



Ohio Administrative Code Rule 3745-580-810 Beneficial use of scrap tires.

Effective: June 30, 2023

(A) A person beneficially using scrap tires preauthorized by rule 3745-580-801 of the Administrative Code or through a scrap tire beneficial use project approved pursuant to rule 3745-580-803 of the Administrative Code shall comply with the requirements of this rule.

(B) Storage. Unless otherwise authorized by the director, any person storing scrap tires prior to final placement or construction for a beneficial use project shall be deemed a nuisance, a hazard to public health or safety, or a fire hazard unless the storage meets the following:

(1) For fire prevention, scrap tires are stored in the following manner:

(a) Individual scrap tire storage piles do not exceed two thousand five hundred square feet in area.

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

(c) Scrap tire handling areas, storage areas, and fire breaks are free of combustible materials and obstructions.

(d) For inside storage, scrap tires are stored in a manner that ensures the following:

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

(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.

(e) For outside storage, in a manner that ensures 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 eight feet high.

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

(f) For portable containers, scrap tires are stored in a manner that ensures the following minimum isolation distances from buildings and structures:

(i) One hundred feet from buildings and structures not owned or leased by the property owner or the applicant.

(ii) Fifteen feet from buildings and structures owned or leased by the property owner or the applicant.

(2) Amount and duration of storage. The amount of scrap tires stored and duration of scrap tire storage for a scrap tire beneficial use project meets the following criteria:

(a) Unless a limit is specified in rule 3745-580-801 of the Administrative Code or through an authorization from the director, any amount of scrap tires can be stored at the beneficial use site for less than thirty days prior to final placement in the beneficial use project.



(b) For beneficial use projects that may take thirty or more days to construct, the temporary storage of scrap tires does not exceed one thousand five hundred whole scrap tires, the equivalent amount of scrap tire shreds, or the amount of scrap tires planned to be used in a thirty day period, whichever is less.

(3) Is conducted in a manner where legitimate products generated at a scrap tire recovery facility are not speculatively accumulated or open dumped.

(C) Transport.

(1) A person authorized to beneficially use scrap tires shall use a scrap tire transporter registered in accordance with this chapter to transport all scrap tires unless the person has obtained written approval from Ohio EPA.

(2) If at any time the use of whole scrap tires, scrap tire pieces, or scrap tire shreds changes in such a way such that it no longer constitutes a beneficial use in accordance with this chapter, all whole scrap tires, scrap tire pieces, or scrap tire shreds shall be removed from the premises not later than thirty days after the change in use and transported using a registered scrap tire transporter unless the person has received approval from Ohio EPA in accordance with paragraph (C)(1) of this rule.

(D) Mosquito control.

(1) A person authorized to beneficially use scrap tires shall maintain the scrap tires as follows to control the breeding of mosquitoes:

(a) Remove any liquids from the scrap tires or treat the scrap tires containing water with a pesticide registered with the United States environmental protection agency and Ohio department of agriculture in accordance with the product label specifications.

(b) Such that the scrap tire storage area is free of water to prevent mosquitoes and mosquito larvae habitat.



(2) A person who beneficially uses scrap tire sidewalls instead of whole scrap tires or cut scrap tires is subject to the specifications of paragraph (D)(1) of this rule unless it is demonstrated to the satisfaction of Ohio EPA that the tire sidewalls provide adequate mosquito control.

(E) Additional operational criteria for scrap tire beneficial use projects approved pursuant to rule 3745-580-803 of the Administrative Code. Upon approval of a project, the applicant shall do the following:

(1) Comply with the approved project.

(2) Enter the assigned beneficial use project number on all shipping papers used to comply with rule 3745-580-06 of the Administrative Code.

(3) Not later than sixty days after completion of the project, submit a report to Ohio EPA that includes the following:

(a) Drawings showing the final construction of the approved beneficial use.

(b) The total quantity in number, weight in tons, or volume in cubic feet of scrap tires used in the beneficial use project.

(c) Unless the applicant is a scrap tire transporter registered in accordance with rule 3745-580-101 of the Administrative Code, the following:

(i) The total quantity in number, weight in tons, or volume in cubic feet of scrap tires received from each scrap tire transporter.

(ii) An estimate of the percentage of passenger and light truck scrap tires, semi-truck scrap tires, and other tires beneficially used.

(F) The director may revoke a beneficial use approval at any time if the director determines that any applicable rules or laws have been or are likely to be violated. Not later than thirty days after revocation of a scrap tire beneficial use approval, the applicant shall remove and properly recycle or



dispose of all scrap tires, scrap tire pieces, and scrap tire shreds.