



Environmental  
Protection Agency

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

Re: Lefeld Implement  
OHR000006189  
Mercer County  
Hazardous Waste  
**Notice of Violation**

September 23, 2011

Mr. Tim Berkenstock  
Service Manager  
Lefeld Implement  
5228 State Route 118  
Coldwater, Ohio 45828

Dear Mr. Berkenstock:

Thank you for accompanying me during Ohio EPA's September 19, 2011, compliance evaluation inspection (CEI) of Lefeld Implement (LI) located at 5228 State Route 118, in Coldwater, Ohio. I inspected LI to determine its 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). My inspection included observations of facility operations and a review of written documentation. This letter will explain the violations I found and what you need to do to correct the violations.

LI sells and services all types of farm equipment including large equipment like tractors and harvesters. LI generates the following wastes:

1. Used Oil: Used oil is generated from engine maintenance. As much as 200-300 gallons could be accumulated in a month. LI operates two used oil-fired space heaters; one in each of the shops.
2. Spent Parts Washer Solvent: LI operates three parts washers: one uses an aqueous solution and the other two use a solvent solution. The units are used to clean equipment/implement parts. The three units are serviced by Heritage-Crystal Clean, LLC. The premium solvent has a flash point over 145°F.
3. Spent Antifreeze: A small amount of antifreeze is accumulated from service work. It is accumulated in a drum and sold to customers to weatherproof equipment like sprayers.
4. Used Batteries: Spent lead acid batteries are accumulated in a closed trailer and picked up and recycled by Exide Technologies of Indianapolis, Indiana.
5. Used Lamps: LI has been placing used lamps into the trash.

As a result of my inspection, I 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. Waste Evaluation  
OAC Rule 3745-52-11**

A generator must determine whether its waste is hazardous by testing the waste according to the methods set forth in rules 3745-51-20 to 3745-51-24. LI has failed to evaluate its spent lamps (all types) according to this rule, and they have been disposed of in the facility's trash. In order to abate this violation, LI must evaluate its spent lamps. Instead of obtaining a sample of the lamps and having the sample analyzed in a laboratory, LI may elect to manage its spent lamps (all types) as Universal Waste. The requirements for Universal Waste lamps include:

- **Immediately prevent** spent lamps from being disposed of in the facility's trash;
- Place spent lamps into containers that are structurally sound (boxes for example);
- Label the containers with the words "Used Lamps";
- Document the length of time that the spent lamps are stored (place a date on the boxes);
- Store spent lamps for no longer than one year;
- Inform all employees with the responsibility to collect spent lamps of these requirements; and
- Ship the spent lamps to a lamp recycler (please refer to the list of lamp recyclers that I have enclosed with this letter and provided during my inspection).

In order to correct this violation, please explain how you intend to manage your spent lamps and to comply with the requirements listed above. Indicate how you will package the lamps, label the containers, and date the containers. Please submit photos demonstrating that this has been done. Also, please indicate where you will ship the Universal Waste lamps to.

**2. Used Oil Container Labeling  
OAC Rule 3745-279-22(C)(1)**

Containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil." On September 19, 2011, I observed one tank, more than six 55-gallons drums and several 5-gallon pails that were not labeled in this manner.

In order to correct this violation, LI must immediately mark or label all used oil containers and tanks with the words "Used Oil" and provide me with photographic documentation that this has been done.

**3. Used Oil Container Condition  
OAC Rule 3745-279-22(B)**

Containers and aboveground tanks used to store used oil at generator facilities must be in good condition (no severe rusting, apparent structural defects or deterioration). On September 19, 2011, I observed several 5-gallon pails of used oil that were not closed (a structural defect), with some minor visible leaks surrounding them.

In order to correct this violation, LI must immediately close all used oil containers or place the used oil into containers that can be closed and provide me with photographic documentation that this has been done.

Please be aware that incandescent, fluorescent, metal halide, neon, high-intensity discharge, high-pressure sodium and mercury-vapor lamps could be hazardous waste when discarded. Fluorescent lamps may contain up to 40 milligrams (mg) of mercury, depending on the brand and manufacturer. Lamps may also contain lead and cadmium. Many lamps exhibit a characteristic of toxicity for heavy metals when disposed. I have enclosed copies of the following documents to assist you in properly managing your spent lamps: Fluorescent Lamps: What You Should Know and Computer, Fluorescent Lamp and Ballast Recyclers. I recommend that you review these documents carefully and contact me if you have any questions. The first document describes the rules you must follow in order to manage lamps as a universal waste.

As a used oil generator you are required to store used oil in containers or aboveground tanks that are in good condition (no severe rusting, apparent structural defects or deterioration) and not leaking. Containers, aboveground tanks and fill pipes for underground tanks must be labeled with the words "Used Oil." If leaks are detected, the generator must stop the release; contain the release; clean up and manage properly the released used oil and other materials related to the release; and, if necessary, repair or replace any leaking containers or tanks prior to returning them to service. I have enclosed copies of the following used oil fact sheets: The Regulation of Used Oil: An Overview for Ohio Businesses Who Generate Used Oil, and Used Oil Recyclers. Please review these carefully and contact me immediately if you have any questions.

You may be able to further reduce the waste your company generates. If you find ways to recycle, reduce or altogether eliminate the amount of waste that your company generates you may be able to reduce your treatment and disposal costs and you may possibly reduce your regulatory requirements. I have enclosed a copy of Pollution Prevention Opportunities, a worksheet that can help you recognize opportunities for reducing waste and conserving energy at your business. I have also enclosed copies of the fact sheets Management of Electronic Waste from Businesses and Battery Recyclers/Brokers & Disposal Facilities. Please review this information and contact me if you have any questions.

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I encourage you to schedule a pollution prevention assessment for your business because there are often many opportunities for businesses like yours to reduce waste and save money. If you wish to talk about an assessment or if you have other questions about pollution prevention, please feel free to contact the Office of Compliance Assistance and Pollution Prevention (OCAPP) at (614) 644-3469. There is no charge for an assessment.

The Division of Materials and Waste Management has created an electronic news service to provide you with quick and timely updates on events and news related to hazardous waste activities in Ohio. If you haven't already, we encourage you to sign-up for this free service. You can find more information at the following Web link [http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/ënduser/doc\\_serve.php?2=subscriptionpage](http://ohioepa.custhelp.com/cgi-bin/ohioepa.cfg/php/ënduser/doc_serve.php?2=subscriptionpage). Please feel free to share this information with your colleagues.

If you have any questions, please feel free to contact me at (419) 373-3074. You can find copies of the rules and other information on the division's web page at <http://www.epa.ohio.gov>. Ohio EPA also has helpful information about pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>.

Sincerely,



Don North  
District Representative  
Division of Materials and Waste Management

/cs

Enclosures

pc: Colleen Weaver, DMWM, NWDO  
Cindy Lohrbach, DMWM, NWDO  
DMWM-HW, NWDO, Mercer County, Lefeld Implement File

ec: Don North, DMWM, NWDO

**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.