OhioEPA

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

October 15, 2007

CERTIFIED MAIL

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

Dear Mr. and Mrs. Dipman:

On September 25, 2007, 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.

On the Property, I found that the scrap tires had been removed from the ground and placed in a semi trailer labeled "Dillon Registered Tire Transporter," located on the east side of the Property. This was not the same semi trailer that was on the property during my initial inspection on May 22, 2007.

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

/klr

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

SENDER: *COMPLETE THIS SECTION*

- 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.

DSWM - Kim B

1. Article Addressed to:

EARL F and BERNADINE K. Dipman
4535 N. MARTIN Williston Road
MARTIN, OH 43445

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X BK Dipman
☐ Agent
☐ Addressee

B. Received by (*Printed Name*)
B.K. Dipman

C. Date of Delivery
10·18·07

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
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☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (*Extra Fee*) ☐ Yes

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PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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DS Dwm - Kim B

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Ohio EPA
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BOWLING GREEN OH 43402
OCT 17 2007
USPS

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 OH 43445

PS Form 3800, August 2006 See Reverse for Instructions