



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

May 11, 2011

**RE: BELMONT COUNTY
Tire SITE - GENERAL**

Mr. Derek Day
38270 Barnsville Bethesda Rd
Woodsfield, Ohio 43793

Dear Mr. Day:

On March 3, 2011, the Ohio Environmental Protection Agency received a complaint concerning property owned by you on Barnsville Bethesda Rd. This complaint alleged that tires were being burned and waste at the facility was being mismanaged. On March 10, 2011, I met with you concerning the complaint. You indicated that in the past you had burned tires, but recently you hired someone to remove them from your property. While at your property, I observed the accumulation of approximately 50 tires piled in back of the trucking company.

On May 10, 2011, Melody Stewart and I received another complaint concerning the property. It did not appear that the tires had been removed. In fact, it appeared that more tires were at the facility.

Improper storage of scrap tires poses several potential problems for the local residents, environment, and emergency crews in the area. Scrap tires provide an optimal breeding ground for mosquitoes. Mosquitoes identified at tire piles in Ohio can carry St. Louis Encephalitis, La Crosse Encephalitis, Yellow Fever, Dengue Fever and West Nile Virus.

Scrap tire fires are a source of air pollution and can cause respiratory problems for those that breathe the smoke. Tire fires are also difficult for emergency crews to extinguish.

Please note that the above noted dumping is in violation of Ohio Revised Code (ORC) chapter 3734.03 and Ohio Administrative Code (OAC) 3745-27-05(C).

ORC 3734.03 states in part:

No person shall dispose of solid wastes by open dumping or open burning. . .

OAC 3745-27-05(C) states:

No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person(s) responsible for the open dumping, the owner of the property, or the person(s) who allow or allowed open dumping to occur, shall promptly remove and dispose or otherwise manage the solid waste in accordance with Chapter 3734. of the Revised Code, and shall submit verification that the solid waste has been properly managed.

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Ohio law requires that anyone removing scrap tires for disposal must take the tires to either a licensed or registered scrap tire collection, recovery or disposal facility. **Anyone transporting more than ten (10) scrap tires must be registered with Ohio EPA as a Scrap Tire Transporter. Copies of receipts for disposal or recycling should be submitted to this office for proof of disposal.**

Please respond to this correspondence within 14 days of receipt. Your response should include details of your actions taken to properly dispose or recycle the current waste on your property.

If you have any questions, please feel free to contact me at this office. You can reach me either by mail or by calling me at (740) 380-5228.

Sincerely,



Erika Jackson
Environmental Specialist II
Division of Materials and Waste Management

EJ/jg