



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Aber's Truck Center
OHD 987 030 368
Hazardous Waste
Complaint # 2774
Ashland County
Partial Return to Compliance

July 14, 2009

Mr. Dan Aber
Aber's Truck Center
1729 Claremont Avenue
Ashland, Ohio 44805

Dear Mr. Aber:

Thank you for your responses to Ohio EPA's June 25, 2008, Notice of Violation letter (NOV) and December 12, 2008 Partial Return to Compliance/Notice of Violation (PRTC/NOV).

On July 16, 2008, Ohio EPA received the following information:

- ❖ Waste evaluation information (analytical) for the roll-off box of used oil contaminated soil indicating this waste was non-hazardous.

On December 18, 2008, Ohio EPA received:

- ❖ Photographs indicating that the unknown drums were properly labeled "Hazardous waste" and dated.

On December 24, 2008, Ohio EPA received:

- ❖ The disposal receipt for the roll-off box of the non-hazardous used oil stained soil.
- ❖ Aber's obtained a U.S. EPA ID number.

On March 16, 2009, Ohio EPA received:

- ❖ The hazardous waste manifests for the disposal of 16 hazardous waste drums and for the disposal of the stained soil excavated from beneath the unknown drums.

My review of this documentation reveals that Aber's Truck Center has adequately demonstrated abatement of all violations discovered during the June 4, 2008, compliance evaluation inspection (CEI) and complaint investigation as outlined below as cited in the **June 25, 2008 NOV**:

Violation	Date Violation Observed	Date Violation Abated
1. OAC Rule 3745-52-11 Waste Evaluation.	June 4, 2008	A.) July 16, 2008; B.) November 18, 2008; C.) November 18, 2008
2. OAC Rule 3745-273-13 (D)(1), Waste management - standards for small quantity handlers of universal waste (lamps).	June 4, 2008	June 12, 2008
3. OAC Rule 3745-273-14 (E) Waste management - Labeling /marking standards for small quantity handlers of universal waste (lamps)	June 4, 2008	June 12, 2008



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Violation	Date Violation Observed	Date Violation Abated
5. OAC 3745-279-22 (C) (1) Used oil storage requirements -proper labels.	June 4, 2008	A.) June 4, 2008; B.) June 4, 2008; C.) June 12, 2008; D.) July 23, 2008
6. OAC Rule 3745-279-22 (D) (E) Clean-up and proper management of used oil releases.	June 4, 2008	A.) July 16, 2008 & December 24, 2008; B.) March 16, 2009

My review of this documentation reveals that Aber's Truck Center has also adequately demonstrated abatement of the following additional violations that were cited in the **December 12, 2008, PRTC/NOV**:

Violation	Date Violation Determined	Date Violation Abated
2. OAC Rule 3745-52-12 (A) Generator identification number.	July 16, 2008 (<i>date analytical received indicating drums were hazardous</i>)	December 24, 2008
3. OAC Rule 3745-52-34 (D) (4) Hazardous Waste label for containers.	July 16, 2008	December 18, 2008
4. OAC Rule 3745-52-34 (D) (4) Accumulation Time of Hazardous Waste.	July 16, 2008	December 18, 2008

Ohio EPA cited an additional violation in the December 12, 2008, PRTC/NOV, to Aber's Truck Center. Aber's Truck Center remains in violation of the following hazardous waste laws as outlined in that NOV:

1. ORC Section 3734.02 (E) & (F), Treatment, storage, or disposal of a hazardous waste.

⇒ Please be advised that due to the nature of the violation, Aber's Truck Center may be subject to closure and financial assurance requirements pursuant to OAC rules 3745-55-11 through 3745-55-20 and OAC rules 3745-55-42 through 3745-55-47 at this site.

No response to this letter is necessary. If you should have any questions, please feel free to call me at (419) 373-3082.

Sincerely,



Amber M. Hicks
Division of Hazardous Waste Management

/lb

pc: Colleen Weaver, DHWM, NWDO
Cindy Lohrbach, DHWM, NWDO
~~DHWM, NWDO File: Aber's Truck Center~~

ec: Amber Hicks, DHWM, NWDO
Todd Anderson, DHWM, CO
Mitch Mathews, DHWM, CO

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.