

**Environmental
Protection Agency**

John Kasich, Governor
Robert Taft, Lt. Governor
Robert M. Whitt, Director

September 14, 2010

Mr. Richard Egy
Egy's Mower & Chain Saw Service
545 Hall Road
Elyria, OH 44035

RE: EGY'S MOWER & CHAIN SAW SERVICE, OHR 000 159 962, LORAIN COUNTY, COMPLAINT #7344, RETURN TO COMPLIANCE

Dear Mr. Egy,

Thank you for your September 1, 2010 response to Ohio EPA's July 8, 2010 Notice of Violation letter. The documentation you submitted included photographs demonstrating the actions Egy took in order to return to compliance.

The actions documented by the photographs included:

- The consolidation of used oil containers observed in various locations of your property;
- The pump-out and removal of the oil from the containers;
- The cut-up and accumulation of metal used oil containers in your scrap metal container;
- The excavation of soil and gravel stained with used oil that had been released from several of the drums;
- The removal of the batteries observed in a crate outside your building;
- Consolidation of scrap tires.

In addition to the photographs, Egy supplied invoices for the removal of batteries by PenMa Company of Lodi, OH, and the removal of used oil by Capital City Oil, Inc. of Mount Vernon, OH. Capital City Oil characterized the unknown liquids in the containers west of your building along the perimeter of the property as oil and water. You also provided a purchase order for a two drum spill containment platform which you stated will be used to contain possible spills and/or releases from used oil containers. In your letter received September 1, 2010, you explained that you transported your spent fluorescent bulbs to Home Depot for recycling. And you are now using two containers labeled, Universal Waste, to store batteries prior to pick up.

Based on the information provided, Egy's has returned to compliance with the violations listed below.

EGY'S MOWER & CHAIN SAW SERVICE

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Letter Citation #	Rule Citation
1.	OAC Rule 3745-52-11, Waste Evaluation
2.	OAC Rule 3745-279-22 (B), Used Oil, Condition of Containers
3.	OAC Rule 3745-279-22 (C), Used Oil, Container Labeling
4.	OAC Rule 3745-279-22 (D), Used Oil, Releases

Regarding the burner located behind your building, recall that it is not permissible for used oil to be burned in this burner since it is not providing heat energy to your building. As I mentioned in the NOV, you may contact the Ohio EPA Office of Compliance Assistance and Pollution Prevention at (800)329-7518 for guidance with this matter. You may recall I provided several guidance documents in the NOV regarding used oil including one about burning used oil in space heaters for businesses.

Thank you for your cooperation with our inspection of Egy's Mower & Chain Saw Service. Do not hesitate to contact me at (330) 963-1279, if you have any questions with regard to this letter.

Sincerely,



Patricia Natali
Environmental Specialist
Division of Hazardous Waste Management

PN:ddw

cc: Marlene Kinney, DHWM, NEDO
ec: Natalie Oryshkewych, DHWM, NEDO
Frank Popotnik, DHWM, NEDO
Harry Sarvis, DHWM, CO
Bill Lutz, DHWM, NEDO

NOTICE:

Failure to list specific deficiencies in this communication does not relieve Egy's Mower and Chain Saw Service from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.