



Ohio Administrative Code

Rule 3745-580-31 Remediation procedures for scrap tire fires.

Effective: June 30, 2023

(A) Applicability.

(1) This rule is applicable to the responsible individual of any property where a fire involving more than one hundred scrap tires has occurred regardless of whether the responsible individual is excluded from compliance with the registration, permitting, or licensing requirements for scrap tire facilities specified in this chapter. For the purposes of this rule, "responsible individual" means the owner, operator, registrant, permittee, licensee, or other person who conducted or allowed the accumulation or burning of scrap tires.

(2) Compliance with this rule does not prevent the director from seeking legal or equitable relief to enforce the terms of this rule or from taking other administrative, legal or equitable action as deemed appropriate and necessary, including penalties for noncompliance.

(3) This rule is not applicable to the controlled combustion of tires or tire material by the owner or operator of a facility authorized in rule or by the director in writing to use tires or tire material as fuel.

(B) General requirements. Unless otherwise specified in an order issued by the director, the approved board of health, or a court of law, the responsible individual shall remediate areas of contamination resulting from the burning of scrap tires in accordance with paragraphs (C) and (D) of this rule, as applicable.

(C) Remediation of scrap tire fire sites. The responsible individual shall remediate the property as follows:

(1) Not later than seven days after the occurrence of a fire at the property, submit written notification to Ohio EPA and the board of health that includes the following:



- (a) The name, email address, and telephone number of the responsible individual.
 - (b) The address or location of the scrap tire fire.
 - (c) The date and duration of the fire, if known.
 - (d) The quantity of tires involved, to the extent known.
- (2) Manage and remove all fire residuals on the property in accordance with applicable state and federal rules and laws and remove and dispose of all whole scrap tires with melted or charred surfaces and partially burned scrap tires at a solid waste landfill not later than sixty days after the start of the fire unless one of the following occurs:
- (a) The responsible individual submits a request for an extension in writing and the request is approved by Ohio EPA.
 - (b) An alternative timeframe is specified by the director, board of health, or court of law.
- (D) Corrective measures.
- (1) The responsible individual shall initiate corrective measures in accordance with paragraph (D)(2) of this rule if the surface soils indicate the presence of any of the following:
- (a) Discoloration and staining.
 - (b) A petroleum sheen.
 - (c) Pyrolytic oil.
- (2) Not later than sixty days after discovery of an indicator identified in paragraph (D)(1) of this rule, the responsible individual shall complete the following corrective measures for each impacted area:
- (a) Laterally and vertically excavate the soil in one foot increments until surface soils no longer



demonstrate the presence of any of the indicators specified in paragraph (D)(1) of this rule.

(b) After completion of the excavations specified in paragraph (D)(2)(a) of this rule, remove an additional six inches of soil.

(c) Remove and properly dispose of contaminated soils at a solid waste landfill, unless an alternative method of disposal is authorized in writing by the director.

(3) The responsible individual may mitigate the contaminated areas using in-situ technology such as soil vapor excavation or an equivalent form of remediation in lieu of soil excavation upon written approval by the director.

(4) The responsible individual shall submit documentation of remedial work performed and disposal receipts to the director not later than fourteen days after completion of the corrective measures contained in paragraphs (D)(1) to (D)(3) of this rule.

(E) The director or approved board of health, upon proper identification, may enter the site where the scrap tire fire occurred at any time for the purpose of determining compliance with this rule.

(F) In addition to the corrective measures contained in paragraph (C) and (D) of this rule, the director, approved board of health, or a court of law may require a responsible individual to conduct additional remediation activities, sampling activities in accordance with rule 3745-580-08 of the Administrative Code, or ground water monitoring activities to protect human health, safety, and the environment.