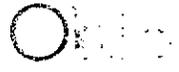


Waiting for ID#

val. 001

Enf. 001

RT'd / violation



**Environmental Protection Agency**

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

July 27, 2010

Franklin Iron and Metal Corp.  
Gregory M. Clouse  
General Manager  
1939 East First Street  
Dayton, Ohio 45403

OH-000100234

**Re: Complaint Investigation  
Notice of Violation and Return to Compliance**

Mr. Clouse:

On July 27, 2010 Larry Dickerson and I met with you and Mr. Jerry Gupton, Operations Manager, to discuss a complaint alleging mismanagement of wastes at Franklin Iron and Metal on East First Street in Dayton, Ohio. The purpose of our investigation was to assess the validity of the complaint and determine whether hazardous waste rules or regulations were violated accordingly. The complaint alleged mismanagement of automotive fluids and routine fires were being utilized to burn tires and clean metals.

With respect to the complaint, we conducted a physical investigation of the facility and reviewed your disposal records. All gasoline, used oil, and anti-freeze is being collected, managed, and properly recycled off site. Fluids are collected from both the car lift and the oil/water separator. The fluids are collected by Clean Water Limited. No leaks or spills were observed. With respect to the fire, there was no evidence of the use of fires for the purpose of managing wastes.

We did note one violation as follows:

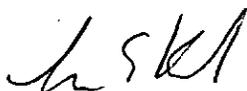
**OAC 3745-279-22 (B) - Used Oil**

Used Oil must be stored in containers that are labeled with the words "Used Oil". During the investigation, the two used oil containers at the car lift weren't labeled. The containers were immediately labeled at the time of the inspection, and therefore Franklin Iron and Metal is **Returned to Compliance** at this time.

Franklin Iron and Metal Corp.  
July 27, 2010  
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No other violations were observed at the time of this inspection. You can find copies of the rules and other information on the Division's web page at [www.epa.state.oh.us/dhwm](http://www.epa.state.oh.us/dhwm). We appreciate your assistance on this investigation. If you have any questions, please call me at (937) 285-6594.

Sincerely,



Thomas E. Koch,  
Division of Hazardous Waste Management

cc. : Robyn Fox, SWDO-DHWM/SWDO, File

TEK\bp