



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Rd.
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.ohio.gov

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

Re: **Baker's Gas & Welding
Supplies, Inc.**
OHD018421347
Used Oil Generator Fulton
County, NWDO
NOV

May 17, 2010

Mr. Josh Kissling, Manager
Bakers Gas & Welding Supplies, Inc.
1299 North Shoop Avenue
Wauseon, Ohio 43567

Dear Mr. Kissling:

On May 4, 2010, I conducted a compliance evaluation inspection of Bakers Gas & Welding Supplies, Inc.'s, facility located at 1299 North Shoop Avenue in Wauseon, Ohio. I inspected Bakers Gas & Welding Supplies, Inc. to determine the facility's compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC). Ohio EPA records indicate that the facility was previously operating as a small quantity generator of hazardous waste under the name Wauseon Ford Inc. My inspection included a tour of the facility as well as a review of facility records. We also discussed ways to prevent pollution during the inspection.

Bakers Gas & Welding Supplies, Inc. is a retailer of Propane and LP Gas and welding supplies. My tour of the facility and review of facility records indicates that Bakers Gas & Welding Supplies, Inc. does not generate hazardous waste at this location. Minor repairs, such as oil changes on company vehicles are performed at this location. Used oil generated from this process is transported via company vehicles to a Bakers Gas & Welding Supplies, Inc., located in Monroe, Michigan where it is consolidated for recycling. Used oil filters are hot drained and disposed as solid waste. Bakers Gas & Welding Supplies, Inc. also generates spent fluorescent lamps which are currently disposed as solid waste.

I found the following violation of Ohio's hazardous waste laws. In order to correct this violation you must do the following and send me the required information **within 30 days** of your receipt of this letter:

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

Bakers Gas & Welding Supplies, Inc. has failed to evaluate the spent fluorescent lamps used throughout the facility to determine if they are hazardous waste. Bakers Gas & Welding Supplies, Inc. is currently disposing of these fluorescent lamps as solid waste.

Bakers Gas & Welding Supplies, Inc. must immediately cease disposing of the spent fluorescent lamps as non-hazardous waste until a proper waste evaluation has been completed. The spent fluorescent lamps typically contain mercury and other heavy metals which could make them a hazardous waste.

Bakers Gas & Welding Supplies, Inc. has the option of handling spent fluorescent lamps as hazardous waste or as **universal waste**. Managing hazardous waste lamps under the universal waste rules eases certain regulations imposed on generators of spent fluorescent lamps.

To abate this violation, Bakers Gas & Welding Supplies, Inc. must choose one of the following options for the spent fluorescent lamps:

i. Disposal Option:

Baker's Gas & Welding Supplies, Inc. may manage the lamps as a hazardous waste. Baker's Gas & Welding Supplies, Inc. must sample each type and brand of lamp used at the facility for Resource Conservation and Recovery Act (RCRA) metals using a Toxicity Characteristic Leaching Procedure (TCLP) test. Baker's Gas & Welding Supplies, Inc. must ensure that all spent fluorescent lamps that are determined to be hazardous waste are disposed of at a permitted hazardous waste disposal facility. Baker's Gas & Welding Supplies, Inc. must submit all analytical results to Ohio EPA along with a description of how the spent lamps will be managed or,

ii. Recycling Option:

In lieu of evaluating and disposing of the spent fluorescent lamps, Baker's Gas & Welding Supplies, Inc. may manage spent fluorescent lamps as universal waste. Universal waste spent fluorescent lamps must be stored in a closed and labeled container. This container must be properly labeled with the wording "**Universal Waste Lamp(s)**", "**Waste Lamp(s)**", or "**Used Lamp(s)**".

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Baker's Gas & Welding Supplies, Inc. must also track the accumulation of the spent lamps to ensure spent lamps are not stored for greater than 365 days. This can be accomplished with recycling receipts or by marking the container with the accumulation start date (the day the first lamp is placed in the container).

I did not observe any spent lamps in storage during the inspection.

Ohio EPA recommends that spent lamps be managed as a universal waste and recycled. If Baker's Gas & Welding Supplies, Inc. should choose the recycling option, you should submit to me the name of the recycling facility Baker's Gas & Welding Supplies, Inc. intends to use.

I provided you with the following fact sheets during the inspection: Universal Waste Rules for Handlers of Lamps, dated June 2005; Fluorescent Lamps: What You Should Know, dated January 2007; Lamp Recyclers in Ohio.

As we discussed during the inspection, you may be able to reduce the waste your company generates. If you find ways to recycle, reduce or eliminate the amount of waste that your company generates you may be able to reduce treatment and disposal costs as well as regulatory requirements. During the inspection, I observed potential P2 opportunities associated with your operation(s). P2 options that you may want to evaluate for this operation include sending your spent used oil filters off-site for recycling of the metal content. I provided you with the following fact sheets during the inspection: Used Oil Recyclers.

The Ohio Department of Development's Office of Energy Efficiency may be able to help with energy efficiency issues. Their website is at:
<http://www.development.ohio.gov/cdd/oeef/>

If you would like a free, non-regulatory on-site pollution prevention assessment or if you would like more information about pollution prevention, please contact me at (419) 373-3056. Ohio EPA has helpful information about this at the following web address: <http://www.epa.ohio.gov/ocapp/>

The Division of Hazardous Waste Management (DHWM) has created an electronic news service to provide you with updates related to hazardous waste activities in Ohio. You can find more information and sign up for this free service at the following Web link:

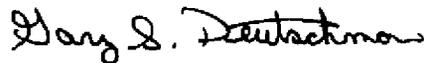
http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage

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Enclosed is a copy of the checklists that I completed as a result of the inspection. You can find Ohio's hazardous waste rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>

Should you have any questions, please feel free to call me at 419 (373-3056).

Sincerely,



Gary S. Deutschman
Environmental Specialist III
Division of Hazardous Waste Management

/llr

pc: Cindy Lohrbach, DHWM, NWDO
Colleen Weaver, Supervisor, DHWM, NWDO
DHWM, NWDO File - General file, Fulton County
ec: Gary Deutschman, DHWM, NWDO

NOTICE:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with applicable regulations.

Send to Central Office <input type="checkbox"/>	Ohio Environmental Protection Agency RCRA SUBTITLE C SITE IDENTIFICATION/VERIFICATION FORM	For Ohio EPA use only
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Completed verification forms required to be submitted to CO should be e-mailed to kristina.durnell@epa.state.oh.us.

Site EPA ID No.	EPA ID Number: OHD018421347	
Site Name	Name: Baker's Gas & Welding Supplies, Inc.	Website: bakersgas.com (Optional)
Site Location Information	Street Address: 1299 N. Shoop Avenue	
	City, Town, or Village: Wauseon	State: OH
	County Name: Fulton	Zip Code: 43567
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) www.census.gov/epcd/www/naics.html		

Facility Representative	First Name: Josh	MI:	Last Name: Kissling
	Title:		
Additional names can be recorded in number 12	Phone Number: 419-335-2220	Phone Number Extension:	
	E-Mail Address: jkissling@bakersgas.com		
Only provide address information if it is different than the site address	Fax Number: 419-335-2240	Fax Number Extension:	
	Street or P.O. Box:		
	City, Town or Village:		
	State:	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: Klemz Real Estate LLC		Date Became Owner (mm/dd/yyyy): 08/02/1996	
	Owner Type: <input checked="" type="checkbox"/> Private	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: po box 2318			
	City, Town or Village: Monroe		Owner Phone #:	
	State: Mi	Country: USA	Zip Code: 48161	
	Name of Site's Operator:		Date Became Operator (mm/dd/yyyy):	
	Operator Type: <input type="checkbox"/> Private	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
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TYPE OF HANDLER - MARK "X" AS APPROPRIATE	
<input checked="" type="checkbox"/> Not a HW Generator	<input type="checkbox"/> UNKNOWN: Cited for violation of 3745-52-11
<input type="checkbox"/> Short-Term 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"/> 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 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
<input type="checkbox"/> Batteries
<input type="checkbox"/> Pesticides
<input type="checkbox"/> Mercury containing equipment
<input type="checkbox"/> Lamps

USED OIL ACTIVITIES (INDICATE TYPE(S) OF ACTIVITY(S))
<input checked="" type="checkbox"/> Used Oil Generator
<input type="checkbox"/> Used Oil Transporter
<input type="checkbox"/> Used Oil Transfer Facility
<input type="checkbox"/> Used Oil Processor
<input type="checkbox"/> Used Oil Re-refiner
<input type="checkbox"/> Off-Specification Used Oil Burner
<input type="checkbox"/> Used Oil Fuel Marketer Who Directs Shipment of Off-Spec. Oil
<input type="checkbox"/> Used Oil Fuel Marketer to Off-Specification Used Oil Burner

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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Additional Facility Representatives:
Tanks	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Containers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Name of Inspector(s)	Name of Inspector(s)	Date of Inspection/Time (mm/dd/yyyy) (hh:mm)
Gary Deutschman		05/04/2010

Comments:
 Owner currently disposing of fluorescent lamps as solid waste. Intends to recycle as universal waste.

**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 type="checkbox"/>	N/A <input checked="" 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 checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
7.	Are containers and aboveground tanks used to store used oil in good condition with no visible leaks? [3745-279-22(B)]	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
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 generators?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

b.	Is the heater designed to have a maximum capacity of not more than 0.5 million BTU per hour?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
c.	Are the combustion gases from heater vented to the ambient air?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" 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 checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input 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 checked="" type="checkbox"/>	N/A <input 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.