

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Scrap Tires**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3734.02, 3734.021, 3734.028, 3734.05, 3734.12, 3734.50, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74, 3734.75, 3734.86 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rule of the Ohio Administrative Code:

- 3745-27-01 Definitions.
- 3745-27-02 Permit to install.
- 3745-27-15 Financial assurance for solid waste facility final closure and scrap tire transporters.
- 3745-27-19 Operational criteria for a sanitary landfill facility.
- 3745-27-54 Registration requirement for scrap tire transporters annual registration certificate.
- 3745-27-55 Criteria for approval, denial, suspension, or revocation of an annual registration certificate for a scrap tire transporter.
- 3745-27-56 Standards for transporters of scrap tires.
- 3745-27-57 Shipping paper system for scrap tires.
- 3745-27-60 General storage and handling of scrap tires.
- 3745-27-61 Registration requirement for scrap tire collection, class II storage, class II recovery facilities.
- 3745-27-62 Criteria for approval of application for registration certificate for scrap tire collection, class II storage, class II recovery facilities.
- 3745-27-63 Class I scrap tire storage or class I scrap tire recovery permit to install application.
- 3745-27-65 Operation of scrap tire collection, storage, or recovery facilities.
- 3745-27-66 Final closure of scrap tire collection, storage, or recovery facilities.
- 3745-27-67 Mobile scrap tire recovery facilities.
- 3745-27-78 Beneficial use of scrap tires.
- 3745-27-79 Soil, surface water, and ground water contamination characterization and remediating caused by open burning or open dumping of scrap tires.
- 3745-27-99 Requirements for professional engineer certification of plans, specifications, and information.

These rules address scrap tire regulations.

The purpose of this rule making is to meet the 5-year rule review requirement.

The public comment period will run until September 13, 2007. A public hearing on this proposed rule making will be held to consider public comments in accordance with Section

119.03 of the Ohio Revised Code. This hearing will be held at Ohio EPA, 50 West Town Street, Suite 700, Columbus, Ohio 43215, 5th Floor, Conference Room B, September 13, 2007, at 2:30pm.

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rule making.

Written testimony should be sent to the attention of Bob Large at the Division of Solid and Infectious Waste Management, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on September 13, 2007, will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Bob Large, at the Division of Solid and Infectious Waste Management (DSIWM), at (614) 728-5347.

To receive a copy of the proposed rules, please contact the DSIWM receptionist at (614) 644-2621. In addition, full copies of all proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on DSIWM web page at www.epa.state.oh.us/dsiwm.