

Butler County
Gen. Corr.



State of Ohio Environmental Protection Agency

Southwest District Office

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

March 28, 2007

Jerry & Mary Lou Becker
1650 Wayne-Madison Road
Trenton, Ohio 45067

Subject: Complaint Investigation - Return To Compliance Letter

Dear Mr. & Mrs. Becker:

On March 14, 2007, Jill Olberding and I reinspected your business property, Vickers Wrecking, Wayne-Madison Road, Butler County, Ohio. This was a follow up to an open dumping complaint investigation conducted on November 7, 2006.

Observations

During the initial investigation on November 7, 2006, we observed three (3) piles of construction & demolition debris (C&DD), primarily lumber and two (2) piles of solid waste, primarily furniture & miscellaneous solid waste. White goods were also observed in one of the piles.

As discussed during the both the initial and follow up inspection, C&DD may not be illegally disposal of at an unlicensed landfill facility. The transfer of C&DD is allowed and licensing is not required for this activity.

During the March 14, 2007 reinspection, we observed that the solid waste, including the furniture, had been removed. Also, the scrap tires have been removed. It was noted during the reinspection that all violations have been corrected.

Discussion

During the reinspection you stated that you may find additional scrap tires mixed in with the transferred C&DD material. As we discussed, no more than ten (10) scrap tires may be transported at one time. If more than ten (10) are transported at one time, a scrap tire transporter registration must be obtained.

Proper storage of scrap tires was also discussed during both the inspection and reinspection. Scrap tires must be properly stored and managed in accordance with the Ohio Administrative Code (OAC) Rule 3745-27-60. Improper storage of scrap tires is

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considered open dumping of solid waste and is a violation of the Ohio Administrative Code and Ohio Revised Code. **If more than one hundred scrap tires are stored, then the owner or operator may be required to apply for a license as a scrap tire facility.**

Please be advised that pursuant to OAC Rule 3745-27-60(B)(9)(b), upon inspection and written notification, Ohio EPA, or the Approved Health Department or Authorized Representative, discover the existence of mosquito larvae at the premises, the owner or operator shall apply within twenty-four hours a larvicide which is registered for use for mosquito control by the Ohio Department of Agriculture. The application shall be according to the manufacturer's or formulator's recommendations. Records shall be kept at the facility indicating the trade name of the larvicide, the date and time of application, and the name of the persons who applied the larvicide.

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 mosquitos. Mosquitos identified at tire piles in Ohio can carry St. Louis Encephalitis, La Crosse Encephalitis, Yellow Fever, Dengue Fever and West Nile Virus.

You also requested the name of the Ohio EPA SWDO contact with the Office of Compliance Assistance and Pollution Prevention (OCAPP). His name is Jim Pellegrino and his business card and a pamphlet containing information about OCAPP is also included with this letter.

Compliance with the requirements outlined in this letter shall not relieve you of your obligation to comply with other legal obligations, including, but not limited to, Chapter 3745 of the Ohio Administrative Code or Chapters 3704, 3714, 3734 or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Clean Air Act, Comprehensive Environmental Response, Compensation, and Liability Act, or Resource Conservation and Recovery Act remedying conditions resulting from any release of contaminants to the environment.

If you have any questions, please contact me at (937) 285-6647.

Sincerely,

Monte Bluebaum R.S.

Monte Bluebaum, R.S.
Division of Solid and Infectious Waste Management

cc: Jeff Agnew, Butler County Health Department

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