Kansas Administrative Regulations

Department of Health and Environment

Article 29.—Solid Waste Management—Part 3. Standards for Waste Tire Management.

28-29-31. Requirements for storage of waste tires, used tires, and processed waste tires.

(a) Outdoor storage of waste tires, used tires, or both.

(1) The requirements in this regulation for outdoor storage of tires shall not apply to tires stored in trailers or covered containers.

(2) Each person storing the tires shall meet the pest control standards specified in K.A.R. 28-29-29b.

(b) Outdoor storage of more than 500 used tires, 500 waste tires, or 500 used and waste tires. Each person storing the tires shall meet the following requirements:

(1) Locate the tires outside all wetlands;

(2) store tires that have been or will be stored for more than 30 days by one or more of the following means:

(A) Ricking;

(B) storing in racks; or

(C) storing on tread; and

(3) limit the size of each storage area to less than the following dimensions:

(A) 50 feet in width;

(B) 5,000 square feet in area; and

(C) 10 feet in height.

(c) Outdoor storage of 1,500 or more used tires, waste tires, or used and waste tires. Each person storing the tires shall meet the requirements of subsection (b) of this regulation and the following requirements:

(1) Locate each storage area at least 60 feet from each building;

(2) provide access to each storage area for fire-fighting equipment by either of the following means:

(A) Developing a 50-foot wide fire lane around the perimeter of each storage area. The person storing the tires shall maintain the fire lane and an approach and access road to each storage area, which shall be passable for any fire-fighting vehicle at all times; or

(B) obtaining certification from the local fire department stating that there is adequate access to each storage area for fire-fighting equipment;

(3) prohibit all activities involving the use of open flames, smoking materials, and other ignition sources within 25 feet of each storage area;

(4) maintain all vegetation within 100 feet of each storage area in a manner that minimizes fire hazard.

(d) Outdoor storage of processed waste tires. The requirements in this regulation for the outdoor storage of processed waste tires shall not apply to processed waste tires stored in trailers or covered containers.

(1) Each person storing processed waste tires in an amount equal to or greater than the amount derived from 500 passenger tire equivalents shall store the processed waste tires according to the requirements in paragraphs (b)(1) and (b)(3) of this regulation, replacing the term "tire" with "processed waste tires."

(2) Each person storing processed waste tires in an amount equal to or greater than the amount derived from 1,500 passenger tire equivalents shall store the processed waste tires according to the requirements in paragraph (d)(1) and in paragraphs (c)(1) through (c)(4) of this regulation, replacing the term "tire" with "processed waste tires."

(e) Removal of contamination. If pyrolytic oil from a tire fire is released into the environment, each person storing the tires or the processed waste tires shall remove the oil and contaminated soil in accordance with the solid and hazardous waste regulations in articles 29 and 31 governing the removal, transportation, and disposal of the material.

(f) Closure of storage sites. When a storage site for waste tires, used tires, or processed waste tires closes, each person storing the tires or processed waste tires shall perform the following:

(1) Remove all waste tires and processed waste tires in accordance with the tire management standards of K.S.A. 65-3424 et seq., and amendments thereto, and the requirements of K.A.R. 28-29-28 through K.A.R. 28-29-33; and

(2) remove all other solid waste to a permitted solid waste disposal area.

(Authorized by K.S.A. 65-3406 and 65-3424h; implementing K.S.A. 65-3406 and K.S.A. 2006 Supp. 65-3424b; effective, T-28-4-27-92, April 27, 1992; effective June 8, 1992; amended Sept. 12, 1997; amended Oct. 26, 2007.)

***** Authenticated Kansas Administrative Regulation *****