



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

October 2, 2008

**RE: SCIOTO COUNTY  
TIRES - GEN  
NOTICE OF VIOLATION**

Mr. Jarrod Reed  
75 B 4<sup>th</sup> Street  
Friendship, Ohio 45630

Dear Mr. Reed:

This Agency received a complaint that scrap tires, a solid waste, is dumped and burned on your property off of 4<sup>th</sup> Street, in Friendship, Ohio. I conducted an inspection of the property and met with you on September 30, 2008. You stated that you burnt 18 tires to get the rims off of the tires. You stated that you have been informed by the Portsmouth Local Air Authority and the Local Fire Department that this is a violation. I observed that the burnt tires have been removed from the property. You stated that the burnt scrap tires were taken to your stepfather's, James Whitt of Chillicothe, Ohio, who provided you the tires.

Under Ohio Revised Code Chapter 3734.01(E) and Ohio Administrative Code 3745-27-01(S)(24) "solid waste" includes scrap tires.

Scrap tires must be properly stored and managed in accordance with the Ohio Administrative Code Rule 3745-27-60. Improper storage of scrap tires is considered open dumping of solid waste and is a violation of the Ohio Administrative Code.

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.

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.

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.

Scrap tires are dumped and burnt on the ground; this is a violation.

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

Scrap tires were dumped and burned on the ground on your property; this is a violation.

3. OAC 3745-27-54(A) No person shall transport scrap tires in the state of Ohio without first obtaining an annual registration certificate.

You are not registered with Ohio EPA to transport scrap tires.

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

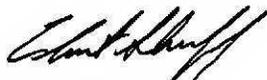
Open dumping and burning of scrap tires a solid waste must cease immediately. Obtain receipts from the landfill that received the wastes and provide those copies to this District Office in order to document your compliance. I am requesting that you respond to me at this District Office within ten days of receipt of this letter to indicate your intentions and actions taken regarding your open dump.

The closest scrap tire facilities to Scioto County is Pike Sanitation in Waverly, Ohio (740) 947-5756). You may use other facilities as well. You should contact one of these facilities to assist you in removing and properly disposing the remaining scrap tires.

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/her obligation to comply with other applicable State and Federal laws and regulations.

Should you have any questions, feel free to contact me at this Agency at (740) 380-5246.

Sincerely,



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

CS/jg

cc: Mike Trapp, Scioto County Health Department  
cc: Dan Palmer, Lawrence & Scioto County Solid Waste Management District  
cc: Cindy Charles, Portsmouth Local Air Authority