

**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

August 19, 2010

Nicola Paolucci
2790 State Route 46
Ashtabula, OH 44047
JEFFERSON

**RE: PAOLUCCI SITE/BRIAN'S AUTO REPAIR, ASHTABULA COUNTY, COMPLAINT
#7329, RETURN TO COMPLIANCE**

Dear Mr. Paolucci:

On August 13, David L. Payne responded, on your behalf, to Ohio EPA's August 4, 2010 Notice of Violation (NOV).

The documentation included a letter and photographs showing that the concrete block tank/catch basin located on your property at 2821 State Route 46 in Ashtabula County has been removed and that no oil contaminated soil was in pit prior to backfilling.

Ohio EPA has reviewed the documentation and determined that it is sufficient to correct the violation cited in the NOV:

**1. Response to Releases of Used Oil
OAC 3745-279-22(D)**

No response to this letter is required.

Please feel free to contact me at (330) 963-1170 if you have any questions.

Failure to list specific deficiencies in this communication does not relieve Nicola Paolucci from the responsibility of complying with all applicable Ohio EPA laws and regulations. Please be advised that present or past instances of non-compliance can continue as subjects of pending or future enforcement actions.

Sincerely,



Edward J. D'Amato
Environmental Specialist
Division of Hazardous Waste Management

EJD:ddw

cc: David Payne, Designs of Distinction
Kathy Bender, KRB Engineering
ec: Harry Sarvis, DHWM, CO
Natalie Oryshkewych, DHWM, NEDO
Frank Popotnik, DHWM, NEDO
John Schmidt, DSW, NEDO