



State of Ohio Environmental Protection Agency

Northeast District Office

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

September 10, 2007

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

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

Dear Mr. Mutch:

On August 31, 2007, I (Jarnal Singh), accompanied by John Hujar 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 our inspection was to determine compliance with the requirements set forth in Chapter 3745-27 of the Ohio Administrative Code (OAC). We met with and were accompanied by you on our inspection of the 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...*"

Floor sweepings (rubber/lint/wire etc.) was observed open dumped along the 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. 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. Floor sweeping or other waste products may **not** be used as mulch on berms around the property.

- 3) **OAC 3745-27-65(D)(4)** states, "*The owner or operator shall store only scrap tires in the temporary scrap tire storage area.*"

Scrap tires were stored by the northeast loading dock. The loading dock area is **not** an approved temporary scrap tire storage area. Enviva Materials must take immediate action to remove all scrap tires that are not, or cannot, be stored in compliance with the temporary scrap tire storage requirements.

- 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 US 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.”*

Mosquito control applications were conducted during the summer months, however, please ensure that all the information required above is recorded during each application. The last pesticide application did not include ‘the amount used per tire’.

- 5) **OAC 3745-27-65(G)** states in part, *“Fire contingency plan for scrap tire storage and recovery facilities . The owner or operator shall maintain and be familiar with a fire contingency plan for the occurrence of a fire at the facility. The contingency plan shall be kept at the facility and shall be updated at least annually. The contingency plan shall be updated within thirty days if the plan fails in an emergency situation, or if information contained in the plan changes. The plan shall include at least the following information:*

*(2) An updated list of names, addresses, and phone numbers of all persons designated to act as emergency coordinators for the facility. This list shall include at least one person authorized to commit resources necessary to procure equipment, materials, and services.*

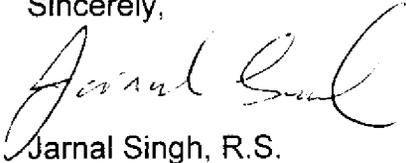
Please update the fire contingency plan to reflect current staffing. David Felden was listed as the emergency contact person in the facility’s Contingency Plan. David Felden no longer works for Enviva Materials.

I trust that the above mentioned violations will be addressed immediately. If you have any comments or questions concerning the contents of this letter, please do not hesitate to contact me at (330) 963-1276.

Robert E. Mutch  
Enviva Materials of Youngstown, LLC  
September 10, 2007  
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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,

A handwritten signature in cursive script, appearing to read "Jarnal Singh".

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

JS:cl

cc: Matt Holland, Enviva Materials, Inc.  
Jeff Webb, Enviva Materials, Ashland, VA  
File: [Sowers/Tire/Enviva Materials/COR/50]