



State of Ohio Environmental Protection Agency

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I hereby approve as a true and accurate copy of the  
original document submitted to the Ohio  
Environmental Protection Agency

*Christopher Jones*  
10/28/03

OCT 28 2003

Mr. Tomm Dunbar, President  
Certified Roofing, Incorporated  
557 Blacklick Street  
Groveport, Ohio 43125

Re: **Certified Roofing, Inc., Franklin County  
Scrap Tire Beneficial Use Approval, Project Number 25-STBU-3223**

ENTERED DIRECTOR'S JOURNAL

OCT 28 2003

OHIO E.P.A.

Dear Mr. Dunbar:

By letter dated August 5, 2003, Certified Roofing, Inc. (Certified), requested to beneficially use scrap tires as temporary ballasts during its roofing operations. Specifically, Certified proposes to use whole scrap tires to temporarily hold sheet membrane roofing in place until it can be permanently installed. The typical use duration is about five to seven days. When no longer required, the tires will be transported and stored until the next roofing project.

As part of the letter, Certified also requested an exemption from the scrap tire registration requirements of Ohio Administrative Code (OAC) Rule 3745-27-54. Paragraph (A)(2)(a) of OAC Rule 3745-27-54 requires a scrap tire transporter to obtain an annual registration certificate if they transport more than ten scrap tires in a single load. During roofing activities, Certified proposes to transport more than ten tires at one time.

Paragraph (B) of OAC Rule 3734-27-03 states that the director may exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, including scrap tires, from any requirement of Ohio Revised Code (ORC) Chapter 3734 or any rules adopted thereunder, if granting the exemption is unlikely to adversely affect the public health or safety or the environment.

I have reviewed the request and the supporting information, and I have determined that the use of scrap tires in the manner proposed is an acceptable beneficial use, and that granting an exemption from the registration requirement for a scrap tire transporter is unlikely to adversely affect the public health or safety or the environment. Therefore, I hereby approve the scrap tire beneficial use project, and I hereby grant an exemption from paragraph (A)(2)(a) of OAC Rule 3745-27-54. As part of this approval and exemption, Certified is subject to the following conditions:

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Christopher Jones, Director

1. Certified shall beneficially use the scrap tires in accordance with applicable sections of paragraph (H) of OAC Rule 3745-27-78.
2. Certified shall only transport scrap tires that it owns and uses in the manner proposed above. Certified shall not use or transport any other scrap tires except as authorized by rule, or unless authorized by the director. A copy of this approval letter shall be carried in each vehicle that is transporting the scrap tires to and from the job sites.
3. Upon proper identification, the director or an authorized representative, or an authorized representative of the board of health, may enter your primary place of business or a job site to check for compliance with this approved and the general scrap tire storage and handling provisions of OAC Rule 3745-27-60.

#### **End of Conditions**

Nothing in this approval shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations. This approval shall not be interpreted to release Certified from responsibility under ORC Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other requirements for remedying conditions resulting from any release of contaminants to the environment.

You are hereby notified that this action of the Director of Environmental Protection is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the commission within 30 days after the notice of the director's action. A copy of the appeal must be served on the director within three days of filing with the commission. An appeal may be filed with the commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

The Ohio EPA beneficial use project plan number assigned to this project is 25-STBU-3223. The project plan number should be used on any correspondence concerning this approval.

Certified Roofing, Inc., Franklin County  
Scrap Tire Project Number 25-STBU-3223  
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If you have any questions regarding this approval, please contact Duane Snyder of Ohio EPA's Central District Office at (614) 728-3880.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Jones". The signature is written in a cursive style with a large initial "C".

Christopher Jones  
Director

Attachment

cc: Robert Large, DSIWM, CO  
Scott Hester, DSIWM, CO  
Franklin County Health Department