



State of Ohio Environmental Protection Agency

Northeast District Office

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

April 16, 2010

Donald F. Wilson  
Plant Manager  
Buckeye Transfer Inc. /Better Management Corp. (BMC)  
41738 Esterly Drive  
P.O. Box 130  
Columbiana, OH 44408

**RE: DART TRANSPORT INC. (LOCATED WITHIN THE FORMER NATIONAL REFRACTORIES & MINERALS CORP. SITE), OHR000147033, RETURN TO COMPLIANCE (RTC) USED OIL REQUIREMENTS; TRANSPORTER ID NUMBER ISSUE UNRESOLVED, COLUMBIANA COUNTY**

Dear Mr. Wilson:

Thank you for your April 13, 2010 letter and attached photos. The photos show that Dart labeled the used oil tanks and containers with the words "Used Oil". Dart has returned to compliance for the OAC 3745-279-22(C) used oil violation.

The issue regarding Dart's use of the OHD009865825 transporter ID number remains unresolved. On April 15, 2010, I sent you an e-mail of correspondence between Ms. Carrie Jones and Paula Canter regarding the use of the above number. A copy of the e-mail is attached.

Thank you for your cooperation in this matter. If you have any questions, please call me at (330) 963-1266.

Failure to list specific deficiencies in this communication does not relieve Dart from the responsibility of complying with all applicable hazardous waste regulations. This letter does not relieve your facility from liability for any past or present violations of the state's hazardous waste laws.

Sincerely,

Kris Coder  
Environmental Specialist  
Division of Hazardous Waste Management

KC:ddw  
Enclosure

ec: Nyall McKenna, NEDO, DHWM  
Paula Canter, CO, DHWM