



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

May 16, 2013

Mr. Christopher Newcomb
 1486 Dickens Road
 Oak Hill, Ohio 45656

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

Dear Mr. Newcomb:

On May 14, 2013, 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 May 3, 2013, and you were transporting 36 scrap tires that you received from Lunbeck Road, Chillicothe OH. 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.

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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 aaron.shear@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.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release you 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.

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) 728-5350 or by e-mail at aaron.shear@epa.ohio.gov.

Sincerely,



Aaron Shear, R.S.
Solid Waste Compliance and Inspection Support
Division of Materials and Waste Management

AS/ljm

cc: Dan Bergert, DMWM-SEDO