



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

May 12, 2009

**RE: AMERICAN SCRAP TIRE RECOVERY, INC.
NOTICE OF VIOLATION**

CERTIFIED MAIL

Mr. Sanford Schroll
American Scrap Tire Recyclers, Inc.
2730 Walter Main Road
Geneva, Ohio 44041

Perfect Mulch
Division of American Scrap Tire Recyclers, Inc.
2730 Walter Main Road
Geneva, Ohio 44041

Dear Mr. Schroll:

On April 10, 2009, Ohio Environmental Protection Agency (Ohio EPA) conducted inspections of the American Scrap Tire Recovery, Inc. (ASTRI) facility at 2730 Walter Main Road, Geneva, in Ashtabula County. I, representing Ohio EPA Division of Solid and Infectious Waste Management (DSIWM), conducted the inspection. Sandy Schroll was present for the facility. The purpose of the inspection was to determine compliance with court orders and Ohio's scrap tire laws and regulations.

The following violations were observed at ASTRI:

1. **COURT ORDER VIOLATIONS**

Agreed Judgment Entries, dated July 22, 2002, states that the defendants [ASTRI] must cease to accept tires.

Upon inspection of the property, ASTRI had a trailer on site that was $\frac{3}{4}$ full of scrap tires. Ohio EPA was denied access to inspect the building or the other two trailers on site. Sandy Schroll admitted that he collects the tires in a delivery truck and then transfers the tires to a [40 yard] trailer for transportation to Alleghany Tire Chipping at 175 Crestview Drive, Transfer, PA 16154. He provided copies of his shipping papers on May 11, 2009, and he stated that he is maintaining records of all scrap tire shipments. However, the owners of ASTRI are in violation of the July 22, 2002 Agreed Judgment Entry, due to failure to cease acceptance of tires. The owners of ASTRI must immediately remove the scrap tires placed on the property, properly transport and dispose of the scrap tires, and cease acceptance of scrap tires without Ohio EPA approval.

Mr. Sanford Schroll, American Scrap Tire Recyclers, Inc.
Perfect Mulch
May 12, 2009
Page 2

2. **ILLEGAL TRANSFER OF SCRAP TIRES**

OAC Rule 3745-27-54(A)(1) states, in part, "Any person transporting scrap tires in Ohio shall comply with the registration requirements of this rule, with the standards for transportation of scrap tires in rule 3745-27-56 of the Administrative Code, and with the use of shipping papers in rule 3745-27-57 of the Administrative Code..."

OAC Rule 3745-27-54(B) states, in part "An application for an annual registration certificate as required by section 3734.83 of the Revised Code, shall be submitted to and approved by the director, before the transportation of scrap tires is begun."

Upon inspection of the property, ASTRI had one trailer on site that was $\frac{3}{4}$ full of scrap tires. Ohio EPA was denied access to inspect the building or the other two trailers on site. Sandy Schroll admitted that he collects the tires in a delivery truck and then transfers the tires to a [40 yard] trailer for transportation to Alleghany Tire Chipping at 175 Crestview Drive, Transfer, PA 16154. He provided copies of his shipping papers on May 11, 2009, and he stated that he is maintaining records of all scrap tire shipments. However, the owners of ASTRI are in violation of OAC Rule 3745-27-45 for transportation of scrap tires without an Ohio EPA scrap tire registration. Therefore, the owners of ASTRI must cease illegally collecting and transportation of scrap tires.

Please correct the above violations immediately and notify me in writing within 30 days of receipt of this letter as to the corrective actions that were taken.

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

If you have any questions, please contact me at (330) 963-1268.

Sincerely,



Colum McKenna
Environmental Specialist
Division of Solid and Infectious Waste Management

CM:cl

cc: Ron Fodo, DERR-NEDO Raymond Saporito, Ashtabula County Health Department
Harry Smal, DSIWM-CO File: [Kurko/Tire/ASTRI/COR/04]

550

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CM
5-13-09

Sent To Sanford Schroll
 Street, Apt. No.,
 or PO Box No. American Scrap Tire Recyclers
 City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Sanford Schroll
 American Scrap Tire Recyclers, Inc.
 2730 Walter Main Road
 Geneva, Ohio 44041

2. Article Number

(Transfer from service label) 7008 3230 0003 5419 5606 J. McKenna 5-13-09

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A. Signature

Sanford Schroll Agent Addressee

B. Received by (Printed Name)

SANFORD SCHROLL

C. Date of Delivery

5-14-09

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