



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

June 1, 2007

**BELMONT COUNTY
WHEELING BRAKE BAND AND
FRICTION MFG., INC.
DHWM/SEDO
NON-NOTIFIER**

Mr. Rob Burgess
Wheeling Brake Band & Friction Mfg., Inc.
56100 Berkley Avenue
Bridgeport, Ohio 43912

Dear Mr. Burgess:

On January 24, 2007, Bob Murphy and I visited your facility located at 56100 Berkley Avenue as a result of a complaint received by this office alleging that wastes were being disposed of behind your facility and used oil was being dumped behind the plant building.

I also conducted a compliance evaluation inspection to determine its compliance with Ohio's hazardous waste laws and regulations as found under the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC). I sent you a notice of violation (NOV) letter on February 7, 2007, specifying the violations observed during the inspection. **To date, Wheeling Brake Band & Friction Mfg., Inc. has not responded to the February 7, 2007 NOV letter and remains in violation of the following:**

- (1) **On-specification Used Oil Fuel, OAC Rule 3745-279-72 (A)**: Analysis of used oil fuel. A generator, transporter, processor/re-refiner, or burner shall determine that used oil that is to be burned for energy recovery meets the fuel specifications of rule 3745-279-11 of the Administrative Code by performing analyses or obtaining copies of analyses or other information documenting that the used oil fuel meets the specifications.

Used oil mixed with spent mineral spirits parts washer solvent was not evaluated to determine if this fuel meets the fuel specifications of rule 3745-279-11 in violation of this rule. In order to demonstrate compliance with this rule, Wheeling Brake Band & Friction Mfg, Inc must cease providing used oil and used oil mixed with spent parts washer solvent to individuals intending to burn this fuel for energy recovery unless the used oil/used oil mix is first tested to determine that it meets the specifications outlined in OAC 3745-279-11. Another option is to contact a used oil transporter registered to accept used oil.

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Please provide information to Ohio EPA as to your intended future management of this waste stream. Please submit the above requested information to this office **within 15 days** of receipt of this letter demonstrating that all violations have been abated.

Feel free to contact me at 740-380-5262 with any questions you may have.

Sincerely,



John Rochotte
District Representative
Division of Hazardous Waste Management

JR/mlm

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.