Purpose
This educational guideline addresses owner and operator responsibilities when registering and operating a scrap tire transportation business which either picks up tires in Ohio or delivers tires to an Ohio destination 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.

Applicable Rules and Statutes
- Ohio Revised Code 3734
- Ohio Administrative Code 3745-27-54 through 3745-27-56

Who must register?
Chapter 3734.83 of the Ohio Revised Code states that “...no person shall transport scrap tires anywhere in this state unless the business or governmental entity that employs the person first registers with and obtains a registration certificate from the director of environmental protection.” It should be noted that there are several exclusions from the requirement to become a registered scrap tire transporter which are outlined below. However, if a transporter does not meet one of the specific exclusions provided below, then registration with Ohio EPA is required.

The requirement to become a registered scrap tire transporter is not required if any of the following apply:
1. If 10 or less scrap tires are transported per load;
2. If tires are transported only for the transporter’s own agricultural use or in producing or processing aggregates;
3. If the transporter is a solid waste hauler who transports 10 or fewer tires which are incidental to the solid waste load;
4. If the transporter is engaged primarily in the retail sale of tires for farm machinery, construction equipment, commercial cars, commercial tractors, motor buses, or semi-trailers, and who transports 25 or fewer scrap tires in a single load and not more than 250 scrap tires total, in any single calendar year;
5. If the transporter is a governmental agency or any political entity who conducts roadside or public property litter clean up operations or community tire collection events; these activities must utilize government owned or leased vehicles, or designated privately owned vehicles whose use is donated and not purchased;
6. If the transporter is a retail tire dealer or retreader who tracks scrap tires in an inventory or shipping paper system so that the scrap tires can be returned to the original owner of the scrap tires;
7. If the transporter is a common carrier that is delivering scrap tires that are still owned by the scrap tire generator on a commercial bill of lading to a dealer or manufacturer for a warranty adjustment, for repair or retreading or to another business location owned or operated by the scrap tire generator.
8. If the transporter is a scrap tire generator that is transporting scrap tires using a company vehicle to another business location owned or operated by the generator, or to a tire retreading business or to a manufacturer for the purposes of a warranty adjustment or repair;
9. If only segregated loads of truck or off-road retreadable casings or bias ply tires are transported with a commercial bill of lading;
10. If the transporter is a barge, ship or rail company acting as a subcontractor or an agent for a registered scrap tire transporter;

11. If the transporter is transporting exclusively tire derived fuel (TDF) or tire derived chips (TDC) as defined in Ohio Administrative Code 3745-27-01;

12. If the scrap tires are being removed from a property as directed by Ohio EPA or local health department and specific written authorization has been given to transport the scrap tires.

These exclusions are the only exceptions to registration as a scrap tire transporter. Please note, some exclusions have been paraphrased in this document for simplicity. For the complete wording, please see the exclusions listed in OAC 3745-27-54 (A)(2)(a) - (m).

**Do “used” tires and retreadable casings need to be managed as scrap tires?**

Yes. A used tire that still has value for use is considered a scrap tire because the original owner has discarded it and no longer wants the tire, regardless of whether it is mounted on a rim or not. A used tire needs to be managed as a scrap tire until it is installed on a vehicle. Retreadable casings also need to be managed as scrap tires until a retreading business has accepted and inspected the tire and has marked it as suitable for retreading.

**How do transporters register?**

Transporters that want to establish a scrap tire hauling business must submit their initial application for registration to the Ohio EPA, Division of Materials and Waste Management, Central Office at least 90 days prior to the date that tires are to be transported. The applications must be accompanied by a non-refundable $300 registration fee and an executed financial assurance document in the amount of $20,000.00. By law no scrap tire registrations can be issued without financial assurance. Scrap tires may not be transported until Ohio EPA issues a registration.

Motor vehicle salvage dealer (MVSD) applicants, tire retail dealer applicants, and tire retreader applicants can certify that they qualify for a waived or reduced registration fee.

Scrap tire transporter registrations must be renewed annually. Subsequent registration applications must be submitted not later than January 31 of each year and must be accompanied with an annual $300 registration fee and a completed annual report.

Registration application forms can either be completed and submitted electronically through Ohio EPA's eBusiness center at the following link: [https://ebiz.epa.ohio.gov/](https://ebiz.epa.ohio.gov/) or may be submitted in hard copy to Ohio EPA. Registration application forms can be obtained from:

- Ohio EPA’s webpage at [https://epa.ohio.gov/dmwm/Home/Scrap-Tires](https://epa.ohio.gov/dmwm/Home/Scrap-Tires), or
- the Division of Materials and Waste Management Scrap Tire Unit at (614) 644-2621.

**How is the scrap tire transporter registration certificate to be used?**

An original scrap tire transporter registration certificate shall be present in each vehicle transporting scrap tires, including used tires and retreadable casings. An original registration certificate is printed on copy proof paper and has a raised, embossed seal.

Registered scrap tire transporters **cannot share** their registration certificates with another business or person and can only allow their registration certificates to be used by people they employee that are using the certificates to conduct business on the behalf of the company.
Standards and Requirements for Scrap Tire Transporters — Guidance Document #640

Where can transporters deliver scrap tires?

Scrap tire transporters are authorized to deliver tires only to the following:

1. Licensed scrap tire collection, storage, monocell, monofill or recovery facilities;
2. Regulated solid waste incinerators or energy recovery facilities;
3. Premises where the scrap tires are authorized for beneficial use;
4. Another transporter holding a valid annual registration certificate;
5. A facility in another state in compliance with the rules of that state;
6. A premise operating as an unregistered scrap tire facility, such as a tire retail dealer or a tire retreader, which is operating in accordance with Ohio Administrative Code 3745-27-61.

If a transporter discovers that he has delivered tires to an unauthorized destination, it is the transporter’s responsibility to remove the tires and transport them to an approved destination.

Handling requirements for scrap tire transporters?

In general, scrap tire transporters are required to store and handle tires so as not to create a nuisance, a hazard to public health or safety, or a fire hazard. The following are specific restrictions which scrap tire transporters must abide by in order to preserve their classification as a transporter and to prevent being classified as a scrap tire facility:

Storage Restrictions

Transporters may only store scrap tires in covered trailers or vehicles for no more than 30 days prior to transporting the scrap tires to an authorized destination. If tires remain at the business location of the transporter in covered trailers or vehicles for more than 30 days, then the transporter may have his registration revoked or be required to apply as a scrap tire collection or storage facility.

A scrap tire transporter may pre-position a trailer or roll-off box at a tire business for use by the business. This trailer or roll-off box may be picked up on an as need basis or on a regularly scheduled basis.

Trailers or vehicles, containing scrap tires, left at sites other than a tire business, including but not limited to; truck stops, vacant lots, motel parking lots, etc., may be considered open dumping of scrap tires if they are parked for over fourteen days.

Tire Sorting

The transporter may transfer scrap tires between trailers or vehicles to consolidate loads or to sort scrap tires, provided that the scrap tires do not remain outside of a covered trailer or vehicle beyond the end of the final daily work shift. Sorting may only be done at authorized locations in accordance with the transporter’s registration.

Load Consolidation

Authorized registered scrap tire transporters may use portable equipment to cut or shred scrap tires for the purposes of load consolidation only. They cannot process scrap tires into a useable product unless they are also licensed as a scrap tire recovery facility.

Mosquito Control

Scrap tire transporters must take appropriate actions to prevent the spread of mosquitoes. If the tires have been stored indoors and are free of water, no further action is required other than keeping the tires dry during transport. If scrap tires contain water, then prior to shipment, transporters need to ensure that the scrap tires are

1. Free of water;
2. Shred or cut;
3. Treated with a larvicide or pesticide approved by the Ohio Department of Agriculture; or
4. Scrap tires taken from the site are delivered within twenty-four hours to a facility which will process the scrap tires such that no water remains in the tire pieces within twenty-four hours of delivery of the scrap tires to the facility.
Standards and Requirements for Scrap Tire Transporters — Guidance Document #640

Use of shipping papers
Scrap tire transporters are required to utilize scrap tire shipping papers (Ohio Administrative Code 3745-27-57). The shipping papers are forms that are used as both a shipping and a receiving receipt and will be signed by all parties involved in the scrap tire transaction. The shipping papers are required to be kept on file by all parties for not less than three years. These forms must be available to Ohio EPA or local health department inspectors upon request.

Shipping papers can be used to show compliance with Ohio law. Section 3734.83(C) of the Ohio Revised Code requires that "... no person who possesses scrap tires shall cause them to be transported by any person who is not registered as a transporter..." The penalties for violating this or any section of the Ohio Revised Code relative to the handling and storage of scrap tires are listed in section 3734.99 of the Ohio Revised Code (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.)

Annual report
The transporter must prepare an annual report to be submitted to Ohio EPA – Central Office, Scrap Tire Unit, the local health department, the appropriate Ohio EPA district office, and the local Solid Waste Management District (Ohio Administrative Code 3745-27-56). This annual report is intended to be a summary of the information collected on the shipping papers and should be submitted as part of the annual registration renewal application, which is due by January 31st of each year. The report should include the total quantity, in number, weight or volume, of scrap tires transported, the total quantity transported from each source and to each approved destination, and an estimate of the percentage of passenger car tires, truck tires, and other tires transported. Failure to submit a full, accurate and timely annual report may result in the suspension, revocation or denial of the transporter registration certificate (Ohio Administrative Code 3745-27-55(C)(2)).

Closure requirements
Final closure is required for all registered scrap tire transporters who will no longer be transporting tires. Closure involves notifying all customers by mail, ensuring all accumulated scrap tires are delivered to authorized destinations, and returning all transporter registration certificates to Ohio EPA. All closure requirements must be completed within 30 days.

Should the registered transporter fail to properly deliver all accumulated scrap tires, the $20,000 of financial assurance may be used by the Director of Ohio EPA to complete closure.

Contact
If you have questions regarding this document or would like more information, please contact the Scrap Tire Unit located in the Division of Materials and Waste Management at (614) 644-2621.

- Central District Office (614) 728-3778
- Northeast District Office (330) 963-1200
- Northwest District Office (419) 352-8461
- Southeast District Office (740) 385-8501
- Southwest District Office (937) 285-6357

Disclaimer
The procedures set out in this document are intended solely for guidance. The procedures are not intended and cannot be relied upon to create rights, substantive or procedural, enforceable by any party against Ohio EPA. While this guidance document is not legally binding, all statutes and rules referenced herein are binding and enforceable. Ohio EPA reserves the right to vary this guidance or to change it at any time without public notice and also reserves the right to deviate from this guidance on a case-by-case basis.