



State of Ohio Environmental Protection Agency

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002 File

Southwest District

401 East Fifth Street
Dayton, Ohio 45402-2911

TELE: (937)285-6357 FAX: (937)285-6249
www.epa.state.oh.us

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

April 4, 2007

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

Re: **2nd Notice of Violation**
M & H Farm Equipment, Greene County, CEG

Dear Mr. Morris:

On October 13, 2006 Ohio EPA conducted a complaint investigation of M & H Farm Equipment (M&H). On October 27, 2006 Ohio EPA sent a Notice of Violation letter to you documenting the violation and general concern found during the complaint investigation. M&H has not responded to Ohio EPA's October 27, 2006 Notice of Violation letter and remains in violation of following Ohio hazardous waste law. In order to abate this violation you must do the following and submit a written response describing your efforts **within 21 days** of receipt of this letter.

Labeling of Used Oil Containers
OAC 3745-279-22 (C)(1)

This rule requires that containers and aboveground tanks used to store used oil at generator facilities be labeled or marked with the words "Used Oil". During the inspection we noted that there were several plastic 55 gallon containers of used oil stored outside on the property that were not marked with the words "used oil". Therefore at the time of inspection October 13, 2006 M & H Farm Equipment was in violation of OAC 3745-279-22 (C)(1) for failing to label or mark several 55 gallon plastic containers of used oil with the words "used oil" as required.

To abate this violation mark or label all containers or tanks of used oil with the words "used oil". **Within 21 days**, you must abate this violation and you must provide this office a **written response** which explains how you have abated this violation.

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During our investigation, the following general concern was noted. In order to address this concern you should follow our recommendation provided here.

GENERAL CONCERN -

During the investigation we noted that M & H Farm Equipment was storing several lead acid batteries on site. These batteries were stored outside on the ground and scattered about the property at various locations. Ohio EPA is concerned that these may become damaged by being run over, etc and then would contaminate the soil. In order to address this concern you should gather all the batteries and store these together in one location and under cover.

Within 21 days, you must address this concern, and provide this office a written response explaining how you have addressed this concern.

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve you from having to comply with all applicable regulations. If you have questions please feel free to contact me at (937) 285-6082.

Sincerely,



Brian Gitzinger
District Representative
Division of Hazardous Waste Management

cc: Dinah Crawford, DHWM, SWDO
Tammy McConnell, DHWM, CO

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