



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

July 8, 2010

**MUSKINGUM COUNTY
GENERAL FILE
(GARY'S AFFORDABLE AUTO
REPAIR)
DHWM/SEDO
NON NOTIFIER**

Mr. Gary Hayes
Gary's Affordable Auto Repair
8935 Raiders Road
Frazeytsburg, Ohio 43822

Mr. John O'Flaherty
10600 Cannon Road
Frazeytsburg, Ohio 43822

Dear Gentlemen:

On April 22, 2010, Ohio EPA was called to a pollution incident report regarding open burning of solid waste and a used oil spill at your business at the above address. On April 29, 2010, I performed a complaint investigation of your company to determine the validity of the complaint and to determine its compliance with Ohio's hazardous waste laws and regulations as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC).

During the investigation, we found that used oil had been spilled or leaked into the ditch at the rear of the property. The spill had been cleaned up on April 22 and you have the oil-contaminated soil stored in three or four 55-gallon drums in a pickup truck. You showed us where you collect used oil in 55-gallon drums near the door of your garage. We also observed that two tanks partially-full of used oil are stored at the rear of the property.

I received your response on June 8, 2010. You have stated that the contaminated soil is being analyzed by TCCI Lab for disposal at a permitted solid waste landfill and that the tanks of used oil behind the property have been labeled and moved so that they may be pumped into drums until a used oil transporter can pick it up. On July 7, 2010, I received your receipt for the disposal of the used-oil contaminated soil. Based on this information, you have returned to compliance with the following regulations:

- i) Used oil storage requirements for generators, OAC Rule 3745-279-22(D); and
- ii) Used oil storage requirements for generators, OAC rule 3745-279-22(C).

You have now abated all hazardous waste violations cited from this complaint.

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If you have any questions regarding waste management or pollution prevention activities, please call me at (740) 380-5278.

Sincerely,



Richard Stewart
District Representative
Division of Hazardous Waste Management

RS/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.