



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

July 9, 2007

**PERRY COUNTY
GENERAL FILE
(3D EQUIPMENT RENTAL)
RCRA/UOG
NON-NOTIFIER**

Mr. Dwight Bowen
3D Equipment Rental
P.O. Box 1
New Lexington, Ohio 43764

Dear Mr. Bowen:

On July 3, 2007, Jim Sferra and I conducted a compliant investigation to determine the validity of a complaint that was received by this office on June 28, 2007 and to determine your company's compliance with Ohio's hazardous waste laws and regulations, as found in the Ohio Revised Code and the Ohio Administrative Code (ORC and OAC, respectively). The complainant alleged that 3D Equipment Rental was burning tires and disposing of used oil onto the ground.

During the investigation we found a small area to the left of the main building where used oil was spilled onto the ground. There was no evidence of burning tires.

We found the following violations of Ohio's hazardous waste laws. In order to correct these violations you must do the following and send me the required information **within 30 days** of your receipt of this letter:

- (1) **Used oil storage requirements for generators, OAC rule 375-279-22(C)**: Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil".

During the inspection, the used oil container was not labeled, as required by this rule. To demonstrate compliance with this rule, photographic documentation must be submitted to Ohio EPA demonstrating that the used oil tank has been labeled as required.

- (2) **Used oil storage requirements for generators, OAC rule 375-279-22(D)(3)**: Upon detection of a release of used oil to the environment, a generator shall clean up and manage properly the released used oil and other materials.

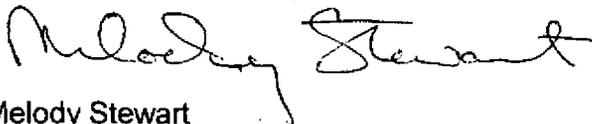
Mr. Dwight Bowen
3D Equipment Rental
July 9, 2007
Page 2

During the inspection, used oil contaminated soils and stained concrete were observed to the left of the main building. As required by this rule, the soils in this area must be cleaned-up as discussed during the inspection. To demonstrate compliance with this rule, photographic documentation must be submitted to Ohio EPA demonstrating that the contaminated soil has been removed and disposed of properly.

The Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner. You can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. You can find more information about pollution prevention, including fact sheets at the following web address: <http://www.epa.state.oh.us/opp>. You can also find copies of the rules and other information on Ohio EPA's web page at <http://www.epa.state.oh.us>.

If you have any questions regarding waste management or pollution prevention activities, please call me at (740) 380-5278.

Sincerely,



Melody Stewart
District Representative
Division of Hazardous Waste Management

MS/mlm

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 appropriate regulations.