OhioEPA

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

June 13, 2007

RE: SCRAP TIRE CLEAN UP
CARROLL COUNTY

Mr. Robert Beatty
5172 Alliance Rd. NW
Malvern, Ohio 44644

Dear Mr. Beatty:

During numerous inspections conducted at your property, located at 5172 Alliance Rd. NW in Brown Township, Carroll County, Ohio, during 2005 and 2006, the Ohio Environmental Protection Agency (Ohio EPA) determined that the following violations of the Ohio Revised Code (ORC) and Ohio Administrative Code (OAC) existed:

- **ORC Section 3734.03:** *"No person shall dispose of solid wastes by open burning or open dumping..."*

- **OAC Rule 3745-27-05(C):** *"No person shall conduct, permit, or allow open dumping."*

Ohio EPA estimated that approximately 3,000 to 4,000 scrap tires had been open dumped on this property during these inspections. Following each inspection, the owner(s) of this property was directed to immediately remove all scrap tires from this property and transport them via a scrap tire transporter which is registered with the State of Ohio, to a scrap tire facility which is authorized by the State of Ohio. Further, Ohio EPA required that disposal receipts which document the proper disposal of the above listed wastes be submitted to the attention of Jerry Weber, representing Ohio EPA. Approximately 500 scrap tires remained to be disposed at this property as late as November 2006.

On December 6, 2006, Ohio EPA conducted an inspection of the above mentioned property, and it had been determined that you had complied with Ohio EPA's Notices of Violation, and that you had removed and properly disposed approximately 58.6 tons of scrap tires at the Liberty Tire Monofill, located outside Minerva. You provided receipts from that facility to Ohio EPA which verified the tires' proper disposal. The receipts documented that the tires had been removed during the time period from March 31, 2006, to November 29, 2006.

Your cooperation in removing and properly disposing of the scrap tires open dumped on your property is greatly appreciated.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner(s) of this property, or others, 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 remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, or if I can be of service to you in the future, please feel free to contact me at (330) 963-1274, or preferably, e-mail me at "jerry.weber@epa.state.oh.us."

Sincerely,

Jerry W. Weber, R. S.
Environmental Specialist
Division of Solid and Infectious Waste Management

JWW:cl

cc: File: [Tukel/COUN/Carroll County/GEN/10]