



State of Ohio Environmental Protection Agency

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DEC 24 2001

Handwritten notes and signature: "By [Signature] 12/24/01"

OHIO EPA
DEC 21 2001
ATTENDED BY... JOURNAL

Mr. Chad Fusner
2425 Three Towers Road
Chandlersville, Ohio 43727

**Re: Project Number 28-STBU-1276, Muskingum County
Scrap Tire Beneficial Use Approval**

Dear Mr. Fusner:

By letter dated October 1, 2001, you requested approval to beneficially use shredded scrap tires as a construction material during the foundation construction at your new home. Specifically, you requested to use the shredded scrap tires instead of gravel for backfill around the foundation of your home, located at 2425 Three Towers Road, Chandlersville, Ohio. Benefits from using shredded scrap tires instead of gravel include increasing the R-value around the basement walls and providing less ground pressure against the basement walls.

Based on review of the request, I have determined that the proposal appears to be an appropriate beneficial use of shredded scrap tires in accordance with Ohio Administrative Code (OAC) Rule.3745-27-78(F). Therefore, you are hereby authorized to use shredded scrap tires in the manner proposed and in accordance with the following conditions:

1. The shredded scrap tires shall be placed around the foundation in the same manner as gravel is normally placed and in accordance with all applicable building codes. Ohio EPA shall be informed in writing prior to implementation of any significant change to the installation.
2. A 3 inch to 3.5 inch (nominal) scrap tire chip or smaller shall be used in the project.
3. Prior to use as backfill, any shredded scrap tires temporarily stored on-site shall be stored for not more than 30 days and stored in compliance with OAC Rule 3745-27-60. If possible, the shreds should be placed immediately into the excavation around the building foundation.
4. The shredded scrap tires shall be used as a one-for-one replacement for the gravel normally used around a house foundation (i.e., one cubic yard of shredded tires will

Bob Taft, Governor
Maureen O'Connor, Lieutenant Governor
Christopher Jones, Director

be used to replace one cubic yard of gravel). The total in-place number of cubic yards of tire chips used will not exceed the number of cubic yards of gravel normally used for back-fill. Based on the request, approximately 55 tons of tire shreds will be required to backfill around the foundation.

5. If the shredded scrap tires are excavated or otherwise removed from the approved beneficial use they shall be managed as solid waste.

The Ohio EPA beneficial use project plan number assigned to this project is 28-STBU-1276. This project plan number should be used on any correspondence concerning this approval and on all scrap tire shipping papers.

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 Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the ground upon which the appeal is based. It must be filed with the commission within 30 days after 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
236 East Town Street
Room 300
Columbus, Ohio 43215.

If you have any questions concerning this authorization, please contact Bob Murphy of Ohio EPA's Southeast District Office at (740) 380-5408.

Sincerely,



Christopher Jones
Director

cc: Bob Murphy, DSIWM, SEDO
Scott Hester, DSIWM, Central Office
Bob Large, DSIWM, Central Office