annual report even if you plan to cease transporting scrap tires. If you choose to close your scrap tire business, a separate letter to the Director of Ohio EPA is needed to request that your financial assurance be released.

Please contact the Ohio EPA-Scrap Tire Management Unit at (614) 644-2621 with any questions.

Sincerely,

Robert A. Large
Supervisor, Scrap Tire Management Unit
Division of Solid and Infectious Waste Management

RAL/gf

Enclosures: Annual Report, Form ST-56(D)

cc: Fayette/Highland/Pickaway/Ross Solid Waste District
DSIWM, Southeast District Office
Scrap tire files

OhioEPA
State of Ohio Environmental Protection Agency

STREET ADDRESS:
Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

April 3, 2009

91 7108 2133 3932 0813 3698

CERTIFIED MAIL

Mr. Gerald Kelbley
Kelbley Tire Recycle
2876 West Township Road 18
Tiffin, Ohio 44883

RE: **Notice of Violation**
Failure to Submit Scrap Tire Transporter Annual Report
74-STT-001

Dear Mr. Kelbley:

This letter serves as a second notice to you concerning the required submittal of an annual report for your scrap tire transporter operations in 2008. The first notification was mailed to you in **December 2008**. The first notice included the report notification and the annual report form [Form ST-56(D)]. To date, Ohio EPA has not received any response from your company.

Your company's failure to submit this report is a violation of Ohio Administrative Code (OAC) Rule 3745-27-56(G) and Ohio Revised Code 3734.74, which require that an annual report be submitted to Ohio EPA by all registered scrap tire transporters. The annual report was required to be submitted not later than **January 31, 2009.** Per OAC 3745-27-55(C)(2), your company must respond **within 15 (fifteen) days of receipt of this letter** by submitting a completed report to the appropriate approved local health department, the appropriate local solid waste management district, and to the Scrap Tire Unit. **Failure to submit a full, accurate and timely annual report can result in a thirty day suspension of your transporter registration. Continued failure to submit a report can lead to denial of renewal or revocation of your scrap tire transporter registration.**

I have enclosed another copy of the report form. A computer generated equivalent form is acceptable as a substitute for Tables I and II, provided that all of the requested information is included. This Annual Report must include all scrap tires that were transported by you in the state of Ohio, including those that were delivered to a destination outside of Ohio.

If you do not wish to renew your registration, please submit a letter stating so within this same time frame to Ohio EPA, DSIWM, Scrap Tire Management Unit at the letterhead address. **Per OAC Rule 3745-27-56(H)(2)(d), you are still required to submit your final**