



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

November 3, 2008

**RE: GENESIS CONCEPTS UNLIMITED LLC
CLASS II SCRAP TIRE FACILITY
NOTICE OF VIOLATION**

CERTIFIED MAIL

Mr. Daniel J. Walsh, President
Genesis Concepts Unlimited, LLC.
9891 Dublin Dr.
North Royalton, Ohio 44133

Dear Mr. Walsh:

On September 15, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northeast District Office (NEDO) sent a Notice of Violation (NOV) to Mr. Steven Hein whose business is located on Hanson Road in West Township, Columbiana County. According to Mr. Hein, he purchases scrap tires on rims from Genesis Concepts Unlimited (Genesis), and transports the scrap tires to his facility, using a trailer with Genesis' scrap tire transporter registration. The scrap tires are then unloaded, de-rimmed, and re-loaded back onto the trailer for transport back to Genesis.

Mr. Hein's business does not hold a license, registration, permit or other authorization from Ohio EPA to accept tires at the referenced location, therefore, Genesis is in violation of the following:

Ohio Administrative Code (OAC) 3745-27-56(C): Registered scrap tire transporters.

A registered scrap tire transporter shall do all of the following:

(1) Deliver scrap tires only to the following:

- (a) A scrap tire collection, scrap tire storage, scrap tire monocell, scrap tire monofill, or scrap tire recovery facility licensed under section 3734.81 of the Revised Code.
- (b) A solid waste incinerator or energy recovery facility subject to regulation under Chapter 3734. of the Revised Code.
- (c) A premises authorized to beneficially use scrap tires pursuant to rule 3745-27-78 of the Administrative Code.

Mr. Daniel J. Walsh, President
Genesis Concepts Unlimited, LLC.
November 3, 2008
Page 2

- (d) Another transporter holding a valid annual registration certificate under rule 3745-27-54 of the Administrative Code.
- (e) A facility in another state in compliance with the laws of that state.
- (f) A premises operating as an unregistered scrap tire facility in accordance with rule 3745-27-61 of the Administrative Code, such as a tire retail dealer, tire retreader, etc.

To return to compliance, Genesis must ensure that scrap tires removed from the Genesis' facility are not transported to Mr. Hein's facility, and are only transported to locations identified in OAC 3745-27-56(C)(1)(a) through (e).

Please also be aware that if the scrap tires from Genesis' facility have been stored at Mr. Hein's property for longer than fourteen days, Genesis may be in violation of the following:

Ohio Administrative Code (OAC) 3745-27-56(C)(6)(c): Trailers or vehicles containing scrap tires shall not be parked at locations other than the scrap tire transporter's registered business location, a licensed scrap tire facility, or an unregistered scrap tire facility operating in accordance with rule 3745-27-61 of the Administrative Code (such as pre-positioned trailers in accordance with paragraph (C)(8) of this rule) for longer than fourteen days. The scrap tires in trailers or vehicles shall be considered open dumped unless written prior notification is given to the local health department and Ohio EPA that the vehicle or trailer requires mechanical repairs which will take longer than fourteen days to complete and such repairs are being completed in a timely manner.

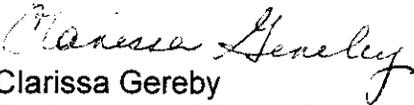
A determination as to whether Genesis is in violation of this rule will be made upon further investigation. Please respond to this Notice of Violation within 15 days of the receipt of this letter.

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 entity from responsibility under Chapter 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act or 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.

Mr. Daniel J. Walsh, President
Genesis Concepts Unlimited, LLC.
November 3, 2008
Page 3

If you have any questions, please do not hesitate to call me at (330) 963-1224, or e-mail me at clarissa.gereby@epa.state.oh.us.

Sincerely,


Clarissa Gereby
Environmental Specialist
Division of Solid and Infectious Waste Management

CG:cl

cc: Ken Eng, Wayne County Health Department
Jerry Weber, DSIWM, NEDO
John Hujar, DSIWM, NEDO
Karen Morr, DSIWM, CO
Bob Large, DSIWM, CO
File:[Kurko/TIRE/Genesis Concepts Unlimited, LLC./COR/85]

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

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

7008 0150 0001 7110 9781

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

Postmark
Here

11-5-08

Sent To *Daniel J. Walsh*
 Street, Apt. No.,
 or PO Box No. *Genesis Concepts*
 City, State, ZIP+4

PS Form 3800, August 2005 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. Daniel J. Walsh, President
 Genesis Concepts Unlimited, LLC.
 9891 Dublin Dr.
 North Royalton, Ohio 44133

2. Article Number

(Transfer from service label) *70080150000171109781 C. Geneby 11-5-08*

COMPLETE THIS SECTION ON DELIVERY

A. Signature *D. Walsh* Agent Addressee

B. Received by (Printed Name) *Daniel J. Walsh* C. Date of Delivery *NOV 8 2008*

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