



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

Re: Marion County
Mar-Zane, Inc.
0351010044
Notice of Violation/HPF

July 24, 2007

Certified Mail

Mr. Anthony Ruggiero
Mar-Zane, Inc.
P.O. Box 1585
Zanesville, Ohio 43702-1585

Dear Mr. Ruggiero:

Subject: Notice of Violation for Mar-Zane, Inc. 0351010044 P901

After reviewing requested used oil information submitted by the above mentioned company, the Ohio EPA has determined the company to be in violation of the terms and conditions of permit to install (PTI) 03-13994 and ORC 3704.05.

DAPC has documented that the above mentioned plant received used oil with total halogen concentrations of >1000 and <4000 ppm, burning 289,085 gallons from July 29, 2004 to September 22, 2005.

As required by the PTI for this plant any used oil with >1000 and <4000 ppm total halogens is presumed to be hazardous waste unless the permittee demonstrates that the used oil is not hazardous waste. Based on a review of the data provided by Mar-Zane, Inc. It appears that they did not obtain documentation to demonstrate rebuttal of hazardous waste presumption prior to burning the used oil.

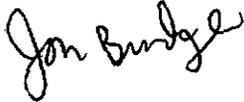
DAPC has requested that Ohio EPA's Division of Hazardous Waste Management (DHWM) review the data submitted by Mar-Zane, Inc. To determine if the information is sufficient evidence to rebut the presumption that the used oil has been mixed with listed hazardous waste. Please be advised that additional violations of Ohio's air pollution rules may be cited if DHWM concludes that the supplier has not successfully rebutted the hazardous waste presumption.

The determination to pursue or decline to pursue civil penalties as provided in Section 3704.06 of the Ohio Revised Code in this case will be made by the Ohio EPA at a later date.

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Should you have any questions and/or comments, feel free to contact this office at the above address or call (419)-373-3112.

Sincerely,



Jon Budge
Division of Air Pollution Control

/lb

pc ~~NWDO File~~
Don Waltermeyer, NWDO, DAPC
Tom Sattler, NWDO, DAPC
Tom Kalman, CO, DAPC
John Paulian CO, DAPC
Lisa Holscher, USEPA
7005 1160 0002 4566 0108