



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

February 20, 2013

Mr. Jim Tyree
General Plug and Manufacturing Co.
P.O. Box 26
455 N. Main Street
Grafton, OH 44044

RE: GENERAL PLUG AND MANUFACTURING CO., OHD 004 221 693, LORAIN COUNTY, RTC

Dear Mr. Tyree:

On October 24, 2007, Ohio EPA conducted a compliance evaluation inspection of the General Plug and Manufacturing Co.'s (GPMC) Grafton facility to determine GPMC's compliance with Ohio's hazardous waste laws and regulations. Ohio EPA was represented by Kim Gallagher and Sherry Slone. Kim Gallagher issues a notice of violation (NOV) was issued on January 8, 2008 based on this inspection.

On January 30, 2008 you sent a letter to Ms. Gallagher that included photographs of your spent oil being labeled as "Waste Oil" and photographs documenting that the releases of used oil noted by Ohio EPA had been addressed.

On August 6, 2008, Ms. Gallagher sent you an e-mail requesting additional information regarding what you were calling "waste oil".

On February 1, 2012, Ms. Gallagher faxed you requesting the additional information regarding the "waste oil".

Based upon your response to the fax and e-mails sent between you and Ms. Gallagher, it was determined that your oil is in fact used oil and on February 5, 2012, you sent photographs demonstrating that the used oil has been labeled with the words "used oil".

Based on this information, it appears that the violations originally cited in the January 8, 2008 NOV have been adequately addressed. Specifically,

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1. **Containers labeled or marked "Used Oil" (OAC rule 3745-279-22(C))** was abated on February 5, 2012
2. **Response to releases of used oil (OAC rule 3745-279-22(D)(4))** was abated on January 30, 2008.

Ms. Gallagher no longer works with the Division of Materials and Waste Management. Should you have any questions or require additional information, please contact Frank Popotnik, my supervisor, or me at (330) 963-1200.

Sincerely,



Karen L. Nesbit
Division of Materials and Waste Management

KLN:ddw

ec: Frank Popotnik, DMWM, NEDO
Natalie Oryshkewych, DMWM, NEDO
Jeff Mayhugh, DMWM, CO

cc: Marlene Kinney, DMWM, NEDO