



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

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

Re: Inspection Results
Lawrence Pitt Property
Hardin County

April 13, 2007

Mr. Lawrence Pitt
18266 St. Rt. 31
Mt. Victory, Ohio 43340

Dear Mr. Pitt:

On March 28, 2007, Jeremy Scoles and I represented the Ohio Environmental Protection Agency (Ohio EPA) and performed an inspection of the property located at 18266 St. Rt. 31, Mt. Victory, Ohio, for compliance with Ohio's scrap tire and open dumping regulations. You represented the Facility during the inspection. Your property was referred to Ohio EPA by the Mt. Victory Fire Department. The Mt. Victory fire Department responded to a fire at this property.

Approximately two hundred scrap tires were noted on the property on this day. An accurate estimate of the number of tires could not be determined because a majority of the tires were in piles mixed with other debris and scrap metal. You were instructed to separate the scrap tires from the other debris and continue the process of removing the scrap tires. You must use a registered scrap tire transporter and save the scrap tire shipping papers to verify proper, legal disposal.

Several piles of miscellaneous solid waste were noted on the property. One pile appeared to have been burnt. You were instructed to properly dispose of the solid waste at a licensed sanitary landfill facility. Scrap tires and solid waste placed on the property (which is not an approved location for disposal of scrap tires and solid waste) constitutes open dumping. The disposal of solid waste by burning constitutes open burning.

The open dumping prohibition within OAC Rule 3745-27-05(C) states, "No person shall conduct, permit, or allow open dumping." The open dumping and open burning prohibition within ORC Chapter 3734.03 states in part, "No person shall dispose of solid wastes by open burning or open dumping, except as authorized by the director of environmental protection..." Therefore, you will be in violation of OAC Rule 3745-27-05(C) and ORC Chapter 3734.03 if you fail to remove the scrap tires and solid waste from on your property or if you dispose of the solid waste by open burning.

The accumulation of scrap tires on the property also poses a threat to the community by providing a mosquito breeding environment. Mosquitoes carry a variety of diseases and the owner of the property at 18266 St. Rt. 31, Mt. Victory, Ohio, must take necessary provisions to control mosquitoes. Your failure to maintain the required mosquito control records is a violation of OAC Rule 3745-27-60(B)(8)(b). In the event that your mosquito control records exist and/or

Mr. Lawrence Pitt
April 13, 2007
Page Two

are maintained at another location, Ohio EPA may request that you provide a copy of such records.

Failure to continue to show progress toward the scrap tire and solid waste removal may subject you to escalated enforcement. Ohio EPA will be conducting periodic inspections to verify the clean-up is progressing.

This correspondence addresses specific observations noted only for the areas of 18266 St. Rt. 31, Mt. Victory, Ohio, that were inspected. Nothing present in, or absent from this correspondence is intended to imply that no other violations existed at the property during the inspection.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in Ohio Revised Code Chapter 3734 and the rules promulgated thereunder, does not relieve you from your obligations to comply with other applicable state and federal laws and regulations.

If you have any questions concerning this correspondence, you may contact me at (419) 373-3126.

Sincerely,



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

/lb

pc: David Zeller, Hardin County Health Department
Dennis Hinton, Mt. Victory Fire Department
Joe Grob, DAPC, NWDO

~~File Copy: Hardin County, Open-Dumps~~