



Environmental
Protection Agency

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

Re: Richland County
Scrap Tire Transporter

May 19, 2011

Mr. Sam Bass
95 South Illinois
Mansfield, Ohio 44905

Dear Mr. Bass:

On March 23, 2011; April 14, 2011; and April 29, 2011, I, representing the Ohio Environmental Protection Agency (Ohio EPA), performed an inspection of your scrap tire transporting business in Mansfield, Ohio. I was accompanied by Andrea Barnes, representing the Richland County Health Department during the April 14, 2011, inspection. You represented CB Tire.

The purpose of this inspection was to verify compliance with the scrap tire transporter requirements of Ohio Administrative Code (OAC) Chapter 3745-27 before issuance of your 2011 scrap tire transporter registration certificate.

The inspection took place at your business located at 95 South Illinois, Mansfield. The inspection included your scrap tire shipping papers, your storage area, and a review of your 2011 scrap tire transporter registration application.

As discussed during the above inspections, and in accordance with OAC Rule 3745-27-56 (C)(3)(a), no tires from your transport business are allowed to be left outside past the end of the working day. During all inspections, tires from your transport operation were left outside overnight, and stored outside for varying lengths of time before being quartered for load consolidation. Therefore, you are in violation of OAC Rule 3745-27-56(C)(3)(a) which states in part:

(3) Sort or grade scrap tires only if the required information on sorting was supplied with the scrap tire transporter application. Sorting includes segregating tires by type and size, separating scrap tires for potential sale as used tires, and separating retreadable casings from scrap tires to be recycled or disposed. Scrap tires may be transferred between trailers or vehicles to sort scrap tires only if the following conditions are met:

(a) Scrap tires will not remain outside of a covered trailer or vehicle beyond the end of the current work shift.

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As discussed during the above inspections, and in accordance with OAC Rule 3745-27-56 (C)(6), tires must be stored at least fifty feet away from buildings that you do not own. During all inspections, tires were stored within fifty feet of buildings that you do not own. During the first two inspections, hundreds of tires were stored inside of this required fifty-foot setback. Tires were stored as close as approximately twenty feet from buildings you do not own. During my last inspection, many of the tires inside of this fifty-foot setback had been removed. Approximately fifty tires remained inside of this fifty-foot setback, and were as close as twenty feet to a building you do not own. Therefore, you are in violation of OAC Rule 3745-27-56(C)(6) which states in part:

(6) Store and handle the scrap tires so as not to create a nuisance, a hazard to public health or safety, or a fire hazard. Scrap tires or vehicles containing scrap tires shall not be stored or parked under bridges, elevated trestles, elevated roadways, elevated railroads, or electrical power lines having a voltage in excess of seven hundred fifty volts or that supply power to fire emergency systems.

[Comment: State and local fire codes and zoning ordinances may be more restrictive and must be complied with by the scrap tire transporter.]

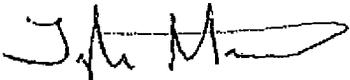
(a) Trailers or vehicles containing scrap tires shall be parked at least fifty feet from buildings not owned or leased by the scrap tire transporter or fifteen feet from buildings owned or leased by the scrap tire transporter, unless the trailer or vehicle is parked at a loading dock and is being actively loaded or unloaded.

(b) Scrap tires being sorted or graded in the scrap tire handling area shall be at least fifty feet from buildings not owned or leased by the scrap tire transporter or fifteen feet from buildings owned or leased by the scrap tire transporter.

Due to the ongoing nature of the above referenced violations, Ohio EPA-NWDO is recommending denial of your transporter registration. You will be provided official notice in a separate letter on the status of your transporter registration.

If you have any questions, please contact me at (419) 373-3078.

Sincerely,



Tyler Madeker, R.S.
Environmental Specialist
Division of Materials and Waste Management

/cs
pc: Andrea Barnes, Richland County Health Department
File: DMWM-SW; Richland Co., Tires
ec: Mike Reiser, DMWM-NWDO
Brian Dearth, DMWM-CO
Kelly Jeter, DMWM-CO