



## Ohio Administrative Code

### Rule 3745-580-425 Closure of a scrap tire recovery facility.

Effective: June 30, 2023

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

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

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(4) A scrap tire recovery facility license has been revoked as a final action of the licensing authority.

(5) A scrap tire recovery facility permit to install or registration certificate has been revoked as a final action of the director.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

(2) The owner or operator of a scrap tire recovery 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 recovery facility's license or the date of a final action issued by the director or approved board of health.

(3) The owner or operator of a scrap tire recovery 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 scrap tire recovery facility is located or that is served by the scrap tire recovery 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 recovery facility's closure contact person's name, address, and telephone number and the date in which the scrap tire recovery facility will cease acceptance of scrap tires.

(C) Not later than thirty days after any closure is triggered in accordance with paragraph (A) of this rule, the owner or operator of the scrap tire recovery 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 recovery facility stating that the scrap tire recovery 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 recovery 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 recovery 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 including rough tire shreds, component parts, partially assembled and fully assembled products made from scrap tires, tire derived fuel, tire derived chip and other scrap tire derived products 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 3745-580-415 of the Administrative Code.

(6) Continue mosquito control in accordance with rule 3745-580-410 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 recovery 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 of the scrap tire recovery facility shall not convert the scrap tire recovery 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 recovery facility shall be deemed complete when the owner or operator receives written concurrence with the closure certification from Ohio EPA.