



## Ohio Administrative Code

### Rule 3745-580-802 Application for use of scrap tires in a beneficial use project.

Effective: June 30, 2023

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(A) Any person proposing to beneficially use scrap tires in a manner that is not preauthorized in accordance with rule 3745-580-801 of the Administrative Code shall obtain approval from the director for the beneficial use prior to the start of the beneficial use project by submitting an application to Ohio EPA on forms prescribed by the director that contain sufficient detail to allow clear understanding for technical review of the application and to provide assurance that the beneficial use project is designed and can be constructed and operated in accordance with rule 3745-580-810 of the Administrative Code. At a minimum, the application shall contain the following:

- (1) The name, address, email address, and telephone number of the applicant.
- (2) The address and parcel numbers of the proposed beneficial use site and any temporary storage sites.
- (3) The name, address, email address, and telephone number of all owners of the property identified in paragraph (A)(2) of this rule.
- (4) A narrative that includes the following:
  - (a) Estimates of the maximum amount of scrap tires, either number or quantity in weight or volume, proposed for beneficial use and the maximum amount of tires to be temporarily stored prior to beneficial use. If construction of the project will take longer than thirty days, the person proposing to beneficially use scrap tires shall ensure temporary storage does not exceed the amount of scrap tires planned to be used in a thirty-day period.
  - (b) A detailed description of how the scrap tires will be used and the engineering and financial benefits of using scrap tires in lieu of standard materials.
  - (c) A detailed schedule for completion of the beneficial use project, including the start date and end



date.

(d) A description of the mosquito control measures to be used during storage and beneficial use of the scrap tires.

(5) Plan view drawings and detailed engineering plans with a scale of one inch equals no greater than one hundred feet showing the following items within the boundary of the proposed beneficial use site and within five hundred feet of the property boundary:

(a) The property lines and parcel numbers of the proposed beneficial use site.

(b) The location and limits of the beneficial use site and any scrap tire storage areas, portable scrap tire storage containers, and scrap tire storage piles including the maximum height of all scrap tire storage piles.

(c) The location of all fire breaks and access roads.

(d) The location of all buildings and structures.

(e) The location of the regulatory floodplain.

(f) The location and boundaries of all natural areas as listed in paragraphs (B)(7)(c) and (B)(7)(d) of rule 3745-580-803 of the Administrative Code.

(g) Existing topography showing streams, wetlands, lakes, springs, and other surface waters of the state, with a contour interval no greater than five feet.

(h) The north arrow.

(6) A letter of consent from the property owner where the beneficial use is proposed, if the property owner is not the applicant, that includes the following statement, "I understand that, as the owner of the property on which this beneficial use of scrap tires will be placed, I am responsible for the removal of the scrap tires in the event the project fails to comply with the approved project plan and



the beneficial use applicant fails to correct the problem or remove the scrap tires."

(7) For a beneficial use proposed to be more than one hundred scrap tires in contact with surface water of the state, correspondence with the Ohio department of natural resources and the U.S. army corps of engineers consenting to the proposed beneficial use.

(8) If the scrap tires are proposed to be used for structural fill, construction plans for the structural fill, including a stability analysis when necessary, prepared, signed, and sealed by a professional engineer registered in the state of Ohio.

(B) The person proposing to beneficially use scrap tires shall also send a copy of scrap tire beneficial use project application to the board of health where the project will be located via certified mail or any other form of mail accompanied by a receipt.

(C) If the director determines that additional information is necessary to determine whether the criteria set forth in rule 3745-580-803 of the Administrative Code are satisfied, the applicant shall supply such information as a precondition to further consideration of the application.

[Comment: Rule 3745-580-803 of the Administrative Code states that an incomplete application may be a basis for denial of a scrap tire beneficial use project plan.]