

Instruction Guidance for Scrap Tire Management Registrations and Sample Public Notices for Land Reclamation Project Using Tires (LRPUT) and Scrap Tire Storage and Facility Applications

I. Registration Application Requirements

All registration applications must include a Scrap Tire Management Registration Application (Form #10297). This form must be completed and include an original signature. Each application, with the exception of generator and transporter registrations, requires additional information which is outlined in this guidance document. If additional documentation is not submitted for review, the registration application cannot be deemed administratively or technically complete and registration may not be approved.

All registration and notification applications should be submitted in triplicate (one original and two copies) and mailed to:

**Scrap Tire Management Registration Coordinator
TCEQ Dallas/Fort Worth Regional Office
2309 Gravel Drive
Fort Worth, TX 76118-6951
[Tel. (817) 588-5800]**

Types of registration applications and additional documentation required:

A. Generator - 30 TAC §328.56 – Application form only

B. Scrap Tire Transporter - 30 TAC §328.57 – Application form only

C. Scrap Tire Transportation Facility 30 TAC §328.64 – Application form and additional information is required

D. Scrap Tire Storage Facility – 30 TAC §328.60 – Application form and additional information is required

(* indicates items that must be signed and sealed by a registered Professional Engineer)

1. Property Owner Affidavit
2. Financial Assurance Worksheet* and evidence of financial responsibility
3. Documentation of existing surrounding land use*
4. Approximate numbers of used or scrap tires or tire pieces that will be stored at the facility*

5. Location maps in the appropriate format, with information specified in § 328.60(b)(9)(A)*
6. Topographic maps
7. Adjacent landowner map* and list of property owners
8. Floodplain maps*
9. Return Receipts for registered mail documenting that a copy of the application was mailed to the appropriate County Judge, Mayor, and/or Regional Council of Government
10. Return Receipts for registered mail documenting that notice was sent to all adjacent landowners, health authorities, and the appropriate State Senator and Representative as specified in § 328.60(b)(3)
11. Documentation of public notice printed in the newspaper as specified in §328.60(b)(3)
12. Site layout plan*
13. Drainage plan*
14. Fire plan*
15. Cost estimate for closure* (TCEQ Form #10301):
16. Site Operation Plan with information specified in § 328.60(b)(10)(E)*
17. Fire Marshal approval of fire protection system and design of all weather roads, including signature and date on Site Layout Plan
18. Local authority approval, including written documentation demonstrating that the facility shall be designed in accordance with all local building, fire codes, and all other applicable local codes
19. Statement signed by the operator certifying that he or she is familiar with the application and all supporting data
20. Other pertinent information as required pursuant to 328.60(b) Registration Requirements

E. Scrap Tire Facility 30 TAC §328.63 – Processor, Recycler, and/or Energy Recovery Facilities

Application form and additional information is required

1. Property Owner Affidavit
2. Approximate numbers of used or scrap tires or tire pieces that will be stored at the facility
3. Detailed description of the day to day operations of the facility
4. Location maps in the appropriate format, with information specified in § 328.60(b)(9)(A)
5. Maximum amount of tires (in pounds) that will be at the facility at any given time
6. Method of Storage
7. Product to be manufactured and documentation of end use market

8. Arrangements with public or private emergency response personnel of facility does not intend to provide its own fire fighting personnel or system
9. Listing of all other applicable federal, state, and local permits and/or registrations and associated numbers
10. Mail a copy of the notification documents and attachments to the appropriate mayor and county judge if the proposed project is to be located within the corporate limits or extraterritorial jurisdiction of a city; or the appropriate county judge if the proposed project is to be located within an unincorporated area of a county; to the appropriate regional council of government; and, to the appropriate local fire authority. Proof of mailing shall be provided in the form of return receipts for registered mail.

Additional Requirements For facilities that Recycle or Conduct Energy Recovery On-Site:

11. Amount of tires necessary to provide a 30-day (calendar) raw material supply for the proposed recycling process.
12. Notice to the Fire Marshal of the facility's fire protection system.

F. Land Reclamation Project Using Tires (LRPUT) 30 TAC §328.66:

LRPUT Notification form (#10300) and additional information is required

1. Property Owner Affidavit (POA)
2. Location map: ½ inch-scale TxDOT County Highway Map at least 8½ x 11 inches in size, showing site location
3. USGS 7- ½ -minute series topographic map
4. Legal description of the property where filling will take place (separate document from POA)
5. Site layout drawing, preferably 11 x 17 in size, showing the excavation to be filled, numbered cells to indicate fill sequence, size of cells that can be tied to the financial assurance (if applicable), drainage plan features, access control features (fence, gates)
6. Return Receipts for registered mail documenting that a copy of the application was mailed to the appropriate County Judge, Mayor, and/or Regional Council of Government
7. Documentation of general public notice printed in the newspaper as specified in 328.60(a)(10)
8. Demonstration of seasonal high groundwater level in the area where the LRPUT is be located
9. Documentation of notification to the Fire Marshal with jurisdiction over the area to be reclaimed
10. Documentation demonstrating that the proposed reclamation project existed prior to the proposed start date of reclamation and that the area was excavated or soil removed for an appropriate purpose other than for the burial of tire pieces
11. Affidavit signed by the operator certifying that he or she is familiar with the application all supporting data
12. Other pertinent information as required pursuant to §328.66 Notification Requirements

13. The owner or operator of the LRPUT shall register as a Scrap Tire Facility if processing of scrap tires on is conducted on-site.

II. Specific Information on Public Notifications

Scrap Tire Storage Site/Facility

Sample Notice: *Applicant's name and affiliation, Applicant's address and telephone* has notified the Executive Director of the Texas Commission on Environmental Quality (TCEQ) of a proposed Scrap Tire Storage Site Registration pursuant to 30 TEXAS ADMINISTRATIVE CODE §328.60. Acknowledgment by the Executive Director is required before the proposed storage site may operate. The applicant has filed registration documents with *Name and Address of County Judge*, where they may be viewed by the public. To obtain additional information, individual members of the general public may contact the TCEQ. For specific information about the proposed project individuals may Ms. Cynthia Hackathorn, Scrap Tire Management Registration Coordinator, TCEQ DFW Region Office, located at 2309 Gravel Drive, Fort Worth, TX 76118; Telephone Number (817) 588-5800.

Land Reclamation Project Using Tires

Sample Notice: *Applicant's name and affiliation, Applicant's address and telephone* has notified the Executive Director of the Texas Commission of Environmental Quality (TCEQ) of a Land Reclamation Project Using Tires ("LRPUT") pursuant to 30 TEXAS ADMINISTRATIVE CODE §328.66. Acknowledgment by the Executive Director is required before the reclamation project may be initiated. The applicant has filed notification documents with *Name and Address of County Judge*, where they may be viewed by the public. The Applicant proposes to place tire shreds below ground in *an area Description of excavation (e.g.: formerly mined for sand and gravel; that has been eroded by runoff; etc.) located at address or physical description, County, State, Zip Code*. The tire shreds shall be commingled with inert fill material in a proportion no greater than 50% of tire material by volume. All persons interested may submit written comments to the Executive Director within 30 days from the date of this notice. Written comments should be addressed to Ms. Cynthia Hackathorn, Scrap Tire Management Registration Coordinator, TCEQ DFW Region Office, located at 2309 Gravel Drive, Fort Worth, TX 76118; Telephone Number (817) 588-5800.

III. General Information on Scrap Tire Management

For all general information pertaining to scrap tire management, please contact Ms. Cynthia Hackathorn, TCEQ Scrap Tire Management Coordinator at (817) 588-5800 or Ms. Brooke Jackson, TCEQ, Field Operations Support Division, Tire Liaison, at 512-239-2515.