

1                   **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

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5                   **Solid and Hazardous Waste Commission/Hazardous Materials and**  
6                   **Waste Management Division**

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9                   **6 CCR 1007-2**

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12           **PART 1 REGULATIONS PERTAINING TO SOLID WASTE SITES AND FACILITIES**

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15           **Section 10 Waste Tire Amendments**

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18           **1) Section 10.3.2 (Registration for Waste Tire Haulers) is being amended by revising**  
19           **paragraphs (G) and (K) to read as follows:**

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22           **SECTION 10.3 - STANDARDS FOR WASTE TIRE HAULERS**

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26           **10.3.2 REGISTRATION FOR WASTE TIRE HAULERS**

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30           (G) All Waste Tire Haulers who wish to continue hauling waste tires must submit an application for  
31           renewal (Form WT-1H) no later than March 1 of every odd numbered year.

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33           \*\*\*\*\*

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35           (K) The Department may cancel a Waste Tire Hauler Certificate of Registration of a person who: 1) no  
36           longer hauls waste tires, 2) fails to submit the waste tire hauler renewal (Form WT-1H) as required by  
37           Section 10.3.2(G), or 3) fails to submit an Annual Report as required by Section 10.3.5.

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40           **2) Section 10.3.3 (Waste Tire Hauler Decals) is being amended by revising paragraph (C)**  
41           **to read as follows:**

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43           **SECTION 10.3 - STANDARDS FOR WASTE TIRE HAULERS**

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### 10.3.3 WASTE TIRE HAULER DECALS

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(C) Each Waste Tire Hauler vehicle decal and temporary decal will be valid until April 15 of the year indicated on the vehicle decal and will have a unique number. Prior to the expiration date, a Waste Tire Hauler must submit a new renewal application (Form WT-1H) for a Certificate of Registration pursuant to section 10.3.2(G) above.

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**3) Section 10.7.3 (Mobile Waste Tire Processors Registration Requirements) is being amended by revising paragraphs (H) and (J) to read as follows:**

### 10.7 - STANDARDS FOR MOBILE WASTE TIRE PROCESSORS

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#### 10.7.3 MOBILE WASTE TIRE PROCESSORS REGISTRATION REQUIREMENTS

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(H) All Mobile Waste Tire Processors who wish to continue mobile processing waste tires must submit an application for renewal (Form WT-1M) no later than March 1 of every odd numbered year.

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(J) The Department may cancel a Certificate of Registration of a person who: 1) no longer mobile processes waste tires, 2) fails to submit a mobile waste tire processing renewal (Form WT-1M), 3) fails to submit an Annual Report as required by Section 10.7.7, or 4) fails to maintain financial assurance as required by Section 10.7.6.

**4) Section 10.7.4 (Mobile Waste Tire Processor Decal) is being amended by revising paragraph (C) to read as follows:**

### 10.7 - STANDARDS FOR MOBILE WASTE TIRE PROCESSORS

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#### 10.7.4 MOBILE WASTE TIRE PROCESSOR DECAL

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91  
92 (C) Each Mobile Waste Tire Processor decal will be valid until April 15 of the year indicated on the vehicle  
93 decal and will have a unique number. Prior to the expiration date, a Mobile Waste Tire Processor must  
94 submit a new renewal application for a Certificate of Registration (Form WT-1M) pursuant to section  
95 10.7.3 above.

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100 **5) Section 10.11 (Waste Tire Fee Administration) is being amended by revising paragraph**  
101 **10.11.7 to read as follows:**

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103 **10.11 WASTE TIRE FEE ADMINISTRATION**

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106  
107 10.11.7 Any person who sells new motor vehicle or new trailer tires must retain and make available to  
108 the Department for review any documentation or records (such as receipts or invoices provided to  
109 customers or transaction records) related to new tire sales to ensure compliance with Section 30-20-  
110 10431403(1)(a), C.R.S., and the Regulations on the sales of these tires. Documentation and/or  
111 records must be retained for three (3) years from the date of sale.

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116 **6) Section 10.12 (Waste Tire End User Fund) is being amended by revising paragraph**  
117 **(C)(2) of Section 10.12.1 (General Rules) to read as follows:**

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119 **10.12 WASTE TIRE END USERS FUND**

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121 **10.12.1 GENERAL RULES**

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124 **C. General Rules for End Users applying for a Waste Tire Hauler rebate**

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126 1. To be eligible to apply for a rebate, a person must be registered with the Department as a Waste  
127 Tire Hauler and an End User. Any hauling of waste tires prior to registration with the Department  
128 is not eligible for a rebate.  
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130 2. Only waste tires originated and hauled from rural counties (population of fewer than 60,000  
131 residents according to the Colorado Department of Local Affairs State Demography Office) are  
132 eligible for a rebate for the Waste Tire Hauler and End User. Counties that meet this standard will  
133 be listed on the Waste Tire Hauler application and posted on the Department's website at the  
134 Colorado Department of Local Affairs "Population Totals for Colorado Counties" website:  
135 <https://demography.dola.colorado.gov/population/population-totals-counties/>. The most current

136 population statistics will be used to determine if a county is considered rural for the purpose of  
137 waste tires being eligible for a rebate.

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142 **7) Section 10.12 (Waste Tire End User Fund) is being amended by revising paragraph (B)**  
143 **of Section 10.12.5 (Rebate Amount) to read as follows:**

144  
145 **10.12.5 REBATE AMOUNT**

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149 B. Beginning January 1, ~~2022~~2023, the amount of the rebate is as follows:

150  
151 (1) Tier 1: \$80 per ton;

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153 (2) Tier 2: \$40 per ton;

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155 (3) Tier 3: \$20 per ton; and

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157 (4) Waste Tire Hauler: \$20 per ton.

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1 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

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3 Solid and Hazardous Waste Commission

4 Hazardous Materials and Waste Management Division

5 6 CCR 1007-2

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8 STATEMENT OF BASIS AND PURPOSE  
9 AND SPECIFIC STATUTORY AUTHORITY FOR  
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11 Amendment to the Regulations Pertaining to Solid Waste Sites and Facilities (6 CCR  
12 1007-2, Part 1) - Section 10.3.2 (Registration for Waste Tire Haulers), Section 10.3.3  
13 (Waste Tire Hauler Decals), 10.7.3 (Mobile Waste Tire Processors Registration  
14 Requirements), 10.7.4 (Mobile Waste Tire Processor Decal), 10.12.2 (General Rules for  
15 End Users Applying for a Waste Tire Hauler Rebate), 10.12.5 (Rebate Amount).

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18 Basis and Purpose

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20 I. Statutory Authority

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22 Section 30-20-1401(2), C.R.S. gives the Solid and Hazardous Waste Commission (the  
23 Commission) the authority to promulgate waste tire regulations in order to implement  
24 and enforce Section 30, Article 20, Part 14, C.R.S.

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26 II. Purpose of revised regulations:

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28 The purpose of revising 6 CCR 1007-2 Part 1 (the Regulations) is to change the waste  
29 tire hauler and mobile waste tire processor registration renewal date, clarify when the  
30 Department may cancel a waste tire hauler or mobile waste tire processor Certificate  
31 of Registration and set the End User fund per ton rebate.

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33 Discussion of Regulatory Proposal

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35 In Section 10.3.2 (F) (Registration for Waste Tire Haulers), the submittal date for the  
36 Certificate of Registration renewal application for a Waste Tire Hauler (Form WT-1H)  
37 was changed from an annual renewal to every odd numbered year renewal. Waste Tire  
38 Haulers will only have to renew their Waste Tire Hauler registration every two years

39 instead of every consecutive year. This will provide Waste Tire Haulers with a  
40 reduction of having to submit a waste tire hauler renewal every consecutive year. It  
41 will also reduce the Department's administrative burden of processing waste tire  
42 hauler registration renewals every consecutive year. With an effective date in 2022,  
43 currently registered waste tire haulers will submit a hauler renewal registration Form  
44 WT-1H by March 1, 2023. The next submittal of Form WT-1H will be due by March 1,  
45 2025, and so forth each odd numbered year.

46  
47 Section 10.3.2(K) (Registration for Waste Tire Haulers) was modified to include when  
48 the Department will cancel a Certificate of Registration of a Waste Tire Hauler. This  
49 update will codify procedures that the Department already implements, including  
50 canceling the Waste Tire Hauler Certificate of Registration of a person who fails to  
51 submit the waste tire hauler renewal form (Form WT-1H), or canceling the Waste Tire  
52 Hauler Certificate of Registration of a person who fails to submit the Commercial  
53 Waste Tire Hauler Report Form (Form WT-4).

54  
55 Section 10.3.3 (C) (Waste Tire Hauler Processor Decals) was modified to include  
56 temporary decals and to refer to the renewal application (Form WT-1H). Starting in  
57 2023, the Waste Tire Hauler decal will be valid until April 15, 2025, and so forth every  
58 odd numbered year.

59  
60 In Section 10.7.3 (F) (Mobile Waste Tire Processors Registration Requirements), the  
61 submittal date for the Certificate of Registration renewal application for a Mobile  
62 Waste Tire Processor (Form WT-1M) was changed to every odd numbered year. Mobile  
63 Waste Tire Processors will only have to renew their Mobile Waste Tire Processor  
64 registration every two years instead of every consecutive year. This will provide  
65 Mobile Waste Tire Processors with a reduction of having to submit a mobile waste tire  
66 processor renewal every consecutive year. It will also reduce the Department's  
67 administrative burden of processing mobile waste tire processor registration renewals  
68 every consecutive year. With an effective date in 2022 the rule will require the  
69 submittal of Form WT-1M by March 1, 2023 for existing mobile waste tire processors.  
70 Mobile waste tire processors will be required to submit renewal registrations by March  
71 1, 2025, and so forth each odd numbered year.

72  
73 Section 10.7.3 (K) (Mobile Waste Tire Processors Registration Requirements) was  
74 modified to include when the Department will cancel a Certificate of Registration of a  
75 Mobile Waste Tire Processor. This update will codify procedures that the Department  
76 already implements, including canceling the Mobile Waste Tire Processor Certificate of  
77 Registration of a person who fails to submit the mobile waste tire processor renewal  
78 form (Form WT-1M), canceling the Waste Tire Hauler Certificate of Registration of a  
79 person who fails to submit the Commercial Waste Tire Hauler Report Form (Form WT-  
80 4), and canceling the Waste Tire Hauler Certificate of Registration of a person who  
81 fails to maintain \$10,000 of financial assurance.

83 Section 10.7.4 (C) (Mobile Waste Tire Processor Decal) was modified to refer to the  
84 renewal application (Form WT-1M). The Mobile Waste Tire Processor decal will be  
85 valid until April 15, 2025, and so forth each odd numbered year.

86  
87 Section 10.12.1 (C) (General Rules for End Users Applying for a Waste Tire Hauler  
88 Rebate) was modified due to the change of the Department of Local Affairs (“DOLA”)  
89 web address. DOLA publishes county population figures each year that the department  
90 uses to determine what counties are considered rural (under 60,000 residents). Only  
91 waste tires hauled from rural counties are eligible for a rebate from the fund.

92  
93 Section 10.12.5 (B) (Rebate Amount) was modified to change the year to 2023. Based  
94 on current End Users account funds and participation, the per ton rates for the three  
95 tiers will remain the same. The proposed regulations set the 2023 per ton waste tire  
96 end user rebate rates as follows:

- 97  
98 A. Tier 1: \$80 per ton;  
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100 B. Tier 2: \$40 per ton;  
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102 C. Tier 3: \$20 per ton; and  
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104 D. Waste Tire Hauler: \$20 per ton.

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107 **Issues Encountered During Stakeholder Process:**

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109 Stakeholders were notified by e-mail of the revision of these regulations. Stakeholders  
110 were given an opportunity to provide any comments.

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112 No questions were asked during the stakeholder meeting.

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114 **Regulatory Alternatives**

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116 No other regulatory alternatives were evaluated.

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118 **Cost/Benefit Analysis**

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120 A cost-benefit analysis will be performed if requested by the Colorado Department of  
121 Regulatory Agencies.