ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
LAND DIVISION - SCRAP TIRE PROGRAM
ADMINISTRATIVE CODE

CHAPTER 335-4-10
END-USE MARKET DEVELOPMENT PROGRAM

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335-4-10-.01 Purpose.

These regulations establish the procedures for the disbursement of scrap tire marketing funds for use in developing, implementing, and enhancing the beneficial use of scrap tires.
Author: Adam N. Rhodes
Statutory Authority: Code of Ala. 1975, §§22-40A-1 et seq.
History: New Rule: Published June 28, 2024; effective August 12, 2024.

335-4-10-.02 Definitions.

When used in this chapter, the following terms have the meaning given below:

(a) "Eligibility" means the standard or criteria by which an applicant qualifies for grant funds, as determined by the Department. These standards shall include, but are not limited to, completeness of the grant application, and plans for beneficial use of the scrap tires.

(b) "Grant Agreement" means the binding agreement between the Department and the applicant.

(c) "Grant Application" means the initial request form for a grant from the Department.

(d) "Program" means the grant program established and administered by the Department under the authority of Code of Alabama 1975, § 22-40A-13 et seq.

Author: Adam N. Rhodes
Statutory Authority: Code of Ala. 1975, §22-40A-1 et seq.

History: New Rule: Published June 28, 2024; effective August 12, 2024.

335-4-10-.03 Grant Application Requirements.

(1) Requests for funding shall be submitted as described in 335-4-1-.03 to the Department on application forms specified by the Department.

(2) Applications received which have not completed their obligations under all previously awarded funds may be denied by the Department.

(3) Applications which have not met their obligations under the terms of any previous grant agreements or accounted for any unused grant funds from a previous grant awarded may be denied by the Department.
Author: Adam N. Rhodes
Statutory Authority: Code of Ala. 1975, §§22-40A-1 et seq.
History: New Rule: Published June 28, 2024; effective August 12, 2024.

335-4-10-.04 Disbursement of Funds.

(1) Partial reimbursement may be provided for the cost of processing scrap tire materials in the state of Alabama, which are derived from scrap tires originally generated in the state of Alabama, including those shown below with a contract for the sale of the product. Reimbursement shall not exceed 25% of monies deposited in the Scrap Tire Fund during the previous budget year and any accumulated funds in the Scrap Tire Fund with the following order of priority and decreasing reimbursement amounts for each ton of scrap tire material:

(a) Converted to an ultimate product;

(b) Beneficially used, other than as crumb rubber;

(c) Converted into chipped tire material for beneficial use;

(d) Beneficially used except; processing costs related to the creation of an ultimate product if the processing involves the use of crumb rubber as a component of the ultimate product; and the person processing, previously received partial reimbursement under this section for processing costs related to the production of crumb rubber;

(e) Produced for beneficial use;

(f) Processed into tire derived fuel for energy recovery or production.

(g) Additional partial reimbursement may be provided at a rate set by the Department to any person engaged in beneficial use (denoted in (b) and (d) above), where scrap tires have been removed from areas underneath dirt/soil/ water/other materials requiring the scrap tires to be cleaned prior to processing including but not limited to remediation of an unauthorized dump to encourage utilization of these tire materials and to recover such lands where these scrap tires were placed.

(2) The Director, or his designee, may terminate a grant award in whole or in part and demand refund of grant funds when there is substantial non-compliance with the terms of the award or with the requirements of 335-4, a determination is made by the Department that the grant was obtained by fraudulent means, it is found that grant monies have been used for non-allowable costs, or a determination is made by the Department that gross abuse or corrupt practices have been used in the administration of the grant project by the recipient.

(a) The Director, or his designee, shall afford the grant recipient an opportunity for consultation prior to any termination. After such opportunity for consultation, the Department may, in writing (via certified mail, return receipt requested), terminate the Fund grant in whole or in part.

(b) In event of such termination, the grantee shall be ineligible to make application for further participation in the grant program until the grantee complies with the terms of the grant award or with the requirements of 335-4.

(3) The amount of each grant awarded in accordance with 335-4-10 shall be at the sole discretion of the Director, or his designee.
Author: Adam N. Rhodes
Statutory Authority: Code of Ala. 1975, §§22-40A-1 et seq.
History: New Rule: Published June 28, 2024; effective August 12, 2024.

335-4-10-.05 Grant Recordkeeping.

Each recipient of grant funds shall maintain accurate records of all expenditures associated with the scrap tire beneficial use project funded by grants awarded pursuant to 335-4-10, and shall assure that these records are available for inspection and/or audit upon request by the Department. Records shall be kept for a period of at least five (5) years from the execution of the grant agreement.
Author: Adam N. Rhodes
Statutory Authority: Code of Ala. 1975, §§22-40A-1 et seq.

History: New Rule: Published June 28, 2024; effective August 12, 2024.