



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

May 30, 2007

**RE: JACKSON COUNTY
TIRE - GEN**

Mr. William Gates
15336 Beaver Pike Road
Jackson, Ohio 45640

Dear Mr. Gates:

On April 16, 2007, I accompanied Kristen Miller and John Keenan of the Jackson County Health Department (JCHD) in investigating a complaint regarding open dumping of scrap tires on property you own located at the above address in Jackson County. The complaint alleged that scrap tires were open dumped at multiple locations on your property.

Upon our arrival at the site, we initially drove around two sides of the property on the public roads. From Beaver Pike and Reservoir Road, we observed several piles of tires located on the property. We then stopped at your residence at the property and attempted to speak with you. Mrs. Gates answered the door. When we attempted to discuss the situation with her and ask for permission to access the property to further investigate the complaint, she promptly slammed the door and asked us to leave.

Mrs. Gates later telephoned JCHD office and spoke with Kristen Miller. Ms. Miller explained to her that we had attempted to investigate the complaint and that scrap tires piled up on the property were a violation of Ohio's solid waste laws. Ms. Miller further informed her that as the owner of the property, you are responsible for the site. Ms. Miller explained that the scrap tires would need to be removed for proper disposal to a licensed scrap tire facility and that scrap tires could only be transported by a registered scrap tire transporter.

Follow-up drive by inspections by JCHD during the past week confirm that scrap tires remain on your property. Scrap tires are a solid waste and must be properly stored and managed in accordance with OAC Rule 3745-27-60. Please be advised that 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 the solid waste in accordance with Chapter 3734. of the Revised Code, and shall submit verification that the solid waste has been properly managed.

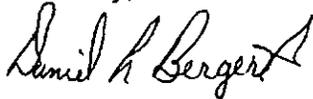
Jackson County Health Department
April 16, 2007 Visit
May 30, 2007
Page 2 of 2

Open dumping of solid wastes on your property should cease immediately. All solid waste must be removed from the property and taken to a licensed disposal facility for proper disposal. Any temporary storage and subsequent transportation of scrap tires must comply with Ohio's scrap tire storage and transporter laws. Please obtain copies of receipts from the approved disposal facility that receives the waste and provide copies to this District Office in order to document your compliance.

Please respond to me, in writing, within 15 days detailing your intentions and actions taken to comply with Ohio's solid waste regulations and laws.

If you have questions, please call me at 740-380-5438.

Sincerely,



Daniel L. Bergert, R. S.
Environmental Specialist II
Division of Solid and Infectious Waste Management

DLB/jg

cc: Jackson County Health Department