

CASE NO.

Defendant X-ref: 13703303

COPY

2010 GRAND JURY
MAY SESSION, MAY 20TH RECALI.

COMMON PLEAS COURT
Ashtabula County, Ohio

THE STATE OF OHIO

vs.

AMERICAN SCRAP TIRE RECYCLERS, INC.
INDICTMENT FOR:

TRANSPORTING SCRAP TIRES WITHOUT A REGISTRATION

OPERATING AND/OR MAINTAINING A SCRAP TIRE COLLECTION,
STORAGE OR RECOVERY FACILITY WITHOUT A LICENSE

VIOLATION OF OHIO ENVIRONMENTAL PROTECTION AGENCY
DIRECTOR'S ORDERS

CAROL A. MEAD
CLERK OF COURTS
ASHTABULA COUNTY
ASHTABULA, OHIO

2010 MAY 21 P 2:12

FILED

A TRUE BILL.


GRAND JURY FOREPERSON

THOMAS L. SARTINI
PROSECUTING ATTORNEY

INDICTMENT

STATE OF OHIO)
)
COUNTY OF ASHTABULA)

CASE NO.

**STATE OF OHIO VS. SANFORD SCHROLL
CO-DEFENDANT: AMERICAN SCRAP TIRE RECYCLERS, INC.**

Of the May Term, May 20th Recall, 2010:

THE JURORS OF THE ASHTABULA COUNTY GRAND JURY of the State of Ohio on their oaths, in the name and authority of the State of Ohio, do find and present that:

COUNT ONE

[action code 3734.83_CP]

On or between 01/01/2009 and 06/30/2009, in the Township of Geneva, County of Ashtabula, and State of Ohio, one **SANFORD SCHROLL** did unlawfully and knowingly, in Ashtabula County, cause the transportation of scrap tires without first registering with and obtain a registration certificate from the Director of Ohio Environmental Protection Agency; contrary to the form of the statute (in violation of Section 3734.83(A) and 3734.99 of the Ohio Revised Code) in such case made and provided, and against the peace and dignity of the State of Ohio.

This act, to-wit: **TRANSPORTING SCRAP TIRES WITHOUT A REGISTRATION**, constitutes an unclassified felony.

COUNT TWO

[action code 3734.81_CP]

On or between 01/01/2009 and 04/30/2010, in the Township of Geneva, County of Ashtabula, and State of Ohio, one **SANFORD SCHROLL** did unlawfully and knowingly, in Ashtabula County, operate and or maintain a scrap tire collection and/or storage and/or recovery facility without a license at 3574 North Myers Road, Geneva Township, Ashtabula County, Ohio; contrary to the form of the statute (in violation of Section 3734.81(A) and 3734.99 of the Ohio Revised Code) in such case made and provided, and against the peace and dignity of the State of Ohio.

This act, to-wit: **OPERATING AND/OR MAINTAINING A SCRAP TIRE COLLECTION, STORAGE OR RECOVERY FACILITY WITHOUT A LICENSE**, constitutes an unclassified felony.

COUNT THREE

[action code 3734.11_CP]

On or between 07/01/2006 and 04/30/2010, in the Township of Geneva, County of Ashtabula, and State of Ohio, one **SANFORD SCHROLL** did unlawfully and knowingly, in Ashtabula County, violate Ohio Environmental Protection Agency Director's Orders by failing to comply with R.C. 3734 and rules promulgated there under, to-wit: did fail to remove tires as ordered from 2730 Walter Main Road, Geneva, Ohio; contrary to the form of the statute (in violation of Section 3734.11, 3734.13 and 3734.99 of the Ohio Revised Code) in such case made and provided, and against the peace and dignity of the State of Ohio.

This act, to-wit: VIOLATION OF OHIO ENVIRONMENTAL PROTECTION AGENCY DIRECTOR'S ORDERS constitutes an unclassified felony.

COUNT FOUR

[action code 3734.83_CP]

On or between 01/01/2009 and 06/30/2009, in the Township of Geneva, County of Ashtabula, and State of Ohio, one **American Scrap Tire Recyclers, Inc.** did unlawfully and knowingly, in Ashtabula County, cause the transportation of scrap tires without first registering with and obtain a registration certificate from the Director of Ohio Environmental Protection Agency, the commission of this offense was as to American Scrap Tire Recyclers, Inc., authorized, requested, commanded, tolerated or performed by agents, employees, or high managerial officers of said corporation acting with the kind of culpability required for the commission of the offense and within the scope of their employment as per R. C. Section 2901.23; contrary to the form of the statute (in violation of Section 3734.83(A) and 3734.99 of the Ohio Revised Code) in such case made and provided, and against the peace and dignity of the State of Ohio.

This act, to-wit: TRANSPORTING SCRAP TIRES WITHOUT A REGISTRATION, constitutes an unclassified felony.

COUNT FIVE

[action code 3734.81_CP]

On or between 01/01/2009 and 04/30/2010, in the Township of Geneva, County of Ashtabula, and State of Ohio, one **American Scrap Tire Recyclers, Inc.** did unlawfully and knowingly, in Ashtabula County, operate and or maintain a scrap tire collection and/or storage and/or recovery facility without a license at 3574 North Myers Road, Geneva Township, Ashtabula County, Ohio, the commission of this offense was as to American Scrap Tire Recyclers, Inc., authorized, requested, commanded, tolerated or performed by agents, employees, or high managerial officers of said corporation acting with the kind of culpability required for the commission of the offense and within the scope of their employment as per R. C. Section 2901.23; contrary to the form of the statute (in violation of Section 3734.81(A) and 3734.99 of the Ohio Revised Code) in such case made and provided, and against the peace and dignity of the State of Ohio.

This act, to-wit: OPERATING AND/OR MAINTAINING A SCRAP TIRE COLLECTION, STORAGE OR RECOVERY FACILITY WITHOUT A LICENSE, constitutes an unclassified felony.

COUNT SIX

[action code 3734.11_CP]

On or between 07/01/2006 and 04/30/2010, in the Township of Geneva, County of Ashtabula, and State of Ohio, one **American Scrap Tire Recyclers, Inc.** did unlawfully and knowingly, in Ashtabula County, violate Ohio Environmental Protection Agency Director's Orders by failing to comply with R.C. 3734 and rules promulgated there under, to-wit: did fail to remove tires as ordered from 2730 Walter Main Road, Geneva, Ohio, the commission of this offense was as to American Scrap Tire Recyclers, Inc., authorized, requested, commanded, tolerated or performed by agents, employees, or high managerial officers of said corporation acting with the kind of culpability required for the commission of the offense and within the scope of their employment as per R. C. Section 2901.23; contrary to the form of the statute (in violation of Section 3734.11, 3734.13 and 3734.99 of the Ohio Revised Code) in such case made and provided, and against the peace and dignity of the State of Ohio.

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RESPECTFULLY SUBMITTED:

BY:


THOMAS L. SARTINI, 0001937
PROSECUTING ATTORNEY

Defendant X-rcf: 13705303

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