

# THE INDEPENDENT DEALER

OFFICIAL PUBLICATION OF THE OHIO PETROLEUM RETAILERS & REPAIR ASSOCIATION

## Mega Major Mergers



**Editorial by**  
**Lynn Bearer,**  
**Executive Vice President, Page 3**

**Feature Story by**  
**Gina LaVecchia,**  
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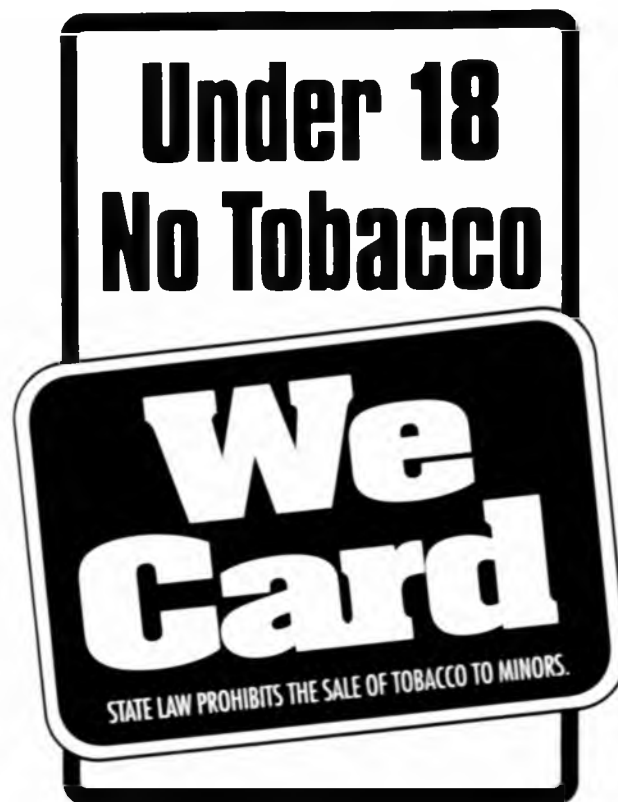
## How will they impact dealers... and consumers?



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NOVEMBER/DECEMBER 1998

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National Licensed Beverage Association ♦ Service Station Dealers of America and Allied Trades

# Mega major mergers

How will they impact dealers, customers?

**M**ergers. Consolidations. Takeovers. All a part of the new (or is it really the old) image of corporate America. Bigger is better. Biggest is best.

Merge with a competitor and then divide up the marketplace. Consolidate operations to cut costs and increase profits. Takeover a competitor, friendly or hostile, and get a bigger piece of the action.



**Lynn Bearer, Executive V.P.  
OPRRA**

Decisions such as these are being made in board rooms all across America. Decisions that are important to the companies that are involved. But these decisions are important to a great many more people besides the employees who may be phased out of a job because of a merger or consolidation.

The petroleum industry is seeing its share of consolidations. First it was Shell and Texaco. Then it was Marathon and Ashland. Most recently, BP and Amoco. Rumors of more such actions continue to abound. Who will be next? Many employees of these corporations have or will lose jobs as operations are streamlined to cut costs.

But beyond this impact, as traumatic as it may be for those directly affected, what impact will these actions have for those who are outside the corporate tent?

What impact will this proposed merger between two oil giants have on BP and Amoco dealers in Ohio and across the nation? Who will survive in situations where BP and Amoco operations have co-existed when they change to Amoco? Will a former BP dealer turned Amoco be able to compete with a jobber operated Amoco across the street? Will an Amoco dealer be able to compete with a company operated Amoco (formerly BP) on the next block? What alternatives will owner/operators have to consider at contract renewal time? How will the costs of changing from BP to Amoco weigh on dealers, lessees and owners alike?

But most importantly, what about the consumer, our customers? What impact will these activities have on the end user of all the gasoline the refiners make and we sell? Currently, the consumer is enjoying the benefits of very low retail prices. But we know from past experience that this situation can change in a heartbeat. And even if that doesn't happen, what choices will consumers have in the future? Will there be true competition in the marketplace, thereby assuring the consumer a real choice and real value?

A century ago, long before Americans became almost totally dependent on automobiles for every aspect of their lives, it was decided that the best way to assure true value for consumers was to assure that there was competition in the marketplace. Perhaps a history lesson is needed.

Sincerely,

**Lynn Bearer**  
Executive Vice President, OPRRA



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## THE INDEPENDENT DEALER

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# BP, Amoco dealers face uncertainty

Room for  
everyone?  
BP won't say  
.....

The \$46-billion dollar merger of the BP and Amoco corporations has effects extending past the 6,000 lost jobs that were detailed on the front pages of nearly every Ohio newspaper back in August. Also impacted will be the hundreds of independent BP and Amoco dealers throughout Ohio, some of whom exist as neighbors and competitors. What will happen to these small business owners? It remains to be seen, but the reaction among dealers runs the gamut:



By Gina LaVecchia  
OPRRRA Correspondent

**"LET'S FACE  
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SCRATCH,"**

**-TONY LICATA  
PRESIDENT,  
SSDA-AT,  
VICE-PRESIDENT,  
OPRRRA**

While some can see the proverbial silver lining, others are worried for independent dealers.

OPRRRA executive director Lynn Bearer says, "Our member dealers have questions and concerns about their continued existence as business persons in this industry. We don't necessarily oppose the merger. Companies certainly have the right to act as they choose. But the independent small business owners are very concerned."

From his office in Washington D.C., Dr. Roy Littlefield, executive director of the Service Station Dealers of America, told the Independent Dealer, "It is only logical that if there are neighboring Amoco and BP stations on the same corner or even on the same street, one of them would be forced out."

It is estimated that there are thirty such situations in Ohio—places in which BP and Amoco stations neighbor each other. So which one will get the boot?

"If it's dealer versus dealer, I'd say the one with the better volume will have his contract renewed," guesses Terry Mulgrew, OPRRA's director of member services. In Ohio, most Amoco stations are owned by large jobbers—big, site-owning companies that smaller dealers haven't the volume, power or resources to compete against.

Tony Licata, OPRRA vice president and SSDA president, says, "In a competing situation, someone—most likely the independent—will be pushed out, whether the competition is a company owned location or a jobber station." Because of the volume they purchase, he explains, "the jobbers are simply seen as the better customer by the oil companies."

"Even if you, as an independent dealer, are doing more volume than a jobber station across the street, you could still lose out," con-

curs Mulgrew, because independents will never compete with a jobber's sheer overall buying power.

Independent Amoco dealer Jerry Pastor purchases his fuel from a large Amoco jobber. "They say they can't give us any answers until March. I don't think they know much yet," says Pastor, who owns his Macedonia location. "But I'll tell you this: There's a large, new BP Express with a deli across the street from us. I wonder who's going to get the 'Amoco' sign at the end of this deal. I don't think it's going to be me," says Pastor.

The Petroleum Marketers Protection Act, explains Mulgrew, offers some degree of protection for independent dealers, but not nearly enough. Under the act, the new BP-Amoco company would have to provide 90 days' notice to a dealer they intend to drop from their program. PMPA provides some additional protection for lessee dealers, who have the "right of first refusal," meaning, BP-Amoco must first offer to let the dealer purchase his or her property at fair market value. In theory, that dealer then would be free to select another brand to carry. But Licata worries that the new company, in selling a particular property, might include no-competition provisions, thereby paralyzing former independent dealers from re-opening with another brand.

Besides, switching brands is a lot easier said than done, since dealers may already be heavily invested in their BP or Amoco image. Moreover, their bargaining power with new oil companies is eroded in the face of their abrupt BP contract termination.

"Let's face it, some of these business owners are 45, 50 years old. They're not going to be able to just start from scratch," says Licata. "Many will not survive, and everything they've worked for—their children's college, retirement—will be lost. You could be the best at what you do, and it may not be enough to keep you employed."

At the very least, Licata says, the new company should offer displaced dealers new locations under the new BP-Amoco brand. But even that wouldn't be much consolation. "You don't just arrive in a new neighborhood and pick up where you left off," he explains. "It will take a dealer five or more likely ten years to build a business, even if you move just block out of your established customers' every day drive. I would like to see the dealers stay on their corners, in their communities, in the locations they've worked so hard to make successful."

But will the new BP-Amoco company share

Continued on page 30

# OPRRRA Legal Assistance Program

By Gina LaVecchia  
OPRRRA Correspondent

**VALUABLE  
BENEFIT  
HELPS TIP  
THE LEGAL  
SCALES  
FOR ALL  
OPRRRA  
MEMBERS.**

A great OPRRA member benefit you may not know about is the OPRRA Legal Services Program. The program helps dealers in two ways. First, it provides a free legal consultation for dealers who may have questions, such as those pertaining to the complicated agreements and contracts with oil companies, lease negotiations, renewal or cancellation problems, contract interpretation, dealer rights under PMPA, and other legal issues. Second, through the program, OPRRA may actually partner with you in fighting a legal battle.

How do you use the program? If there comes a time in which you feel you need legal assistance, begin the process by filling out the simple form available from the OPRRA office and in this issue. Mail or fax it to Maurice Helou, OPRRA's Legal Affairs Committee chairman. "You can call me first if you want to, but I'll also need the request in writing," says Helou.

The Legal Affairs Committee then looks at the issue, and decides what direction to take. Sometimes, the situation will be referred to an OPRRA attorney such as Glenn Waggoner, located in Independence, who will provide a free consultation and offer legal advice. Waggoner explains that many legal problems, though complex to dealers, are commonplace to attorneys specializing in service and repair businesses, and sometimes, all of your questions can be answered in just one consultation. These include concerns such as the evaluation of a lease you're considering signing, or your rights at franchise renewal time.

But other legal problems are more complex, such as lawsuits, conflicts with municipalities, purchase agreements, rents, hours of operation, environmental issues, credit card charge back issues, maintenance issues, rights under PMPA, fuel pricing problems, and others. For these, additional time may be needed. Through your initial consultation, you

will know whether you need to retain an attorney. At that time, you can retain the OPRRA attorney, or hire your own. If you choose to stay with an OPRRA attorney, as an OPRRA member, you will receive a discounted rate.

"It can be frustrating to those of us who are not attorneys, but the lawyers need to do a thorough job, and analyze all of the facts. And sometimes to do so, he will need to take more than one meeting," explains Helou.

Sometimes, the Legal Affairs Committee decides that a member's legal problem is, or could be, widespread enough to be addressed by the association.

"If the resolution of the issue could affect many members, the association might participate financially," Helou says. "Let's say you're being sued by a customer for a repair that went wrong. That's a personal matter. But, if you're being terminated from your lease unfairly, then we'll step in, because that could impact a lot of dealers," he says.

If the committee does step in to assist in the legal proceedings, that dealer may be required to produce a \$1,000 deposit to ensure his or her commitment to the legal action. In some circumstances, when a member receives a better monetary position from a lawsuit, he may have to reimburse OPRRA for some or all of the legal expenses.

Terry Mulgrew, OPRRA's member services director, says, "This is another way your membership gives you extra power as a small business owner. You get to hear an opinion that's not the oil company's versions of business practices. Our attorneys are very familiar with PMPA laws and have expert knowledge of this industry. You'll have a wealth of information at your fingertips. With expert legal advice, you will better understand trends in the marketplace and you will be better able to analyze your deals."

Before you utilize any lawyer, there are a couple of things to keep in mind. Mulgrew advises, "Do your homework, take a calm, rational look at your situa-



Continued on page 25

# Legal Services Program

## Request for Legal Assistance

**LEGAL CHAIRPERSON: MAURICE HELOU**

Name of Member: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Oil Company Involved: \_\_\_\_\_

Explanation of Problem: (Use additional paper if necessary)

Lease cancellation (explain) \_\_\_\_\_

Rent Increase (explain) \_\_\_\_\_

Hours of Operation (explain) \_\_\_\_\_

Other (explain) \_\_\_\_\_

If OPRRA accepts this request for legal assistance, and if, as a result the Member obtains a measurable economic benefit (such as monetary recovery in litigation), the Member agrees to reimburse OPRRA at OPRRA's request for all attorney fees and expenses paid by OPRRA on the Member's behalf. This obligation of reimbursement is binding upon the Member, but may be waived at the discretion of OPRRA.

Signature: \_\_\_\_\_

**MAIL THIS REQUEST TO:  
OPRRRA**

17 S. High Street #200 • Columbus, OH 43215

Except in emergencies, all requests for legal assistance must be submitted on this form.  
In case of emergency, call OPRRA and submit form as soon as possible thereafter.



## Methods of Release Detection for Used Oil Tanks after the December 22, 1998 deadline

By Verne Ord  
Assistant Bureau Chief, BUSTR

WHEN THE  
RELEASE  
DETECTION  
RULE WAS  
FIRST DRAFTED  
AND  
SUBSEQUENT  
VERSIONS OF  
THE RULE  
ADOPTED, IT  
WAS NOT  
THOUGHT THAT  
RELEASE  
DETECTION  
METHODS FOR  
USED OIL  
TANKS WOULD  
BE A PROBLEM.



**M**uch has been publicized regarding the upgrade requirements for petroleum underground storage tanks starting December 22, 1998. Over the years these methods have been widely published in many of the trade magazines and other publications. However, the current methods that are deemed acceptable after December 22, 1998 do not always address a release detection method which will work on used oil tanks.

**Groundwater Monitoring:** Can only be implemented in hydrogeologic conditions which maintains a groundwater depth of no more than 20 feet below grade at all times. These conditions do not exist in many areas of the state.

**Soil Vapor Monitoring:** These devices are designed for volatile grades of petroleum such as gasoline or diesel fuel and are very sensitive to soil moisture and background contaminant levels.

**Automatic Tank Gauging:** This equipment tends to not properly operate shortly after installation. This is due to sludge buildup on the probes which enable the device to accurately measure the liquid level in the tank.

**Statistical Inventory Reconciliation:** In most cases the data needed to calculate Statistical Inventory Reconciliation leak rate can not be accurately gathered.

This leaves only a few options to the owner/operator for release detection. These methods follow:

- **Manual Tank Gauging**
- **Interstitial Monitoring**
- **Monthly Inventory Reconciliation for used oil tanks of 550 to 2,000 gallons capacity**

**Weekly Manual Tank Gauging:** After December 22, 1998, Weekly Manual Tank Gauging will be reserved for those tanks which have a storage capacity of 550 gallons or less and can be left idle (no liquid added or taken out of the tank) for a 36 hour period. This method involves taking two consecutive level measurements at the

beginning and ending of the 36 hour period. Liquid level variations are then compared to the table in OAC 1301:7-7-7(E)(2)(d) to determine if a suspected release has occurred. However, after December 22, 1998, this method of release detection can only be used on tanks with a capacity of 550 gallons or less.

**Interstitial Monitoring:** This can be applied in several different manners. The most obvious form of this technology would be the installation of a new double walled tank or artificially constructed impermeable barrier that immediately surrounds the tank. However, neither of these methods work for currently installed single walled tanks. Internally fitted liners are an option that will work on any size used oil tank. These liners create an interstice area between the inner wall of the tank and the outer wall of the bladder which can be monitored for failures.

When the release detection rule was first drafted and subsequent versions of the rule adopted, it was not thought that release detection methods for used oil tanks would be a problem. However, it has become evident that mechanical and electrical technology is not doing the job. Due to the size of many tanks, remaining options are not feasible after December 22. Based on this situation, BUSTR revisited the technical standards for release detection methods and now allow one additional detection method for used oil tanks in Ohio. This gives an additional option to the owner/operator which should relieve most of the used oil tank release detection problems.

**Monthly Inventory Reconciliation:** For used oil tanks with a capacity of 551 up to 2,000 gallons it has been determined that Monthly Inventory Reconciliation in conjunction with precision testing of the tank every 60 months is as effective release detection as those methods which are specified in OAC 1301:7-9-07 of *Leak Detection Method Requirements and Methods for Tank Systems*. BUSTR has reserved this method for used oil tanks only and is approving its use on a site-by-site basis. This is a cost-effective method which will continue to be acceptable after December 22, 1998. ♦



By Richard Ensmann  
OPRRA Correspondent

**E**ver hired teenage help? Or someone fresh out of school? If so, you know from firsthand experience that young employees are often a bit different than older employees.

This article will help you better understand some of these differences — and offer you clues that you can use in making your younger employees more productive.

Remember first, that employees are individuals. Younger employees exhibit a variety of different skills and temperaments, just as their older counterparts do.

Nevertheless, many traits are quite common among young employees:



# MANAGING Young Employees

**HINT:  
MAKE COST-  
CONSCIOUSNESS  
A PERFORMANCE  
STANDARD, AND  
BE SURE TO  
REWARD YOUNG  
EMPLOYEES FOR  
SAVING MONEY  
OR BRINGING  
COST-SAVING  
MEASURES  
TO YOUR  
ATTENTION.**

\* **Young employees have no "depression experience."** While younger employees may not be satisfied with the state of today's economy, they've never experienced a true economic depression — and neither have their parents. They're less likely to be frugal than their older counterparts. Hint: Make cost-consciousness a performance standard, and be sure to reward young employees for saving money or bringing cost-saving measures to your attention.

\* **They're not motivated by fear of poverty.** Most young employees have never experienced dire poverty. While income is important to them, other motivators — like the opportunity to learn new skills, forge new relationships or find intrinsic satisfaction in their work — may be more important. Hint: Vary the tasks of your young employees. In addition to compensation, find intangible ways to reward and recognize them.

\* **Younger employees often seek instant gratification.** To put it mildly, younger employers often lack patience. They may appear unable to plod systematically through long or complex tasks. They want results now. Hint: Guide the day-to-day activities of your younger employees through detailed schedules and routines.

\* **They may not understand workplace fundamentals.** Many young workers are unfamiliar with accepted workplace behavior, like punctuality, terms of formal address and workplace etiquette. Hint: As part of your orientation program, teach these skills to your employees. And when you notice that a younger employee is not meeting accepted standards, step in with informal counseling and practical instruction.

\* **Young employees are information seekers.** They've been raised in an age when information and ideas are readily available, and they have no inhibitions about asking probing questions about the workplace. Hint: Explain the rationale for tasks younger employees perform, and encourage them to learn how their work fits into the total picture.

\* **They may not understand salary and benefit information.** Yes, they may understand the concept of an annual salary or an hourly wage, but talk about things like FICA, disability insurance, income tax withholding and voluntary deductions, and you may lose them. Hint: Be sure that salary and benefit provisions are explained to employees in precise detail when they start work. Better yet, ask employees to "sign off" after receiving this information.

Continued on next page

# Managing Young Employees

Continued from previous page

• **Younger employees can be outspoken.** They've grown up in an age when free debate is not only tolerated, but encouraged. They may not recognize that a let-it-all-hang-out philosophy is not acceptable in the workplace. Hint: Set up a clear and strict channel of communication between each employee and his supervisor.

• **Their casual behavior may irritate other employees.** Once they become accustomed to the workplace, it's not uncommon for younger workers to exhibit a variety of casual behaviors: eating in public work areas, barking into the telephone, slouching at a desk or counter, using slang with visitors. This usually isn't an attempt to embarrass you; rather, it reflects a lack of experience in the workplace. Hint: Assign each new employee an experienced mentor who can provide guidance in workplace behavior.

• **Young employees may lack goals.** Young employees may change jobs a half-dozen times before settling on something that interests them. Even then, they may lack long-range direction. Hint: There's no simple solution to this problem, but infor-

mal job and career advice is a good place to start.

• **They may voice open-ended complaints or frustrations.** Younger employers might be bothered by things that an older employee would shrug off — and be quick to complain. Hint: When you hear a petty complaint or criticism, explain politely and directly why the condition exists. If the complaint is serious, of course, be sure to investigate.

• **Younger employees don't know how to address problems.** Even when raising a legitimate complaint or problem, younger employees may appear inarticulate, gruff, whiny or angry. Hint: Deal with their problems privately. Don't offer empathy; rather, address the issues with reserved courtesy and professionalism.

• **Younger employers may not understand instructions.** They're not used to the direct give-and-take of the typical workplace, and their interpersonal skills may not be well-developed. Hint: When you're trying to help an employee learn a new skill, closely monitor her work for awhile. Be specific in your directions. And be patient.

• **They may dress inappropriately.** Most young employees have had no experience with dress codes,

**HINT:**  
**EXPLAIN THE  
RATIONALE FOR  
TASKS YOUNGER  
EMPLOYEES PERFORM,  
AND ENCOURAGE  
THEM TO LEARN HOW  
THEIR WORK FITS  
INTO THE  
TOTAL PICTURE.**

and many are unfamiliar with acceptable workplace attire. Hint: Explain the formal and informal dress codes at the time of hire.

• **Young employees may respond to co-workers in ways they respond to members of their family.** Remember: they learned most of their early social roles and relationships in the home. So don't be surprised if you see young employees placing co-workers and supervisors in sibling or parent roles. Hint: Don't reinforce these roles. Exhibit high standards of professionalism in dealing with employees, and use your own behavior as a model of what you expect from them.

• **They're not used to teamwork.** Individuality and personal identity were important values during the formative years of most young employees' lives. Aside from participation in sporting activities, most young people haven't had many opportunities to learn team skills. Hint: Put your employees in situations where they must depend on other people — and where other people must depend on them. Praise employees when they display effective team skills.

Most young employees haven't been exposed to a variety of work settings. Over time, they'll learn the values and behaviors so important to job and career success. But through sound example, instruction and guidance, you can speed up that process — and make young employees valued and productive members of your team. ♦

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(216) 241-3428

# Getting the most from your people

By Henry Holland, EA



Henry Holland, EA

**Y**our employees look to you for leadership and direction. Make certain they know you respect and appreciate them and their efforts in your business. Good dealers replicate themselves in their key employees, and continually work at replicating themselves in all their employees. Take the time to listen to them and find out what they think your customers want.

All new employees should be hired on probation, usually for 90 days, to see if the relationship is going to be mutually rewarding. Either party can end the relationship during this time. Employees who are promoted or given additional responsibilities should be assigned on a temporary basis. This gives you the latitude to replace them in the future without destroying their pride and losing them as valuable employees in their former positions. Assign an experienced employee to advise and help every new employee and every employee in a new job.

Delegate as many of your personal responsibilities as possible, and insist that your key employees do the same. This will help your employees

grow and give you and your key employees more time to observe your business and cause it to grow. Always follow up after delegating tasks to ensure they are properly completed on a timely basis. If you don't, your employees will quickly learn they are not accountable for the things you ask them to do.

Give your employees job descriptions so they know what you expect from them, and have semiannual reviews with them so they know how you think they are doing. Use the reviews to help them set their own goals, so they are continually growing and have feelings of worth and accomplishment.

Continually train and retrain all of your employees to make your station stand out from ordinary stations. Technical and customer service training are especially important. You should supplement your on-the-job training and mentoring with professional training courses from local schools, your oil company, E.K. Williams, and independent trainers.

Encourage your employees to be proactive, and encourage them to

learn from their mistakes. George Bailey, Jr. of Pikes Peak Kennels in Colorado says he loves mistakes and hates errors. He says mistakes occur when people are trying to make something happen. Errors are committed when people know better and do things anyway.

Watch your employees closely and try to catch them doing things right. Praise them publicly and correct their mistakes privately. Never humiliate anyone. Always concentrate on helping them to grow.

From time to time you may need to discipline an employee. Always document your actions and your reasons for taking them. Discipline can range from a verbal reprimand to suspension from work to the ultimate discipline of termination of employment. If you ever have the urge to fire an employee, suspend him or her instead and make an appointment to discuss the matter with them the next morning. This will give you time to think about the infraction and decide whether you overreacted. If you still want to fire them after thinking about it, you can always do that the next day. You never want your employees to see you fire someone on the spot and then re-hire the same person.

These guidelines can lead to a more harmonious, growth-oriented work environment, helping to build your bottom line. ♦

## Henry's Hot Tips

The following tip appears in Henry Holland's booklet entitled *Henry's Hot Tips*. To order a copy, contact Terry Mulgrew at the OPRRA office. He will forward your request to Mr. Holland.

### Hot Tip #12

**STAY PERSONALLY INVOLVED IN YOUR BUSINESS SO IT REFLECTS YOUR PERSONALITY AND YOUR ATTITUDE TOWARD CUSTOMERS, SUPPLIERS, AND EMPLOYEES. WHEN YOU ARE NO LONGER INTERESTED IN YOUR BUSINESS, IT IS TIME FOR YOU TO FIND A NEW CAREER.**

# Governor makes appointments to petroleum board

By Carol A. DeVore  
Executive Director  
PUSTRCB



**Scott M. Schoenborn**



**Thomas D. Kmiec**

**Governor George V. Voinovich** recently appointed three new members to the Petroleum UST Release Compensation Board. **Bob Teepen** of Twinsburg, **Scott M. Schoenborn** of Columbus and **Thomas D. Kmiec** of Lyndhurst. The Governor also reappointed **James R. Rocco** of Aurora.

**Mr. Rocco** currently serves as the Board's Chairman. He is the Manager of Environmental Remediation of BP Oil Company where he has been employed for the past twenty-three years. Mr. Rocco has extensive experience and involvement in the development, management and implementation of environmental compliance and corrective action programs related to the petroleum marketing industry. He is currently responsible for environmental corrective action activities and related legislative and regulatory activities for BP Oil marketing, terminal, pipeline, and refinery facilities. Mr. Rocco is an original member of the Board, representing petroleum refiners, which first met in November, 1989. His term will expire July 11, 2001.

**Mr. Teepen** is currently responsible for corporate-wide environmental and regulatory related functions for Dairy Mart. He is also responsible for all gasoline facility design and construction for new store programs as well as existing store upgrading and remodeling programs. In addition, he oversees all gasoline maintenance guidelines and gasoline maintenance contractors. Mr. Teepen represents owners of USTs and replaces Paul M. Brunner, who resigned. His term will expire July 11, 2001.

**Mr. Schoenborn** is currently the Commercial Underwriting Director for Nationwide Mutual Insurance

Company where he has been employed for eighteen years. Mr. Schoenborn has extensive experience in the property and casualty field including supervisory and management roles in commercial underwriting, loss control and internal audits. He has earned the Chartered Property and Casualty Underwriter and Chartered Life Underwriter professional designations. Mr. Schoenborn represents the insurance industry and his term will expire July 11, 2000.

**Mr. Kmiec** is a licensed attorney and professional engineer specializing in environmental activities including the design, construction, start-up, operation, testing, troubleshooting and permitting of air and water pollution abatement equipment and systems. His experience includes the preparation and implementation of solid waste management programs and the administration and management of corporate environmental programs. He has conducted environmental audits in the United States and Environmental, Health and Safety reviews of international facilities located in six different countries. Mr. Kmiec represents professional engineers and replaces John E. Foster, who resigned. His term will expire July 11, 2001.

Others currently serving on the Board include: **Lynn T. Bearer**, Executive Vice-President, OPRRA; **Richard J. Stephenson**, Chairman, Stephenson Oil; **Marilyn Ward**, President, Wardway Fuels, Inc.; **Sara Hendricker**, Director of Research, Ohio Municipal League; and **John F. Hull**, President, Hull & Associates; and ex-officio members **Donna Owens**, Director of Commerce; **Donald Schegardus**, Director of EPA; and State Treasurer **J. Kenneth Blackwell**.

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# Great expectations

By Jim Davis

Originally appeared in *Tire Review Magazine*, January 1998

**In basketball or business, planning ahead is a successful game plan that makes sense**

**T**here's a common phrase, "You never know what to expect." But when you're a business owner, you'd better know what the customer expects, or you'll likely be in big trouble.

What you expect when you shop for products or services may be a good place to start, but your expectations may not parallel those of the typical consumer. Then where do you turn?

Did you know that the majority of consumers expect pickup and delivery service from the automotive facility that repairs their vehicles?

Respondents to an Automotive Service Association Web Site Poll indicated that a shop's ability to provide alternative transportation played a role in their overall satisfaction with their most recent service visit.

The opinion poll on the ASA website found that 58 percent of the 231 who responded expected the extra service from the repair shop. It should make repair shop owners wonder if they're doing the right thing — if they're not currently offering such a service.

Another question to consider — does your shop appeal to the female customer? Consider this: more than 65 percent of customers who take their vehicles to a repair shop are women. That is according to statistics from the National Institute for Automotive Service Excellence (ASE).

The increasing presence of women in the typical repair shop's waiting room is due to:

- An overall increase in female drivers... from 44 percent in 1972 to 49 percent in 1996, according to the U.S. Department of Transportation.
- Women have influential buying power... Ford says women influence 80 percent of all purchases and

have 95 percent veto power regarding automotive purchases.

• More cars are being purchased by women... almost half of new cars are now bought by women, and 53 percent of used-car sales can be attributed to women.

Dealing with female customers doesn't necessitate a lot of changes for a repair garage — as long as that garage is operating the right way to begin with. This includes basic customer service, cleanliness and maybe a female counterperson or technician to improve the comfort level.

There's a good book now on the market that deals with respect, common courtesy and goal achievement. Entitled simply "Wooden," the book is described as a "lifetime of observations and reflections on and off the court." It's from the great UCLA basketball coach John Wooden.

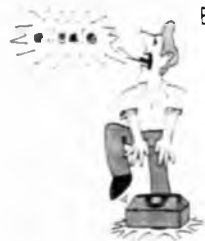
Coach Wooden talks about preparing one's mind and body for eventual success — "a long term effort, a daily journey and a way of life with no shortcuts." He admonishes the reader (as he did with his players/pupils) to be prepared and to know what to expect.

"I used to say to an individual player who was unhappy because he wanted more playing time, 'Young man, tell yourself, I will be prepared and then perhaps my chance will come, because if it does come and I'm not ready, another chance may not come my way very soon again.'

"The time to prepare isn't after you have been given the opportunity. It's long before that opportunity arises. Once the opportunity arrives, it's too late to prepare."

Preparing for opportunities and knowing what to expect — in life or in business — is a key to success.

# Spotting fraudulent workers' comp claims



By Berry Brown, Benjamin F. Brown Insurance Agency, Inc.  
Article reprinted from SSDA News, August, 1998

EVEN THOUGH  
THE VAST  
MAJORITY OF  
WORKERS COMP  
CLAIMS ARE VALID  
AND LEGITIMATE,  
INSURANCE  
FRAUD IS A  
SERIOUS MATTER.  
IT IS NOT ONLY  
COSTLY IN  
DOLLAR TERMS,  
IT ALSO HAS A  
CORRUPTING  
INFLUENCE ON  
OUR SOCIETY.

Although it is impossible to know precisely what portion of workers compensation claims are fraudulent, insurance industry experts estimate that between 15 percent and 20 percent of all claims contain some element of fraud. The more common sources of fraudulent claim submissions include a claim for which no injury or accident actually occurred, a claim submitted as a job related injury when actually the injury happened off duty, and an employee exaggerating the severity of an injury.

The insurance industry expends considerable resources in detecting and combating fraudulent workers compensation claims. The following list is not proof that a fraudulent act is being committed, but it should set off warning bells that a careful investigation is warranted.

There are several things an employer can do if a claim is suspected of being fraudulent. First, a word of caution; it is not in an employer's best interest to "play prosecutor" and to confront the employee with allegations that may later prove to be unfounded. It is also unwise to go into an investigation with a "guilty until proven innocent" attitude.

If a claim is suspicious, it is a good business practice to require the injured employee to fill out the "first report injury" form as the

preparer. An employee contemplating a false claim may have second thoughts if they have to commit themselves in writing. It is also a good practice to question fellow employees to determine if there was a problem that may have caused or contributed to the injury. Last but certainly not least, an employer should in private contact their TPA (OPRR Group Fund uses The Frank Gates Service Company). Insurance companies have special fraud units that deal daily with these types of circumstances and it is best to rely on their investigative techniques and expertise.

## Fraud Warning Bells:

Take notice when an injured employee:

- Reports an accident on Monday as a "last Friday" accident
- Reports a back injury more than three days after it happened
- Reports repeated injuries from similar accidents
- Reports an injury several days after being hired
- Is the subject of inquiries from other insurers
- Is quick to obtain legal counsel
- Is hard to reach at home
- Fails to keep doctor appointments or changes doctors frequently
- Has questionable attendance
- Is in a poor financial condition
- Has a poor work attitude
- Has a criminal record
- States there were no witnesses to the accident
- Is close to retirement age

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# Three Days by The Lake

## 1998 Annual Membership Convention Highlights



### Business & Pleasure

Who says the two don't mix?

By Gina LaVecchia

**Huron, OH** -- OPRRA's 1998 Annual Convention was the perfect marriage of work and play for the Ohio independent dealers and repair business owners and their spouses who attended the meeting, held September 11th through the 13th.

Sawmill Creek Resort on the shores of Lake Erie in Huron provided a pristine setting for this year's event. Participants kicked off the conference in style, enjoying cocktails and hors d'oeuvres aboard a luxury boat, which afforded beautiful views of the lake and Cedar Point.

After a dinner and awards ceremony hosted by OPRRA President Dave Freitag to recognize the conference's sponsors, OPRRA members mingled at the blackjack and roulette tables during Casino Night—where lucky attendees took home valuable prizes—including two television sets!

On Saturday, OPRRA members attended seminars that provided valuable information on creating more productive workplaces, investing for retirement, and, of course, maximizing profits.

The first speaker, humorist Dave Caperton, entertained attendees with his presentation on incorporating humor into daily life and work. He told OPRRA members, "Changes in this industry have been hard. Who ever thought they'd be making sandwiches in their service stations? You're going to need more creativity, more

Continued on next page





## Congratulations to all prize winners!

-Howard Cherry: TV/VCR combo  
 -John Price: Camera  
 -Tiffany Tilton: Boom Box  
 -Terry Miller: Wine/Luggage  
 -Ken Callahan: Sharp TV  
 -Ken Callahan: Cordless Phone  
 -Tony Licata, Jr.: Golf Bag  
 -Mr. Hoover: Shop Vac

## Top Golfers:

First Place: Dale Colagross  
 Second Place: Frank Gates Co.  
 Third Place: John Price Group



*OPRRA*  
 Thanks  
 all Attendees!



## Annual Membership Convention Highlights

Continued from previous page

humor to deal with those changes. Humor and creativity will help you be more open to ideas about new profit centers, new arrangements with partners, and other areas you CAN control...Remember that change is inevitable, but you can control it. Life is hard, but hopelessness is not inevitable. He also said, "Try to smile throughout the day. Smiling triggers a positive chemical that helps keep stress rates down. He also advised, "Good employee training is the most important element in creating a safe workplace. It cuts down on workers' compensation claims, OSHA fines, and employee lawsuits."

Financial planner Angie Hollerich also had important advice on planning for retirement and obtaining business funds. "Start investing now. Time is your best friend, because it allows your money to grow," she said. Hollerich walked the crowd through some typical investment scenarios and uncovered common mistakes that investors often make.

Last, professional "goal setter" Mike Wayshak helped to get members thinking about ways to beat shrinking gasoline profit margins. He told attendees that anyone can be profitable in the exploding C-Store industry. All it takes is dedication to the project and the right attitude: "You CAN compete with the guy across the street who is selling below you," he exclaimed. "Never forget that you are selling the EXPERIENCE. Most retail service in this country is AWFUL. If you bond with your customers—show them you love them, that your place is a good place to shop—they will never leave you, and they will come every day, not just when they need to. Make them love you BEFORE the WalMart across the street starts selling gas, and they will stay with you. Remember that the possibility that you can change your business is greater than all other forces."

A friendly golf outing on the Sawmill Creek Golf Course wrapped up the conference, and members left feeling well-rested, and, — armed with new information — ready to take on another week in the petroleum and repair industry. If you missed this year's conference, make it a goal to end the millennium in style—plan on attending the 1999 Annual OPRRA Membership Convention!

## Convention Highlights Continued



# Thank You!

## The Ohio Petroleum Retailers and Repair Association

thanks all attendees, sponsors and exhibitors who made the Membership Convention possible:

### Exhibitors:

Brouse & McDowell

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Caught on Film at the

# 1998 OPRRA Golf Classic

Thursday, July 30, 1998

*On Thursday, July 30, OPRRA Members and Friends took to the links at Spring Valley Country Club in Elyria. Once again, Mother Nature cooperated by supplying a perfect day. OPRRA thanks everyone who participated and worked to make the day a complete success.*



## OPRRRA/Industry Events, Tax Due Dates and Important Deadlines

### November 3-6, 1998

SSDA-AT Board & Committee Meetings, Las Vegas, NV  
*November 3-4: Committee Meetings; November 4: Board of Director Meeting; November 3-6: Clinic for Exec. Dir. and Presidents; November 5-6: Attorneys Meetings. Call SSDA for info.*

### December 22, 1998

Deadline for new Underground Storage Tank Regulations. Call Terry Mulgrew, Director of Member Services, at (614) 221-0095 soon for more information. This deadline is firm and has no provisions for an extension. SSDA-AT

has lobbied against others efforts to delay the deadline, since many locations have spent huge amounts of money to come into compliance before the deadline.

### Spring 1999 ASE Tests

**April 2, 1999:** Test registration deadline. **May 4, 6, 11, 1999:** ASE Testing Dates. For information and a registration booklet, call ASE at (703) 713-3800 or call OPRRA at (888) 804-9808.

### December 1998

BWC sends July 1, 1998-December 31, 1998 payroll reports to employers. Frank Gates sends



**MIDNIGHT:  
DECEMBER  
22, 1998**

OPRRRA payroll reports and payroll reporting instructions to July 1, 1998 participants.

### January 31, 1999

Deposit Federal Unemployment (FUTA) tax due if it is more than \$100.

### June 9-12, 1999

SSDA-AT 53rd Annual Convention and Trade Show, Opryland, Nashville, TN. For more information, call SSDA-AT at (301) 577-4956.

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▪ Richard Butcher ▪ Wayne Eliason ▪ Jane Zahorodnij



# OPRRRA/Fifth Third Credit Card Program: One low rate, no hidden fees

By Donald J. Ault, Marketing Manager  
Midwest Payment Systems



**OPRRRA  
MEMBERS CAN  
RECEIVE ONE  
LOW RATE  
WITH NO  
BATCH FEES,  
NO MONTHLY  
STATEMENT  
FEES, NO  
ANNUAL FEES  
AND NO PER  
TRANSACTION  
FEE FOR  
VISA OR  
MASTERCARD  
TRANSACTIONS.**

Most petroleum retailers and service providers know the value of accepting credit cards. Unfortunately, not all may realize the importance of choosing the right provider for credit card services. Since costs and levels of service can vary widely, your choice for a credit card processor can have a noticeable effect on your profitability.

In many cases, retailers are paying more for credit card services than they realize. For example, many retailers believe they are paying low processing rates, yet are actually being "nickel and dimed" by high equipment costs or "hidden" additional fees. In fact, many processors add "monthly statement fees" or "annual membership fees" onto their customers' statements in the hope that they will go unnoticed. Eventually, these charges take a substantial bit out of a retailer's profit margin.

To provide its members with a full service, cost-effective option for accepting credit cards, the Ohio Petroleum Retailers and Repair Association has teamed up with Fifth Third Bank to provide a special offer to all OPRRA members. As OPRRA's official vendor of credit card services, Fifth Third Bank offers special pricing for accepting Visa®, MasterCard®, American Express®, and Discover® cards, as well as ATM cards such as MAC® and Jeanie®. This program is designed to maximize your bottom line while giving you the most comprehensive card acceptance services available.

Participants in the Fifth Third/OPRRRA Credit Card Program receive one low rate with no batch fees, no monthly statement fees, no annual fees, and no per-transaction fees for Visa or MasterCard transactions. In addition, Fifth Third includes special options for purchasing, leasing, or trading equipment, as well as free printer supplies. Also, Fifth Third charges users based upon net sales rather than gross sales. This way, not only are monthly charges lower, but you avoid paying for returns or other transactions for which

there is no sale.

The experience, size and strength of Fifth Third Bank make it an ideal processor for OPRRA members. In addition to being the largest processor of electronic financial transactions in the U.S., Fifth Third Bank is also the nation's top-rated institution. For the past six consecutive years, Salomon Brothers has ranked Fifth Third Bank Number One in the nation in terms of strength and stability.

Because Fifth Third Bank keeps its data processing facilities in-house, it is able to provide the control, flexibility, accountability, and cost savings that OPRRA members can appreciate. To ensure the maximum availability of its credit card processing systems, Fifth Third maintains two separate in-house data centers in Cincinnati and Toledo. These locations house the latest IBM mainframe equipment, providing the fastest authorization times available. In addition, Fifth Third provides a telephone authorization system available 24 hours a day, seven days a week for use in case of terminal malfunction.

Fifth Third's accomplishments in chargeback processing are even more impressive. In addition to earning Quality Performance Awards from Visa USA and MasterCard International, Fifth Third pioneered the development of online chargeback response, facsimile draft, and Internet-accessible back office management. By focusing on lowering its customers' chargeback ratio, Fifth Third helps you to minimize your exposure to chargeback losses.

With over twenty-five years of processing experience, data centers in Cincinnati and Toledo, and five Ohio merchant sales offices, Fifth Third understands the needs of Ohio's retail and repair industry and has the ability to meet them with customized payment solutions. Take advantage of your OPRRA membership and call (800) 731-3777 to find out more about the Fifth Third/OPRRRA credit card acceptance program. ♦



## What is the Ohio Petroleum Retailers & Repair Association?

history

The Cleveland Gas Dealers Association began in 1950, and eventually changed its name to NOPRA. The Toledo Association joined NOPRA in 1989, then in 1993 the Columbus Association (ISSARA) allied with us to form OPRRA. Our goal is to help dealers be effectively represented in the marketplace.

benefits

Legal Program, Legislative Updates, Group Health Insurance, Dental Insurance, Credit Card Program, Check Acceptance Program, UST Information, SIRAS Program, Workers' Compensation Group Rating, Free Classified Advertising, Member Magazine -- *The Independent Dealer, Membership Directory and Buyers's Guide*, Federal Credit Union, Hotline Bulletins, Ongoing Education and Training Programs and the comraderie of working side-by-side with hundreds of experienced business-owners in our industry.

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# Preventing workplace violence

By Howard Cherry, CECM  
Environmental Services of Ohio

Each week an average of 20 people are murdered and 18,000 are assaulted while working or on duty in the United States (Source: National Institute for Occupational Safety and Health, 1996). Although job-related homicides dropped 12 percent from 1995 to 1996, homicide was still the second leading cause of job-related deaths. According to the Bureau of Labor Statistics (1997), fifteen percent of the fatalities at work were homicides. Crime-related claims have the second highest average cost at \$21,263. Other claims cost an average of \$12,066 (National Council on Compensation Insurance).

The Occupational Safety and Health (OSH) Act's General Duty Clause requires employers to provide a safe working environment for all workers covered by the OSH Act of 1970. If there is a recognized violence hazard in the workplace, and employers do not take feasible steps to prevent or abate it, employers can be cited.

OSHA is taking aim at preventing workplace violence. According to U.S. Secretary of Labor, Alexis M. Herman, "the statistics are shocking. Homicide is the number one killer of women in the workplace, and the second leading cause for all American workers. Forty-eight percent of all homicides in the workplace occur in retail."

Consider the following prevention strategies for your facility:

## Environmental Designs

Commonly implemented cash-handling policies in retail settings include procedures such as using locked drop safes, carrying small amounts of cash, and posting signs and printing notices that limited cash is available. It may also be useful to explore the feasibility of cashless transactions in retail settings through the use of machines that accommodate automatic teller account cards or debit cards. These approaches could be used in any setting where cash is currently exchanged between workers and customers.

### Are Your Employees in Danger? Common Risk Factors in Retail Establishments

- Contact with the public
- Exchange of money
- Delivery of passengers, goods, or services
- Working alone or in small numbers
- Working late night or early morning hours
- Working in high-crime areas

Physical separation of workers from customers, and the general public through the use of bullet-resistant barriers or enclosures has been proposed for gas stations and convenience stores. The height and depth of counters (with or without bullet-resistant barriers) are also important considerations in protecting workers, since they introduce physical distance between workers and potential attackers. Consideration must nonetheless be given to the continued ease of conducting business; a safety device that increases frustration for workers or for customers may be self-defeating.

Visibility and lighting are also important environmental design considerations. Making high-risk areas visible to more people and installing good external lighting should decrease the risk of workplace assaults (NIOSH 1993).

Access to and egress from the workplace are also important areas to assess. The number of entrances and exits, the ease with which non-employees can gain access to work areas because doors are unlocked, and the number of areas where potential attackers can hide are issues that should be addressed. This issue has implications for the design of buildings and parking areas, landscaping, and the placement of garbage areas, outdoor refrigeration areas, and other storage facilities that workers must use during a work shift.

Numerous security devices may reduce the risk for assaults against the workers and facilitate the identification and apprehension of perpetrators. These include closed-circuit cameras, alarms, two-way mirrors, card-key access system, panic-bar doors locked from the outside only.

## Administrative Controls

Increasing the number of staff on duty may also be appropriate in any number of retail settings. The use of security guards to screen persons entering your facility and controlling access to actual work areas has also been suggested by security experts.

Work practices and staffing patterns during the opening and closing of your establishment and during money drops and pickups should be carefully reviewed for the increased risk of assault they pose to workers. These practices include having workers take out garbage or other items in external storage areas.

Policies and procedures for assessing and reporting threats allow employers to track and assess threats and

Continued on page 30





# Survey Date change may impact lost-time claim funds

**A**n Ohio Bureau of Workers' Compensation (BWC) change in the "claims cost evaluation date," commonly known as the survey date, could significantly impact employers' lost-time claim reserves for the rating year beginning July 1, 1999.

The change will shift the survey date for private, state-fund employers from March 31, 1999 to December 31, 1998.

The survey date change will allow BWC to approve annual premium rates in April, two months earlier than the old system. This will enable earlier release of Experience Exhibits to employers, who will then have

important rate information to use while considering rating plans before program application deadlines.

Though the reserving process

## Frank Gates

itself will not change, the dollar amount assessed for the reserve will tend to be greater. There is also increased potential for a high annuity reserve.

Statewide, higher reserves in lost-time claims will result in increasing experience modifications (EM%), higher rates and premium expense for some employers next year.

Many other July 1, 1999 - June 30, 2000 group rating plan savings offers coming out will not include this critical reserve

By David Merz  
The Frank Gates Service Company

change. The effect will be inflated future group rating savings estimates for some employers and lower actual group discounts when they are released next year.

The Frank Gates Service Company is incorporating this important difference into its group rating savings forecasts.

Also, since your premium rates will be more responsive than ever before to claim activity, it is especially important for you to contact a Frank Gates claim representative immediately with any new or updated information regarding an injured workers' off-work status or return-to-work status.

Dave Merz has a new phone extension. He may be reached by calling: Toll free (800) 777-4283, ext. 408, Direct dial, (614) 793-5408. Please update your records accordingly. ♦



DAVE MERZ from The Frank Gates Service Company accepts OPRRA's Silver Award from OPRRA President David Freitag.

## Frank Gates receives OPRRA's Silver Award

Huron, OH -- At OPRRA's September Membership Convention meeting, President David Freitag and Executive Vice President Lynn Bearer announced The Frank Gates Service Company as a winner of the OPRRA "Silver Award" for their dedication to OPRRA members statewide.

OPRRA contributing writer David Merz accepted the award on behalf of his Columbus, Ohio organization.

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## BP/Amoco merger details heard in Washington

**OPRR President David Freitag** of Bellevue recently addressed a Senate panel about BP's proposed buyout of Amoco and its impact on local dealers.

Mr. Freitag asked for a review of the deal by the Senate Judiciary Committee's antitrust subcommit-

tee, chaired by Sen. Mike DeWine. (R-Ohio). After the hearing, DeWine and Sen. Herb Kohl (D-Wis) sent a letter to the Federal Trade Commission asking it to look at the merger's effects on retail gasoline markets. Mr. Freitag cited his own dealings with mergers. 10 years ago his Sohio

station was converted to BP and he (and many other dealers) was forced to absorb the large costs associated with the switch. ♦

## BP at odds with Sheetz C-store chain

An *Oil Express* article cites a brewing battle between giant BP and Pennsylvania-based Sheetz C-stores. Problems began when Sheetz opened an eight-MPD store in Garard, with posted prices of about 85 cents per gallon for unleaded, according to jobbers. The article also said BP has severed its supply deal with Sheetz. Sheetz has now turned to Marathon-Ashland for supply. BP has fired back, offering prices around 81.9 cents per gallon.

## Cleveland, Cincinnati make Clean Air Top 10

The Foundation for Clean Air Progress released its list of Clean Air Success Stories selections. The cities were selected from the 50 most populous cities in the U.S. They consist of those cities which experienced more than 25 ozone exceedance days during the five year period from 1987-1991, and which demonstrated the greatest improvement during the following five year period. The following are the 10 cities with their respective percent reduction: **Cleveland, 81.8%**; Milwaukee, 30.8%; Charlotte, 78.9%; Boston, 78.6%; Chicago, 77.1%; Providence,

Continued on next page

## OPRR Scholarship winners named

At last month's OPRRA Annual Membership Convention, Board members proudly announced this year's winners of the Anthony E. Procaccini Jr. Memorial Scholarships for 1998.

**Eric Peacock**, son of Tiffin OPRRA member Rodney Peacock, and **Melissa Thomas**, daughter of member Tim Thomas of Middleburg Heights were named scholarship recipients.

OPRRRA wishes both students continued success in their academic studies.

The Anthony E. Procaccini Jr. Memorial Scholarship was founded in the name of the late member and friend of OPRRA. The Scholarship is not limited to those enrolled in 2-or 4-year college courses of study, but is available to students attending vocational, trade, or business schools.

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Continued from previous page

73.7 %; Nashville, 73.7%; Newark, 73.6%; **Cincinnati, 72.9%**; San Diego, 72.7%.

\*\*\*

## Deadline looms for UST regs

Deadline for the 1998 UST regulation compliance is December 22, 1998. That's the date the U.S. EPA's Resource Conservation and Recovery Act says that all underground storage tanks must meet the technical design and performance standards outlined in EPA regulations, or, those tanks must be taken out of service. The regs require your UST system to have overspill protection, overfill protection, leak detection, and some method of cathodic protection or fiberglass tanks. Call the OPRRA office immediately if you have any questions on the deadline.

\*\*\*

## New safety writer joins Independent Dealer

OPRRRA welcomes its new Workplace Safety editor, **Mr. Howard Cherry**, CECM, of Environmental Services of Ohio. Mr. Cherry brings

to OPRRA members many years experience and common-sense approaches to preventing workplace accidents. You can check out his article on page 22 of this issue. Mr. Cherry is available to answer questions or accept ideas for future article topics. Contact Terry Mulgrew at OPRRA for more information.

\*\*\*

## OPRRRA staff phone extensions listed

You'll now find a phone extension directory for OPRRA staff members listed on page four of this magazine. Staff voice mailboxes are accessible 24 hours a day. If you leave a message, your call will be returned as soon as possible.

\*\*\*

## SEMA announces new trade show

The Specialty Equipment Market Association (SEMA) is planning a new high performance trade show, scheduled for February 19-21, 1999 in Cincinnati. The Show will bring together all aspects of the performance market such as imports, trucks, muscle cars, street rods and performance vehicles for the street and race track. For more information about the Show, call SEMA at (909) 396-0289.

## SPRING ASE TESTS

**AUTO • BODY/PAINT  
ENGINE MACHINIST  
MEDIUM/HEAVY TRUCK**

**Spring '99 test deadline:**

**April 2, 1999**

**TESTING DATES:**

**May 4, 6, 11, 1998**



**call 703-713-3800**

\*\*\*

## New map/atlas supplier available

Midwest Map company debuted its services at last month's OPRRA annual convention. Owner Tom Correll offered an impressive display of unique sales and service programs he offers to all OPRRA members. For more information call 800-567-7304.

## Legal Assistance Program

*Continued from page 6*

tion, make notes and questions for yourself, and bring that list to your meeting with the lawyer. Also, make notes during your session."

He adds, "It is difficult because dealing with a lawyer isn't an every day function for most of us. And often, the circumstances under which you will need legal advice are unpleasant, but you need to keep your wits about you, lay out a plan with your attorney, and he or she can lead you down the right path."

Waggoner says, "I've always provided free consultations and I'm glad to answer questions. It's unfortunate how one-sided oil company agreements are and how few rights dealers may have under those agreements. I'm always ready to help." ♦

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# Tankwagon

HELP YOUR  
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SEND US YOUR  
TANKWAGON PRICING...

Sample pricing information from the period

**AUGUST/SEPTEMBER**

R=87 Octane, S=92 Octane

Samples from West Cleveland and Columbus Locations.

<b>SHELL</b>		
<u>Date</u>	<u>R</u>	<u>S</u>
8/1	93.1	108.1
8/4	93.1	108.1
8/6	93.1	108.1
8/11	93.1	108.1
8/12	93.1	108.1
8/15	93.1	108.1
8/17	93.1	108.1
8/21	92.1	107.1
8/23	92.1	107.1
8/25	91.6	106.1
8/27	91.6	106.1

<b>SUNOCO</b>		
<u>Date</u>	<u>R</u>	<u>S</u>
8/1	94.9	104.7
8/7	101.9	111.7
8/11	99.9	109.7
8/12	97.9	107.7
8/15	95.9	105.7
8/18	94.9	104.7
8/24	92.9	102.7
8/28	97.9	107.7

<b>BP</b>		
<u>Date</u>	<u>R</u>	<u>S</u>
8/6	90.9	
8/7	100.9	116.9
8/11	96.9	
8/15	93.9	
8/17	90.9	106.9
8/19	92.9	108.9
8/22	91.9	
8/27	98.9	114.9
8/31	96.9	

<b>MARATHON</b>		
<u>Date</u>	<u>R</u>	<u>S</u>
8/1	94.9	106.9
8/6	96.9	108.9
8/8	97.9	109.9
8/11	95.9	107.9

## RETAIL GASOLINE (Self-Service Prices per gallon, including taxes)

This report contains price estimates for gasoline sold in ozone non-attainment areas, carbon monoxide non-attainment areas, non-attainment areas for both ozone and carbon monoxide (OPRG), and attainment areas, as designated by the EPA. Reformulated gasoline (RFG) is required in non-attainment areas and the entire state of California and oxygenated gasoline is required in carbon monoxide non-attainment areas.

## PADD 2 All grades

<b>SHELL Columbus</b>		
<u>Date</u>	<u>R</u>	<u>S</u>
9/1	93.05	108.05
9/9	91.05	106.05
9/16	90.05	105.05
9/17	100.05	115.05

<u>Date</u>	<u>8/24</u>	<u>8/31</u>	<u>9/7</u>	<u>9/14</u>	<u>9/21</u>
Average	1.035	1.032	1.027	1.020	1.047
Convent. areas	1.023	1.021	1.015	1.008	1.039
Oxy. areas	1.069	1.054	1.064	1.050	1.078
RFG areas	1.094	1.089	1.084	1.082	1.081

**WE NEED YOUR HELP! SEND US YOUR TANKWAGON PRICING.**

Call Paul Harvey, Editor at (440) 356-2510 to request a fax copy of the Tankwagon Reporting Form. Or call Board Member Ralph Miller for more information.

**This location will be**  
**CLOSED**

**On Friday, Dec. 25th**  
**for Christmas Day.**

**Happy Holidays!**

# Ohio Petroleum Retailers & Repair Association 1998 CANDIDATE FORM

If you would like to submit your name as a candidate for the OPRRA Board of Directors, please complete the form below and return to the OPRRA office. Further information will be forwarded to you regarding this important position.

## **OHIO PETROLEUM RETAILERS & REPAIR ASSOCIATION**

17 S. High Street, Suite 200  
Columbus, OH 43215

Name: \_\_\_\_\_ Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (        ) \_\_\_\_\_ Fax (        ) \_\_\_\_\_

Number of years in business: \_\_\_\_\_

How many locations do you operate: \_\_\_\_\_

Why do you wish to become a member of the OPRRA Board of Directors?

---

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Please check the following committees that interest you:

- ☐ Government Relations
- ☐ Scholarship
- ☐ PAC
- ☐ Buying Group
- ☐ Insurance
- ☐ Finance
- ☐ Workers' Comp
- ☐ Nominating
- ☐ Membership



*Remember, We Do Better...  
Together.*



## BP, Amoco dealers face uncertainty

*Continued from page 5*

that vision? Many don't think so. "At the very least I'd like to see just one person from either oil company say they are concerned about the merger's effect on dealers, and say that they are going to try their best not to displace any dealers and run them out of their communities.

The Independent Dealer gave BP the chance to say just that. They declined.

"We are waiting for the merger to be completed," said Linda McCrea, BP's director of public affairs. "As of now, we are still two separate companies. There simply is no information yet.

Tony Note, BP's manager of midwest dealer operations, also declined to answer any questions, stating that he "was not permitted to comment yet" on the merger or on any impact—real or potential—on dealers.

"Let's face it. Everyone at BP is worried about their jobs. The person they're least worried about right now is the dealer. If I could say anything to the oil companies, I would wish them well with their merger, but ask them simply not to destroy anyone along the way," says Licata. He emphasizes, "We will be on front lines in trying to help dealers affected by this merger.

Pat LaVecchia, owner of Pat's Sunoco

in Rocky River and OPRRA vice president, says, "It's intolerable that some dealers could lose their locations. I think the citizens of Ohio and their leaders will work with us to make sure the independent small business owners in their communities are not irreparably damaged by the station closings this merger is bound to give birth to."

### Re-imaging, Competition Worries

For some dealers whose contracts will be renewed with the new company, re-imaging is a concern. For small service station owners, the brand turnover expense will be tough to swallow, and many are disillusioned that they were not notified sooner. The cosmetic changes that will accompany the merger could not have come at a worse time. To meet new EPA regulations, many independent dealers have just completed extensive renovations to their USTs—downtime many dealers also used to complete expensive cosmetic upgrades. BP and Amoco dealers will most likely have to upgrade again. One dealer, who asked not to be named, said, "They knew a merger might happen, and they let me spend thousands of dollars re-designing my facility. I wish they'd have told me to hold off on that project.

Though the companies have not yet addressed the issue of re-imaging costs, Terry Mulgrew, recalling the switch from Sohio to BP says, "If past history can

be used as a guide, dealers will eventually be spending their own money on this.

OPRRA president Dave Freitag, owner of Freitag's BP in Bellevue is one of those independent dealers who just completed an extensive remodeling of his location, including interior and exterior design, new pumps and a new canopy, all extensively bearing BP green and yellow. "I spent a small fortune last year rebuilding my station, so naturally I'm concerned about who will bear the cost of a changeover from the BP name to the new name. It's going to be very, very expensive. I wish I'd have known they were considering a merger. I may not have put so much money into my remodeling.

Jerry Pastor, though is optimistic. "Amoco paid for the signs I have now," he says. "So I think a new supplier would do the same, and I think I can get a new supplier pretty easily. I think the biggest adjustment will be credit cards."

Cleveland Mayor Mike White said of the merger, "They gave us assurances, and they've broken their word. I join with many other community leaders in feeling betrayed by (BP's) announcement."

"We're all a little disheartened," said another Cleveland area independent dealer, who asked not to be identified, reflecting on the mayor's statement. "We trusted BP, and then they surprised us with this. If they could be untruthful with someone with the mayor's political clout, what's to stop them from being untruthful with a small business owner like me?"

Other dealers have been able to shrug off BP's tight-lipped stance. Lessee dealer John Procaccini, of Procaccini BP in North Olmsted and Parma says, "I suspected something like this a while back with the selling off of Atlas and the ProCare shops. I think it's positive for me. Hopefully they will be able to consolidate their management and refining to be a more efficient, stronger company, which could result in better lease agreements for dealers like me.

Bearer says, "What we are most concerned about are the small business people whose families have operated neighborhood service stations for generations. We think they should remain in business in their communities, and, without being saddled with insurmountable debt they did not ask for," says Bearer. "It's hard to fathom the total ramifications of this merger. We think it will be a long time before its impact is fully realized." ♦

## Preventing workplace violence

*Continued from page 22*

violent incidents in the workplace. Such policies clearly indicate a zero tolerance of workplace violence and provide mechanisms by which incidents can be reported and handled. In addition, such information allows employers to assess whether prevention strategies are appropriate and effective. These policies should also include guidance on recognizing the potential for violence, methods for defusing or de-escalating potentially violent situations, and instruction about the use of security devices and protective equipment. Procedures of obtaining medical care and psychological support following violent incidents should also be addressed. Training and education efforts are clearly needed to accompany such policies.

### Behavioral Strategies

Training employees in nonviolent response and conflict resolution has been suggested to reduce the risk that volatile situations will escalate to physical violence. Also critical is training that addresses hazards associated with specific tasks or worksites and relevant prevention strategies. Training should not be regarded as the sole prevention strategy but as a component in a comprehensive approach to reducing workplace violence.

To increase vigilance and compliance with stated violence prevention policies, training should emphasize the appropriate use and maintenance of protective equipment, adherence to administrative controls, and increased knowledge and awareness of the risk of workplace violence. ♦



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**also:** 50 years in business, service station and real estate. Purchase price includes 4600 SF facility, 8 pumps, 3 service bays, lottery, c-store and beverage license. All 1998 requirements completed. For business package call: Tony Mesi 614-451-5100

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**1.** Type or clearly write a brief description of your sale items.

**2.** Include your phone number including area code and contact name.

**3.** Fax or mail your ad to OPRRA: CLASSIFIEDS: P.O. Box 16818 Rocky River, OH 44116 **FAX: (440) 356-3776**

*\*Ad will run for a minimum of three issues unless you fax a cancellation notice to the above number.*

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