



Environmental
Protection Agency

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

FILE COPY

January 11, 2012

Certified Mail #91 7108 2133 3932 1838 5797

Mr. Brian Trojack
Andrew's Tire, Inc.
5077 Greenwood Court
Whitehall, OH 43213

Re: Scrap Tire Transporter – Second Notice of Violation

Dear Mr. Trojack:

As of the date of this letter, you have not taken any steps to remove the approximately 2,000 scrap tires that you placed in a building located at 2626 Johnstown Road, Columbus, Ohio. I previously sent you a Notice of Violation letter dated December 23, 2011 regarding this matter. Since then we have had several telephone conversations where you verbally indicated that you planned on having an empty trailer dropped at this site by a registered scrap tire transporter and have the tires removed.

Since the tires remain illegally placed at the site, you continue to be in violation of Ohio Administrative Code (OAC) Rule 3745-27-56 (C)(1), which requires registered scrap tire transporters to deliver scrap tires to one of the following locations:

1. A licensed scrap tire collection, storage, monofill, monocell, or recovery facility.
2. A licensed solid waste incinerator.
3. An authorized beneficial use site.
4. Another transporter registered with the Ohio EPA.
5. A facility in another state operating in compliance with that state's regulations.
6. A premises operating as an unregistered scrap tire facility, such as a retailer tire dealer.

If the tires are not completely removed from this site by January 20, 2012, then, pursuant to OAC Rule 3745-27-15, Ohio EPA will have the tires removed from this site and utilize your financial assurance to pay for their proper removal and disposal. Also, note that once your financial assurance amount falls below the required \$20,000, Ohio EPA may take steps to revoke your scrap tire registration certificate.

You must immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 7 days receipt of this letter, please provide this office with copies of shipping papers and disposal receipts that document proper removal and disposal of all scrap tires currently at the site illegally.

Central District Office
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 728 3778
614 | 728 3898 (fax)
www.epa.ohio.gov

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Please be advised that violations cited 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 you have any questions regarding this matter, please feel free to contact me by telephone at 728-3890 or by email at phil.farnlacher@epa.state.oh.us.

Sincerely,



Phil Farnlacher
Division of Material and Waste Management
Central District Office

c: Jeff Gibbs, Franklin County Health Department
Todd Jordan, Jordan Power Equipment

PF/nsm Andrew's Tire 2nd NOV