



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

March 12, 2007

**RE: COMPLAINT # 6840
DALGLEISH'S GARDEN CENTER &
LANDSCAPING
LORAIN COUNTY**

Mr. Scott Dalgleish
Dalgleish's Garden Center & Landscaping
850 Center Road
Avon, Ohio 44011

Dear Mr. Dalgleish:

On September 18 and 20, 2006, Robert Almquist and I investigated a complaint at Dalgleish's Garden Center & Landscaping (Dalgleish's) facility located at 850 Center Road, Avon, Ohio. On September 18, 2006, I was accompanied by Janet with Dalgleish's. On September 20, 2006, we were accompanied by John Rodriguez with Dalgleish's. According to the complaint received by the Ohio EPA, the complainant alleged, in part, that Dalgleish's changes oil from on-site equipment and either dumps it on the ground or leaves the containers out so that rain water overflows the container and the oil/water mixture enters the ditch and flows to Lake Erie.

We inspected Dalgleish's to determine compliance with Ohio's hazardous waste laws as found in Chapter 3734. of the Ohio Revised Code (ORC) and Chapter 3745. of the Ohio Administrative Code (OAC).

A letter outlining violations was sent to Dalgleish's Garden Center & Landscaping on October 19, 2006.

On November 15, 2006, Ohio EPA received a letter from you stating that for unforeseen circumstances you would be the one responsible for correcting the violations and more than 30 days would be needed. I stated that a letter could be written to Ohio EPA explaining the circumstances and that the letter would become part of the official file or record. Ohio has not received a response abating the violations. I am attaching the original October 19, 2006 Notice of Violation (NOV). In order to correct the violations in the NOV you must perform the outlined tasks and send me the required information within 30 days of this letter.

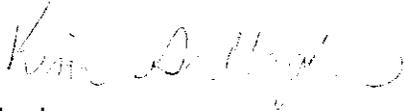
The Office of Compliance Assistance and Pollution Prevention (OCAPP) provides compliance and pollution prevention assistance on environmental issues related to air, land and water. The Ohio EPA OCAPP Northeast District contact is Adrienne LaFavre. You may wish to contact her at (330) 963-1250.

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Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve Dagleish's from having to comply with all applicable regulations.

If you have any questions, please feel free to contact me at (330) 963-1214.

Sincerely,



Kim Gallagher
Environmental Specialist
Division of Hazardous Waste Management

KG:cl
Attachment

ec: Frank Popotnik, DHWM-NEDO

cc: James Belt, ODAP Enforcement
Dan Bogoevski, DSW-NEDO
Clarissa Gereby, DSIWM-NEDO
Lorain County Health Department
Natalie Oryshkewych, DHWM-NEDO