

March 6, 2008

**GUERNSEY COUNTY  
GENERAL FILE  
(LOCAL TRUCKING)  
DHWM/SEDO  
NON NOTIFIER**

Denice Larson  
Local Trucking  
4362 Glen Highway  
Cambridge, Ohio 43725

Dear Ms. Larson:

I received your response to my February 7, 2008 Notice of Violation letter (NOV) on March 5, 2008. The documentation you submitted included photographs of properly labeled used oil drums, a receipt for recycling of used oil, an explanation of your plan to manage used oil to prevent it from entering your septic system, a waste evaluation of two drums of "junk gas", and an explanation of how you will manage spent fluorescent lamps and oil filters.

My review of the documentation reveals that Local Trucking has adequately demonstrated abatement of the following violations discovered during the February 4, 2008 complaint investigation:

- (1) OAC Rule 3745-279-22,(C)&(D), Used Oil Storage Requirements for Generators;**

However, Local Trucking remains in violation of the following hazardous waste regulation:

- (1) OAC Rule 3745-52-11, Waste Evaluation:** Any person who generates a waste must evaluate it to determine if it is a hazardous waste.

Two drums located outside the building, labeled "junk gas", were observed during the investigation. No one was able to identify how or when this waste was generated or what it was. As owner of the property, you are responsible for determining if the contents of each drum are a hazardous waste.

In Ohio EPA's February 7, 2008 NOV letter, Local Trucking was told to evaluate the contents of each drum of "junk gas" to determine if the waste was characteristic or listed in accordance with the above regulation, and submit the results of the evaluation to me.

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Local Trucking failed to properly evaluate the drums in accordance with Ohio law. Instead the drums were pumped out and recycled by BMD Oil, a used oil recycler located in Nashport, Ohio. While your NOV response included a letter from BMD Oil that stated the drums contained used oil and wastewater, a waste evaluation per OAC 3745-52-11 was never conducted. A proper waste evaluation would have included chemical analysis of contents of the drum. Instead, BMD Oil looked at the contents of the two drums and said that it did not have a gasoline odor. Smelling the contents of the drum is not a proper waste evaluation. While BMD Oil did evaluate the batch (not the individual drums) of used oil and "junk gas" they collected from Local Trucking for halogen content, this is not an adequate waste evaluation of the "junk gas". Therefore, Local Trucking remains in violation of this rule. No further action is required to abate this violation; however, this violation will remain outstanding Local Trucking's record.

Should you have any questions, please feel free to call me at (740) 380-5293.

Sincerely,

Donna Goodman  
District Representative  
Division of Hazardous Waste Management

DG/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.***