

1 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

2
3 Solid and Hazardous Waste Commission

4 Hazardous Materials and Waste Management Division

5 6 CCR 1007-2

6
7
8 STATEMENT OF BASIS AND PURPOSE
9 AND SPECIFIC STATUTORY AUTHORITY FOR
10

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).

16
17
18 Basis and Purpose

19
20 I. Statutory Authority

21
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.

25
26 II. Purpose of revised regulations:

27
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.

32
33 Discussion of Regulatory Proposal

34
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;
- 99
- 100 B. Tier 2: \$40 per ton;
- 101
- 102 C. Tier 3: \$20 per ton; and
- 103
- 104 D. Waste Tire Hauler: \$20 per ton.
105

106
107 **Issues Encountered During Stakeholder Process:**
108

109 Stakeholders were notified by e-mail of the revision of these regulations. Stakeholders
110 were given an opportunity to provide any comments.
111

112 No questions were asked during the stakeholder meeting.
113

114 **Regulatory Alternatives**
115

116 No other regulatory alternatives were evaluated.
117

118 **Cost/Benefit Analysis**
119

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