



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

APRIL 4, 2012

Mr. Steven Dalton
921 West Wallace Drive
Ashland, Kentucky 41102

**Re: Notice of Violation - Transportation of Scrap Tires without an Ohio EPA
Registration Certificate**

Dear Mr. Dalton:

On March 15, 2012, Ohio EPA received a notification from the Ohio State Highway Patrol that you were illegally transporting scrap tires. The notification states that you were stopped on March 13, 2012, and you were transporting 241 scrap tires that you received from Heritage Tire Company located in South Point, Ohio. Ohio law requires that anyone who transports more than 10 scrap tires at a time must possess a scrap tire transporter registration certificate.

Your transportation of more than 10 scrap tires without a valid registration is a violation of the following:

| Citation | Requirement |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ORC Section 3734.83(A) | <i>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.</i> |
| OAC Rule 3745-27-54(A)(1) | <i>Any person transporting scrap tires in Ohio shall comply with the registration requirements of this rule...</i> |

In order to attain compliance, you must either submit a scrap tire transporter registration application or provide a written response to Ohio EPA that provides measure that you have taken to comply with Ohio's scrap tire transporter laws and regulations. Prior to the future transportation of more than ten (10) scrap tires, you must obtain a scrap tire transporter registration certificate.

You need to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, you are requested to provide documentation to this office including the steps taken to abate the violations

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cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to barry.chapman@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734. of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, you are requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions regarding this letter or the procedures to obtain a scrap tire transporter registration certificate, please contact me by telephone at (614) 728-5344 or by e-mail at barry.chapman@epa.ohio.gov.

Sincerely,



Barry Chapman, R.S.
Solid Waste Compliance and Inspection Support Unit
Division of Materials and Waste Management

BC/jam

cc: Pete Thompson, DMWM-SEDO