



State of Ohio Environmental Protection Agency

Northwest District Office

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

Re: Scrap Tire Transporter
Inspection Results

December 5, 2008

Mr. Robert Hanus
Bob's Tire Service, LLC
3316 Blairmont Avenue
Toledo, Ohio 43614

Dear Mr. Hanus:

On December 2 and 3, 2008, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted a partial inspection of your scrap tire transporter operation located at 14798 Sand Ridge Road, Bowling Green, Wood County, Ohio. The purpose of this inspection was to verify compliance with the scrap tire transporter requirements of Ohio Administrative Code (OAC) Chapter 3745-27. The facility was not represented during the inspection. Brent Goetz of Ohio EPA was present for the December 2, 2008 portion of the inspection.

This letter is intended to:

- Describe my observations of the facility,
- Notify you of the violations of Ohio laws and rules identified, and
- Detail the actions you must take to correct these violations.

Description of Ohio EPA's observations of the facility:

On both days I observed a semi trailer labeled "Dillon Registered Tire Transporter," located in the gravel parking lot/driveway, approximately 35 feet south of the metal building, a yellow trailer you have previously identified as being used for equipment storage, and an uncovered BFI/Allied Waste open-top roll-off box full of scrap tire sidewalls and pieces.

The transporter's copies of the scrap tire shipping papers provided to customers at the time of scrap tire pick-ups were not reviewed during this inspection.

In addition, on December 3, 2008, I contacted Liberty Tire Transport to discuss the status of the Dillon trailer. A Liberty representative stated the trailer was scheduled for pick-up on December 3rd or 4th and that the most recent previous pick-up occurred in July 2008.

Notification of violations of Ohio laws and rules:

Three violations were identified.

1. The owner/operator is in violation of OAC Rule 3745-27-56(C)(6), which states in pertinent part:

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.

for parking the Dillon trailer containing scrap tires within fifty feet of the metal building, which Bob's Tire Services does not own or lease.

2. The owner/operator is in violation of OAC Rule 3745-27-56(C)(2), which states in pertinent part:

A registered scrap tire transporter shall do all of the following: . . .

(2) Store scrap tires only in a covered trailer or vehicle for not longer than thirty days. . .

for storing sidewalls and pieces of scrap tires an uncovered BFI/Allied Waste open-top roll-off box.

The definition of "scrap tire" in OAC Rule 3745-27-01(S)(6) includes not just whole scrap tires but also pieces of scrap tires which are readily identifiable as parts of scrap tires by visual inspection.

3. The owner/operator is in violation of OAC Rule 3745-27-56(C)(2), which states in pertinent part:

A registered scrap tire transporter shall do all of the following: . . .

(2) Store scrap tires only in a covered trailer or vehicle for not longer than thirty days. . .

for storing scrap tires for longer than thirty days.

Actions the owner/operator must take to correct the violations:

- Relocate all scrap tire storage trailers so that they are at least fifty feet from all buildings not owned or leased by Bob's Tire Service.
- Ensure all scrap tires on site are stored in a covered trailer or vehicle.
- Transfer all scrap tires to a location authorized by OAC Rule 3745-27-56(C)(1) within thirty days of receipt by your transport business. These authorized locations include:
 - a scrap tire scrap tire collection, scrap tire storage, scrap tire monocell, scrap tire monofill, or scrap tire recovery facility,
 - a solid waste incinerator or energy recovery facility,
 - a premises authorized to beneficially use scrap tires,
 - another registered scrap tire transporter,

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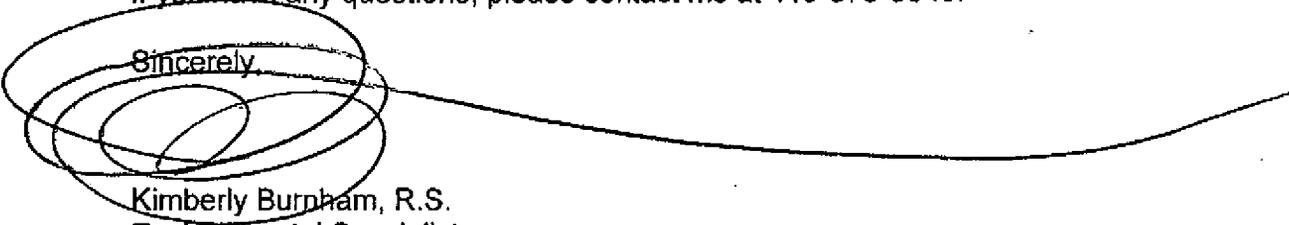
- a facility in another state in compliance with the laws of that state, and
 - a premises operating legally as an unregistered scrap tire facility, such as a tire retail dealer, tire retreader, etc.
- Forward a copy of the scrap tire shipping papers provided by Liberty Tire Services for the pick-up scheduled for December 3rd or 4th to my attention at the letterhead address within 15 days of the pick-up.

This correspondence addresses specific observations only for the areas of Bob's Tire Service Scrap Tire Transporter that were inspected. Nothing present in, nor absent from this correspondence is intended to mean that no other violations existed at the facility at the time of inspection.

Compliance with the requirements outlined in this letter, or the solid and infectious waste provisions contained in the Ohio Revised Code Chapter 3734, and the rules promulgated thereunder, does not relieve the owner/operator of Bob's Tire Service Scrap Tire Transporter from their obligations to comply with other applicable state and federal laws and regulations.

If you have any questions, please contact me at 419-373-3049.

Sincerely,



Kimberly Burnham, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

/llr

pc: Kristin Tillison, Wood County Health Department
DSIWM-NWDO File: Wood County, Bob's Tire Services
ec: Mike Reiser