



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

March 11, 2013

**RE: ANTS TRUCKING LLC  
NOTICE OF VIOLATION**

Tamera Schoen  
Ants Trucking LLC  
5740 Lafayette Road  
Medina, OH 44256

Dear Ms. Schoen:

On March 5, 2013, the Ohio Environmental Protection Agency (Ohio EPA) visited the ANTS Trucking LLC (ANTS) address listed in the Scrap Tire Registration Application located at 5740 Lafayette Road, Medina, in Medina County. Colum McKenna, of Ohio EPA Division of Materials and Waste Management (DMWM), visited the property for the purposes of inspection of the scrap tire transporter business following the submittal of the 2013 scrap tire transporter registration renewal application.

At the time of the inspection, Ohio EPA inspected the scrap tire shipping papers. Per Ohio Administrative Code (OAC) Rule 3745-27-57(B)(1) states "*[s]hipping papers shall be used to document the transportation of scrap tires to or from destinations in the state of Ohio. The shipping paper shall be filled out at the time of each transaction and copies shall be retained in accordance with paragraph (E) of this rule by all parties involved in the transaction.*"

Ohio EPA noted that ANTS is transporting scrap tires for Lightner Tire, at 780 East Waterloo Road, Akron, Ohio. At the time of the inspection, ANTS is using a photo copy of the three-part shipping form and not the actual multi-colored three-part Scrap Tire Shipping/Receiving Form. ANTS maintains a copy of what appeared to be a signed copy of a one-part shipping/receiving form. Since ANTS did not contain a copy of any original signed shipping pages or a colored copy of the actual two- or three-part shipping form, Ohio EPA was not sure their records were complete. The single-page shipping form also did not contain the quantity of scrap tires being transported, nor did it contain an estimate of the percentage of passenger, truck, or all tires being transported.

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Therefore, Ohio EPA identified the facility in violation of **OAC 3745-27-57(D)(5)** which states "[t]he "Ohio EPA Scrap Tire Shipping/Receiving Form" or an equivalent form shall be completed as follows:

- (a) *Be legible and complete.*
- (b) *Be signed and dated by both parties to the transaction before the scrap tires are removed from the premises where generated or before the transporter leaves the delivery point.*
- (c) *Contain, at a minimum, the following information:*
  - (i) *The quantity in number, weight (tons), or volume (cubic feet) of the scrap tires being transported (clearly define the unit of measure).*
  - (ii) *An estimate of the percentage of scrap tires in each of the following three categories: (a) passenger car tires, (b) truck tires, and (c) all other tires.*
  - (iii) *A certification that the scrap tires were free of water when collected or had been properly treated for mosquito control within the previous two weeks or that the scrap tires had been removed from a wheel within the past seven days.*
  - (iv) *The name and dated signature of the individual transporting the shipment, the transporter's company address and telephone number, the transporter's scrap tire registration certificate number, and the transporter's vehicle license plate number and trailer license plate number (if applicable).*
  - (v) *The name and dated signature of the scrap tire source or recipient, the address including county name and telephone number of the premises where the scrap tires were generated or delivered to, and, if applicable, the scrap tire facility registration number or permit number, or beneficial use number or the applicable paragraph number from rule 3745-27-78 of the Administrative Code."*

ANTS should return to using the actual three-part Scrap Tire Shipping/Receiving Form, because the multi colored pages would alert ANTS and Lightner Tire as to whether the other partner is likely missing a copy of the form. Furthermore, the shipping papers need to contain all of the necessary information, such as the quantity and type of scrap tires being transported.

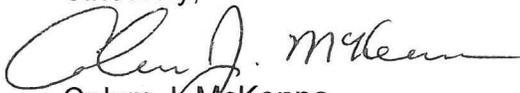
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You need to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, you are requested to provide documentation to this office including the steps taken to abate the violations 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 [colum.mckenna@epa.ohio.gov](mailto:colum.mckenna@epa.ohio.gov).

This letter shall not be interpreted to release ANTS from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water or Comprehensive Environmental Response, Compensation, and Liability Acts for remedying conditions resulting from any release of contaminants to the environment.

Thank you for your cooperation. If you have any comments or questions concerning the contents of this letter, feel free to contact me at (330) 963-1268, or at [colum.mckenna@epa.ohio.gov](mailto:colum.mckenna@epa.ohio.gov).

Sincerely,



Colum J. McKenna  
Environmental Specialist  
Division of Materials and Waste Management

CJM/cl

cc: John Schoeni, Medina County HD  
Julie Brown, Summit County Public Health  
Debbie Hamberg, Lightner Tire  
File: [TIRE/Lightner Tire/COR/77]  
File: [Singh/TIRE/Medina/GEN/52]  
DMWM #4915