



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

May 14, 2007

**RE: WASHINGTON COUNTY  
TIRE - GENERAL**

The Honorable Michael Mullens  
Mayor, City of Marietta  
301 Putnam Street  
Marietta, Ohio 45750

Dear Mayor Mullens:

On March 20, 2007, the Ohio Environmental Protection Agency (Ohio EPA) received a complaint concerning property owned by the City of Marietta on Goose Run Road in Washington County. This complaint alleged the open dumping of scrap tires on this property. On May 4, 2007, Mark Mansfield and I, both representing Ohio EPA Southeast District Office, visited the site to attempt to determine how many scrap tires may indeed be present on this property. In my March 26, 2007 notice of violation, I had estimated approximately 4000 scrap tires were present on this property. After Mr. Mansfield measured the pile of scrap tires and calculated an estimated depth, it has been determined that approximately 12,800 passenger tire equivalents (PTEs) are present on this property. Please find enclosed Mr. Mansfield's interoffice communication regarding his calculations of the scrap tire dump.

The City of Marietta remains in violation of Ohio Revised Code (ORC) chapter 3734.03 and Ohio Administrative Code (OAC) 3745-27-05(C) as long as these tires remain on this property.

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.

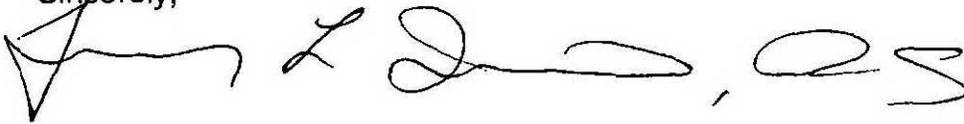
All scrap tires must be removed from the above-mentioned property and disposed of at either a licensed solid waste disposal facility or taken to a legitimate recycling facility. Copies of receipts for disposal or recycling should be submitted to this office for proof of disposal.

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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,

A handwritten signature in black ink, appearing to read "Trevor L. Irwin". The signature is written in a cursive style with a large initial "T" and "I".

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

TLI/jg

Enclosure

cc: David Sands, Safety Service Director, City of Marietta  
Mark Mansfield, DSWIM-SEDO  
Robert Reiter, Southeast Ohio Joint Solid Waste Management District