

APPROVED BY DSS

DATE 3/15/2016



START ACTION NOTICE # 2016-02

1. TYPE OF ACTION:

Amending the scrap tire facility regulatory requirements within Delaware's *Regulations Governing Solid Waste (DRGSW)*.

2. PURPOSE OF ACTION:

Delaware's Department of Natural Resources and Environmental Control (DNREC), Solid and Hazardous Waste Management Section (SHWMS) is proposing amendments to current scrap tire facility regulations to address missing operational requirements and to reduce compliance and financial burdens posed by current regulations.

The SHWMS is pursuing amending regulations at this time because current regulations require scrap tire facilities submit permit applications (including permit application fees) and obtain financial assurance by March 30<sup>th</sup> and June 31<sup>st</sup> of 2016. However, the proposed amendments to scrap tire regulations will reduce compliance requirements and financial burdens (e.g., no permit fee, no financial assurance) for scrap tire facilities operating under specific conditions and the SHWMS is attempting to prevent undue financial expenditures and for businesses who will not require a permit if the proposed amended regulation are promulgated.

The SHWMS foresees no increased cost to the affected entities (i.e., scrap tire facilities) as the majority of the proposed amendments are financially beneficial to the regulated scrap tire facility community.

3. STATUTORY BASIS:

7 Delaware Code § 6040

4. DATE OF MOST RECENT REVIEW/AMENDMENT:

(Please indicate if review was pursuant to EO-36)

Most recent review was December 2015 and review/proposed amendments are not pursuant to EO-36.

5. LIKELY AFFECTED PUBLIC:

Those affected by the proposed amendments are the same as those currently regulated under DRGSW § 12.0 scrap tire facility regulations. There will be no increased cost of doing business for scrap tire facilities and those facilities implementing enclosed trailer storage will financially and operationally benefit from the proposed amendments.

6. PROPOSED SCHEDULE OF ACTIVITIES:

Completed proposed amendments: February 2016  
Submission to DNREC Registrar: March 2016  
Publication in Register: April 2016  
Public Workshops: Spring 2016  
Public Hearing: Spring 2016

7. REVIEW COMMITTEE:

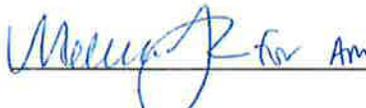
Furr's Tire Service, Dover Delaware  
Mr. Tire, Smyrna/Dover/Middletown Delaware  
Karen G. J'Anthony, Environmental Program Manager II, DNREC SHWMS  
Andrew Martin, Engineer II, DNREC SHWMS  
Lindsey Douglas, Environmental Scientist II, DNREC SHWMS

8. RESPONSIBLE STAFF MEMBER:

(Name, physical address, phone and fax numbers, and e-mail address)

Andrew Martin  
DNREC – R&R Building, 89 Kings Highway, Dover DE 19901  
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9. APPROVALS:

 for Am \_\_\_\_\_ 3/2/16  
Responsible Staff Member Date

 \_\_\_\_\_ 3.2.16  
Division Director Date