



## Ohio Administrative Code Rule 3745-580-02 Scrap tire - definitions.

Effective: June 30, 2023

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If a term used in this chapter is defined in rule 3745-500-02 of the Administrative Code, the definition in rule 3745-500-02 of the Administrative Code is applicable to this chapter unless the term is defined in this rule. As used in this chapter:

(A) "Administrative change" means an amendment to an authorizing document, information provided in the registration application, and supplemental information on record at the agency that is used to support the issuance of a registration certificate or a license. The amendment is at a minimum equivalent to the rule requirements, and does not constitute an alteration or modification. An administrative change is not an action.

(B) "Beneficial use" means to use a scrap tire in accordance with rule 3745-580-801 or 3745-580-802 of the Administrative Code. Beneficial use does not apply to products manufactured from scrap tires and sold to a customer, including tire derived fuel and tire derived chips used in accordance with applicable rules and laws.

(C) "Crumb rubber" means a product derived from processing scrap tires down to particle dimensions less than 0.5 inches and where removal of ninety-nine per cent or more of the steel and fabric from the scrap tires has occurred.

(D) "Daily design input capacity " or "DDIC" means the maximum weight of scrap tires that can be accepted at a scrap tire recovery facility per day and the maximum weight of scrap tires that can be processed by a mobile scrap tire recovery facility per day.

(E) [Reserved.]

(F)

(1) "Final slope" means the slope of a landfill when it has reached final grade and includes but is not



limited to the composite cap system, the waste, the composite liner system, and the subsurface.

(2) "Fire break" means the area around individual scrap tire storage piles that is maintained free of combustible material.

(3) "For-hire motor carrier" means a person engaged in the transportation of goods or passengers for compensation and regulated under 49 C.F.R. Part 383 and Part 390.

(G) [Reserved.]

(H) [Reserved.]

(I)

(1) "Industrial landfill facility" or "industrial landfill" is a solid waste landfill where one or any combination of industrial or manufacturing waste as defined in rule 3745-30-01 of the Administrative Code are exclusively disposed. Nontoxic fly ash, nontoxic bottom ash, and nontoxic spent foundry sand may also be disposed at an industrial landfill facility.

(2) "Interim slope" means the slope of a landfill as a result of daily filling or when a phase, cell, or unit has reached its limits and includes but is not limited to daily cover, intermediate cover, transitional cover, waste, the composite liner system, and the subsurface.

(3) "Internal slope" means the slope as excavated or constructed and includes but is not limited to the leachate collection layer, protective material, select waste, composite liner system and the subsurface.

(J) [Reserved.]

(K) [Reserved.]

(L) "Limits of waste placement" means the horizontal and vertical boundaries of a solid waste landfill within which the owner or operator has been authorized to dispose of solid waste.



(M)

(1) "Maximum horizontal acceleration in lithified earth material" means the maximum expected horizontal acceleration depicted on a seismic hazard map, with a ninety per cent or greater probability that the acceleration will not be exceeded in two hundred fifty years, or the maximum expected horizontal acceleration based on a site-specific seismic risk assessment.

(2) "Modification" means the following:

(a) For a scrap tire collection or storage facility, any change in the location of or expansion of the scrap tire handling area, scrap tire storage area, or scrap tire processing area specified in the facility's authorizing documents.

(b) For a scrap tire recovery facility, the following:

(i) An increase in the amount of scrap tires accepted at the scrap tire recovery facility only when it triggers an increase in the scrap tire recovery facility's DDIC from a class II scrap tire recovery facility to a class I scrap tire recovery facility.

(ii) Any change in the location of or expansion of the scrap tire handling area, scrap tire storage area, or scrap tire processing area specified in the facility's authorizing documents.

(c) For a scrap tire monocell or monofill facility, the following:

(i) A substantial horizontal or vertical expansion in the limits of waste placement, including but not limited to those modifications specified in division (A)(2)(d) of section 3734.05 of the Revised Code.

[Comment: A reduction to the limits of waste placement or total capacity by itself is generally not considered to be a modification, unless the reduction also results in other substantial changes to the facility such that paragraph (M)(2)(b)(iii) of this rule is applicable.]



(ii) Any change which may endanger human health or the environment, including but not limited to a change to operation, technique of waste received, type of waste received, or design or construction of the facility, as determined by the director.

(3) "Monocell" means a discrete volume for solid waste, which is provided isolation from other solid wastes, where a segregated waste stream is exclusively disposed within the limits of waste placement of a solid waste landfill.

(4) "Monofill" means a specialized solid waste landfill where a single segregated waste stream is exclusively disposed.

(N) "New tire" means a tire that has never been installed on a vehicle or trailer, or any tire that is part of a new vehicle or trailer when the motor vehicle or trailer is manufactured or initially received in Ohio. New tire does not include any used or retreaded tire.

(O) [Reserved.]

(P)

(1) "Passenger tire equivalent" or "PTE" means a unit of measurement for converting various scrap tire sizes and processed scrap tires into a standard weight for estimating numbers or volumes of scrap tires. Twenty-five pounds of whole or processed scrap tires equals one passenger tire equivalent. The passenger tire equivalent is based on the weight for an average size passenger and light truck tire.

(2) "Permittee" means a person to whom a permit to install has been issued.

(3) "Phase" means a discrete area of a scrap tire monofill facility, which has been designated to facilitate the systematic construction, operation, and closure of the scrap tire monofill facility.

(4) "Possess," "possessing," or "possession" of scrap tires means the generation, storage, ownership, management, or physical control of scrap tires.

(5) "Processed tire" or "processed scrap tire" means a scrap tire that has been altered through a



mechanical, chemical, thermal, or controlled combustion process so that the resulting material is a marketable product or is suitable for storage or disposal in a scrap tire monocell or monofill facility. Processed tire includes but is not limited to cut, split, and shredded tires. Baled tires are only considered processed tires for the purpose of disposal at a scrap tire monocell or monofill facility. For the purposes of disposal, processed tires are classified in accordance with the following:

- (a) Processed tires that are readily identifiable as scrap tires or pieces of scrap tires by visual inspection are considered scrap tires.
- (b) Processed tires that are not readily identifiable as scrap tires or pieces of scrap tires by visual inspection when disposed are considered solid waste rather than scrap tires, including but not limited to crumb rubber.
- (c) Items manufactured from processed tires and scrap tire material that is a by-product of a manufacturing process when disposed is considered solid waste.

(Q) [Reserved.]

(R)

(1) "Regulatory floodplain" means an area covered by a one hundred year flood as depicted on a flood insurance rate map published by the federal emergency management agency.

(2) "Rough tire shreds" or "rough shredded scrap tires" means tire shreds or cut tire pieces that have any dimension equal to or greater than four inches.

(S)

(1) "Scrap tire" is a type of solid waste and means any unwanted or discarded tire, regardless of size, that has been removed from its original use. Scrap tire includes all whole scrap tires and pieces of scrap tires that are readily identifiable as parts of scrap tires by visual inspection. For purposes of this definition, "unwanted" means the original scrap tire generator, original owner, or manufacturer of the tire no longer wants to use, or is unable to use, the tire for its original purpose. Scrap tire does not



include the following:

(a) A tire after it has been retreaded or regrooved for resale or reuse, unless it has been declared defective or has been returned to the seller or manufacturer for warranty adjustment.

(b) A tire that is mounted and installed on a vehicle or trailer, or carried on the vehicle or trailer as the spare tire. Trucks with more than four wheels or with different size wheels or tires may carry more than one spare tire.

For purposes of this definition, "installed" means placing the mounted wheel and tire assembly at any of the positions on a vehicle or trailer where a wheel and tire assembly was initially placed on the vehicle or trailer during manufacture, and includes the position normally used for a spare tire or tires.

For purposes of this definition, "mounted" means placing a tire on a wheel rim so that it can be installed on a vehicle. A mounted tire may be a scrap tire unless it is also installed.

(c) Tires from non-motorized vehicles such as bicycles, or tires from small equipment such as lawn mowers or wheelbarrows.

[Comment: Tires from non-motorized vehicles may be recycled, disposed of as scrap tires, or may be disposed of as solid waste.]

(d) At a retreading business, a retreadable casing that has been inspected and individually labeled or marked as suitable for retreading and is stored in an enclosed building or in a manner otherwise authorized by the director.

(e) Tire derived fuel (TDF), tire derived chips or tire chips (TDC) after the TDF or TDC has been transported from the scrap tire recovery facility for use as a fuel or for beneficial use in accordance with rule 3745-580-801 or 3745-580-802 of the Administrative Code.

(f) Non-pneumatic, hard, pressed tires, such as forklift tires.



[Comment: Non-pneumatic, hard, pressed tires may be recycled, disposed of as scrap tires, or may be disposed of as solid waste.]

(2) "Scrap tire collection facility" means a type of facility for scrap tire storage that meets all of the following:

(a) The facility is used for the receipt and storage of whole scrap tires from the public prior to the transportation of the scrap tires to one of the locations listed in rule 3745-580-110 of the Administrative Code.

(b) The facility exclusively stores scrap tires in portable containers.

(c) The aggregate storage volume of the portable containers in which the scrap tires are stored does not exceed five thousand cubic feet.

[Comment: If the facility does not meet the above definition for a scrap tire collection facility, then the facility may be a scrap tire storage facility. If the facility includes any equipment for processing, such as cutting or shredding equipment, the scrap tires to produce a usable product, then the facility is a scrap tire recovery facility.]

(3) "Scrap tire generator" means the original scrap tire owner and any business that removes tires from vehicles or accepts scrap tires in the normal course of business such as tire retail dealers, retreaders, and automotive repair shops.

(4) "Scrap tire handling area" means an area of a scrap tire facility where scrap tires are stored, loaded, unloaded, sorted, baled, shredded, prepared for processing, or processed, and includes that portion of a scrap tire transporter's business location where scrap tires are unloaded, sorted, and loaded. A scrap tire handling area does not include vehicle storage or staging areas or buildings not used for processing or storage of scrap tires.

(5) "Scrap tire monocell facility " means a permitted cell within a solid waste landfill or industrial landfill facility dedicated exclusively to the environmentally sound storage or disposal of scrap tires that have been shredded, chipped, or otherwise mechanically processed. Scrap tire monocell includes



facilities that are established and operated within the limits of waste placement of either of the following facilities as previously delineated in the applicable authorizing documents or as proposed in an application for permit to install a new facility or to expand an existing facility:

- (a) A solid waste landfill subject to Chapter 3745-27 of the Administrative Code.
  - (b) An industrial landfill facility subject to Chapter 3745-30 of the Administrative Code provided the scrap tires to be received at the facility meet the definition of "industrial or manufacturing wastes" as defined in rule 3745-30-01 of the Administrative Code.
  - (6) "Scrap tire monofill facility" means a permitted landfill dedicated exclusively to the environmentally sound storage or disposal of scrap tires that have been shredded, chipped, or otherwise mechanically processed.
  - (7) "Scrap tire storage area" means the authorized area of a premises including but not limited to a scrap tire collection, storage, or recovery facility where whole or processed scrap tires are stored.
  - (8) "Scrap tire storage facility" means a registered or permitted facility where scrap tires are stored prior to transport to an authorized location listed in paragraph (A) of rule 3745-580-110 of the Administrative Code and includes the following:
    - (a) A "class I scrap tire storage facility" means a scrap tire storage facility that has a permitted capacity of greater than ten thousand square feet and limited to three acres of scrap tire storage.
    - (b) A "class II scrap tire storage facility" means a scrap tire storage facility that has a registered capacity of not greater than ten thousand square feet of scrap tire storage.
- [Comment: Division (C) of section 3734.71 of the Revised Code specifies that the owner or operator of a class I scrap tire storage facility also be the owner or operator of a licensed scrap tire monocell, monofill, or recovery facility in Ohio, or a solid waste or scrap tire monocell, monofill, or recovery facility located in another state and operating in compliance with the laws of that state.]
- (9) "Scrap tire storage pile" means an area where scrap tires are stored either indoors or outdoors on





the floor, on the ground, or in racks, and are separated from other piles by fire breaks.

(10) "Scrap tire submergence facility" means a type of scrap tire monofill facility where only whole scrap tires are submerged in water in an engineered structure.

(11) "Scrap tire transporter" or "transporter" means the registrant for a scrap tire transportation business or anyone in the registrant's employ who signs the scrap tire shipping papers or operates the registrant's scrap tire transportation vehicles.

(12) "Scrap tire shipping paper," or "shipping paper" is a form included with all scrap tire shipments and is completed by each generator, transporter, and recipient of the scrap tires.

(T)

(1) "Tire" for purposes of fee collection has the same meaning as in section 3734.90 of the Revised Code. "Tire" and "scrap tire" as used in this chapter means motor vehicle tires and includes all pneumatic tires.

[Comment: The definition of "tire" found in section 3734.90 of the Revised Code applies only to the collection of the state fee on the sale of new tires by a wholesaler.]

(2) "Tire adjustment center" means a premises to which defective new tires and tires returned for warranty adjustment are shipped for analysis of failure and final disposition.

(3) "Tire-derived cylinder" means a tire that has one or both of its sidewalls removed and is used to confine aggregate in an application that provides base and subbase strength to roads and other surfaces that are overlaid with concrete, asphalt, or gravel.

(4) "Tire manufacturing finishing center" means a premises where tires are manufactured, inspected, and processed to either finished stock or scrap.

(5) "Tire retreading business" means premises where scrap tires are recycled by processing the scrap tire and attaching a new tread to the used tire casing.



(6) "Tire sidewall" means the flat circular part of a tire left after the tread has been cut away. Tire sidewall does not include a bagel cut tire or any cut tire where a portion of the tread remains attached to the sidewall.

(U) "Used tire" means a whole scrap tire that may have value in a secondary tire market. A used tire remains a scrap tire until it has been reused by being installed on a vehicle or trailer.

(V) "Vertical expansion" means the extension of the vertical boundary of waste placement that occurs prior to beginning closure activities in accordance with rule 3745-27-11 of the Administrative Code. A vertical expansion is a modification. A vertical expansion is not a unit.