



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

Re: Charlie Gingerich
Hazardous Waste
Seneca County
Rescind Violation letter

December 12, 2012

Mr. Charlie Gingerich, Operator
880 South Bon Air Avenue
Tiffin, Ohio 44883

Dear Mr. Gingerich:

On August 1, 2012, you submitted the Material Safety Data Sheet s (MSDSs) for the solvent, paint primers, tones, hardener and clear coats used at your former scratch and dent shop located at 880 South Bon Air Avenue, Tiffin, Ohio as requested by my July 17, 2012, Notice of Violation letter (NOV). These MSDSs indicated you generated a D001, D035, F003, F005 hazardous waste (painting waste).

I conducted a site visit on August 29, 2012, at your former scratch and dent shop. At this time you stated that you were no longer running your shop and that you would be vacating the building. You stated you would have the solvent paint waste present at your shop picked up by Philip's for proper hazardous waste disposal. You stated you would be vacating the building within 60 days and you would send me the receipt for the proper disposal of your painting waste.

On October 17, 2012, I conducted a compliance evaluation inspection (CEI) at Tiffin Paint & Body located at 1610 West State Route 18, Tiffin, Ohio. I conducted this CEI as a result of my investigation at your shop on June 26, 2012. During my investigation at your shop on June 26, 2012, I believed you stated that you took your solvent paint waste to Tiffin Paint & Body for disposal. However, during the CEI at Tiffin Paint & Body on October 17, 2012, you were present and at that time you told me that you had not taken your waste to Tiffin Paint & Body; but rather that you were going to take it to Tiffin Paint & Body but did not when I told you that you must have it picked it up by a licensed hazardous waste hauler. Tiffin Paint & Body has its painting solvent picked up by Chemtron Corporation. Either way, both your previous scratch and dent shop and Tiffin Paint & Body are conditionally exempt small quantity generators of hazardous waste and the waste was/is ultimately taken to an appropriate hazardous waste treatment, storage and disposal facility (TSDF). I informed Tiffin Paint & Body that as a generator of waste they should not accept hazardous waste from other generators as they do not have a permit to treat, store or dispose of hazardous waste.

Accepting hazardous waste without a permit to do so could be a serious violation of Ohio's hazardous waste laws. Likewise I told you during my investigation at your scratch and dent shop on June 26, 2012, that taking your paint waste to a facility other than an appropriate hazardous waste TSDF could be a serious violation of Ohio's hazardous waste laws. You should not take your paint waste to Tiffin Paint & Body and you must have your waste picked up by an appropriate facility to accept hazardous waste. You stated you understood.

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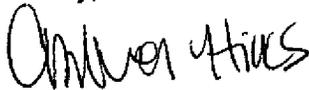
Based on this information discovered on October 17, 2012, and since your scratch and dent shop is no longer in operation, Ohio EPA is **rescinding** the following violation as cited in the July 17, 2012, NOV:

1. **Unlawful transportation of hazardous waste to an unauthorized facility.
ORC § 3734.02 (F)**
 - ***Please note that the paint waste at your former shop must be properly disposed at a hazardous waste TSDF. Please submit to me a copy of the receipt/manifest from the pick-up of your hazardous waste when this occurs. Please consult the list of Ohio Commercial Facilities Accepting Hazardous Waste that was given to you during the investigation for an appropriate facility to accept your hazardous waste.***
 - Please submit your receipt of disposal/manifest via postal mail to Amber Hicks, Ohio EPA, 347 North Dunbridge Road, Bowling Green, Ohio 43402; via email at amber.hicks@epa.ohio.gov or fax attention Amber Hicks at (419) 352-8468.

In addition, you satisfied my Request for Information in the July 17, 2012, NOV with the submittal of your MSDSs on August 1, 2012.

No response to this letter is necessary. If you should have any questions, please feel free to call me at (419) 373-3082.

Sincerely,



Amber M. Hicks
Division of Materials and Waste Management

/cg

pc: Lisa Gifford, DMWM, NWDO
Colleen Weaver, DMWM, NWDO
Chester Fitch

ec: Amber Hicks, DMWM, NWDO
Colleen Weaver, DMWM, NWDO
Miranda Garlock, DAPC, 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.