

**Environmental  
Protection Agency**

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

*Clark Co  
Hilldale Tire  
Dump  
Sen. Cork.*

March 19, 2010

**CERTIFIED MAIL**

Mr. Shane A. Sprinkle  
2818 Hilldale Road  
Springfield, Ohio 45505

Ms. Michelle Halbirt  
2724 Hilldale Road  
Springfield, Ohio 45505

**Re: NOTICE OF VIOLATION: FAILURE TO COMPLY WITH DIRECTOR'S FINAL  
FINDINGS AND ORDERS**

Dear Mr. Sprinkle and Ms. Halbirt:

On March 10, 2010, I conducted a comprehensive inspection of parcel #3300-07-0021-402-002 commonly known as 2801/2725/2753 Hilldale Road, Springfield, Clark County Ohio (Property), owned by Shane Sprinkle and Michelle Halbirt. Roger Tate on behalf of Mr. Sprinkle accompanied me during this inspection.

On April 6, 2009, the Ohio Environmental Protection Agency ("Ohio EPA") issued Director's Final Findings and Orders ("DFF&Os") to Michelle L. Halbirt and Shane A. Sprinkle (collectively the "Respondents") regarding the open dumping of solid waste including scrap tires. The DFF&Os were issued under the authority of Ohio Revised Code ("ORC") Sections 3734.85 and 3734.13 and Ohio Administrative Code ("OAC") Chapter 3745-27.

The purpose of the March 10, 2010 inspection was to determine compliance with the requirements set forth in the 2009 DFFO's and Ohio's Scrap Tire Regulations.

Section V. of the DFF&Os outlines specific requirements that the Respondents must perform within the specified time frames.

1. The Respondents have failed to comply with Order Number 2, which states:

"Upon the effective date of these Orders, Respondents shall cease acceptance and disposal of all solid wastes, including scrap tires, at the Property and shall comply with ORC Chapter 3734 and OAC Chapter 3745-27."

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The Respondents have failed to properly dispose of all solid wastes, including scrap tires that were open dumped on the Property. Scrap tires were observed along the privacy fence during the March 10, 2010 inspection, which is a **violation** of Order Number 2 of the 2009 DFF&Os and OAC Rule 3745-27-05(C).

2. The Respondents have failed to comply with Order Number 4, which states:

"If solid waste other than scrap tires is encountered, then not later than one hundred twenty (120) days after the effective date of these Orders, Respondents shall remove or cause the removal of all solid waste, excluding scrap tires, from the Property and dispose of all solid waste, excluding scrap tires, at a licensed solid waste disposal facility. Respondents shall obtain disposal receipts from the licensed solid waste disposal facility. Respondents shall obtain disposal receipts from the licensed solid waste disposal facility indicating weight or volume of solid waste disposed of, excluding scrap tires. Respondents shall forward such documentation to Ohio EPA Southwest District Office on a monthly basis by the 10<sup>th</sup> day of each month."

During the March 10, 2010 inspection, I observed several pallets with large cardboard boxes filled with Dole food material adjacent to the home and animal pens on the Property. The food material was rotting and putrescent, some of the cabbage was on the ground. There were also several empty crushed boxes scattered throughout the Property. This material needs to be properly disposed of a licensed solid waste facility. In addition, if food material is being brought to the Property as feed for the livestock on-site then it needs to be properly stored and not open dumped onto the ground.

To date, the Respondents have not disposed of all solid wastes excluding scrap tires from the Property and have not provided Ohio EPA Southwest District Office with receipts of proper disposal of solid wastes in violation of Order No. 4.

3. The Respondents have failed to comply with Order Number 5, which states:

"Not later than one hundred twenty (120) days after the effective date of these Orders, Respondents shall remove or cause the removal of all scrap tires from the Property including but not limited to, scrap tires dumped onto the ground and buried scrap tires, and shall arrange for their transportation, by a registered

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Ms. Michelle Halbirt  
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transporter, to a scrap tire storage, monocell, monofill, or recovery facility licensed under ORC Section 3734.81 in Ohio, to such a facility in another state operating in compliance with the laws of the state in which it is located, or to any other solid waste disposal facility in another state that is operating in compliance with the laws of that state. During the 120 day period, Respondents shall remove, transport and dispose of at least 500 scrap tires within 30 days, and 500 scrap tires every 30 days thereafter with all of the scrap tires being removed, transported and disposed within 120 after the effective date of these Orders.

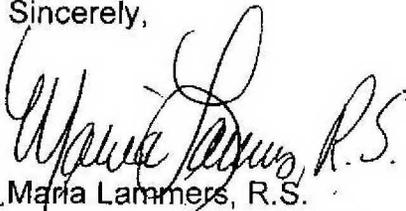
To date, the Respondents have not disposed of all scrap tires from the Property and have not provided Ohio EPA Southwest District Office with receipts of proper disposal of solid wastes in violation of Order No. 5.

Compliance with the requirements outlined in this letter shall not relieve you of your obligation to comply with other legal obligations, including but not limited to, Chapters 3704, 3714, 3734 or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Clean Air Act, Comprehensive Environmental Response, Compensation and Liability Act, or Resource Conservation Recovery Act remedying conditions resulting from any release of contaminants to the environment.

As such, corrections of the violations cited herein are expected to begin immediately.

If you have any questions, please contact me at 937-285-6046.

Sincerely,



Maria Lammers, R.S.  
Environmental Specialist  
Division of Solid and Infectious Waste

cc: Anne Kaup-Fett, Clark County Combined Health  
Matt Boyer, Ohio EPA, Central Office, DSIWM

ML\bp



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**MS MICHELLE HALBIRT  
2724 HILLDALE RD  
SPRINGFIELD OH 45505**

2. Article Number

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 Agent Addressee

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