



State of Ohio Environmental Protection Agency

**Southeast District Office**

2195 Front Street  
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490  
www.epa.state.oh.us

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

January 25, 2010

**MUSKINGUM COUNTY  
GENERAL FILE  
(BALDERSON MOTOR SALES)  
DHWM/SEDO  
OHD061760054**

Mr. Tom Balderson  
Balderson Motor Sales  
2770 N. Maple Ave.  
Zanesville, Ohio 43702-0785

Dear Mr. Balderson:

On January 14, 2010, Vicky German and I performed a compliance inspection of Balderson Motor Sales to determine its compliance with Ohio's hazardous waste laws and regulations as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

Based on our observations and the documentation reviewed from the inspection, your facility is in violation of the following regulation. Please provide the documentation requested below within thirty days of the date of this letter:

- (1) **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 lamps in containers or packages that are structurally sound, adequate to prevent breakage,...Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage...

During the inspection, we observed spent bulbs that were not placed into proper containers to protect them from breakage. Please provide photographs showing that the spent bulbs are properly stored in containers.

- (2) **OAC rule 3745-273-14 (E), Labeling/marketing standards for small quantity handlers of universal waste:** 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 -Lamps" or "Waste Lamps" or "Used Lamps."

Mr. Tom Balderson  
Balderson Motor Sales  
January 22, 2010  
Page 2

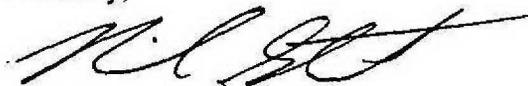
During the inspection, we observed spent bulbs that were not properly labeled. Please provide photographs indicating that the containers of bulbs have been properly labeled.

**GENERAL COMMENTS**

- (a) Please see the attached fact sheet regarding the disposal of spent fluorescent bulbs. Please indicate what company you plan to use to collect your bulbs for recycling.

I have attached the checklists that I used to evaluate your facility for your information. Additional information on the hazardous waste rules is available on Ohio EPA's website at [www.epa.state.oh.us](http://www.epa.state.oh.us). If you have any questions regarding waste management or pollution prevention activities, please call me at (740) 380-5278.

Sincerely,



Richard Stewart  
District Representative  
Division of Hazardous Waste Management

RS/mlm

**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.

Ohio Environmental Protection Agency  
**RCRA SUBTITLE C SITE  
 IDENTIFICATION/VERIFICATION FORM**

For Ohio EPA use only

E-mail this completed form to [kristina.durnell@epa.state.oh.us](mailto:kristina.durnell@epa.state.oh.us)  
 or mail it to Kristina Durnell, Central Office

Site EPA ID No.	EPA ID Number: OHD061760054											
Site Name	Name: Balderson Motor Sales					Website: (Optional)						
Site Location Information	Street Address: 2770 N Maple Ave.											
	City, Town, or Village: Zanesville					State: OH						
	County Name: Muskingum					Zip Code: 43701-1772						
Site Land Type (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"/>				
NAICS code(s) <a href="http://www.census.gov/epcd/www/naics.html">www.census.gov/epcd/www/naics.html</a>												
Facility Representative  Additional names can be recorded in number 12  Only provide address information if it is different than the site address	First Name: Tom			MI:	Last Name: Balderson							
	Phone Number: 740-453-0558					Phone Number Extension:						
	E-Mail Address:					Fax Number Extension:						
	Fax Number:					Fax Number Extension:						
	Street or P.O. Box: Same											
	City, Town or Village:					State:					Country:	Zip Code:
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: Same					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):						
	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:					Operator Phone #:						
	State:					Country:					Zip Code:	
Violations Cited?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No											
Type of Generator												
<input type="checkbox"/> Not Regulated					<input checked="" type="checkbox"/> Conditionally Exempt Small Quantity Generator							
<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11					<input type="checkbox"/> United States Importer of Hazardous Waste							
<input type="checkbox"/> Large Quantity Generator (LQG)					<input type="checkbox"/> Mixed Waste (Hazardous and Radioactive) Generator							
<input type="checkbox"/> Small Quantity Generator (SQG)												
Type of Regulated Waste Activity (Mark "X" in all of the appropriate boxes)												
<input type="checkbox"/> Recycler of Hazardous Waste					<input type="checkbox"/> Exempt Boiler and/or Industrial Furnace							
<input type="checkbox"/> Underground Injection Control Facility					<input type="checkbox"/> Small Quantity On-Site Burner Exemption							
<input type="checkbox"/> Hazardous Waste Transporter					<input type="checkbox"/> Smelting, Melting, Refining Furnace Exemption							
<input type="checkbox"/> Treater, Storer or Disposer of Hazardous Waste												

Universal Waste Activities (Indicate types of universal waste generated and/or accumulated (check all boxes that apply))					
<input checked="" type="checkbox"/> Small Quantity Handler of Universal Waste			<input type="checkbox"/> Large Quantity Handler of Universal Waste (accumulates 5,000 kg. or more)		
<input type="checkbox"/> Destination Facility for Universal Waste					
(Check all boxes below that apply for each of the three types of facilities above)			Used Oil Activities (Indicate Type(s) of Activity(ies))		
Generated		Accumulated	<input checked="" type="checkbox"/> Used Oil Generator	<input type="checkbox"/> Off-Specification Used Oil Burner	
Batteries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transporter	<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil	
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Transfer Facility	<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner	
Thermostats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Processor		
Lamps	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Used Oil Re-refiner		
Waste Codes for Federally Regulated Hazardous Wastes. Please list the codes for the federally regulated hazardous waste handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more space is needed. If there are more than 7 waste codes and they are the same as listed in the most recent RCRAInfo source record, you do not need to list them all. Instead just indicate the date of the most recent source record.					
D001	D035	F001	F005		
Comments: Use this area to describe whether the inspection was announced, whether the waste is stored in tanks or containers, etc.					
Announced	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Additional Facility Representatives:		
Tanks	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other Comments:		
Containers	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			
Name of Inspector(s)		Name of Inspector(s)		Date of Inspection/Time (mm/dd/yyyy) (hh:mm)	
Rich Stewart		Vicky German		1/14/2010 11:30-12:30	
OPTIONAL CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.					
Signature of Owner, Operator, or an Authorized Representative		Name and Title (Print)		Date (mm/dd/yyyy)	

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

*NOTE: 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.*

**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"/>
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"/>

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

**ON-SITE BURNING IN SPACE HEATER**

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	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

	generators?	
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).*

**GENERATOR TRANSPORTATION**

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).*

**COLLECTION CENTERS AND AGGREGATION POINTS**

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.*

**CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR REQUIREMENTS  
COMPLETE AND ATTACH A PROCESS, WASTE, P2 SUMMARY SHEET**

CESQG: ≤100Kg. (Approximately 25-30 gallons) of waste in a calendar month or < 1 Kg. of acutely hazardous waste.  
 SQG: Between 100 and 1,000 Kg. (About 25 to under 300 gallons) of waste in a calendar month.  
 LQG: ≥ 1,000 Kg. (~300 gallons) of waste in a calendar month or ≥1 Kg. of acutely hazardous waste in a calendar month.  
 NOTE: To convert from gallons to pounds: Amount in gallons x Specific Gravity x 8.345 = Amounts in pounds.

Safety Equipment Used:

**WASTE EVALUATION**

1.	Have all wastes generated at the facility been adequately evaluated? [3745-52-11]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**GENERATOR CLASSIFICATION**

2.	Does the generator produce <100 kg. of hazardous waste per month? [conditionally exempt small quantity generator ("CESQG")]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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NOTE: If quantities of hazardous waste accumulated on-site at any one time exceed 1,000 Kg. - or the generator produces between 100 and 1,000 Kg. of hazardous waste per month, it is operating as a Small Quantity Generator ("SQG"). If so, complete the Small Quantity Generator Requirements checklist.

**OFF-SITE SHIPMENT OF HAZARDOUS WASTE**

3.	Does the CESQG ensure delivery of hazardous waste(s) to an off-site permitted TSD? [3734.02(F)]	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
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**TREATMENT OF HAZARDOUS WASTE**

4.	Does the generator treat hazardous waste in a:	
	a. Container that meets 3745-66-70 to 3745-66-77?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	b. Tank that meets 3745-66-90 to 3745-66-101 except 3745-66-97(C)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	c. Drip pads that meet 3745-69-40 to 3745-69-45?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
	d. Containment building that meets 3745-256-100 to 3745-256-102?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

NOTE: Complete appropriate checklist for each unit.

NOTE: If the CESQG conducts treatment they are subject to the LQG requirements.

NOTE: If waste is treated to meet LDRs, use LDR checklist.

**MIX HAZARDOUS WASTE WITH USED OIL**

5.	Does the CESQG mix its hazardous waste with used oil for the purpose of burning for energy recovery? [3745-51-05(J)] If so:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
	a. Does the CESQG manage the mixture in accordance with 3745-279-21?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>

## PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Facility Type: LQG SQG CESQG TSD Date of Inspection: 1/22/10 EPA ID#: OHD061760054

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 Vehicle maintenance	Batteries	several	NA	Interstate Battery, Zanesville, OH	recycled	
2 Vehicle maintenance	Used oil- Non Haz	<100 gallons/mo	UO Furnace	NA	energy recovery	
3 Parts cleaning	Washer solvent/Non Haz	32 gal/mo	NA	Environmental Specialists of Columbus Heath, OH	reclaimed	
4 Auto painting	Paint waste/D001/D035/F001/F005	<55 gal/yr	NA	Environmental Specialists of Ohio Heath, OH	fuel blending	
5 Lighting	Spent bulbs	several/year	NA	Disposed w/ solid waste?	NA	recycle
6						
7						

## REMARKS - GENERAL INFORMATION

### **General Process Information:**

Balderson Motor Sales performs mechanical and body repairs on automobiles and commercial trucks. A used oil furnace is used on-site.

### **Regulatory/Enforcement History** (if applicable):

Last DHWM inspection was performed in 1995, no violations were cited at that time.

### **Additional P2 remarks and information:**

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:**

Minimal amount of hazardous wastes are generated at this facility.

**Rich Stewart - Re: former UTA property contact for access agreement**

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**From:** Greg Kinsall <greg\_kinsall@coxcolvin.com>  
**To:** Rich Stewart <rich.stewart@epa.state.oh.us>  
**Date:** 1/19/2010 10:05 AM  
**Subject:** Re: former UTA property contact for access agreement  
**CC:** Levengood Cory <cory.levengood@aksteel.com>, <mconaghy.christine@epa.gov>

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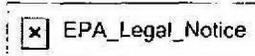
Thanks Rich,

We will contact them immediately.

Greg

Rich Stewart wrote:

I got this info from the realtor: Pelican Land Holding LLC: Gary Appleman 740-819-2382.  
Rich

 EPA\_Legal\_Notice

--  
Gregory S. Kinsall, CPG  
Senior Scientist  
Cox-Colvin & Associates, Inc.  
7750 Corporate Blvd.  
Plain City, Ohio 43064  
614-526-2040

"Expertise...when you need it most"

2020...Are you Ready?  
Visit us at [www.CoxColvin.com](http://www.CoxColvin.com) for more information