



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

JUNE 5, 2018

Mr. Kurt Kuck  
6637 Shield Road  
Lewisburg, Ohio 45338

Re: Swisher Mill Road  
Director's Authorization  
Approval  
Scrap Tires  
Preble County  
ST023082

**Subject: Swisher Mill Road, Preble County**  
**Ohio Administrative Code (OAC) Rule 3745-27-54(A)(2)(m) Approval**

Ohio EPA JUN 5 '18  
Entered Directors Journal

Dear Mr. Kuck,

On May 14, 2018, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a written request from you to transport more than ten scrap tires at a time from the property located at 2518 Swisher Mill Road, Lewisburg, Ohio in Preble County (Property) to a licensed scrap tire collection facility without registering as a scrap tire transporter. This request is in response to finding approximately 1,500 scrap tires on the recently purchased farm Property.

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 the property located at 2518 Swisher Mill Road, Lewisburg, Ohio to the Preble County Landfill Scrap Tire Collection Facility, located at 4239 U.S. Route 127 South, Eaton, Ohio, which is a licensed scrap tire collection facility.

Please be advised that only you are authorized to transport the scrap tires under this authorization using only 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.

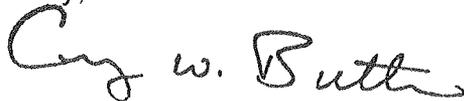
This authorization shall expire on July 30, 2018, or at the time the scrap tire cleanup is complete, whichever occurs first.

You are hereby notified that this action of the Director of Environmental Protection (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, 4<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Jill Olberding, Ohio EPA, DMWM, SWDO at (937) 285-6094.

Sincerely,



Craig W. Butler  
Director

ec: Michelle Ackenhausen, Ohio EPA, SWDO, DMWM  
Erik Balster, Preble County Health Department  
Dave Wilson, Preble County Landfill  
Robert Kohnen, Preble County Landfill