



State of Ohio Environmental Protection Agency

**Southeast District Office**

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

January 9, 2008

**RE: GUERNSEY COUNTY  
TIRE - GEN**

Mr. Jerry Dettra, Owner  
Meadowbrook Tire Shop  
P.O. Box 243  
Senecaville, Ohio 43780

Dear Mr. Dettra:

On January 8, 2008, Mark Mansfield of this office and I conducted a follow-up visit to your business to review your scrap tire transporter manifest and to observe your scrap tire storage area behind your tire shop located on State Route 209 in Byesville, Ohio. This visit was done to determine the facility's efforts in removing scrap tires stored out of compliance with general storage requirements established in the Ohio Administrative Code rules. Past visits to the site and discussions with the owners have resulted in spotty compliance with OAC rules regulating the storage of scrap tires. At the time of our visit, we spoke with your brother, Lanny Dettra.

At the time of my visit, the business still had over 1500 scrap tires stored behind the building with most but not all under a covered structure. Some of the scrap tires were not under roof and were noted to be holding water. In addition, over 100 scrap tires were stored outside on the east side of the building uncovered. The full trailer that was stationed near the rear storage area at the time of my November 2007 visit had been removed and a new trailer was set east of the building. This trailer was noted to approximately half full. While I was at the site, your brother was again unable to locate any shipping papers associated with transport of the scrap tires but did indicate that you would be interested in anyone in the area who is registered to transport scrap tires. Based on our conversation, I have enclosed a list of registered scrap tire transporters available in your area.

As I have noted in past letters, a tire dealer may have up to 1000 scrap tires on their property as long as all scrap tires are stored in compliance with Ohio Administrative Code 3745-27-60. I have previously outlined OAC 3745-27-60 to you in a letter.

Based on my observations, the site continues to be in violation of open dumping of solid waste in accordance with Chapter 3734 of the Ohio Revised Code (ORC) and Chapters 3745-27 of the Ohio Administrative Code (OAC). Specifically:

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

**OAC 3745-27-05(C) - No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person(s) responsible for the open dumping, the owner of the property, or the person(s) who allow or allowed open dumping to occur, shall promptly remove and dispose or otherwise manage the solid waste in accordance with Chapter 3734. of the Revised Code, and shall submit verification that the solid waste has been properly managed.**

**GUERNSEY COUNTY  
TIRE-GEN  
JANUARY 9, 2008  
PAGE 2**

OAC 3745-27-60(B) states that the storage of scrap tires in any amount outside or inside a trailer, vehicle, or building shall be deemed a nuisance, a hazard to public health or safety, or fire hazard unless the tires are stored in accordance with applicable OAC rules.

OAC 3745-27-60(B)(1) states that sufficient drainage shall be maintained such that water does not collect in the area where scrap tires are stored. Your scrap tires are not being stored with sufficient drainage such that water does not collect in the tires. Water was observed in the scrap tires.

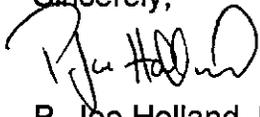
The scrap tire pile is in violation of OAC Rule 3745-27-60(B) and is a nuisance, a hazard to public health or safety, and a fire hazard.

All scrap tires must be stored in accordance with OAC 3745-27-60. In past correspondence and discussions with you, I have requested that the number of scrap tires stored behind the building be reduced to a more manageable number and brought into compliance with applicable rules. At the time of this follow-up visit, I observed that a trailer had been removed and another trailer brought to the site that was partially loaded. However, the site continued to be out of compliance with the above mentioned OAC rules. The scrap tire piles and the business must be reduced in size to less than 1000 within 30 days or escalated enforcement may be initiated. Please find enclosures concerning registered scrap tire transporters and scrap tire storage requirements.

I will conduct a second follow-up visit in approximately 30 days to reassess your compliance with the storage requirements, your handling of the mandatory paperwork and proper disposal of scrap tires generated by the business.

If you have any questions regarding this matter, you may contact me at 740-380-5439.

Sincerely,



P. Joe Holland, R.S.  
Environmental Specialist II  
Division of Solid and Infectious Waste Management  
Southeast District Office

PJH/jg

cc: Randy Shepard, Guernsey County Health Department