



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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

September 25, 2007

**LAWRENCE COUNTY
JAMES MATNEY TRUCKING
DHWM/SEDO
OHT400014445**

Mr. James Matney
James Matney Trucking
787 High Street
Coal Grove, OH 45638

Dear Mr. Matney:

I sent you a Notice of Violation (NOV) letter dated July 25, 2007 based on an inspection Ohio EPA conducted at your business on July 19, 2007. After receiving no response from you after 30 days, Ohio EPA conducted a follow-up inspection on September 13, 2007, to determine your compliance with Ohio's hazardous waste laws and regulations as found in the Ohio Revised Code (ORC) and the Ohio Administrative Code (OAC).

Based on my observations during the September 13, 2007 follow-up inspection, and discussions with your mechanic, Mr. Brett Allen, Ohio EPA has determined that James Matney Trucking has adequately demonstrated abatement of the following violations discovered during the July 19, 2007 inspection:

- (1) **OAC Rule 3745-279-22(B), Used Oil Storage Requirements for Generators**
- (2) **OAC Rule 3745-279-22(D), Used Oil Storage Requirements for Generators**

However, James Matney Trucking remains in violation of the following hazardous waste law:

- (3) **OAC Rule 3745-279-24, Off-Site Shipments of Used Oil by Generators:**
Except as provided in paragraphs (A) to (C) of this rule, generators must ensure that their used oil is transported only by transporters who have obtained U.S. EPA identification numbers.

During the July 19th inspection, you informed us that James Matney Trucking gives its used oil to Eastern States Pump & Equipment, Inc. who burns it in a used oil furnace. Eastern States Pump & Equipment does not have a U.S. EPA identification number, in violation of this rule. To abate this violation, James Matney Trucking must use a transporter with a U.S. EPA identification number, and submit a receipt from a recent pickup as documentation, or meet one of the self transportation conditions outlined in paragraph (A) to (C) of this rule.

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Please submit documentation demonstrating abatement of the above outstanding violation to this office **within 15 days** of your receipt of this letter.

If you have any questions, please contact me at (740) 380-5288.

Sincerely,



Scott Bergreen
Environmental Specialist
Division of Hazardous Waste Management

SB/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.