



SCRAP TIRE FACILITIES: OPEN PILE STORAGE (Groups 1 and 2)

Delaware Department of Natural Resources and Environmental Control,
Compliance and Permitting Section,
Scrap Tire Management Program

What are Scrap Tires?

Scrap tires are an inevitable result of vehicular use. Passenger cars/trucks, tractor trailers, agricultural equipment, recreational vehicles, and motorcycles are examples of vehicles that will have their tires replaced, in turn generating scrap tires. Within the United States alone, it is estimated that over 300 million scrap tires are generated each year. Therefore, proper management of scrap tires is essential to protect human health and safety and the environment.

Delaware's *Regulations Governing Solid Waste* (DRGSW) define a scrap tire as a tire meeting one, or more, of the following criteria:

- it is no longer prudent or practical for vehicular use
- it has not been used on a vehicle for more than 6 months
- it is 6 years or older from its manufacture date

Having scrap tires does not automatically mean that you and/or your business are subject to regulation. This fact sheet is intended to provide guidance for proper scrap tire management in accordance with DRGSW, emphasizing Section 12.0.

What is a scrap tire facility? What Regulatory Requirements Do I Need To Follow?

A scrap tire facility is a site that has an accumulation of 100 or more scrap tires, 100 or more scrap passenger tire equivalents or a combination of the two totaling 100 or more scrap passenger tire equivalents.* If your site reaches the accumulation minimum, regulatory requirements may apply. Regulatory requirements are dependent on your or your business' primary operations, the storage method used for the scrap tires (e.g., as an exposed, open pile or enclosed by a trailer) and size of the scrap tire facility.

* Passenger Tire Equivalent (PTE) is a weight conversion unit using the assumption that one passenger car tire weighs 25 pounds. PTE is used to convert the weight of tires weighing more than 25 pounds, for example: tractor trailer, construction equipment and oversized vehicle tires. To calculate a PTE, divide the total weight of a tire by 25.

** Farmers, please see Subsection 2.3.6 of DRGSW for the permit exemption requirements for farmers. Failure to maintain compliance with Subsection 2.3.6 subjects your scrap tire facility to all applicable sections of DRGSW.

Please be aware that if the scrap tires at your facility are completely enclosed within a building, Section 12.0 of DRGSW requirements will not apply to you and/or your business. However, any scrap tires which are not stored completely enclosed within a building (e.g., in an open, exposed pile or enclosed by a trailer) are subject to regulation under DRGSW. If your facility will be storing, or is interested in storing, scrap tires within trailers, please see the "Scrap Tire Facilities: Enclosed Trailer Storage" fact sheet.

The next step to determining which DRGSW section may apply to your facility is to determine how and why scrap tires are being accumulated at the facility.

Are the scrap tires associated with a qualifying business?

A qualifying business will generate scrap tires through their primary business operations. However, a qualifying business' primary business operations shall not be to accumulate scrap tires. Examples of qualifying businesses may include:

- new/used tire retailers
- automobile graveyards or junkyards
- farmers **
- local and state governmental agencies
- other automotive businesses

If scrap tires are being generated and subsequently accumulated through qualifying business operations, then you and/or your business are subject to the requirements in Section 12.0 of DRGSW. The major regulatory requirements of Section 12.0 are summarized on the reverse side of this fact sheet.

Is your or your business' primary purpose to accumulate and/or manage scrap tires?

If the answer is "yes" to either of these questions, you and/or your business may be subject to requirements in Section 9.0 and 10.0 of DRGSW, as applicable.

Prohibited Scrap Tire Facilities

Any scrap tire facility that has not been issued a permit in accordance with the requirements of Section 9.0 (resource recovery facility) or Section 10.0 (transfer stations) is prohibited. Any scrap tire facility that is not in compliance with Section 12.0 (scrap tire facilities) or cannot be permitted by achieving the requirements of any other DRGSW section is prohibited. Prohibited scrap tire facilities shall be closed by following the requirements stated in Section 12.11 of DRGSW.

Scrap Tire Facilities Design Requirements for Open Pile Storage

Scrap tire facilities that are associated with a qualifying business are regulated under Section 12.0 of DRGSW and must fit into one (1) of three (3) groups. “Group 1” and “Group 2” are facilities that store accumulated scrap tires in a pile that is not enclosed by a trailer; this is also known as an “open pile”. Scrap tire facilities are permitted based on the size of the scrap tire pile on site. Below is a table outlining the major requirements of Section 12.0 for facilities implementing open pile storage for scrap tires.

Group 1	Group 2
<u>Size:</u>	<u>Size:</u>
<ul style="list-style-type: none"> • Not to exceed 450.5 sq ft by 10 ft high 	<ul style="list-style-type: none"> • Not to exceed 901 sq ft by 10 ft high
<u>Number of Scrap Tire Piles Allowed:</u>	<u>Number of Scrap Tire Piles Allowed:</u>
<ul style="list-style-type: none"> • One 	<ul style="list-style-type: none"> • One
<u>Application and Compliance Period:</u>	<u>Application and Compliance Period :</u>
<ul style="list-style-type: none"> • 90 days from January 1, 2016 (March 31, 2016) to submit a permit application and to come into compliance 	<ul style="list-style-type: none"> • 180 days from January 1, 2016 (June 29, 2016) to submit a permit application and to come into compliance
<u>Financial Assurance:</u>	<u>Financial Assurance:</u>
<ul style="list-style-type: none"> • Not required 	<ul style="list-style-type: none"> • Minimum of \$10,000 • Not required if tire removal costs were paid prior to delivery of a trailer used to accumulate scrap tires (proof of valid, current contract required)
<u>Facility Design Standards:</u>	<u>Facility Design Standards:</u>
<ul style="list-style-type: none"> • Setbacks <ul style="list-style-type: none"> ➢ 20 feet from roads and property boundaries ➢ 50 feet from residences ➢ 100 feet from water supply ➢ 50 feet from wetlands, ponds and streams ➢ 20 foot firebreak around facility • Not located in FEMA’s 100 Year floodplain (unless Department approved measures have been implemented to mitigate risk) • Secured with a lockable fence 	<ul style="list-style-type: none"> • Setbacks <ul style="list-style-type: none"> ➢ 100 feet from roads and property boundaries ➢ 300 feet from residences ➢ 300 feet from water supply ➢ 50 feet from wetlands, ponds and streams ➢ 50 foot firebreak around facility • Not located in FEMA’s 100 Year floodplain (unless Department approved measures have been implemented to mitigate risk) • Secured with a lockable fence
<u>Operational Standards</u>	<u>Operational Standards</u>
<ul style="list-style-type: none"> • Employee training • Facility inspections • Fire prevention • Mosquito control • 75% of scrap tires removed annually • Recordkeeping/Annual Reporting 	<ul style="list-style-type: none"> • Employee training • Facility inspections • Fire prevention • Mosquito control • 75% of scrap tires removed annually • Recordkeeping/Annual Reporting

More Information

This factsheet is not intended to be a substitute for DRGSW and it is the responsibility of scrap tire facilities to ensure that they comply with all applicable regulations. State solid waste regulations are in 7 DE Admin Code 1301, of Delaware’s *Regulations Governing Solid Waste*
<http://regulations.delaware.gov/AdminCode/title7/1000/1300/1301.pdf>

For information about Scrap Tire Facilities, visit:
<https://dnrec.alpha.delaware.gov/waste-hazardous/management/scrap-tires>

For more assistance, contact DNREC, Compliance and Permitting Section at 302.739.9403 or Nicole E. Hill, Program Manager, at nicole.hill@delaware.gov