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State of Ohio Environmental Protection Agency

**Southwest District Office**

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Dayton, Ohio 45402

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

June 22, 2007

Mr. Bill Morris  
M&H Farm Equipment  
596 Sharp Road  
Jamestown, Ohio 45335

**Re: Return to Compliance, Notice of Violation  
M&H Farm Equipment, Greene County, CEG**

Dear Mr. Morris:

Ohio EPA is in receipt of M&H Farm Equipment's (M&H's) April 17, 2007 letter responding to Ohio EPA's October 27, 2006 and April 4, 2007 Notice of Violation (NOV) letters. Your response explains how a violation and general concern have been abated. On May 17, 2007 I also conducted an inspection of your facility to ensure the violation and general concern had been abated.

Based on my inspection and a review of your response, M&H has adequately demonstrated abatement of the violation and general concern noted in Ohio EPA's October 27, 2006 and April 4, 2007 Notice of Violation letters.

However, as a result of my inspection May 17, 2007 I found a violation of Ohio's used oil management standards. M&H must correct this violation by doing the following and must also provide a written response explaining how this violation has been abated within **30 days** of this letter.

**Ohio Administrative Code 3745-279-22 (D)  
Response to releases of used oil**

This regulation requires that upon detection of a release of used oil to the environment, the facility must stop the release, contain the release, clean up the release, and repair or replace leaking containers.

During the investigation Ohio EPA observed used oil on the ground which appears to have originated from drums which store used oil. These drums are located between the main barn and Sharp Rd. out from the main overhead door on the barn. It seems that used oil is commingled into the drums there. It appears that

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used oil is allowed to overflow out of these drums, is leaking from the drums, or is somehow spilled onto the ground near these drums. The released used oil had not been cleaned up. Therefore, at the time of inspection May 17, 2007 M&H was in violation of OAC 3745-279-22 (D) for failing to stop a release of used oil and for failing to clean up a release of used oil.

To abate this violation M&H must determine the source of the used oil release. If the source is a leaking drum this must be repaired. Regardless M&H must stop further release of used oil to the environment. M&H must have any accumulated used oil currently stored on site (such as contained in these drums) transported off site to a recycling facility by a registered used oil transporter or in compliance with applicable regulations. M&H must excavate all visibly stained oil contaminated soil from this area and dispose of it properly. Removal effort must continue to a depth until all visibly stained soil has been removed. Check with your solid waste disposal contractor for proper disposal procedures. In the future, M&H must store used oil under cover (within the barn or other). **Within 30 days** of your receipt of this letter M&H must abate this violation and must provide this office with written notice describing how this violation has been abated.

In the future M&H must prevent the release of used oil to the environment, and when M&H does release used oil to the environment, it must immediately cleanup the released used oil and properly dispose of contaminated soil.

This concludes the findings of Ohio EPA's inspection May 17, 2007. Failure to list specific deficiencies or violations in this letter does not preclude M&H from having to comply with all applicable regulations. If you have further questions, please feel free to call me at (937)285-6082.

Sincerely,



Brian Gitzinger  
District Representative  
Division of Hazardous Waste Management

cc: Dinah Crawford, DHWM, SWDO

BG/br