



State of Ohio Environmental Protection Agency

FILE COPY

**Central District Office**

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P.O. Box 1049  
Columbus, OH 43216-1049

October 12, 2007

Ms. Linda Conrad  
205 Pontius Lane  
Circleville, OH 43113

Re: **37 Auto Parts  
Fairfield County - Rushcreek Township  
Compliance Inspection - 120 Day Abatement Orders**

Dear Ms. Conrad:

I am writing this letter as a follow-up to a recent inspection conducted at 37 Auto Parts, located at 10637 Purvis Road, Bremen, Ohio that took place during the morning of October 2, 2007. The inspection was attended by Jennifer Valentine of the Fairfield Department of Health and myself from Ohio EPA. The purpose of the inspection was to determine if this property is in compliance with the Director of Ohio EPA's Final Findings and Orders (DDFOs) that were issued to you on May 16, 2007. In general, the DDFOs required the following actions:

1. Implement mosquito control measures at the property and provide copies of mosquito control records to Ohio EPA within ten day of each application. You have been applying a pesticide (malathion) monthly to the scrap tire piles on the property. It appears that both this and the stacking of the tires have been effective in controlling the number of mosquitoes at the property. However, during the morning of October 2, 2007, we were able to find mosquito larvae in water that had accumulated in one of the piles of tire halves that are located along the eastern property line. (see attached photos for location of this tire pile). **This constitutes a violation of the May 16, 2007, DDFOs and OAC Rule 3745-27-60(B)(8).** Please either immediately apply a larvicide to this pile of scrap tires, or store them in such a manner that they do not collect any water.
2. Establish storage piles and fire lanes in accordance with OAC Rule 3745-27-60(B)(1) through (B)(6). At the time of this inspection, all scrap tire storage piles were meeting these requirements.
3. Not later than 120 days after the orders were issued (this time limit was up on September 13, 2007), remove all of the scrap tires from the property to a licensed facility in this state, or to a facility in another state. As can be seen in the attached photos, there are still an estimated 3,500 to 4,000 tires remaining at the property. **This constitutes a violation of the May 16, 2007, DDFOs and is a continuing violation of open dumping of solid waste as found in Section 3734.03 of the Revised Code and Paragraph (C) of Rule 3745-27-05 of the Administrative Code.**

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

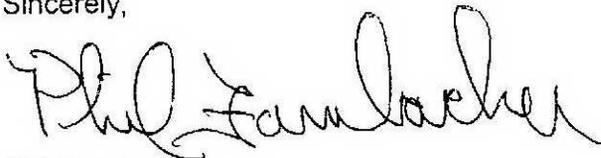
Ms. Linda Conrad  
Page -2-

At this point in time, you have provided documentation of the removal of 1,767 whole tires and 1,166 tires that had been cut in half (work done by Richard Smith) for a total of 2,933 tires. This includes all loads removed up to September 7, 2007. If additional tires have been removed since that date, I have not gotten any receipts for their removal.

Your failure to comply with the May 16, 2007, DFFOs may result in Ohio EPA contracting with a third party to remove the tires from this property. Ohio law allows Ohio EPA to seek full cost recovery, which if not paid, could result in a lien being attached to the property for the full cost of the tire removal.

Please take immediate steps to abate the violations as noted in this notice of violation letter. If you have any questions regarding this matter, please feel free to call me at (614) 728-3890.

Sincerely,



Phil Farnlacher  
Environmental Specialist  
Division of Solid & Infectious Waste Management  
Central District Office

Enclosure: 9 Site Photos Taken on 10/2/07

c: Jennifer Valentine, Fairfield Dept. of Health w/ Enclosure  
Matt Boyer, DSIWM/CO w/ Enclosure  
DSIWM/CDO File w/Enclosure

PF/nsm 37 Autoparts-Conrad 10-2-07

Ohio EPA Photos - 37 Auto Parts - 10637 Purvis Road - Rushcreek Township-Fairfield County - Photos Taken by Phil Farnlacher, DSIWM-CDO on ~~7/30/07~~ 10/2/07



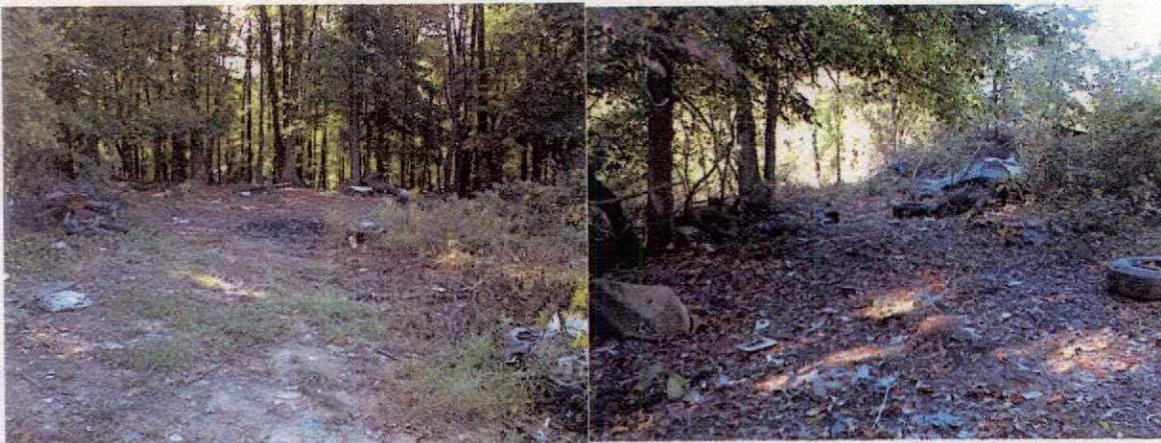
Pile of stacked tires that had been cut in half. Pile is about 20' X 30'



Two piles of tires that had been cut into halves. Also one small pile of on-rim tires. Larvae found in pile closest to trees.



Small pile of truck tires that are on-rims.



Southeastern corner of upper portion of site where many tires have been removed. Picture on right is looking west along the southern property line. Still a few tires that need to be collected.



Ohio EPA Photos - 37 Auto Parts - 10637 Purvis Road - Rushcreek Township-Fairfield County - Photos Taken by Phil Farnlacher, DSIWM-CDO on 7/30/07 10/2/07



Small pile of tires just east of entrance - About 50 tires

Photo of tractor and hydraulic unit to crush rims. Unit is currently broken



Large pile of on-rim tires that are stacked in 75' by 25'



Pile of tires that have been cut into halves and stacked

Estimate that this pile has about 2400 tires.

