



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

January 18, 2008,

RE: **Scrap Tire Recovery Facility
Notice of Violation**

CERTIFIED MAIL

Mark Lewis, President
RRI of Ohio, Inc.
One Gateway Center, Suite 500
420 Ft. Duquesne Blvd.
Pittsburgh, PA 15222

Dear Mr. Lewis:

On January 10, 2008, I (Jarnal Singh) representing the Ohio Environmental Protection Agency (Ohio EPA) Division of Solid and Infectious Waste Management (DSIWM) Northeast District Office (NEDO) conducted an inspection of your Class II Scrap Tire Recovery Facility located at 1165 Brittain Street, Youngstown. The purpose for the inspection was to determine compliance with Chapter 3745-27-65 of the Ohio Administrative Code (OAC). I met with and was accompanied by Ed Page and Bill Duncan, representing RRI of Ohio, during this inspection.

A considerable amount of whole and shredded scrap tires were again stored out of compliance at the facility. Scrap tire piles were larger than the approved twenty five hundred (2500) square feet basal area. Tires were also stored along the walls and around the scrap tire shredder. As you are aware, tires may only be stored in approved temporary scrap tire storage areas.

The following scrap tire storage violations were observed at the facility:

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

In violation of OAC 3745-27-65(D)(4), scrap tires and tire shreds were stored in areas not approved for the temporary storage of scrap tires. Tires were stored along the inside walls and in areas beyond the approved storage areas. The scrap tire shred pile was also larger than that approved for the temporary storage of shredded tires. Scrap tires and tire shreds may only be stored in the approved temporary storage areas. Excess tires, must be immediately removed from the facility by either processing them or by removing them to an appropriately licensed facility. The tire shred pile should be reduced to the approved storage size.

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2) **OAC 3745-27-65(F)(3)** which states in part, "*The following requirements apply to the storage of all whole scrap tires in an enclosed building at a scrap tire storage or recovery facility and to the storage of all processed scrap tires in an enclosed building at a scrap tire recovery facility:*

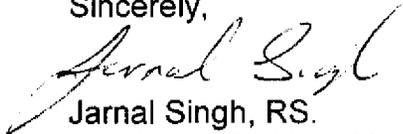
(a) Scrap tire storage piles shall not exceed twenty five hundred square feet in basal area.

In violation of OAC 3745-27-65(F)(a), scrap tire storage piles at the facility exceeded twenty five hundred square feet in basal area.

Immediate actions must be taken by the owner/operator to bring this facility back into compliance. Should you have any questions regarding the above, please do not hesitate to contact me at (330) 963-1276.

Nothing in this letter shall be construed to authorize any waiver from any requirements of applicable state solid waste laws or regulations. This letter shall not be interpreted to release the owner or operator of the facility or others from responsibility under ORC Chapters 3704., 3714., 3734. or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

Sincerely,



Jarnal Singh, RS.
Division of Solid and Infectious Waste Management

JS:cl

cc: File: [Sowers/Tire/RRIofOhio/COR/50]
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