



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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www.epa.state.oh.us

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

September 25, 2009

**RE: GUERNSEY COUNTY
TIRE - GEN**

Mr. Dwayne Watson
5261 High Hill Road
Cambridge, OH 43725

Dear Mr. Watson:

On September 23, 2009, I conducted a follow-up visit to your property to determine whether any action had been taken to remove approximately 300-400 scrap tires open dumped at the site. At the time of my visit, I was accompanied by Trevor Irwin of this office. Mr. Irwin is an inspector with the Division of Solid & Infectious Waste Management and will be conducting future inspections to determine compliance at your property. At the time of my visit, no one was available at the property.

I have sent you multiple violation letters for open dumping of scrap tires. Although you have indicated in the past that you were aware the scrap tires needed to be removed, as of this most recent inspection, it appeared that no on-going removal or cleanup was being done. In May 2009, I visited the property with Robert Reiter, Coordinator for the Southern Ohio Joint Solid Waste Management District. Mr. Reiter had indicated to me that there was a possibility he could use funds to assist in the clean up and removal of the scrap tires. Recently, however, Mr. Reiter stated that the management district would be unable to participate in the clean up. Based on this development, I am again citing you for open dumping and informing you that all scrap tires must be removed and properly disposed of from your property.

As you are aware, scrap tires are a solid waste and must be properly managed and disposed of in accordance with all applicable rules. Open dumping of scrap tires is in violation of Ohio Administrative Code (OAC) and the Ohio Revised Code (ORC). Specifically:

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

OAC Rule 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

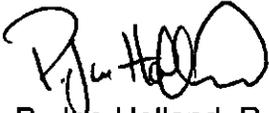
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the solid waste in accordance with Chapter 3734. of the Revised Code, and shall submit verification that the solid waste has been properly managed.

Please respond within 15 days as to your intentions to comply. You have failed to respond or comply in the past. If I do not hear from you regarding this issue I will have no other choice but to refer you for escalated enforcement.

If you have any questions regarding this letter, please contact me at 740-380-5439 or Mr. Irwin at 740-380-5443.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Joe Holland". The signature is stylized and cursive.

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

PJH/jg