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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

TO: Scrap Tire Collection Site Applicants

FROM: Rhonda S. Oyer, Chief, Solid Waste Management Unit
Solid Waste and Land Application Section
Resource Management Division

DATE: October 3, 2011

SUBJECT: Calendar Year 2012 Scrap Tire Collection Site Registration Applications

Owners of property where a scrap tire collection site is located, a portable shredding operation, or both, pursuant to Section 16904(1) of Part 169, Scrap Tires, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), are required to register annually with the Department of Environmental Quality (DEQ).

Part 169 was amended in December 2006. Please read the definitions of "commodity" and "tire chips" in the enclosed copy of Part 169. Also read Section 16903 for the amended requirements and exemptions from bonding of a scrap tire collection site.

Please use the registration application forms that have been provided with this mailing as **older versions of these forms will not be accepted**. Please read all the materials in your packet carefully to ensure that you understand them. **PLEASE NOTE: ALL FIELDS MUST BE COMPLETED. IF A FIELD DOES NOT APPLY PLEASE ENTER "0," "N/A," ETC. APPLICATIONS WITH BLANK INFORMATION WILL BE DETERMINED TO BE ADMINISTRATIVELY INCOMPLETE AND WILL BE RETURNED.**

This year we are again requesting that you include your Michigan Corporate ID Number in the space provided. **THIS IS NOT YOUR TAX ID NUMBER**. This number is obtained from the Department of Licensing and Regulatory Affairs (LARA). To search for an existing Michigan Corporate ID Number, or to see if a Michigan Corporate ID Number exists for your business, check the LARA database at <http://www.michigan.gov/entitysearch>. Applications for a Michigan Corporate ID Number can be filed with the Corporation Division by US mail, fax or taking it in to the Corporation Division office. Additional information including the fax number and mailing address can be found on the Corporation Division Web site listed above.

If you do not have a Michigan Corporate ID Number, you must apply in your own name and write "sole proprietor" in the Michigan Corporate ID Number space on the application. You may include your company's name in parentheses next to your own name on the application for reference purposes, i.e.: "John Doe (dba XYZ Tires)."

Property owners must maintain a performance bond for indoor and outdoor tire storage areas as required under Section 16903(4) of Part 169. The amount of the bond is to be not less than the sum of \$25,000 per quarter acre, or fraction thereof, of outdoor tire storage area; and \$2 per square foot of tire storage area in a building. The required bond for a

scrap tire collection site with less than 2,500 scrap tires, total in all indoor and outdoor storage areas, is \$2,500. The performance bond may be in the form of a surety bond, a certificate of deposit, an irrevocable letter of credit, or a cash bond and must be on a DEQ form. All bonds submitted must be on the forms with revision dates listed at the end of this memorandum or the application will be considered to be incomplete. Sites not currently covered by a sufficient bond must submit the appropriate bond with the registration application form. Appropriate performance bond forms have been included with this mailing. Additional forms are available by contacting this office, your DEQ District Office (see enclosed Information Sheet), or via the DEQ Internet Home Page at <http://www.michigan.gov/deq>. **The DEQ is prohibited by Part 169 from registering a scrap tire collection site that does not provide adequate bonding of the scrap tire storage area(s) as required by Section 16903(4) of Part 169, for the current registration period. The bond must cover the entire registration period for the current registration year. Bonds expiring before January 31, 2013, will not be adequate for registration and may result in your registration being denied.** Pursuant to Section 16904(2), the DEQ shall not register a scrap tire collection site if the site is not in compliance with the storage requirements of Part 169.

If you are currently registered as a scrap tire collection site and maintain a Surety Bond, you must provide a continuous bond on the current form with your application.

A complete application for a collection site registration must include documentation of proof of property ownership and a site map.

Only a warranty deed or land contract will be accepted as proof of property ownership. Registration of a scrap tire collection site held under land contract will require the signature of **all** parties who hold ownership rights to the property. **Proof of property ownership must be provided with the application each year even if the information has not changed.**

The site map must show the exact boundaries and dimensions of the outdoor acreage or the square footage of building(s), and number of vehicles to be used for tire storage by the applicant during the 2012 registration period. Please see the sample site map format, which defines a "scrap tire storage area" and provides additional bonding information. **For sites with over 2,500 scrap tires, including sites where any vehicles containing tires are stored, the map must be prepared or drawn by a professional engineer or licensed surveyor.** The site map must show acreage of the outdoor tire storage area and square footage of building(s) used as indoor tire storage area(s), as covered by the bond, if required. The site map must match the bond documents. The site map must include the dimensions and boundaries of the tire storage area to be used, type of storage area (whole, shredded, chips, etc.), bonded areas, and type of bonding to be used (building and/or acreage). The site map must also depict any area(s) that is exempt from bonding and the dimensions and boundaries of the area(s). Please note that commodity storage areas require that a certification be submitted to the DEQ. Please attach the commodity storage area certification, if applicable. A site that is a processor that has been in compliance with

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the site requirements for one year is exempt from bonding. Please attach the Processor Bond Exemption Qualification Form, if applicable. **A site map must be provided with the application each year even if the storage area(s) has not changed.**

The fee for registering as a scrap tire collection site is \$200. This fee must be submitted with your application or it will be considered incomplete and be returned.

Registration applications that do not contain all required information will be returned to the applicant and the applicant **will not be** registered for the current registration period and will be subject to appropriate enforcement action until the collection site is properly registered.

You should also be aware that the DEQ may seize performance bonds for the following purposes: if the owner/operator fails to complete required actions at a collection site to remove scrap tires from the collection site, for costs of cleanup at the collection site, for fire suppression costs, for costs associated with responding to a fire or an emergency at a collection site, and for failure to provide documentation of bond renewal. The DEQ may access a bond in case of an emergency at a collection site, insolvency of the collection site owner, or if the collection site owner fails to remove tires at the direction of a court of competent jurisdiction.

If you have any questions regarding the information requested on the registration application forms, please contact Amy Hoffman, Registration Technician, Solid Waste Management Unit, Solid Waste and Land Application Section, Resource Management Division, at 517-335-0371; or you may contact me at 517-373-4750; or DEQ, P.O. Box 30241, Lansing, Michigan 48909-7741, prior to mailing your registration application(s).

For additional information on the Scrap Tire Program, please check the DEQ's Web site at <http://www.michigan.gov/deq> (Click on "Waste" and then click on "Scrap Tires"). You will find grant information, registration forms, Part 169, lists of registered scrap tire haulers and collection sites, along with other useful information.

Enclosures: Scrap Tire Collection Site Registration Application (EQP 5134, Rev 09/11)
Surety Bond Form (EQP 5135, Rev 09/11)
Certificate of Deposit Form (EQP 5136, Rev 09/11)
Irrevocable Letter of Credit Form (EQP 5137, Rev 09/11)
Commodity Storage Area Qualification Form (EQP 5127, Rev 09/11)
Processor Bond Exemption Qualification Form (EQP 5232, 09/11)
Information Sheet (Rev 09/11)
Part 169, Scrap Tires, of the NREPA
Scrap Tire Storage Area Map Format (Rev 09/11)

cc: RMD District Staff, DEQ
Becky Beauregard, DEQ
Amy Hoffman, DEQ

