



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

Re: Mid-Wood Incorporated
OHR000123851
Wood County
Hazardous Waste
Notice of Violation

March 11, 2013

Mr. Dan Arps
Vice President/Energy
Mid-Wood Incorporated
12965 Defiance Pike
Cygnet, Ohio 43413

Dear Mr. Arps:

On March 1, 2013, Wendy Miller and I conducted a compliance evaluation inspection at Mid-Wood Incorporated (Mid-Wood) located at 12818 E. Gypsy Lane Road in Bowling Green, Ohio. We inspected Mid-Wood 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). Pollution prevention options were also discussed during this inspection. This letter will explain the violation we found and what you need to do to correct this violation.

Mid-Wood is a fuel center, retail true value hardware store, and equipment rental facility. Mid-Wood also operates grain elevators at this location. Fleet vehicles are not serviced at the location; therefore no used oil is generated. No painting is done at this facility. Mid-Wood has an oil/water separator that is cleaned out as needed. Spent fluorescent lamps are managed as solid waste. At the time of our inspection, Mid-Wood was operating as a non-generator of hazardous waste.

We found the following violation of Ohio's hazardous waste laws:

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

Any person who generates a waste must determine if that waste is a hazardous waste by using generator knowledge or by testing the waste.

Mid-Wood failed to have waste evaluation documentation or an established recycling plan in place for the fluorescent bulbs generated at the facility.

Hazardous bulbs are considered "spent materials" and remain hazardous waste even when recycled. Hazardous waste lamp generators have the option of handling their 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 lamps. 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.

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Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed. A copy of Fluorescent Lamps: What You Should Know is enclosed. I recommend that you review this document and contact me if you have any questions. Also enclosed is a list of lamp recyclers located in Ohio.

Mid-Wood must submit to Ohio EPA documentation to demonstrate how you plan to properly manage your fluorescent bulbs. If Mid-Wood plans to manage the spent fluorescent bulbs when generated as universal waste, please submit the name of the facility where you plan to recycle the bulbs. Managing the spent fluorescent bulbs as universal waste eliminates the need for analytical testing.

Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

Enclosed you will find a copy of the checklists that were completed during the inspection.

Mid-Wood needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within **14 days** of receipt of this letter, Mid-Wood 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 melissa.boyers@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, Mid-Wood is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

Should you have any questions or if I can be of assistance, please contact me at (419) 373-3066.

Sincerely,



Melissa L. Boyers
Division of Materials and Waste Management

/cg

Enclosures

pc: Lisa Gifford, DMWM, NWDO and Colleen Weaver, DMWM, NWDO
Mr. John Krukemyer, V.P. Retail/Rental, Mid-Wood
ec: Colleen Weaver, DMWM, NWDO (scanned e-copy) and Melissa Boyers, DMWM, NWDO

Notice: Ohio's 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 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 RCRAInfoData@epa.state.oh.us.

Site EPA ID No. Site Name	EPA ID Number: OHR000123851		Website: (Optional)
Site Location Information	Name: Mid-Wood Incorporated		
Site Land Type (check only one) NAICS code(s) www.census.gov/epcd/www/naics.html	Street Address: 12818 East Gypsy Lane Road		
	City, Town, or Village: Bowling Green		State: OH
	County Name: Wood		Zip Code: 43402
	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"/>	

Facility Representative Additional names can be recorded in number 12 Only provide address information if it is different than the site address	First Name: Dan	MI:	Last Name: Arps
	Title: V.P./Energy		
	Phone Number: 419-352-5231		Phone Number Extension: Opt 1
	E-Mail Address:		
	Fax Number:		Fax Number Extension:
	Street or P.O. Box: 12965 Defiance Pike		
	City, Town or Village: Cygnat		Zip Code: 43413
	State: OH		

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):	
	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:	
	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?	<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)

- | | |
|---|---|
| <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
(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: **John Krukemyer, V.P. Retail/Rental**
 Tanks Yes No
 Containers Yes No

Name of Inspector(s)
Melissa Boyers

Name of Inspector(s)
Wendy Miller

Date of Inspection/Time
(mm/dd/yyyy) (hh:mm)
03/01/2013 1:00

Comments:

52-11 cited for fluorescent lamps. Facility plans to manage them as universal waste when generated.

PROCESS DESCRIPTION/WASTE ACTIVITIES SUMMARY

Facility Name: Mid-Wood Incorporated **Facility Type:** LQG/SQG/CESQG/TSD **EPA ID#:** OHR000123851

Description of Waste				On-Site Management			Off-Site Management
Process/Activity Generating Waste (e.g. plating bath, machining, baghouse, painting, etc)	Waste Generated (e.g. sludge, spent solvent, ash, etc)	EPA Waste Code	QTY Generated per Month	Type of Accumulation / Storage (e.g. container, tank, etc)	Type of On-Site Treatment (recycle, wwt, etc)	Waste Location (Include map if possible)	Name, state, and type of activity occurring at the facility.
1	Lighting	Spent Fluorescent Bulbs					Currently managed as solid waste. Facility plans to manage them as universal waste in the future. Fact Sheets were enclosed with the NOV.
2	Oil/Water Separator Operation	Oil/Water					Facility has the oil/water separator cleaned out as needed. Last clean-out was on 11/5/12 by EQ Detroit.
3							