



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

November 24, 2009

**RE: MONROE COUNTY
SITE - GENERAL**

Gary Ruble LLC
Attn.: Gary Ruble
35479 State Route 78
Lewisville, Ohio 43754

Dear Mr. Ruble:

On August 20, 2009, the Ohio Environmental Protection Agency received a complaint concerning property owned by you along State Route 78 in Monroe County. This complaint alleged the presence of scrap tires and other solid wastes on your property. On September 17, 2009, Richard Stewart and I investigated this complaint and found it to be valid. On this date, we were escorted by Dick Sulsberger.

I observed several small piles of scrap tires scattered throughout the property. If these tires are no longer of use, they should be removed by a registered scrap tire transporter for proper disposal. Improper storage of scrap tires poses several potential problems for the local residents, environment, and the emergency crews in the area. Scrap tires provide an optimal breeding ground for mosquitoes. Mosquitoes identified at tire piles in Ohio can carry St. Louis Encephalitis, La Crosse Encephalitis, Yellow Fever, Dengue Fever and West Nile Virus. These scrap tires need to be stored in a manner so that mosquito breeding is inhibited.

Scrap tire fires are a source of air pollution and can cause respiratory problems for those that breathe the smoke. Tire fires are also difficult for emergency crews to extinguish.

Ohio law requires that anyone removing scrap tires for disposal must take the tires to either a licensed or registered scrap tire collection, recovery or disposal facility. Receipts from these facilities need to be on file at your facility to provide proof of proper disposal. Also, anyone transporting more than ten (10) scrap tires must be registered with Ohio EPA as a Scrap Tire Transporter.

Also, a large demolition debris dump was observed on your property, across State Route 78 from your office building. Solid waste was also observed in the area of the illegal disposal area.

On November 5, 2009, Mr. Stewart and I conducted another inspection of your property to determine if any of the previously noted issues had been addressed. During this inspection, it appeared that no actions had been taken to correct these violations.

You continue to be in violation of Ohio Revised Code (ORC) Chapter 3734.03 and Ohio Administrative Code Rules (OAC) 3745-27-05(C) and 3745-400-04(B).

ORC 3734.03 states in part:

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

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OAC 3745-27-05(C) states:

OAC 3745-27-05(C) - No person shall conduct, permit, or allow open dumping.

OAC 3745-400-04(B) states in part:

OAC 3745-400-04(B) - No person shall conduct or allow illegal disposal of construction and demolition debris. . .

The solid waste and demolition debris must be removed from the above-mentioned property and disposed of at either a licensed solid waste disposal facility or taken to a legitimate recycling facility. Copies of receipts for disposal or recycling should be submitted to this office for proof of disposal. Also, copies of scrap tire shipping papers from a registered scrap tire transporter should be submitted for proof of proper disposal.

Please respond to this correspondence within 14 days of receipt. Your response should include details of your actions taken to properly dispose or recycle the current waste on your property.

Also, please find enclosed a list of registered scrap tire transporters.

If you have any questions, please feel free to contact me at this office. You can reach me either by mail or by calling me at (740) 380-5443.

Sincerely,



Trevor L. Irwin, R.S.
Environmental Specialist II
Division of Solid and Infectious Waste Management

TLI/jg

Enclosure .

cc: Rich Stewart, DHWM-SEDO