



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Inspection Results
Southside Auto Wrecking
Auglaize County

March 12, 2007

Thomas A. Cox, Sr.
P.O. Box 671
St. Marys, Ohio 45885

Dear Mr. Cox:

On February 20, 2007, Jeremy Scoles, Tyler Madeker, and I represented the Ohio Environmental Protection Agency (Ohio EPA) and conducted an inspection of the unlicensed and unpermitted solid waste disposal facility, as defined in Ohio Revised Code (ORC) § 3734.01(N) and Ohio Administrative Code (OAC) 3745-27-01(S)(25), at Southside Auto Wrecking located at 12712 Aqueduct Road, St. Marys, Ohio (Facility). The Facility is currently a licensed motor vehicle salvage dealer (MVSD). You were present for the inspection and granted us permission to walk the Facility. Photo documentation was taken during the inspection.

During the inspection, multiple piles of tires were observed. There were two piles along the east side of the facility. There was another pile commingled with soil and scrap metal debris at the northeast corner of the facility. Another scrap tire pile was located at the west side of the facility.

Ohio Revised Code (ORC) § 3734.03 states in part:

No person shall dispose of solid waste by open burning or open dumping, except as authorized by the director of environmental protection...

Ohio Administrative Code (OAC) Rule 3745-27-05(C) states:

No person shall conduct, permit, or allow open dumping.

The owner/operator of Southside Auto Wrecking remains in violation of ORC § 3734.03 and OAC Rule 3745-27-05(C) for open dumping. The Facility will remain in violation until all tires are removed from the site or the MVSD exemption is met.

A licensed MVSD may qualify for an exemption, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-61(A)(2)(c), from the requirements to become a licensed scrap tire storage facility. This exemption applies to MVSD's who have only one scrap tire storage pile with a maximum dimension of 2500 square feet basal area and 8 feet in height. Currently, you have four scrap tire storage areas at your Facility.

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Ohio EPA encourages you to remove all scrap tires from the Facility due to the fact that OAC Rule 3745-27-60, which establishes scrap tire storage requirements for entities who are not registered as a scrap tire facility, applies to your Facility while scrap tires still exist at the site. OAC Rule 3745-27-60(B)(6) regulates the storage of scrap tires outside a building or covered structure. OAC Rule 3745-27-60(B)(6)(a) limits scrap tire piles to less than 2500 square feet and OAC Rule 3745-27-60(B)(6)(d) requires that at a minimum a 56 foot fire lane be maintained between buildings, structures, and other scrap tire storage piles. The owner/operator is in violation of OAC Rule 3745-27-60(B)(6)(d) for not maintaining 56 foot or larger fire lanes between scrap tire piles at the Facility.

OAC Rule 3745-27-60(B)(8)(b) requires that every thirty days or as recommended by the manufacturer, the owner or operator apply or arrange for the application of a mosquito control pesticide or larvicide. In addition, records shall be kept at the Facility indicating the name, type, amount used per tire, EPA registration number, date and time of the application, and the name of the person who applied the pesticide or larvicide. If upon inspection, mosquitos/larvae are present at the site, a mosquito adulticide/larvicide must be applied within twenty-four hours. As the owner of the Facility, you must maintain these records and apply mosquito control measures to your facility when mosquitos are present. Please maintain these records so they can be inspected during future inspections.

You stated that tires are being placed in cars during crushing. Please maintain your receipts and a log to document the number of tires being placed in cars when they are removed for crushing. Removing tires by placing them in the cars when they are crushed is an acceptable method to remove tires from the Facility. However, due to fire and health hazards associated with tire piles, you must also remove additional scrap tires using a registered scrap tire transporter on a regular schedule.

You indicated that you may take scrap tires to the Dundee cement plant for possible disposal. As a courtesy I have included an address and phone number for the plant. The information is as follows; Holnam Company - Dundee Cement Plant, 6211 North Ann Arbor Road, Dundee, MI. 48131. Phone number 800-831-9507.

This correspondence addressed specific observations only for the areas of Southside Auto Wrecking that were inspected. Nothing present in, nor absent from this correspondence is intended to mean that no other violations existed at the facility at the time of inspection.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in the Ohio Revised Code Chapter 3734 and the rules promulgated thereunder, does not relieve the owner/operator of Southside Auto Wrecking from their obligations to comply with other applicable state and federal laws and regulations.

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If you have any questions, please contact me at the Northwest District Office at (419) 373-3126.

Sincerely,

Michael A. Reiser

Michael A. Reiser, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

/csl

pc: Marv Selhorst, Auglaize County Health Department
NWDO file: Auglaize County, Tires