



Ohio Administrative Code

Rule 3745-580-410 Operation of a scrap tire recovery facility.

Effective: June 30, 2023

(A) The owner or operator of a scrap tire recovery facility shall comply with the operational criteria specified in this rule until the scrap tire recovery facility is closed and the owner or operator of the scrap tire recovery facility has received written concurrence with the closure certification report in accordance with rule 3745-580-425 of the Administrative Code.

(B) The owner or operator of the scrap tire recovery facility shall operate the scrap tire recovery facility as follows:

(1) Obtain a valid license prior to commencement of operations and annually thereafter in accordance with Chapter 3745-501 of the Administrative Code.

(2) In accordance with the terms and conditions of the current license and current permit to install or registration certificate. Unless otherwise authorized in writing by Ohio EPA, the owner or operator of the scrap tire recovery facility shall make a copy of all authorizing documents for the scrap tire recovery facility including a copy of the license and the permit to install or registration certificate available at the scrap tire recovery facility.

[Comment: Rule 3745-580-20 of the Administrative Code establishes the requirements for the owner or operator of the scrap tire recovery facility to receive the director's approval prior to making changes to a facility including administrative changes, alterations, variances, exemptions, and modifications.]

(3) In accordance with the requirements of Chapters 3704., 3714., 3734., 3745., and 6111. of the Revised Code and the rules adopted thereunder.

(4) In accordance with the record keeping and reporting requirements contained in rule 3745-580-415 of the Administrative Code.



- (5) In a manner that does not result in a nuisance or health hazard.
- (6) Post and maintain signs in legible condition at the entrance to the scrap tire recovery facility and at the scrap tire handling areas that include the telephone numbers for emergency personnel including but not limited to local fire departments, boards of health, and the appropriate Ohio EPA district office.
- (7) Manage the scrap tire recovery facility such that scrap tires are not admitted to any unconstructed portion of the scrap tire recovery facility until all site preparations for that area have been completed, all necessary equipment has been brought to the scrap tire recovery facility, and the scrap tire recovery facility has been inspected by the licensing authority.
- (8) Prior to license issuance, fund a financial assurance instrument pursuant to rule 3745-503-05 of the Administrative Code for an amount not less than the closure cost estimate established in the approved permit to install or registration certificate.
- (9) Maintain financial assurance that is updated in accordance with rule 3745-580-22 of the Administrative Code.
- (10) Accept only scrap tires unless otherwise authorized by the director.
- (11) Confine scrap tire handling and storage to the area specified in the approved permit to install or registration certificate.
- (12) Ensure all scrap tire handling areas are sloped and curbed to prevent off-site migration of runoff generated from the suppression of a fire and residuals from a fire and to direct runoff to collection points.
- (13) Use only a registered scrap tire transporter to haul scrap tires to locations authorized in paragraph (A)(1) of rule 3745-580-110 of the Administrative Code.
- (14) Not later than seven days after receipt, remove any unauthorized waste and dispose of the unauthorized waste at an appropriate licensed facility.



[Comment: An owner or operator of a scrap tire recovery facility may dispose of scrap tires at a solid waste landfill facility if the owner or operator of the scrap tire recovery facility is unable to process the scrap tires due to the construction of the scrap tire, if the scrap tires are contaminated with mud or other materials that render the tires unsuitable for processing, if the scrap tires have been burned, or if the scrap tires consist of pieces that are the byproduct of the processing of scrap tires. Scrap tires that are unable to be processed due to construction of the scrap tire may include but is not limited to aircraft tires and forklift tires.]

(C) Facility access management. The owner or operator of the scrap tire recovery facility shall manage access of the scrap tire recovery facility as follows:

- (1) Limit access to the scrap tire recovery facility by unauthorized personnel except during operating hours when operating personnel are present.
- (2) Secure scrap tires to prevent theft.
- (3) Take all necessary measures to prevent scavenging.
- (4) Maintain access roads within the scrap tire recovery facility boundary in such a manner to allow scrap tire recovery facility operations and access at all times with minimum erosion, ponding of surface water, dust generation, and drag out onto public roads.

(D) Scrap tire storage limits. The owner or operator of the scrap tire recovery facility shall maintain the scrap tire storage area, including any scrap tire storage piles and portable containers containing scrap tires, as follows:

- (1) For a class I scrap tire recovery facility, unless a smaller size limit is established in the facility's permit to install, ensure that the scrap tire storage area does not exceed the following:
 - (a) Twenty thousand square feet for whole, cut, baled, and rough shredded scrap tires.
 - (b) Twenty thousand square feet of TDC and TDF.



(c) Twenty thousand square feet of by-products and residuals from scrap tires, all component parts, partially assembled and fully assembled products made from scrap tires, and other processed scrap tire products other than TDF and TDC, including but not limited to crumb rubber.

(2) For a class II scrap tire recovery facility, unless a smaller size limit is established in the facility's registration certificate, ensure that the scrap tire storage area does not exceed the following:

(a) Ten thousand square feet for whole, cut, baled, and rough shredded scrap tires.

(b) Ten thousand square feet of TDC and TDF.

(c) Ten thousand square feet of by-products and residuals from scrap tires, all component parts, partially assembled and fully assembled products made from scrap tires, and other processed scrap tire products other than TDF and TDC, including but not limited to crumb rubber.

(E) Fire prevention and response.

(1) Storage. The owner or operator of the scrap tire recovery facility shall store whole, cut, baled, rough shredded scrap tires, and processed scrap tire shreds in a manner that ensures the following:

(a) Each scrap tire storage pile is limited to no greater than two thousand five hundred square feet in area, with a maximum length and width of fifty feet.

(b) For processed scrap tires measuring less than four inches in any dimension, each storage pile is limited to dimensions no greater than one of the following:

(i) For a class I scrap tire recovery facility, two hundred fifty feet long and fifty feet wide.

(ii) For a class II scrap tire recovery facility, one hundred and twenty-five feet long and fifty feet wide.

(c) A minimum isolation distance of fifty feet from possible ignition sources is maintained.



(d) The scrap tire handling areas, storage areas, and fire breaks are free of combustible materials and obstructions.

(e) For inside storage, the following:

(i) An aisle width between scrap tire storage piles of at least eight feet.

(ii) A clearance distance of at least eighteen inches from the top of the scrap tire storage piles to sprinkler deflectors.

(iii) A clearance distance of at least three feet from the top of the scrap tire storage piles to roof structures.

(iv) A clearance distance of at least three feet from the top of the scrap tire storage piles to heaters, ducts, and flues, or in accordance with the clearance distances recommended by the equipment manufacturer.

(f) For outside storage, the following:

(i) Scrap tires are not located under the following:

(A) Bridges.

(B) Elevated trestles, roadways, or railroads.

(C) Electrical power lines having a voltage in excess of seven hundred fifty volts or that supply power to fire emergency systems.

(ii) Scrap tire storage piles are no greater than fourteen feet high.

(iii) Fire breaks meet the specifications of rule 3745-580-07 of the Administrative Code.



- (iv) Storage piles may be larger than specified in this rule if approved by the director.

- (g) For portable containers, the following minimum isolation distances from buildings and structures:
 - (i) One hundred feet for buildings and structures not owned or leased by the owner or operator of the scrap tire recovery facility.

 - (ii) Fifteen feet for buildings and structures owned or leased by the owner or operator of the scrap tire recovery facility.

- (2) Access. The owner or operator of the scrap tire recovery facility shall ensure access for emergency vehicles from the entrance of the scrap tire recovery facility to and around the scrap tire handling and storage areas at all times.

- (3) Fire contingency plan. The owner or operator of the scrap tire recovery facility shall prepare and implement a fire contingency plan that conforms to the following:
 - (a) Contains the information specified in rule 3745-580-401 of the Administrative Code, including the location of a working fire extinguisher kept at the scrap tire recovery facility.

 - (b) Is available for inspection by Ohio EPA during normal operating hours.

 - (c) Is updated annually and not later than thirty days if the plan fails in an emergency situation or if there is a change to any information contained in the contingency plan.

- (4) Fire response. If a fire occurs at the scrap tire recovery facility, the owner or operator of the scrap tire recovery facility shall comply with rule 3745-580-30 of the Administrative Code.

- (F) Mosquito control. The owner or operator of the scrap tire recovery facility shall employ the following measures to control the breeding of mosquitoes at the scrap tire recovery facility:
 - (1) For incoming loads of scrap tires, one of the following measures upon arrival:



- (a) Remove any liquids from the scrap tires.

- (b) Treat scrap tires containing water with a pesticide registered with the United States environmental protection agency and Ohio department of agriculture, unless the owner or operator of the scrap tire recovery facility is provided with documentation of proper mosquito control from the scrap tire transporter.

- (2) For scrap tire storage areas, one of the following measures:
 - (a) Ensure at all times that scrap tires are free of water to prevent mosquitoes and mosquito larvae habitat.

 - (b) Apply a pesticide registered with the United States environmental protection agency and Ohio department of agriculture to all scrap tires stored outdoors in accordance with the product label specifications.

- (3) Maintain the scrap tire storage area to prevent the ponding of water.

- (4) Maintain pesticide application records at the scrap tire recovery facility for a period of three years that are available to the director or board of health during normal operating hours and at a minimum include the following:
 - (a) The name of the pesticide and United States environmental protection agency registration number.

 - (b) The date and time of application.

 - (c) The name of the person who applied the pesticide.

 - (d) The amount of pesticide used per tire or another measurable quantity listed on the label.

- (G) Revocation. The director may revoke a permit to install pursuant to rule 3745-500-350 of the Administrative Code and a registration certificate issued under rule 3745-580-403 of the



Administrative Code if the director concludes that any applicable laws have been or are likely to be violated.

(H) Off site operations. An owner or operator of a scrap tire recovery facility authorized to operate mobile scrap tire recovery equipment off site shall operate in accordance with rules 3745-580-504 and 3745-580-510 of the Administrative Code.