



## Ohio Administrative Code

### Rule 3745-580-401 Application for a scrap tire recovery facility permit to install or registration certificate.

Effective: June 30, 2023

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(A) Application.

(1) An application for a class I scrap tire recovery facility permit to install or a class II scrap tire recovery facility registration certificate shall contain at a minimum the following on forms prescribed by the director with sufficient detail to allow clear understanding for technical review of the application and to provide assurance that the scrap tire recovery facility is designed and can be constructed and operated in accordance with this chapter:

(a) The name, address, email address, and telephone number for the following:

(i) The scrap tire recovery facility.

(ii) The operator of the scrap tire recovery facility.

(iii) The emergency contact person who is authorized to commit resources necessary for emergency response equipment, material, and services for the scrap tire recovery facility.

(iv) The owner of the real property where the scrap tire recovery facility will be located.

(v) The applicant.

(b) A letter of consent for the property to be used as a scrap tire recovery facility, including a parcel number and a letter of permission from the property owner.

(c) Copies of letters of intent with mail receipts that were sent in accordance with rule 3745-580-400 of the Administrative Code.

(d) A narrative that includes the following:



(i) A summary of the site surroundings and an explanation of how the scrap tire recovery facility will meet the criteria for approval specified in rule 3745-580-403 of the Administrative Code.

(ii) A discussion of the following operations proposed at the scrap tire recovery facility:

(A) The proposed activities to be performed at the scrap tire recovery facility including but not limited to receiving, unloading, loading, methods for shipping products, handling, storage, compacting, baling, all stages of scrap tire reduction and any other processing of scrap tires.

(B) The specifications of each piece of scrap tire handling and processing equipment to be used at the recovery facility.

(C) Scrap tire products generated.

(D) Procedures for segregation, storage, and management of wheel rims and associated lead weights removed from scrap tires.

(E) Procedures that will be used to prevent any waste other than scrap tires from being accepted at the scrap tire recovery facility.

(F) Measures that will be used to handle bulky, dusty, or dirt-filled scrap tires.

(G) Measures that will be used to control dust or erosion at the scrap tire recovery facility.

(H) Methods that will be used to control the breeding of mosquitoes in accordance with paragraph (F) of rule 3745-580-410 of the Administrative Code.

(I) Security measures that will be used in accordance with paragraph (C) of rule 3745-580-410 of the Administrative Code.

[Comment: The means of limiting public access may need to meet the standards of the local fire official, the state fire code, and local fire codes or zoning ordinances. Paragraph (G) of rule 1301:7-



7-34 of the Administrative Code requires a firmly anchored fence or other approved method of security that controls unauthorized access surrounding the storage area at sites where the volume of stored scrap tires is more than twenty thousand cubic feet. A two thousand five hundred square foot storage pile of scrap tires that is eight feet in height is equal to twenty thousand cubic feet.]

(e) The requested DDIC for the scrap tire recovery facility.

(f) The maximum size of the proposed scrap tire storage area for scrap tires and scrap tire products, in square feet. The owner or operator of the scrap tire recovery facility may request smaller scrap tire storage and scrap tire products storage areas in the class I scrap tire recovery facility's permit to install or class II scrap tire recovery facility's registration certificate to meet siting criteria in paragraph (B)(2) of rule 3745-580-403 of the Administrative Code or to reduce the amount of necessary financial assurance.

[Comment: The maximum scrap tire storage area allowed for class I and class II scrap tire recovery facilities is specified in paragraph (B)(3) of rule 3745-580-403 of the Administrative Code.]

(g) The closure cost estimate pursuant to rule 3745-580-22 of the Administrative Code.

(h) A draft of the financial assurance instrument to be executed prior to the license issuance in accordance with rule 3745-503-05 of the Administrative Code.

(i) A fire contingency plan that contains at a minimum the following information:

(i) A list of names, addresses, and telephone numbers for the following:

(A) Local police and fire departments.

(B) The local health department.

(C) The local solid waste management district or regional solid waste management authority.

(D) The Ohio EPA office of emergency response.



(E) The appropriate Ohio EPA district office.

(F) Any local contractors and emergency response teams that may be used in the event of a fire at the scrap tire recovery facility.

(ii) A list of names, addresses, and telephone numbers for all persons designated to act as emergency coordinators for the scrap tire recovery facility, including the person authorized to commit resources necessary to procure equipment, materials, and services.

(iii) A copy of written agreements with the local police and fire departments, contractors, and local emergency response teams to coordinate emergency services in the event of a fire at the scrap tire recovery facility. At a minimum, the owner or operator of the scrap tire recovery facility shall include a letter from the local fire department acknowledging that the local fire department has received the fire contingency plan and a copy of the plan view drawing specified in paragraph (A)(2)(b)(v) of this rule for a permit to install application or a copy of the plan view drawing that contains the information specified in paragraphs (A)(3)(b) to (A)(3)(i) of this rule for a registration certificate application.

(iv) A list of all emergency equipment at the facility including but not limited to fire extinguishing systems and equipment, spill control equipment, and communications equipment.

(v) A copy of the annual training schedule used to train staff on the contingency procedures.

(j) Mobile scrap tire recovery equipment. For an owner or operator of a scrap tire recovery facility that plans to operate mobile scrap tire recovery equipment at remote locations, the following information:

(i) The proposed activities to be performed at the sites including but not limited to loading, handling, storage, and processing of scrap tires.

(ii) Type of equipment that will be used for mobilization and demobilization (e.g. excavator, bull dozer) to retrieve scrap tires that will be processed by the mobile scrap tire recovery equipment.



(iii) The procedures and equipment the owner or operator of the scrap tire recovery facility will employ to maintain the recovery equipment and the area surrounding the recovery equipment free of litter and other debris that may affect the proper operation of the equipment.

(iv) A draft of the financial assurance instrument to be executed prior to the acceptance of scrap tires in accordance with rules 3745-580-22 and 3745-503-05 of the Administrative Code.

(k) A certification statement and signature in accordance with rule 3745-500-50 of the Administrative Code.

(2) In addition to the information specified in paragraph (A)(1) of this rule, an application for a class I scrap tire recovery facility permit to install shall include the following:

(a) A statement that the disclosure statement to the Ohio attorney general's office pursuant to rules 109:6-1-01 to 109:6-1-04 of the Administrative Code has been submitted.

(b) Detail engineering plans, specifications, and information shown by means of drawings and narrative descriptions where appropriate and prepared and sealed by a professional engineer. Minimum dimensions of the plan drawings shall be twenty-four inches by thirty-six inches and if an item does not exist, a note placed on the plan sheet. At a minimum, the detail engineering plans, specifications, and information shall contain a north arrow and the following:

(i) The detail engineering plan cover sheet, to be numbered sheet 1, which includes the following information:

(A) The facility name, address, and telephone number of the class I scrap tire recovery facility.

(B) The precise geographic location and boundary of the class I scrap tire recovery facility, shown on a road map.

(C) The name, address, telephone number, and e-mail address of the applicant and the operator of the class I scrap tire recovery facility.



- (D) The name, address, e-mail address, and telephone number of the owner of the property and the parcel number for each tract of land to be used for the class I scrap tire recovery facility.
- (E) The name, address, telephone number, and e-mail address of the person who prepared the plans.
- (F) The name, address, telephone number, and e-mail address of the emergency contacts for the class I scrap tire recovery facility who are authorized to commit resources necessary for emergency response.
- (ii) Plan drawings, to be numbered consecutively as sheets 2A, 2B, 2C, etc., showing the following items located within the class I scrap tire recovery facility boundary and within one thousand feet of the class I scrap tire recovery facility boundary using a scale of one inch equals no greater than two hundred feet unless otherwise specified:
- (A) The property lines and parcel numbers of all land owned or leased for the class I scrap tire recovery facility as determined by a property survey conducted by a professional surveyor registered in Ohio.
- (B) All existing land uses, zoning classifications, property owners, political subdivisions, and communities.
- (C) Existing topography showing vegetation and surface waters of the state, as defined in rule 3745-1-02 of the Administrative Code, with a contour interval no greater than five feet.
- (D) The limits of the regulatory floodplain.
- (E) All public and private railroads, public roads, and occupied structures.
- (F) All existing domiciles, including the location and dimensions of all buildings, fencing, gates, and other structures.
- (G) If applicable, the boundaries of the areas listed in paragraph (B)(2) of rule 3745-580-403 of the



Administrative Code or a note on the application if the siting criteria contained in rule 3745-580-403 of the Administrative Code are not applicable to the class I scrap tire recovery facility.

(iii) Plan drawings, to be numbered consecutively as sheets 3A, 3B, 3C, etc., showing the following items located within the class I scrap tire recovery facility boundary and within two hundred fifty feet of the class I scrap tire recovery facility boundary using a scale of one inch equals no greater than one hundred feet unless otherwise specified:

(A) The existing and proposed constructed topography of the site, with contour lines at an interval no greater than five feet.

(B) The location and dimensions of all proposed scrap tire handling areas, maintenance buildings, weighing facilities, storage buildings, scrap tire storage areas, and other occupied structures.

(C) The location of existing or proposed bridges, elevated trestles, elevated roadways, elevated railroads, or electrical power lines having a voltage in excess of seven hundred fifty volts or that supply power to fire emergency systems.

(D) The location of all existing and proposed fencing, gates, and natural or other screening on the site. Contour intervals need not be delineated if such locations are shown on an aerial photograph.

(iv) Plan drawing to be numbered sheet 4 indicating the existing direction of flow and points of concentration of all existing surface waters of the class I scrap tire recovery facility property and includes the proposed class I scrap tire recovery facility boundary.

(v) Plan drawings to be numbered consecutively 5A, 5B, etc., showing the following using a scale of one inch equals no greater than two hundred feet unless otherwise specified:

(A) The location of on-site scrap tire handling and scrap tire storage areas, including the maximum dimensions of all scrap tire piles, fire break widths, and location of all facility access roads.

(B) Any berms specified in accordance with paragraph (B)(2)(b)(ii) or paragraph (B)(2)(b)(iii) of rule 3745-580-403 of the Administrative Code or berms to control runoff from the facility in



accordance with rule 3745-580-30 of the Administrative Code.

(c) The initial permit to install application and any subsequent revisions shall be submitted in duplicate to the director with a third copy sent to the approved board of health of the health district where the scrap tire recovery facility is or will be located. Any revisions shall be accompanied by an index listing the change and the pages where the change occurred. Upon written request from the Ohio EPA, the applicant shall submit two additional and identically complete copies of the revised permit to install application to the director and a certification statement and signature in accordance with rule 3745-500-50 of the Administrative Code. Ohio EPA may require the applicant to utilize an alternate process for submitting portions of or the entire application.

(3) In addition to the information specified in paragraph (A)(1) of this rule, an application for a class II scrap tire recovery facility registration certificate shall include detailed engineering plans and plan view drawings showing items within the facility boundary and within five hundred feet of the proposed facility boundary. Detailed engineering plans and plan view drawings shall be twenty-four inches by thirty-six inches using a scale of one inch equals no greater than two hundred feet, unless a different size or scale is approved by Ohio EPA. The detailed engineering plans and plan view drawings shall include the following:

(a) The property lines and parcel numbers of land owned or leased for the class II scrap tire recovery facility.

(b) The location and dimensions, including the maximum height of all proposed portable scrap tire containers and scrap tire storage piles.

(c) The location of all proposed scrap tire handling areas.

(d) The location and width of all fire breaks.

(e) The locations and dimensions of all buildings, fencing, gates, or structures, including domiciles.

(f) The location of all access roads.





(g) The direction of flow and points of concentration of all existing surface waters.

(h) Any berms or other structures to control run-off from the class II scrap tire recovery facility in accordance with paragraph (B)(2)(b)(ii) or paragraph (B)(2)(b)(iii) of rule 3745-580-403 of the Administrative Code or berms to control runoff from the class II scrap tire recovery facility in accordance with rule 3745-580-30 of the Administrative Code.

(i) The location of bridges, elevated trestles, elevated roadways, elevated railroads, or electrical power lines having a voltage in excess of seven hundred fifty volts or that supply power to fire emergency systems.

(j) The limits of the regulatory floodplain.

(k) The north arrow.

(B) If the director determines that additional information is necessary to determine whether the criteria set forth in rule 3745-580-403 of the Administrative Code are satisfied, the applicant shall supply such information as a precondition to further consideration of the application.

[Comment: Rule 3745-580-403 of the Administrative Code states that an incomplete application may be a basis for denial of the application.]