



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

September 22, 2020

Nathan Posey
7750 McGlade School Road
Dresden, OH 43821

Re: Posey Property
Director's Authorization
Approval
Scrap Tires
Muskingum County
ST023810

**RE: Posey Property, Muskingum County
Ohio Administrative Code (OAC) Rule 3745-27-54(A)(2)(m) Approval**

Dear Mr. Posey:

On August 31, 2020, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO) received a verbal request from you to transport more than ten scrap tires at a time from the property located at 7750 McGlade Road, Muskingum County (Property) to a licensed scrap tire recovery facility without registering as a scrap tire transporter. This request is in response to the tire dump you unearthed while digging on your property where approximately two hundred scrap tires are open dumped.

Ohio Administrative Code (OAC) Rule 3745-27-54(A)(2)(m) states, in relevant part, that a person may transport scrap tires without obtaining a scrap tire transporter registration if the Director specifically authorizes that person, in writing, to transport their scrap tires in order to remove scrap tires from a property to abate a public nuisance or open dump.

In accordance with OAC Rule 3745-27-54(A)(2)(m), I hereby authorize you to transport scrap tires from your property located at 7750 McGlade School Road in Muskingum County to Liberty Tire Recycling, a licensed scrap tire recovery facility located at 3041 Jackson Pike, Grove City, Ohio.

Please be advised that only you are authorized to transport the scrap tires under this authorization using vehicles owned, leased, or donated to you. Additionally, you must comply with the shipping paper requirements outlined in OAC Rule 3745-27-57. A copy of this letter must be placed in any vehicle used for transportation of scrap tires, as authorized by this letter.

This authorization shall expire on October 31, 2020, or at the time the scrap tire cleanup is complete, whichever occurs first.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section

3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Erika Jackson of Ohio EPA, Southeast District Office at (740) 380-5228 or erika.jackson@epa.ohio.gov.

Sincerely,



Laurie A. Stevenson
Director

LS/mr

ec: Nathan Posey
Kevin Shoemaker, DMWM, CO
Rich Fox, DMWM, SEDO
Erika Jackson, DMWM, SEDO