



# State Scrap Tire Programs

## A Quick Reference Guide: 1999 Update



## INTRODUCTION

Scrap tire management has been a serious concern over the past decade. Although great strides have been made in reducing the size and quantity of scrap tire stockpiles, at least 800 million scrap tires remain in stockpiles across the country. Many of the stockpiles continue to receive more scrap tires each year. (See Tables 1 and 2, p. ii, for further information on scrap tire generation.) In addition, in 1996, approximately 266 million scrap tires were generated in the United States. Since the first scrap tire law was passed in 1985, 49 out of 50 States have addressed scrap tire management through specific scrap tire laws and regulations or through State solid waste or transportation legislation.

The Scrap Tire Management Council estimates that, in 1996, of the 266 million scrap tires generated in the United States, approximately 24.5 million were recycled for purposes such as ground rubber in products and asphalt highways, stamped products, and agricultural and miscellaneous uses. An additional 10 million were beneficially used in civil engineering projects. These civil engineering uses are presented separately from the recycling figure because, although some are recycled into products such as artificial reefs or septic system drain fields, many are used in landfill construction and operation. In addition, 152.5 million were combusted for energy recovery, and 15 million were exported. The remaining 64 million were landfilled or disposed of in either legal or illegal stockpiles.

The following information summarizes each State's scrap tire management legislation and programs in a matrix for each State program. It is intended to provide State regulators, as well as members of industry, with a quick reference on State scrap tire programs across the country.

The matrix for each State program contains eight sections. The "State Contact" section provides the name, address, phone number, and fax number of the scrap tire program manager for the State; websites and e-mail information are given when available. The "Legislation and Regulations" section briefly outlines the history of scrap tire legislation for the State. The "Funding Sources/Fees" section addresses the State funds and collection fees authorized by the State. The "Collector, Seller, and Hauler Regulations" section summarizes the regulations that apply to these entities. Similarly, the "Storage and Processor Regulations" and the "Disposal Restrictions" sections outline relevant regulatory requirements. The "Financial/Market Incentives" section discusses grants and other programs that foster better scrap tire disposal/recycling waste management and reduction. The "Additional Information" section provides information about activities of interest related to scrap tires in a particular State, such as special field tests or studies, and innovative uses for scrap tires.

For the information contained in this publication, *State Scrap Tire Programs: A Quick Reference Guide*, the U.S. Environmental Protection Agency (EPA) contacted all States for the latest information (as of April 1998) on their programs. Overall figures for the information in this "Introduction" are based on estimates in the Scrap Tire Management Council's *Scrap Tire Use/Disposal Study, 1996 Update*, April 1997.

For further information on scrap tire management, contact the EPA Resource Conservation and Recovery Act (RCRA)/Superfund Hotline, Monday through Friday, 9:00 a.m. to 6:00 p.m.

Eastern Standard Time (EST). The national toll-free number is 800-424-9346. For the hearing-impaired, the number is TDD 800-553-7672. A document on scrap tire management, *Summary of Markets for Scrap Tires*, (Document No.: EPA/530-SW-90-074B, published October 1991), is available through the hotline or by writing: RCRA Information Center, U.S. Environmental Protection Agency, Office of Solid Waste (5305W), 401 M Street SW, Washington, DC 20460. The full report, *Markets for Scrap Tires* (PB92115252), is available for \$31.50 (subject to change) from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161, 703-487-4600.

**Table 1**  
**Scrap Tire Generation: 1996**

Passenger replacement <sup>a</sup>	175,328,000
Light truck replacement <sup>a</sup>	27,605,000
Medium, wide base, heavy & large off-the-road <sup>a</sup>	11,139,000
Farm <sup>a</sup>	2,460,000
Tires from scrapped vehicles <sup>b</sup>	49,476,000
<b>Total Scrapped Tires</b>	<b>266,008,000</b>
U.S. Population	265,100,000
Rate of Scrappage	1.00 per person

<sup>a</sup> Figures from *Tire Industry Facts 1996*, Rubber Manufacturers Association (in preparation).

<sup>b</sup> Estimates based on four tires per scrapped vehicle. Vehicle estimates for 1994 from the *Statistical Abstract of the United States*, U.S. Department of Commerce.

Source: Scrap Tire Management Council. 1997. *Scrap Tire Use/Disposal Study, 1996 Update*, Washington, DC.

**Table 2**  
**Estimated Destination for Scrap Tires in 1996**

Destination	Percent of Generation	
Recycled		
Crumb Rubber	12.5	
Cut/Stamped/Punched Products	8.0	
Agricultural Uses	2.5	
Miscellaneous Uses	1.5	
Total Recycled	24.5 million	9% <sup>a</sup>
Beneficially Used in Civil Engineering	10 million	4% <sup>a</sup>
Combusted for Energy Recovery	152.5 million	57% <sup>a</sup>
Exported	15 million	6% <sup>a</sup>
Landfilled, stockpiled, or illegally dumped	64 million	24%
<b>TOTAL GENERATED</b>	<b>266 million scrap tires</b>	<b>100%</b>

<sup>a</sup> 202 million scrap tires, or 76% of the scrap tires generated in 1996, had markets. Adapted from Scrap Tire Management Council, 1997. *Scrap Tire Use/Disposal Study, 1996 Update*, Washington, DC.

**ALABAMA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p><u>Disposal and Land Filling</u>                      Russell Kelly                      Alabama Department of Environmental Management (ADEM)                      Solid Waste Section                      1751 Congressman W.L. Dickinson Drive                      P.O. Box 301463                      Montgomery, Alabama 36130-1463                      Telephone: 334-271-7771                      FAX: 334-279-3050</p> <p><u>Recycling</u>                      Michael Forster                      Alabama Department of Economic and Community Affairs                      P.O. Box 5690                      Montgomery, Alabama 36103-5640                      Telephone: 334-242-5336                      FAX: 334-242-0552</p> <p><u>Permitting for Storage</u>                      Anthony Spencer                      Alabama Department of Public Health                      (RSA Tower, Suite 1250)                      Bureau of Environmental Services                      P.O. Box 303017                      Montgomery, Alabama 36130                      Telephone: 334-206-5373                      FAX: 334-206-5788</p>	<ul style="list-style-type: none"> <li>Alabama's Solid Waste Act was passed in May 1989.</li> </ul>	<ul style="list-style-type: none"> <li>Not addressed in legislation.</li> </ul>	<ul style="list-style-type: none"> <li>Not addressed.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Facilities that process and/or store tires must have a health permit.</li> <li>A manifest record showing origin of tires delivered to site and destination of tires leaving the site, tire stacking dimensions, separation distances and site description is also required.</li> </ul>	<ul style="list-style-type: none"> <li>Disposal facilities must have a solid waste permit.</li> </ul>	<ul style="list-style-type: none"> <li>Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Three monofills for tires are permitted and operating.</li> <li>In 1990, the State legislature required that a study be performed to plan for improved scrap tire management in the State. A Tire Recycling Center was established at Gladsden State Community College in 1990 to conduct this study. It was completed in August 1991.</li> </ul>

**ALASKA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Glenn Miller Alaska Department of Environmental Conservation 410 Willoughby Avenue Juneau, Alaska 99801-1795 Telephone: 907-465-5153 FAX: 907-465-5362 E-mail: gmiller@envircon.state.ak.us</p> <p>David Wigglesworth Anchorage Office Telephone: 907-269-7582 FAX: 907-269-7600</p> <p>Tony Barter Alaskan Department of Transportation and Public Facilities 500 East Tudor Anchorage, Alaska 99507 Telephone: 907-269-6230 FAX: 907-269-6231</p>	<ul style="list-style-type: none"> <li>No scrap tire legislation at the present time.</li> </ul>	<ul style="list-style-type: none"> <li>The Alaska program is funded 100% from the State's general fund.</li> </ul>	<ul style="list-style-type: none"> <li>No specific regulations.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Not applicable: no tire piles exceeding 500,000 tires are known to exist.</li> </ul>	<ul style="list-style-type: none"> <li>Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Recycling bill gives bidders' preference to recycled products.</li> </ul>	<ul style="list-style-type: none"> <li>The Alaskan Department of Transportation was the first in the United States to field test rubberized asphalt.</li> </ul>

**ARIZONA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Sal Tandean or Barry Abbot Arizona Department of Environmental Quality (ADEQ) Solid Waste Section Waste Programs Division 3033 North Central Avenue Phoenix, Arizona 85012 Telephone: 602-207-2226 FAX: 602-207-2383</p>	<ul style="list-style-type: none"> <li>• The Scrap Tire Law (HB 2687, Chapter 389) was passed in July 1990 and took effect on September 27, 1990.</li> <li>• SB 1252, which took effect in September 1991, amends the Scrap Tire Law.</li> <li>• HB 2144, which took effect September 30, 1992, also amends the Scrap Tire Law.</li> <li>• SB 1024 and 1228, both of which took effect in July 1997, amend the Scrap Tire Law.</li> </ul>	<ul style="list-style-type: none"> <li>• A waste tire fund was established in September 27, 1990. Monies are raised through a 2% sales tax (not to exceed \$2/tire) on the retail sales of new tires.</li> <li>• Counties receive a share of the waste tire fund based on the number of vehicle registrations in each county.</li> <li>• New car dealers can charge a maximum of \$1/tire at the sale of a new car. New car dealers can charge a greater amount if they specify the dollar amount and its purpose.</li> <li>• The 1997 amendment of the law extends the 2% new tire sales fee program to December 31, 2002.</li> </ul>	<ul style="list-style-type: none"> <li>• Retail tire sellers must accept waste tires from customers at the point of transfer.</li> <li>• Scrap tire collection sites must be approved as a solid waste facility by the Department of Environmental Quality.</li> <li>• Scrap tire collection sites must require, and tire sellers must show, a manifest for disposal of waste tires at the site.</li> <li>• DEQ registration is required for all collection sites.</li> <li>• State-funded waste tire collection sites must accept up to five tires per person per year from county residents with no fee assessed; they must accept waste tires from retail sellers of new tires with no fee. However, if a county can demonstrate that the funds it receives from the waste tire fund are insufficient to manage its program, then the county may charge a fee for disposal.</li> <li>• A county or private enterprise receiving a contract or grant for tire management activities must provide at least one waste tire collection site in the county and may not refuse to accept waste tires from designated dealers.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• A site at which 5,000 or more scrap tires are stored outdoors on any day is subject to self certification requirements including the financial assurance requirement.</li> <li>• A site at which more than 500 and fewer than 5,000 tires are stored on any day is subject to waste tire best management practices.</li> <li>• A site at which more than 100 and fewer than 500 tires are stored is subject to proper storage practices outlined in the statute.</li> <li>• A site at which fewer than 100 tires are stored is subject to local zoning and fire codes.</li> </ul>	<ul style="list-style-type: none"> <li>• As of January 1992, whole tires are banned from disposal in landfills. Chopped or shredded tires can be monofilled, but not landfilled. Chopped or shredded tires can also be used as waste tire daily cover at a solid waste landfill after ADEQ specifies the size of the parts into which the material must be cut.</li> <li>• Rules were passed by the State's Regulatory Review Council in November 1992 that affect the disposal of scrap tires generated at mining facilities. Burial of tires generated at mining facilities will be permitted on-site for a period of 5 years. Companies must report to the DEQ the number of tires buried and allow inspection of tire disposal operations.</li> <li>• Scrap tire manifests are required for disposal of tires at a collection site.</li> </ul>	<ul style="list-style-type: none"> <li>• The waste tire fund established in 1990 is used to provide funds to counties for use in contracting with private enterprises for waste tire processing and/or collection facilities.</li> <li>• A permit to burn a tire-derived fuel can be issued by ADEQ if it is demonstrated that the burning will result in equal to or lower emissions than the burning of other types of fuel permitted by the Department and the applicant has met all requirements of Titles I and V of the Clean Air Act. As part of the demonstration, previous tests approved by EPA shall be accepted by ADEQ.</li> </ul>	<ul style="list-style-type: none"> <li>• Extensive field demonstrations and tests of rubberized asphalt have been performed over the past 20 years by the City of Phoenix.</li> <li>• An Arizona crumb rubber facility has been in operation to process 3.5 million scrap tires annually for use in rubberized asphalt (90%), rubber hose, and other products (10%).</li> <li>• An Arizona cement kiln has an air quality permit to burn waste tires.</li> </ul>

## ARKANSAS

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Elizabeth Hoover State of Arkansas Department of Pollution Control and Ecology Solid Waste Division P.O. Box 8913 Little Rock, Arkansas 72219-8913 Telephone: 501-682-0583 FAX: 501-682-0611</p>	<ul style="list-style-type: none"> <li>Act 752, enacted in 1991, establishes regional solid waste management authorities and requires authorities to provide collection centers for tires.</li> <li>Act 748, enacted in 1991, provides for an income tax credit for equipment used exclusively to reduce, reuse, or recycle solid waste.</li> <li>Act 749, enacted in 1991, requires tire regulations to be written. These regulations were promulgated in July 1992. The Act includes language regarding the hauling, storage, and disposal of tires and requires permits for these activities.</li> <li>Act 1292, enacted in 1997, establishes the current tire retail sales tax. It also mandates additional reporting requirements for tire retailers and new motor vehicle dealers.</li> </ul>	<ul style="list-style-type: none"> <li>Monies collected are placed in the Waste Tire Management Fund to provide grants for tire cleanup, recycling, and the establishment of waste tire collection centers.</li> <li>The Tire Grant Program sets aside 10% of total grant funds for special grants to districts for the removal of tires from illegal disposal sites.</li> <li>Since July 1991, there is a \$1/tire fee on all tires imported into Arkansas for disposal.</li> <li>Since August 1997, a \$1.75/tire retail sales tax is collected. Each Regional Solid Waste Management District (RSWMD) is allowed to assess a separate fee on truck tires--no more than \$4--since January 1, 1998.</li> </ul>	<ul style="list-style-type: none"> <li>Permits are required for haulers of scrap tires handling more than 25 tires per load.</li> <li>Collection centers must be permitted.</li> <li>Sellers are required to file monthly returns with the Department of Finance and the applicable solid waste management district.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Storage sites with over 1,000 tires must be permitted as a processing facility.</li> </ul>	<ul style="list-style-type: none"> <li>Since July 1992, whole tires have been banned from landfills. Scrap tires can be landfilled if they are cut, sliced, or shredded, or they can be monofilled.</li> </ul>	<ul style="list-style-type: none"> <li>An income tax credit is available to businesses engaged in the reduction, reuse, or recycling of solid wastes.</li> <li>A 10% price preference is given for the purchase of retreads for State vehicles. If the retread tires were produced in Arkansas, an additional 1% price preference is added.</li> <li>A 30% income tax credit is available to waste management companies that invest in equipment used to reduce, reuse, or recycle solid waste, including scrap tires.</li> </ul>	

## CALIFORNIA

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p><u>General</u> Tom Ditsch California Integrated Waste Management Board (CIWMB) Waste Prevention and Market Development Division 8800 Cal Center Drive Sacramento, California 95826 Telephone: 916-255-2578 FAX: 916-255-2222 E-mail: <a href="mailto:tdietsch@ciwmb.ca.gov">tdietsch@ciwmb.ca.gov</a> Web site: <a href="http://www.ciwmb.ca.gov">http://www.ciwmb.ca.gov</a></p> <p><u>Regulations and Permitting</u> Cody Begley California Integrated Waste Management Board Permitting and Enforcement Division 8800 Cal Center Drive Sacramento, California 95826 Telephone: 916-255-4165 FAX: 916-255-4071 Web site: <a href="http://www.ciwmb.ca.gov">http://www.ciwmb.ca.gov</a></p>	<ul style="list-style-type: none"> <li>• SB 1322 was passed in 1989. It allows the Department of General Services and the California Integrated Waste Management Board (CIWMB) to promulgate regulations for State purchase of retread tires and requires the use of retreads on State vehicles (other than high-speed vehicles) after July 1, 1991.</li> <li>• Under Assembly Bill 1843 (1989), the CIWMB was required to develop a permit program for waste tire facilities; set up a tire recycling program to reduce the landfilling of whole tires; and report to the legislature on the feasibility of using tires as a fuel supplement in cement kilns, lumber operations, and other industrial processes. The permit program and recycling program have been in place since 1993. The feasibility report has been completed.</li> <li>• CIWMB's final regulations for minor and major tire facilities went into effect in 1993.</li> <li>• AB 1306 requires that the California Department of Transportation (CalTrans), with CIWMB, review and modify all bid specifications for paving materials to encourage use of recycled materials, including scrap tires.</li> <li>• New legislation regulating waste tire haulers was adopted in May 1996.</li> </ul>	<ul style="list-style-type: none"> <li>• Since July 1, 1990, a \$1.00/tire fee is collected on all tires at point of sale. The fee generates \$3 million to \$4 million annually for the California Tire Recycling Management Fund. The CIWMB is administering the fund.</li> </ul>	<ul style="list-style-type: none"> <li>• Transporters hauling more than four tires must register with CIWMB.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Since July 1, 1992, new major waste tire facilities (over 5,000 stored tires) must obtain a major waste facility permit from the CIWMB. Permit requirements include fire prevention, security and vector control measures, tire pile size and height limits, closure and pile reduction plans.</li> <li>• In February 1992, the CIWMB issued requirements for obtaining a minor (under 3,000 tires) waste tire facility permit.</li> </ul>	<ul style="list-style-type: none"> <li>• Since January 1, 1993, whole tires have been banned from landfills.</li> </ul>	<ul style="list-style-type: none"> <li>• A 5% purchase price preference is available for State-purchased products made from materials derived from used tires.</li> <li>• The CIWMB has a grant and loan program to encourage the recycling of tires.</li> <li>• The CIWMB has the authority to issue grants and loans to qualified companies engaged in tire recycling, reuse, recovery or reduction operations, including tire shredding, crumb rubber production, pyrolysis, and the manufacture of products from scrap tires.</li> <li>• The CIWMB is mandated to designate market development zones and provide economic and regulatory incentives to businesses within these zones for producing end products made with no less than 50% recycled material.</li> <li>• Grants are made to Local Enforcement Agencies.</li> </ul>	<ul style="list-style-type: none"> <li>• Stabilization and remediation of waste tire sites.</li> <li>• Conferences and workshops to promote recycling.</li> <li>• Collection and analysis of emissions data from facilities using TDF.</li> <li>• Civil engineering investigations.</li> <li>• Local fire authority training.</li> <li>• Emissions testing at coal-fired cogeneration facilities.</li> <li>• Rubberized asphalt concrete technical assistance center.</li> </ul>



**COLORADO**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p><u>General</u>                      Glenn Mallory                      Colorado Department of Public Health and Environment                      Hazardous Materials and Waste Management Division                      HMWMD-SWIM-B2                      4300 Cherry Creek Drive South                      Denver, Colorado 80222-1530                      Telephone: 303-692-3445                      FAX: 303-759-5355</p> <p><u>Market Incentives</u>                      Steve Johnson                      Colorado Housing and Finance Authority                      1981 Blake Street                      Denver, Colorado 80202                      Telephone: 303-297-7363                      FAX: 303-297-2615</p>	<ul style="list-style-type: none"> <li>• Solid waste regulations affecting scrap tire management became effective in May 1988. These regulations govern the final disposal of tires and regulate any site containing 10,000 or more tires as a solid waste facility.</li> <li>• An enforcement program is in place.</li> </ul>	<ul style="list-style-type: none"> <li>• Since January 1, 1994, retailers of new tires or of new or used motor vehicles collect a recycling development fee of \$1/tire on any waste tire to send to the State's Department of Revenue for deposit in the Waste Tire Recycling Development Cash Fund (Fund). Retailers and the Department of Revenue each can retain up to 3-1/3% of the fee for administrative costs.</li> <li>• Tires that are recapped or otherwise reprocessed for use are exempt from the fee.</li> </ul>	<ul style="list-style-type: none"> <li>• Not addressed.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• A facility is limited in the number of tires it can accept to the number it can process, store, recycle, or dispose of in a year.</li> <li>• Storage requirements include fire control, security measures, access roads, and proper solid waste and environmental permits.</li> <li>• Safe storage is defined as placing tires or tire shreds in trenches and covering them with sheets of plastic and dirt.</li> </ul>	<ul style="list-style-type: none"> <li>• Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>• A 20% tax credit for recycling equipment purchases.</li> <li>• Market incentives from the Fund are administered by the Colorado Housing and Finance Authority.</li> <li>• Fund money may be loaned to local governmental entities but only if no private individual or entity in the geographic area served by the government entity is engaged in the waste diversion or recycling projects of waste tires.</li> <li>• At least 15% of the Fund is available to individuals or entities engaged in waste diversion or recycling programs in rural areas of the State.</li> <li>• No less than 30% of the Fund is available for new businesses to be used for startup costs, and no more than 34% may be awarded to a single individual or entity. Moneys provided must not be the sole source of funding.</li> </ul>	

**CONNECTICUT**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Carey Hurlburt                      State of Connecticut                      Department of Environmental Protection                      Waste Management Bureau                      Planning and Standards Division                      79 Elm Street                      Hartford, Connecticut 06106-5127                      Telephone: 860-424-3248                      FAX: 860-424-4081</p>	<ul style="list-style-type: none"> <li>Guidelines for Rubber Tire Storage Areas (1978-80).</li> <li>Tires are managed as a special waste under the Connecticut General Statutes, which became effective February 1985.</li> <li>The State Mandatory Recycling Act designates tires as future recyclables.</li> </ul>	<ul style="list-style-type: none"> <li>Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Any tire handler must comply with the regulations set out in the Connecticut General Statutes.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Tire storage facilities must be licensed by the Department of Environmental Protection. Requirements include ground water protection, environmental health and safety provisions and financial assurance.</li> </ul>	<ul style="list-style-type: none"> <li>Tires may be accepted at landfills until there are sufficient facilities with tire recycling capabilities in the State.</li> </ul>	<ul style="list-style-type: none"> <li>State has a 10% price preference for products made from recycled materials.</li> </ul>	<ul style="list-style-type: none"> <li>A 300 ton/day scrap tire-to-energy facility is now operating in the town of Sterling. In 1991, tires began to be diverted from landfills to a waste-to-energy facility in the State. The facility operates in Sterling, CT, and is burning approximately 106,600 tons (10 million tires) annually.</li> </ul>

**DELAWARE**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Janet Manchester                      Delaware Department of Natural Resources and Environmental Control                      Division of Air and Waste Management                      Solid Waste Management Branch                      89 Kings Highway                      P.O. Box 1401                      Dover, Delaware 19903                      Telephone: 302-739-3820                      FAX: 302-739-5060                      Web site:  <a href="http://www.dnrec.state.de.us">http://www.dnrec.state.de.us</a>                      E-mail:  <a href="mailto:jmanchester@dnrec.state.de.us">jmanchester@dnrec.state.de.us</a></p>	<ul style="list-style-type: none"> <li>No scrap tire legislation at the present time. However, tires are being managed as either a solid waste or recyclable material under existing solid waste regulations.</li> <li>New Regulation (1997) prohibits outdoor storage of tires without first obtaining a permit from the State Fire Marshal's office. (See Delaware State Fire Prevention Regulations, Part VI, Chapter 5.)</li> </ul>	<ul style="list-style-type: none"> <li>Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Scrap tire haulers are not required to be permitted or registered. Tire haulers are exempt from the \$300 fee for solid waste transporters.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Permit must be obtained from State Fire Marshal for outdoor storage.</li> </ul>	<ul style="list-style-type: none"> <li>The State's three sanitary landfills are permitted to accept tires for landfilling provided that the tires are shredded or split. Whole tires in excess of 10 per truckload are prohibited from being landfilled.</li> </ul>	<ul style="list-style-type: none"> <li>The State's Green Industries Initiative provides tax incentives and/or low interest loans to business and industry to use recycled materials in manufacturing or to process recyclables. To date, two loans have been given out under this program, including one to a crumb rubber operation.</li> </ul>	<ul style="list-style-type: none"> <li>The landfills have implemented a tipping fee of \$95 per ton for whole tires, which they divert to a tire-to-energy facility. Shredded and sliced tires are accepted at the regular tipping fee of \$58.50 per ton.</li> </ul>

**FLORIDA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Bill Parker                      State of Florida                      Department of Environmental Protection                      Solid Waste Section MS-4565                      Twin Towers Office Building                      2600 Blair Stone Road                      Tallahassee, Florida 32399-2400                      Telephone: 904-488-0300                      FAX: 904-414-0414                      E-mail: parker_b@dep.state.fl.us</p>	<ul style="list-style-type: none"> <li>• SB 1192, enacted in 1988, is the Solid Waste Act. Scrap tires are addressed by the Act.</li> <li>• Section 62-711 of the Florida Administrative Code defines terms and contains rules for handling and disposing of waste tires.</li> </ul>	<ul style="list-style-type: none"> <li>• A \$1/tire tax on the retail sale of new tires.</li> <li>• Retreads are exempt.</li> </ul>	<ul style="list-style-type: none"> <li>• Waste tire collectors must be registered with the Department of Environmental Protection.</li> <li>• Collection centers must have a permit.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Waste tire sites must be closed or located at a permitted facility.</li> <li>• Processing or disposal facilities, collection centers, and mobile operators must have a permit.</li> </ul>	<ul style="list-style-type: none"> <li>• Tires must be cut into at least eight pieces prior to landfilling.</li> </ul>	<ul style="list-style-type: none"> <li>• Counties receive grants that can be used to buy products made from waste tires.</li> </ul>	<ul style="list-style-type: none"> <li>• Florida Department of Transportation specifies rubber modified asphalt for all surfacing contracts.</li> <li>• Waste tires are used as fuel in cement kilns, power plants, and paper mills.</li> <li>• Shredded tires are used above the liner in landfill construction.</li> </ul>

## GEORGIA

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Denny Jackson Scrap Tire Management Program Georgia Department of Natural Resources 4244 International Parkway Suite 104 Atlanta, Georgia 30354 Telephone: 404-362-4500 FAX: 404-362-2693 E-Mail: denny_jackson@mail.dnr.state.ga.us Web site: http://www.dnr.state.ga.us</p>	<ul style="list-style-type: none"> <li>• HB 1385, a recycling amendment to the 1990 State Solid Waste Management Act that includes tires, was passed in May 1992.</li> <li>• Georgia's Waste Tire Committee and regulators from the EPD have written proposed carrier and generator rules required by HB 1385. They were promulgated in December 1992 and were effective January 1993.</li> </ul>	<ul style="list-style-type: none"> <li>• As of July 1, 1992, there is a \$1/tire management fee on the sale of new passenger and truck tires.</li> </ul>	<ul style="list-style-type: none"> <li>• HB 1385 requires generators of scrap tires to obtain an identification number. Carriers must obtain permits including financial assurance.</li> <li>• HB 1385 establishes a manifest/tracking system for scrap tires.</li> <li>• Retail dealers must keep accurate records and report to the EPD quarterly on the number of new replacement tires sold.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• No one may store more than 100 scrap tires anywhere in the State. Exceptions include: <ul style="list-style-type: none"> <li>- Solid waste disposal sites with a permit to store scrap tires prior to disposal;</li> <li>- Tire retailers, if the number of scrap tires stored is under 3,000;</li> <li>- Tire retreader with not more than 1,500 scrap tires, if the tires will be retreaded;</li> <li>- Auto salvage yards with not more than 500 scrap tires in storage.</li> </ul> </li> <li>• Storage and processing facilities must comply with pile dimension requirements.</li> <li>• Processors of scrap tires must recycle 75% of incoming tires per quarter.</li> </ul>	<ul style="list-style-type: none"> <li>• Since January 1, 1995, whole tires have been banned from landfills. Shredded or chopped tires can be landfilled if no other end markets are available.</li> </ul>	<ul style="list-style-type: none"> <li>• Monies generated by the state fees are used for: <ul style="list-style-type: none"> <li>S Scrap tire abatement projects by State contractors;</li> <li>S Grants to local governments for enforcement and educational programs;</li> <li>S Reimbursements to local governments for scrap tire recycling events;</li> <li>S Reimbursements to local governments for scrap tire pile cleanup projects;</li> <li>S Grants to universities and governmental agencies for innovative technology development.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The EPD is gathering information on the locations and number of tires in unpermitted tire stockpiles in the State.</li> <li>• Criteria for scrap tire dump abatement were developed in 1993.</li> </ul>

**HAWAII**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>John Harder  Hawaii Department of Health  Office of Solid Waste Management  Suite 210  919 Ala Moana Boulevard  Honolulu, Hawaii 96813  Telephone: 808-586-4240  FAX: 808-586-7509</p>	<ul style="list-style-type: none"> <li>Effective July 1, 1994, Chapter 342I, Hawaii Revised Statutes (H.R.S.) prohibits the disposal of whole used motor vehicle tires at all landfills and incinerators within the State of Hawaii. Tire retailers are required to accept used tires in exchange for new ones purchased. There is no tax on the retail sale of tires.</li> </ul>	<ul style="list-style-type: none"> <li>To date there is no tire advance disposal fee.</li> </ul>	<ul style="list-style-type: none"> <li>No specific regulations.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Tire storage, shredding and processing facilities are now required to seek permit approval as described in Hawaii Administrative Rules Title 11, Chapter 58.1, "Solid Waste Management Control."</li> </ul>	<ul style="list-style-type: none"> <li>Since July 1, 1992, whole tires have been banned from landfills and incinerators within the State of Hawaii.</li> </ul>	<ul style="list-style-type: none"> <li>The Department of Accounting and General Services has finalized (under legislative direction) its procurement rules and specifications. They include a 10% preference for products made with recycled materials, including retread tires. The rules were promulgated by mid-1993.</li> </ul>	<ul style="list-style-type: none"> <li>Shredded tires are sold to a coal plant for use as fuel.</li> </ul>

**IDAHO**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Todd Montgomery State of Idaho Division of Environmental Quality (DEQ) 1410 North Hilton Street Boise, Idaho 83720 Telephone: 208-373-0464 FAX: 208-373-0417</p>	<ul style="list-style-type: none"> <li>• HB 352, passed in March 1991, addressed acceptance of scrap tires, collection sites, and disposal of scrap tires.</li> </ul>	<ul style="list-style-type: none"> <li>• A \$1/tire fee on the retail sale of motor vehicle tires, established as part of HB382, sunsetted June 30, 1996.</li> </ul>	<ul style="list-style-type: none"> <li>• No specific regulations.</li> <li>• Tire sellers must accept a number of scrap tires from consumers for disposal/recycling equal to the number of tires sold/year.</li> <li>• Scrap tire collection sites must register with the DEQ.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• An owner or operator of a waste tire collection site must register with the Division of Environmental Quality and provide information concerning the site's location and size and the approximate number of waste tires that are stored at the site.</li> </ul>	<ul style="list-style-type: none"> <li>• Disposal of tires at landfills and incineration sites is banned (except as allowed under permissible fuel uses), effective July 1, 1993.</li> <li>• Since January 1, 1993, tires must be disposed of at scrap tire collection sites.</li> <li>• Each county was required to establish a program addressing waste tire disposal by October 1, 1992.</li> </ul>	<ul style="list-style-type: none"> <li>• The Waste Tire Grant program is no longer in existence.</li> </ul>	

# ILLINOIS

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p><u>General</u>            Alan Justice            State of Illinois            Department of Commerce and            Community Affairs (DCCA)            Bureau of Energy and Recycling            325 West Adams            Room 300            Springfield, Illinois 62704-1892            Telephone: 217-785-3999            FAX: 217-785-2618</p> <p><u>Regulations and Cleanup</u>            Paul Pursseglove            Illinois EPA            Bureau of Land            1001 North Grand Avenue East            Springfield, Illinois 62702            Telephone: 217-524-5597            FAX: 217-524-1991</p>	<ul style="list-style-type: none"> <li>• HB 1085 (PA 86-452), enacted August 31, 1989, amended the Environmental Protection Act to create the Used Tire Management Program. Financial assistance can be provided to local governments for cleanup of tire piles, development of markets for tire-based products, and regulations to control mosquito infestations in tire piles.</li> <li>• SB 989 (PA 87-727), enacted September 23, 1991, further amended the Environmental Protection Act by establishing a new fee on tires sold, setting priorities for how monies generated are earmarked, requiring tire retailers to accept used tires for recycling, and requiring the development and implementation of a plan to eliminate large tire piles. The Act also created a waste management hierarchy for used tires generated.</li> <li>• HB 1159 (PA 87-476) enacted September 13, 1991, amended the Civil Administrative Code of Illinois by requiring the Illinois Department of Central Management Services to develop and implement a program to use retreads as replacement tires on State-owned vehicles whenever possible.</li> <li>• Title 14, Section 55.8(c), of the Illinois Environmental Protection Act authorizes retailers to enter agreements with their suppliers to have the supplier remit the \$1/tire fee collected to the State.</li> <li>• The State has regulations that apply to generators, transporters, and processors of used and waste tires. The regulations are Part 848 of the Illinois Pollution Control Board's regulations.</li> </ul>	<ul style="list-style-type: none"> <li>• Since July 1, 1992, any person offering tires at retail sale in Illinois must collect a fee of \$1/tire sold and delivered in the State. After collection allowances are paid to the retailer and the Illinois Department of Revenue, \$0.80 of each dollar is deposited into the Used Tire Management Fund. Approximately \$7 million is expected to be generated annually.</li> </ul>	<ul style="list-style-type: none"> <li>• Final rules for licensing scrap tire transporters were finalized in 1990.</li> <li>• Since July 1, 1992, any person offering tires for retail sale must accept for recycling one used tire for every tire sold.</li> <li>• Since July 1, 1992, any person offering tires for retail sale in Illinois must post a written notice that includes the universal recycling symbol and the following statement: "DO NOT put used tires in the trash"; "Recycle your used tires"; and "State law requires us to accept used tires for recycling, in exchange for new tires purchased."</li> <li>• Any retailer that collects used tires for recycling under PA 87-727 may not allow the tires to accumulate for a period of more than 90 days.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Since April 1991, scrap tire storage facilities are requested to limit tire pile size, and ensure that water does not accumulate in tires. Site owners must maintain daily records of tires received and/or processed.</li> <li>• Sites with more than 5,000 tires are required to have financial insurance to cover the cost of site cleanup.</li> <li>• Since January 1992, processors have been regulated. Provisions include ensuring that tires are processed in a manner that prevents water accumulation.</li> <li>• Since January 1, 1992, no one can operate a tire storage site containing more than 50 used tires unless the site has been registered with the Illinois Environmental Protection Agency. Registered sites must report the number of tires accumulated, the status of vector control, and the actions to handle and process the tires.</li> </ul>	<ul style="list-style-type: none"> <li>• Since July 1, 1994, whole tires are banned from landfills.</li> </ul>	<ul style="list-style-type: none"> <li>• A portion of the money generated from the \$1/tire fee imposed by PA 87-727 will be available to the Illinois DCCA to provide manufacturing/processing grants and loans, procurement/demonstration grants, research/development grants, and marketing grants.</li> <li>• The Illinois DCCA Used Tire Recovery Program awards grants and low interest loans to expand existing used tire processing facilities in the State and to promote beneficial end uses of tires. For example, the Program has provided funding to:           <ul style="list-style-type: none"> <li>S Waste Recovery - Illinois for the purchase of equipment to process scrap tires into tire-derived fuel;</li> <li>S Laidlaw Waste Systems, Inc. to build a roadway with waste tire-derived material as an insulating road base;</li> <li>S Over 100 schools, colleges and universities to assist in the purchase of outdoor, all-weather running tracks made from tire-derived material;</li> <li>S Construct, with tire-derived materials, over 150 playgrounds and over 40 horse arenas;</li> <li>S Illinois Cement Company to purchase a feeding system to introduce whole tire-derived fuel into their cement kiln.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The Illinois Environmental Protection Agency (EPA) may allow, on a case-by-case basis, the use of alternative materials, including shredded tire material, to serve as a daily cover at sanitary landfills.</li> <li>• Illinois has an active tire cleanup program. The State will remove up to 1,000 tires from private property at no expense provided the property owner agrees to no further accumulations. The State has a law, Section 55.3 of the Illinois Environmental Protection Act, that allows EPA to order a property owner to remove tires from his or her property and follows up with a State removal and cost recovery if the owner is unwilling or unable to comply. The Illinois EPA averages 100 cleanups each year, with 1.5 to 2 million tires removed from open dumps yearly.</li> </ul>



## INDIANA

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p><u>General</u>            Debby Baker            Indiana Department of Environmental Management (DEM)            Office of Solid and Hazardous Waste            100 N Senate Avenue            P.O. Box 6015            Indianapolis, Indiana 46206-6015            Telephone: 317-232-0066            FAX: 317-232-3403</p> <p><u>Market Incentives</u>            Jose Evans            Energy Policy Division            Indiana Department of Commerce            One N. Capitol Avenue, Suite 600            Indianapolis, Indiana 46204            Telephone: 317-232-8951            FAX: 317-232-8995</p>	<ul style="list-style-type: none"> <li>• HB 1391, signed into law March 1990, established regulations on the disposal of lead acid batteries and waste tires.</li> <li>• HB 1056, an act amending HB 1391, was passed in 1990. When HB 1056 sunsetted, it was replaced by HB 1047, which requires that rules be written on tire storage and transport. HB 1047 also extended the life of the Waste Tire Task Force.</li> <li>• PL 19, passed in 1990, created the Waste Tire Management Fund and established a price preference for recycled materials, including retread tires.</li> <li>• PL 236, passed in 1991, affects tire retailers, wholesalers, haulers, and processors. Haulers must comply with 329 Indiana Code (IAC) 12-6. Processors must comply with 329 IAC 12-5.</li> <li>• PL 88, passed in March 1992, set up a registration system for storage of waste tires. Storage sites must comply with the registration and operational requirements of 329 IAC 12-5.</li> <li>• Article 15 for waste tire management is expected to be promulgated in 1999.</li> </ul>	<ul style="list-style-type: none"> <li>• As of July 1991, a waste tire management fund was created.               <ul style="list-style-type: none"> <li>- 35% is for removal and disposal of improperly disposed tires and for operating the waste tire education program and to pay administrative expenses;</li> <li>- 65% assists the Department of Commerce to provide grants and loans to people involved in waste tire management activities and to pay administrative expenses.</li> </ul> </li> <li>• The fund is supported by a \$0.25 fee assessed on each new tire sold in Indiana and is administered by the Indiana Department of Environmental Management.</li> </ul>	<ul style="list-style-type: none"> <li>• Provisions and permit fee amounts have been established for registering scrap tire haulers.</li> <li>• Tire retailers are required to post a notice in the establishment advising customers that the retailer is required to accept the customers' used tires for recycling.</li> <li>• Retailers must retain one used tire for each new tire sold.</li> <li>• A manifest form is required for shipment of scrap tires from a generator to a disposal or processing facility.</li> <li>• Haulers transporting more than 20 scrap tires in Indiana must register with IDEM and comply with the requirements of 329 IAC 12-6, which includes manifesting.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• A permit is required for scrap tire storage facilities.</li> <li>• Most facilities that cut, shred or grind tires are required to be registered as a waste tire processing facility. The following facilities are not required to be registered:               <ul style="list-style-type: none"> <li>- A generator (tire dealer, auto salvage yard) that only processes tires generated by its business;</li> <li>- A facility registered as a waste tire storage facility.</li> <li>- A mobile shredder that only processes tires at the site of generation;</li> <li>- A tire recapper.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• IAC 13-20-14 states that "A whole waste tire may not be disposed of at a solid waste landfill after July 1, 1995."</li> <li>• IDEM has determined how a tire may be altered so it is no longer a <u>whole</u> tire and thus may be disposed of into a solid waste landfill.               <ul style="list-style-type: none"> <li>- A tire which has the sidewalls cut and the remaining tread intact, resulting in three pieces (two sidewalls and the tread); or</li> <li>- A tire which has been cut, at a minimum, into four (4) relatively equal pieces. The tire can be laid on its side and cut like a pie through the bead and tread into four pieces. Both sidewalls can be cut out of the tire and the remaining tread cut into two relatively equal pieces. The tire may be split in half along the center of the tread (a bagel cut) and the resulting two pieces each cut in half. Each landfill site may require additional processing or may refuse to accept any tire material.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The Indiana Dept. of Commerce Energy Policy Division (EPD) administers the Recycled Tire Product Procurement Grants Program, established January 1995, which awards grants of up to \$40,000 for Indiana local and state government agencies to purchase products made from recycled Indiana scrap tires to promote and demonstrate the use of products made from recycled scrap tires. Grantees must provide a minimum of 50 percent of the total project cost.</li> <li>• EPD administers the Recycled Tire Product Marketing Grants Program, established January 1995, which awards grants of up to \$20,000 for Indiana businesses to promote and market products made from recycled scrap tires. Grantees must provide a minimum of 50 percent of the total project cost.</li> <li>• EPD administers the Tire-Derived Fuel Testing Grants Program, established January 1995, which awards grants of up to \$30,000 for utilities, pulp and paper mills, cement kilns, and other operations with appropriate pollution control equipment to test the use of tire-derived fuel in their operations. Grantees must provide a minimum of 50 percent of the total project cost.</li> </ul>	

IOWA

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Mel Pins State of Iowa Department of Natural Resources (DNR) Waste Management Assistance Division 502 East Ninth Street Henry A. Wallace Bldg. Des Moines, Iowa 50319-0034 Telephone: 515-281-8489 FAX: 515-281-8895</p>	<ul style="list-style-type: none"> <li>House File 753, the Waste Management and Recycling Act, was passed in 1989. A portion of the Act addresses waste tire disposal.</li> <li>House File 706, Registration of Waste Tire Haulers, was passed in 1990.</li> <li>House File 2433, establishing a Waste Tire Management Fund, was passed in 1996. The fund provides a total of \$15 million over six fiscal years, 1997-2002, for a variety of waste tire related programs, including grant funding for county waste tire collection and management programs, incentive grants for eligible waste tire processors located within the State, grants to the three State universities to encourage the use of tire-derived fuel, and funds for the abatement of nuisance stockpiles.</li> <li>In conjunction with requirements set forth in HF2433, the Department is currently developing administrative rules defining beneficial uses of whole or processed waste tires, including uses related to civil engineering practices, erosion control, and agricultural practices.</li> </ul>	<ul style="list-style-type: none"> <li>The 1996 legislation provided for the reallocation of a portion of an existing \$5 surcharge, which is collected at the time of a motor vehicle title issuance or transfer, to the Waste Tire Management Fund for fiscal years 1997-2002.</li> <li>The Landfill Alternatives Financial Assistance Program (passed as part of the 1987 Iowa Ground Water Protection Act) is funded by a tonnage fee (a surcharge on all wastes), paid in addition to a tipping fee, at landfills.</li> </ul>	<ul style="list-style-type: none"> <li>HF 706 requires that waste tire haulers register with, and obtain a certificate of registration from the Secretary of State's Corporations Division Office. A \$10,000 surety bond is required of each hauler to be registered. "Waste tire hauler" means a person who transports for hire more than 40 waste tires in a single load for commercial purposes.</li> <li>Haulers are liable for any costs associated with improper disposal of tires.</li> <li>Generators of scrap tires must contract with a registered hauler for removal of scrap tires.</li> <li>Transporters of scrap tires for final land disposal are required to dispose of the tires at permitted sanitary disposal facilities.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>HF 2475 established permitting requirements for waste tire storage and processing facilities. The requirements include a permit fee and a financial assurance instrument and apply to facilities with more than 500 tires.</li> <li>House File 228, passed in 1997, allows authorized vehicle recyclers to store or collect up to 3,500 waste tires without a waste tire storage permit.</li> <li>House File 653, also passed in 1997, provided that all requirements for financial assurance became effective July 1, 1998.</li> </ul>	<ul style="list-style-type: none"> <li>Since July 1, 1991, disposal of whole tires in landfills is banned. Tires must be processed by, at a minimum, shredding, cutting, or chopping into pieces that are no longer than 18 inches on any side.</li> <li>Disposers of waste tires must contract with a registered hauler for removal of waste tires.</li> </ul>	<ul style="list-style-type: none"> <li>The Landfill Alternatives Financial Assistance Program provides funding for source reduction and recycling projects. Since 1988, nine projects for scrap tire management have received funding.</li> <li>House File 2433 provides eligible waste tire processors located within the State a grant of up to \$20,000 annually, as an incentive to encourage such processors to lower the rates at which they sell processed waste tire materials.</li> <li>The Waste Tire Management County Grant Program has been established in conjunction with HF2433. The program provides competitive grant awards to counties for the implementation of waste tire collection and management programs at the local level. An average of \$1 million is available annually for the program, with grant funds to be used for waste tire collection and processing fees, an educational component to the program, and promotional and administrative expenses.</li> </ul>	<ul style="list-style-type: none"> <li>As mandated in HF2433, the Department began implementing a Waste Tire Stockpile Abatement Program in fiscal year 1998. The program will provide the Department with funding in order to contract for the removal and abatement of approximately 6 million waste tires, contained in over 60 stockpiles statewide.</li> <li>As of 1998, one cement kiln, one industrial plant, and one State university use tire-derived fuel (TDF) as a supplement to their primary fossil fuel resources. An in-state processor also manufactures agricultural equipment bushings from bias-ply tire casings.</li> <li>A second state university will begin using TDF in 1999.</li> <li>A private boiler is to have conducted a test burn of TDF in 1998 and, if successful, may permanently use TDF.</li> </ul>

## KANSAS

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Joe Cronin            Kansas Department of Health and Environment            Bureau of Waste Management            Forbes Field, Building 740            Topeka, Kansas 66620            Telephone: 913-296-1667            FAX: 913-296-1592</p>	<ul style="list-style-type: none"> <li>• Kansas Statutes Annotated 65-3424 through 65-3424m and Kansas Administrative Regulations 28-29-28 through 28-29-33 pertain to waste tire management.</li> </ul>	<ul style="list-style-type: none"> <li>• An excise tax of \$0.50 on the retail sale of new tires. An estimated \$1.2 million per year in tire fund revenues will be used for grants to local governments and program administration.</li> <li>• Excise tax will be reduced to \$0.25 per tire on July 1, 2001.</li> <li>• The Waste Tire Management Fund was established in 1990 to provide grants to cities and counties for scrap tire recycling, management, collection, and disposal operations and to enforce laws relating to collection and disposal fees.</li> </ul>	<ul style="list-style-type: none"> <li>• Waste tire transporters are required to have permits and provide financial assurance.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Permit requirements for waste tire processing facilities, mobile waste tire processors, and collection centers include zoning and site plans, a management/operation plan for the site containing information on the number of tires to be processed, type of processing to be used, a contingency plan for fire or other emergencies, proof of ownership of site, a closure plan, financial assurance, pile size limitations, and site operation standards.</li> </ul>	<ul style="list-style-type: none"> <li>• As of July 1, 1990, whole tires are banned from disposal in landfills.</li> <li>• Tires, if cut sufficiently small, may be disposed of in landfills.</li> <li>• Tires may be disposed of only in permitted disposal facilities.</li> <li>• After July 1, 1999, tire disposal only in permitted monofills.</li> </ul>	<ul style="list-style-type: none"> <li>• The first municipal grants issued through the Waste Tire Management Fund were awarded in 1993.</li> <li>• The only market stimulation grant to develop waste tire recycling markets was awarded in 1997. The amount of the grant was \$400,000. No additional funds are available.</li> </ul>	<ul style="list-style-type: none"> <li>• Whole tires may be used as part of a proven and approved leachate collection system.</li> <li>• Cut tire chips may be used as daily landfill cover material.</li> <li>• Beneficial uses must be approved in writing by the Kansas Department of Health and Environment.</li> </ul>

**KENTUCKY**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Charles Peters            Kentucky Department of            Environmental Protection            Division of Waste Management            14 Reilly Road            Frankfort, Kentucky 40601            Telephone: 502-564-6716            FAX: 502-564-4049</p>	<ul style="list-style-type: none"> <li>HB 636, passed in April 1998, specifically addresses the management of waste tires.</li> </ul>	<ul style="list-style-type: none"> <li>There is a \$1/tire tax on the retail sale of new replacement tires.</li> <li>A waste tire fund was established for the cleanup of tire piles and for market development.</li> </ul>	<ul style="list-style-type: none"> <li>Accumulators, transporters, and processors must register and post bond.</li> <li>Tire retailers and accumulators can transfer waste tires only to registered transporters or authorized facilities. Receipts are required.</li> <li>No person can accumulate more than 100, transport more than 50, or process more than 25 waste tires without registering with the Kentucky Department of Environmental Protection (DEP).</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>No person can accumulate more than 100 or process more than 25 waste tires without registering with the DEP.</li> <li>Management standards for accumulators, including access for firefighting equipment and prevention of the entrapment of water.</li> </ul>	<ul style="list-style-type: none"> <li>Only tires "rendered suitable for disposal" may be disposed of in landfills.</li> </ul>	<ul style="list-style-type: none"> <li>Sales tax exemption on recycling equipment.</li> <li>Tax credit on recycling equipment.</li> </ul>	<ul style="list-style-type: none"> <li>A cement plant is burning tires for fuel.</li> </ul>

**LOUISIANA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Karen Fisher-Brasher Louisiana Department of Environmental Quality Office of Solid and Hazardous Waste P.O. Box 82178 Baton Rouge, Louisiana 70884-2178 Telephone: 504-765-0249 FAX: 504-765-0299 E-mail: karen_f@deq.state.la.us Web site: www.deq.state.la.us</p>	<ul style="list-style-type: none"> <li>• Act 185, a solid waste recycling and reduction law affecting scrap tires, was passed in 1989, and became effective January 20, 1992.</li> <li>• The Department of Environmental Quality formulated regulations for scrap tire recycling in accordance with Act 185. The current regulations include:               <ul style="list-style-type: none"> <li>- Manifest and reporting requirements;</li> <li>- Site notification requirements;</li> <li>- Permitting requirements for transporters and waste tire collection storage, recycling and disposal sites;</li> <li>- Outdoor/indoor storage requirements;</li> <li>- Tire dealer responsibilities; and</li> <li>- Provisions for a \$2/tire fee on retail sale.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• A \$2/tire fee on retail sales became effective February 1992.</li> <li>• Notification and permitting fees are specified in the regulations.</li> <li>• A portion of the waste tire management fund is used to pay for the cleanup of waste tire piles around the State.</li> </ul>	<ul style="list-style-type: none"> <li>• Permit fees have been established for tire haulers, collectors, and processors.</li> <li>• The retailers are required to post a notice in their establishment advising customers that the retailer is required to accept the customers' tires for recycling.</li> <li>• Customers are required to pay the disposal fee whether they leave the waste tire or take it with them.</li> <li>• Retailers may not refuse to take one used tire for each new tire sold.</li> <li>• The period of time over which collection/processing facilities can retain whole tires is limited.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• As of January 1990, tires must go to a permitted recycling or solid waste disposal facility or to waste tire collection sites.</li> <li>• Permit fees have been established for processors.</li> </ul>	<ul style="list-style-type: none"> <li>• Since January 1, 1991, whole tires cannot be disposed in landfills. They must be cut or shredded prior to disposal.</li> </ul>	<ul style="list-style-type: none"> <li>• A portion of the waste tire management fund is used to pay for the cleanup of waste tire piles around the State.</li> <li>• A 5% price preference for State purchases of supplies that meet recycled content requirements.</li> <li>• Tax credits equal to 20% of the cost of recycling equipment may be used to process recyclables or to manufacture materials using recycled feedstock.</li> </ul>	

**MAINE**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>James Glasgow State of Maine Department of Environmental Protection (DEP) Bureau of Remediation and Waste Management 17 State House Station Augusta, Maine 04333 Telephone: 207-287-2651 FAX: 207-287-7826 E-mail: jims.glasgow@state.me.us</p>	<ul style="list-style-type: none"> <li>LD 1431, passed in 1989, established a funding source for scrap tire management activities. It went into effect January 1990.</li> <li>Chapter 406 of the State Solid Waste Management Plan contains requirements for proper storage or disposal of scrap tires and the licensing of storage and processing facilities. The rules that apply to tire storage facilities include provisions for surface and groundwater protection.</li> <li>The Tire Stockpile Abatement Law, enacted in 1991, gives DEP authority to investigate uncontrolled tire stockpiles, gives enforcement authority to DEP to require owners/operators of such sites to clean up the sites, and contains provisions concerning assignment of liability and State authority to recover funds.</li> </ul>	<ul style="list-style-type: none"> <li>A \$1/tire advance disposal fee paid on the retail sale will fund tire pile cleanup and scrap tire recycling grant and loan programs.</li> <li>\$5 million bond for stockpile disposal passed by referendum in 1996.</li> <li>A \$2.5 million contract has been awarded for the remediation of a stockpile containing approximately 20 million tires.</li> </ul>	<ul style="list-style-type: none"> <li>As of April 1, 1991, scrap tire haulers are required to be licensed, meet manifest requirements, and show financial responsibility.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>A permit is required if the tire storage area is greater than 10,000 square feet.</li> <li>Permit requirements decrease for storage areas less than 10,000 square feet. Exemptions are possible for short-term storage and for temporary use of portable tire shredders.</li> <li>All scrap tire storage facilities are covered under State solid waste processing and disposal regulations, and have the same siting restrictions.</li> <li>A permit is required for scrap tire processing facilities.</li> </ul>	<ul style="list-style-type: none"> <li>No whole tires in landfills.</li> </ul>	<ul style="list-style-type: none"> <li>The State requires the purchase of recycled materials if it is feasible and environmentally sound. This includes retread tires, chipped tires for road fill, and rubberized asphalt.</li> </ul>	<ul style="list-style-type: none"> <li>A report by the Department of Transportation (DOT) was submitted to the legislature in March 1990. The subject was the use of ground tire rubber as an additive to asphalt concrete.</li> <li>A DOT recycling project was established. It included a comprehensive review of feasible alternatives for using recyclable materials in construction. Ground rubber from tires was one of several materials specifically identified in the study.</li> <li>Pulp and paper mills have been licensed to burn 40,000 tons per year of tire-derived fuel.</li> <li>17,000 tons of tire chips have been used as lightweight fill in road construction in 1996-97.</li> </ul>

# MARYLAND

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p><u>Regulatory/Cleanup</u> Mary C. Richmond Maryland Department of the Environment (MDE) Waste Management Administration Recycling Service Division 2500 Broening Highway Building 40 Baltimore, Maryland 21224 Telephone: 410-631-3315 FAX: 410-631-3842</p> <p><u>Demonstrations/Recycling</u> Rhody Holthaus Maryland Environmental Services Department of Natural Resources 2011 Commerce Park Drive Annapolis, Maryland 21401 Telephone: 410-974-7254 FAX: 410-974-7236</p>	<ul style="list-style-type: none"> <li>HB 1202, the Scrap Tire Recycling Act enacted in 1991, regulates the proper disposal of scrap tires. Requires licensing of scrap tire recycling, collection, hauling, and tire-derived fuel operations. Establishes a mechanism for the cleanup of scrap tire stockpiles. Sets a fee of \$1/tire on new tire sales to fund the Scrap Tire Program.</li> <li>COMAR 26.04.08 (1992) contains regulations covering storage, collection, transferring, hauling, recycling, and processing of scrap tires.</li> </ul>	<ul style="list-style-type: none"> <li>Maryland's Scrap Used Tire Cleanup and Recycling Fund was created by law. Funds are generated from collection of the fee, penalties and cost recovery.</li> <li>As of February 1, 1992, the State has a tire recycling fee of up to \$1 to be collected by retail tire dealers on the sale of a new tire in the State, including new tires sold as part of a new or used vehicle. Dealers keep 1.2% of the gross amount of the fee collected and give the remainder to the Comptroller of the Treasury, who transfers these fees to the Used Tire Cleanup and Recycling Fund.</li> <li>The Used Tire Cleanup and Recycling Fund is used for: <ul style="list-style-type: none"> <li>Cleaning up existing stockpiles of used tires;</li> <li>Establishing a tire recycling system;</li> <li>Assisting tire recycling projects;</li> <li>Providing financial assistance to recycling companies; and</li> <li>Providing public education.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Scrap tire collection facilities and haulers are required to obtain licenses.</li> <li>Three types of collection facility licenses are available: General license for 50 scrap tires at any given time, Secondary license for up to 1,500 tires, and Primary license for more than 1,500 tires at any given time.</li> <li>Licenses are issued for 5 years (except for General).</li> <li>Scrap tire hauler license applicants must submit the number of vehicles used to transport scrap tires; submit vehicle identification and tag numbers for each vehicle; provide map showing geographical area of service; identify all sites where tires will be collected, delivered or transferred; and maintain records on the origin, number, and destination of scrap tires hauled.</li> <li>Scrap tire collection facilities are required to provide: the maximum number of tires to be accumulated at a facility on a daily basis, and at any given time; general facility information and operation; scrap tire hauler information; and the final destination of the scrap tires. The technical and storage standard requirements may be applicable to collection facilities.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Scrap Tire Recyclers are required to obtain a license from MDE.</li> <li>Approvals are required for Tire-Derived Fuel and Solid Waste Acceptance Facilities.</li> <li>Licenses and Approvals are issued for 5 years.</li> <li>Scrap tire recycling operation must submit a complete proposal that includes detailed site plan, tire processing capacities, maximum quantity of tires at the facility, general facility information and operation, and documentation for the availability of tire product markets. The facility's ability to meet technical and operational standards for tire storage is required if facility plans to accumulate scrap tires in any form or configuration in excess of 15,000 cubic feet. Closure plans are also required for these operations.</li> <li>Tire-derived fuel facilities' requirements are similar to recycling facilities' except for market information.</li> <li>Solid waste facility approvals are granted by a modification to the facility's refuse disposal permit.</li> </ul>	<ul style="list-style-type: none"> <li>Tires banned from all Maryland landfills after January 1, 1994.</li> <li>If dealers, recyclers, or collectors do not satisfy the requirements for selling or disposing of the tires, they are required to use a State-approved disposal system. The law allows the Secretary of the Environment to take remedial action and/or remove tires at any site if he or she determines disposal may be carried out improperly or in a way that threatens the environment.</li> </ul>	<ul style="list-style-type: none"> <li>State has a 5% price preference for products containing recycled materials.</li> <li>Maryland Environmental Service Scrap Tire Management Program to date includes: <ul style="list-style-type: none"> <li>Retreaded Tire Utilization Project;</li> <li>Remanufactured Tire Demonstration Project;</li> <li>Promoting the use of tire chips as a supplemental fuel in cement kilns;</li> <li>Researching the use of scrap tires in asphalt and in composting;</li> <li>Catalog of products issued to promote use of products manufactured of scrap tire material;</li> <li>Tire reef project.</li> </ul> </li> <li>Four companies are currently participating in the Scrap Tire Recycling System.</li> </ul>	<ul style="list-style-type: none"> <li>The Maryland Environmental Service (MES) is responsible for developing the statewide tire recycling system. This includes establishing regional collection centers and haulers. The MES is also setting up demonstration programs and distributing money from the Used Tire Cleanup and Recycling Fund.</li> <li>State completed a market study for recyclables, including tires, in 1990.</li> <li>As of 1998, eight scrap tire processing facilities are operating and accepting significant quantities of tires. These operations include four scrap tire recycling operations, three cement kilns that utilize tires as supplemental fuel, and one waste-to-energy facility.</li> <li>With the cooperation of State agencies and volunteers, MDE constructed five playgrounds using whole scrap tires in Calvert Cliffs and Tuckahoe State Parks.</li> <li>Landfill Cap Demonstration Projects using tire chips are in progress for Nicholson Road and Round Glade Landfills. These landfills are located in Kent and Garret Counties, respectively.</li> </ul>

## MASSACHUSETTS

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Judy Shope Commonwealth of Massachusetts Department of Environmental Protection (DEP) Recycling Division One Winter Street, 7<sup>th</sup> Floor Boston, Massachusetts 02108- 4747 Telephone: 617-292-5597 FAX: 617-292-5778</p>	<ul style="list-style-type: none"> <li>• An Act to Protect the Environment and Public Health by Proper Disposal of Certain Automotive Wastes was reintroduced in 1992, attached to an omnibus recycling bill, but did not pass.</li> <li>• As of October 1997, the House Ways and Means Committee was considering a comprehensive scrap tire management bill. This legislation would set fees for retailers that would go to a dedicated fund for scrap tire programs and includes grants and education programs.</li> <li>• The Solid Waste Management Facility Regulations require that storage, collection, processing, and disposal sites meet permit criteria, such as proof of ownership; site location, topography, and wetlands impact; site and pile dimensions; number of tires received and processed; tire prevention plans; and security measures.</li> </ul>	<ul style="list-style-type: none"> <li>• Recycling Loan Fund for tire reuse projects.</li> </ul>	<ul style="list-style-type: none"> <li>• Massachusetts DEP does not regulate solid waste haulers.</li> <li>• Scrap tire collection facilities are exempt from solid waste regulations if the facility can demonstrate that the tires are being recycled or reused.</li> <li>• Collection sites must meet permit criteria.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Storage and processing facilities are regulated as handling facilities, and must meet permitting criteria.</li> <li>• Processing facilities are exempt from solid waste regulations if the facility can demonstrate that the tires are being recycled or reused.</li> </ul>	<ul style="list-style-type: none"> <li>• As of December 31, 1991, whole tires are banned from disposal in landfills. Tires must be shredded prior to disposal in landfills.</li> <li>• Disposal sites must meet permit criteria.</li> </ul>	<ul style="list-style-type: none"> <li>• A 1988 Executive Order established 10% purchasing preference for buying recycled products or goods with recycled content. Initially targeted at paper, plastic, aluminum, and compost; the Executive Order allows a broader list at discretion of purchasing agent.</li> <li>• DEP staff working with an interagency group to establish a contract for the purchase of retread tires by State agencies.</li> <li>• Recycling Loan Fund is available for tire reuse projects—funded one \$150,000 loan to one tire processing facility.</li> <li>• Funded Massachusetts Highway Department (MHD) to increase its use of recycled products in transportation applications—included four applications of crumb rubber.</li> </ul>	<ul style="list-style-type: none"> <li>• Successful test burn of tire chips conducted in 1996 at NE Power facility—Beneficial Use Permit (BUD) granted to co-combust with coal.</li> <li>• BUDs granted to use tire chips as landfill cover.</li> </ul>



## MICHIGAN

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Kyle Cruse Michigan Department of Environmental Quality (DEQ) Waste Management Division P.O. Box 30241 Lansing, Michigan 48909 Telephone: 517-335-4757 FAX: 517-373-4797 E-mail: crusek@deg.state.mi.us</p>	<ul style="list-style-type: none"> <li>Part 169 of the Natural Resources and Environmental Protection Act (NREPA), 1994, P.A. 451, as amended (Part 169)               <ul style="list-style-type: none"> <li>A criminal statute provides for fines up to \$10/tire, 90 days in jail, and 100 hours of community service.</li> </ul> </li> <li>Scrap tires, also subject to Part 115 of the NREPA, as solid waste if not managed in compliance with Part 169.               <ul style="list-style-type: none"> <li>Criminal, civil and administrative remedies.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>A \$0.50 tire disposal surcharge on each certificate of vehicle title. Moneys from the surcharge are deposited in the Scrap Tire Regulatory Fund, established to implement and enforce the scrap tire regulations and clean up "abandoned" scrap tires on public and private lands and tires accumulated at collection sites prior to January 1, 1991.</li> </ul>	<ul style="list-style-type: none"> <li>Hauler must be registered in order to haul scrap tires.</li> <li>All scrap tire collection sites must register with the Department of Environmental Quality and pay a \$200/year registration fee.</li> <li>Uncovered tire collection sites with more than 500 scrap tires are regulated.</li> <li>Transportation records, on forms approved by the Department, are required from tire retailers and scrap tire haulers for each load transported. Required record includes generator, hauler, and destination information.</li> <li>Tire retailers must use registered scrap tire haulers for contracted tire removal.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Scrap tires must <u>not</u> be stored in piles greater than 15 feet in height, with horizontal dimensions no greater than 200 by 40 feet with 30 foot spacing between.</li> <li>Tires must not be stored within 20 feet of property line or within 60 feet of a building or structure.</li> <li>Tires must be covered, shredded, or sprayed to limit potential for mosquito breeding.</li> <li>Bond, in the form of Surety Bond, Irrevocable Letter of Credit, Certificate of Deposit or Cash, is required for all storage of tires to ensure removal. The minimum bond requirements are as follows: \$25,000/¼ acre for outdoor storage, \$2/square foot of indoor storage, and \$750/vehicle for storage in trailers.</li> <li>Collection sites with an accumulation over 100,000 tires must operate as a processor to facilitate recycling by at least shredding the tires.</li> </ul>	<ul style="list-style-type: none"> <li>Tires may be landfilled at facilities licensed under Part 115 of the NREPA or stored in compliance with Part 169 (see Storage and Processor Regulations).</li> </ul>	<ul style="list-style-type: none"> <li>A 10% price preference is available for recycled products.</li> <li>There is a tire recycling program that provides grants to clean up public and private tire collection sites that existed prior to 1991.</li> <li>Since 1993, \$2.7 million has been granted to public and private tire site owners to remove and recycle more than 2.25 million scrap tires.</li> </ul>	

**MINNESOTA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Don Nelson                      Minnesota Pollution Control Agency                      Ground Water &amp; Solid Waste                      Division                      520 Lafayette Road                      St. Paul, Minnesota 55155-8621                      Telephone: 612-296-8621                      FAX: 612-296-9707                      E-mail:                      donald.nelson@pca.state.mn.us                      Web site:                      http://www.pca.state.mn.us</p>	<ul style="list-style-type: none"> <li>The Scrap Tire Law was passed in 1984.</li> </ul>	<ul style="list-style-type: none"> <li>A \$4 tax on vehicle title transfers will be in place for 2 more years. The Agency also received \$200,000 in tire abatement funds for FY98-99.</li> </ul>	<ul style="list-style-type: none"> <li>Transporter ID requirements and enforcement policies have been established and implemented.</li> <li>Tire retailers must accept as many scrap tires from a customer as tires are sold to that customer.</li> <li>Tire retailers may charge a disposal fee.</li> <li>Tire retailers may store up to 500 scrap tires without a storage permit.</li> <li>Tire retailers are required to use only scrap tire transporters that have a valid ID number from the State.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Landfills are exempt from scrap tire storage permits if they store no more than 10,000 waste tires.</li> <li>Permitted waste tire transfer facilities are allowed to temporarily store and transfer up to 10,000 scrap tires.</li> <li>Permitted processing facilities can temporarily store, for processing, up to 70,000 scrap tires.</li> <li>Permitted storage facilities can store up to 500,000 scrap tires.</li> <li>All facilities must provide financial assurance to ensure clean closure.</li> </ul>	<ul style="list-style-type: none"> <li>Tires are banned from disposal in landfills.</li> </ul>	<ul style="list-style-type: none"> <li>No funding for grants and loans.</li> </ul>	<ul style="list-style-type: none"> <li>The Minnesota Pollution Control Agency published a study on leachate from the disposal of tires in 1990.</li> <li>Minnesota Department of Transportation and the University of Minnesota are testing rubberized asphalt.</li> <li>In 1998, the approximate end uses of waste tires from Minnesota processors are 75% as tire-derived fuel; 20% as lightweight fill material; and 5% as consumer products.</li> </ul>

# MISSISSIPPI

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Mark Williams Mississippi Department of Environmental Quality Special Waste Program Office of Pollution Control P.O. Box 10385 Jackson, Mississippi 39289-0385 Telephone: 601-961-5304 FAX: 601-354-6612 E-mail: mark_williams@deq.state.ms.us</p>	<ul style="list-style-type: none"> <li>• SB 2985, a bill addressing the disposal of batteries, tires, and household hazardous waste, was passed in 1991.</li> <li>• Scrap tire transportation regulations were adopted December 19, 1991, and became effective in 1992.</li> <li>• Scrap tire management regulations were finalized and adopted in August 1992. The regulations include requirements for collection sites, processing facilities, and disposal sites and financial responsibility requirements for agriculture, erosion control, or other alternative uses of scrap tires.</li> <li>• SB 2985 may be amended in 1993 to reduce county governments' scrap tire management obligation. This would mean a reduction in funds available to counties. The original bill forced counties to develop a scrap tire management system for all scrap tires generated in the county. Of 82 counties, 72 have some type of system in place.</li> <li>• Scrap tire grant regulations became effective July 1, 1992, and establish eligibility and allocation of the Environmental Protection Trust Fund.</li> <li>• The 1997 Legislature included agricultural tires in the scrap tire program, including tractor tires.</li> </ul>	<ul style="list-style-type: none"> <li>• A \$1/tire fee on the retail sale of tires.</li> <li>• The Environmental Protection Trust Fund has been established.</li> </ul>	<ul style="list-style-type: none"> <li>• As of January 1, 1992, scrap tire haulers must be registered with the State and must renew such certification annually.</li> <li>• Tires may be deposited only at authorized collection, processing, or disposal points.</li> <li>• Transportation of tires must be certified by using State manifest forms and keeping records of transportation.</li> <li>• A scrap tire collection site permit must be obtained if you store more than 100 tires, unless you are a retail outlet where you can store up to 500 tires.</li> <li>• As of January 1, 1992, scrap tire haulers/collectors, generators and processors must maintain manifest records of the numbers of tires generated from a facility, transported and processed, reused or disposed.</li> <li>• Tires must be cut, sliced, or shredded to facilitate recycling or disposal.</li> <li>• Financial assurance required of processors and collectors.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Collection, processing, and disposal sites must obtain authorization to operate from State DEQ.</li> <li>• Processors must maintain manifest records of the numbers of tires generated from a facility, transported and processed, reused or disposed.</li> </ul>	<ul style="list-style-type: none"> <li>• Tires must be cut, sliced, or shredded prior to landfilling.</li> <li>• Landfill ban on all tires set for January 1, 2000.</li> </ul>	<ul style="list-style-type: none"> <li>• Environmental Protection Trust Fund can allocate: <ul style="list-style-type: none"> <li>- 30% for eligible counties and regional solid waste disposal authorities;</li> <li>- 25% for recycling and demonstration grants;</li> <li>- 20% for abatement of illegal stockpiles;</li> <li>- Remainder for public education and administration of the program.</li> </ul> </li> </ul>	

# MISSOURI

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Dan Fester Missouri Department of Natural Resources Solid Waste Management Program P.O. Box 176 Jefferson City, Missouri 65102 Telephone: 573-751-5401 FAX: 573-526-3902</p>	<ul style="list-style-type: none"> <li>• SB 530, an omnibus solid waste bill passed in August 1990. Includes provisions for regulating tires.</li> <li>• HB 438, passed in August 1990, establishes purchase preferences.</li> <li>• SB 60-112 passed in August 1995. Includes more stringent provisions for regulating tires and redirects funding priorities.</li> <li>• Waste tire rules 10 CSR 80-8.010 (First Stage Permits), 10 CSR 80-8.020 (Collection Centers), 10 CSR 80-8.030 (Hauler Permits) and 10 CSR 80-8.040 (Storage Site Permits) became effective July 8, 1991. Waste tire grant rule 10 CSR 80-9.030 became effective June 7, 1993.</li> <li>• The following became effective December 30, 1997: waste tire rule 10 CSR 80-8.010 was rescinded; waste tire rules 10 CSR 80-8.020, 10 CSR 80-8.030, 10 CSR 80-8.040 and 10 CSR 80-9.030 were amended; waste tire rules 10 CSR 80-8.050 (Processor Permits), 10 CSR 80-8.060 (End-User Registration) and 10 CSR 80-9.035 (Contract Cleanups) are new rules.</li> </ul>	<ul style="list-style-type: none"> <li>• There is a \$0.50 per tire fee on retail sales of new tires. Sixty-five percent of the funds collected are to be used for contract cleanups of tire dump sites. Five percent of the funds are to be used for grants for end users of waste tires. Five percent of the funds are to be used for solid waste education purposes and 25% of the fund is to be used to fund administrative costs of the waste tire program.</li> </ul>	<ul style="list-style-type: none"> <li>• Waste tire haulers who haul for consideration are required to be permitted.</li> <li>• Tire retailers and wholesalers can store more than 500 tires but not for over 30 days and must use permitted haulers. Recordkeeping regarding the generation and disposition of the tires is required.</li> <li>• A hauler permit requires an annual \$100 permit fee.</li> <li>• Collection center may store up to 500 tires.</li> <li>• A collection center that hauls its own tires in vehicles driven by its own employees is not required to obtain a hauler permit.</li> <li>• A waste tire hauler must keep records of the number of tires collected, the number of tires delivered, and basic information about the facility that accepts the tires.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Sites that store more than 500 tires must obtain a Waste Tire Site permit from the Department of Natural Resources. Since August 28, 1997, no new Waste Tire Sites are permitted unless they are located at a permitted waste tire processing facility. Waste Tire Storage Sites in existence prior to August 28, 1997, will not accept any quantity of additional waste tires unless the site is part of a processing or end-user facility or unless the site can verify that a number at least equal to the number of additional tires received was shipped to a processing or end-user facility within 30 days after the receipt of the additional tires.</li> <li>• Processing facilities must be permitted by the Missouri Department of Natural Resources.</li> <li>• End-user facilities must be registered by the Missouri Department of Natural Resources.</li> <li>• Recordkeeping and inventory limits are required for both processing and end-user facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Whole tires are banned from disposal in landfills.</li> </ul>	<ul style="list-style-type: none"> <li>• Waste tire fee funds are available to provide grants to businesses for demonstration projects and for capital expenditures for using waste tires as a fuel or in a product.</li> <li>• Contracts for nuisance abatement and resource recovery activities are authorized via statute and managed through the State bidding process.</li> <li>• Some funding is allocated for nonprofit organizations that voluntarily clean up waste tires in conjunction with cleaning up land or water resources for the disposal costs of the tires.</li> </ul>	<ul style="list-style-type: none"> <li>• A waste tire rules advisory council on waste tires was established to assist in the development of waste tire rules and grant criteria.</li> </ul>

## MONTANA

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Rick N. Thompson State of Montana Department of Environmental Quality Community Services Bureau Solid Waste Management Program 1520 E. 6<sup>th</sup> Avenue P.O. Box 200901 Helena, Montana 59620-0901 Telephone: 406-444-5345 FAX: 406-444-1374 E-mail: rithompson@mt.gov</p>	<ul style="list-style-type: none"> <li>Scrap tires are regulated under the Montana Solid Waste Management Act and the Montana Motor Vehicle Recycling and Disposal Act and the associated administrative rules. Both Acts were passed in 1977.</li> </ul>	<ul style="list-style-type: none"> <li>Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Collection sites must be licensed as a solid waste management facility.</li> <li>Collected or stored scrap tires must be shielded from public view.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Scrap tire collection/storage facilities must be permitted and licensed as solid waste management facilities.</li> <li>Collected or stored scrap tires must be shielded from public view.</li> <li>Scrap tire disposal or resource recovery facilities licensed after July 1, 1997, must have financial assurance for closure.</li> </ul>	<ul style="list-style-type: none"> <li>Tires are currently accepted at landfills.</li> <li>Some landfills are beginning to charge differential fees for whole versus split tires.</li> </ul>	<ul style="list-style-type: none"> <li>A 25% tax credit is available to businesses for the purchase of recycling and processing equipment.</li> <li>Income tax credits are available to individuals and corporations procuring recycled products.</li> <li>State is instructed to purchase recycled products whenever possible, but it is not a mandate.</li> </ul>	

**NEBRASKA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Ms. M.J. Rose State of Nebraska Department of Environmental Quality Integrated Waste Management Section P.O. Box 98922 Lincoln, Nebraska 68509-8922 Telephone: 402-471-4210 FAX: 402-471-2909</p>	<ul style="list-style-type: none"> <li>• LB 163, a waste reduction and recycling bill, was passed in April 1990.</li> <li>• LB 1257, the Integrated Solid Waste Management Act, was passed in 1992.</li> <li>• LB 444, passed in 1993, created the first emphasis on scrap tire projects.</li> <li>• LB 1034 created the Scrap Tire Reduction and Recycling Incentive Fund and established scrap tire management laws in 1994.</li> <li>• LB 495 established new guidelines for grant funds to better promote cleanup of scrap tire piles and market development in 1996.</li> </ul>	<ul style="list-style-type: none"> <li>• Since October 1990, there has been a \$1 tire fee on the retail sale of new tires. The fee also applies to new car sales. A second fee is assessed on the retail sales of tangible personal property. Proceeds from the two fees are deposited in the Waste Reduction and Recycling Incentive Fund for grants to political subdivisions for waste management projects to further the goals of the legislation.</li> <li>• In 1994, LB 1034 placed the revenue generated from the \$1 tire fee into a separate fund available for scrap tire projects only. The tire fee will remain in this separate fund until July 1, 1999, when it will go back into the original Waste Reduction and Recycling Incentive Fund. Scrap tire programs will continue to have a priority for funding after the scrap tire fund sunsets.</li> <li>• LB 1257 provided 50% of a \$1.25 per ton disposal fee collected on waste going to municipal landfills. This fee became part of the Waste Reduction and Recycling Incentive Grants Program.</li> </ul>	<ul style="list-style-type: none"> <li>• LB 1034 requires scrap tire haulers, collectors, processors, and collection site owners to be permitted. Additional requirements include maintaining financial assurance for closure costs and submitting annual reports.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Title 136—<u>Scrap Tire Management Rules and Regulations</u> established a maximum of 18 months for storage of any one scrap tire and no more than 300,000 scrap tires can be stored at any one site. Collection sites must also adhere to siting requirements as established by Title 153—<u>Nebraska State Fire Code Regulations</u>.</li> </ul>	<ul style="list-style-type: none"> <li>• Since September 1, 1995, scrap tires have been banned from landfills unless processed into pieces 6 inches or smaller. Since September 1, 1998, scrap tires are now banned from landfills in any form.</li> </ul>	<ul style="list-style-type: none"> <li>• Grant funding is available for scrap tire cleanup; for cost-sharing for processing, manufacturing, or civil engineering uses; for partial reimbursement for the purchase of tire-derived products; for studies; and for capital and startup costs for processing, manufacturing, collecting, or transporting tires.</li> </ul>	

**NEVADA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Les Gould                      State of Nevada                      Division of Environmental Protection (NDEP)                      Bureau of Waste Management                      333 West Nye Lane                      Carson City, Nevada 89706                      Telephone: 702-687-4670                      FAX: 702-687-6396</p>	<ul style="list-style-type: none"> <li>• Nevada Revised Statute (NRS 444.583), passed in 1991, required NDEP to develop a plan for managing waste tires. Accordingly, the plan was developed.</li> <li>• In 1994, regulations [Nevada Administrative Code (NAC) 444A.200-444A.470], were promulgated that:                             <ul style="list-style-type: none"> <li>S Established permit requirements for waste tire management facilities; and</li> <li>S Established registration/manifesting requirements for commercial haulers.</li> </ul> </li> <li>• NRS 444A.090 established a fee of \$1/tire sold at retail.</li> </ul>	<ul style="list-style-type: none"> <li>• There is a \$1/tire charge on new tires sold at retail. Funds are deposited in Solid Waste Management Account to implement State solid waste and recycling programs.</li> </ul>	<ul style="list-style-type: none"> <li>• Hauler regulations include registration and manifesting waste tires.</li> <li>• Semiannual reporting.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Permits by Waste Tire Management Facility Permits program.</li> <li>• Include operation and closure regulations.</li> </ul>	<ul style="list-style-type: none"> <li>• Whole tire disposal allowed subject to approval of Solid Waste Management Authority.</li> </ul>	<ul style="list-style-type: none"> <li>• A 10% price preference is given for recycled products manufactured in Nevada.</li> <li>• A 5% price preference is given to all other recycled products.</li> </ul>	

## NEW HAMPSHIRE

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Sharon Yergean New Hampshire Department of Environmental Services Waste Management Division 6 Hazen Drive Concord, New Hampshire 03301 Telephone: 603-271-2900 FAX: 603-271-2456</p>	<ul style="list-style-type: none"> <li>• Automotive Waste Disposal Law (HB 322-FN-A, Chapter 89-263) was passed in 1989.</li> <li>• Solid Waste District Law (RSA 149-M:13I) requires towns/districts to provide sites or access to sites for disposal of residents' tires.</li> </ul>	<ul style="list-style-type: none"> <li>• Towns are authorized to collect fees for the collection and disposal of town motor vehicle wastes including tires, batteries, and used oil.</li> <li>• Towns may request the Office of State Planning to increase the town's fees if they prove insufficient to fund proper management of motor vehicle wastes under existing conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• The transportation of tires, either whole or shredded, is required to be accomplished in such a manner as to prevent tire pieces or whole tires from blowing or falling onto the roadways.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Outdoor storage of tires at collection sites must be in accordance with height, width, fire lane, and berm specifications.</li> </ul>	<ul style="list-style-type: none"> <li>• Tires must be cut prior to landfilling.</li> <li>• Tires may be disposed of by one of the following methods:               <ul style="list-style-type: none"> <li>- Scrap tires may only be disposed of in a permitted facility after being shredded, filled, or split to prevent creeping; or</li> <li>- No processing of scrap tires is required at facilities that are capable of processing whole tires.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Not addressed.</li> </ul>	



## NEW JERSEY

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Steven Rinaldi New Jersey Department of Environmental Protection Division of Solid and Hazardous Waste Bureau of Recycling and Planning P.O. Box 414 Trenton, New Jersey 08625-0414 Telephone: 609-984-3438 FAX: 609-777-0769 Web site: <a href="http://www.state.nj.us/dep/dshw/recycle">http://www.state.nj.us/dep/dshw/recycle</a></p>	<ul style="list-style-type: none"> <li>The New Jersey Statewide Mandatory Source Separation and Recycling Act, passed in 1987, addresses tire management.</li> <li>Regulations at NJAC 7:26A address solid waste recycling and contain provisions relating to scrap tire recycling.</li> </ul>	<ul style="list-style-type: none"> <li>Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Transporters hauling solid waste must be registered with the State.</li> <li>Transporters hauling source-separated materials (e.g., tires) for recycling need not register.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Facilities that recycle tires are regulated as a recycling center through an approval process, rather than as a solid waste facility through a permitting process.</li> <li>Regulations regarding scrap tire processors and storage of scrap tires were adopted November 18, 1991, as part of general solid waste recycling regulations, and were updated on December 16, 1996.</li> </ul>	<ul style="list-style-type: none"> <li>Tires must be taken to permitted solid waste facilities, approved tire recycling centers, or sites operating pursuant to an exemption from the recycling center approval process.</li> </ul>	<ul style="list-style-type: none"> <li>Tires qualify for municipal recycling tonnage grant credits.</li> <li>Industries purchasing new recycling equipment may be eligible for low interest loans.</li> <li>Legislation and Executive Order require the procurement of recycled products.</li> </ul>	<ul style="list-style-type: none"> <li>The State's Department of Transportation has conducted a number of demonstration projects that utilize various mixes of rubber-modified asphalt.</li> <li>The New Jersey Department of Treasury, in conjunction with the New Jersey Department of Transportation and New Jersey Department of Environmental Protection, issued a bid proposal for the furnishing of light truck/commercial retread tires and service to all State agencies, quasi-agencies and political participants in designated counties. As part of the bid, tire casings are to be picked up by the vendor and replaced with retreaded tires. Five vendors have been awarded contracts to provide this service.</li> <li>The U.S. Environmental Protection Agency funded scrap tire recycling demonstration project that New Jersey is overseeing will provide data about the costs associated with removing scrap tires from stockpiles into various end-market technologies. While this information will be specific to remediation through rubberized asphalt, artificial reef production and a process similar to pyrolysis, the three technologies being studied, it will provide very useful data that the New Jersey Department of Environmental Protection can use to recommend the most cost-effective and environmentally benign processes for which public funds can be expended in the remediation of tire piles in New Jersey.</li> <li>The New Jersey Department of Environmental Protection is currently exploring scrap tire stockpile remediation strategies. The use of inmate labor has been proposed by the New Jersey Department of Corrections as a cost-effective approach to such projects.</li> </ul>

**NEW MEXICO**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Jerry Bober New Mexico Environment Department Solid Waste Bureau 1190 St. Francis Drive P.O. Box 26110 Santa Fe, New Mexico 87502 Telephone: 505-827-2775 FAX: 505-827-2902 E-mail: jerry_bober@ nmenv.state.nm.us</p>	<ul style="list-style-type: none"> <li>• NMSA 1978 74-11-1 through 74-11-17, The Tire Recycling Act, passed in 1994.</li> <li>• 20 NMAC 9.2, New Mexico Tire Recycling Regulations, effective September 1, 1995. Provisions:               <ul style="list-style-type: none"> <li>- Established a tire disposal fee on vehicle registrations;</li> <li>- Provide for a Rubberized Asphalt Fund;</li> <li>- Provide for a Tire Recycling Fund;</li> <li>- Exempt dairy farmers from waste tire storage rules;</li> <li>- Provide for reimbursement for the cost of illegal tire dump abatement to Counties, Municipalities and Cooperative Associations; and</li> <li>- Provide for the reimbursement for the costs of establishing tire recycling facilities.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Funding is provided by an add-on fee to each vehicle registration: 55% is appropriated to the Tire Recycling Fund; 45% is appropriated to the Rubberized Asphalt Fund.</li> </ul>	<ul style="list-style-type: none"> <li>• All haulers must register with the Environment Department.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Only a permitted or registered Solid Waste Facility or a permitted Tire Recycling Facility is authorized to receive, collect, store and process scrap tires.</li> <li>• A permit and registration is required for any person or facility that:               <ul style="list-style-type: none"> <li>- Processes or recycles more than 1,000 scrap tires or PTEs per year;</li> <li>- Applies for or receives compensation from the Tire Recycling Fund;</li> <li>- Stores more than 250 scrap tires at any one time;</li> <li>- Uses more than 250 scrap tires in a single civil engineering application.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• No person shall dispose of scrap tires in a place other than those places permitted or regulated under the Solid Waste Act.</li> </ul>	<ul style="list-style-type: none"> <li>• A 5% price preference is provided for products containing recycled content procured by State agencies.</li> </ul>	<ul style="list-style-type: none"> <li>• Split tires are used to contain landfill cell liners at the City of Albuquerque landfill.</li> <li>• New Mexico's tire recycling program centers around the use of tire balers.</li> <li>• Operational Tire Baling Centers:               <ul style="list-style-type: none"> <li>- Grant County;</li> <li>- Otero County;</li> <li>- McKinley/Cibola Counties;</li> <li>- Socorro;</li> <li>- Las Cruces;</li> <li>- Santa Fe;</li> <li>- Bernalillo County;</li> <li>- Eddy County.</li> </ul> </li> <li>• There is one permitted Tire Recycling Center:               <ul style="list-style-type: none"> <li>- Southwest Tire Processors</li> </ul> </li> <li>• Rubberized Asphalt Projects:               <ul style="list-style-type: none"> <li>- Approximately eight highway projects utilizing 135 tons of crumb rubber modifier were completed in 1997.</li> </ul> </li> </ul>

**NEW YORK**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Chris Glander New York State Department of Environmental Conservation (DEC) Division of Solid &amp; Hazardous Waste Bureau of Waste Reduction &amp; Recycling 50 Wolf Road, Room 212 Albany, New York 12233-7253 Telephone: 518-457-3966 FAX: 518-457-1283 E-mail: christian.glander@dec.mailnet.state.ny.us</p>	<ul style="list-style-type: none"> <li>State Regulations for Solid Waste regulate waste tire storage and processing facilities.</li> <li>An amendment to Chapter 226 (Section 27-0303) of the Environmental Conservation Law, passed in 1990, designated commercial waste tires as a regulated waste. Commercial waste tires are defined as waste tires that are transported for a fee for the purpose of reuse, recycling, or disposal.</li> </ul>		<ul style="list-style-type: none"> <li>Transporters of commercial waste tires must register with the DEC.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Waste tire storage requirements depend upon number of waste tires stored.</li> <li>No person shall engage in storing 1,000 or more waste tires at a time without a permit.</li> <li>Storage permit requirements cover waste tire pile size, dimensions and fire controls.</li> </ul>	<ul style="list-style-type: none"> <li>Disposal of whole tires in any landfill is prohibited.</li> </ul>	<ul style="list-style-type: none"> <li>The Department of Economic Development administers low-interest loan and grant programs for tire recycling.</li> <li>The New York State Energy Research and Development Authority (NYSERDA) invests in projects to develop, demonstrate or evaluate innovative and energy-efficient equipment, technologies, processes and other methods for managing all types of solid waste.</li> </ul>	

**NORTH CAROLINA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Ernest Lawrence                      State of North Carolina                      Department of Environment,                      Health, and Natural Resources                      (DEHNR)                      Solid Waste Section, Division of                      Waste Management                      401 Oberlin Road, Suite 150                      P.O. Box 27687                      Raleigh, North Carolina 27605-                      1350                      Telephone: 919-733-0692, ext. 274                      FAX: 919-733-4810                      E-mail: lawrenceg@                      wastenot.ehnr.state.nc.us                      Web site:  <a href="http://wastenot.ehnr.state.nc.us">http://wastenot.ehnr.state.nc.us</a></p>	<ul style="list-style-type: none"> <li>• SB 111, passed in 1989, requires each county to provide a place for disposal of scrap tires.</li> <li>• Tires presented for disposal must be accompanied with a scrap tire certification form signed by generator and hauler.</li> </ul>	<ul style="list-style-type: none"> <li>• As of January 1, 1990, a 1% tax on new tire sales was levied. The fee was increased to 2% for tires less than 20 inches in 1993. Major portion of the fund goes to:                             <ul style="list-style-type: none"> <li>- Counties for tire collection and disposal;</li> <li>- Cleanup of nuisance sites.</li> </ul> </li> <li>• Counties are not allowed to impose tipping fees for tires that are certified as generated in North Carolina.</li> </ul>	<ul style="list-style-type: none"> <li>• Scrap tire haulers must register with the Solid Waste Section of the DEHNR and obtain a hauler identification number.</li> <li>• Counties must provide a site for tire collection.</li> <li>• Collection sites require permit from Solid Waste Section of DEHNR.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• The number of scrap tires stored at a scrap tire collection site must not exceed the stated number of scrap tires shipped off-site per month plus the stated number of scrap tires disposed of on-site per month. At no time can more than 60,000 scrap tires be stored.</li> </ul>	<ul style="list-style-type: none"> <li>• Tires must be shredded or sliced prior to landfilling.</li> </ul>	<ul style="list-style-type: none"> <li>• Funds for reimbursement to improve the use of recycled products.</li> </ul>	<ul style="list-style-type: none"> <li>• North Carolina Department of Transportation is evaluating the use of tires in constructing retaining walls and the use of crumb rubber in asphalt.</li> </ul>

## NORTH DAKOTA

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Steve Tillotson            North Dakota Department of Health            Division of Waste Management            P.O. Box 5520            Bismarck, North Dakota 58506-5520            Telephone: 701-328-5166            FAX: 701-328-5200            E-mail:            ccmail.stillots@ranch.state.nd.us</p>	<ul style="list-style-type: none"> <li>• Solid Waste Management rules have been adopted and went into effect December 1, 1992. The rules address scrap tire storage.</li> </ul>	<ul style="list-style-type: none"> <li>• A portion of the State's \$2/new vehicle sale fee for cleanup of abandoned vehicles may be used to clean up tire piles.</li> </ul>	<ul style="list-style-type: none"> <li>• Haulers must have a waste hauler permit and identify a legitimate recycling or disposal facility.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Tire piles of more than 1,300 tires must be in compliance with regulations governing pile dimensions, control of access, fire control, run-on/run-off control systems, and financial assurance.</li> <li>• Tire piles of more than 1,300 tires must have a solid waste management permit.</li> <li>• Tire piles with a base area exceeding 10,000 square feet must comply with liner requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>• Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>• A new tire-derived fuel company, Waste Not Recycling, is processing tires in central North Dakota. The TDF is burned at a local utility.</li> </ul>

**OHIO**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Bob Large Ohio Environmental Protection Agency Division of Solid and Infectious Waste Management Scrap Tire Management Unit 1800 Watermark Drive P.O. Box 1049 Columbus, Ohio 43216-1049 Telephone: 614-644-2621 FAX: 614-728-5315</p>	<ul style="list-style-type: none"> <li>House Bill 592, the State Solid Waste law, became effective in June 1988 and defined waste tires as a solid waste.</li> <li>Senate Bill 165, the State Scrap Tire law, became effective in October 1993, substituted the term scrap tire for waste tire, and established a comprehensive structure for regulating scrap tire collection, storage, recovery, monofill, and monocell facilities and scrap tire transporters.</li> <li>Regulations to implement Senate Bill 165 were adopted and became effective in March 1996.</li> <li>Regulation was developed to define approval of beneficial uses of scrap tires - Ohio Administrative Code (OAC) 3745-27-78.</li> <li>Regulations were developed governing cleanup actions after a scrap tire fire - OAC 3745-27-79.</li> </ul>	<ul style="list-style-type: none"> <li>A \$.50 fee was placed on each new tire sold at the wholesale level; the funds from this fee are designated for stockpile abatement, grants and loans to scrap tire facilities, program administration, and research at the University of Akron.</li> </ul>	<ul style="list-style-type: none"> <li>Sellers and other generators are required to utilize registered transporters for the scrap tires they generate.</li> <li>Transporters are required to register annually with the OEPA and post \$20,000 in financial assurance.</li> <li>All scrap tire transportation must be documented on State approved shipping papers.</li> <li>Collection facilities are required to obtain a registration from OEPA and a license from the approved health department.</li> <li>Collection facilities are defined as facilities that accept whole scrap tires from the public and store them only in portable containers with a total storage volume limited to 5,000 cubic feet.</li> <li>Tires will only be delivered to licensed scrap tire facilities (collection, storage, recovery, monofill, or monocell) or to approved beneficial use sites.</li> <li>All scrap tire transporters and facilities must file an annual report on scrap tires handled, processed, or disposed.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Storage and recovery (processors and recyclers) facilities are required to obtain a registration or permit from OEPA and a license from the approved health department.</li> <li>Storage and recovery facilities must post financial assurance to cover the costs of closure.</li> <li>Individual storage piles are limited to 2,500 square feet in base area and 14 feet in height.</li> <li>Fire lanes at least 50 feet wide are required on all sides of outdoor storage piles.</li> <li>A registered storage facility is limited to 10,000 square feet of scrap tire storage.</li> <li>A permitted storage facility is limited to 3 acres of effective scrap tire storage and must be owned by someone who also owns or operates a recovery monocell, or monofill facility.</li> <li>All scrap tire transporters and facilities must file an annual report on scrap tires handled, processed, or disposed.</li> </ul>	<ul style="list-style-type: none"> <li>Since March 1, 1996, whole tires have been banned from solid waste landfills.</li> <li>Since March 1, 1997, cut and shredded tires have been banned from disposal in solid waste landfills.</li> <li>Tire monofills require liners, leachate collection, weekly cover, and final cap.</li> <li>Tire monocell requirements vary based on their location in the host sanitary landfill.</li> <li>Scrap tire monocells and monofills must obtain a permit to install these facilities from OEPA and a license from the approved health department and post- financial assurance for closure and post-closure care.</li> <li>All scrap tire transporters and facilities must file an annual report on scrap tires handled, processed, or disposed of.</li> </ul>	<ul style="list-style-type: none"> <li>Loans and limited grants are available to scrap tire businesses through the Ohio Department of Development 77 S. High Street, 28<sup>th</sup> Floor P.O. Box 1001 Columbus, Ohio 43266-0101 Telephone: 800-848-1300 FAX: 614-644-1789 Point of Contact: Mr. Brad Biggs</li> </ul>	<ul style="list-style-type: none"> <li>Mosquito control is required of all scrap tire transporters and scrap tire facilities.</li> </ul>

## OKLAHOMA

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Craig Belair or Brad Fleming  Oklahoma State Department of  Environmental Quality  Solid Waste Division  1000 NE Tenth Street  Oklahoma City, Oklahoma 73117-  1212  Telephone: 405-745-7121 (Belair)  405-745-7122 (Fleming)  FAX: 405-745-7133</p>	<ul style="list-style-type: none"> <li>Oklahoma Waste Tire Recycling Act (27A Part 4 of the Oklahoma Statutes Annotated) was enacted July 1, 1989.</li> </ul>	<ul style="list-style-type: none"> <li>A \$3.50/tire surcharge on new truck tires in addition to a \$1/tire surcharge on new and used tire sales is in effect. Monies from the surcharge are deposited in the Waste Tire Indemnity Fund to help eliminate stockpiles of tires and to promote recycling by reimbursing facilities that process scrap tires.</li> </ul>	<ul style="list-style-type: none"> <li>Tire haulers and transporters are not regulated.</li> <li>Collectors of more than 50 tires must be permitted by the State Department of Environmental Quality.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>A site storing, collecting, or disposing of more than 50 tires must be permitted by the State Department of Environmental Quality. This does not apply to tire manufacturers, retailers, wholesalers, or retreaders who store 2,500 or fewer used tires.</li> <li>Processors must be permitted by the Oklahoma State Department of Environmental Quality and must document that at least 10% of the tires processed came from illegal tire dumps identified by the Oklahoma State Department of Environmental Quality to participate in the State's reimbursement programs.</li> </ul>	<ul style="list-style-type: none"> <li>Tires must be cut before being disposed of in a landfill.</li> </ul>	<ul style="list-style-type: none"> <li>Oklahoma State Department of Environmental Quality permitted waste tire processing facilities are eligible for reimbursement at a rate of \$0.50/tire, if they demonstrate that 10% of the tires processed at their facility are from designated illegal tire dumps.</li> <li>Oklahoma State Department of Environmental Quality permitted waste tire processing facilities are eligible for an additional \$0.35/tire reimbursement if they demonstrate that their facility is providing pickup and transportation of waste tires from each and every county of the State on a regular basis.</li> </ul>	<ul style="list-style-type: none"> <li>Riverbank stabilization projects are eligible for \$1.50 per truck tire when: <ul style="list-style-type: none"> <li>The tire measures greater than 17.5" rim diameter;</li> <li>Tires come from dump sites on the priority enforcement list; and</li> <li>Tires are placed in a riverbank stabilization project permitted by the U.S. Army Corps of Engineers or local conservation district.</li> </ul> </li> </ul>

## OREGON

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Bob Guerra Oregon Department of Environmental Quality Hazardous and Solid Waste Division 201 W. Main, Suite 2D Medford, Oregon 97501 Telephone: 541-776-6010, ext: 236 FAX: 541-776-6262 E-mail: bobguerra@state.or.us</p>	<ul style="list-style-type: none"> <li>• HB 2022 Waste Tire Law, passed in 1987 and enacted in January 1988, set up a self-funded comprehensive program for waste tires. The Law regulates the transportation, storage, and landfilling of waste tires.</li> <li>• SB 66, passed in 1991, effective July 1, 1991, banned disposal of tires at landfills.</li> <li>• HB 2246, passed 1991: <ul style="list-style-type: none"> <li>- Extended tire fee to October 1, 1992;</li> <li>- Extended reimbursement for use of scrap tires to June 30, 1993;</li> <li>- Gives DEQ authority to regulate tire product piles;</li> <li>- Expedited abatements; and</li> <li>- Restricted carrier permit requirement to those who haul for hire.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• A \$1/tire disposal tax on the sale of new tires. The monies were used to clean up tire piles. Tire fee ended October 1, 1992.</li> </ul>	<ul style="list-style-type: none"> <li>• Anyone transporting more than 4 tires commercially must be licensed with DEQ.</li> <li>• Tire dealers with more than 1,500 scrap tires on-site must have storage permit.</li> <li>• Generators are allowed to haul scrap tires generated at their facility without a permit but they must maintain documentation of their disposal.</li> <li>• All common carriers transporting waste tires over Oregon roads are required to obtain a Waste Tire Carrier Permit.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• A facility that stores more than 99 tires on-site must have a storage site permit, unless it has been granted a beneficial use permit by DEQ.</li> <li>• Retreading facilities that have more than 3,000 tires on-site must have a storage permit.</li> </ul>	<ul style="list-style-type: none"> <li>• Since July 1, 1991, whole tires have been banned from landfills.</li> </ul>	<ul style="list-style-type: none"> <li>• The tire disposal tax is used to promote the use of waste tires by subsidizing markets for waste tires or chips.</li> </ul>	<ul style="list-style-type: none"> <li>• Under a former Oregon demonstration program: <ul style="list-style-type: none"> <li>- Two rubber modified paving projects were approved and completed in 1990;</li> <li>- A project was conducted by the Oregon State Highway Division using tire chips as a light fill;</li> <li>- Demonstration projects were conducted by the Department of Environmental Quality and the Metropolitan Service District to test rubber from waste tires in paving projects using generic specifications for rubber-modified asphalt concrete suitable to Oregon's climate and paving practices;</li> <li>- Tire-derived fuel was used in two paper mills and one cement kiln; and</li> <li>- Oregon-produced tire-derived fuel was used in three out-of-state cement kilns.</li> </ul> </li> </ul>



**PENNSYLVANIA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Tom Woy                      Pennsylvania Department of                      Environmental Protection                      Bureau of Land Recycling and                      Waste Management                      P.O. Box 8472                      400 Market St.                      Harrisburg, Pennsylvania 17105-                      8472                      Telephone: 717-787-7381                      FAX: 717-787-1904                      Web site: <a href="http://www.dep.state.pa.us">www.dep.state.pa.us</a></p>	<ul style="list-style-type: none"> <li>Existing tire regulations were adopted under the Solid Waste Management Act of 1980. Residual waste regulation became effective in 1992.</li> <li>A regulatory change in 1992 redesignated tires as a residual waste rather than a municipal solid waste.</li> </ul>	<ul style="list-style-type: none"> <li>A \$1/tire fee on new tire sales was established in 1992, under the Recycling and Planning Act of 1988. These monies have been redirected to fund mass transit systems in the State.</li> </ul>	<ul style="list-style-type: none"> <li>No specific regulations.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Waste tire processing facilities are permitted under a general permit.</li> <li>Current requirements include access control, hazard prevention, nuisance control, recordkeeping, reporting, and site closure. Isolation distances are required between piles.</li> <li>Limits set on pile size, height, and width.</li> <li>Storage of scrap tires for over 1 year is considered disposal and is subject to permit requirements, including pile size, fire lanes, and placement.</li> </ul>	<ul style="list-style-type: none"> <li>Disposal of whole waste tires in the State of Pennsylvania is prohibited.</li> </ul>	<ul style="list-style-type: none"> <li>A 5% price preference for State purchase of supplies that meet recycled content requirements.</li> <li>A \$1 million Environmental Technology Fund offers low interest loans for recycling research and development projects and for funding new recycling equipment.</li> </ul>	<ul style="list-style-type: none"> <li>Pennsylvania Department of Transportation laid two rubber-modified asphalt paving projects in 1998.</li> <li>The State has a policy that suggests the use of whole tires over a landfill cover system to mitigate the problem of tires floating in landfills.</li> </ul>

## RHODE ISLAND

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Stephen Morin Department of Environmental Management 235 Promenade Street Providence, Rhode Island 02908 Telephone: 401-277-2771, ext. 2401 FAX: 401-277-3162</p> <p>Dante Ionata Resource Recovery Corp. 65 Shun Pike Johnson, Rhode Island 02919 Telephone: 401-942-1430 FAX: 401-946-5174</p>	<ul style="list-style-type: none"> <li>RIGL 37-15.1, "Hard-to-Dispose Material - Control and Recycling," applies to scrap tires.</li> <li>Solid waste management facility regulations apply to tire dumps and regulate size of piles, fire control measures, etc.</li> <li>RIGL 23-63, "Vehicle Tire Storage and Recycling," enacted in 1992, established a \$5 deposit on each new vehicle tire purchased and provided for a full refund to the consumer upon return of used tires. This deposit system became effective January 1, 1993.</li> </ul>	<ul style="list-style-type: none"> <li>January 1, 1990, a \$0.50/tire tax on new tire sales was imposed. Revenues are deposited in a "Hard-to-Dispose Material Account" along with monies from surcharges on other "hard-to-dispose" wastes included in the bill. The State generates \$3 million/year from the fees to fund educational and technical assistance programs for collection, marketing, recycling, reuse, reduction, and safe disposal of "hard-to-dispose materials"; to establish grant and research programs; to survey, track, and monitor hard-to-dispose materials; and to establish regional collection centers for hard-to-dispose materials.</li> <li>Tire recyclers are assessed an initial license fee of \$50 and an annual renewal fee of \$25.</li> <li>Since January 1, 1993, the Rhode Island Port Authority is required to have a tire site remediation account funded by an additional \$0.75/tire tax on new tire sales.</li> <li>Ninety percent of the funds in the tire remediation account will be used for the cleanup, recycling, and disposal of existing tire piles; 10% may be used to assist municipalities with collection and proper disposal of waste tires.</li> </ul>	<ul style="list-style-type: none"> <li>No specific regulations.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Facilities storing more than 400 tires must obtain a license from the Department of Environmental Management.</li> <li>Tire recycling or recovery businesses must be licensed by the Department of Environmental Management.</li> </ul>	<ul style="list-style-type: none"> <li>Disposal of scrap tires is restricted to one of three methods: <ul style="list-style-type: none"> <li>Facilities operated by the State Solid Waste Management Corporation;</li> <li>Licensed privately operated tire storage, recycling, or recovery facilities; or</li> <li>Transport to an out-of-state recycling facility.</li> </ul> </li> <li>Burning of scrap tires within the State is banned.</li> <li>Exporting tires for burning as fuel outside the State and within 30 miles of any reservoir watershed for Rhode Island can occur only after the DEM receives written assurance that the burning facility meets all applicable State and Federal pollution control standards.</li> </ul>	<ul style="list-style-type: none"> <li>The Hard-to-Dispose Material Account funds educational and technical assistance programs for collection, marketing, recycling, reuse, reduction, and safe disposal of hard-to-dispose materials, including scrap tires.</li> </ul>	

## SOUTH CAROLINA

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Celeste Duckett            South Carolina Bureau of Land and Waste Management            Division of Solid Waste Planning and Recycling            2600 Bull St.            Columbia, South Carolina 29201            Telephone: 803-896-4226            FAX: 803-896-4001            E-mail:            ducketcw@columb34.dhec.state.sc.us</p>	<ul style="list-style-type: none"> <li>• South Carolina's Solid Waste Policy and Management Act of 1991 (SB 388 and HB 3096) contains provisions for a \$2/tire tax on the sale of new tires that became effective in November 1991.</li> <li>• The Act establishes a 10-member Waste Tire Committee.</li> <li>• The Act requires State and county solid waste plans to include a section on waste tires.</li> <li>• Department of Health and Environmental Control (DHEC) is required to establish regulations for permitting/registering collectors, processors, haulers, and disposers of waste tires. These regulations were promulgated in 1993.</li> </ul>	<ul style="list-style-type: none"> <li>• For every new tire sold in the State a fee of \$2 is collected by the tire retailer. The retailer may keep 3% for administrative costs. In addition, the retailer may keep \$1 for every old tire that he or she sends to a permitted waste tire recycling/disposal facility. The remainder is sent by the retailer to the State Treasurer's Office.</li> <li>• Forty-four cents of the \$2 goes into the SCDHEC Waste Tire Fund (part of the Solid Waste Trust Fund) for grants to local governments. The Waste Tire Fund may be used for grants to local governments for the remediation of stockpiled waste tires, to construct or operate a tire-derived-fuel facility, to construct or operate a waste tire treatment facility, to contract for waste tire treatment services, to contract for the removal of waste tires or to perform research designed to facilitate waste tire recycling or disposal.</li> <li>• The remainder (up to \$1.50/tire) is allocated to the counties directly by the Department of Revenue on a per capita basis. This money is allocated on a quarterly basis and is to be used by the counties for waste tire management purposes only.</li> <li>• Prohibits counties from charging additional disposal fees except for oversize and out-of-state tires.</li> </ul>	<ul style="list-style-type: none"> <li>• Counties are required to establish waste tire collection sites within 12 months of promulgation of regulations.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• The Department of Health and Environmental Control currently has mandatory guidelines for scrap tire storage.</li> <li>• Requires owners and operators of waste tire sites to notify the South Carolina Department of Health and Environmental Control of the site's location, size, and number of tires accumulated.</li> </ul>	<ul style="list-style-type: none"> <li>• Bans whole waste tires from disposal at landfills.</li> </ul>	<ul style="list-style-type: none"> <li>• New tire retailers may keep 3% of the \$2 State fee for administrative costs and \$1 for every old tire they send to a permitted waste tire recycling/disposal facility.</li> </ul>	

## SOUTH DAKOTA

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Vonni Kallemeyn            South Dakota Department of            Environment and Natural            Resources (DENR)            Waste Management Program            Foss Building            523 East Capital            Pierre, South Dakota 57501-3181            Telephone: 605-773-3153            FAX: 605-773-6035</p>	<ul style="list-style-type: none"> <li>Waste tire law was passed and became effective July 1, 1992.</li> <li>Amendments became effective on July 1, 1996.</li> <li>DENR prepared a waste tire study for the Legislature by January 1, 1993.</li> </ul>	<ul style="list-style-type: none"> <li>Registration fee of \$0.25/tire per vehicle (not to exceed \$1/vehicle). Fees are remitted to the State to develop a grant fund for tire recycling end uses. The incineration of tires in waste-to-energy units does not qualify for grant funds.</li> </ul>	<ul style="list-style-type: none"> <li>No specific regulations.</li> <li>Effective July 1, 1998, haulers of waste tires are responsible for transporting waste tires to a DENR-approved collection or processing site.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Storage facilities must have a solid waste permit.</li> <li>Tire handlers permitted by DENR to process tires may accumulate up to 100,000 tires annually before removal. Accumulated tires must be removed annually.</li> <li>Financial assurance is required at \$2 per tire.</li> </ul>	<ul style="list-style-type: none"> <li>Tires must be cut into at least four pieces or shredded prior to landfilling.</li> <li>Open burning of tires is prohibited.</li> </ul>	<ul style="list-style-type: none"> <li>State grant fund for tire recycling end uses, including funding of tire-derived fuel programs. The incineration of tires in waste-to-energy units does not qualify for grant funds.</li> </ul>	<ul style="list-style-type: none"> <li>Waste Management Program and South Dakota DOT are working to develop civil engineering applications for shredded tires.</li> </ul>

**TENNESSEE**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Alan Ball Tennessee Department of Environment and Conservation Division of Solid Waste Assistance 401 Church Street, L&amp;C Tower 14th Floor Nashville, Tennessee 37243-0455 Telephone: 615-532-0090 Fax: 615-532-0231 Web site: <a href="http://www.state.tn.us/environment/swa">www.state.tn.us/environment/swa</a></p>	<ul style="list-style-type: none"> <li>• State Solid Waste Management Planning Act [Tennessee Code Annotated (TCA) 68-211-801] was passed in 1991. It requires the Department of Environment and Conservation (DEC) to purchase mobile shredders and operate them throughout the State to process segregated and temporarily stored tires at landfills, or for the DEC to contract with a shredding service.</li> <li>• TCA 68-211-831 was amended in 1996 to allow the State to spend money to clean up unpermitted waste tire dumps.</li> <li>• TCA amended (by SB 1729/HB 1885) in 1998 to:               <ul style="list-style-type: none"> <li>- Identify beneficial end uses for waste tires to be eligible for grant reimbursement;</li> <li>- Authorize the DEC to enter into contracts with companies that recycle tires;</li> <li>- By 2000, limit tipping fees on waste tires in counties that receive DEC grants;</li> <li>- Ban landfilling of tire shreds by 2002.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Since July 1, 1998, fees on waste disposal in Class I landfills and incinerators are \$0.75/ton. Fees on new tire sales (\$1/tire) became effective October 1991. State of Tennessee collects all fees.</li> <li>• Prohibits counties from imposing additional disposal fees or surcharges on tires above the tipping fee for regular garbage.</li> </ul>	<ul style="list-style-type: none"> <li>• By January 1995, each county must establish at least one waste tire collection site.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Rule 1200-1-7-.04 governs storage and disposal.</li> <li>• Facility must have a permit.</li> </ul>	<ul style="list-style-type: none"> <li>• Since January 1, 1995, whole tires have been banned from disposal in landfills.</li> <li>• Effective the year 2002 tire shreds will be banned from landfills.</li> </ul>	<ul style="list-style-type: none"> <li>• State grant program for county governments to find beneficial end uses for their tires in lieu of State provided shredding service.</li> <li>• Grant reimbursement for beneficial end uses of waste tires.</li> </ul>	<ul style="list-style-type: none"> <li>• Under the provisions of the law, the DEC has contracted with a private shredding service to process tires at county collection sites.</li> <li>• Four industries are burning tires or tire-derived fuel.               <ul style="list-style-type: none"> <li>- Signal Mountain Cement Company;</li> <li>- Bowater Inc. (pulp mill);</li> <li>- The Tennessee Valley Authority's Allen Fossil Plant; and</li> <li>- South Down, Inc. (cement kiln).</li> </ul> </li> </ul>

**TEXAS**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Debbra Bohl (MC-125)                      Closed Landfills and Automotive Wastes                      Texas Natural Resource Conservation Commission                      P.O. Box 13087                      Austin, Texas 78711-3087                      Telephone: 512-239-6695                      FAX: 512-239-6015                      Prerecorded Information Line: 1-888-892-7833                      Web site: www.tnrcc.state.tx.us</p>	<ul style="list-style-type: none"> <li>No new legislation passed in 1997. Majority of waste tire recycling statutes expired December 31, 1997.</li> <li>Health and Safety Code, Article 5, Subchapter P - Waste Tire Recycling Program expired December 31, 1997.</li> <li>Health and Safety Code, Article 5, Subchapter C, Section 361.112 - Storage, Transportation, Disposal of Used or Scrap Tires remains in effect.</li> <li>\$2 waste tire recycling fee was repealed, effective December 31, 1997.</li> <li>\$0.80 per waste tire unit reimbursement to processors and waste tire energy recovery facilities was repealed, effective December 31, 1997.</li> </ul>	<ul style="list-style-type: none"> <li>\$9 million available for the remediation of illegal waste tire dumps. Funding administered through competitive bid process.</li> </ul>	<ul style="list-style-type: none"> <li>Tire generators, transporters, storage and processing facilities must be registered by the State.</li> <li>Waste tire generators may be charged for collection, recycling, and/or disposal costs.</li> <li>Annual reports must be submitted to the State.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>If over 500 scrap tires are stored on public or private property, the site must be registered with the State and have a site identification number.</li> <li>Processors must be registered with the State of Texas.</li> <li>Illegal tire dumps identified by the State prior to December 31, 1997 will be eligible for State-funded cleanup.</li> </ul>	<ul style="list-style-type: none"> <li>Previous disposal prohibition on tires expired December 31, 1997.</li> <li>All tires that are disposed of must be split, quartered, or shredded.</li> </ul>	<ul style="list-style-type: none"> <li>No State-funded incentives. Free market for collection, processing, and disposal of scrap tires.</li> </ul>	<ul style="list-style-type: none"> <li>Currently revising rules to reflect expiration of tire statutes.</li> </ul>

**UTAH**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Wade Hansen Utah State Department of Environmental Quality 288 North 1460 West Salt Lake City, Utah 84114-4880 Telephone: 801-538-6751 FAX: 801-538-6715</p>	<ul style="list-style-type: none"> <li>• SB 5, passed in May 1990, established a per-tire graduated tax.</li> <li>• Local health departments have authority over the management of waste tires.</li> </ul>	<ul style="list-style-type: none"> <li>• Since July 1, 1997, there is a \$0.50 per tire tax on all tire sales including new car sales. Monies will be deposited in a recycling fund.</li> </ul>	<ul style="list-style-type: none"> <li>• All haulers and collectors must keep records illustrating how many tires are picked up, how many tires are disposed of and where.</li> <li>• All haulers and collectors must be registered.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• All storage and processing facilities have to be licensed through the Health Department. Facilities storing more than 1,000 tires are required to furnish bonds, comply with local zoning and tire ordinances, and are strictly limited as to how many tires can be stored at any one time. The Health Department enforces a manifest system to regulate tire collection.</li> </ul>	<ul style="list-style-type: none"> <li>• Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>• Recyclers (end users) can receive up to \$70 per ton for the use of tire-derived materials in manufactured products and in TDF. The end user incentive is administered through local health departments.</li> </ul>	

**VERMONT**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p><u>Waste</u> James Surwilo State of Vermont Department of Environmental Conservation Solid Waste Management Program 103 South Main Street, West Building Waterbury, Vermont 05671-0407 Telepone: 802-241-3481 FAX: 802-241-3296</p> <p><u>Recycling</u> Carol Grodinsky State of Vermont Department of Environmental Conservation Environmental Assistance Division Laundry Building Waterbury, Vermont 05671-0411 Telephone: 802-241-3477 FAX: 802-241-3273</p>	<ul style="list-style-type: none"> <li>Although there is no legislation specific to tires, scrap tire management is addressed as part of other environmental legislation.</li> </ul>	<ul style="list-style-type: none"> <li>The State legislature is currently investigating recommendations of the State Solid Waste Management Program, published in 1989, to develop and propose a disposal/deposit charge on tires at a rate high enough to encourage the return of tires to dealers and to fund scrap tire management programs.</li> </ul>	<ul style="list-style-type: none"> <li>Scrap tires are considered a solid waste. As such, commercial scrap tire haulers need a waste hauling permit.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>Storage facilities and processors need a permit.</li> </ul>	<ul style="list-style-type: none"> <li>Since January 1, 1992, all tires have been banned from disposal in landfills.</li> <li>Landfills will be allowed to continue accepting tires if the facility functions as a tire recycling facility or a transfer station.</li> </ul>	<ul style="list-style-type: none"> <li>A 5% price preference is authorized for products containing recycled materials.</li> <li>A higher price preference is allowed if State entities that will use the product agree on the higher price.</li> <li>Market development grants are provided to the private sector for the development of new products that may stimulate in-State demand for recyclable materials.</li> <li>Grants are available to publicly owned entities for the capital costs of tire recycling equipment and programs.</li> </ul>	<ul style="list-style-type: none"> <li>The Agency of Transportation has used tire chips in several projects for slope stabilization and has done some experimental work using asphalt rubber surface treatment. Tires have also been allowed to be used for riverbank and slope stabilization work in several areas, but only above low water level elevations and where environmental concerns are minimal.</li> <li>A study was commissioned entitled "A Report on the Use of Shredded Scrap Tires in On-Site Sewage Disposal Systems." Effective in 1992, the State approved the use of tire chips in place of crushed stone in septic systems that have a preapproved design that includes a monitoring system.</li> <li>The State approves the use of whole tires for retaining walls on a case-by-case basis.</li> <li>Tire chips were used successfully as lightweight backfill for a timber binwall. The binwall was about 400 feet in length and about 10 feet high. Approximately 7,200 cubic yards of tire chips (300,000 tires' worth) were used as backfill.</li> <li>Tire chips are generally approved for applications that make use of their unique properties (i.e., light weight, cushioning, transmissivity).</li> <li>In 1998, the State Department of Environmental Conservation built a leach field using tire chips in place of stone and will monitor the effluent for 3 years.</li> </ul>



**VIRGINIA**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Allan Lassiter Waste Tire Program Manager Virginia Department of Environmental Quality (DEQ) P.O. Box 10009 Richmond, Virginia 23240 Telephone: 804-698-4215 FAX: 804-698-4224</p>	<ul style="list-style-type: none"> <li>• 1989—the Waste Tire Act was passed which directed the DEQ to develop and implement a plan to manage waste tires and set a \$0.50 tax on the retail sale of tires, the proceeds of which are dedicated to the Waste Tire Trust Fund.</li> <li>• 1993—General Assembly enacted End User Reimbursement Program, using Oregon’s program as a model.</li> <li>• 1994—Current Waste Tire Plan enacted.</li> <li>• 1995—General Assembly enacted Strict Liability for tire fire damage on the property owner.</li> <li>• 1996—General Assembly established as a Class 6 felony the storing of more than 500 tires without a DEQ permit.</li> <li>• 1997—General Assembly determined that storing 100 to 499 tires without a DEQ permit would be a misdemeanor.</li> </ul>	<ul style="list-style-type: none"> <li>• The \$0.50 per tire tax on new tire sales that was to sunset on December 31, 1994, has been extended with no expiration date.</li> </ul>	<ul style="list-style-type: none"> <li>• Voluntary registration system for haulers (75 registered as of 1998).</li> <li>• Voluntary use of Waste Tire Certification for tracking tires.</li> <li>• Certified waste tire collection sites operated by localities or solid waste districts (48 certified as of 1998).</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Tire piles at recycling sites may not exceed 1,000 tires without a permit.</li> <li>• Storage of more than 100 tires requires a permit for storage longer than 90 days.</li> <li>• Most processors need an MRF facility permit under Virginia’s Solid Waste Management Regulations.</li> </ul>	<ul style="list-style-type: none"> <li>• Since 1988 whole tires have been banned from landfills.</li> <li>• Tires that are sliced into two pieces or shredded may be landfilled.</li> </ul>	<ul style="list-style-type: none"> <li>• User Reimbursement Program achieved beneficial use for 5,830,300 tires in 1995 and 7,606,200 tires in 1996 with end user payments of \$1,705,575 in 1995 and \$2,210,196 in 1996.</li> </ul>	<ul style="list-style-type: none"> <li>• The Advisory Committee and DEQ developed a four-year, \$14.7 million, management program consisting of regional tire collection and processing programs, the end user reimbursement system and six demonstration waste tire pile cleanups.</li> <li>• In 1993 a Statewide tire pile survey documented 731 tire piles containing an estimated 17,600,000 tires at an estimated cleanup cost of \$32 million.</li> <li>• Stockpile cleanups continue at a steady pace. In 1997, 37 piles containing 4,665,400 tires were cleaned up under End User Reimbursements (only); and six cleanup demonstrations cleaned up 2,866,500 tires for a combined total of 43 sites and 7,531,900 passenger tire equivalents (PTE’s).</li> </ul>

**WASHINGTON**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Randy Martin Washington Department of Ecology (DOE) Solid Waste and Financial Assistance Mail Stop 47600 P.O. Box 47600 Olympia, Washington 98504-7600 Telephone: 360-407-6136 FAX: 360-407-6102</p>	<ul style="list-style-type: none"> <li>Washington Administrative Code 173-304-420 addresses storage of scrap tires.</li> </ul>	<ul style="list-style-type: none"> <li>The tire fee on the retail sale of new tires sunsetted October 1994.</li> </ul>	<ul style="list-style-type: none"> <li>Haulers must pay a \$250/year license fee and must document delivery of scrap tires under provisions of the current scrap tire law.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>A permit from the local jurisdiction is necessary for tire piles of more than 800 tires.</li> <li>Storage yard owners must develop site plans with local fire departments for fire control.</li> <li>Storage yard owners must comply with size and enclosure requirements.</li> <li>Site owners must document delivery of scrap tires.</li> </ul>	<ul style="list-style-type: none"> <li>The State's combustor rules limit the number of tons of solid waste that can be burned in incinerators or industrial boilers that are not solid waste combustion facilities to 12 tons/day. These rules apply to tire fuels and equal 50 tires/hour.</li> </ul>		

## WEST VIRGINIA

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Paul Benedun West Virginia Division of Environmental Protection Office of Waste Management 1356 Hansford Street Charleston, West Virginia 25301 Telephone: 304-558-6350 FAX: 304-558-1574</p>	<ul style="list-style-type: none"> <li>October 1991 Special Section. SB 18 - Chapter 20, Article 11, Section 8, effective June 1, 1993, bans the disposal of waste tires in landfills.</li> </ul>	<ul style="list-style-type: none"> <li>Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Regulated by West Virginia Public Service Commission.</li> <li>Haulers must obtain a certificate from the West Virginia Public Service Commission.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>No more than 500 waste tires can be stored unless a facility or tire dealer is permitted.</li> <li>Stationary processing facilities must be permitted. Mobile shredders are not required to have a permit.</li> <li>Storage at processing facilities is limited to one pile (or as approved by the permit) of whole tires, and no more than 9 piles of shredded tires, each pile measuring no more than 200 feet by 50 feet by 15 feet.</li> </ul>	<ul style="list-style-type: none"> <li>Since June 1, 1996, the disposal of waste tires in landfills has been banned. Incineration of solid waste, including tires, has been prohibited since May 1, 1993, except for "pilot" projects.</li> <li>Alternative reuse plans for non-cut or whole tires may be submitted for consideration for approval.</li> </ul>	<ul style="list-style-type: none"> <li>Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Shredded tires may be used as landfill daily cover or in the landfill liner as a leachate drainage.</li> <li>Waste tires or tire-derived material may be beneficially reused as approved or may be used as an alternative or supplemental fuel with appropriate Air Quality permits.</li> </ul>

## WISCONSIN

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Paul Koziar Wisconsin Department of Natural Resources Bureau of Waste Management P.O. Box 7921 101 South Webster Street Madison, Wisconsin 53703 Telephone: 608-267-9388 FAX: 608-267-2768</p>	<ul style="list-style-type: none"> <li>AB 481, passed in 1987, established a tire fee.</li> <li>Act 355, passed in 1990, banned scrap tires from landfills as of January 1, 1995.</li> </ul>	<ul style="list-style-type: none"> <li>There was a \$2/tire fee on new vehicle titles. The fee generated approximately \$3 million annually. Funds were deposited in the Waste Tire Removal and Recovery Program.</li> <li>Fee/funding for the program sunsetted June 30, 1996.</li> </ul>	<ul style="list-style-type: none"> <li>All waste collectors, transporters, storage and processing facilities must be licensed.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>All waste collectors, transporters, storage and processing facilities must be licensed.</li> <li>Proof of financial responsibility for stored tires.</li> </ul>	<ul style="list-style-type: none"> <li>Since January 1, 1995, tires have been banned from being disposed of in landfills.</li> </ul>	<ul style="list-style-type: none"> <li>The Waste Tire Reimbursement Grant Program is designed to provide financial assistance regarding the cost of developing or operating certain types of waste tire reuse, and provides eligible companies with a \$20/ton (or \$0.01/lb) reimbursement for use of waste tire material for energy recovery, construction or in the manufacture of products. Annually, \$750,000 is set aside for this purpose.</li> <li>Beginning in 1994 processors of waste tires were eligible for a similar reimbursement as end users. Additionally, if waste tires were used to make a product, the reimbursement was increased to \$0.02/lb.</li> </ul>	<ul style="list-style-type: none"> <li>The State's Waste Tire Management or Recovery Grant Program is intended to research new uses and expand existing uses of scrap tires. It has funded the following projects: <ul style="list-style-type: none"> <li>Air emission testing to evaluate air emissions resulting from the combustion of waste tires with coal and wood waste;</li> <li>Testing fly ash and bottom ash resulting from combustion of waste tires and wood;</li> <li>Environmental assessment of air emissions for the proposed waste tire medical waste incinerator;</li> <li>Testing combustion technology;</li> <li>Investigating fuel feed system designs to accommodate combustion of waste tire material in fluidized bed boiler</li> <li>Testing the development of various rubber products, such as bed liners for pick-up trucks;</li> <li>Testing leaching characteristics of shredded waste tires;</li> <li>Constructing roads using rubberized asphalt.</li> </ul> </li> <li>The State's waste tire cleanup program is intended to clean up nuisance waste tire stockpiles: <ul style="list-style-type: none"> <li>\$2 million set aside annually to clean up 2 million tires per year; and</li> <li>Cost recovery from responsible parties.</li> </ul> </li> </ul>

**WYOMING**

State Contact	Legislation and Regulations	Funding Sources/Fees	Collector, Seller, and Hauler Regulations
<p>Timothy Link            Wyoming Department of            Environmental Quality            Solid and Hazardous Waste            Division            122 West 25<sup>th</sup> Street            Herschler Building, 4-West            Cheyenne, Wyoming 82002            Telephone: 307-777-7164            FAX: 307-777-5973</p>	<ul style="list-style-type: none"> <li>• HB 213, passed in 1989, amended the Solid Waste Management Act for solid waste storage and treatment facilities. It established bonding and location requirements and a permitting system for solid waste facilities, and limits the accumulation of waste, including tires, prior to disposal.</li> </ul>	<ul style="list-style-type: none"> <li>• Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>• Levels are set for the number of tires that can be stored at retail stores, collection centers, and landfills without obtaining a permit.</li> </ul>

Storage and Processor Regulations	Disposal Restrictions	Financial/Market Incentives	Additional Information
<ul style="list-style-type: none"> <li>• Levels are set for the number of tires that can be stored at retail stores, collection centers, and landfills without obtaining a permit.</li> <li>• Landfills must have a permit to store more than 5,000 whole tires.</li> <li>• Regulations establish bonding and location requirements and a permitting system for solid waste facilities. (Tires are defined as a solid waste.)</li> </ul>	<ul style="list-style-type: none"> <li>• Not addressed.</li> </ul>	<ul style="list-style-type: none"> <li>• Not addressed.</li> </ul>	