



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

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

Re: Hawk Enterprise  
Allen County  
DHWM, NWDO  
Complaint 2689  
Third Notice of Violation

February 22, 2008

Certified Mail 7006 3450 0001 0661 3369

Mr. Ken Hawk  
Hawk Enterprise  
1900 Reservoir Road  
Lima, Ohio 45804

Dear Mr. Hawk:

On August 21, 2007, Gary Deutschman and Wendy Miller conducted a complaint investigation of Hawk Enterprise (HE), 1900 Reservoir Road in Lima, Ohio. On September 20, 2007, you were sent a Notice of Violation (NOV) letter concerning the complaint investigation. No response from HE was received by Ohio EPA. Therefore, a second NOV was sent to HE on December 13, 2007. Ohio EPA still has not received a response from HE concerning either NOV. **OHIO EPA MUST RECEIVE A RESPONSE FROM HE WITHIN 14 DAYS OF RECEIPT OF THIS LETTER. HE REMAINS IN VIOLATION OF THE FOLLOWING:**

1. **Ohio Administrative Code (OAC) Rule 3745-279-24; Off-site shipments of used oil by generators:** Generators shall ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers.

Currently, you give your used oil to Mike Snyder's Auto Service (7151 Reservoir Road) who burns it in their furnace. Used oil generators have three options for handling their used oil: **1)** generators must have their used oil transported by an entity that has a U.S. EPA identification number and ensure their used oil is recycled; **2)** generators may transport less than 55 gallons of their own used oil to a registered used oil collection center; or **3)** generators may burn their used oil in an on-site space heater as long as all applicable requirements are met.

**In order to abate this violation, HE must submit a copy to me of either:** 1) of a contract or some type of documentation indicating a transporter with a U.S. EPA identification number will be picking up HE's used oil and appropriately recycling it **or** 2) a disposal receipt from the off-site shipment of your used oil (if the facility is due for a pick-up) indicating that a transporter with a U.S. EPA identification number is now transporting their used oil and that the used oil is taken to an appropriate recycling facility **or** 3) a receipt from the drop-off of their used oil at a registered used oil collection center **or** 4) a summary outlining how you plan to manage your used oil if you decide to purchase a used oil furnace.

2. **OAC 3745-279-22(C), Labeling of Used Oil:** Generators must label or mark containers holding used oil with the words "Used Oil."

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You had one 55-gallon drum storing used oil that was not properly labeled "Used Oil."

**To abate this violation, you must properly label the drum "Used Oil" and send or email me a photograph showing that this has been done.**

Please note that Ohio EPA considers these violations to be serious in nature and the company's failure to respond to this and past NOV's may result in referral of HE's violations to our Central Office Enforcement Section for consideration of escalated enforcement.

If you have any questions concerning this letter or the violations listed, please contact me at (419) 373-3065.

Sincerely,



Kara Reynolds  
Environmental Specialist  
Division of Hazardous Waste Management

/cs

pc: Colleen Weaver, Supervisor, DHWM, NWDO  
Kara Reynolds, DHWM, NWDO  
Cindy Lohrbach, DHWM, NWDO  
~~DHWM, NWDO File: Allen County, Allen County General 2005 -~~

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

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Sent to  
 Ken Hawke  
 Street, Apt. No.,  
 or PO Box No. 1900 Reservoir Rd.  
 City, State, ZIP+4  
 Lima, Ohio 45804

PS Form 3800, August 2006      See Reverse for Instructions

<p><b>SENDER: COMPLETE THIS SECTION</b></p> <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <p>Mr. Ken Hawke              Hawk Enterprises              1900 Reservoir Rd.              Lima, Ohio 45804</p>	<p><b>COMPLETE THIS SECTION ON DELIVERY</b></p> <p>A. Signature  <input checked="" type="checkbox"/> Ken Hawke      <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)      C. Date of Delivery              _____      2-23-04</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes              If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail      <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered      <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail      <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee)      <input type="checkbox"/> Yes</p>
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2. 7006 3450 0001 0661 3369 *rcr/kara/jc*