



State of Ohio Environmental Protection Agency

Northeast District Office

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

November 21, 2007

**RE: ENVIVA MATERIALS
SCRAP TIRE RECOVERY FACILITY**

Robert E. Mutch
Enviva Materials of Youngstown, LLC
1130 Performance Place
Youngstown, OH 44502

Dear Mr. Mutch:

On November 8, 2007, I (Jarnal Singh), of the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM) conducted an inspection of the Enviva Materials scrap tire recovery facility, located at 1130 Performance Place, Youngstown, in Mahoning County. The purpose for my inspection was to determine compliance with the requirements set forth in Chapter 3745-27 of the Ohio Administrative Code (OAC). I met with, and was accompanied by, you during the inspection of this facility.

The following violations were identified during this inspection:

- 1) **Ohio Revised Code (ORC) 3734.03** which states in part, "*no person shall dispose of solid wastes by open burning or open dumping...*"

The removal of rubber, lint and small pieces of wire (floor sweepings) has commenced from the berms around the property. Additional cleaning is however, still required, particularly on the northeastern berm behind the tire derimming area. The facility owner/operator remains in violation of this requirement until all this material is removed and properly disposed of. As you are aware, if mulch is to be placed on berms surrounding the property, the mulch must be free from lint and wire.

- 2) **OAC 3745-27-05(C)** which states "*no person shall conduct, permit or allow open dumping.*"

The owner/operator has conducted open dumping of floor sweepings (rubber/lint/wire etc.) along the inside berms of the property. This material is a solid waste and must be removed and properly disposed of at a licensed solid waste disposal facility. Additional cleaning of floor sweeping off the berms is still required. Floor sweeping or other waste products may **not** be used as mulch on berms around the property.

- 3) **OAC 3745-27-65(D)(2)** states, "*The owner or operator shall maintain the scrap tire handling areas and fire lanes to be free of vegetation or other combustible materials and obstructions to emergency vehicles*".

Scrap tires that were being sorted from within approved storage piles were stored in fires lanes in at least 3 locations. Tires must not be stored in the fires lanes.

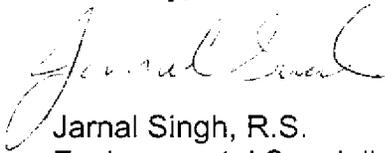
- 4) **OAC 3745-27-65(H)(2)(b)** states, “Apply or arrange for the application of a pesticide or larvicide, which is registered for use for mosquito control by the Ohio Department of Agriculture at no greater than thirty-day intervals or other intervals recommended by the manufacturer or formulator. If applying any pesticide as a mosquito control, then mosquito control records shall be maintained at the facility indicating the name, type, amount used per tire, and U.S. EPA registration number of the pesticide or larvicide; the date and time of the application; and the name of the person who applied the pesticide or larvicide.”

The last mosquito control application was conducted on August 28, 2007. Mosquito control applications must be conducted at no greater than thirty-day intervals unless otherwise recommended by the manufacturer or formulator. If applications are not required during the colder winter months, a letter indicating the time period that applications are not required should be retained on file.

The above mentioned violations should be addressed immediately. Also, in order to prevent a future violation, it is recommended that the scrap tire storage area and fire lane surfaces be regarded to prevent the ponding of rain water. If you have any comments or questions concerning the contents of this letter, please do not hesitate to contact me at (330) 963-1276.

This letter shall not be interpreted to release the entity from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

Sincerely,



Jamal Singh, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

JS:ddw

cc: Matt Holland, Enviva Materials
File: [Sowers/Tire/Enviva Materials/COR/50]