



State of Ohio Environmental Protection Agency

FILE COPY

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January 6, 2009

Mr. Ben H. Cook, Sr.
BBU Services/Central States Environmental, LLC
2206 Horns Mill Road
Lancaster, OH 43130

**Re: Fairfield County
Central States Environmental, LLC
Hazardous Waste Transporter
OHR000138651, and**

**Fairfield County
BBU Services, Inc.
Used Oil Transporter
Hazardous Waste Transporter
OHR000015412**

Dear Mr. Cook:

I have received copies of an October 20, 2008 and a December 10, 2008 response to Ohio EPA's September 24, 2008 Notice of Violation [NOV] letter. These responses were from Mr. Christopher Ward on behalf of BBU Services. A review of these responses indicates that BBU Services and Central States Environmental do not intend to transport, accept, or store used oil.

A review of these responses also reveals that Central States Environmental, LLC, and BBU Services, Inc. have abated the following violations discovered during the August 6, 2008 inspection:

1. **Treatment, Storage, Disposal, (ORC 3734.02 (F)).** The December 10, 2008 NOV response from Mr. Christopher Ward on behalf of BBU Services indicates that since the August 6, 2008 inspection date, Central States has not transported hazardous waste to any facility which does not have a hazardous waste permit. Since August 6, 2008 both BBU and Central States have notified and instructed all employees that Ohio prohibits the acceptance and storage of hazardous waste at non-permitted facilities. Therefore this violation is abated.
3. **OAC rule 3745-279-12(C), Prohibitions on used oil management**
4. **OAC rule 3745-279-10(B), Mixtures of used oil and hazardous waste**
5. **OAC rule 3745-279-22(C)(1)/OAC rule 3745-279-45(G)(1), Used oil storage requirements for generators and transfer facilities**

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

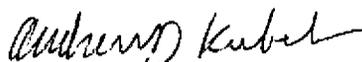
6. OAC rule 3745-279-52 through 279-59, Substantive requirements for used oil processors and re-refiners
7. OAC rule 3745-279-44(A), Rebuttable Presumption for used oil for transporters
8. OAC rule 3745-279-44(D), Records retention
9. OAC rule 3745-279-46(A)(1-4), Tracking of used oil by transporters
10. OAC rule 3745-279-46(B)(1-4), Deliveries
11. OAC rule 3745-279-46(D), Record retention
12. OAC rule 3745-279-71(B), Prohibitions on used oil fuel marketers

2. **Treatment, Storage, Disposal, (ORC 3734.02 (E) & (F))**

The violation(s) of ORC 3734.02(E) and (F) subject you to all general facility standards found in OAC Chapters 3745-54 and 55. At some time in the future, Ohio EPA may assert its right to require you to conduct closure and/or facility-wide corrective action at your facility.

Feel free to contact me at (614) 728.3882 or at andy.kubalak@epa.state.oh.us if you have any questions about this letter or the hazardous waste rules. You can find copies of the hazardous waste rules at <http://www.epa.state.oh.us/dhwm/laws reqs.html> , and used oil rules at <http://www.epa.state.oh.us/dhwm/l ruom.html> . You can find other information on the division's web page at: <http://www.epa.state.oh.us/dhwm/>.

Sincerely,



Andy Kubalak
Hazardous Waste Inspector
Division of Hazardous Waste Management
Central District Office

Enclosure

c: Mr. Steve Schmelzer, Central States Environmental, LLC
Ms. Nancy Goodman
Christopher M. Ward, Esq., Calfee, Halter & Griswold, LLP
Christopher Jones, Esq., Calfee, Halter & Griswold, LLP
Randy Ohlemacher, DHWM
Todd Anderson, Legal
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CDO File

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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 rules.