



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director

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OHIO EPA

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LEGAL OFFICE

ENTERED DIRECTOR'S JOURNAL

Mr. John Rose  
7469 Road 187  
Oakwood, Ohio 45873

Re: Henry Rose Life Estate Open Dump  
Director's Authorization  
Approval  
Scrap Tires  
Paulding County  
ST021324

**Subject: Henry Rose Life Estate Open Dump, Paulding County  
OAC Rule 3745-27-54(A)(2)(m) Approval**

Dear Mr. Rose,

On January 5, 2017, you requested authorization from the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) to transport more than ten scrap tires at a time from your property located at 22014 Road 72, Oakwood, Ohio in Paulding County (Property) to a licensed scrap tire recovery facility without registering as a scrap tire transporter. The basis for your request was that the Property you purchased at a sheriff's sale contained approximately 690 scrap tires (1,180 passenger tire equivalents).

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 22014 Road 72, Oakwood, Ohio to the Henry County Commissioners' Class II Scrap Tire Recovery Facility, which is a licensed scrap tire recovery facility, located at L-622 Township Road 11, Malinta, Ohio.

Please be advised that only you are authorized to transport the scrap tires under this authorization and may only use vehicles owned or leased by 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.

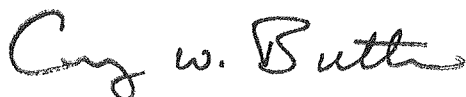
This authorization shall expire on December 31, 2017, or at the time scrap tire cleanup is complete, whichever occurs first.

You are hereby notified that this action of the Director of Ohio EPA (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  
77 South High St., 17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Curtis DeLong, DMWM, NWDO at (419) 373-3033.

Sincerely,



Craig W. Butler  
Director

ec: Mike Reiser, Ohio EPA, NWDO, DMWM