



Early Stakeholder Outreach — Scrap Tire Rules

Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.

The scrap tire rules in Ohio Administrative Code (OAC) Chapter 3745-27 outlines the requirements for scrap tire transporters, storage and handling of scrap tires, permitting, operation, and closure requirements for scrap tire storage and recovery facilities, beneficial use of scrap tires, and regulations pertaining to contamination from the burning of scrap tires.

Why is the Agency seeking Early Stakeholder Outreach?

Ohio EPA is conducting the five year review under Ohio Revised Code (ORC) section 119.032 for OAC rules 3745-27-54 through 3745-27-57, 3745-27-60 through 3745-27-67, 3745-27-78 and 3745-27-79. Ohio EPA's deadline is to file the required determination with the Joint Committee on Agency Rule Review (JCARR) rules by July 31, 2014. The first step in the ORC section 119.032 five year review process is for Ohio EPA to identify whether a rule needs to be amended, rescinded, or continued without any changes. Ohio EPA will ultimately file the rules with JCARR, the secretary of state, and the Legislative Service Commission (LSC).

In response to Executive Order 2011-01K, Ohio EPA has included an additional step to ensure stakeholders are brought into the review process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

Please note that the scrap tire monofills and monocells rules are not part of this review due to an earlier April 28, 2014 filing deadline. Ohio EPA has already released an interested party draft rule package addressing the 5-year rule review of the scrap tire monofills and monocells rules in conjunction with some municipal solid waste landfill (MSW) rules having the same file deadline. [The interested party draft regarding the 5-year rule review of the MSW/scrap tire monofill and monocell rules](#) is currently available on Ohio EPA's website.

What is being suggested?

Ohio EPA is proposing to file a determination with JCARR to retain these rules without change. Ohio EPA feels that amendments to this rule are not necessary at this time.

How can I provide input?

The Agency is seeking stakeholder input on the proposed concepts included in this document. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business April 7, 2014. Please submit input to:

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What if I have questions?

Please contact Dan Harris at (614) 728-5377 or daniel.harris@epa.ohio.gov.

Early Stakeholder Outreach — Scrap Tire Rules Package

Who is regulated by this rule?

Owners and operators of scrap tire facilities, scrap tire transporters, and those wishing to beneficially use scrap tires are regulated by this rule.

What input is the Agency seeking?

The Agency is seeking stakeholder input on the suggested concepts included in this document. General comments and specific factual information must be submitted by the April 7, 2014 deadline. The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?
- What options are available for improving an identified concept?
- Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted by the program.

- Would this regulatory program have a positive impact on your business? Please explain how.
- Would this regulatory program have an adverse impact on your business? If so, please identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance).

What's the next step?

After the April 7, 2014 comment deadline and consideration of stakeholder input, Ohio EPA will continue to prepare the scrap tire rules package. The Agency's next step is then to release a draft version of the scrap tire rules for interested party review and comment.

A complete summary of [*Ohio EPA's rule-making process*](#) is available at <http://epa.ohio.gov/Rules.aspx>. Future steps will also include formally filing to amend the scrap tire rules with the Joint Committee on Agency Rule Review (JCARR). At that time, JCARR will include the proposed rule on their meeting agenda and take public testimony. Visit JCARR's website for meeting dates and agenda items at <https://www.jcarr.state.oh.us/>.

How can I track the program and rule-development progress?

Stakeholders are encouraged to sign up for the Agency's electronic mailing list which provides automatic updates about various topics. Registered users will receive progress updates and be notified when new information is posted on the program website (epa.ohio.gov/dmwm/dmwmnonhazrules.aspx). To sign up, go to ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage.