



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, OH 44087-1924

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Laura H. Powell, Acting Director

January 9, 2007

**RE: SCRAP TIRE RECOVERY FACILITY
NOTICE OF VIOLATION**

Mr. Mark Lewis, President
RRI of Ohio, Inc.
1165 Brittain Street
Youngstown, OH 44502

Dear Mr. Lewis:

On December 28, 2006, I (Jarnal Singh) representing the Ohio Environmental Protection Agency (Ohio EPA) Division of Solid and Infectious Waste Management (DSIWM) 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).

The shredder was operating at the time of my visit. Scrap tires that were previously stored in the fire lane located between the two approved storage areas had been processed. It was observed that progress in shredding tires from the center storage piles was being made however, additional tires needed to be removed. Excessive amount of truck tires and tire bead wire rings also remain stored in violation of storage requirements. Shipping papers at the facility indicated that no additional scrap tires had been brought to the facility since September 22, 2006. The daily logs showing the number of tires being processed during that day were being maintained at the facility, however, past daily logs were not available for inspection.

The following violations remain 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 were stored in areas not approved for the temporary storage of scrap tires. Tires and bead wire rings remain stored along the inside walls and between fire lanes. Scrap tires may only be stored in the approved temporary storage areas. Excess tires must immediately be removed from the facility by either processing the tires or removing them to an appropriately licensed facility.

- 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:*

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- (a) Scrap tire storage piles shall not exceed twenty five hundred square feet in basal area.
(b) The width of aisles between scrap tire storage piles shall be at least eight feet."

In violation of OAC 3745-27-65(F)(a) & (b), scrap tire storage piles at the facility exceeded twenty five hundred square feet in basal area and did not have at least eight feet aisles between the storage piles.

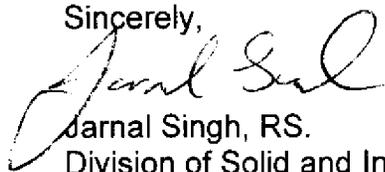
- 3) OAC 3745-27-65(J)(2) which states in part, "The owner or operator shall record facility operations in a daily log on forms prescribed by the director. The owner or operator shall make all entries required by the log on a daily basis. The owner or operator shall make the log available for inspection by the director, the health commissioner, and/or their authorized representative during normal operating hours. The owner or operator shall retain copies of daily logs for a minimum period of three years."

In violation of OAC 3745-27-65(J)(2), daily logs showing the number of tires processed during the year (past logs) were not available for inspection.

Please submit a written response, within 10 days of your receipt of this letter, identifying what actions are being or have been taken to comply with the above requirement. The above items are serious violations and may result in enforcement action being taken against the owner/operator of the facility. 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]