



State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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www.epa.state.oh.us

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

March 12, 2010

**RE: JACKSON COUNTY
TIRE - GEN**

Jacinto F. Mendiola
1348 East Weber Road
Columbus, Ohio 43211

RE: Illegal Transportation of Scrap Tires

Dear Mr. Mendiola:

On March 8, 2010, Trooper Folden of the Jackson Post of the Ohio State Highway Patrol recorded observations that you were transporting greater than ten scrap tires in your pickup truck. You were stopped in Jackson County, Ohio heading east on U. S. Route # 35 near milepost 9 at 11:06 AM. Trooper Folden witnessed that you were transporting 11 scrap tires in your blue 2001 Dodge Ram pickup truck (License Plate # EWT 1224).

During the traffic stop, you indicated to Trooper Folden that you had collected the scrap tires from your garage and were transporting them to a location in Gallipolis, Ohio (Gallia County).

Based upon the observations of Trooper Folden, 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.

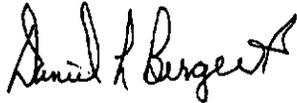
OAC Rule 3745-27-57 (A) - All scrap tire shipments, including used tire shipments, of more than ten tires shall be documented on shipping papers by the generator, the transporter, and the recipient of the scrap tires.

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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. Be aware that open dumping and open burning of scrap tires is illegal. Please provide a written response to this letter within twenty days.

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 & Infectious Waste Management

DLB/cb

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