

**Environmental
Protection Agency**

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

July 9, 2012

**RE: PIKE COUNTY
GENERAL COUNTY FILE
(PLATEAU TRUCK STOP)
DMWM-SEDO
RCRA/UOG
OHR 000 164 939**

Ms. Regina Gregory
14133 US Highway 23
Waverly, OH 45690-9371

Mark Howard
Sundown Tire Recycling
1013 Happy Hollow Road
Piketon, Ohio 45661

Dear Mr. Howard and Ms. Gregory:

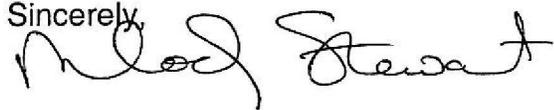
On June 7, 2012, I conducted a complaint investigation of Plateau Truck Stop owned by Ms. Regina Gregory, to determine the company's compliance with Ohio's hazardous waste laws and regulations, as found in the Ohio Revised Code and the Ohio Administrative Code (ORC and OAC, respectively). The complainant alleged that containers of used oil and restaurant grease were leaking onto the ground behind the building and scrap tires were disposed of on the property. I sent Ms. Gregory Notice of Violation (NOV) letters on August 1, 2011, October 3, 2011, and January 23, 2012 specifying the violations observed during the complaint investigation on July 26, 2011.

Sundown Tire Recycling was contracted by Ms. Gregory and during the week of April 30, 2012, the scrap tires and used oil contaminated soil were removed from the property. The tires and contaminated soil were disposed of at the Pike Sanitation Landfill. According to Ohio Administrative Code 3745-52-11 any wastes generated by an owner/operator must be evaluated to determine if the waste is hazardous. Since you were contracted by Ms. Gregory, Ohio EPA considers Sundown Tire Recycling to be an operator. Since no evaluation of the contaminated soil was performed by Sundown Tire Recycling or Ms. Gregory, a violation of this rule occurred. I have attached the *Compliance and Cleanup Issues at Facilities Managing Used Oil* fact sheet which explains the requirements in greater detail. No further information is required at this time, however; if Sundown Tire Recycling is contracted to remove used oil contaminated soil or other wastes at other facilities in the future, an evaluation of the wastes must be performed.

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If you should have any questions please feel free to contact me at 740.380.5256.

Sincerely,



Melody Stewart
District Representative
Division of Materials and Waste Management

MS/sb

cc: Kevin Astin, Pike County Health Department
Dan Bergert – DMWM-SEDO
Mitch Mathews, DMWM-CO

Notice:

Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.