



Ohio Administrative Code

Rule 3745-580-325 Closure of a scrap tire storage facility.

Effective: June 30, 2023

(A) The owner or operator of a scrap tire storage facility shall conduct closure when any of the following occurs:

(1) The owner or operator of the scrap tire storage facility declares in writing to Ohio EPA that the scrap tire storage facility will no longer be accepting scrap tires.

(2) A license issued to the scrap tire storage facility has expired and a renewal license has not been applied for in the manner prescribed in Chapter 3745-501 of the Administrative Code.

(3) A scrap tire storage facility license has expired and another license has been applied for and denied as a final action of the licensing authority.

(4) A scrap tire storage facility license has been revoked as a final action of the licensing authority.

(5) A scrap tire storage facility permit to install or registration certificate has been revoked as a final action of the director.

(B) Closure notification requirements.

(1) The owner or operator of a scrap tire storage facility that has triggered closure in accordance with paragraph (A)(1) of this rule shall provide written notice to the entities identified in paragraph (B)(3) of this rule via certified mail or any other form of mail accompanied by a receipt not later than sixty days prior to the anticipated date the scrap tire storage facility will cease acceptance of scrap tires.

(2) The owner or operator of a scrap tire storage facility that has triggered closure in accordance with paragraphs (A)(2) to (A)(5) of this rule shall provide written notice to the entities identified in paragraph (B)(3) of this rule via certified mail or any other form of mail accompanied by a receipt not later than seven days after expiration of the scrap tire storage facility's license or the date of a



final action issued by the director or the approved board of health.

(3) The owner or operator of a scrap tire storage facility shall submit a closure notification to the following entities:

(a) The single or joint county solid waste management district or regional solid waste management authority where the facility is located or that is served by the facility.

(b) The board of health.

(c) The local fire department.

(d) The appropriate Ohio EPA district office.

(4) The notification specified in paragraphs (B)(1) and (B)(2) of this rule shall include the scrap tire storage facility's closure contact person's name, address, and telephone number and the date in which the scrap tire facility will cease acceptance of scrap tires.

(C) Not later than thirty days after closure is triggered in accordance with paragraph (A) of this rule, the owner or operator of the scrap tire storage facility shall complete the following closure activities:

(1) Cease acceptance of scrap tires.

(2) Post signs in such a manner as to be easily visible at all entrances to the scrap tire storage facility stating that the facility is closed for all scrap tire activities and maintain the signs in legible condition for not less than six months after closure of the scrap tire storage facility with text that includes the following in letters not less than three inches high:

"This facility is closed for all scrap tire activities. Call the [name of the local solid waste management district] at [telephone number of the local solid waste management district] or [name of the Ohio EPA district office] for the location of the nearest facility that is authorized to accept scrap tires."



"Depositing scrap tires at a closed scrap tire storage facility constitutes open dumping and is a violation of Chapter 3734. of the Revised Code. Whoever recklessly or knowingly violates Chapter 3734. of the Revised Code may be guilty of a felony punishable by a fine of at least \$10,000 but not more than \$25,000, imprisonment for at least two years but not more than four years, or both."

(3) Remove and transport all remaining scrap tires using a registered scrap tire transporter to one or more of the locations specified in paragraph (A)(1) of rule 3745-580-110 of the Administrative Code.

(4) Remove and properly dispose of any solid waste remaining on site.

(5) Submit to Ohio EPA the final annual report in accordance with rule 3745-580-315 of the Administrative Code.

(6) Continue mosquito control in accordance with rule 3745-580-310 of the Administrative Code until the facility is deemed closed in accordance with paragraph (E) of this rule.

(D) Closure certification. Not later than thirty days after completing the closure requirements contained in paragraph (C) of this rule, the owner or operator of the scrap tire storage facility shall submit a written closure certification to the approved board of health and Ohio EPA stating that the specifications of paragraph (C) have been met and includes a request that the director release the financial assurance in accordance with rule 3745-503-05 of the Administrative Code. The owner or operator shall not convert the scrap tire storage facility to other uses until concurrence with the closure certification has been received in accordance with paragraph (E) of this rule.

(E) Closure of the scrap tire storage facility shall be deemed complete when the owner or operator receives written concurrence with the closure certification from Ohio EPA.