



SCRAP TIRE CLEANUP GRANT FISCAL YEAR 2023

INTRODUCTION AND ELIGIBILITY CRITERIA

Section 16908(1)(c) of Part 169, Scrap Tires, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), authorizes the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to issue reimbursement-based grants for the cleanup or collection of abandoned scrap tires¹ and scrap tires at collection sites.

A “scrap tire” is defined as 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 a tire. (Part 169, 324.16901(1)(w))

EGLE is now accepting applications for funding scrap tire cleanup applications from eligible public and private entities. This packet is provided to satisfy the requirements in Section 16908(3) of Part 169, which states applications for grants shall be submitted on a form approved by and containing the information required by EGLE.

PLEASE NOTE: NO WORK SHOULD TAKE PLACE AND NO CLEANUP DAY OR RESIDENT DROP-OFFS SHOULD BE SCHEDULED UNTIL AFTER A FULLY EXECUTED GRANT AGREEMENT IS IN PLACE. NO WORK CAN BE REIMBURSED RETROACTIVELY OR BEYOND AWARDED GRANT AMOUNTS.

Submission of a completed application does not guarantee that the applicant will receive a Scrap Tire Cleanup Grant. Award of grant funds is subject to program review and legislative appropriation.

¹Section 324.16901(1)(a) of Part 169 states: “‘Abandoned scrap tires’ means an accumulation of scrap tires on property where the property owner is not responsible in whole or in part for the accumulation of the scrap tires. For the purposes of this subdivision, an owner who purchased or willingly took possession of an existing scrap tire collection site shall be considered by the department to be responsible in whole or in part for the accumulation of the scrap tires.”

ELIGIBILITY CRITERIA

Eligibility Criteria for All Applicants

1. **Do not schedule cleanup events prior to receiving a fully executed grant agreement.**
2. The applicant possesses eligible scrap tires, which include abandoned scrap tires and scrap tires at a collection site.

The following are **NOT** eligible scrap tire sites:

- Tire sites located outside of Michigan.
 - A property with less than 500 tires.
 - A retailer with less than 1,500 tires.
 - An automotive recycler with less than 2,500 tires.
 - A commercial contractor whose property has less than 150 cubic yards of tire chips.
 - Tires generated by a commercial business or commercial farm unless they are willing to accept a lien on the property for reimbursement of the grant funding.
3. The applicant initiates an application, as described below in the section titled “Required Application Components,” that has been received by the application deadline.
 4. The applicant **HAS NOT** received grant program funds previously for the *complete removal* of tires from the site(s).
 5. The applicant will contract with a Michigan-based scrap tire processor, if needed, that meets the conditions listed under the application process and evaluation criteria reference guide under the section titled “Scrap Tire Processor Conditions.” If the applicant is a county or other local unit of government, the Michigan-based scrap tire processor shall be selected through the local unit of government’s competitive bid process to ensure the most cost-effective use of grant funds. To assist applicants in selecting a Michigan-based scrap processor, the Scrap Tire Program maintains a list of Michigan-based scrap processors on the internet at: <https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/MMD/Scrap-Tires/processor-list.pdf>
 6. The applicant will contract with a registered Michigan scrap tire hauler, if needed, that meets the conditions listed under the application process and evaluation criteria reference guide under section titled “Scrap Tire Hauler Conditions.” Registered Michigan scrap tire haulers must take scrap tires to a legal destination. To assist applicants in selecting a registered scrap tire hauler, the Scrap Tire Program maintains a list of registered Michigan-based scrap tire haulers on the internet at: <https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/MMD/Scrap-Tires/commercial-haulers.pdf>
 7. Out-of-state haulers/processors may be considered and approved by the Scrap Tire Program on a case-by-case basis for tires **located in the Upper Peninsula (UP)**, provided the applicant is unable to find a Michigan hauler/processor willing to travel to the UP or provide services for the grant reimbursement amount. Out-of-state haulers/processors must also meet conditions detailed above.

8. The applicant for cleanup on private property has submitted proof of property ownership (only a warranty deed or land contract will be accepted as proof of property ownership) **of the site where the scrap tires are located**. If the applicant is a governmental entity, a nonprofit entity, or an approved scrap tire material end-user, as defined in Part 169, Section 324.16901(1)(k), who wishes to remove scrap tires from private property, documentation of legal authority to remove the scrap tires from a private site (e.g., local ordinance, court order, or written permission from all parties with ownership interest in the property) must be provided.

NOTE: Community Cleanup Days, Resident Drop-Off Events, and Cleanups of Tires Dumped on Publicly Owned Properties are exempt from the requirement to submit proof of property ownership.

9. The applicant must not be in litigation or have unresolved violations with the state of Michigan or any other public entity concerning compliance with Part 169 or Part 115, Solid Waste Management, of the NREPA. If an applicant has been ordered to pay fines and/or penalties for previous violations of Part 169 or Part 115, all penalties/fines must have been paid in full.
10. If the applicant or a current or previous owner/operator of the site has been sentenced for a Part 169 criminal violation concerning the site, the terms of such sentence must be completed, including payment of all penalties and damages, unless EGLE has agreed to the terms of a probation order that envisions the use of grant funds to clean up the site. Written documentation from the Materials Management Division's (MMD) District Supervisor that EGLE agrees with the probation terms must be submitted with this application. The applicant must be complying with the terms of such a probation order. If the applicant or current or previous owner/operator of the site has a Part 169 or Part 115 civil judgment against them, all penalties must be paid. Payment of court penalties will not be a prerequisite for eligibility if the applicant is a local unit of government applying to cleanup a site that is under litigation.
11. All existing financial assurance for the site must be utilized before grant funds can be expended for the site.
12. **For sites that have accumulated tires after 1991, a lien, in favor of the State, up to the value of the cleanup costs and for any increase in property value because of any grant-funded cleanup, shall be placed by EGLE on the property that is affected by the removal of the tires, as provided in Part 169, Section 324.16908b.** The lien will be filed following the completion of the cleanup activity according to the final cleanup funds expended. This does not apply to abandoned tires, roadside cleanups, cleanup days, community drop off tires, or tires dumped on publicly owned properties.
13. The entity must keep track of how many scrap tires were collected and report this number to EGLE for reimbursement, along with supporting documentation, including proof of payment and properly documented scrap tire transportation records.
14. The entity will be responsible for providing labor (volunteer or paid) to coordinate loading of the scrap tires. Labor costs are **NOT** eligible for reimbursement under this grant program.

EGLE will reimburse the actual costs incurred at a rate of \$1,500 per dropped trailer for the first 500 tires. There is a \$3 per passenger tire equivalent (PTE)

reimbursement for over 500 tires up to a maximum of \$3,000 per trailer. For cleanups being reimbursed by weight, the reimbursement will be \$266.67 per ton. For cleanups being reimbursed by volume, the reimbursement will be \$26.67 per cubic yard. **THERE WILL BE NO REIMBURSEMENT FOR EMPTY TRAILERS.**

$$\frac{\$3}{\text{Tire}} \times \frac{1 \text{ Tire}}{22.5 \text{ pounds}} \times \frac{2000 \text{ pounds}}{\text{Ton}} = \frac{\$266.67}{\text{Ton}} \times \frac{0.1 \text{ Ton}}{\text{Cubic yard}} = \frac{\$26.67}{\text{Cubic yard}}$$

15. The entity will coordinate with the processor and/or hauler on the date of the cleanup day.
16. The entity must have the scrap tires disposed of as soon as possible. The entity cannot maintain piles of over 500 scrap tires without registering as a collection site and meeting all requirements under Part 169. A community cleanup site is not considered a collection site, if the scrap tires are disposed of as soon as possible as specified in the grant agreement. The grant agreement specifies that Grantee must have the scrap tires disposed of the same day as the cleanup day or next business day, unless collecting tires to coordinate a regional pickup by the hauler. The maximum time tires can be at a collection point is one week.
17. EGLE may request additional information to support the application for clarification purposes.

NOTICE

Any grantee/contractor wishing to deliver scrap tires to a landfill, after proper size reduction, must contact EGLE grant administrator for approval. Whole motor vehicle tires are prohibited from being disposed of in a landfill.

Additional Eligibility Criteria for Cleanup Day - Resident Drop-Off Events

1. Applicant *must be* a local unit of government (county, township, city, or village) or nonprofit organization (entity).
2. A community cleanup site is owned by a local unit of government or nonprofit organization that has received a scrap tire cleanup grant and uses this site for the purposes of collecting scrap tires from residents as part of a community cleanup day or resident drop off event.
3. EGLE may limit the total number of cleanup days or resident drop off events funded based on the amount of funding available.
4. **Entities within the same geographical area are strongly encouraged to consolidate their cleanup days** or schedule cleanup days during the same week to facilitate collection. As specified in the grant agreement, each entity can briefly store all the collected scrap tires at a community cleanup site to coordinate regional pickups by the hauler. The maximum time tires can be at a collection point is one week.
5. The entity can charge a fee to residents for tire recycling according to the type and number of scrap tires in order to cover additional costs. However, the applicant may not profit from this grant activity.
6. The entity will limit the number of scrap tires brought by a resident to 10 scrap tires (this is the number of tires anyone can legally haul without a requiring a scrap tire hauler registration).

7. Commercial businesses may **NOT** bring tires to the cleanup event. The event is limited to household and residential scrap tires **ONLY**.

NOTE: A commercial “farm” or “farm operation” as defined in the Michigan Right to Farm Act, 1981 PA 93, Section 2, MCL 286.472, as amended, is a commercial business.

8. The entity must advertise the eligibility criteria, cost (if any), date, and hours of the cleanup/drop-off day(s), and shall provide a copy of the flyer, notice, or marketing piece to the Scrap Tire Program Coordinator via email at EGLE-ScrapTire@Michigan.gov.
9. It is recommended that the entity encourage residents to call for an appointment and provide an estimated number of scrap tires they will be bringing, so the entity will have an idea of the number of scrap tires to expect at the cleanup day.
10. The entity is encouraged to hold a scrap tire drop-off day in conjunction with a regular community cleanup day; however, the grant *only* covers the cost to remove scrap tires. Costs for the disposal of other materials are **NOT** eligible for reimbursement.
11. The entity should encourage residents to properly dispose of tires (such as paying the disposal fee when buying new tires), rather than taking the scrap tires home. EGLE has developed a flyer for educating participants as to why scrap tires should not be stored at home and will provide a copy that the entity can reproduce.

Additional Eligibility Criteria for Permanent Community Collection Site

Convenient and economical disposal of scrap tires is essential in the fight to prevent illegal dumping and to prevent the spread of mosquito-borne illnesses. For this reason, entities may wish to establish a permanent community collection site of their own. This site may be grant eligible if all criteria are met. This would be encouraged in the hope of increasing awareness of proper disposal options that would decrease the need for small site cleanups or community drop off events.

1. An established contract must be in place with a registered scrap tire processor and/or hauler for removal of scrap tires from the permanent community collection site on a regular basis.
2. The permanent community collection site must be in a fenced and gated area under control of the entity.
3. The entity will be required to complete the Collection Site Registration process. The \$200.00 registration fee may be requested as part of the reimbursement under the grant. If applicable, the request for such should be indicated in the application narrative.
4. No more than 500 scrap tires may be stored in an outdoor storage pile, or all tires must be in road worthy storage trailers. Otherwise, bonding pursuant to Part 169 will be required, at the expense of the entity. The bonding requirement will be waived if the scrap tire storage area is part of a licensed Part 115 solid waste disposal area authorized to store scrap tires and is maintained in compliance with the Part 115 license requirements.
5. If the permanent community collection site is accepting illegally dumped/abandoned scrap tires, the scrap tires may be picked up by the entity and delivered to the permanent community collection site to await pick up by the contracted registered scrap tire hauler.

6. Commercial businesses may NOT bring tires to the community collection site. This site is limited to acceptance of household and residential scrap tires ONLY.

NOTE: A commercial “farm” or “farm operation” as defined in Section 2 of the Michigan Right to Farm Act, 1981 PA 93, MCL 286.472, is a commercial business.

7. If the permanent community collection site is accepting resident drop-off tires, the entity must advertise the eligibility criteria, cost (if any), date, and hours of the permanent community collection site. This must include drop off availability of at least one day per month. A schedule of available times shall be provided to the Scrap Tire Program Coordinator via email at EGLE-ScrapTire@Michigan.gov.

Additional Eligibility Criteria for Abandoned Scrap Tires or Scrap Tires Dumped on Publicly Owned Properties

1. The governmental entity must estimate the number of abandoned scrap tires on publicly owned properties to be cleaned up and include this information in the grant application.
2. There must be one individual/community/entity that coordinates the cleanup.
3. Entities may elect to aggregate applications in their geographic area and set up a community cleanup site for consolidation of these smaller accumulations of scrap tires, to simplify paperwork and the collection of scrap tires. If a permanent community cleanup site is established, the entity will ensure that the scrap tires are legally transported to the permanent community cleanup site and removed from the community cleanup site to a legal destination as specified in the grant agreement.
4. In areas where dumping appears to occur frequently, the entity will target that area for anti-dumping enforcement and provide a written description of the enforcement as part of the grant application.

Additional Eligibility Criteria for Roadside Cleanup

1. The entity with jurisdiction over the roadway is eligible to apply for a Grant. Entities can apply for a grant for scrap tires they have already picked up. Abandoned scrap tires must be removed from road rights-of-way.
2. An entity is eligible for a grant of up to a maximum of \$3,000.00 for roadside cleanup. EGLE may limit the total number of roadside cleanup Grants issued each year based the amount of funding available.
3. Different entities in same area are encouraged to consolidate their roadside cleanup days or schedule their cleanup days during the same week to facilitate collection.
4. In areas where dumping appears to occur frequently, the entity will target that area for anti-dumping enforcement and provide a written description of the enforcement as part of the grant application. Law Enforcement Grants are also available to help offset the costs of surveillance equipment as part of establishing or reinforcing anti-dumping campaigns.

Additional Eligibility Criteria for the Cleanup of Buried Scrap Tires

Cleanup of scrap tires that were buried as a result of fire suppression activities will be allowed under the grant program but is considered a lower priority than cleaning up tires that are above the ground surface. The person or entity having ownership or legal access to the property where the scrap tires are buried is eligible to apply for a grant to cleanup these scrap tires. If the scrap tires are found to be *exceptionally dirty*, EGLE must be contacted for further instructions.

Scrap Tire Cleanup Program

SCRAP TIRE PROCESSOR CONDITIONS

To assist applicants in selecting appropriate scrap tire processors, EGLE has developed and maintains a listing of registered Michigan-based scrap tire processors who have expressed an interest and willingness to participate in the cleanup program. Processor list:

<https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/MMD/Scrap-Tires/processor-list.pdf>

Prior to issuance of an agreement for grant funds to cleanup tires, the Grantee will need to demonstrate to EGLE that the selected processor(s) meet the following conditions:

- The processor is authorized to do business in and is in the state of Michigan. The processor must possess all the required permits, registrations, and/or licenses required by law. The processor must demonstrate the capability to process the scrap tires that will be removed from the site(s) covered by the grant agreement. Out-of-state haulers/processors may be considered and approved by EGLE on a case-by-case basis for tires **located in the UP**, provided the applicant is unable to find a Michigan hauler/processor willing to travel to the UP or provide services for the grant reimbursement amount. Out-of-state processors must submit documentation of legal authority to operate within their state to EGLE prior to removing tires from any UP-cleanup site.
- The processor has agreed with the Grantee to process the tires and transport the processed tires to the approved end-user.
- The processor has a contract(s) with the scrap tire material user(s) that will receive the processed tires. This user contract must indicate that the user will accept an amount of processed scrap tire material equal to or greater than the number of tires to be removed from the grant sites(s).
- The processor will use and properly complete the Scrap Tire Transportation Record form (EQP 5128) when accepting and transporting the scrap tires.
- The processor will notify the Grantee of any changes that would make the processor unable to meet all conditions or those of the grant agreement.
- If the processor receives scrap tires that have excessive soil or dirt within the load, or over 10 percent of the tires with rims, they must contact EGLE for further instructions. The grant will not pay any additional reimbursement amount for rim disposal.

The Grantee is hereby given notice that the agreement will require the Grantee, all contractors, subcontractors, agents, and employees, including processors, to be in compliance with Part 169 and other applicable laws and to not be in litigation with EGLE regarding Part 169 or other applicable laws to maintain the agreement. In addition, the processor may be subject to inspections by EGLE to ensure compliance with Part 169 and the grant agreement. The Grantee shall provide the following notice to the processor of these requirements.

Scrap Tire Cleanup Program

SCRAP TIRE HAULER CONDITIONS

To assist applicants in selecting appropriate scrap tire haulers, EGLE has developed and maintains a listing of registered Michigan-based scrap tire haulers. Hauler's list:

<https://www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/MMD/Scrap-Tires/commercial-haulers.pdf>

Prior to issuance of an agreement for grant funds to cleanup tires, the Grantee will need to demonstrate to EGLE that the selected hauler(s) meet the following conditions:

- The hauler is authorized to do business in the state of Michigan, is in the state of Michigan, and must possess all the required permits, registrations, and/or licenses required by law. The hauler must demonstrate the capability to haul the scrap tires that will be removed from the site(s) covered by the grant agreement. Out-of-state haulers, delivering the tires to an out-of-state processor, may be considered, and approved by EGLE on a case-by-case basis for tires **located in the UP**, provided the applicant is unable to find a Michigan hauler/processor willing to travel to the UP or provide services for the grant reimbursement amount. Any out-of-state hauler approved for use must meet the remaining requirements above including, but not limited to, registering to transport scrap tires in the state of Michigan.
- The hauler has agreed with the Grantee to transport the scrap tires to the approved location: a registered collection site (indicate the Michigan Scrap Tire Collection Site Registration Number); disposal area licensed under Part 115, Solid Waste Management, of the NREPA; scrap tire processor; an end-user, or scrap tire retailer. NOTE: Section 324.16902 of Part 169 states that a person shall deliver a scrap tire *only* to, and only with the consent of the owner or operator of a collection site registered under Section 324.16904, a location that has legally accumulated scrap tires below the regulatory threshold as qualifying as a collection site (exempt site), a disposal area licensed under Part 115 (**IN MICHIGAN, WHOLE TIRES MAY NOT BE DISPOSED OF IN A LANDFILL**), an end-user, a scrap tire processor, or a retailer, *that is in compliance with Part 169*.
- The hauler will use and properly complete the Scrap Tire Transportation Record form (EQP 5128) when accepting and transporting the scrap tires.
- The hauler will notify the Grantee of any changes that would make the hauler unable to meet all conditions or those of the grant agreement.
- If the hauler receives scrap tires that have excessive soil or dirt within the load, or over 10 percent of the tires with rims, they must contact EGLE for further instructions.

The Grantee is hereby given notice that the agreement will require the Grantee, all contractors, subcontractors, agents, and employees, including haulers, to be in compliance with Part 169 and other applicable laws, and to not be in litigation with EGLE regarding Part 169 or other applicable laws, in order to maintain the grant agreement. In addition, the hauler may be subject to inspections by EGLE to ensure compliance with Part 169 and the grant agreement. The Grantee shall provide notice to the hauler of these requirements.