporters that have obtained a U.S. EPA ID#? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
12.	If the generator self-transport used oil to an approved collection site or to an aggregation point owned by the generator: [3745-279-24]	
a.	Does the generator transport used oil in a vehicle owned by the generator or an employee of the generator? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	Does the generator transport more than 55 gallons of used oil at any time? [3745-279-24]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Used oil generators may arrange for used oil to be transported by a transporter without a U.S. EPA ID # if the used oil is reclaimed under a contractual agreement (i.e., tolling arrangement).*

<b>COLLECTION CENTERS AND AGGREGATION POINTS</b>		
13.	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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
14.	Is the non-DIY used oil collection center registered with Ohio EPA? [3745-279-31]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the used oil aggregation point in compliance with the generator standards in 3745-279-20 to 3745-279-24? [3745-279-32]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

*NOTE: Complete Used Oil Generator and any other applicable used oil handler checklist (e.g., marketer, burner, etc.) for used oil collection centers and aggregation points.*

**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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
2.	Did the SQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-17 or managing specific wastes as provided in OAC rule 3745-273-13? [3745-273-11(B)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

**WASTE MANAGEMENT AND LABELING/MARKING**

**UNIVERSAL WASTE BATTERIES-Battery management practices were not inspected during this site visit.**

3.	Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
5.	Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-13(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
6.	If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of hazardous waste? [3745-273-13(A)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-13(A)(3)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
b.	If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-13(A)(3)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
7.	Are the batteries or containers of batteries labeled with the words "Universal Waste - Batteries" or "Waste Battery(ies)" or "Used Battery(ies)"? [3745-273-14(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**UNIVERSAL WASTE LAMPS**

8.	Does the SQUWH contain lamps in containers or packages that are structurally sound, adequate to prevent breakage, and 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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

**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 rule 3745-52-34). Crushed lamps must be transported by a registered hazardous waste transporter to a permitted hazardous waste facility using a hazardous waste manifest.**

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 <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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ACCUMULATION TIME		
11.	Is the waste accumulated for less than one year? [3745-273-15(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	If not, is 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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<i>NOTE: Accumulation is defined as date generated or date received from another handler.</i>		
12.	Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-15(C)]  If yes, describe below:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
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 <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
RESPONSE TO RELEASES		
14.	Are releases of universal waste and other residues immediately contained? [3745-273-17(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
15.	Is the material released characterized? [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
16.	If the material released is a hazardous waste, was 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 OAC Chapter 3745-52) [3745-273-17(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
OFF-SITE SHIPMENTS		
<i>NOTE: If a SQUWH self-transportes waste, then the handler must comply with the Universal Waste transporter requirements.</i>		
17.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	Is the handler aware of DOT requirements for packaging and shipping?  If no, make aware of 49 CFR 171-180.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-18(D)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
20.	Has the originating handler ever had an off-site shipment rejected by another handler or destination facility?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	If yes, did the originating handler receive the waste back or agree to where the shipment was sent? [3745-273-18(E)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
21.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler and discuss and do <u>one of the following</u> :	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
a.	Send the waste back to the originating handler or send the shipment to a destination facility (if both the originating and receiving handler agree)? [3745-273-18(F)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
22.	If the handler received a shipment of hazardous waste that was not a universal waste, did the SQUWH immediately notify Ohio EPA? [3745-273-18(G)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
EXPORTS		
23.	Is waste being sent to a foreign destination? If so:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

	a.	Does the small quantity handler comply with primary exporter requirements in OAC rules 3745-52-53, 3745-52-56, and 3745-52-57? [3745-273-20(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b.	Is waste exported only upon consent of the receiving country and in conformance with the U.S. EPA "Acknowledgment of Consent" as defined in OAC rules 3745-52-50 to 3745-52-57? [3745-273-20(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c.	Is a copy of the U.S. EPA "Acknowledgment of Consent" provided to the transporter? [3745-273-20(C)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>