



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

August 20, 2013

RE: GREEN LIGHT
STARK COUNTY
OHR 000 177 642
COMPLAINT NUMBER 7624
NOTICE OF VIOLATION (NOV)

James Leonard
Green Light
12211 Market Avenue N
Hartville, OH 44632

Dear Mr. Leonard:

On July 23, 2013, Robert Almquist and I, as representatives of the Ohio EPA's Division of Materials and Waste Management, conducted a complaint inspection of Green Light located at 1201 and 1203 East Tuscarawas St., Canton, for compliance with Ohio's hazardous waste, universal waste, and used oil regulations. You represented Green Light during that inspection. Joe Leonard and Aaron Butchelli were present during part of the inspection.

John Paquelet and I, as representatives of the Ohio EPA Division of Materials and Waste Management, visited this site on July 17, 2013. Joe Leonard was present and he explained that you operated the business and needed to be present. Consequently the July 23 inspection was scheduled at a time that you could be present.

Subsequent to the July 17th inspection visit, we had several telephone conversations regarding Green Light.

Although this business is often referred to as Green Light LLC, you explained during the inspection that organization of the business as an LLC was never completed but that it is a sole proprietorship instead. In this letter the business is referred to as Green Light.

This letter assumes that cathode ray tube (CRT) glass operations are fully the responsibility of Green Light. If some are the responsibility of others, please submit appropriate documentation.

Ohio EPA had received a complaint alleging that a large pile of televisions, monitors, and other e-waste was being accumulated outdoors at 1203 East Tuscarawas St. in Canton.

The follow-up inspection found an accumulation of televisions, monitors, and other e-waste outdoors at 1203 East Tuscarawas St. The quantity of TVs, computer monitors and CRTs (Cathode Ray Tubes) was roughly estimated at several hundred. A rough estimate was that about 1/3 of the TVs and computer monitors had broken CRTs. These items outdoors at 1203 East Tuscarawas St. were reported during the inspection to be the property of Green Light.

The addresses of 1203 East Tuscarawas St. and 1201 East Tuscarawas St. are located in the same building. The inspection found thousands of used lamps, predominantly fluorescent lamps but also including some other types including HID lamps, present on the premises occupied by Green Light at 1201 East Tuscarawas St.

You said during the inspection and in phone conversations that:

- The vast majority of TVs and computer monitors are from household hazardous waste collections and drop-offs of household waste;
- Most of the used lamps are from businesses with a large portion of that from relamping projects;
- Green Light tests the lamps to determine which are working and which are not and that working lamps are stored to be re-used;
- Working lamps are donated to churches and charitable organizations and are used by electricians and others.

OAC Rule 3745-51-02(F) requires that parties that claim that a certain material is not a waste, or is conditionally exempt from regulation, must demonstrate that there is a known market or disposition for the material and that they meet the terms of the exclusion or exemption. In doing so, they must provide appropriate documentation to demonstrate that the material is not a waste, or is exempt from regulation.

No written documentation has been provided to substantiate:

- That the TVs and computer monitors (which in turn are the source of the CRTs) in the possession of Green Light originated from households (as that term is defined in the hazardous waste rules) and that they therefore meet the definition of household waste; or
- That Green Light has a viable market for the used lamps in its possession.

Consequently the agency considers the used lamps at Green Light to be wastes subject to regulation under the universal waste rules. The agency also considers the CRTs and broken CRT glass at Green Light to potentially be subject to regulation under the hazardous waste rules. If written documentation as discussed above is submitted, the agency will review the appropriateness of the conclusions stated in this paragraph.

The inspection included a review of the facility's operations, as well as waste management practices and documentation. Green Light was inspected for the requirements of a Large Quantity Universal Waste Handler (LQUWH or LQH) because it appears that more than 11,000 pounds of universal waste lamps were present at the facility at the time of the inspection.

If you can provide satisfactory documentation that less than 11,000 pounds of universal waste lamps were present at the facility at the time of the inspection, the agency will rescind the violations based LQUWH status, and as appropriate, cite violations of rules applicable to Small Quantity Universal Waste Handlers (SQUWH).

This letter identifies violations observed during the inspection and steps that must be taken to address those violations. Based on the facility documents reviewed and observations made during the facility walk-through, Ohio EPA has determined that Green Light has violated the following state hazardous waste regulations.

Photographs were taken by Robert Almquist and me during the inspection. Contact me if you wish to receive copies, preferably by email.

1. OAC 3745-273-32(A)(1) LQUWH Must Receive US EPA ID Number Prior To Exceeding 5,000 Kilograms (11,000 Pounds) UW.

No written documentation of the number and types of lamps on-site was provided. My estimate largely based on reviewing pictures taken and extrapolating to the entire facility is that more than 20,000 used lamps were present at the Green Light facility. The fluorescent lamps on-site include 4 foot lamps, 8 foot lamps and other sizes. HID lamps were also present. Based on an average weight of a 4 foot lamp of about 8 ounces and of an 8 foot lamp of about 1 pound, it appears that more than 11,000 pounds of lamps were present at the facility and that the facility is a Large Quantity Universal Waste Handler (LQUWH).

A LQUWH must obtain a U.S. EPA ID Number prior to exceeding that quantity of universal waste. Information on obtaining a U.S. EPA ID Number can be found at this link: <http://www.epa.ohio.gov/dmwm/Home/Notiform.aspx>

If you need assistance completing the application for a U.S. EPA ID Number, please contact Ruthann Flottman at 614-728-8961.

To return to compliance the facility must:

- Apply for and obtain a U.S. EPA ID Number within 14 days of receipt of this letter; and,
- Submit a copy of the U.S. EPA ID Number to this office within 14 days of receiving it.

2. OAC 3745-273-33(D)(1) Large Quantity Handler Must Contain Lamps In Proper Containers Or Packaging And Containers Or Packaging Must Be Closed.

3. OAC 3745-273-34(E) Large Quantity Handler Must Label Containers Or Packaging Holding Universal Waste Lamps.

Dozens of boxes and other types of containers holding used fluorescent lamps at the facility were not closed. Few of the containers were marked with one of the following words "Universal Waste - Lamp(s)", "Waste Lamp(s)" or "Used Lamp(s)". Hundreds of used lamps at the facility were not in any container.

You told me that Green Light only considers a lamp to be a universal waste if it is determined to be non-functioning (i.e., does not glow). Some of the boxes that you said contained non-functioning bulbs apparently were not marked or labeled as required. Because of lack of aisle space I could not inspect for proper labeling or marking many of the containers that were reported to have non-functioning bulbs.

These practices were not in compliance with the above cited regulations.

To return to compliance the facility must:

- Develop a schedule to promptly place all universal waste lamps currently on-site 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. Label or mark the container of lamps with one of the following phrases: "Universal Waste-Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)";

- Begin placing universal waste lamps in containers;
- Provide a copy of the schedule to this office within 14 days of receipt of this letter; and
- Upon agency acceptance of the schedule, complete implementation and provide documentation of that to this office.

4. OAC Rule 3745-273-33(D)(2) LQH Must Immediately Take Appropriate Steps To Clean Up Releases From Lamps.

5. OAC Rule 3745-273-37(A) LQH must contain all releases of universal waste and residues.

At least six photos taken during the inspection at Green Light include broken lamps or pieces of broken lamps that had not been properly cleaned-up. These practices are not in compliance with the above cited regulations.

A large quantity handler of universal waste lamps must immediately clean up and place in a container any lamp that is broken or any lamp that shows evidence of breakage. Alternatively a LQUWH may manage the broken lamps as hazardous waste in which case compliance with applicable hazardous waste rules is required.

To return to compliance the facility must:

- Immediately survey the facility to identify all broken lamps;
- Place every broken lamp in a closed and properly labelled or marked container;
- Submit pictures of the containers holding the broken lamps to this office within 14 days of receipt of this letter.

6. OAC Rule 3745-273-35(A) LQH May Only Accumulate For One Year Unless Additional Accumulation Time Is Necessary To Facilitate Proper Recovery, Treatment Or Disposal.

7. OAC Rule 3745-273-35(C) LQH Must Have System To Demonstrate Length Of Accumulation.

A large quantity handler of universal waste lamps may only accumulate them for one year from date of generation or receipt unless additional accumulation time is necessary to facilitate proper recovery, treatment or disposal. In light of the quantity of lamps on site, it does not appear that additional time is needed to facilitate proper recovery, treatment or disposal.

I did not observe any containers with receipt dates marked on them. Many lamps were not in containers. I am not aware of an alternate system to track the length of accumulation.

To return to compliance Green Light must:

- Develop a plan including a schedule to promptly ship the used lamps currently on-site to a universal waste handler or a destination facility;
- Provide a copy of the plan to this office within 14 days of receipt of this letter; and
- Upon agency acceptance of the plan, implement the plan and provide documentation to this office;

- Develop a system for tracking the length of accumulation for used lamps accepted by Green Light in the future, and
- Provide a copy of the tracking system to this office within 14 days of receipt of this letter.

8. OAC Rule 3745- 273-36) Employee Training For Large Quantity Handlers Of Universal Waste.

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

Based on the other violations cited in this letter, facility employees with universal waste duties were not appropriately trained on universal waste requirements.

To return to compliance the facility must:

- Train appropriate personnel with universal waste management duties on applicable universal waste requirements; and,
- Submit copies of training documentation to this office within 14 days of the date of receipt of this letter.

9. OAC Rule 3745-273-39(B) LQH Must Keep Records Of Each Shipment Sent Off-Site.

10. OAC Rule 3745-273-39(C)(2) LQH Must Retain Records for 3 Years from Date of Shipment.

A LQUWH must keep a record of each shipment of universal waste sent from the handler to other facilities. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste sent shall include the following information:

- The name and address of the universal waste handler or destination facility to whom the universal waste was sent;
- The quantity of each type of universal waste sent;
- The date the shipment of universal waste left the facility.

No records of shipments of universal waste from the facility were provided. If they are available, submit copies to this office within 14 days of the date of receipt of this letter.

If no such records are available or if they are inadequate Green Light must:

- Develop a system to keep records of each shipment of universal waste sent from the facility;
- Provide a copy of the proposed tracking system to this office within 14 days of receipt of this letter; and
- Upon agency acceptance of the proposal, implement the tracking system.

11. OAC Rule 3745-52-11 Waste Evaluation.

OAC Rule 3745-52-11 requires “Any person who generates a waste...[to] determine if that waste is a hazardous waste...”

Green Light accepts TVs and computer monitors that it processes to recover recyclable plastics, metals and CRT glass. Unless the requirements for exclusion are met, the agency presumes that CRT glass is a hazardous waste because of leachable lead present in the CRT glass. Although we did not count the number of gaylord boxes of broken CRT glass on-site, it seems that there were about 20.

One possible exclusion from regulation as hazardous waste is that the TVs and computer monitors from which the CRTs are derived are "household waste" which means that they came from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). [Note: if excluded from regulation as hazardous waste, the CRTs and broken CRT glass are still subject to regulation as solid waste unless recycled.]

The TVs and computer monitors that were observed during the inspection appeared to be overwhelmingly from households. You reported orally during the inspection and in phone conversations that the vast majority of TVs and computer monitors are from household hazardous waste collections and drop-offs of household waste. Aaron Butchelli stated during the inspection that he brings TVs and computer monitors from city of Canton household waste collections to Green Light.

However no written documentation has been provided on the origin of the TVs and computer monitors processed at Green Light. Because Green Light is relying on an exclusion from classification as hazardous waste, it is the responsibility of Green Light to obtain and provide sufficient documentation that it meets the requirements of the exclusion.

Another exclusion from regulation of CRTs and CRT glass as hazardous waste is managing them in accordance with OAC Rule 3745-51-39. However, at the time of the inspection Green Light was not meeting all the requirements of OAC Rule 3745-51-39 as some broken CRTs were stored outdoors, containers holding broken CRTs were not labeled as required in the rule and some of the broken CRT glass may have been “accumulated speculatively”. (Broken CRT glass being accumulated for recycle is “accumulated speculatively” if less than 75% by weight or volume of the broken CRT glass on-site on January 1 is not either recycled or transferred to another site for recycling by December 31 of that year.)

If Green Light cannot document that it meets the conditions for an exclusion from regulation as hazardous waste, Green Lights could be the operator of an unpermitted hazardous waste storage and treatment facility which is a very serious violation.

To return to compliance the facility must:

- Determine whether the broken CRTs and broken CRT glass meet an exclusion from classification as a waste;

- If Green Light intends to classify broken CRTs and broken CRT glass as household waste, document in writing through letters or emails from the major suppliers of TVs and computer monitors to Green Light that these devices originate from households.

Request for Additional Information

- 1. OAC Rule 3745-273-39(A) LQH Must Keep Records Of Each Shipment Received At Facility.**
- 2. OAC Rule 3745-273-39(C)(1) LQH Must Retain Records for 3 Years from Date of Shipment.**

A LQUWH must keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received shall include the following information:

- The name and address of the originating handler or foreign shipper;
- The quantity of each type of universal waste received; and,
- The date of receipt.

Due to an oversight I did not ask for records of shipments of universal waste received during the inspection. If these records are available, submit copies to this office within 14 days of the date of receipt of this letter.

If no such records are available, or if they are inadequate, Green Light will be cited in a future NOV letter for violation of the above rules and will then be required to develop a system to keep records of each shipment of universal waste received at the facility.

Enclosed you will find a copy of the checklists completed for the July 17, 2013 and July 23, 2013 inspections.

Green Light needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, Green Light is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to neil.wasilk@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, Green Light is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

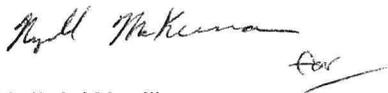
GREEN LIGHT
AUGUST 20, 2013
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Submit the above requested response documentation to this office within 14 days of receipt of this letter. Response correspondence sent by the U. S. Postal Service should be sent to:

**Neil Wasilk
Northeast District Office
Ohio Environmental Protection Agency
2110 East Aurora Road
Twinsburg, OH 44087**

Should you have any questions regarding this letter, please contact me at (330) 963-1165 or by email at neil.wasilk@epa.ohio.gov. If I cannot be reached, you can contact my supervisor Nyall McKenna at (330) 963-1272.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nyall McKenna". Below the signature is a horizontal line with a small flourish at the end.

Neil J. Wasilk
Environmental Specialist
Division of Materials and Waste Management

Enclosure

NJW:ddw

cc: Marlene Kinney, Ohio EPA, DMWM, NEDO
ec: Natalie Oryshkewych, Ohio EPA, DMWM, NEDO
Nyall McKenna, Ohio EPA, DMWM, NEDO
Jeff Mayhugh, Ohio EPA, DMWM, CO

Send to Central Office <input type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM		For Ohio EPA use only
Completed verification forms required to be submitted to CO should be e-mailed to RCRAInfo.Data@epa.state.oh.us .			
Site EPA ID No. Site Name Site Location Information Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	EPA ID Number: OHR000177642 Name: Green Light Website: (Optional) Street Address: 1201 East Tuscarawas St. City, Town, or Village: Canton State: OH County Name: STARK Zip Code: 44707 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"/>		
Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: James MI: Last Name: Leonard Title: Phone Number: 330-604-7713 Phone Number Extension: E-Mail Address: Fax Number: Fax Number Extension: Street or P.O. Box: 12211 Market Avenue N City, Town or Village: Hartville State: OH Zip Code: 44632		
Legal Owner And Operator of the Site. List Additional Owners and/or Operators in the Comment Section or on another copy of this form page	Name of Site's Legal Owner: Zerzer LLC Date Became Owner (mm/dd/yyyy): Owner Type: 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"/> Street or P.O. Box: City, Town or Village: Owner Phone #: State: Country: Zip Code: Name of Site's Operator: Date Became Operator (mm/dd/yyyy): 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 checked="" type="checkbox"/> Street or P.O. Box: City, Town or Village: Operator Phone #: State: Country: Zip Code:		
VIOLATIONS CITED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
TYPE OF HANDLER - MARK "X" AS APPROPRIATE			
<input type="checkbox"/> Not a HW Generator	<input checked="" type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11 <input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). <i>Check the box for the applicable generator status and provide a comment.</i>		<input type="checkbox"/> Large Quantity Generator (LQG) <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 type="checkbox"/> Small Quantity Handler of Universal Waste | <input type="checkbox"/> Destination Facility for Universal Waste |
| <input checked="" type="checkbox"/> Large Quantity Handler of Universal Waste
(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)
Neil Wasilk

Name of Inspector(s)
Robert Almquist

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
07/23/2013 04:15 p.m.

Comments:

John Paquelet and Neil Wasilk visited this site unannounced at 9:40 a.m. on July 17, 2013. Joe Leonard was present; he explained that the business was run by James Leonard and he needed to be present. Consequently the July 23 inspection was scheduled at time that James Leonard could be present.

Hazardous Waste Compliance Process Flow

Facility:

OHR 000 177 642

Green Light
1201 East Tuscarawas St.
1203 East Tuscarawas St.
Canton, OH 44707

Facility reports that it is a recycler and will accept almost anything electrical. Specifically noted that it does not accept X-Ray machines.

The facility collects used lamps from businesses and accepts a much smaller number from individuals that drop them off. Reportedly many of the used lamps on-site were from businesses that conducted relamping projects.

The facility accepts TVs and computer monitors that it processes by disassembly and breaking of the CRTs to recover recyclable plastics, metals and CRT glass. The facility reports that the vast majority of TVs and computer monitors are from household waste collections and drop-offs of household waste. Reportedly one source is the city of Canton e-waste program. No written documentation provided on source of TVs and monitors. Facility does not track a monitor's source.

Green Light was accumulating televisions, monitors, and other e-waste outdoors at 1203 East Tuscarawas St. The quantity of TVs, computer monitors and CRTs (Cathode Ray Tubes) was roughly estimated at several hundred. A rough estimate was that about 1/3 of the TVs and computer monitors had broken CRTs. More TVs, monitors and CRTs were being accumulated indoors.

Broken CRT glass is accumulated on-site. Reportedly Green Light has not yet shipped any broken CRT glass. Several gaylord boxes with broken CRT glass present indoors, maybe about 20 boxes.

The facility's stated goal is to test all the lamps it receives to determine which are functional and to store and re-use functional lamps. Sorted lamps reportedly functional were on-site in boxes; the facility roughly estimated that sorted lamps were about 25% of the lamps on-site.

Reportedly the facility only considers a lamp to be a universal waste when and if it is determined to be non-functional (i.e., does not glow).

Lighting fixtures for testing fluorescent lamps were present at the facility; did not appear to have used recently. The facility noted that it had fallen behind on lamp testing.

Reportedly working lamps are donated to churches and charitable organizations and are used by electricians or others that need or can utilize used lamps. No records provided on sales or donations of lamps.

Thousands of used fluorescent lamps are stored at Green Light. A reasonable estimate is more than 20,000 lamps including various sizes of fluorescent lamps and HID lamps; some in containers and some loose-stacked or in bundles.

Reportedly the facility has recycled some lamps through destination facilities that process lamps to recover mercury but not recently.

GREEN LIGHT

LARGE QUANTITY UNIVERSAL WASTE HANDLER REQUIREMENTS

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

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

GENERAL REQUIREMENTS

1. Has the LQUWH obtained a U.S. EPA Identification number before exceeding 5,000 kg limit? [3745-273-32(A)(1)] Yes [] No [X] N/A []

PROHIBITIONS

2. Did the LQUWH dispose of universal waste? [3745-273-31(A)] Yes [] No [X] N/A []

3. Did the LQUWH dilute or treat universal waste, except when responding to releases as provided in OAC rule 3745-273-37 or managing specific wastes as provided in OAC rule 3745-273-33? [3745-273-31(B)] Yes [] No [X] N/A []

WASTE MANAGEMENT AND LABELING/MARKING

UNIVERSAL WASTE BATTERIES NO U.W. BATTERIES OBSERVED.

4. Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-33(A)(1)] Yes [] No [] N/A []

5. If the batteries are contained, are the containers closed, structurally sound, compatible with the contents of the battery and lack evidence of leakage, spillage or damage that could cause leakage? [3745-273-33(A)(1)] Yes [] No [] N/A []

6. Are the casings of the batteries breached, not intact, or open (except to remove the electrolyte)? [3745-273-33(A)] Yes [] No [] N/A []

7. If the electrolyte is removed or other wastes generated, has it been determined whether the electrolyte or other wastes exhibit a characteristic of a hazardous waste? [3745-273-33(A)(3)] Yes [] No [] N/A []

a. If the electrolyte or other waste is characteristic, is it managed in compliance with OAC Chapters 3745-50 through 3745-69? [3745-273-33(A)(3)(a)] Yes [] No [] N/A []

b. If the electrolyte or other waste is not hazardous, is it managed in compliance with applicable law? [3745-273-33(A)(3)(b)] Yes [] No [] N/A []

8. Are the batteries or containers of batteries labeled with the words "Universal Waste-Batteries" or "Waste Battery(ies)" or "Used Battery(ies)?" [3745-273-34(A)] Yes [] No [] N/A []

UNIVERSAL WASTE PESTICIDES NO U.W. PESTICIDES OBSERVED.

9. Does the LQUWH prevent releases to the environment by managing pesticides in containers that are closed, structurally sound, compatible with the pesticides, and lack evidence of leakage, spillage, or damage? [3745-273-33(B)(1)] Yes [] No [] N/A []

10. If the original pesticide container is in poor condition, was it over-packed into an acceptable container? [3745-273-33(B)(2)] Yes [] No [] N/A []

11. If the pesticide is stored in a tank, are the requirements of rules 3745-66-90 through 3745-66-101, except for paragraph (C) of 3745-66-97, of the OAC met? [3745-273-33(B)(3)] Yes [] No [] N/A []

12. If pesticides are stored in a transport vehicle, is it closed, structurally sound, compatible with the pesticide(s), and does it lack evidence of leakage, spillage, or damage that could cause leakage? [3745-273-33(B)(4)] Yes [] No [] N/A []

13. Are recalled universal waste pesticides that are in containers, tanks, or transport vehicles labeled with the label that was on or accompanied the product as sold or distributed and labeled with the words "Universal Waste-Pesticides" or "Waste Pesticides?" [3745-273-34(B)(1)&(2)] Yes [] No [] N/A []

14. Are unused pesticide products that are in containers, tanks, or transport vehicles labeled with either the label that was on the product when purchased (if still legible), the appropriate DOT label, or the designated label prescribed by the pesticide collection program and labeled with the

[Facility Name/Inspection Date]

[ID number]

RCRA LARGE QUANTITY UNIVERSAL WASTE HANDLER INSPECTION CHECKLIST

LQUWH/May 2012

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	words "Universal Waste-Pesticides" or "Waste Pesticides?" [3745-273-34(C)(1)&(2)]	
UNIVERSAL WASTE MERCURY-CONTAINING EQUIPMENT <i>NO H.W. MERCURY</i>		
15.	Has mercury-containing equipment with non-contained elemental mercury or that shows evidence of leakage, spillage or damage that could cause leaks been placed in a container that is closed, structurally sound, compatible with contents of the device and lacks evidence of leakage, spillage or damage that could cause leakage and is designed to prevent escape of mercury into the environment by volatilization or any other means? [3745-273-33(C)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> <i>CONTAINING EQUIPMENT OBSERVED.</i>
16.	If the mercury-containing ampules are removed, does the LQUWH: [3745-273-33(C)(2)]	
a.	Remove and manage the ampules in a manner to prevent breakage and is the removal done over or in a containment device? [3745-273-33(C)(2)(a)&(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Have a clean-up system readily available to transfer spilled mercury to another container that meets the requirements of OAC rule 3745-52-34 and is the spilled mercury transferred immediately? [3745-273-33(C)(2)(c)&(d)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Ensure that the area where ampules are removed is well ventilated and monitored in compliance with applicable OSHA exposure levels for mercury? [3745-273-33(C)(2)(e)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
d.	Ensure that employees are thoroughly familiar with proper waste handling and emergency procedures? [3745-273-33(C)(2)(f)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
e.	Ensure removed ampules are stored in closed, non-leaking containers that are in good condition? [3745-273-33(C)(2)(g)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
f.	Pack removed ampules in containers with packing material to prevent breakage during storage, handling and transportation? [3745-273-33(C)(2)(h)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
17.	If the open original housing holding mercury is removed from a mercury-containing equipment that does not contain an ampule, does the LQUWH: [3745-273-33(C)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Immediately seal the original housing holding the mercury with an air-tight seal to prevent the release of any mercury to the environment? [3745-273-33(C)(3)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Follow all requirements for removing ampules and managing removed ampules in accordance with 3745-273-33(C)(2)? [3745-273-33(C)(3)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
18.	When removing mercury containing ampules from mercury-containing equipment or sealing mercury from its original housing if there are mercury or clean-up residues resulting from spills or leaks, and/or other waste generated (e.g., remaining mercury-containing device), has it been determined whether those exhibit a characteristic of hazardous waste identified in OAC rules 3745-51-20 to 3745-51-24? [3745-273-33(C)(4)(a)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	If the residues, and/or wastes are characteristic, are they managed in compliance with Chapters 3745-50 through 3745-69, 3745-205, 3745-256, 3745-266, and 3745-270 of the Administrative Code? (The handler is considered the generator of the mercury, residues, and/or other waste and is subject to OAC Chapter 3745-52) [3745-273-33(C)(4)(b)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
19.	Is mercury-containing equipment or containers of mercury-containing equipment labelled either "Universal Waste-Mercury-Containing Equipment" or "Waste Mercury-Containing Equipment" or "Used Mercury-Containing Equipment"? [3745-237-34(D)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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20.	Are mercury-containing thermostats or containers containing ONLY thermostats labeled either "Universal Waste-Mercury Thermostat(s)" or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)?" [3745-273-34(D)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
UNIVERSAL WASTE LAMPS		
21.	Does the LQUHW 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? [3745-273-33(D)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
22.	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 constituents to the environment? [3745-273-33(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.		
23.	Are the lamps or containers or packages of lamps labeled with the words "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamps?" [3745-273-34(E)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
ACCUMULATION TIME		
24.	Is the waste accumulated for less than one year? [3745-273-35(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" 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.) [3745-273-35(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
NOTE: Accumulation is defined as date generated or date received from another handler.		
25.	Is the handler able to demonstrate the length of time the universal waste has been accumulated? [3745-273-35(C)] If yes, describe below:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
EMPLOYEE TRAINING		
26.	Are employees thoroughly familiar with universal waste handling/emergency procedures, relative to their responsibilities? [3745-273-36]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
RESPONSE TO RELEASES		
27.	Are releases of universal waste and other residues immediately contained? [3745-273-37(A)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
28.	Is the material released characterized? [3745-273-37(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
29.	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) [3745-273-37(B)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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OFF-SITE SHIPMENTS		
NOTE: If a LQUWH self-transportes wastes, then the handler must comply with the Universal Waste transporter requirements.		
30.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-38(A)] <i>NO DOCUMENTATION PROVIDED</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
31.	Is the handler aware of DOT requirements for packaging and shipping? If not, make aware of 40 CFR 171-180.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
32.	Prior to shipping universal waste off-site, does the originating handler ensure that the receiver agrees to receive the shipment? [3745-273-38(D)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
33.	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 type="checkbox"/>
a.	If yes, did the originating handler receive the waste back or agree to where shipment was sent? [3745-273-38(E)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
34.	If a handler rejects a partial or full load from another handler, does the receiving handler contact the originating handler to discuss and do <u>one of the following</u> :	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input 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)? [3745-273-38(F)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
35.	If the handler received a shipment of hazardous waste that was not a universal waste, did the LQUWH immediately notify Ohio EPA? [3745-273-38(G)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
TRACKING UNIVERSAL WASTE SHIPMENTS		
36.	Are universal wastes received from another handler? If so:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Is a record (log, invoice, manifest, bill of lading, or other shipping document) of each shipment kept? [3745-273-39(A)] <i>INFORMATION REQUESTED</i>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
37.	Does the record include the following:	
a.	Name and address of the originating handler or foreign shipper? [3745-273-39(A)(1)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
b.	Quantity of each type of universal waste? [3745-273-39(A)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
c.	Date received? [3745-273-39(A)(3)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
38.	Is universal waste shipped to another handler? If so:	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
a.	Is a record of each shipment kept? [3745-273-39(B)] <i>NO DOCUMENTATION PROVIDED</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
39.	Does the record include the following?	
a.	Name and address of universal waste handler, destination facility, or foreign destination? [3745-273-39(B)(1)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
b.	Quantity of each type of universal waste? [3745-273-39(B)(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
c.	Date shipped? [3745-273-39(B)(3)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
40.	Are records kept for three years? [3745-273-39(C)(1)&(2)]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
EXPORTS		
NOTE: Large quantity handlers that export waste to the countries listed in 40 CFR 262.58(a)(1) are subject to 40 CFR 262 subpart H. Large quantity handlers that export waste to a foreign destination other than the countries listed		

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in 40 CFR 262.58(a)(1) are subject to 40 CFR 262.53, 40 CFR 262.56(a)(1) to (a)(4), (a)(6), and (b), 40 CFR 262.57, and 40 CFR 262 subpart E. [3745-273-40]

NOTE: Violations regarding exporting universal waste to foreign destinations should be referred to U.S. EPA Region 5 because the federal counterpart provisions are not delegable to states.

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