



**Environmental
Protection Agency**

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

June 21, 2012

**RE: PIKE COUNTY
TIRES - SKIDMORE HOLLOW TIRE PILE**

Mr. Vernon McGeary
511 Skidmore Hollow Road
Lucasville, Ohio 45648

Ms. Daisy Johnson
325 Obrien Road
Lucasville, Ohio 45648

Dear Mr. McGeary & Ms. Johnson

This Agency conducted an investigation of a complaint that an open dump of scrap tires exists on your property in Pike County. On June 14, 2012, I conducted a partial inspection of your property that is located at 511 Skidmore Hollow Road, Piketon, Ohio. From Skidmore Hollow Road, I observed that scrap tires piles continue to exist on this property along the creek, in the woods and along the road.

Ohio Administrative Code (OAC) Rule 3745-27-60(B) states that "The storage of scrap tires in any amount outside or inside a trailer, vehicle, or building shall be deemed a nuisance, a hazard to public health or safety, or fire hazard unless the tires are stored in accordance with the following standards":

OAC Rule 3745-27-60(B)(1) states that sufficient drainage shall be maintained such that water does not collect in the area where scrap tires are stored. Your scrap tires are not being stored with sufficient drainage such that water does not collect in the tires. Water has been observed in the scrap tires.

OAC Rule 3745-27-60(B)(6)(d) states in part that scrap tire piles of more than five hundred (500) scrap tires shall be separated from other scrap tire piles and from buildings and structures by a fire lane with a width equal to or greater than fifty-six (56) feet. Scrap tire piles on the property are not separated by a fire lane that is at least 56 feet wide.

OAC 3745-27-60(B)(6)(e) states that fire lanes shall be maintained to be free of combustible material including but not limited to weeds and leaves. Combustible materials, consisting primarily of trees, vegetation and leaves, surround the scrap tire pile on your property.

OAC Rule 3745-27-60(B)(6)(f) states that sufficient fire lanes shall be maintained to allow access of emergency vehicles at all times to and around the scrap tire pile. Due to the location of the scrap tire pile, emergency vehicles would have limited or no access to the scrap tire pile in the event of a fire.

**JACKSON COUNTY
TIRE - SKIDMORE HOLLOW TIRE PILE
JUNE 21, 2012
PAGE 2**

Based on your failure to comply with the aforementioned standards your scrap tire pile is in violation of OAC Rule 3745-27-60(B) and deemed a nuisance, a hazard to public health or safety, and a fire hazard.

Scrap tires are a solid waste and must be properly stored and managed in accordance with OAC Rule 3745-27-60. Improper storage of scrap tires is considered open dumping of solid waste and is a violation of the Ohio Administrative Code.

Pursuant to Ohio Revised Code (ORC) 3734.03 and OAC 3745-27-05(C), no person shall conduct, permit or allow open dumping. My investigation found that scrap tires are open dumped at this site and you are therefore in violation of the aforementioned law and rule.

PCGHD ordered you to remove and legally dispose of all of the tires by November 30, 2004. You have failed comply with this order.

On October 27, 2005, Ohio EPA issued Unilateral Scrap Tire Abatement Orders to you to abate the violations and clean up the tires. You have failed to comply with this order.

All scrap tires must be removed to an approved solid waste facility for proper disposal. Please respond to this letter within fifteen days to inform me of your intentions and actions taken to abate this open dump.

If you have any questions regarding this matter, you may contact me at 740-380-5438.

Sincerely,



Daniel L. Bergert, R. S.
Environmental Specialist II
Division of Materials and Waste Management
Southeast District Office

DB/cb

cc: Pike County General Health District