



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468
www.epa.state.oh.us

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

**Re: Notice of Violation
Clay Township, Ottawa County**

March 27, 2008

CERTIFIED MAIL

Earl F. and Bernadine K. Dipman
4535 N. Martin Williston Road
Martin, Ohio 43445

Dear Mr. and Mrs. Dipman:

On March 13, 2008, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted a reinspection at property you own at 23046 West State Route 51, Genoa, Clay Township, Ottawa County, Ohio (property) to determine if tires accumulated at the Property had been removed as requested in my July 6, 2007, notice of violation letter. Mr. Ned O'Loughlin and Mr. Brent Goetz of Ohio EPA were also present.

On the property, I observed a semi trailer full of scrap tires labeled "Dillon Registered Tire Transporter," located on the east side of the Property. In addition, there were two additional unlabeled semi trailers parked beside the Dillon trailer. Through cracks in the door, it was possible to observe that at least one of the trailers was also filled with scrap tires.

As scrap tires remain on the Property, it remains an unregistered and unlicensed scrap tire storage facility.

The owner/operator of the Property remains in violation of the following rules and laws:

1. ORC § 3734.81(A) which states in pertinent part:

... no person shall operate a scrap tire collection, storage, monocell, monofill, or recovery facility without a license ...

2. ORC § 3734.76(C) which states in pertinent part:

... no person shall establish a new, or modify an existing, scrap tire storage facility without first either registering with the director by submitting an application for a scrap tire storage facility registration certificate with accompanying information regarding the facility and its method of operation or submitting to the director an application for a scrap tire storage facility permit with accompanying engineering detail plans, specifications, and information ...

3. OAC Rule 3745-27-61(B) which states in pertinent part:

An application for a registration certificate as required by section 3734.75, 3734.76, or 3734.78 of the Revised Code, shall be submitted to and approved by the director, before the establishment or modification of the scrap tire collection, class II storage, or class II scrap tire recovery facility is begun. . .

These violations will continue until all scrap tires are removed from the property by a registered scrap tire transporter and properly disposed. Please forward receipts documenting removal of the scrap tires to my attention at:

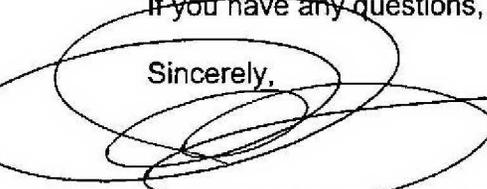
Ohio EPA - NWDO
Attn: Kimberly Burnham
347 N. Dunbridge Road
Bowling Green, Ohio 43402

This correspondence addresses specific observations only of the areas of the property that were inspected. Nothing present in, nor absent from this correspondence is intended to mean that no other violations existed at the property 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 from their obligations to comply with other applicable state and federal laws and regulations.

If you have any questions, please contact me at (419) 373-3049.

Sincerely,



Kimberly K. Burnham, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

/llr

pc: Robert Hanus
Gary Kapp, Clay Township Zoning
DSIWM-NWDO File: Ottawa County; Tires →

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Cheryl Dipman <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Cheryl Dipman</p> <p>C. Date of Delivery 3-28-08</p>
<p>1. Article Addressed to: Earl F. and Bernadine K. Dipman 4535 N. MARTIN Williston Road MARTIN, OHIO 43445</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
7006 3450 0001 0611 2565	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540	

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Ohio EPA
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MAR 27 2008
GREEN

Sent To
EARL F. AND BERNADINE K. DIPMAN
Street, Apt. No.,
or PO Box No. 4535 N. MARTIN Williston ROAD
City, State, ZIP+4
MARTIN, OHIO 43445

PS Form 3800, August 2006 See Reverse for Instructions