

3745-27-60

General storage and handling of scrap tires.

(A) **Applicability.** Scrap tires, specifically including but not limited to used tires and retreadable casings, shall be stored and handled as specified in this rule at all sites containing more than one hundred scrap tires unless one of the following applies:

- (1) If that premises is a licensed solid waste facility, then rule 3745-27-65 of the Administrative Code applies rather than this rule.
- (2) If the premises is solely operated as the business location of a scrap tire transporter, then rule 3745-27-56 of the Administrative Code applies rather than this rule. If the scrap tire transporter operates a tire retail or retreading business at the same location, rule 3745-27-60 of the Administrative Code would only apply if the scrap tire transporter did not include that portion of the property in their scrap tire transporter registration.
- (3) If the premises has one hundred or fewer scrap tires, this rule shall only apply if the tires are stored in such a manner that, in the judgment of the director or the board of health of the health district in which the scrap tires are stored, the storage causes a nuisance, a hazard to public health or safety, or a fire hazard.

[Comment: The scrap tire rules provide Ohio EPA's minimum standards to prevent and reduce fire hazards associated with scrap tire storage and handling. State and local fire codes may be more restrictive and impose additional requirements that need to be followed.]

(B) The storage of scrap tires in any amount outside or inside a trailer, vehicle, or building is deemed a nuisance, a hazard to public health or safety, or fire hazard unless the scrap tires are stored in accordance with the following standards:

- (1) Sufficient drainage shall be maintained such that water does not collect in the area where scrap tires are stored.
- (2) Scrap tire storage piles shall be separated from possible ignition sources including but not limited to open flame, welding equipment, cutting equipment, and heating devices by at least fifty feet.
- (3) Where a single portable container, truck, or semi-trailer is used to store scrap tires, the portable scrap tire container, truck, or semi-trailer shall be located as determined by the business owner and the local fire official.
- (4) Where multiple portable containers, trucks, or semi-trailers are used to store scrap tires, the portable scrap tire containers, trucks, or semi-trailers shall be separated from the following:

- (a) Buildings and structures that are owned or leased by the person storing the scrap tires by at least fifteen feet.
- (b) Other buildings or structures not owned or leased by the person storing the scrap tires by at least:
 - (i) Fifty-six feet of separation if semi-trailers or other portable containers that have a volume of more than fifty-one cubic yards are used for scrap tire storage. Semi-trailers shall have enclosed sides, top, and doors such that the semi-trailer is capable of keeping the contents dry. Up to a maximum of ten semi-trailers or portable containers may be located adjacent to each other and the fifty-six feet of separation shall apply to all sides of the group of semi-trailers or portable containers. All semi-trailers and portable containers shall be positioned such that any semi-trailer or portable container can be moved without moving any other semi-trailer, or container.
 - (ii) Twenty-five feet of separation if roll-off containers or box vans are used as portable containers for scrap tire storage. The roll-off containers and box vans shall each contain five hundred or less scrap tires or shall have a volume of fifty-one cubic yards or less and shall be capable of keeping the contents dry. Up to a maximum of ten portable containers may be located adjacent to each other and the twenty-five feet of separation shall apply to all sides of the group of containers. All containers shall be positioned such that any container can be moved without moving any other container.

No scrap tires shall be left on the ground outside of semi-trailers, trucks, or portable containers beyond the end of the current work shift.

- (5) Scrap tires shall not be stored by submergence.
- (6) Scrap tires shall not be covered with soil except at a scrap tire beneficial use site and only as approved in accordance with rule 3745-27-78 of the Administrative Code.
- (7) The following requirements apply to storage of scrap tires outside of portable containers, trucks, semi-trailers, a building or covered structure:
 - (a) Individual scrap tire storage piles shall be no greater than two thousand

five hundred square feet in basal area and the total number of scrap tires shall not exceed the amount specified in paragraph (A) of rule 3745-27-61 of the Administrative Code. Scrap tire storage piles shall include any area where scrap tires are stored in racks. The two thousand five hundred square feet basal area shall apply to multiple racks and small scrap tire piles not separated from other racks, piles, or structures by a fire break at least fifty-six feet wide. The basal area of the scrap tire storage pile shall include the area of the tire piles, racks, and the area of any walkway or other open areas that do not meet the definition of a fire break as defined in rule 3745-27-01 of the Administrative Code.

- (b) Scrap tire storage piles shall not exceed eight feet in height.
 - (c) Scrap tire storage piles of five hundred scrap tires or less shall be at least twenty-five feet away from all buildings and other scrap tire storage piles.
 - (d) Scrap tire storage piles of more than five hundred scrap tires including single or multiple racks containing a total of more than five hundred scrap tires shall be separated from other scrap tire storage piles and from buildings and structures by a fire break with a width equal to or greater than fifty-six feet in accordance with the fire break chart in appendix I to rule 3745-27-65 of the Administrative Code.
 - (e) Sufficient fire breaks shall be maintained to allow access of emergency vehicles at all times to, around, and between the scrap tire storage piles and areas.
- (8) The following requirements apply to the storage of scrap tires in a building or covered structure:
- (a) Individual scrap tire storage piles shall not exceed two thousand five hundred feet in basal area and the total number of scrap tires shall not exceed the amount specified in paragraph (A) of rule 3745-27-61 of the Administrative Code. Scrap tire storage piles shall include any area where scrap tires are stored in racks, stacks, or piles. The two thousand five hundred square feet basal area shall apply to multiple racks not separated from other racks, piles, or structures by at least eight feet.
 - (b) The width of aisles between scrap tire storage piles shall be at least eight feet.

- (c) The clearance from the top of scrap tire storage piles to sprinkler deflectors shall be at least three feet.
 - (d) Clearances in all directions from the top of scrap tire storage piles to roof structures shall be at least three feet.
 - (e) Clearances from the top of scrap tire storage piles to unit heaters, radiant space heaters, duct furnaces, and flues shall be at least three feet in all directions, and shall be in accordance with the clearance distances recommended by the equipment manufacturer.
- (9) Scrap tires shall not be stored under bridges, elevated trestles, elevated roadways, elevated railroads, or electrical power lines having a voltage in excess of seven hundred fifty volts or that supply power to fire emergency systems.
- (10) A trailer pre-positioned at any site by a scrap tire transporter shall be empty at the time it is delivered and shall be considered part of the site until the transporter removes the trailer. The site owner or operator shall designate the location of the trailer, shall assure that the empty trailer is properly positioned before the transporter leaves the site, and shall be responsible for any violations of Chapter 3734. of the Revised Code concerning the pre-positioned trailer. If the transporter is notified that the storage of scrap tires in the trailer has become a public nuisance or public health or safety hazard, the transporter shall remove the trailer if the site owner fails to correct the violations.
- (11) Fire breaks shall be maintained free of all combustible material including but not limited to weeds, leaves, and debris. Fire breaks may include well mowed grass if the fire break also include a gravel or paved fire lane at least twenty feet wide.

[Comment: State fire codes, local fire codes, local ordinances, or zoning may be more restrictive and impose additional requirements that need to be followed.]

(C) Anyone storing scrap tires shall maintain mosquito control as follows:

(1) One or more of the following shall be done to control mosquitoes:

(a) Remove liquids from scrap tires within twenty-four hours of accepting the scrap tires.

- (b) Store scrap tires such that water does not accumulate in scrap tires or containers. Tires shall be kept free of water at all times.
 - (c) Within twenty-four hours of accepting scrap tires containing liquid, arrange for the application of a pesticide or larvicide, which is registered for use as mosquito control by the Ohio department of agriculture.
 - (2) Maintain mosquito control by keeping all tires dry or by continuing applications of a pesticide or larvicide to all scrap tires stored outdoors at no greater than thirty-day intervals or as recommended by the manufacturer or formulator.
 - (3) Maintain mosquito control records at the premises indicating the name, type, amount used per tire, and EPA registration number of the pesticide or larvicide, the date and time of the application, and the name of the person who applied the pesticide or larvicide. The property owner or the owner or operator of the premises shall make the mosquito control records available for inspection by the director or the health commissioner during normal operating hours. The owner or operator shall retain copies of mosquito control records for a minimum period of three years.
- (D) If upon inspection and written notification, Ohio EPA or the approved health district discover the existence of either one or both of the following:
- (1) Mosquitoes at the premises, the owner or operator shall apply within twenty-four hours or the next business day an adulticide which is registered for use for mosquito control by the Ohio department of agriculture. The application shall be according to the manufacturer's or formulator's recommendations. Records shall be kept at the premises indicating the trade name of the adulticide, the date and time of the application, and the name of the person who applied the adulticide.
 - (2) Mosquito larvae at the premises, the owner or operator shall apply within twenty-four hours or the next business day a larvicide which is registered for use for mosquito control by the Ohio department of agriculture. The application shall be according to the manufacturer's or formulator's recommendations. Records shall be kept at the premises indicating the trade name of the larvicide, the date and time of the application, and the name of the person who applied the larvicide.
- (E) The disposal of off-the-road construction and mining equipment tires, that have a bead width of at least fourteen inches and a rim or wheel diameter of a least

twenty-four inches, is authorized by section 3734.86 of the Revised Code, at an off-road construction or mining site. The owner of the off-the-road scrap tires shall meet the following:

- (1) Own or lease the off-road construction or mining site where the off-the-road scrap tires are to be or were disposed.
- (2) Totally bury the off-the-road scrap tires in that portion of the off-road construction or mining site least likely to be disturbed by future construction or mining.
- (3) Not accept or bury other scrap tires on the site. The only scrap tires, which may be buried on the site, are off-the-road scrap tires generated on the site by equipment owned or leased by the person who owns or leases the off-road construction or mining site. Acceptance or burial of other scrap tires constitutes open dumping.

[Comment: Recycling options, especially retreading of these valuable tires, can be more cost effective and should be explored before these tires are buried.]