



State of Ohio Environmental Protection Agency

Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

April 9, 2008

Steve Nichy
Nichy Tire Co.
891 W. Liberty Street
Medina, OH 44256

Dear Mr. Nichy:

On March 13, 2008, and March 27, 2008, I conducted an inspection of the property located at 891 W. Liberty Street in Medina. This address is provided as the business office for your scrap tire transporter operation. These inspections were conducted to determine compliance with Ohio Administrative Code Sections (OAC) 3745-27- 54 and 55 and Ohio Revised Code Sections (ORC) 3734, 3714, 6111, and 3704 prior to making a decision on your application for renewal of your scrap tire transporter registration.

On March 13, 2008, I observed scrap tires being stored on the ground and exposed to rain and snow. The tires contained water and were capable of breeding mosquitoes during the warmer months. I also inspected the scrap tire shipping papers on this date and determined that the shipping papers were not being completed as required. The form must be completed each time tires are picked up and a copy provided to the scrap tire generator for their records. I observed the following violations on March 13, 2008, and they were corrected prior to my inspection on March 27, 2008:

OAC 3745-27-56(C)(2) states: *"A registered scrap tire transporter shall do all of the following:...Store scrap tires only in a covered trailer or vehicle for not longer than thirty days prior to transporting the scrap tires to one of the destinations listed in paragraph (C)(1) of this rule. These trailers or vehicles must be parked at one of the transporter's business locations specified in the application for an annual registration certificate. Scrap tires may be transferred directly from one vehicle or trailer to another to create a full load in a vehicle or trailer at the scrap tire business location as long as the scrap tires are not left on the ground after the transfer is complete. The transfer of scrap tires between vehicles or trailers is load consolidation only and not sorting. Sorting or grading shall be done in accordance with paragraph (C)(3) of this rule."*

OAC 3745-27-56(C)(3)(a) states: *"Scrap tires will not remain outside of a covered trailer or vehicle beyond the end of the current work shift."*

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OAC 3745-27-57(C)(1) states: *"Shipping papers shall be completed when one of the following occurs:.. A registered scrap tire transporter picks up scrap tires from any source. A copy of the shipping papers shall accompany each shipment of scrap tires described on the shipping papers."*

As stated above, these violations were observed on March 13, 2008. On that date I informed you of the violations and you corrected the violations prior to my inspection of March 27, 2008. It is the responsibility of the owner or operator of the facility to maintain compliance with the appropriate rules and regulations. If you have any questions regarding what is required of a scrap tire transporter, please contact Jarnal Singh at (330) 963-1276.

If you have any questions concerning this letter, please contact me at (330) 963-1220.

Sincerely,



Scott Winkler
Division of Solid and Infectious Waste Management

SW:cl

cc: Jarnal Singh, DSIWM-NEDO
Brian Dearth, DSIWM-CO
John Schoeni, Medina County Health Department
File: [Sowers/TIRE/Medina/GEN/52]