

Waste Tire Rulemaking

From: Janofsky, Mark <MJanofsky@marincounty.org>
Sent: Monday, April 14, 2014 4:30 PM
To: Waste Tire Rulemaking
Subject: Marin County TEA Staff Comments on Proposed Revisions to Waste Tire Storage, Permit and Penalty Criteria Regulations

To Whom it May Concern:

Marin County TEA staff has reviewed the proposed revisions to the waste tire regulations and provides the following comments:

14 CCR 17350(a)(1): This appears to require that a facility which stores **any** tires outside at all shall comply with the technical and operational standards in sections 17351 through 17354, as well as sections 17357 through 17359. The current regulation requires compliance with some of these standards when **500 or more** tires are stored outside. TEA staff believes the revised regulation is excessive, as storing one or more tires outside will require generators to comply with the aforementioned sections of Title 14.

17351: This regulation, which pertains to fire safety plans, apparently only applies to the storage of 500 or more waste tires, not used tires. Since used tires also present fire and other safety/environmental problems, it is unclear why this regulation only applies to waste tires.

17357: This new proposed regulation would require waste tire generators to maintain records documenting the quantity of waste tires received, stored and shipped from the site on a quarterly basis. In conjunction with **17358**, which would require a waste tire facility to use registered waste tire haulers to transport all waste tires, rather than loads of 10 or more tires, these two regulations place significant additional requirements on waste tire generators. Marin County TEA staff believes that 17357 and 17358 should apply to major and minor waste tire facilities, but not excluded or exempt facilities, such as tire dealers and auto dismantlers.

18431.2: This regulation would require excluded waste tire facilities, such as automobile dismantlers and tire dealers, to notify CalRecycle with extensive paperwork. Would this require existing facilities of this type to file the paperwork? If so, this seems entirely excessive. Also, until now, use of registered haulers by waste tire generators to transport 9 or fewer waste or used tires was not required, so in fact, it is possible that some facilities might not have TPIDs.

In general, Marin County TEA staff believes that this package of regulations will significantly increase the workload of TEAs, in part, by resulting in the need for many re-inspections. In addition, the increased regulatory burden it places on waste tire generators will likely create increased friction between them and TEAs, and, in general, create disdain for the regulatory process.

Thank you for the opportunity to comment on the proposed regulations.

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