



State of Ohio Environmental Protection Agency

Northwest District Office

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Bowling Green, OH 43402-9398

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

Re: Pioneer Auto Center
Scrap Tires
Williams County

October 3, 2007

Mr. Jerry Uland
Pioneer Auto Center
905 S. State Street
Pioneer, Ohio 43554

Dear Mr. Uland:

On September 25, 2007, the Ohio Environmental Protection Agency (Ohio EPA) conducted an inspection of Pioneer Auto Center (Facility), located at 905 S. State Street, Pioneer, Ohio. The purpose of the inspection was to determine how you manage your scrap tires at the Facility. The inspection was conducted in accordance with Ohio Administrative Code (OAC) Rule 3745-27-60 and OAC Rule 3745-27-61. You were present at the time of inspection. I, along with Mike Reiser, represented Ohio EPA during the inspection.

During the inspection Ohio EPA observed a pile of scrap tires, estimated to be around 150-200 tires, being stored at the back of the Facility. OAC Rule 3745-27-61(A)(2) states retail tire dealers are exempt from the requirement to register as a scrap tire collection facility provided that tires are sold at retail and no more than one thousand scrap tires are present at any time in an unsecured, uncovered, outdoor location. Your business currently meets this exemption.

However, please be advised that OAC Rule 3745-27-60, which establishes scrap tire storage requirements for entities who are not registered as a scrap tire facility, will apply to your Facility while scrap tires still exist on site. OAC Rule 3745-27-60(B)(6) and (8) regulates the storage of scrap tires outside a building or covered structure.

OAC Rule 3745-27-60(B)(6)(a) states in part: "Individual scrap tire storage piles shall be no greater than two thousand five hundred square feet in basal area..."

OAC Rule 3745-27-60(B)(6)(b) states in part: "Scrap tire storage piles shall not exceed eight feet in height..."

OAC Rule 3745-27-60(B)(6)(c) states: "Scrap tire storage piles of five hundred scrap tires or less shall be at least twenty-five feet away from all buildings and other scrap tire storage piles."

OAC Rule 3745-27-60(B)(6)(d) states: "Scrap tire storage piles of more than five hundred scrap tires shall be separated from other scrap tire storage piles and from buildings and structures by a fire lane with a width equal to or greater than fifty-six feet in accordance with the fire lane chart described in paragraph (F) of rule 3745-27-65 of the Administrative Code."

OAC Rule 3745-27-60(B)(8) states: "One or more of the following shall be done to control mosquitoes at the premises: (a) Remove liquids from scrap tires and immediately store scrap tires such that water does not accumulate in scrap tires or containers. Tires shall be kept free of water at all times. (b) Apply or arrange for the application of a pesticide or larvicide, which is registered for use for mosquito control by the Ohio department of agriculture, at no greater than thirty-day intervals or as recommended by the manufacturer or formulator. If applying any pesticide or larvicide as a mosquito control, then mosquito control records shall be maintained at the premises indicating the name, type, amount used per tire, and EPA registration number of the pesticide or larvicide, the date and time of the application, and the name of the person who applied the pesticide or larvicide. (c) Use another method of mosquito control which is approved by Ohio EPA."

Due to the aforementioned regulations, Pioneer Auto Center, is in violation of OAC Rule 3745-27-60(B)(8) for failure to control mosquitoes. You stated that larvicide will be purchased and applied to the scrap tires to control mosquitoes. Please submit your receipt and date of application to Ohio EPA.

You currently utilize Larry Smith to pick up your scrap tires. Mr. Smith picks up the tires under the registration of Energis LLC, Ohio EPA registration number 00-STT-03016. You were in possession of scrap tire shipping papers from Larry Smith to verify proper, legal disposal. Please retain all shipping papers for a period of three years.

This correspondence addressed specific observations only for the areas of the property that were inspected. Nothing present in, nor absent from this correspondence is intended to mean that no other violations existed at the property at the time of inspection.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in the Ohio Revised Code Chapter 3734 and the rules promulgated thereunder, does not relieve you from your obligations to comply with other applicable state and federal laws and regulations.

If you should have any questions please contact me at (419) 373-3079.

Sincerely,



Jeremy Scoles, S.I.T., CHMM
Environmental Specialist
Division of Solid and Infectious Waste Management

/llr

cc: File: Williams County, Tires >