



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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www.epa.state.oh.us

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

March 26, 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 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 March 23, 2007, I investigated this complaint and found it to be valid. I observed the accumulation of approximately 4000 scrap tires on this property.

The city of Marietta 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.

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.

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

TLI/jg

cc: David Sands, Safety Service Director, City of Marietta