

Proposed Waste Tire Storage, Permit and Penalty Criteria Regulations

Public Hearing

October 16, 2013

Agenda

- ▶ Opening Remarks
- ▶ Rulemaking Overview
- ▶ Public Comments
- ▶ Adjourn

Purpose of this Public Hearing

- ▶ To receive oral comments on the proposed regulations
- ▶ The Department will consider all comments during the Rulemaking process
- ▶ The Department requests a written copy of your comments
- ▶ Sign-in sheets and speaker slips are in the back of the room

Informal Rulemaking Process

- ▶ Combined two informal Rulemaking packages
 - Waste Tire Facility Enforcement – April 2010
 - Waste Tire Storage, Disposal, and Permitting – July 2010
 - June 2011 combined into one Rulemaking package

Formal Rulemaking

- ▶ Began August 23, 2013 with publication of:
 - Notice of Proposed Rulemaking,
 - Text of Proposed Regulations,
 - Initial Statement of Reasons,
 - Economic and Fiscal Impact Statement, and
 - Economic Impact Assessment required by GC section 11346.3(b)
- ▶ Year long process

Proposed Regulatory Action

- ▶ Objectives focused on while preparing the proposed regulatory changes
- ▶ Many proposed changes are in response to public requests for increased enforcement and accountability

Waste Tire Storage and Disposal Standards

- ▶ Incorporate applicable 2010 California Fire Code standards
 - Indoor Waste Tire Storage
 - Outdoor Waste Tire Storage

Tire Derived Product

- ▶ Clarify statutory definition (PRC 42805.7)
 - Addresses need to stockpile Tire Derived Product for large-scale projects

Waste Tire Facility Permitting

- ▶ Simplify waste tire facility permit reapplication procedures
 - Established permit review and revision process
 - Eliminate the need to reapply every 5 years

14 CCR section 18420

Applicability

- ▶ Clarifies the threshold for a solid waste facility needing a waste tire permit.
- ▶ Clarifies waste tire facility permitting requirements for unpermitted solid waste facilities.

Waste Tire Collection Location

- ▶ Add new section 14 CCR 18420.1
- ▶ Establishes:
 - Notification requirements
 - Operational requirements
- ▶ Excluded from permitting requirements

Excluded Waste Tire Facility

- ▶ Establish a Notification Requirement
 - Used Tire Dealer – (1,500)
 - Auto Dismantler – (1,500)
 - Tire Retreader – (3,000)
 - Agricultural Operations – (5,000)

Exempt Waste Tire Facility

- ▶ Clarify the Application Requirements
 - Cement Kilns
 - Beneficial Reuse Projects

Recordkeeping Requirements

- ▶ Establish recordkeeping requirements for any business handling waste or used tires
 - Ability to track tires beyond current manifesting system

Port Terminal

- ▶ Specify manifest requirements for delivery of waste tires to a Port Terminal
 - Non-traditional end-use facility
 - Hauler leaves pick up and delivery CTLs with generator
 - Generator maintains CTLs for 3 years

Waste Tire Facility Penalty

- ▶ Remove requirement that a “Cleanup and Abatement Order” be violated before issuing a waste tire facility penalty
- ▶ Expand and clarify waste tire facility penalty schedule 14 CCR 18429

Facility Definitions

14 CCR 17225

- ▶ Add 3 and delete 1
- ▶ Added:
 - Indoor and Indoors
 - Exempt or Excluded
 - Waste Tire Facility
- ▶ Deleted:
 - Collection

Hauler Definitions

14 CCR 18450

- ▶ Add 3, delete 2, and amend 26.
- ▶ Added:
 - Collection Location
 - Port Terminal
 - Waste or Used Tire Generator/Waste Tire Generator/Generator

Public Comments on Proposed Waste Tire Storage, Permit and Penalty Criteria Regulations

- ▶ Next phase of this public hearing
- ▶ Speakers called in order of speaker slip received
- ▶ Come up to podium to comment

Next Rulemaking Steps

- ▶ The Department will hold future informal public workshops.
- ▶ The first set of workshops will be scheduled for November.
- ▶ Please subscribe to the – **Waste Tire Rulemaking Listserv**
- ▶ www.calrecycle.ca.gov/listservs/

Tire Rulemaking Contacts

- ▶ E-Mail:

WasteTireRulemaking@CalRecycle.ca.gov

- ▶ Fax: (916) 319-7761

- ▶ Mail: CalRecycle

Waste Evaluation and Enforcement
Branch (Mail Stop: 10A-17)

P.O. Box 4025

Sacramento, CA 95812-4025

Rulemaking Contact

▶ Paulino Luna

- E-Mail: Paulino.Luna@CalRecycle.ca.gov
- Fax: (916) 319-7373
- Phone: (916) 341-6412

▶ Nicholas Cavagnaro

- E-Mail: Nicholas.Cavagnaro@CalRecycle.ca.gov
- Fax: (916) 319-7341
- Phone: (916) 324-3756