

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
WASTE AND HAZARDOUS MATERIALS DIVISION**

Information Sheet

Natural Resources and Environmental Protection Act, 1994 PA 451, as amended
Part 169 (Scrap Tires)

Part 169, Scrap Tires, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, regulates the transportation, storage, and disposal of scrap tires by certain tire retailers, scrap tire haulers, and scrap tire collection site owners. The following is a brief summary of the requirements:

- **A SCRAP TIRE** means a tire that is no longer being used for its original intended purpose including, but not limited to, a used tire, a reusable tire casing, or portions of tires. Scrap tire does not include a vehicle support stand.
- A person shall deliver a scrap tire only to a registered collection site, a disposal area licensed under Part 115 (whole scrap tires may not be disposed of in a landfill), an end-user, a scrap tire processor, a tire retailer, or a scrap tire recycler, that is in compliance with Part 169.
- Any person who by contract, agreement or otherwise arranges for the removal of scrap tires, shall do so with a solid waste hauler or a **registered** scrap tire hauler who is obligated to deliver the scrap tires to the authorized location indicated on the scrap tire transportation record (manifest).
- **A COLLECTION SITE** is a property where 500 or more scrap tires are accumulated, or where 1,500 or more scrap tires are accumulated if owned or leased by a retailer, or where 2,500 or more scrap tires are accumulated if owned or leased by an automotive recycler or where 150 or more cubic yards of scrap tire processed material is accumulated if owned or leased by a commercial contractor that is authorized by the Department of Environmental Quality (DEQ) to use the material as an aggregate replacement.
- **A SCRAP TIRE COLLECTION SITE OWNER** must register annually by January 31, with the DEQ and must provide **all** of the information required by the DEQ.
- A person who owns a collection site shall maintain a bond in favor of the DEQ as required under Section 16903(1)(i). For additional information on the bonding requirements, contact the appropriate Scrap Tire Regulatory Program staff for the county where the collection site is located or check the DEQ Web Site.
- A person who owns or operates a collection site shall meet the storage requirements of Section 16903. For additional information on the storage requirements, contact the appropriate Scrap Tire Regulatory Program staff for the county where the collection site is located or check the DEQ Web Site.
- A **SCRAP TIRE HAULER** is a person who transports tires as part of a commercial business. A person who transports more than seven (7) scrap tires in any truckload shall be considered to be in the commercial business of transporting scrap tires unless: A person who is not operating a commercial business is transporting his or her own tires to a location authorized in section 16902(1); or is a member of a nonprofit service organization who is participating in a community service project and is transporting scrap tires to a location authorized in section 16902(1).
- A scrap tire hauler must register annually by January 31, with the DEQ, and must provide **all** of the information required by the DEQ.

- A scrap tire hauler shall maintain for three (3) years records of each load of scrap tires transported on scrap tire transportation record (manifest) forms approved by the DEQ. Only DEQ Form EQP 5128 is approved for use as the scrap tire transportation record. A copy of this record shall be provided to the person contracting for the removal of the scrap tires (generator), and to the registered collection site, licensed landfill (whole tires may not be disposed of in a landfill), end-user, scrap tire processor, tire retailer, or scrap tire recycler to which the tires are delivered.
- A scrap tire hauler shall possess a **current** scrap tire hauler registration and **original** scrap tire transportation record (manifest) during transportation. The registration number issued by the DEQ shall be visibly displayed on the vehicle transporting scrap tires.
- A **RETAILER** is a person who sells or offers for sale new, retreaded, or remanufactured tires to consumers in this state.
- A retailer shall maintain for three (3) years scrap tire transportation records (manifests) indicating the **number of scrap tires removed, and the final destination of those scrap tires removed**. The retailer shall maintain all records received from a scrap tire hauler, and an owner, operator, or authorized agent of a location where the scrap tires are delivered. These records shall be made available to the DEQ upon request.
- The owner, operator, or authorized agent of a location where tires are delivered shall sign the scrap tire transportation record (manifest), indicating acceptance of the scrap tires, and within 30 days forward a copy of the signed record to the person who arranged for the removal of the scrap tires being delivered. The person who arranges for the removal of scrap tires from a property under his or her control has no affirmative duty to obtain these records and will not be held liable for the failure to receive such records. These records must be maintained at the site of removal for a period of three years and be made available to the DEQ upon request during normal business hours.
- A person who violates Part 169 when fewer than 50 tires are involved is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not less than \$200.00 or more than \$500.00, or both.
- A person who violates Part 169 when 50 or more tires are involved is guilty of a misdemeanor punishable by imprisonment for not more than 180 days or a fine of not less than \$500.00 or more than \$10,000.00, or both, for each violation.
- A person convicted of a second or subsequent violation of Part 169 is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not less than \$1,000.00 or more than \$25,000.00, or both, for each violation.
- In addition to any other penalty provided for in this section, the court may order a person who violates this part to perform not more than 100 hours of community service. For any violation of this part, each day that a violation continues may constitute a separate violation.
- A peace officer may issue an appearance ticket to a person who is in violation of this Section of Part 169.

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WASTE AND HAZARDOUS MATERIALS DIVISION

Scrap Tire Regulatory Program Staff

Office Location	Staff	Telephone	Area of Responsibility
Lansing Office	Rhonda Oyer Zimmerman	517-373-4750	Policy and legislation.
Lansing Office	Julie Vallier	517-335-4924	Registrations and grants.
Lansing Office	Noelle Hartner	517-373-4738	Registrations and grants.
Southeast Michigan	Susan McDonald	586-753-3844	Macomb, and Oakland Counties, and those portions of Wayne County not handled by Ann Vogen. Registrations from Ohio and Canada.
Detroit/Wayne County	Ann Vogen	313-456-4663	City of Detroit and portions of Wayne County, including Allen Park, Ecorse, Hamtramck, Highland Park, Lincoln Park, Melvindale, Redford, River Rouge, Romulus, Southgate, Taylor and Wyandotte.
Kalamazoo	Nadine Deak	269-567-3592	Allegan, Van Buren, Kalamazoo, Calhoun, Berrien, Cass, St. Joseph, and Branch Counties. Registrations from Illinois and Indiana.
Grand Rapids	John Fischer	616-356-0231	Barry, Ionia, Kent, Newaygo, Mecosta, Montcalm, Muskegon, Oceana, and Ottawa Counties.
Jackson	Stan Idziak	517-780-7936	Jackson, Washtenaw, Hillsdale, Lenawee, and Monroe Counties.
Lansing	Rich Brim/Stan Idziak	517-335-6200 517-780-7936	Gratiot, Clinton, Shiawassee, Genessee, Lapeer, Eaton, Ingham,

			and Livingston Counties
Saginaw Bay	Brian Burke	989-686-8025, ext 8203	Ogemaw, Iosco, Arenac, Clare, Gladwin, Bay, Isabella, Midland, Saginaw, Tuscola, Huron, and Sanilac Counties.
Gaylord	Jenny Bennett	989-705-3421	Emmett, Cheboygan, Presque Isle, Charlevoix, Antrim, Otsego, Montmorency, Alpena, Crawford, Oscoda, Alcona, and Roscommon Counties.
Cadillac	Casey Cline	231-775-3960 ext. 6202	Kalkaska, Missaukee, Osceola, Grand Traverse, Wexford, Lake, Mason, Manistee, Benzie, and Leelanau Counties.
Upper Peninsula	Robert Schmeling	906-346-8545	All U.P. counties. Registrations from Minnesota and Wisconsin.
Upper Peninsula	Hank Switzer	906-346-8526	All U.P. counties. Registrations from Minnesota and Wisconsin.

For additional information, please check the DEQ's Web Site at <http://www.michigan.gov/deq>. Click on "waste" and then on "scrap tires." You will find grant information, registration forms, copies of Part 169, lists of registered scrap tire haulers and collection sites, and other useful information.