



State of Ohio Environmental Protection Agency

Northeast District Office

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

November 30, 2007

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 25, 2007, 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). Ed Page and Lorenzo McQueen representing RRI of Ohio accompanied me on the inspection.

A considerable amount of tires were stored out of compliance at the facility. Scrap tires were stored in fire lanes, along walls and around the shredder. As you are aware, tires may only be stored in approved temporary scrap tire storage areas. Ohio EPA NEDO will recommend denial of the 2008 license application if scrap tire storage at the facility is not brought back into compliance.

The following 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 were stored in areas not approved for the temporary storage of scrap tires. Tires were 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 them 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.*

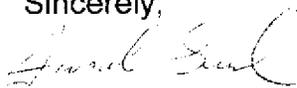
*(b) The width of aisles between scrap tire storage piles shall be at least eight feet."*

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.

Immediate actions must be taken by the owner/operator to bring this facility back into compliance. Ohio EPA NEDO will re-inspect the facility shortly, to determine the degree of compliance, prior to making a determination on the 2008 application. 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: Ed Page  
File:[Sowers/Tire/RRIofOhio/COR/50]