Kansas Administrative Regulations

Department of Health and Environment

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

28-29-30. Waste tire processing facility, waste tire collection center, and mobile waste tire processor permits.

(a) Submission of application. Each person required to obtain a waste tire processing facility permit, a waste tire collection center permit, or a mobile waste tire processor permit, as specified in K.S.A. 65-3424b and amendments thereto, shall submit an application to the department.

(1) Each application shall be submitted on forms provided by the department.

(2) Each application shall be submitted to the department at least 90 days before operations are planned to begin.

(b) Waste tire processing facility and waste tire collection center permit applications. Each applicant for a waste tire processing facility or waste tire collection center permit shall include the following items in the application:

(1) Proof of consistency with zoning or land use requirements;

(2) a description of the land use within a radius of one-half mile of the facility, identifying all buildings and surface waters;

(3) the following maps:

(A) A site location map showing section, township, range, and site boundaries;

(B) a site layout drawing showing the size and location of all pertinent artificial and natural features of the site, including roads, fire lanes, ditches, berms, waste tire storage areas, structures, wetlands, floodways, and surface waters; and

(C) a topographic map that has a scale of no less than one inch equals 2,000 feet, and that has a contour interval of 10 feet or less;

(4) a design plan, including equipment placement and a process flow diagram;

(5) an operations plan for the processing facility or collection center that includes the following information:

(A) The storage capacity for waste tires and processed waste tires, in passenger tire equivalents;

(B) the procedures that the facility owner or operator proposes to use to meet the mosquito and rodent control requirements of K.A.R. 28-29-29b;

(C) for waste tire collection centers, the proposed methods and schedule for storage of the waste tires before removal from the site; and

(D) for waste tire processing facilities, the following information:

(i) The proposed methods and schedule for the processing or disposal of waste tires;

(ii) the procedures that the facility owner or operator proposes to use to meet the waste tire processing standards in K.A.R. 28-29-29; and

(iii) a description of all equipment to be used in the waste tire processing operation;

(6) a contingency plan to minimize damage from fire and other emergencies at the site, including procedures for the following:

(A) Minimizing the occurrence or spread of fires;

(B) reporting all environmental problems, including fires, to the department;

(C) remediating the site;

(D) operating the facility when equipment fails; and

(E) operating the facility during inclement weather;

(7) proof that the applicant owns the site or has a lease for the site that runs at least one year. The permit shall be valid only for the location specified on the permit application;

(8) a closure plan that includes the following information:

(A) A description of when and why the operator would suspend the receipt of waste tires at the facility;

(B) a description of how all waste tires and processed waste tires will be removed from the site or otherwise properly disposed of upon closure;

(C) a time schedule for completing the closure procedures; and

(D) a plan for site rehabilitation and remediation;

(9) a closure cost estimate based on the cost to close the facility following the requirements of K.A.R. 28-29-31 and K.A.R. 28-29-31a. The cost of removing processed waste tires from the site shall not be required to be included in the closure

cost estimate if the permittee demonstrates to the department that the processed waste tires have a positive market value;

(10) documentation of financial assurance issued in favor of the department that meets the requirements of K.A.R. 28-29-2101 through K.A.R. 28-29-2113; and

(11) the applicable application fee specified in K.A.R. 28-29-2011.

(c) Mobile waste tire processor permit applications. Each applicant for a mobile waste tire processor permit shall include the following items in the application:

(1) A description of all equipment to be used in the mobile waste tire processing operation;

(2) documentation of financial assurance issued in favor of the department that meets the requirements of K.A.R. 28-29-2101 through K.A.R. 28-29-2113; and

(3) the application fee specified in K.A.R. 28-29-2011.

(d) Permit renewal. As specified in K.S.A. 65-3424b and amendments thereto, each waste tire processing facility permit, waste tire collection center permit, and mobile waste tire processor permit shall be issued for a one-year period. Any permittee may apply to the secretary for permit renewal by submitting the renewal application to the department at least 30 days before the permit expiration date. Each renewal application shall be submitted on forms provided by the department and shall include the following items:

(1) For each waste tire processing facility permit and each waste tire collection center permit, the following items:

(A) An annual operations report that summarizes the information required in K.A.R. 28-29-31a(c);

(B) an updated closure cost estimate;

(C) documentation of updated financial assurance that meets the financial assurance requirements in K.A.R. 28-29-2101 through K.A.R. 28-29-2113; and

(D) the applicable permit renewal fee specified in K.A.R. 28-29-2011; and

(2) for each mobile waste tire processor permit, the following items:

(A) An annual operations report that summarizes the information required in K.A.R. 28-29-31a(c);

(B) documentation of financial assurance that meets the financial assurance requirements in K.A.R. 28-29-2101 through K.A.R. 28-29-2113; and

(C) the permit renewal fee specified in K.A.R. 28-29-2011.

(e) Permit modifications. Any waste tire processing facility, waste tire collection center, or mobile waste tire processor permittee may request from the secretary a permit modification to modify the operations authorized in an unexpired permit. The procedure for modifying permits specified in K.A.R. 28-29-8 shall apply.

(f) Transfers of ownership. The permittee shall provide notice of plans to transfer ownership of any facility or business permitted under these regulations to the department at least 60 days before the transfer. Each permit shall be issued only for the person or persons and the premises or business named in the permit. As specified in K.S.A. 65-3424k and amendments thereto, permits shall not be transferable. (Authorized by K.S.A. 65-3424h; implementing 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 *****