



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 Korteski, Director

Re: Notice of Violation - Open Dumping
S & M Products
Williams County

August 7, 2008

CERTIFIED MAIL

Mr. Nick Mohre
S&M Products
P.O. Box 228
Blakeslee, Ohio 43505

Dear Mr. Mohre:

On July 29, 2008, the Ohio Environmental Protection Agency (Ohio EPA) conducted a drive by inspection of S&M Products, located at 09312 Road I-5, Blakeslee, Ohio (property). No one was present at the property on this day. Mike Reiser, Sue Hardy, and I conducted the drive by inspection.

In a letter received from you, dated August 10, 2005, you stated that the steel doors located at the property would be recycled/disposed of by November 1, 2005. However, on this day, a large number of steel doors were still present on the property

The steel doors with insulation are considered solid waste and solid waste placed on or into the ground constitutes open dumping. The open dumping prohibition within Ohio Administrative Code (OAC) Rule 3745-27-05(C) states, "No person shall conduct, permit, or allow open dumping." Ohio Revised Code (ORC) Chapter 3734.03 states in part, "No person shall dispose of solid wastes by open burning or open dumping, except as authorized by the director of environmental protection..." **Therefore, you remain in violation of OAC Rule 3745-27-05(C) and ORC Chapter 3734.03 for open dumping.**

The Agency initially investigated the complaint regarding the open dumping of steel doors in June 2003. Open dumping violations have been cited at S&M Products on the following dates; June 23, 2003, September 11, 2003, November 8, 2003, August 30, 2004, October 1, 2004, April 13, 2005, July 10, 2005, December 21, 2005, and March 28, 2006,. You responded on October 26, 2004, and August 10, 2005, indicating the steel doors were being recycled. It has been over five years and little progress has been made toward the removal of the steel doors. **Please be advised that this case will be referred to the Compliance Monitoring and Enforcement unit of Ohio EPA. Failure to complete the clean-up by November 1, 2008, may result in escalated enforcement including a civil penalty.** Please call me at 419-373-3079 with your willingness to properly dispose of the doors before the deadline above.

Mr. Nick Mohre
August 7, 2008
Page 2

This correspondence addresses specific observations noted only for the areas of S&M Products that were inspected. Nothing present in, or absent from this correspondence is intended to imply that no other violations existed at the properties during the inspection.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in Ohio Revised Code Chapter 3734 and the rules promulgated thereunder, does not relieve you from your obligations to comply with other applicable state and federal laws and regulations.

Sincerely,



Jeremy Scoles, SIT, CHMM
Environmental Specialist
Division of Solid and Infectious Waste Management

/llr

pc: DSIWM-NWDO File: Williams County, Dump Sites
ec: Mike Reiser, DSIWM-NWDO

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
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| <ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee <i>* Nick Monke</i></p> <p>B. Received by (Printed Name) <i>NICK MONKE</i></p> <p>C. Date of Delivery <i>8-8-08</i></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>1. Article Addressed to:</p> <p><i>MR NICK MONKE S+M PRODUCTS P.O. Box 228 BLAKESLEE, OH 43505</i></p> | <p>3. Service Type</p> <p><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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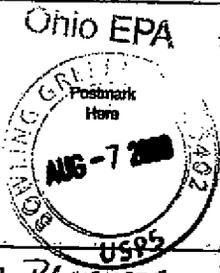
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Sent To: *NICK MONKE - S+M PRODUCTS*
 Street, Apt. No. or PO Box No.: *P.O. Box 228*
 City, State, ZIP+4: *BLAKESLEE OH 43505*

PS Form 3840, June 2002 See Reverse for Instructions