



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

August 2, 2007

**RE: LAWRENCE COUNTY
TIRES
20070338**

Ms. Diane McComas
Chet's Auto Parts
2635 County Road 66
Proctorville, Ohio 45669

Dear Ms. McComas:

The Southeast District Office of the Ohio EPA received a complaint that open burning of solid waste is occurring on your property off of Wolf Creek Road, in Lawrence County, Ohio.

I conducted an inspection of the property on July 31, 2006. I met with one of your employees on this day. During my last inspection of the property on August 29, 2006, I was informed that you would remove the assorted solid waste that is on your property. During this inspection, I observed that you have burnt the pile of solid waste.

Presently, you are in violation of the following referenced rules.

1. 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 responsible for the open dumping, the owner of the property, or the person who allows 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.

Solid wastes are dumped and burned on the ground.

2. Ohio Revised Code Chapter 3734.03 states in part, "No person shall conduct, permit, or allow open dumping."

Solid wastes are burned and dumped on the ground.

Presently, you are in violation of the above referenced rules.

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Open dumping and burning solid wastes must cease immediately. All solid wastes, dumped and burned on your property must be removed and taken to a licensed solid waste disposal facility for proper disposal. Obtain receipts from the landfill that received the wastes and provide those copies to this District Office in order to document your compliance.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in ORC Chapter 3734 and the rules promulgated thereunder, does not relieve the owner of his obligation to comply with other applicable State and Federal laws and regulations.

Should you have questions, please contact me at (740) 380-5246.

Sincerely,



Clint Shuff, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

CAS/jg

cc: Lawrence County Health Department
cc: Dan Palmer, Lawrence and Scioto County Solid Waste Management District
cc: Phil Thompson, Portsmouth Local Air Authority