



Scrap Tire Generators: Know Your Ohio EPA Regulations

What Is a Scrap Tire Generator?

A scrap tire generator is any individual or business that removes tires from vehicles or stores tires removed from vehicles. Generators include but are not limited to individual citizens; retail tire dealers; service stations; tire retreading businesses; and motor vehicle salvage dealers (MVSD).

What is a Scrap Tire?

Ohio EPA has a publication, Guidance Document #642, that defines what is a scrap tire. Often a point of confusion, it is important to mention that a used tire is a scrap tire. A used tire is a scrap tire whether it is mounted on a rim or not. A used tire remains a scrap tire until it is installed on a vehicle. Retreadable casings are also scrap tires until a retreading business has accepted and inspected the tire and marked it as suitable for retreading.

If I am a generator of scrap tires, how do Ohio's scrap tire rules apply to me?

If certain conditions are met, generators typically do not have to register as a "scrap tire facility" under the scrap tire rules. This means that most generators do not have to obtain an annual license or a scrap tire registration/permit from Ohio EPA. To maintain this unlicensed status, and remain in compliance with Ohio's regulations the generator must do the following:

- store and handle scrap tires in compliance with the general storage rules,
- allow only transporters that are registered by Ohio EPA to take tires away,
- dispose of tires at only locations approved by Ohio EPA, and
- maintain proper records.

Table A, on the last page of this fact sheet, illustrates the requirements that each type of generator must meet to remain unlicensed. Ohio EPA has several guidance documents that provide information on the various licensed and registered/permited scrap tire facilities. Please contact the Scrap Tire Unit for guidance.

How do I learn about the general storage and handling requirements for scrap tires?

Scrap tire generators that do not have to become licensed, registered/permited scrap tire facilities still must meet storage and handling requirements. These requirements are found in Ohio Administrative Code (OAC) 3745-27-60. See Guidance Document# 1015 titled "Scrap Tire Requirements for Businesses Look-up Table" for additional information.

For More Information

For more information about requirements for scrap tire generators, becoming a scrap tire transporter or any other portion of Ohio EPA's scrap tire management program, please contact the Scrap Tire Unit in the Division of Materials and Waste Management (DMWM), Central Office, at 614-644-2621.

You can also contact someone at each one of Ohio EPA's district offices located below.

- DMWM, Northeast District Office (Twinsburg): 330-963-1200
- DMWM, Northwest District Office (Bowling Green): 419-352-8461
- DMWM, Central District Office (Columbus): 614-728-3778
- DMWM, Southeast District Office (Logan): 740-385-8501
- DMWM, Southwest District Office (Dayton): 937-285-6357

If you would like confidential assistance to determine if you are in compliance with Ohio EPA's scrap tire rules and laws or need help completing an application or form, please contact the Office of Compliance Assistance and Pollution Prevention (OCAPP) at 1-800-329-7518.

A variety of information is available on the scrap tire webpage at

<http://www.epa.ohio.gov/dmwm/Home/ScrapTires.aspx>.

Scrap Tire Generators: Know Your Ohio EPA Regulations

Although a generator should read the complete rules, a few main points from the rules are:

- Limits on the number of scrap tires allowed on site. The allowed quantities of scrap tires or limits on storage square footage is listed in Table A on the last page.
- Outside storage. To store scrap tires outside, the generator must prevent mosquitoes from breeding in the pile either by keeping the tires dry (covering/tarping) or through the appropriate use of approved pesticides and larvicides. It should be noted that scrap tires cannot be stored under bridges, elevated trestles, elevated roadways, elevated railroads, or electrical power lines that exceed seven hundred fifty volts or that supply power to fire emergency systems. While these locations may be capable of keeping the tires dry, the presence of scrap tires in these locations poses an unacceptable threat to valuable infrastructure in the event of a tire fire, and storage in these locations is not allowed.
- Inside Storage. If dry tires are stored inside a building or in an enclosed container, no additional mosquito controls are necessary. Scrap tires cannot be stored within three feet of the ceiling or within three feet of heating ducts and vents, and tires must be kept a minimum of 50 feet from all possible sources of ignition.
- Maximum size for scrap tire storage piles. Scrap tires must be stored in piles no larger than 2,500 square feet.
- Fire lanes/breaks. Whether stored inside or outside, scrap tire piles 2,500 square feet in size must be separated by fire lanes or breaks. For scrap tires stored inside, fire lanes must be least eight feet in width. The width of the fire break for scrap tire piles stored outside is dependent on the number of scrap tires in the pile and the height of the scrap tire pile. Fire breaks must be kept clear of litter, debris and vegetative matter.

Can I Transport My Tires?

Anyone can transport **10 or fewer scrap tires** without having to be a registered transporter. If you do transport 10 or less scrap tires, you still need to manage those tires legally. Ohio EPA recommends that you take the scrap tires to a licensed scrap tire facility. A list of licensed scrap tire facilities is maintained on Ohio EPA's webpage at http://epa.ohio.gov/portals/34/document/facility_lists/LIC_SCRAP_TIRE.pdf.

If you transport **more than 10 tires and are not eligible for an exclusion**, you must either become a registered transporter or use a registered transporter. Information on the exclusions from having to become a registered scrap tire transporter and the process to become a registered scrap tire transporter can be found in [Guidance Document # 640, Standards and Requirements for Scrap Tire Transporters](#). Ohio EPA maintains a list of registered scrap tire transporters on its web site at http://epa.ohio.gov/portals/34/document/facility_lists/scrap_tire_transporters.pdf.

To legally operate in Ohio, a scrap tire transporter must be registered with Ohio EPA. A registration issued by another state is not an acceptable substitute for an Ohio registration.

It is important to mention that by transporting more than 10 tires yourself, or by using a non-registered scrap tire transporter for loads of more than ten tires, you (the scrap tire generator) are in violation of Ohio Revised Code 3734.83(C) which requires that "...no person who possesses scrap tires shall cause them to be transported by any person who is not registered as a transporter..."

Furthermore, by using an unregistered scrap tire transporter you maybe participating in open dumping since the illegal hauler may open dump all except the few scrap tires that can be sold as used tires or retreadable casings. By using a non-registered scrap tire transporter, you (the scrap tire generator) remain liable for any costs associated with the illegal dumping of the tires. You are even liable if the transporter takes the tires for free.

How do I verify that my scrap tire transporter is registered with Ohio EPA?

A scrap tire transporter that is registered with Ohio EPA is required to carry a current, original registration certificate issued by Ohio EPA in the transporting vehicle. To be valid, the certificate must be printed on copy-proof paper with the Seal of the State of Ohio imprinted on it. Copies of Ohio certificates are not valid. Scrap tire certificates issued by other states are not valid in Ohio.

Scrap Tire Generators: Know Your Ohio EPA Regulations

You can also check Ohio EPA's list of registered scrap tire transporter at http://epa.ohio.gov/portals/34/document/facility_lists/scrap_tire_transporters.pdf

How do I become a registered scrap tire transporter?

Ohio EPA recommends that you review Guidance Document# 640 titled "Standards and Requirements for Scrap Tire Transporters. This document identifies the exclusions in rule that allow a person to transport scrap tires without having to become a registered scrap tire transporter. If you determine that you are not eligible for an exclusion, you must apply for an annual registration certificate. You must also obtain financial assurance in the amount of \$20,000. You can download the applications to register as a scrap tire transporter from Ohio EPA's website at: http://www.epa.ohio.gov/portals/34/document/forms/tire_annual_reg_apply_form.pdf. There is a \$300 registration fee. See [Guidance Document # 640, Standards and Requirements for Scrap Tire Transporters](#), for additional information.

How do I verify that my scrap tire transporter is managing my tires properly?

A registered scrap tire transporter is required to complete shipping papers when collecting tires. The scrap tire transporter should provide you with a copy of completed shipping papers signed by both you (as the generator) and the transporter.

When using a registered scrap tire transporter to ship a load of scrap tires, you (as the generator) are required to assist the transporter in filling out shipping papers that will certify the following: 1) the number of tires shipped; 2) composition of scrap tires shipped; 3) whether the tires were either dry at the time of pick up, that the tires had been removed from the rim within the past seven days, or that appropriate mosquito controls had been applied to the pile if the tires had been stored outside.

Ohio EPA recommends that you ask the scrap tire transporter where your scrap tires are being taken to determine if it is an approved location. For facilities in Ohio, a list of licensed scrap tire facilities is maintained on Ohio EPA's webpage at http://epa.ohio.gov/portals/34/document/facility_lists/LIC_SCRAP_TIRE.pdf. You can also contact the Scrap Tire Unit to learn about facilities in surrounding states.

What are my recordkeeping requirements as a scrap tire generator?

As a scrap tire generator, you are required to retain a copy of all completed shipping papers for a minimum of three years. You should retain all shipping papers at your principal place of business. Your shipping papers must be available during normal business hours for Ohio EPA or the local health department to inspect. The three-year retention period begins the date the shipping paper was completed. You may be required to retain records for longer than three years during litigation, when Ohio EPA or the local health department makes a specific written request, or when required by a court or administrative order.

If you apply a larvicide or pesticide for mosquito control, records of these applications have to be maintained for three years. Records have to identify 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.

Is there a penalty for not complying with Ohio's scrap tire generator regulations?

The penalties for violating this or any section of the Ohio Revised Code relative to the handling and storage of scrap tires and the failure to use an Ohio registered scrap tire transporter can result in civil or criminal penalties of \$10,000.00 to \$25,000.00 to both the scrap tire generator and the unregistered scrap tire transporter and imprisonment for two to four years per [Ohio Revised Code Section 3734.99](#).

If you suspect or know of a person or business that is not properly transporting, storing or handling scrap tires, please call 614-728-5337.

Scrap Tire Generators: Know Your Ohio EPA Regulations

Table A. Requirements for Each Type of Scrap Tire Generator				
	All Scrap Tire Generators	Retail Tire Dealers and Service Stations	Tire Retreaders	Motor Vehicle Salvage Dealers*
Must comply with general storage and handling rules?	Yes as well as state and local fire codes.	Yes as well as state and local fire codes.	Yes as well as state and local fire codes.	Yes as well as state and local fire codes.
Must use only Ohio EPA registered transporters?	Yes (Unless 10 or fewer scrap tires are transported).	Yes (Unless 10 or fewer scrap tires are transported).	Yes (Unless 10 or fewer scrap tires are transported).	Yes (Unless 10 or fewer scrap tires are transported).
What is the maximum number of scrap tires that can be stored on the property to remain an unlicensed scrap tire facility?	100	1,000, if scrap tires are stored in an unsecured, uncovered, outdoor location. Any number, if all scrap tires are stored in a secured building or secured enclosed container.	4,000, if scrap tires are stored in a single, covered scrap tire storage area.	Scrap tires may be stored in a single pile that cannot be greater than 2,500 square feet in basal area and at a maximum height of 8 feet.
Must maintain a file of scrap tire shipping papers?	Yes	Yes	Yes	Yes

* Note that a junk yard is not the same as a motor vehicle salvage dealer. A junk yard is not allowed to store more than 100 scrap tires without becoming a licensed scrap tire facility.