



## FACT SHEET

### Waste Tire Management

#### Storage and Transfer Requirements for Retailers

On July 15, 1998, new Kentucky legislation designed to provide better management of waste tires became effective. Waste tires are defined as tires not used for their originally intended purpose because of wear or damage, used tires stored for resale and processed waste tire material. House Bill 636 requires that any person who accumulates more than 25 waste tires for purposes of processing, transports more than 50 tires at a time, or accumulates more than 100 waste tires shall register with the state, post financial assurance and receive approval before beginning operation.

However, a person making retail sales of new motor vehicle tires in Kentucky may accumulate up to 1,000 waste tires at the place where retail sales are made without registering as an accumulator. Waste tires must be stored in an environmentally safe manner. The retailer is required to meet the following standards for storage:

- Waste tires are stored in a manner that allows fire fighting equipment access to the tires
- Mosquito infestations and entrapment of water in the waste tires is prevented
- Waste tires are stored on-site, in a closed container or adjacent covered area, in a building where public access is restricted after business hours, or in windrows no greater than 25 feet wide, 10 feet high and 75 feet long with at least 50 feet of open, unoccupied ground between windrows
- Unless the waste tires are stored in buildings, in adjacent covered areas or closed containers, they must be stored no closer than the following:
  - 30 feet from a utility easement
  - 250 feet from a residence, or
  - 250 feet from a karst feature, surface water of the commonwealth or unplugged water well
- Waste tires are stored on a surface with a grade of 5 percent or less that is free of vegetation and other flammable materials

#### Transfer and transportation

Retailers may transport the waste tires they accumulate at their place of business without registering as a transporter if the waste tires remain in their possession until they reach their destination.

Tires transferred within the state of Kentucky must be transferred to a person presenting a letter from the Energy and Environment Cabinet approving that person's registration as a processor, transporter or accumulator or a copy of a solid waste disposal facility permit issued by the cabinet.

Retailers who transfer waste tires to another person must obtain a receipt for the waste tires. The final processor, or a transporter who arranges for disposal or recycling out-of-state, must return a copy of the receipt for disposal or recycling to the retailer within 30 days of receiving waste tires. If the retailer does not receive that receipt, the retailer must notify the Division of Waste Management. The receipt must include the following:

- the name, address, company and signature of the person accepting the tires
- the number of waste tires or the passenger tire equivalents accepted
- the date the waste tires were transferred



- the name and address of the retailer transferring the waste tires

Retailers must keep their receipts for three years.

Tires may be transported to or transferred to the following:

- A registered person or business operating in Kentucky
- Any permitted solid waste facility except a less than 1 acre construction demolition landfill
- Direct—to an out of state disposal or energy resource facility

### **Waste tires held for resale**

Waste tires held for resale are exempt from the registration requirements when the following conditions are met:

- The same practice of storing new motor vehicles on racks is followed, and
- The tires are moved indoors at the close of the business day

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