



State of Ohio Environmental Protection Agency

Southeast District Office

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Logan, Ohio 43138

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

July 27, 2007

**RE: ROSS COUNTY
SITE - GENERAL**

Ms. Hettie Armstrong
1095 True Hollow Road
Chillicothe, Ohio 45601

RE: Open Burning and Scrap Tire Storage Complaint Investigation

Dear Ms. Armstrong:

On July 3, 2007, I conducted a complaint investigation at your property located at the above address. This investigation was in response to a complaint received by this office. The complaint alleged that solid waste violations were occurring at the junk yard operated by your father, Mr. Robert Armstrong. I met with you and discussed the complaint prior to viewing the site. Your boyfriend, Mr. James Olsen, accompanied me during my site investigation.

Specific issues alleged in the complaint included: burning of scrap tires and open dumping of solid waste. During my investigation, I saw no evidence of scrap tires being burned. There were, however, scrap tires improperly stored at multiple locations throughout the junkyard. Mr. Olsen indicated that some of the scrap tires were being saved as used tires, while others might not have any value. I explained to Mr. Olsen that as soon as a tire was removed from the original vehicle, it was considered a scrap tire for the purposes of managing and storing it. To control vector mosquitos and minimize the risk of fires, scrap tires must be stored per specific rules. I also observed some quantity of solid waste commingled within the junkyard throughout the property. The current disposition of this waste is considered open dumping.

Open dumping of solid waste is a violation of 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.

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OAC 3745-27-05 - 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.

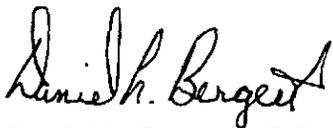
Open dumping of all solid waste must cease immediately. All solid waste must be removed from the property and properly disposed of at a licensed solid waste facility. The nearest solid waste disposal facilities are the Mound Transfer Station on Seney Road or the RLS Transfer Station on Eastern Avenue (both are in Chillicothe). Other options include the Pike Sanitation Landfill in Waverly or the Beech Hollow Landfill near Wellston, Ohio. Obtain written receipts of proper disposal for all wastes removed and provide copies for verification.

Scrap tires must be stored and managed in accordance with Ohio Administrative Code (OAC) Rule 3745-27-60. Your storage of scrap tires is not currently in compliance with several of the provisions of this rule. Specifically, scrap tires must be kept away from ignition sources and must be kept dry. There are also limits on the total number of scrap tires an individual may transport at anyone time. Enclosed is a copy of Ohio EPA's Fact Sheet titled, "How Do Ohio's Scrap Tire Rules Affect Generators of Scrap Tires?" Please review this document as you reorganize and/or reduce the scrap tires you have on site.

Please respond to this office in writing within 15 days as to your intentions to comply.

If you have any questions regarding this matter, you may contact me at 740-380-5438.

Sincerely,



Daniel L. Bergert, R.S.
Environmental Specialist II
Division of Solid & Infectious Waste Management
Southeast District Office

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cc: Ross County Health Department