



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

DECEMBER 19, 2018

Douglas Peters
R&R Tire Disposal LLC
1670 N McCullough Street
Lima, Ohio 45805

**Re: R&R Tire Disposal
Non-permit Related Exemptions
Approval
Scrap Tires
Allen County
ST022887**

**Subject: R&R Tire Disposal LLC, Allen County
Exemption from Requirement of Ohio Administrative Code (OAC)
Rule 3745-27-56(C)(11)(f)**

Ohio EPA DEC 19 '18
Entered Directors Journal

Dear Mr. Peters,

On April 23, 2018, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Central Office (CO) received a letter from R&R Tire Disposal LLC (R&R Tire) located at 1670 N McCullough Street, Lima, Ohio in Allen County. The letter requested an exemption from the requirement of OAC Rule 3745-27-56(C)(11)(f), in accordance with OAC Rule 3745-27-03(B).

OAC Rule 3745-27-56(C)(11)(f) requires that any portable equipment used for the purpose of consolidating loads of scrap tires for shipment shall not be located or operated at any one site for longer than sixty days unless one or more the following applies:

- The transporter submits a written request for additional time and receives written approval from Ohio EPA allowing a single extension for no more than sixty days;
- The transporter is also the owner or operator of a class I or class II scrap tire recovery facility and is operating at that licensed facility;
- The transporter applies for and receives a class I permit or class II registration and a solid waste facility license to operate a scrap tire recovery facility at the site.

R&R Tire requested an exemption from the requirement of OAC Rule 3745-27-56(C)(11)(f). R&R Tire is planning on converting the existing portable equipment that is used for load consolidation into permanent equipment. This conversion will allow the equipment to still be used for load consolidation, but also is expected to result in a reduction in air pollutant emissions and a reduction in noise generation so that R&R Tire can comply with local noise ordinances.

Pursuant to ORC 3734.02(G) and OAC Rule 3745-27-03(B), the director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting

solid wastes, including scrap tires, from any requirement of 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.

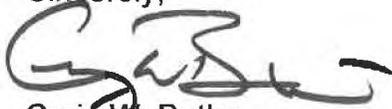
Ohio EPA has reviewed the exemption request and has determined that granting R&R Tire an exemption from the requirement of OAC Rule 3745-27-56(C)(11)(f) is unlikely to adversely affect public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), R&R Tire is hereby granted an exemption from the requirement of OAC Rule 3745-56(C)(11)(f) in order to permanently locate the portable equipment at 1670 N McCullough Street, Lima, Ohio. This exemption shall remain in effect unless otherwise revoked.

You are hereby notified that this action of the Director 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 thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Kristin Tillison of Ohio EPA, NWDO at (419) 373-3064.

Sincerely,



Craig W. Butler
Director, Ohio EPA

ec: Michael Reiser, DMWM, NWDO
Jeremy Carroll, DMWM, CO