



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

July 30, 2013

RE: UA TRANSPORT  
OHR000177196  
COMPLAINT 2628  
CUYAHOGA COUNTY  
NOTICE OF VIOLATION

Taras Yevtukh  
UA Transport  
4160 Bradley Road  
Cleveland, OH 44109

Dear Mr. Yevtukh:

On July 1, 2013, Natalie Oryshkewych and I of the Ohio EPA's Division of Materials and Waste Management conducted a site visit at UA Transport, 4160 Bradley Road, Cleveland, Ohio. On May 1, 2013, there had been a release of used oil from 4160 Bradley Road to which Ohio EPA's Emergency Response personnel responded. The purpose of our visit was to conduct a follow up inspection to determine UA Transport's compliance with used oil and universal waste rules. You represented the business during our inspection.

UA Transport is a trucking company. Maintenance of the vehicles is done in a garage located on site. Used oil is drained from engines and is stored in containers or totes until it is burned in UA Transport's used oil burner. UA Transport does some spray painting of truck hood assemblies but on a limited basis.

Our facility walk through included the garage and the property outside. Outside, and particularly on the hill above the garage, we noted many trucks containing scrap metal, cardboard, metal parts, containers, used batteries and cardboard boxes. We also noted used batteries and cardboard boxes lying on the ground. Closer to the maintenance garage we noted used and new tires accumulating outdoors.

Based on the results of the compliant investigation, UA Transport is in violation of the following regulations of the hazardous, used oil and universal waste rules:

**1. Ohio Administrative Code (OAC) Rule 3745-52-11; Waste evaluation.**

This rule requires that any person who generates a waste must determine if that waste is a hazardous waste or a non-hazardous waste.

We noted a blue, 55-gallon barrel in a truck. (See picture after violation # 2). The barrel wasn't empty and you didn't know what was in it. To abate this violation, UA Transport must determine what is in the blue drum and send the test results to me. If the material is determined to be a hazardous waste UA Transport will have to have it shipped off site to a licensed treatment/storage/disposal (TSD) facility.

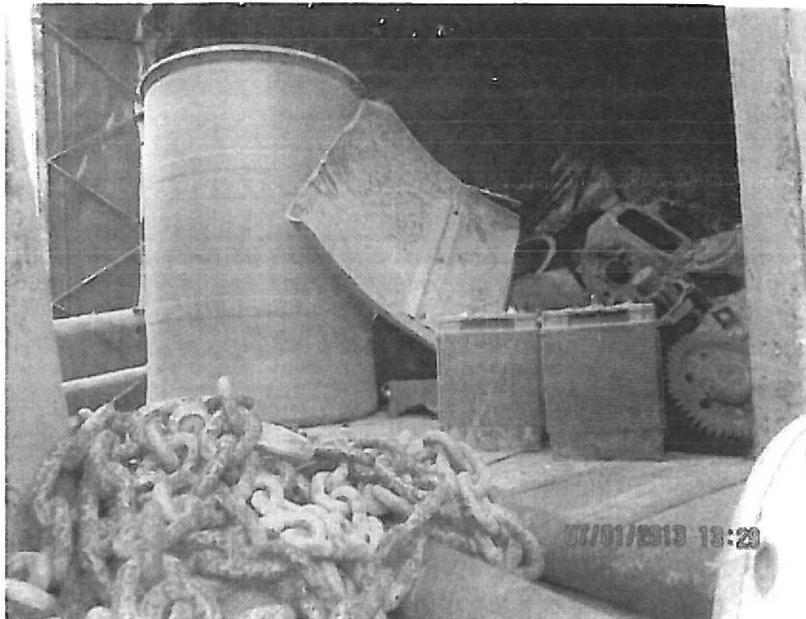
**2. OAC Rule 3745-273-14(A); Universal waste batteries.**

Universal waste batteries or containers of batteries must be labeled with the words "Universal Waste-Batteries" or "Waste Battery (ies)" or "Used Battery (ies)".

As mentioned earlier, we noted several batteries inside the building and outside on the ground and in trucks that were not labeled as is required by the rule.

To abate this violation UA Transport should place all used batteries in the same location indoors, label them with the words "Used Batteries". You will want to keep a log of how long the used batteries are accumulated on-site to make sure that they aren't stored for more than one year.

Please send me a photograph showing that all universal waste batteries are being accumulated in one location or send me paperwork that shows the batteries were sent off site for recycling.



**3. OAC Rule 3745-279-22(C)(1); Used Oil.**

Containers and above ground tanks that are used to store used oil must be labeled with the words, "Used Oil".

Indoors, we noted at least twenty, 55-gallon drums, numerous five gallon pails, and several totes being used to collect used oil. The containers and totes were not labeled with the words "Used Oil" as is required by this rule. We also noted that the holding tank which feeds the used oil burner was not labeled with the words "Used Oil". The attached pictures show the areas where we saw the unlabeled drums and totes of used oil and the used oil burner's tank.

We also noted several 5 gallon pails collecting used oil that were not closed. Ohio EPA recommends placing a lid on all containers of used oil to stop the release of used oil to the ground in the event one of the containers is knocked over. This is especially important where the garage door is located since there is a slight downward slope and used oil could run out of the garage onto the ground.

To abate this violation please send me pictures showing that the containers, totes and tank have all been properly labeled with the words "Used Oil".

**Concerns:**

**Floor Drain:** There is a floor drain in the garage and the floor slopes towards it. You can see in the attached photo that water appears to be flowing into it. In another photo you can see containers holding used oil and that the floor is stained with used oil. Water and oil on the floor would drain into that floor drain. When I asked you where the floor drain drains to, you seemed not to know anything about it. Later on you said that the drain flows to an oil/water separator before it discharges to the sewer.

Please be advised, that when oil is removed from the oil water separator, it must be managed as used oil. Throwing the material into a dumpster, as you alluded may have been done in the past, is not acceptable management of used oil.

**Spray Painting:** We noted spray painting equipment and a truck body being prepped for painting. UA Transport does not have a paint booth and does painting in the maintenance garage. You stated that you do a very small amount of painting. To determine if you need to use a paint booth and get an air permit, you may wish to contact Tamara Girard in Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP). OCAPP is a free, confidential resource for Ohio Business owners who need help with EPA regulations and pollution prevention. You can contact Tamara at 330-963-1200 or at [tamara.girard@epa.ohio.gov](mailto:tamara.girard@epa.ohio.gov)

You told us that UA Transport doesn't generate any hazardous waste from spray painting. Please be advised that should UA Transport generate solvent waste from spray painting in the future, that material would need to be managed as a hazardous waste. Typically the solvent generated from cleaning the spray gun is a hazardous waste and should be collected in a closed container and managed as a hazardous waste. The container should remain closed so that the solvent doesn't evaporate. Evaporation is not considered an appropriate way to manage a hazardous waste.

**Tires:** We saw used and new tires being stored outdoors. Some of the tires had water in them. UA Transport should store the tires in a manner to prevent the accumulation of water in the tires since the water serves as a breeding ground for mosquitos.

On page 7 of photos there is a rusty metal drum in the photo. UA Transport should determine if there is anything in the drum and if there is, properly dispose of it.

UA Transport needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, UA Transport 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 [marlene.kinney@epa.ohio.gov](mailto:marlene.kinney@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, UA Transport is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

You can find copies of the rules and other information on the division's web page at <http://www.epa.state.oh.us/dmwm.aspx>

Should you have any questions, please feel free to call me at (330) 963-1162 or email me at [marlene.kinney@epa.ohio.gov](mailto:marlene.kinney@epa.ohio.gov)

Sincerely,



Marlene M. Kinney  
Environmental Specialist  
Division of Materials and Waste Management

MMK:ddw

Enclosure

ec: Jeff Mayhugh, DMWM, CO  
Nyall McKenna, DMWM, NEDO  
Natalie Oryshkewych, DMWM, NEDO

Completed verification forms required to be submitted to CO should be e-mailed to [EPA.Verification@epa.state.oh.us](mailto:EPA.Verification@epa.state.oh.us).

<b>Site EPA ID No.</b>	EPA ID Number: <b>OHR000177196</b>	
<b>Site Name</b>	Name: <b>UA Transport</b>	Website: (Optional)
<b>Site Location Information</b>	Street Address: <b>4160 Bradley Rd</b>	
	City, Town, or Village: <b>Cleveland</b>	State: <b>OH</b>
	County Name: <b>Cuyahoga</b>	Zip Code: <b>44109</b>
<b>Site Land Type</b> (check only one)	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>NAICS code(s)</b> <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>		

<b>Facility Representative</b>	First Name: <b>Taras</b>	MI:	Last Name: <b>Yevtukh</b>
	Title: <b>Property Manager</b>		
Additional names can be recorded in number 12	Phone Number: <b>216-816-6111</b>	Phone Number Extension:	
	E-Mail Address: <b>t.yevtukh@yahoo.com</b>		
Only provide address information if it is different than the site 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: <b>Yevtukh Brothers Inc.</b>		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:		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 type="checkbox"/>	
	Street or P.O. Box:			
	City, Town or Village:		Operator Phone #:	
	State:		Country	Zip Code:

**VIOLATIONS CITED?**     Yes     No

<b>TYPE OF HANDLER - MARK "X" AS APPROPRIATE</b>		
<input checked="" type="checkbox"/> Not a HW Generator	<input 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 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  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Additional Facility Representatives: |
| Tanks      | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |                                      |
| Containers | <input type="checkbox"/> Yes            | <input type="checkbox"/> No |                                      |

Name of Inspector(s)  
**Marlene Kinney**

Name of Inspector(s)  
**Natalie Oryshkewych**

Date of Inspection/Time  
 (mm/dd/yyyy) (hh:mm)  
**7/1/2013**

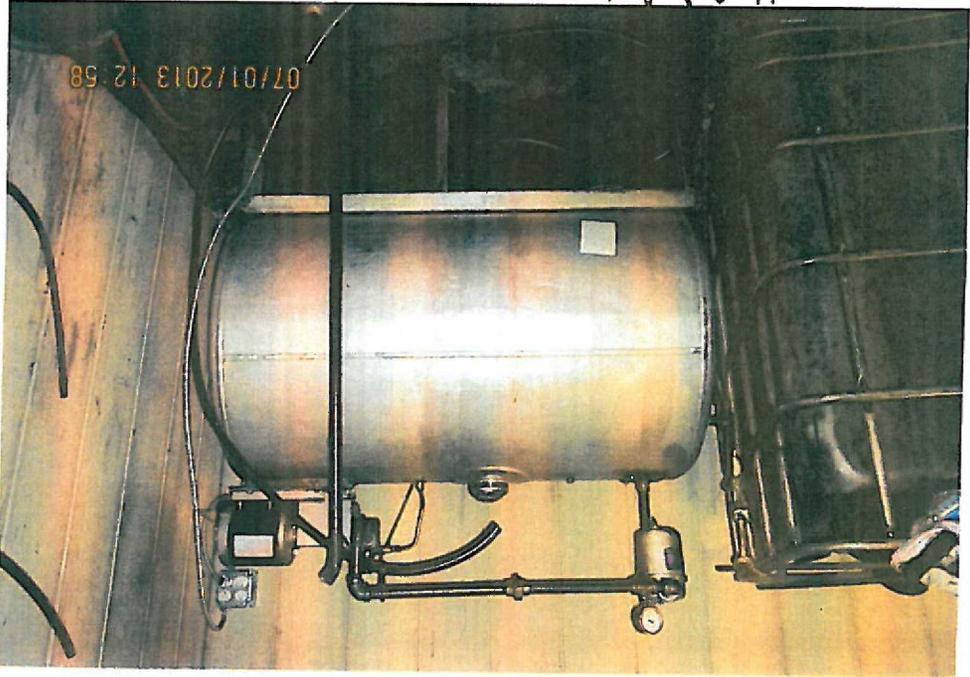
**Comments:**

**Complaint forwarded to DMWM for follow up after ER responded to an oil spill at the location. Violations of the used oil rules and universal waste, batteries, rules.**

Unlabeled pails of used oil



Unlabeled tank and lots of used oil



Unlabeled lots of used oil



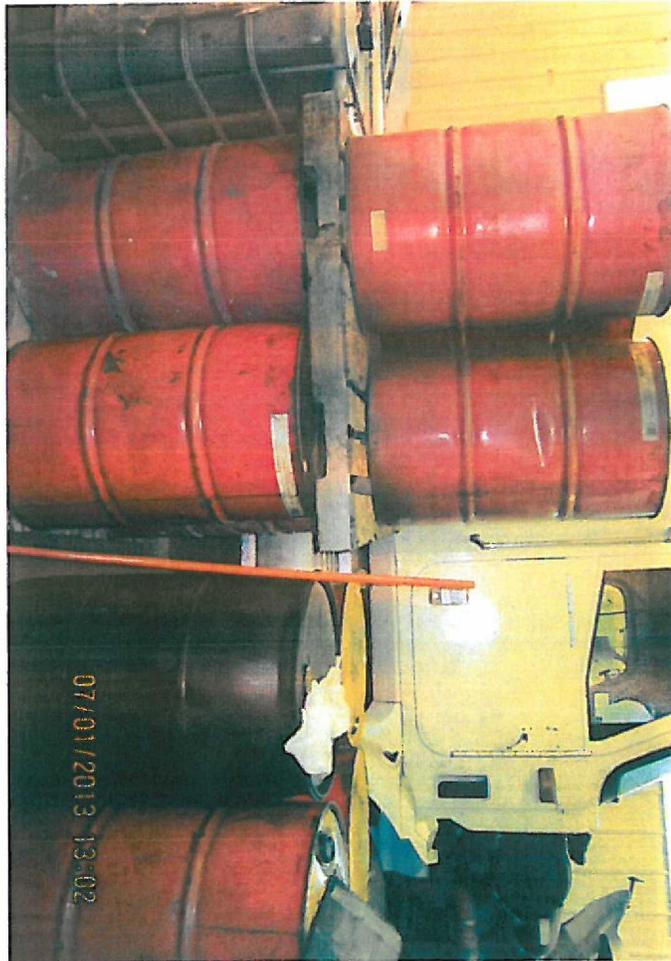
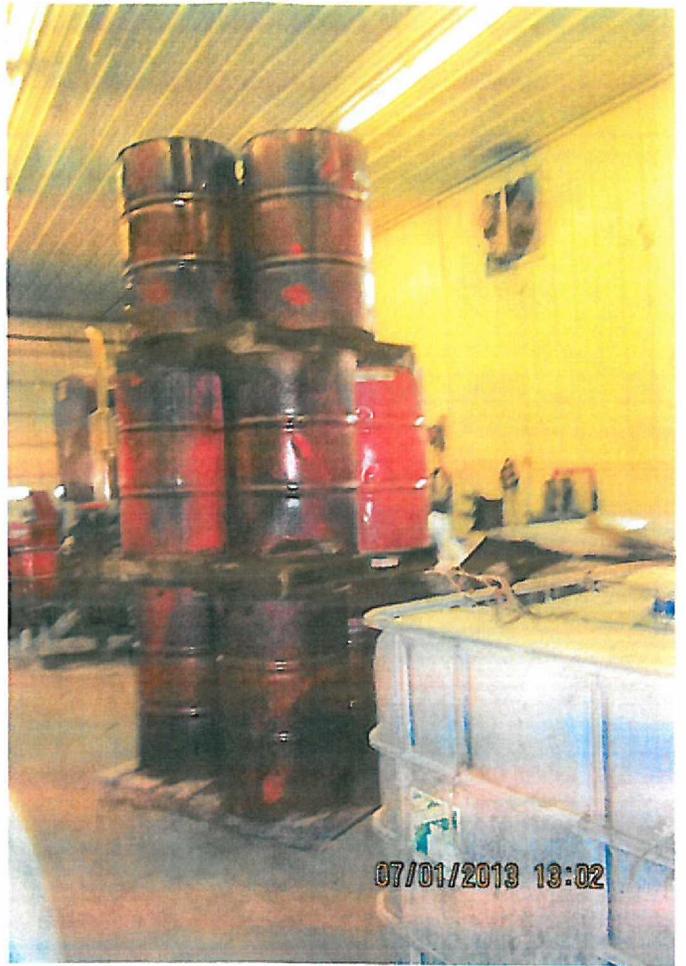
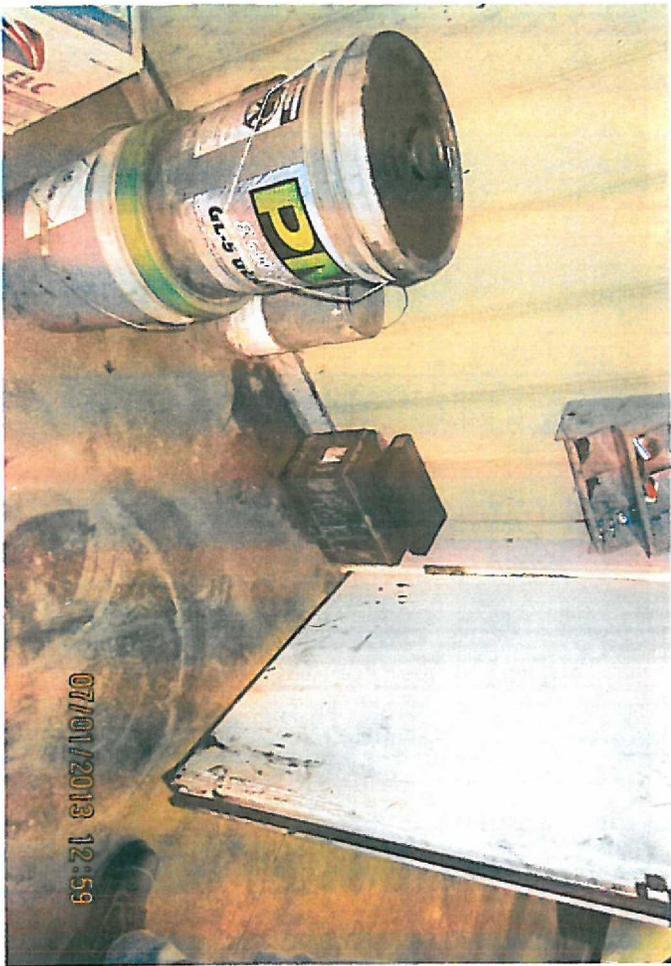
Uncovered, unlabeled containers of used oil



PAI Transpost

⊖

Unlabeled used battery

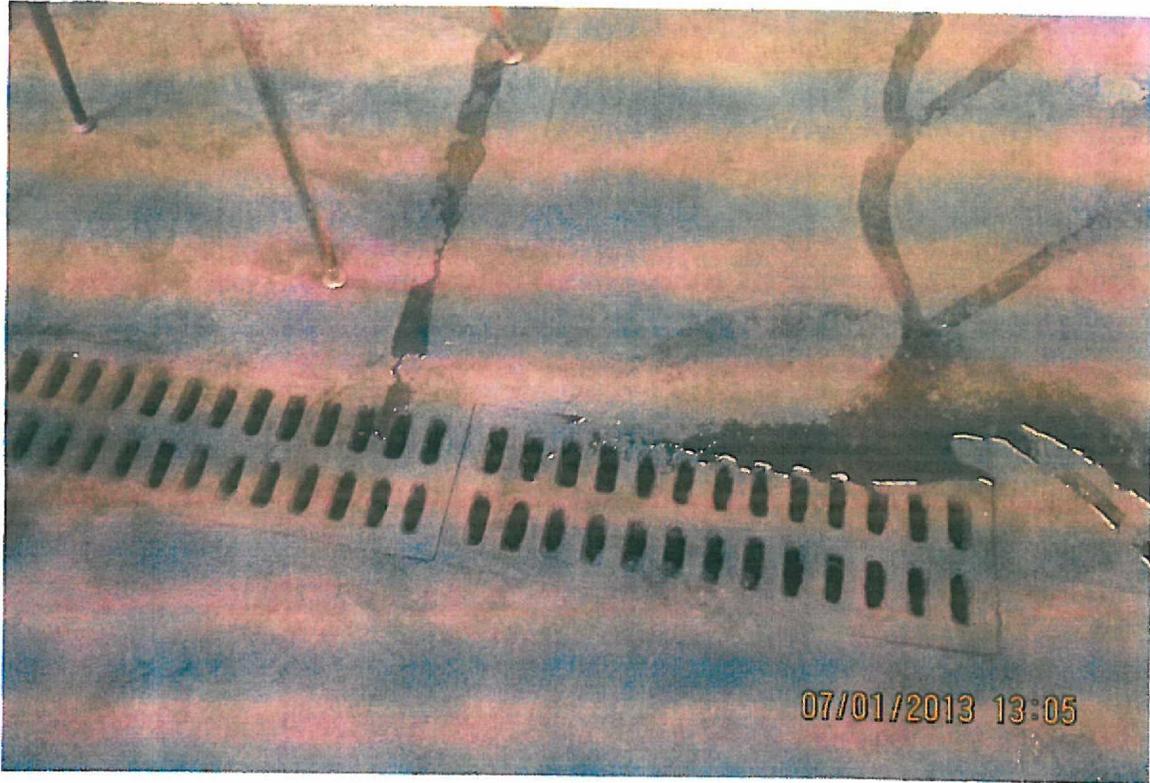


UA Transport  
Drums of used oil not  
labeled "Used Oil"

~~Unlabeled~~  
Unlabeled used battery

(2)

U A transport



Floor Drain

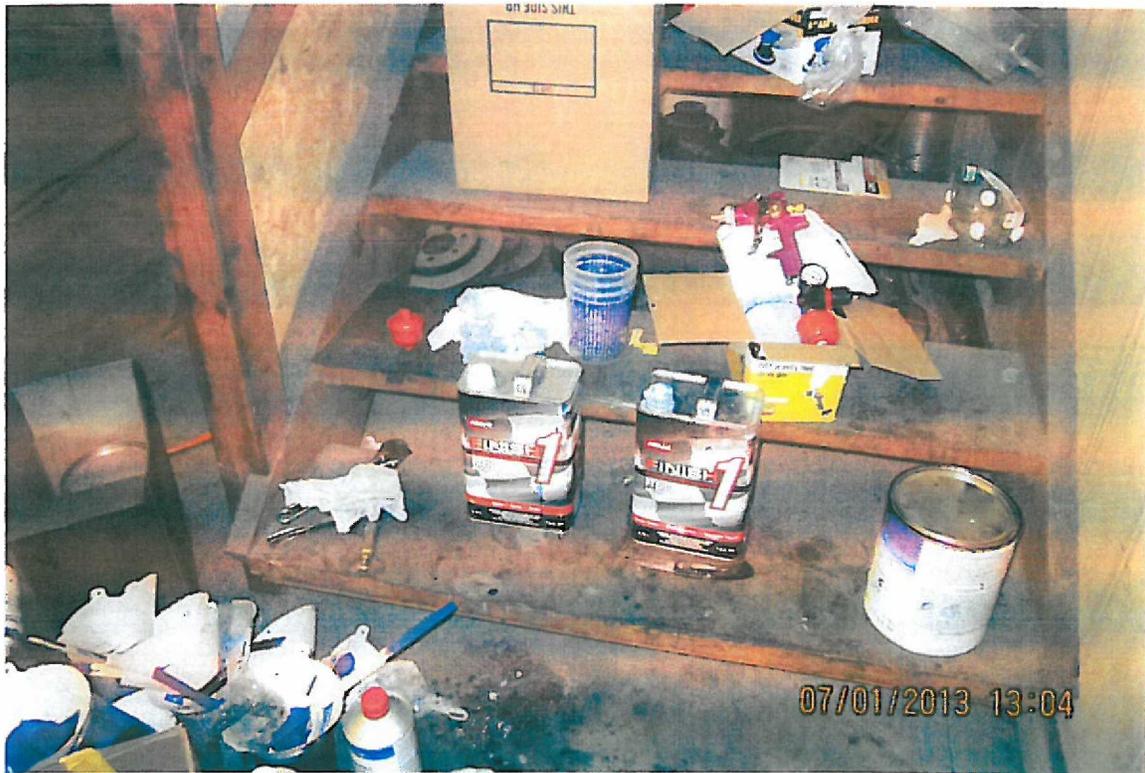


Containers of used oil. Not labeled. Leaks from these containers would flow to the floor drain pictured above (3)



Air hoses for spray painting

UA  
Transport



spray painting equipment & materials

④



Hood being prepared for spray painting

UA Transport

5



Tires - water in tires

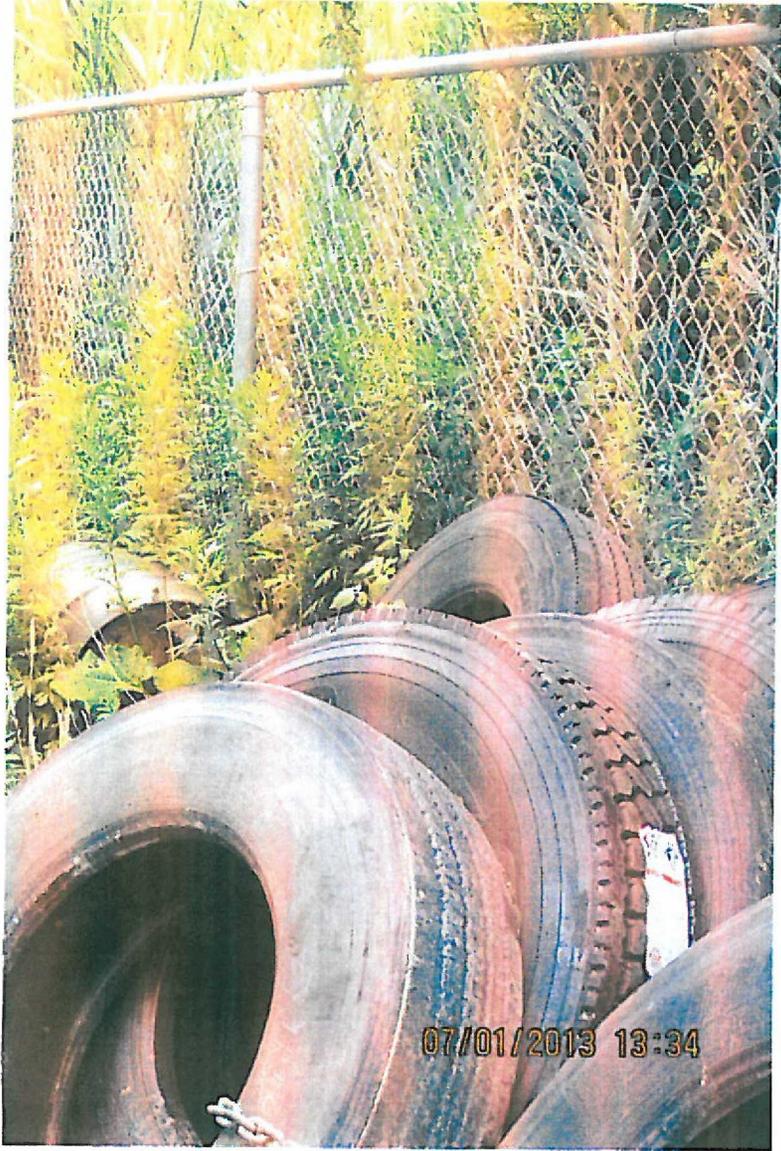
UA Transport



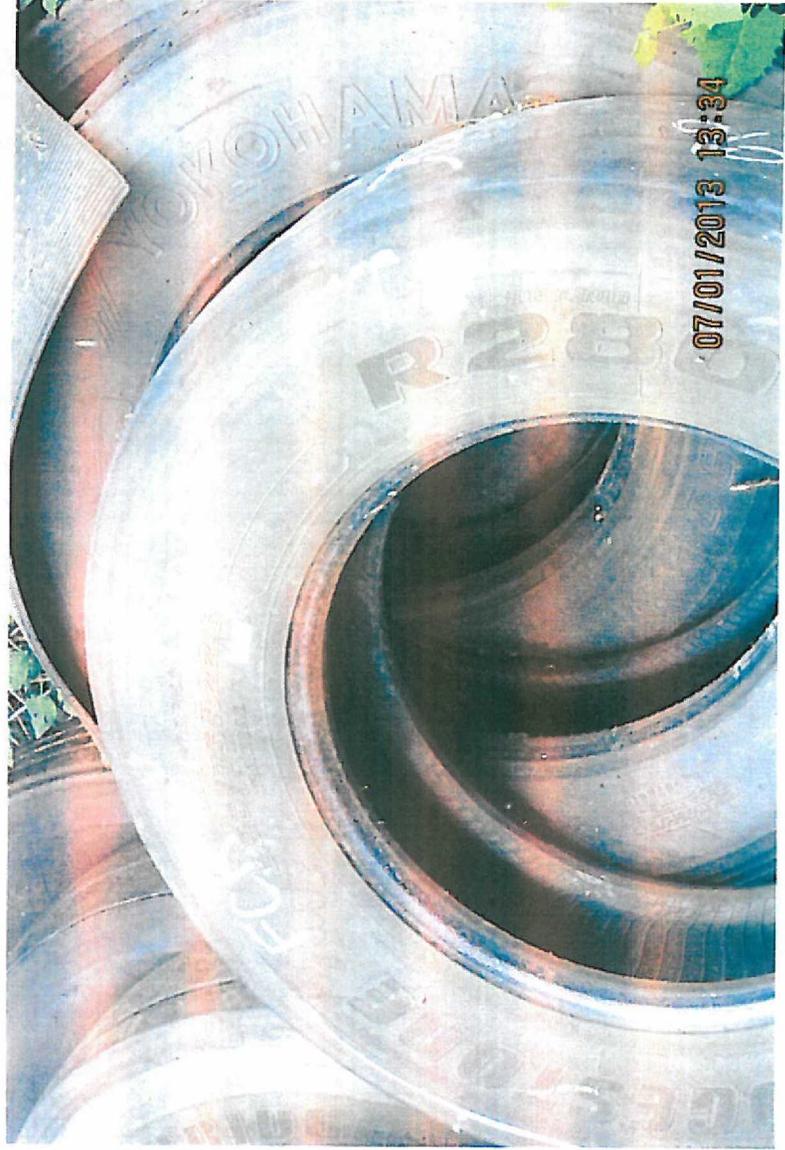
Tires

⑥

JA  
Transport



Tires & Drum



7



VA Transferport  
Dump metal, cardboard,  
used battery

⑧



**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 type="checkbox"/> N/A <input type="checkbox"/>
	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 type="checkbox"/>

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 type="checkbox"/> N/A <input type="checkbox"/>
3.	Is off-specification used oil fuel burned for energy recovery in devices specified in 3745-279-12(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

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 type="checkbox"/> N/A <input type="checkbox"/>
	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 type="checkbox"/>

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 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 type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input checked="" 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"/>
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"/>
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 checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Stopped the release?	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	b. Contained the release?	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	c. Cleaned up and properly managed the used oil and other materials?	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	d. Repaired or replaced the containers or tanks prior to returning them to service, if necessary?	Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>

Stopped a release of used oil after ER responded -

No visible leaks but tops of containers appeared to have had leakage along the sides in the past. Tops of containers show stains from oil

[Facility Name/Inspection Date]

[ID Number]

Used Oil Checklist for Generators/August 2009

Page 1 of 2

<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"/>
<i>NOTE: Ash accumulated in a space heater must be managed in accordance with 3745-279-10(E).</i>		
<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"/>
<i>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).</i>		
<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"/>
<i>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.</i>		

**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**

3.	Are batteries that show evidence of leakage, spillage or damage that could cause leaks contained? [3745-273-13(A)(1)] <i>Didn't see any</i>	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)] <i>No batteries were contained</i>	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 checked="" type="checkbox"/> N/A <input 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 checked="" type="checkbox"/> N/A <input type="checkbox"/>

**UNIVERSAL WASTE LAMPS - Didn't note any 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 type="checkbox"/> N/A <input checked="" 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 type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
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**ACCUMULATION TIME**

11.	Is the waste accumulated for less than one year? [3745-273-15(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	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

[Facility Name/Inspection Date]  
[ID number]

	proper recovery, treatment or disposal? (Burden of proof is on the handler to demonstrate) [3745-273-15(B)]	
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*NOTE: Accumulation is defined as date generated or date received from another handler.*

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 type="checkbox"/> N/A <input checked="" type="checkbox"/>
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**EMPLOYEE TRAINING** - Batteries should not be stored on the ground / more were labeled

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 checked="" type="checkbox"/>
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**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** - Have never shipped off-site

*NOTE: If a SQUWH self-transport waste, then the handler must comply with the Universal Waste transporter requirements.*

17.	Are universal wastes sent to either another handler, destination facility or foreign destination? [3745-273-18(A)]	Yes <input 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 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 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 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 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</u> of the following:	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)? [3745-273-18(F)(2)]	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input 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 type="checkbox"/>

**EXPORTS**

*NOTE: Small quantity handlers that export waste to the countries listed in 40 CFR 262.58(a)(1) are subject to 40 CFR 262 subpart H. Small quantity handlers that export waste to a foreign destination other than the countries listed 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. [3745-273-20]*

[Facility Name/Inspection Date]

[ID number]

*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.*

[Facility Name/Inspection Date]  
[ID number]