



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

TELE: (740) 385-8501 FAX: (740) 385-6490
www.epa.state.oh.us

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

September 11, 2009

**RE: JACKSON COUNTY
TIRE - GEN**

James A. Kallner
1232 Dark Hollow Road
Jackson, Ohio 45640

RE: Illegal Transportation of Scrap Tires

Dear Mr. Kallner:

On August 14, 2009, Trooper McManis of the Jackson Post of the Ohio State Highway Patrol recorded observations that you were transporting greater than 10 scrap tires in your pickup truck. Trooper McManis witnessed that you were transporting 11 scrap tires in your green Ford Pickup truck (License Plate # DV06AP).

Based upon the observations of Trooper McManis, you are in violation of the following sections of the Ohio Revised Code and the Ohio Administrative Code (OAC) Chapter 3745-27:

ORC Section 3717.83 - Except as provided in division (D) of this section, no person shall transport scrap tires anywhere in this state unless the business or governmental entity that employs the person first registers with and obtains a registration certificate from the director of environmental protection.

OAC Rule 3745-27-54(A) - 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 3745-27-57(A) - All scrap tire shipments, including used tire shipments, of more than ten tires shall be documented on shipping papers by the generator, the transporter, and the recipient of the scrap tires.

Transporting greater than ten scrap tires at one time in Ohio requires being registered as a scrap tire transporter and proper documentation of all scrap tire shipments. Scrap tires in your possession must either be properly stored or be properly disposed of at a licensed scrap tire disposal facility or through a registered scrap tire transporter. Please provide this office with a copy of any receipts you obtain in properly disposing of the scrap tires in your possession. Also, provide this office with a written response as to the origin of the scrap tires in your possession. Be aware that open dumping and open burning of scrap tires is illegal. Please provide a written response to this letter within twenty days.

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Should you have any questions regarding this matter, please contact me at your convenience at 740-380-5438.

Sincerely,



Daniel L. Bergert, R. S.
Environmental Specialist II
Division of Solid and Infectious Waste Management

DLB/jg

cc: Jackson County Health Department
cc: Trooper McManis, Jackson Post – Ohio State Highway Patrol