

CLR



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

Re: **Return to Compliance**
715 N. Detroit St. Kenton, OH
Clayton Tire
Open Dumping – Case #13-33
Hardin County

September 19, 2013

Eugene and Sue Rarey
4700 Urbana Woodstock Road
Cable, Ohio 43009

Dear Mr. and Ms. Rarey:

In a letter dated August 26, 2013, Ohio EPA provided notice of violations occurring at former Clayton Tire located at 715 North Detroit Street, Kenton, Ohio, Hardin County. The violations were originally communicated to Mr. Kurt Barthauer during a phone conversation following an inspection conducted on August 16, 2013. On September 16, 2013, Ohio EPA received correspondence from Clayton Tire that documents abatement of the following violations:

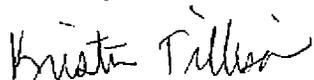
Citation	Requirement	Action taken
OAC Rule 3745-27-05(C)	Open dumping prohibited	Scrap tires removed (submitted invoice and shipping papers dated August 29, 2013)
ORC Section 3734.03	Open dumping prohibited	Scrap tires removed (submitted shipping papers)
ORC Chapter 3734.76(C)	Registration required	Scrap tires removed (submitted shipping papers)
OAC Rule 3745-27-61(B)	Registration required	Scrap tires removed (submitted shipping papers)
OAC Rule 3745-27-60(B)(7)	Proper outside scrap tire storage	Scrap tires removed (submitted shipping papers)
OAC Rule 3745-27-60(C)	Mosquito Control	Scrap tires removed (submitted shipping papers)

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, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act for remedying conditions resulting from any release of contaminants to the environment.

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If you have any questions regarding this letter, please contact me by telephone at (419) 373-3064 or by email at kristin.tillison@epa.ohio.gov.

Sincerely,



Kristin Tillison, RS
Environmental Specialist
Division of Materials & Waste Management

/llr

pc: Kurt Barthauer, Clayton Tire
File: Hardin County, Tires

ec: Jeremy Scoles, Ohio EPA, NWDO