



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

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

September 30, 2009

CERTIFIED MAIL

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

**RE: SCRAP TIRE RECOVERY FACILITY COMPREHENSIVE INSPECTION
NOTICE OF VIOLATION(NOV)**

Dear Mr. Lewis:

On September 30, 2009, I conducted a comprehensive inspection of the Class II Scrap Tire Recovery Facility (Facility) and adjacent buildings located at 1165 Brittain Street, Youngstown (Mahoning County), Ohio (Property). The purpose for the inspection was to determine compliance with Ohio Administrative Code (OAC) Rule 3745-27-65 and Ohio's open dumping laws. Jennifer Carlin of the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM) was also present for the inspection. We were met and accompanied by Ed Page representing RRI of Ohio, Inc. (RRI) during this inspection.

During the inspection, it was noted that the truck tires (still on rims) that were previously stored out of compliance in the red brick loading dock located to the east of the facility had been moved. These tires have been relocated to within the Facility boundary and are being temporarily stored in the "Processed Material" storage area, as designated in the approved permit dated September 6, 2005 (See Appendix A: Picture 1).

Since the March 11, 2009, inspection the large, unauthorized tire shred pile, approximately 170' L x 18' W x 10' H, which was located to the north of the authorized tire shred pile area, has been removed. At the time of this inspection, however, the shipping papers for the removal and disposal of these shreds (conducted by Liberty Tire in Minerva, Ohio, per Mr. Page) were unavailable for review. Mr. Page recommended I work through you, Mr. Lewis, and Liberty Tire to obtain the proper shipping papers. Until Ohio EPA can review the missing shipping papers, it cannot be verified that the tire shreds were properly transported from the property and properly disposed of at a licensed scrap tire facility.

Throughout the Facility there are approximately three areas where small whole tire piles remain either in bins or stored up against the wall (See Appendix A: Pictures 2 - 4). Also, small collections of tire shred remain pushed up against the wall near the Processed Material storage area. These tires and shreds must be moved into the proper storage areas as authorized in the permit.

Storage of scrap tires in the Processed Materials area and in small piles throughout the building is in violation of the following:

Mr. Mark S. Lewis, President
RRI of Ohio, Inc.
September 30, 2009
Page 2

OAC Rule 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.*"

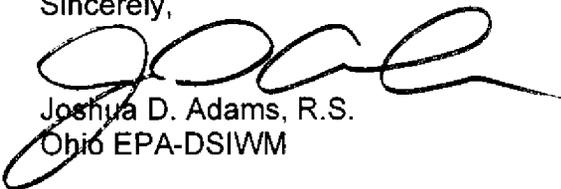
In violation of OAC 3745-27-65(D)(4), scrap tires were stored in areas not approved for the temporary storage of whole scrap tires. Scrap tires, including those to be transported for resale, may only be stored in the approved temporary storage areas. Tires stored out of compliance must be immediately moved to the proper scrap tire storage area.

Immediate actions must be taken by you to bring the Property back into compliance. Please submit, within 15 days of your receipt of this letter, a response that indicates what actions have been or are being taken to address the violation. Also, please submit receipts for the transport and disposal of the processed tire shreds that have been removed from the Facility.

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.

Should you have any questions regarding the above, please do not hesitate to contact me at (330) 963-1103, or joshua.adams@epa.ohio.gov.

Sincerely,



Joshua D. Adams, R.S.
Ohio EPA-DSIWM

JDA:cl

cc: Robert Large, DSIWM-CO
Melinda Berry, CMEU-CO
Harry Smail, CRO-CO
Andrea Smoktonowicz, Legal
Lieutenant Sharyl Frasier, City of Youngstown Fire Department
Brenda Williams, City of Youngstown Building Department.
Ed Page, RRI of Ohio, Inc.
Deputy W. Walker, Mahoning County Sheriff's Department
File: [Tire/RRI of Ohio/COR/50]

Mr. Mark S. Lewis, President
RRI of Ohio, Inc.
September 30, 2009
Page 3

Appendix A: Picture 1



Picture of whole scrap tires stored in "Processed Materials" area
Taken by Jennifer Carlin, Ohio EPA
RRI of Ohio, LLC, Mahoning County, 9/30/09

Mr. Mark S. Lewis, President
RRI of Ohio, Inc.
September 30, 2009
Page 4

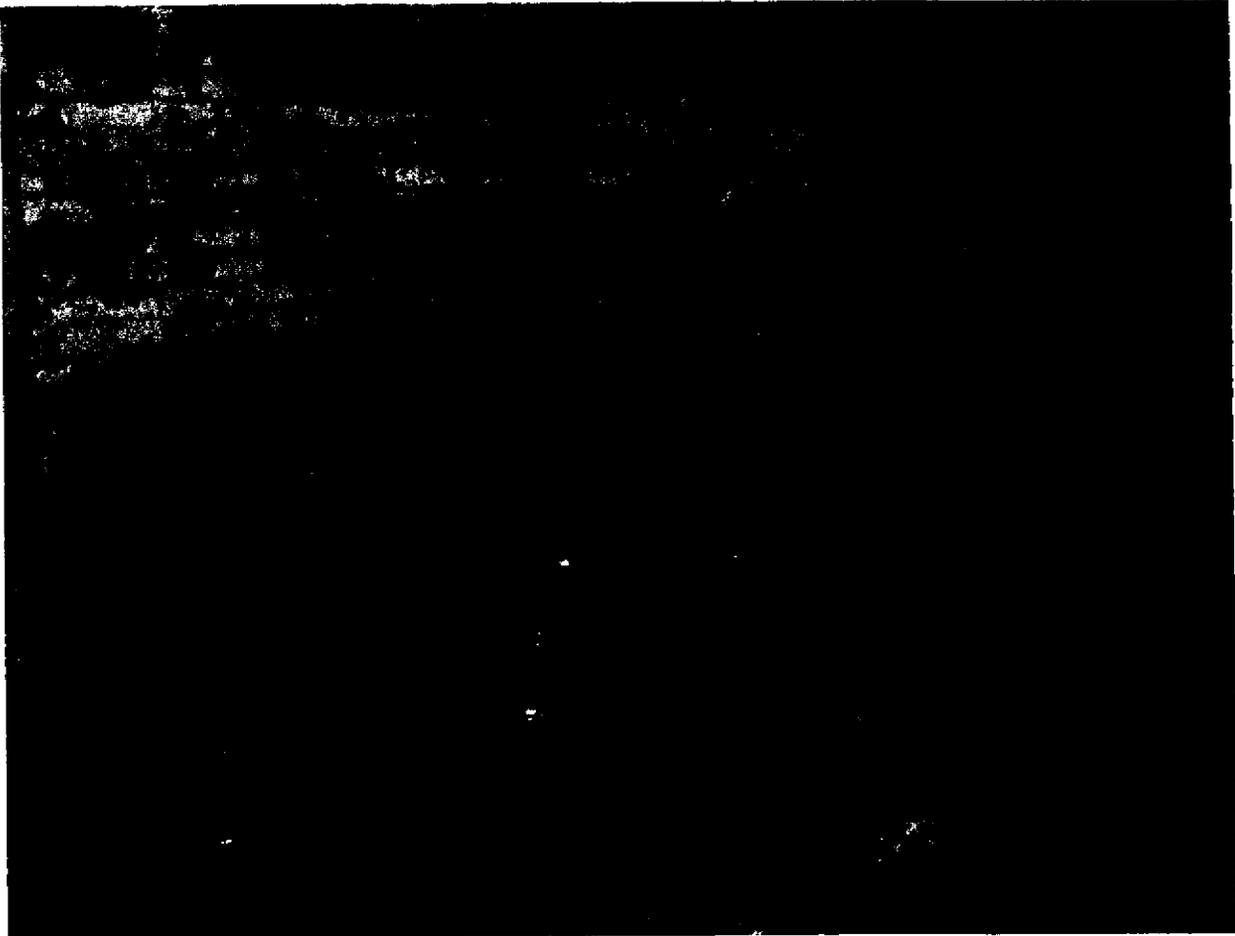
Appendix A: Picture 2



Picture of small tire pile not stored in compliance
Taken by Jennifer Carlin, Ohio EPA
RRI of Ohio, LLC, Mahoning County, 9/30/09

Mr. Mark S. Lewis, President
RRI of Ohio, Inc.
September 30, 2009
Page 5

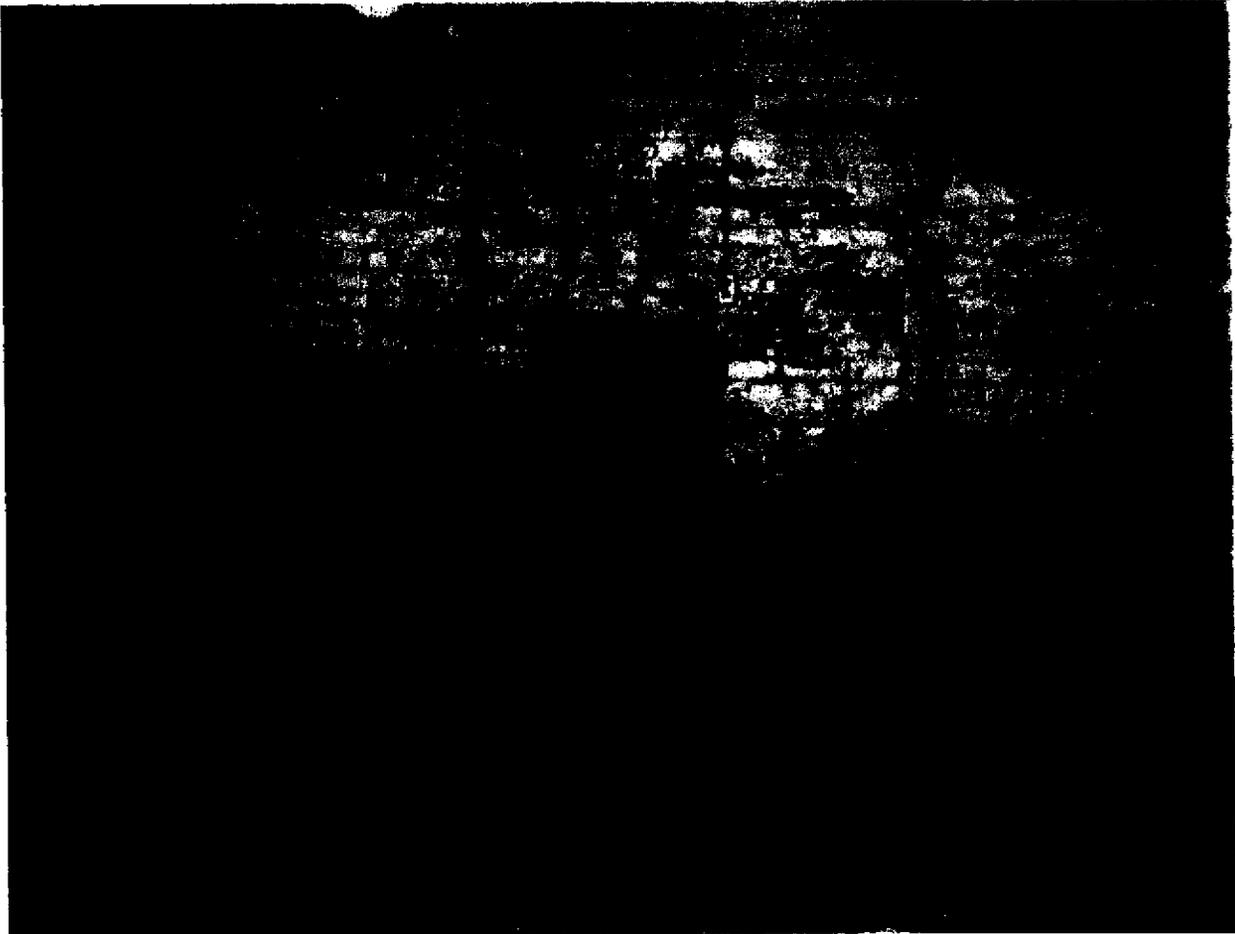
Appendix A: Picture 3



Picture of small tire pile not stored in compliance
Taken by Jennifer Carlin, Ohio EPA
RRI of Ohio, LLC, Mahoning County, 9/30/09

Mr. Mark S. Lewis, President
RRI of Ohio, Inc.
September 30, 2009
Page 6

Appendix A: Picture 4



Picture of small tire pile not stored in compliance
Taken by Jennifer Carlin, Ohio EPA
RRI of Ohio, LLC, Mahoning County, 9/30/09

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

0275 6745 0003 5419 5170
 7008 3230 0003 5419 5170

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here
 9A
 10-1-09

Sent To Mark S. Lewis
 Street, Apt. No., or PO Box No. RR1 of Ohio
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

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

2. Article Number

(Transfer from service label) 7008 323000354195170 Inst Adams 10-1-09

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
[Signature]
 B. Received by (Printed Name) C. Date of Delivery 10/1/09

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes