

Scrap Tire Program Program and Contact Information

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, ***and only with the consent of the owner or operator of***, one of the following that is in compliance with Part 169: a registered collection site, a location that has legally accumulated scrap tires below the regulatory threshold for qualifying as a 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, or a tire retailer.
- Any person who by contract, agreement, or otherwise arranges for the removal of scrap tires, shall do so with one of the following: a solid waste hauler; 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 person hauling only a commodity; or a retreader hauling only tire casings.
- **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 Environment, Great Lakes, and Energy (EGLE) to use the material as an aggregate replacement or is otherwise authorized for such use by EGLE.
- **THE OWNER OR OPERATOR OF A SCRAP TIRE COLLECTION SITE OR A PORTABLE SHREDDING OPERATION** must register annually by January 31, with EGLE and must provide **all** of the information required by EGLE.
- A person who owns a collection site shall maintain a bond in favor of EGLE as required under Section 16903(4) unless otherwise exempted under Part 16903(6) and 16903b(1). 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 Scrap Tire Program 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 Scrap Tire Program Web Site.
- A **SCRAP TIRE HAULER** is a person who transports more than ***ten (10)*** tires at once in a vehicle on a public road or street. A scrap tire hauler does not include the following: a person, ***OTHER THAN A COMMERCIAL BUSINESS***, who is transporting his or her own tires to a location authorized in Section 16902(1); 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); the owner of a farm who is transporting only scrap tires that originated from his or her farm operation to a location authorized in Section 16902(1) or that are intended for use in a feed storage location; a solid waste hauler transporting solid waste to a landfill; a person transporting only a commodity; or a retreader.

- A scrap tire hauler must register annually by January 31, with EGLE, and must provide all of the information required by EGLE.
- ***A scrap tire hauler shall maintain a bond in favor of EGLE as required under Section 16905 (6) unless the scrap tire hauler is owned and operated by a scrap tire processor who is in compliance with Part 169. The bond shall be on a form approved by EGLE. The amount of the bond shall be \$10,000.***
- A scrap tire hauler shall maintain for three (3) years records of each load, or consolidated load, of scrap tires transported on scrap tire transportation record (manifest) forms approved by EGLE. Only DEQ Form EQP 5128 and Form EQP 5128(a) are 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 PERSON who by contract, agreement, or otherwise arranges for the removal of scrap tires from a property under his or her control, including an end-user, and a PERSON who receives scrap tires, including an end-user, shall maintain manifests for a period of three (3) years and shall make these manifests available to EGLE ***or a law enforcement officer*** upon request during reasonable hours.
- ***The owner, operator, or authorized agent of a location authorized to accept scrap tires under Part 169, upon acceptance of the scrap tires at that location, shall sign the manifest indicating acceptance and provide a signed copy to the person delivering the scrap tires. Within 30 days, the owner, operator, or authorized agent of the location that accepted the scrap tires shall forward a copy of the signed manifest to the generator of the scrap tires. If the number of scrap tires received at that location differs from the number indicated on the manifest provided by the person who delivered the scrap tires, the receiving location shall contact the generator, or the hauler, or both, as necessary, and determine where any additional tires received by that location originated or where any missing scrap tires not received by that location were taken.***
- ***A PERSON who by contract, agreement, or otherwise arranges for the removal of scrap tires from a property under his or her control, shall promptly notify EGLE of any missing or incomplete record from a registered scrap tire hauler or from the owner, operator, or authorized agent of a location that has accepted scrap tires.***
- A RETREADER shall maintain for a period of three (3) years, and make available upon request to EGLE or a ***law enforcement*** officer at reasonable hours, all records required to be carried or maintained with the retreader's tire casings, including a retread work order that includes the customer's name, date of transaction, retreader DOT identification number pursuant to 49 CFR Part 574, order number and details of casing information for the casing intended for processing (work orders shall reflect the number of tires that are being transported and retreaded); a work order sales report that specifies the work process detail for the customer work order (this report shall be returned to the customer with the work order number and invoice); an invoice stating the sales transaction of the reread process that was completed for the customer.
- A scrap tire hauler shall possess a ***current unexpired*** scrap tire hauler registration and ***original*** scrap tire transportation record (manifest) during transportation. ***The scrap tire hauler registration number issued by EGLE shall be visibly displayed on the vehicle transporting scrap tires, whether the scrap tires are transported in or on the motor vehicle or trailer. The number shall be in block style numerals at least 2 inches high and located on the driver's side of the vehicle but not on a window. The color of the numerals shall contrast with the background vehicle color.***
- 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/consolidated load 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 EGLE **or a law enforcement officer** upon request.
- ***If a consumer purchases replacement tires at a retailer and retains the tires being replaced, the RETAILER shall obtain the signature of the consumer on an invoice, receipt, or other record acknowledging retention of the scrap tires unless the consumer refuses.***
- 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 **law enforcement** officer may issue an appearance ticket to a person who is in violation of this Section of Part 169.
- ***A person who knowingly makes or causes to be made a false statement or entry in a registration application, scrap tire transportation record (manifest), or grant application is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not less than \$2,500 or more than \$10,000, or both.***
- EGLE may enter, at reasonable hours, a tire retail establishment, vehicle owned or operated by a scrap tire hauler for the transport of scrap tires, or collection site or other place where scrap tires are or have been present, and may inspect the location or other place for the purposes of enforcing or administering this part.
- ***If EGLE or a law enforcement officer has probable cause to believe that a person is violating Part 169, EGLE or a law enforcement officer may search without a warrant a vehicle or other transportation-related equipment that is possessed, used, or operated by that person.***
- ***A vehicle or other transportation-related equipment used in a criminal violation of Part 169 is subject to seizure by a law enforcement officer and forfeiture in the same manner as provided in chapter 47 of the revised judicature act of 1961, 1961 PA 236, MCL 600.4701 to 600.4709.***
- ***The court may award court costs and other expenses of litigation including attorney fees to a party who successfully brings an action for a violation of Section 16909a.***



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES AND ENERGY
MATERIALS MANAGEMENT DIVISION

SCRAP TIRE REGULATORY PROGRAM STAFF			
Program e-mail: EGLE-scraptire@Michigan.gov		Website: http://www.michigan.gov/scraptires	
Office Location	Staff	Contact Information	Area of Responsibility
Lansing Central Office	Rhonda Oyer	517-897-1395	Policy and legislation
Lansing Central Office	Jeff Spencer	517-281-4411 SpencerJ3@Michigan.gov	Policy and legislation
Lansing Central Office	Michelle White	517-230-2980 WhiteM13@Michigan.gov	Registrations
Scrap Tire Coordinator	Kirsten Clemens	517-614-7431 ClemensK@Michigan.gov	Grants and Program Coordination
Lansing	Jill Coulter	517-243-1680 CoulterJ5@Michigan.gov	Gratiot, Clinton, Shiawassee, Genesee, Lapeer, Eaton, Ingham, and Livingston
Detroit/Wayne County	Ann Vogen	586-494-5083 VogenA@Michigan.gov	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
Southeast Michigan	Wendy Lukianoff	586-256-8505 LukianoffW@Michigan.gov	St. Clair, Macomb, and Oakland Counties, and those portions of Wayne County not handled by Ann Vogen.
Jackson	Brett Coulter	517-614-7714 CoulterB1@Michigan.gov	Jackson, Washtenaw, Hillsdale, Lenawee, and Monroe Counties.
Kalamazoo	Matt Clark	616-307-4554 ClarkM42@Michigan.gov	Allegan, Van Buren, Kalamazoo, Calhoun, Berrien, Cass, St. Joseph, and Branch Registrations from Illinois, Indiana, Idaho, and Alabama.
Grand Rapids	Matt Clark	616-307-4554 ClarkM42@Michigan.gov	Barry, Ionia, Kent, Newaygo, Mecosta, Montcalm, Muskegon, Oceana, and Ottawa Registrations from Ohio, Florida, and Canada.
Saginaw Bay	Lori Babcock	989-460-7352 BabcockL4@Michigan.gov	Ogemaw, Iosco, Arenac, Clare, Gladwin, Bay, Isabella, Midland, Saginaw, Tuscola, Huron, and Sanilac
Gaylord & Cadillac	Jenny Bennett	231-429-1413 BennettJ6@Michigan.gov	Emmet, Cheboygan, Presque Isle, Charlevoix, Antrim, Otsego, Montmorency, Alpena, Crawford, Oscoda, Alcona, Roscommon, Kalkaska, Missaukee, Osceola, Grand Traverse, Leelanau, Wexford, Lake, Mason, Manistee, and Benzie
Upper Peninsula	Mary Ann St. Antoine	989-370-8035 StAntoineM@Michigan.gov	All U.P. counties. Registrations from Minnesota and Wisconsin



MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

SCRAP TIRE REGULATORY PROGRAM COUNTY MAP

