



State of Ohio Environmental Protection Agency

**STREET ADDRESS:**

Lazarus Government Center  
122 S. Front Street  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184

**MAILING ADDRESS:**

P.O. Box 1049  
Columbus, OH 43216-1049

November 24, 2004

[REDACTED]

Dear [REDACTED]

As you may recall we visited your facility in 2001, to determine how you manage lamps, if lamp recycling is occurring at your site, and if so how each material and/or waste is handled. We provided you with information at that time about what the Universal Waste Rule (UWR) for lamps would mean to you. We also contacted you directly by telephone during the week of [REDACTED], to discuss with you how the newly adopted Universal Waste Rule for lamps will affect your business.

The Universal Waste Rule for lamps will be effective in Ohio on December 7, 2004. This rule includes any lamps which exhibit a characteristic of a hazardous waste. The Universal Waste Rule's (UWR) biggest impact will be on those facilities physically recycling lamps (i.e., crushing, retorting, etc.)

If you are storing the lamps before you are recycling them on-site, you must first obtain a Hazardous Waste Installation and Operation Permit (Permit) to continue storing the lamps. The lamp recycling process does not require a permit; however, the storage on-site prior to recycling must be covered by the permit. If you choose not to physically recycle lamps at your site once the UWR for lamps is effective on December 7, 2004, you will not be required to obtain a Permit.

For existing permitted facilities

In accordance with OAC rule 3745-50-40(B), permitted facilities with a newly regulated waste management unit subject to these new requirements shall be deemed to have a permit by rule for such newly regulated unit provided that the owner or operator complies with paragraph (H) of OAC rule 3745-50-51 by submitting a Class 1 modification no later than thirty days after the effective date of the new rule.

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Christopher Jones, Director

## **For non-permitted facilities:**

In accordance with OAC rule 3745-50-40(C), owners or operators of facilities without a Permit who become subject to hazardous waste permitting requirements due to statutory or regulatory changes shall be deemed to have a permit by rule for the newly regulated hazardous waste management unit provided they submit a "Part A" permit application to the director no later than thirty days after the effective date of the new rule. The "Part A" permit application must meet the requirements of OAC rule 3745-50-43 of the Ohio Administrative Code. Requirements for the State "Part A", although similar, are not identical to the federal "Part A" requirements. The current version of the "Part A" application form can be found at the following U.S. EPA web site: <http://www.epa.gov/epaoswer/hazwaste/data/form8700/forms.htm> . Please be certain to include all of the requirements of OAC rule 3745-50-43, even if they are not found on the current U.S. EPA web site's electronic version.

In addition, an owner or operator authorized with a permit by rule under paragraph (C) of OAC rule 3745-50-40 must submit to the director a "Part B" application for a hazardous waste facility installation and operation permit for the facility within one hundred eighty days after the director has requested the application.

If you are storing prior to recycling hazardous waste lamps on December 7, 2004, you will be subject to the following requirements:

### Corrective Action:

EPA's program to address the investigation and cleanup of contamination from solid waste facilities, hazardous waste facilities, and USTs.

### Closure:

Procedure that a hazardous waste management facility undergoes to cease operations and ensure protection of human health and the environment in the future.

### Financial Assurance:

Under RCRA Subtitle C, the requirements designed to ensure that TSDF owners and operators will have the financial resources to pay for closure, post-closure, and liability costs.

### Hazardous Waste Management Standards:

During the duration of the permit-by-rule the owner or operator must conduct the newly regulated activity in accordance with the "Part A" permit application and in compliance with Chapters 3745-65 to 3745-69 and 3745-248 of the Administrative Code.

If you choose not to physically recycle lamps at your site once the UWR for lamps is effective on December 7, 2004; then you will not be required to obtain a Uniform Hazardous Waste Installation and Operation Permit (Permit). If you are a person who

generates, receives, or stores but does not treat, crush, dispose of, or recycle UW generated elsewhere then you must comply with the Universal Waste rules for handlers found at the Ohio Administrative Code (OAC) Chapter 3745-273. If you choose to accept crushed lamps, you are required to first obtain a Permit.

If you have any questions about the permit process, contact Dennis DeNiro of the Engineering Unit at 614-644-2917. If you have questions about the management of lamps under the UWR, or any other questions please contact either the Division of Hazardous waste Management, Regulatory Services Unit at 614-644-2966, or your District Office Hazardous Waste Inspector.

Sincerely,



Michael A. Savage, Chief  
Division of Hazardous Waste Management

MS:pm

g:\msavage

ec: DHWM DO Managers/Supervisors  
Ed Lim, Manager, ERAS, DHWM  
Jeff Mayhugh, Supervisor, Technical Support Unit  
Jeremy Carroll, Supervisor, ERAS