Kansas Administrative Regulations

Department of Health and Environment

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

28-29-31a. Requirements for permitted waste tire processing facilities, waste tire collection centers, and mobile waste tire processors.

(a) Access for fire-fighting equipment. Each permittee that obtains certification from the local fire department, as specified in K.A.R. 28-29-31, shall submit a copy of the certification to the department.

(b) Site access. The permittee of each waste tire collection center and each waste tire processing facility shall perform the following:

(1) Control access to the site;

(2) post a sign at the entrance of the site stating the following information:

(A) The name of the site;

(B) the permit number;

(C) the site's telephone number, if there is one;

(D) the 24-hour emergency telephone number; and

(E) if the site is open to the public, the hours of operation; and

(3) have an attendant present at all times when the waste tire processing facility or waste tire collection center is open for business.

(c) Recordkeeping. Each permittee shall retain the records required by this subsection at the facility or business for a minimum of three years. All quantities of tires and processed waste tires shall be recorded in passenger tire equivalents.

(1) Mobile waste tire processors. The permittee shall maintain records of the following information for each site at which waste tires were processed:

(A) The address or legal description;

(B) the landowner's name and address;

(C) the dates of arrival and departure of the mobile waste tire processor; and

(D) the quantity of waste tires processed.

(2) Waste tire processing facilities and waste tire collection centers. The permittee shall maintain monthly records of the following information:

(A) The quantity of waste tires received;

(B) for waste tire processing facilities, the quantity of waste tires processed;

(C) the quantity of waste tires and processed waste tires removed from the site; and

(D) each location to which waste tires or processed waste tires have been taken for use or disposal.

(d) Closure of waste tire processing facilities and waste tire collection centers.

(1) The permittee of each waste tire processing facility and each waste tire collection center shall cease to accept waste tires and shall close the waste tire processing facility or waste tire collection center in compliance with these regulations and with any special closure conditions established in the facility permit, if any of the following conditions is met:

(A) The permittee informs the secretary that the site is closed.

(B) A departmental order to cease operations is issued.

(C) A permit compliance schedule specifying closure is to begin.

(D) The owner fails to renew the permit.

(E) The permit is revoked.

(2) If the waste tire processing facility or waste tire collection center closes, the permittee shall perform the following:

(A) Close public access to the waste tire site;

(B) post a notice at the site entrance indicating to the public that the site is closed and, if the site had accepted waste tires from the public, indicating the nearest site where waste tires can be lawfully deposited;

(C) notify the department and the local government having jurisdiction over the site of the closing of the permitted waste tire processing facility or waste tire collection center; and

(D) submit certification to the department that the closure has been completed in compliance with the closure plan.

(3) All financial assurance not needed for the closure or for other purposes under this subsection shall be released to the permittee by the secretary.

(Authorized by K.S.A. 65-3424h; implementing K.S.A. 2006 Supp. 65-3424b; effective Oct. 26, 2007.)

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