



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

Re: Toledo Tent
OHR000038018
Lucas County
Hazardous Waste
Notice of Violation

October 6, 2010

Mr. Mike Baumgartner
Toledo Tent & Party Rentals
1810 Oakdale
Oregon, Ohio 43616

Dear Mr. Baumgartner:

On September 29, 2010, Ohio EPA conducted a compliance evaluation inspection (CEI) of Toledo Tent & Party Rentals (TTPR) located at 1810 Oakdale in Oregon, Ohio. I inspected TTPR to determine its 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). My inspection included observations of facility operations and discussions with you. This letter will explain the violation I found, what you need to do to correct the violation, a general concern and what you need to do to correct this general concern.

TTPR rents large tents for parties and events. It also rents tables and chairs. These items are stored at the Oakdale site. This site was previously owned by Arayco. TTPR does not appear to be generating hazardous waste.

However, TTPR generates or accumulates the following wastes:

1. Waste Lamps: TTPR has been placing its spent fluorescent lamps in the trash.
2. Used Oil: TTPR has stored used oil in a tote for at least six years.

As a result of my inspection, 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:

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

A generator must determine whether its waste is hazardous by testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24.

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TTPR has failed to evaluate its spent lamps (all types), according to this rule and has been placing them in the trash. In order to abate this violation, TTPR must evaluate its spent lamps. Instead of obtaining a sample of the lamps and having the sample analyzed in a laboratory, TTPR may elect to manage its spent lamps (all types) as Universal Waste. During the inspection, we discussed these two options and you indicated you would like to manage your spent lamps as Universal Waste. The requirements for Universal Waste lamps include:

- Immediately cease placing spent lamps into the trash;
- Place spent lamps into containers that are structurally sound and closed;
- Label the containers with the words "Used Lamps";
- Document the length of time that the spent lamps are stored (date the container);
- Store spent lamps for no longer than one year;
- Inform all employees with the responsibility to collect spent lamps of these requirements; and
- Ship the spent lamps to a lamp recycler (please refer to the list of recyclers enclosed with this letter).

In order to abate this violation, please explain how you intend to manage your spent lamps and to comply with the requirements listed above. Indicate how you will package the lamps, label the containers, date the containers and inform your employees of the requirements. Please submit photos demonstrating that this has been done. Also, please indicate where you will ship the Universal Waste lamps to.

As a result of my inspection, I found the following general concern. In order to correct this general concern, you must do the following and send me the required information, **within 30 days** of your receipt of this letter:

On September 29, 2010, I observed and photographed a tote containing what appeared to be used oil, in the back of your property. On September 30, 2010, I spoke to you about this tote of used oil and you stated that it has been there since you bought the property six years ago. This may be considered abandoned waste. In order to avoid sampling and analyzing the waste, you must arrange to have this used oil recycled, within the next 30 days, by a company with an EPA Identification Number. (Please refer to the list of used oil generators enclosed with this letter.) You must submit to Ohio EPA a copy of the shipping paper demonstrating that this has been done.

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As a used oil generator you are required to store used oil in containers or aboveground tanks that are in good condition (no severe rusting, apparent structural defects or deterioration) and not leaking. Containers, aboveground tanks and fill pipes for underground tanks must be labeled with the words "Used Oil." If leaks are detected, the generator must stop the release; contain the release; clean up and manage properly the released used oil and other materials related to the release; and, if necessary, repair or replace any leaking containers or tanks prior to returning them to service. I have enclosed copies of the following used oil fact sheets: The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, and Used Oil Recyclers. Please review these carefully and contact me immediately if you have any questions.

Please be aware that incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer. Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed. I have enclosed copies of the following documents to assist you in properly managing your spent lamps: Fluorescent Lamps: What You Should Know and Computer, Fluorescent Lamp and Ballast Recyclers. I recommend that you review these documents carefully and contact me if you have any questions. The first document describes the rules you must follow in order to manage lamps as a universal waste.

You may be able to further reduce the waste your company generates. If you find ways to recycle, reduce or altogether eliminate the amount of waste that your company generates you may be able to reduce your treatment and disposal costs and you may possibly reduce your regulatory requirements. I have enclosed copies of Pollution Prevention Opportunities, a worksheet that can help you recognize opportunities for reducing waste and conserving energy at your business, and the fact sheet Management of Electronic Waste from Businesses. Please review this information and contact me if you have any questions.

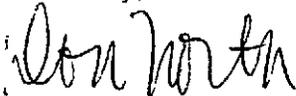
I encourage you to schedule a pollution prevention assessment for your business because there are often many opportunities for businesses like yours to reduce waste and save money. If you wish to talk about an assessment or if you have other questions about pollution prevention, please feel free to contact the Office of Compliance Assistance and Pollution Prevention (OCAPP) at (614) 644-3469. There is no charge for an assessment.

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The Division of Hazardous Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/enduser/doc_serve.php?2=subscriptionpage. Please feel free to share this information with your colleagues.

If you have any questions, please feel free to contact me at (419) 373-3074. Enclosed you will find copies of all checklists completed during the inspection. You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>.

Sincerely,



Don North
District Representative
Division of Hazardous Waste Management

/llr

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
DHWM, NWDO, Lucas County, Toledo Tent File (New)

ec: Don North, 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 all applicable regulations.

Send to Central Office <input checked="" 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 paula.canter@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: OHR000038018 Name: Toledo Tent & Party Rentals Website: _____ (Optional) Street Address: 1810 Oakdale City, Town, or Village: Oregon State: OH County Name: Lucas Zip Code: 43616 <table style="width:100%; border: none;"> <tr> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"><input checked="" type="checkbox"/></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table>	Private	County	District	Federal	Indian	Municipal	State	Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>						
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Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Mike MI: _____ Last Name: Baumgartner Title: _____ Phone Number: 419-693-1383 Phone Number Extension: _____ E-Mail Address: ToledoTent@aol.com Fax Number: 419-693-2628 Fax Number Extension: _____ Street or P.O. Box: _____ City, Town or Village: _____ State: _____ Zip Code: _____
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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: _____ Date Became Owner (mm/dd/yyyy): _____ <table style="width:100%; border: none;"> <tr> <td style="border: none;">Owner Type:</td> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table> 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): _____ <table style="width:100%; border: none;"> <tr> <td style="border: none;">Operator Type:</td> <td style="border: none;">Private</td> <td style="border: none;">County</td> <td style="border: none;">District</td> <td style="border: none;">Federal</td> <td style="border: none;">Indian</td> <td style="border: none;">Municipal</td> <td style="border: none;">State</td> <td style="border: none;">Other</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;"><input type="checkbox"/></td> </tr> </table> Street or P.O. Box: _____ City, Town or Village: _____ Operator Phone #: _____ State: _____ Country: _____ Zip Code: _____	Owner Type:	Private	County	District	Federal	Indian	Municipal	State	Other		<input type="checkbox"/>	Operator Type:	Private	County	District	Federal	Indian	Municipal	State	Other		<input type="checkbox"/>														
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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"/> Large Quantity Generator (LQG)	
	<input type="checkbox"/> Short-Term/Temporary Generator (generates from a short-term or one-time event and not from on-going processes). Check the box for the applicable generator status and provide a comment.	<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))

Small Quantity Handler of Universal Waste Destination Facility for Universal Waste

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) Name of Inspector(s) Date of Inspection/Time
Don North **09/ 29/2010**

Comments:

PROCESS, WASTE, P2 SUMMARY SHEET

Facility Name: Toledo Tent & Party Rentals
 Facility Type: LQG
 SQG
 CESQG
 TSD
Date of Inspection: 9-29-10
EPA ID#: OHR000038018

Waste Generated			On- or Off-Site Management		P2 Activities	
Process/Activity Generating Waste <small>(e.g. plating bath, machining, baghouse, painting, general maintenance, etc)</small>	Waste Description <small>(e.g. sludge, solvent, ash, used oil, spent lamps, etc.) and EPA Waste Code, if applic.</small>	QTY Generated per Month, Type of Accumulation (container, tank, etc) and location of waste accumulation area	Type of On-Site Treatment <small>(recycle, wwt, etc)</small>	Name, state, and type of activity occurring at the off-site facility.	Current P2 Activities	P2 Opportunities
1	Facility lighting	Used Lamps	Very few occassionally	Placed in the trash		Placed in the trash
2						
3						
4						
5						
6						
7						
8						

REMARKSBGENERAL INFORMATION**General Process Information:****Regulatory/Enforcement History** (if applicable):**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 or www.epa.state.oh.us/ocapp/ocapp.html

Other: