



Class I and Class II Scrap Tire Recovery Facilities

Purpose

This educational guideline addresses owner and operator responsibilities when establishing and operating a Class I or Class II scrap tire recovery facility in Ohio and is intended to guide readers through some of the major requirements of the scrap tire rules. However, it is only a guide and the appropriate sections of the Ohio Administrative Code should be read in their entirety.

What is a scrap tire recovery facility?

A scrap tire recovery facility is defined in rule 3745-500-02 of the Ohio Administrative Code as any facility used for processing scrap tires for the purpose of extracting or producing useable products, materials, or energy from the scrap tires.

What are the different types of scrap tire recovery facilities?

Scrap tire recovery facilities are designated as a Class I, Class II, or a mobile scrap tire recovery facility (see Guidance Document #641 – Mobile Scrap Tire Recovery Facilities). Both Class I and Class II scrap tire recovery facilities have one permanent operating location in Ohio for scrap tire processing.

Whether a facility is designated as a Class I or a Class II scrap tire recovery facility depends on each facility's daily design input capacity (DDIC). A facility's DDIC is the maximum weight of scrap tires that can be accepted at a scrap tire recovery facility per day. Class II scrap tire recovery facilities are the smaller and most common type of the two classes. Class II scrap tire recovery facilities can accept 199 tons of scrap tires or less per day. Class I scrap tire recovery facilities accept 200 tons or more per day.

How do I establish a scrap tire recovery facility?

A Class II scrap tire recovery facility must obtain a registration certificate (registration) from Ohio EPA and an annual operating license from the local approved health department, or Ohio EPA if the health department is unapproved. A registration application is submitted in Ohio EPA's online business service, eBusiness Center (eBiz). To learn more about this service, please go to the eServices website for Ohio EPA's *Division of Materials and Waste Management, DMWM eServices | Ohio Environmental Protection Agency* and <https://epa.ohio.gov/divisions-and-offices/materials-and-waste-management/about-dmwm/dmwm-eservices>.

Class I scrap tire recovery facilities must obtain a permit to install (permit) and an annual operating license from the local approved health department, or Ohio EPA if the health department is unapproved. The permit application for a Class I scrap tire recovery facility is submitted to the appropriate Ohio EPA district office where the permanent facility is to be located. Information about the application can be found at the Permit-to-Install Application Forms tab on the Forms webpage, [Forms | Ohio Environmental Protection Agency](#). Class I scrap tire recovery facility applicants must also submit a disclosure statement to the Ohio Attorney General's Office (at the same time the permit is submitted to Ohio EPA) to initiate a background check on key company employees.

For both a registration or a permit, a license application is submitted in Ohio EPA's online business service, eBusiness Center (eBiz).

Class II scrap tire recovery facilities pay a one-time \$100 registration fee. Class I scrap tire recovery facilities pay a one-time \$1,000 permit fee (which includes a non-refundable application fee of \$400). Once a registration (or permit) is issued, each applicant is billed for the remaining balance due.

Class I and Class II Scrap Tire Recovery Facilities

The annual solid waste license fee is based on the facility’s authorized daily design input capacity (DDIC). Fees can range from \$100 to \$5,500 annually (which includes the non-refundable application fee of \$100). Once annual licenses are issued, companies are then billed for the remaining balance due. **Each year** an application for a new annual license must be submitted by September 30.

How much financial assurance is required?

Financial assurance is provided by applicants to guarantee that funds will be available to properly close their facility by removing and delivering all scrap tires and processed scrap tire material left at the permanent scrap tire recovery facility and, if applicable, at all remote sites where the company is still responsible.

The amount of financial assurance funds required for permanent scrap tire recovery facilities is based on the maximum number of scrap tires, scrap tire products and scrap tire byproducts and scrap tire residuals proposed to be stored at the facility at any time. Financial assurance is required at a rate of \$1 per passenger tire equivalent, (PTE = 25 pounds of rubber) for all whole, cut, baled and rough shred scrap tires. The amount of financial assurance for processed tires, assembled products made from scrap tires, scrap tire by-products, and scrap tire residuals must at least equal the cost to transport and dispose of the material at a scrap tire monofill or monocell or solid waste facility, as appropriate.

In order to obtain authorization to process scrap tires at remote sites, companies also must provide \$50,000 worth of financial assurance to cover all remote sites where they may operate. See also guidance document #644 – Scrap Tire Facility Financial Assurance.

Do I need to obtain other environmental permits?

All new registration or permit applicants are required to contact Ohio EPA’s Division of Air Pollution Control and Division of Surface Water to request a determination of whether additional permits are also required before initiating operations.

Depending on the specific location of each proposed scrap tire recovery facility, local zoning and/or building codes may also apply. Contact local authorities to determine if other limitations apply or if other local permits are required.

How many scrap tires can be stored at a scrap tire recovery facility?

Maximum Amount of Storage Allowed

	Class I	Class II
whole, cut, or baled scrap tires including rough shreds	20,000 sf	10,000 sf
tire derived chips (TDC) and/or tire derived fuel (TDF)	20,000 sf	10,000 sf
Scrap tire by-products and residuals from scrap tires, all component parts, assembled products made from scrap tires, and other processed scrap tire products other than TDF and TDC	20,000 sf	10,000 sf

The director may authorize larger or smaller storage amounts in the facility’s permit or registration.

The scrap tire recovery facility owner or operator may choose to reduce the amount of scrap tires stored at the facility to reduce the amount of financial assurance required. The owner or operator can also request that the director approve additional storage amounts.

Class I and Class II Scrap Tire Recovery Facilities

How must tires be stored to comply with the rules?

The specific operational requirements for all scrap tire recovery facilities are explained in Ohio Administrative Code Rule 3745-580-410. In general, however, all whole scrap tires and any processed scrap tires that do not meet the definition of TDF or TDC must be stored in piles that do not exceed 2,500 square feet. Fire lanes, fire breaks or separation distances are required to be maintained between all individual scrap tire piles and other structures as required in Ohio Administrative Code Rules 3745-580-07 and 3745-580-410(E). If tires are stored outside of buildings and enclosed containers, they must either be kept free of water (e.g. covered with a waterproof tarp) or treated regularly with an approved pesticide to control mosquitoes.

Processed scrap tires that meet the definition of TDF or TDC may be stored in windrows that exceed 2,500 square feet. These windrows must be stored in accordance with Ohio Administrative Code Rule 3745-580-410(F) (1)(b).

The effective scrap tire storage area includes the total area of all storage piles measured at the base of each pile and does not include the area used for empty fire lanes and fire breaks. About one acre is needed to properly store and separate tires in four piles that are each 2,500 square feet in area and 14 feet high.

Can a licensed scrap tire recovery facility process tires at other locations?

Yes. If properly authorized, licensed Class I or Class II scrap tire recovery facilities may process scrap tires at remote locations, such as cleanup locations, without a separate mobile scrap tire recovery facility registration and license. Operation of portable equipment must be properly authorized in the scrap tire recovery facility's registration or permit to install. In those instances, authorized portable processing equipment operates in accordance with Ohio Administrative Code Rules 3745-580-504 through 3745-580-510 at sites for up to 30 days at each location.

Prior to mobilizing to remote locations, currently licensed Class II or Class I scrap tire recovery facilities must modify their registration or permit and the required additional amount of financial assurance must be submitted to and accepted by Ohio EPA. (See the financial assurance guidance document for related information.)

Do state and local fire codes apply to scrap tire recovery facilities?

Yes. The general fire code Ohio Administrative Code 1301:7-7-03, **General requirements**, applies to the storage of combustible materials such as scrap tires. In addition, Ohio Administrative Code 1301:7-7-34, **Tire rebuilding and tire storage**, applies to the storage of tires.

Do scrap tire recovery facilities have to keep records?

Yes. According to Ohio Administrative Code Rule 3745-580-06, recovery facilities must complete a shipping paper with the registered scrap tire transporter each time scrap tires are delivered to or picked up from the facility.

Under OAC Rule 3745-580-415, recovery facilities are required to maintain a daily log to track each incoming or outgoing shipment as well as other specified activities. A summary of these daily logs is submitted to Ohio EPA in an annual report.

When pesticides are applied for mosquito control, records must be maintained in compliance with OAC Rule 3745-580-410(F)(4).

Shipping papers, daily logs and pesticide applications must be retained on file for at least three years and are not required to be sent to Ohio EPA or to the local health department, but must be available for inspection.

What are the penalties for failing to comply with the scrap tire laws and regulations?

The penalties for violating this or any section of the Ohio Revised Code relative to the handling or storage of scrap tires are listed in section 3734.99 of the Ohio Revised Code. A violation is a felony with a fine of at least \$10,000 but not more than \$25,000, or imprisonment for at least two years, but not more than four years, or both.

Class I and Class II Scrap Tire Recovery Facilities

What are the closure requirements?

Closure occurs when a licensed facility ceases operations. The owners and operators must comply with the requirements of Ohio Administrative Code Rule 3745-580-425 and obtain the written concurrence of the licensing authority before closure is complete. At a scrap tire recovery facility, closure involves the removal of all scrap tire products and all scrap tire by products as well as all whole scrap tires. Once closure is complete, the owner or operator can request that the Director of Ohio EPA release the facility's financial assurance. Closure must also occur before the site can be used for any other purpose.

References

- Ohio Revised Code 3734
- Ohio Administrative Code Rules 3745-580-400 through 3745-580-425

Contact

For more information, contact the Central Office Scrap Tire Unit at 614-644-2621.