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

CHAPTER 335-4-6
SCRAP TIRE PROCESSORS

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335-4-6-.01 General Requirements For Processors.

(1) A processor shall not store tire materials in excess of the accumulation limit approved by ADEM. If the excess amount has not been eliminated within thirty (30) days of the date the accumulation limit was exceeded, the processor shall notify ADEM as described in 335-4-1-.03 and shall begin to remove the tire materials from the facility to a permitted processor or SWDF.

(2) A processor shall have all necessary processing equipment in operating condition prior to receiving scrap tires for processing. Equipment must be maintained in an operable condition for the duration of the permit. If equipment is inoperable for more than fourteen days, no other comparable equipment is available, and the ability of the facility to continue to process tire materials is interrupted, the facility shall cease receiving tire material until the equipment is repaired.

(3) Processors shall utilize manifests and comply with requirements of 335-4-4-.05 for shipment of tire materials.

(4) Processors are required to maintain financial assurance in accordance with 335-4-8.

(5) Fuel users and processors exempt in 335-4-3-.02 are subject to the requirements for processors in accordance with 335-4-6-.02, 335-4-6-.03, and 335-4-6-.04.
Author: James L. Bryant, Adam N. Rhodes
Statutory Authority: Code of Ala. 1975, §§22-40A-1 et seq.
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335-4-6-.02 Requirements For Storage.

A processor shall comply with storage requirements in 335-4-4-.02. Tire materials piles shall not be stored on asphalt pavement or in such a manner that creates a fire hazard.
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335-4-6-.03 Reporting.

A processor shall submit a scrap tire semi-annual report in accordance with 335-4-1-.03, utilizing ADEM Form 539, for each six (6)-month period of the calendar year (January through June and July through December). All reports shall be submitted to ADEM no later than the 28th day following the end of the reporting period.
Author: James L. Bryant, M. Gavin Adams, Adam N. Rhodes
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335-4-6-.04 Recordkeeping Requirements.

An operating record for the processor shall be maintained at the facility or in an alternate location approved by ADEM.

(a) The following information shall be placed in the operating record as it becomes available:

1. Permit or exemption as issued by ADEM.

2. Permit or exemption application, operational narrative, and other documentation submitted to ADEM during the permitting process.

3. Closure Plan with cost estimates to implement the Closure Plan.

4. Financial Assurance documentation.

5. Reports or documentation generated during the normal operation of the processing facility including, but not limited to:

(i) Manifests of tire materials received and/or shipped.

(ii) Receipt of scrap tires without a manifest.

(iii) Semi-annual reports utilizing ADEM Form 539.

(iv) Arrangement for fire protection services, if applicable.

(v) Vector Control Plan as referenced in 335-4-1-.05(5).

(vi) Any other report or document generated in the normal operation of the facility that is submitted to ADEM.

6. Electronic versions of records listed in 335-4-6-.04 may be maintained in the operating record as allowed in 335-4-1-.05(7).

(b) All information contained in the operating record shall be retained for at least three (3) years. Records relating to a violation or enforcement action shall not be removed from the operating record for at least three (3) years from the date record and until these matters are resolved.

Author: James L. Bryant, M. Gavin Adams, Adam N. Rhodes
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335-4-6-.05 Mobile Processing Facilities.

(1) A person operating mobile processing equipment shall obtain a permit from ADEM unless exempt in accordance with 335-4-2-.04(3)(a).

(2) An owner/operator utilizing equipment that is moved between sites or receivers shall notify ADEM, as described in 335-4-1-.03, at least three (3) days prior to movement of the processing equipment to a different location. Each location where mobile processing occurs shall meet the minimum siting requirements found in the owner or operator's permit.

(3) All processed tire material shall be removed from the location for recycling, further processing, or disposal in a SWDF within thirty (30) days of processing. The owner or operator of the mobile processing equipment shall provide ADEM the name and address of each facility or SWDF that will receive the processed tire material for further use or disposal. Shipments of processed tire material shall be manifested in accordance with 335-4-4-.05, unless the processed tire material is placed in a solid waste container that is routinely emptied by a Solid Waste Collector permitted by a County Health Department. If the processed tire material is to be placed in a solid waste container, the processor shall provide the name of the SWDF that will receive the processed tire material for disposal and shall provide a letter from the SWDF stating acceptance of the processed tire material.

(4) Mobile processors shall maintain an operating record as required in 335-4-6-.04 at a location approved by ADEM.

(5) Owners or operators of mobile processing equipment shall report to ADEM each location where the equipment operated, and the number of tires processed. The report shall be submitted by the twentieth (20th) day of each month for the previous month's operations. A report shall be filed as described in 335-4-1-.03, even if the equipment was not utilized during the reporting month.

(6) If mobile processing equipment is operated at a location for more than one hundred-eighty (180) consecutive days, that location shall be considered a scrap tire processing facility and shall be subject to the requirements in 335-4-6-.01 and 335-4-6-.02.
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335-4-6-.06 Closure Of Facilities.

Processors discontinuing their operations or those not meeting the requirements of 335-4-6 shall discontinue receiving tire materials and shall close the facility.

(a) The processor shall submit a Closure Plan to ADEM as a part of the permit application.

(b) The Closure Plan shall provide for the following if applicable:

1. A narrative description of the closure process to be implemented and a schedule for closure.

2. Removal of all tire materials to a permitted processor, end user, or SWDF.

3. Removal of all other regulated solid waste accumulated at the facility for disposal through a permitted solid waste transfer station or in a SWDF.

4. A Vector Control Plan.

5. Restriction of access to preclude delivery of additional tire materials.

6. A plan for site remediation if a contaminant or other threat to public health or the environment resulting from routine operations, or a fire or other emergency is identified.

7. An estimate of the cost for closure of the facility according to the Closure Plan.

(c) The Closure Plan shall be updated every three (3) years or when conditions change at the processor that may affect the current closure plan. The updated plan, the new closure cost estimate based on the revised closure plan, and an updated financial assurance instrument shall be submitted to ADEM for review.

(d) The processor shall notify ADEM, as described in 335-4-1-.03, when all closure requirements have been implemented. If ADEM determines closure has been completed according to the Closure Plan as required by 335-4-6-.06, the financial assurance instruments shall be released within thirty (30) days.

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