

# Scrap Tire Cleanup Plan for SFY 2008

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### **1. Budget Available**

For SFY 2008, Ohio EPA anticipates an income from the scrap tire fee of at least \$7,000,000.00 and a carry over of about \$1,300,000.00 from prior years. This gives a total budget of \$8,300,000.00 for SFY 2008. Of this total, \$1,000,000.00 will be retained as an operating reserve for unknown site conditions on the various cleanup contracts so that work stoppages and the extra expenses involved with a work stoppage can be avoided. Scrap tire grants from ODNR will consume \$1,000,000.00 and Ohio EPA enforcement and compliance efforts will consume up to \$750,000.00. The remaining \$5,550,000.00 will be available for cleanups at the Kirby site and other scrap tire sites.

This SFY 2008 budget is based on prior years' spending as shown in Attachment A. The 53 sites cleaned up since 1997 with state funding are listed in Attachment B.

## **2. How Priorities are Established**

Scrap tire site cleanup priorities are always based on the criteria specified in Ohio Revised Code 3734.85 (B). This is a dynamic process. When new sites complete the enforcement process and become eligible for state-funded cleanup, the new sites are placed into the appropriate ranking on the priority list. The site to be cleaned up next is determined based on the current list of sites awaiting cleanup and funds availability. Money will be expended from the cleanup fund on the highest priority first and then on the next highest priority until all available sites are cleaned up. Low priority sites near a high priority site may also be cleaned up as part of the same contract if a cost savings can be attained by completing several small cleanups in the same geographic area. The Kirby Scrap Tire Site has a separate funding element as described in the next section and continues to be the number one priority.

Sites do not qualify for state-funded cleanup until local and state enforcement efforts have been exhausted. The focus throughout the enforcement process is to encourage the responsible individuals to comply with State laws and regulations and clean up the scrap tires they have accumulated without using local or state funds.

When the responsible individual fails to clean up the scrap tires through local and state enforcement efforts, the Director of Ohio EPA issues abatement orders per ORC 3734.85 and refers the matter to the Ohio Attorney General, if necessary. If the responsible party is unwilling to clean up a site, Ohio EPA will request written property access. If the property owner denies access, Ohio EPA requests the Ohio Attorney General Office (Ohio AGO) to obtain court ordered access. Once access is obtained, Ohio EPA will expend state funds to clean up the site, and then refer the action to the Ohio AGO to seek cost recovery through the courts and to place judgment and cost recovery liens on the property.

After the responsible individual fails to comply with the Director's abatement orders and property access has been obtained, a decision is made on when state funds will be available to clean up the site based on all other scrap tire sites that have reached that point in the enforcement process and the priorities in ORC 3734.85(B). As each site becomes eligible for state-funded cleanup, Ohio EPA revisits the relative priority of all sites awaiting cleanup and revises contract priorities. This ensures that the highest priority site (that has completed the enforcement process) is cleaned up as soon as possible after failure of the responsible party to comply with abatement orders.

Ohio EPA and local Health Department enforcement efforts with individuals responsible for scrap tire sites resulted in over 2,600,000 tires being removed from 54 sites during calendar years 2005 and 2006 without any cleanup funding from the state scrap tire fund. Attachment C lists these former scrap tire sites. In addition, enforcement efforts with a previously licensed scrap tire facility in Butler County have resulted in 677,846 tires being removed during the year without state funding due to a private commercial deal. Since the passage of the scrap tire law in October 1993, privately funded cleanups have removed over 12,000,000 tires from over 200 scrap tire sites.

### **3. Kirby Scrap Tire Site**

ORC 3734.821 established a separate funding priority for the Kirby site in Wyandot County in September 2001. That priority was to expend 65 percent of the revenue, from the additional \$0.50 collected on new tires sold in Ohio, on the Kirby cleanup. This additional \$0.50 brings in \$3,000,000 to \$3,600,000 per year, which means about \$2,000,000.00 to \$2,400,000.00 per year should be spent at the Kirby site. As shown in Attachment D, the 65 % goal has been met or exceeded each year since 2001 when ORC 3745.821 was adopted.

A very significant milestone for the Kirby site was reached in July 2006 with the removal from the site of all tires not buried with the fire residuals. With the removal of the last of the tires not buried with the fire residuals, site security was reduced from manned 24-hour, 7-day per week coverage to manned coverage of the main gate during operating hours for 6 days per week. During the remainder of the time the gates are locked. Security cameras continue to provide 24-hour per day coverage.

Future cleanup activity at the Kirby site includes four elements: (1) continued treatment of water coming into contact with the buried fire residuals; (2) continued site security; (3) removal of the buried fire residuals, and (4) ground water monitoring. Treatment of contaminated water at the site must continue until all buried fire residuals are removed to protect Sycamore Creek and the Sandusky River, a state scenic waterway. Removal of the 18 acres of buried fire residuals started in June 2006 and should be completed by the end of calendar year 2007. Groundwater monitoring has been done by Ohio EPA since the scrap tire fire occurred in 1999 and will continue for a year after all of the fire residuals have been removed. To date there has been no measurable impact to the groundwater from the scrap tire fire residuals.

### **4. Top Priority Sites**

One site in Ohio containing over 300,000 tires is the current top priority following the Kirby site. This site is the Goss scrap tire dump in Muskingum County. Enforcement activities are now complete at this site and we can initiate the cleanup this year after completion of the removal of the Kirby tire fire residuals.

Cleanup of scrap tires from last year's top priority sites was partially completed. The Moore scrap tire dump site in Columbiana County was completed while the site in Muskingum County was deferred until this year due to cost increases at the Kirby site. The volume of material being removed from the Kirby site has significantly exceeded estimates; however, the Kirby site is now two-thirds complete and funds are budgeted to complete the Kirby site early in SFY 2008.

### **5. Sites with Abatement Orders Issued**

As of May 2007, thirteen (13) sites, shown on Attachment E, representing approximately 600,000 to 1,000,000 tires have been referred to Ohio EPA Division of Solid and Infectious Waste Management's Enforcement Committee for cleanup. They are at various stages in the abatement order process. All should be available for cleanup

this year if the responsible parties continue to fail to complete their cleanups and grant Ohio EPA property access. These sites along with the Kirby tire fire residuals and the Goss site in Muskingum County will form Ohio EPA's cleanup program for SFY 2008.

## **6. Sites in Enforcement that May Require State-funded Cleanup**

Ohio EPA continues to track local enforcement efforts on over 60 additional scrap tire sites. When these sites are referred to Ohio EPA for enforcement activities, the process in Section 2 will be followed. Tire dump sites fall rapidly in size after the few remaining large sites described in Section 4. All together, the 60 plus sites of various sizes represent a total of about 2,000,000 tires.

Three size ranges can be used to show their relative cleanup priority; however, site location can move a smaller site higher in the priority list:

- A. Six large sites have between 250,000 and 50,000 tires on each site.
- B. Fifteen medium sized sites have between 50,000 and 10,000 tires each site.
- C. Over 45 small sites have less than 10,000 tires on each site.

## **7. Continuing Process of Identifying Scrap Tire Sites**

Old scrap tire sites that have existed for years continue to be identified for the first time to Ohio EPA each year. Many of these old sites are not visible from public right-of-ways and Ohio EPA has to wait for complaints or find them by reviewing aerial photography. Some sites are being identified as tires are washed by flooding onto neighboring properties or by buyers looking at property to purchase. Over 20 additional sites were identified during the past year and are being evaluated. As sites are cleaned up, Ohio EPA publicizes those cleanups and neighbors are identifying additional sites in the area. Scrap tire sites can be reported to the local health department, an Ohio EPA District Office, or the Ohio EPA DSIWM's toll free number, 1-877-372-2621. This process of identifying scrap tire sites will continue into the foreseeable future.

New scrap tire dump sites are small, isolated open dumping events. These range from 1 to 4 tires dumped by individuals to several hundred tires dumped by illegal scrap tire haulers. Stiffer penalties for the illegal transport of scrap tires and open dumping of tires may be needed to eliminate this problem. This small scale scrap tire dumping continues to pose a financial burden to local governments.

## **8. Updating Priorities**

Prior to the start of each State Fiscal Year, funding priorities will be established to account for expected scrap tire fee income. Each month, expenditures and income will be compared to the established budget. Revenue from the scrap tire fee has varied from \$403,590.79 to \$954,851.16 per month and does not follow any particular seasonal or other pattern. However, the annual income has been consistent.

The monitoring of monthly expenditures and income is done to forecast when cleanup at new sites can be initiated. Cleanup progress is weather dependent since both freezing weather and wet weather can cause delays at a site. New sites may be either higher priority sites or lower priority sites that have recently completed the abatement process.

## **9. Sites with Under 2,000 Scrap Tires and Meeting the Criteria of ORC 3734.85(E)**

The scrap tire program entered a new phase in SFY 2006. Funds were available for the first time, based on the priorities in ORC 3734.85 (B), to implement a portion of ORC 3734.85 dealing with consensual cleanups of sites containing under 2,000 scrap tires that met all of the conditions of ORC 3734.85(E). Ohio EPA began a process of asking local health departments and solid waste management districts to identify small scrap tire sites that fit the specified criteria. Starting with tires that had been dumped at the Monroe County Fairgrounds, Ohio EPA has now completed 25 of these cleanups without the need for the lengthy enforcement process and cost recovery.

The law specifies two thousand scrap tires without any restrictions on the size or type of tires. Since these 2,000 tires can be a mixture of automobile, truck, and heavy equipment tires; the passenger tire equivalents (PTEs) listed in Table B often exceeds 2,000 because truck tires equal 5 PTEs and farm and large equipment tires can often equal 20 or more PTEs.

Implementation of this portion of the law has become very popular with local authorities and property owners, who were victims of open dumping, and is addressing a major need for them. Several future cleanups are on public property in Ohio's state forests and parks which have been the site of open dumping.

We can achieve significant cost savings through an option in our contracts to place an empty roll off container or semi-trailers at these small sites. The property owner then organizes the labor to load the tires into the container or trailer and the State saves the cost of labor and mobilizing other contractor equipment to the site. The State pays a small drop off and pick up fee and the cost to transport and recycle the tires.

This approach is being extended to local governments where they are willing to organize the labor to load the tires and get the property owner's signature on the Under 2,000 Tire Consensual Agreement. Often tires from several small sites can be placed in a single container or trailer which can save the State additional drop off fees. The labor organized by the local government entity can be volunteer, local government employees or community service labor from the local court system.

## Attachment A. History of Ohio's Scrap Tire Cleanup Program

| ORC                              | 3734.82(G)(1) | 3734.82(G)(2) | 3734.82(G)(3) | 3734.9010   |              |
|----------------------------------|---------------|---------------|---------------|-------------|--------------|
| SFY                              | Enforcement   | Grants        | Cleanups      | Taxation    | Total        |
| 1994                             | \$68,000      | \$1,150,000   | \$0           | \$64,743    | \$1,282,743  |
| 1995                             | \$329,317     | \$1,750,000   | \$0           | \$186,714   | \$2,266,031  |
| 1996                             | \$591,490     | \$1,131,136   | \$0           | \$147,583   | \$1,870,209  |
| 1997                             | \$651,086     | \$1,150,000   | \$0           | \$152,812   | \$1,953,898  |
| 1998                             | \$844,204     | \$1,150,000   | \$2,270,334   | \$140,136   | \$4,404,674  |
| 1999                             | \$781,578     | \$1,150,000   | \$5,002,503   | \$115,625   | \$7,049,706  |
| 2000                             | \$742,789     | \$727,308     | \$3,623,278   | \$129,896   | \$5,223,271  |
| 2001                             | \$789,186     | \$549,635     | \$2,946,988   | \$134,834   | \$4,420,643  |
| 2002                             | \$626,965     | \$1,000,000   | \$2,481,146   | \$244,073   | \$4,352,184  |
| 2003                             | \$613,808     | \$1,000,000   | \$3,615,604   | \$284,043   | \$5,513,455  |
| 2004                             | \$634,341     | \$1,000,000   | \$4,252,659   | \$277,509   | \$6,164,509  |
| 2005                             | \$635,096     | \$1,000,000   | \$5,271,572   | \$277,551   | \$7,184,219  |
| 2006 *                           | \$854,567     | \$1,000,000   | \$3,939,286   | \$148,184   | \$5,942,036  |
| 2007 *                           | \$818,000     | \$1,130,647   | \$8,499,030   | \$148,184   | \$10,595,861 |
| 2008                             | \$750,000     | \$1,000,000   | \$5,550,000   | \$148,184   | \$7,448,184  |
| 2009                             | \$750,000     | \$1,000,000   | \$1,680,000   | \$ 74,092   | \$3,504,092. |
| 2010                             | \$750,000     | \$1,000,000   | \$1,680,000   | \$ 74,092   | \$3,504,092. |
| 2011                             | \$750,000     | \$1,000,000   | \$1,680,000   | \$ 74,092   | \$3,504,092. |
| SFY                              | Enforcement   | Grants        | Cleanups      | Taxation    | Total        |
| Actual Totals<br>1994 to 2007    | \$8,980,427   | \$14,888,726  | \$41,902,400  | \$2,451,887 | \$68,223,440 |
| Forecast Totals<br>2008 to 2011  | \$3,000,000   | \$4,000,000   | \$10,590,000  | \$370,460   | \$17,960,460 |
| Actual Percent<br>1994 to 2007   | 13.16%        | 21.82%        | 61.42%        | 3.59%       | 100.00%      |
| Forecast Percent<br>2008 to 2011 | 16.70%        | 22.27%        | 58.96%        | 2.06%       | 100.00%      |

\* The Ohio Department of Taxation has reduced its costs for administering the tire fee to 2% from 4%.

\* Indirect and overhead charges have increased with the shift to Agency-wide fee based funding versus general revenue funding in prior years. Personnel costs will decrease with a shift to solid waste projects.

**Attachment B. Sites Cleaned Up with State Funding (as of June 2007) Page 1 of 3**

| Site                             | County     | SFYs  | PTEs       | Cost            |
|----------------------------------|------------|-------|------------|-----------------|
| 1. ReGenesis                     | Summit     | 98/99 | 4,031,106  | \$3,231,582.50  |
| 2. Seelig                        | Clark      | 98/99 | 860,346    | \$1,008,251.38  |
| 3. Warsing                       | Coshocton  | 1999  | 2,173,242  | \$2,421,021.76  |
| 4. Willis                        | Lawrence   | 1999  | 125,591    | \$321,500.00    |
| 5. COGCO                         | Mahoning   | 1999  | 530,476    | \$657,540.00    |
| 6. Kirby (Unburnt tires)         | Wyandot    | 00/06 | 19,162,522 | \$13,900,540.00 |
| 7. Timco                         | Harrison   | 02/03 | 484,309    | \$307,443.37    |
| 8. Kays                          | Portage    | 02/03 | 559,376    | \$382,776.77    |
| 9. Vasi                          | Lorain     | 2003  | 574,232    | \$420,298.27    |
| 10. McMasters                    | Portage    | 2004  | 1,073,523  | \$1,514,448.81  |
| 11. Adriatic                     | Mahoning   | 2005  | 176,410    | \$140,681.06    |
| 12. Benedict-Woosley             | Morrow     | 2005  | 147,402    | \$137,354.32    |
| 13. Harr (buried fire residuals) | Scioto     | 2005  | 21,304     | \$492,914.26    |
| 14. Rader                        | Morrow     | 2005  | 504,291    | \$452,365.75    |
| 15. Parker                       | Summit     | 2006  | 964,399    | \$867,052.87    |
| 16. Keller                       | Auglaize   | 2006  | 99,333     | \$94,830.38     |
| 17. Monroe County Fair Grounds   | Monroe     | 2006  | 19,516     | \$26,918.60     |
| 18. West                         | Perry      | 2006  | 215,870    | \$192,437.69    |
| 19. D. Metzler                   | Muskingum  | 2006  | 9,446      | \$18,696.70     |
| 20. J. Gray                      | Jackson    | 2006  | 2,824      | \$6,495.36      |
| 21. C. Gray                      | Belmont    | 2006  | 4,337      | \$7,632.62      |
| 22. Spring Grove                 | Columbiana | 2006  | 28,995     | \$35,333.25     |
| 23. Bogie                        | Warren     | 2006  | 379        | \$2,419.37      |
| 24. Cloke                        | Warren     | 2006  | 490        | \$2,250.24      |
|                                  |            |       |            |                 |
| Site                             | County     | SFYs  | PTEs       | Cost            |

| Site  | County     | SFYs  | PTEs    | Cost         |
|---|------------|-------|---------|--------------|
| <b>Attachment B (Page 2 of 3). Sites Cleaned Up with State Funding (as of May 2007)</b> |            |       |         |              |
| 25. V. Bressler   | Henry      | 2006  | 1,134   | \$6,587.60   |
| 26. B. Bressler   | Henry      | 2006  | 1,993   | \$7,790.20   |
| 27. Emig  | Coshocton  | 2006  | 5,546   | \$8,898.19   |
| 28. Bowers  | Coshocton  | 2006  | 1,359   | \$3,237.37   |
| 29. Red Sea   | Coshocton  | 2006  | 231     | \$1,712.31   |
| 30. Crestline   | Richland   | 06/07 | 227,608 | \$196,721.24 |
| 31. Rothwell  | Guernsey   | 2007  | 2,734   | \$8,964.30   |
| 32. Thacker   | Jackson    | 2007  | 10,944  | \$17,052.00  |
| 33. LeJuene   | Trumbull   | 2007  | 896     | \$6,209.00   |
| 34. Mercer (Partial Cleanup)  | Jackson    | 2007  | 7,247   | \$11,159.00  |
| 35. Pillsbury   | Perry      | 2007  | 605     | \$1,300.00   |
| 36. Long  | Clermont   | 2007  | 1,361   | \$3,933.40   |
| 37. Moore   | Columbiana | 2007  | 50,000  | \$274,063.45 |
| 38. ODNR/Vodrey   | Columbiana | 2007  | 1,895   | \$15,474.08  |
| 39. ODNR/Beaverkettle   | Columbiana | 2007  | 1,755   | \$11,657.87  |
| 40. ODNR/ Delaware Wildlife   | Delaware   | 2007  | 700     | \$900.00     |
| 41. Pitts   | Greene     | 2007  | 150     | \$1,095.56   |
| 42. Abbott  | Adams      | 2007  | 17,200  | \$38,148.85  |
| 42. Jenkins   | Jackson    | 2007  | 500     | \$5,925.10   |
| The sites listed below are scheduled for cleanup in June 2007 and early SFY 2008.       |            |       |         |              |
| 43. Ravenna   | Portage    | 2007  | 1,900   | \$11,000.00  |
| 44. Wiley   | Harrison   | 2007  | 1,800   | \$9,000.00   |
| 45. Klammer   | Lake       | 2007  | 400     | \$1,800.00   |
| 46. Goodnite  | Morgan     | 2007  | 300     | \$900.00     |
| 47. Gabbard   | Warren     | 2008  | 1,800   | \$6,000.00   |
| Site  | County     | SFYs  | PTEs    | Cost         |

| Site  | County    | SFYs  | PTEs       | Cost            |
|---|-----------|-------|------------|-----------------|
| <b>Attachment B (Page 3 of 3). Sites Cleaned Up with State Funding (as of May 2007)</b>     |           |       |            |                 |
| 48. ODNR/Meilke   | Lucas     | 2008  | 500        | \$8,000.00      |
| 49. Dials-Meadows-McAfee  | Jefferson | 2008  | 10,000     | \$55,000.00     |
| 50. Morley  | Warren    | 2008  | 500        | \$4,500.00      |
| 51. Kings Mills Tech Center   | Warren    | 2008  | 500        | \$1,000.00      |
| 52. Garten  | Warren    | 2008  | 2,000      | \$8,000.00      |
| 53. Yoak  | Warren    | 2008  | 750        | \$5,000.00      |
| TOTAL   |           |       | 32,124,027 | \$27,373,814.85 |
|   |           |       | PTEs       | Cost            |
| Average cost per PTE for these 56 sites   |           |       | \$ 0.85    |                 |
| Kirby - Fire related expenses *   | Wyandot   | 00/07 | 3,256,697  | \$14,364,579.00 |
| * Does not include Kirby SFY 2008 budgeted costs  |           |       |            |                 |
| The costs in this table are only contract costs and do not include Ohio EPA personnel costs |           |       | TOTAL      | \$41,738,393.85 |

Passenger Tire Equivalent = PTEs = 20 pounds

**Attachment C. Owner Funded Cleanups Completed in 2005 and 2006** Page 1 of 2

| Site                                       | County            | Passenger Tire Equivalents |
|--|-------------------|----------------------------|
| Brandman (After DFF&Os issued)             | Hancock County    | 1,050,000                  |
| D&R Recycling (2006) Multiyear (DFF&Os)    | Butler County     | 677,846                    |
| Frame (After DFF&Os issued)                | Washington County | 220,000                    |
| A & C Construction (After DFF&Os issued)   | Belmont County    | 164,609                    |
| Tire Processors (After DFF&Os issued)      | Perry County      | 140,000                    |
| Bill's Auto Salvage                        | Washington County | 70,479                     |
| Polk (After DFF&Os issued)                 | Muskingum County  | 36,397                     |
| Koehler                                    | Hancock County    | 48,500                     |
| Miller (After DFF&Os issued)               | Scioto County     | 29,276                     |
| Mosie's Auto                               | Clark County      | 24,988                     |
| Grime's Auto Salvage (After DFF&Os issued) | Belmont County    | 21,520                     |
| Ackerman (Butler) (After DFF&Os issued)    | Muskingum County  | 17,622                     |
| Highland Road                              | Muskingum County  | 16,000                     |
| Ray's Wrecking                             | Lucas County      | 15,000                     |
| Metford/Cox                                | Adams County      | 12,000                     |
| Jeffries Lane                              | Jackson County    | 10,944                     |
| Breneman                                   | Hardin County     | 9,640                      |
| Baker                                      | Adams County      | 8,890                      |
| St. James                                  | Crawford County   | 7,693                      |
| Beatty                                     | Carroll County    | 5,667                      |
| Graber                                     | Guernsey County   | 5,000                      |
| Finfrock                                   | Paulding County   | 4,200                      |
| B. Metzler                                 | Guernsey County   | 3,400                      |
| Wilson Avenue                              | Mahoning County   | 3,000                      |
| Mid-Ohio (A-1 Tire) (After DFF&Os issued)  | Richland County   | 3,000                      |
| Dave's Paintball (After DFF&Os issued)     | Licking County    | 3,000                      |
| Yingling                                   | Muskingum County  | 2,637                      |

| Site  | County            | Passenger Tire Equivalents |
|---|-------------------|----------------------------|
| <b>Attachment C. Owner Funded Cleanups Completed in 2005 and 2006</b> |                   | Page 2 of 2                |
| TK Tire   | Guernsey County   | 2,000                      |
| Adams Street  | Darke County      | 1,600                      |
| Goof Golf   | Erie County       | 1,300                      |
| Wrights Run   | Scioto County     | 1,250                      |
| Cook (After DFF&Os issued)  | Defiance County   | 1,000                      |
| Moore   | Portage County    | 800                        |
| Sipps Lane  | Butler County     | 706                        |
| Murray  | Harrison County   | 700                        |
| Snyder  | Columbiana County | 500                        |
| Wolfe   | Scioto County     | 500                        |
| Thompson  | Lawrence County   | 361                        |
| Slater Road   | Columbiana County | 300                        |
| Douglas   | Lawrence County   | 247                        |
| South Point   | Lawrence County   | 218                        |
| Iverson   | Carroll County    | 150                        |
| Douglas   | Adams County      | 150                        |
| Butler DES – WWTP   | Butler County     | 120                        |
| Oxford Street   | Hamilton County   | 119                        |
| Graves  | Guernsey County   | 100                        |
| Jacksonburg   | Butler County     | 51                         |
| Johnson   | Guernsey County   | 50                         |
| Princton  | Butler County     | 40                         |
| AWP Realty  | Butler County     | 30                         |
| Simpson   | Lawrence County   | 29                         |
| 5335 Hamilton-Middletown Road   | Butler County     | 7                          |
| <b>Owner cleanups at 54 sites</b>                                     | <b>TOTAL</b>      | <b>2,623,636</b>           |

Passenger Tire Equivalents = PTEs = 20 pounds

## Attachment D. Kirby Spending History & Forecast

| Expenditures at the Kirby Scrap Tire Site From Original and Increased Fee      |                                |                    |   |                   |                   |
|--|--------------------------------|--------------------|---|-------------------|-------------------|
| State Fiscal Year  | Revenue from Additional \$0.50 | Kirby Tire Removal | Water Treatment, Security & Fire Residual Removal | Total             | %of Added Revenue |
| 1999   | Not Applicable                 | \$0                | \$21,976  | \$21,976          | Not Applicable    |
| 2000   | Not Applicable                 | \$1,315,845        | \$1,726,969                                       | \$3,042,814       | Not Applicable    |
| 2001   | Not Applicable                 | \$1,000,000        | \$1,946,988                                       | \$2,946,988       | Not Applicable    |
| 2002   | \$3,050,919                    | \$1,727,500        | \$534,964   | \$2,262,464       | 74%               |
| 2003   | \$3,266,489                    | \$2,245,354        | \$478,819   | \$2,724,173       | 83%               |
| 2004   | \$3,399,486                    | \$2,647,900        | \$665,901   | \$3,313,801       | 98%               |
| 2005   | \$3,298,291                    | \$2,569,754        | \$582,556   | \$3,152,310       | 96%               |
| 2006   | \$3,630,497                    | \$2,394,187        | \$678,064   | \$3,072,251       | 85%               |
| 2007   | \$3,300,000                    | \$0                | \$7,641,982                                       | \$7,641,982       | 235%              |
| 2008   | \$3,300,000                    | \$0                | \$2,647,000                                       | \$2,647,000       | 67%               |
| 2009   |                                | \$0                | \$0   |                   |                   |
| Compliance with ORC 3734.821 Cleanup and removal at Kirby tire site.           |                                |                    |   |                   |                   |
| TOTAL 2002 to 2008   | \$23,245,682                   | \$11,584,695       | \$13,229,286                                      | \$24,813,981      | 107%              |
| Spending at Kirby prior to passage of ORC 3734.821 with funds from ORC 3734.82 |                                |                    |   |                   |                   |
| Prior to 2002  | No dedicated funds             | \$2,315,845        | \$3,934,942                                       | \$6,250,787       | Not Applicable    |
|  | Additional \$0.50 Revenue      | Kirby Tire Removal | Kirby Fire Related Costs                          | Total Kirby Costs |                   |
|  | \$23,245,682                   | \$13,900,540       | \$17,164,228                                      | \$31,064,768      | 134%              |

Unburnt (above ground) scrap tire removal was completed in SFY 2006. Removal of buried scrap tire fire residuals started in June 2006 and will continue until completed by the end of calendar year 2007.

The expenditure goal for the Kirby scrap tire site has been exceeded during each year through SFY 2007 and is forecast to be exceeded in SFY 2008. Carryover funding from prior years will allow completion of this project in SFY 2008.

*ORC 3734.821: Beginning on the effective date of this section and ending on June 30, 2011, at least sixty-five per cent of the moneys collected under division (A)(2) of section 3734.901 [3734.90.1] of the Revised Code and deposited in the state treasury to the credit of the scrap tire management fund created in section 3734.82 of the Revised Code shall be expended for cleanup and removal activities at the Kirby tire site in Wyandot county.*

**Attachment E. Sites with Abatement Orders Drafted or Issued**

| Site                     | County                | PTEs    | Status                          |           |
|--------------------------|-----------------------|---------|---------------------------------|-----------|
| Goss                     | Muskingum             | 331,000 | AGO Settlement Agreement Signed |           |
| Mercer (Partial Cleanup) | Jackson               | 300,000 | Orders issued 6/20/2005         |           |
| Collazo                  | Ashtabula             | 23,000  | Orders issued 6/9/2005          |           |
| ASTRI                    | Ashtabula             | 14,000  | Orders issued 3/20/2006         |           |
| Taylor                   | Clark                 | 5,000   | Orders issued 7/20/2006         |           |
| Skidmore Hollow          | Pike                  | 25,000  | Orders issued 10/27/2005        |           |
| Andover Reality          | Ashtabula             | 20,000  | Referred to Ohio EPA 6/5/2006   |           |
| Orosky                   | Ashtabula             | 90,000  | Referred to Ohio EPA 6/5/2006   |           |
| Naypaver                 | Trumbull              | 2,000   | Orders issued 08/10/2006        |           |
| Delebar                  | Scioto                | 2,500   | Referred to Ohio EPA 6/01/2006  |           |
| Clark – Caves Road       | Jackson               | 1,000   | Orders issued 08/28/2006        |           |
| Tsesmilles               | Columbiana            | 10,000  | Orders issued 03/01/2007        |           |
| 37 Auto Parts            | Fairfield             | 7,000   | Orders issued 05/16/2007        |           |
|                          |                       |         |                                 |           |
| 13 sites for SFY 2008    | ESTIMATE FOR SFY 2008 | 830,500 | Estimate minus 25 %             | 622,875   |
|                          |                       |         | Estimate plus 25% =             | 1,038,125 |