



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

April 3, 2007

**RE: WASHINGTON COUNTY  
TIRE - GENERAL**

Mr. Mike Davis  
Marietta Industrial Enterprises  
17943 State Route 7  
Marietta, OH 45750

Dear Mr. Davis:

On December 6, 2006, Scott Bergreen, Ohio EPA Division of Hazardous Waste Management and Trevor Irwin, Ohio EPA Division of Solid and Infectious Waste Management, met with you to discuss the removal of drums from a building that was involved in a fire earlier this year.

During the course of this visit, approximately 100 scrap tires were observed towards the southern portion of the Marietta Industrial Enterprises (MIE) property. 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.

On March 29, 2007, I drove past your facility. At that time, the scrap tires were still present on the property.

The accumulation of this many tires constitutes open dumping and is in violation of Ohio Revised Code (ORC) Chapter 3734.03 and Ohio Administrative Code (OAC) 3745-27-05(C).

ORC 3734.03 states in part:

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

OAC 3745-27-05(C) states:

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(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.

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Also, I observed that a structure on your property had been involved in a fire event. Any material that cannot be salvaged from this structure is considered a solid waste and must be removed to a solid waste disposal facility. Any material from this structure that may contain a hazardous substance, such as automobile batteries, must be disposed of in a proper manner.

Ohio law require 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.

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.

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, RS  
Environmental Specialist II  
Division of Solid and Infectious Waste Management

TLI/jg

cc: Washington County - Marietta Industrial Enterprises - Site file