



State of Ohio Environmental Protection Agency

**Northeast District Office**

2110 East Aurora Rd.  
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769  
www.epa.state.oh.us

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

July 31, 2008

RE: PAUL'S TIRE COMPANY  
MAHONING COUNTY  
COMPLAINT # 7090  
**2<sup>nd</sup> NOTICE OF VIOLATION**

Paul Shovlin  
Paul's Tire Company  
4852 Southern Blvd.  
Boardman, OH 44512

**CERTIFIED MAIL**

Dear Mr. Shovlin:

You have failed to respond to Ohio EPA's April 25, 2008 Notice of Violation (NOV).

On April 10, 2008, the Ohio EPA, represented by Ed D'Amato, conducted a complaint inspection at Paul's Tire Company. You represented Paul's Tire Company during the inspection.

Paul's Tire Company is an automotive service and tire shop. The complaint alleged improper management of used oil and antifreeze by the company. No evidence was found to substantiate the allegations of the complaint. However, Paul's Tire Company was found to be in violation of the following hazardous waste rules found in Chapter 3745 of the Ohio Administrative Code. To abate the violation, you must do the following and submit all requested information ***within 15-days*** of the date of this letter:

**1. Response to Releases of Used Oil  
OAC 3745-279-22(D)**

*Upon the detection of a release of used oil to the environment, a generator shall...clean up and manage properly the released used oil...*

Some spills of used oil were found around the used oil storage tank (pictures enclosed). To abate this violation, you must clean up the used-oil contaminated soil to the visual extent of contamination. You must photograph the area to show that this has been done. You must submit copies of the photographs to this office. The contaminated soil may be disposed with your regular trash provided your solid waster hauler approves.

**2. Hazardous Waste Determination  
OAC 3745-52-11**

*Any person who generates a waste in the state of Ohio...shall determine if the waste is a hazardous waste...*

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You explained that you dispose of spent fluorescent lamps with your solid waste (regular trash). Fluorescent lamps are often hazardous due to mercury content. To abate this violation, you must either evaluate your spent lamps and dispose of them properly, or you must begin recycling them. You must notify this office, in writing, of how you intend to manage your lamps from now on. Enclosed is a copy of Ohio EPA's Fluorescent Lamp Fact Sheet and a list of lamp recyclers.

Failure to list specific deficiencies in this communication does not relieve Paul's Tires from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Please feel free to contact me at (330) 963-1170 if you have any questions about the inspection or this letter.

Sincerely,



Edward J. D'Amato  
Environmental Specialist  
Division of Hazardous Waste Management

EJD:ddw

ec: Frank Popotnik, DHWM, NEDO