



State of Ohio Environmental Protection Agency

**Southwest District Office**

134285

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

February 17, 2010

Mr. Darrel Rutherford  
D&R Recyclers, Inc.  
3851 South Street  
Hamilton, Ohio 45011

**RE: General Correspondence**

Dear Mr. Rutherford:

On January 13, 2010, Jill Olberding and I, from the Ohio EPA, conducted a final inspection of the D&R Recyclers (D&R) unlicensed scrap tire storage area (Storage Area). The Storage Area was inspected for compliance with Ohio Administrative Code (OAC) Rule 3745-27-60, General Storage and Handling of Scrap Tires and the June 18, 2003, Director's Final Findings and Orders (DFFO's) and revised October 16, 2003 DFF&O's.

During the January 13, 2010 inspection, no operational violations were observed and it was confirmed that all tires have been removed from the site. The June 18, 2003 DFFO's and revised October 16, 2003 DFF&O's will remain in effect until released by the Ohio EPA, Division of Solid and Infectious Waste Management (DSIWM) Chief and, at that time, the release will be addressed in a separate correspondence letter from the Chief.

In addition, the Director's Final Findings and Orders required you to pay the total civil penalty of \$25,120.00 by September 10, 2004. To date, Ohio EPA has yet to receive the total amount due; thus, you are in violation of Order #14. Please remit this amount.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator of D&R Recyclers, Inc., or others from responsibility under Chapters 3704., 3714., 3734., or 6111. of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts remedying conditions resulting from any release of contaminants to the environment.

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If you have any questions regarding this letter, please feel free to contact me at (937) 285-6647.

Sincerely,

*Monte Bluebaum R.S.*

Monte Bluebaum, R.S.  
Division of Solid and Infectious Waste Management

cc: Butler County Health Department -Chief of Environmental Services  
Bob Large, CO, DSIWM  
File

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