

SOLID AND HAZARDOUS WASTE MANAGEMENT SECTION

CRITERIA FOR RECEIVING ASSISTANCE FROM THE SCRAP TIRE MANAGEMENT FUND FOR ILLEGALLY DISPOSED TIRES

DATE: January 3, 2018

SUBJECT: Criteria for Counties, Municipalities, or Community Group Initiatives to Address Illegally Dumped Tires

REFERENCE: House of Representatives 149 General Assembly
Chapter 58 Formerly House Substitute NO. 1 for House Bill NO. 275

“Section 240. Section 1 of this Act appropriates funds to the Scrap Tire Management Fund in the Department of Natural Resources and Environmental Control, Office of Environmental Protection, Division of Waste and Hazardous Substances (40-04-04). These funds are to be used per 7 Del. C. § 6041(c) to pay 90 percent of the cost of cleaning up scrap tire piles that were in existence on June 30, 2006. The Department may also use this funding, up to \$5.0 per year, for county, municipal or community group initiatives to address illegally dumped tires. The Department shall establish a process for notification and award of such funds”.

The \$5,000.00 from the Scrap Tire Management Fund (the Fund) is to be used only for the removal of illegally dumped tires. There must be a minimum of 20 scrap tires to qualify for assistance. Funds will not be made available when another entity is responsible for the removal cost (e.g., scrap tires removed from right of way areas by the state or Adopt-a-Highway sponsors under programs administered by DelDOT).

- 1) The first step for counties, municipalities or community groups to receive reimbursement from the Fund is to report the illegally dumped tires to the Delaware Department of Natural Resources and Environmental Control (Department), Environmental Crimes Unit (ECU) at 1-800-662-8802, so that the complaint is recorded and an investigation is conducted.
- 2) Next, contact the Department’s Solid and Hazardous Waste Management Section at 302-739-9403, option 8 to determine eligibility based on the criteria of 3 through 6, below.
- 3) Financial Assistance Requirements
 - a) The Department will fund the removal of up to three (3) tons or approximately 240 passenger tire equivalents per event.
 - b) Cost per ton pricing provided by a scrap tire contractor must be competitive and is subject to approval by the Department.
 - c) County, municipal governments and others holding valid Delaware Solid Waste Transportation permits may collect and self-transport the scrap tires to an approved facility (e.g., Delaware Solid Waste Authority), with the Fund reimbursing tipping fees only.

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- d) If the responsible party (RP) is identified, the RP will be required to make restitution for the cost of the scrap tire removal. Money will be reimbursed to the Scrap Tire Management Fund.
 - e) While there is no limit to the number of times the entity may receive funds, requests may be denied due to insufficient funds.
 - f) A single location shall only have tires removed a maximum of two times unless illegal dumping continues following the placement of deterrent devices or reconnaissance tools.
- 4) Municipality, county, or community group information to include the following information at the time of funding request:
- a) Name of municipality, county, or community group
 - b) Address
 - c) Contact person
 - d) Contact person's title
 - e) E-mail address
 - f) Telephone number
 - g) Date and time of discovery
 - h) Date and time that complaint was filed with ECU
 - i) Copy of ECU report
- 5) Removal plan to include:
- a) Location of tires to be removed
 - b) Photographs of the dump site
 - c) Estimated number of tires to be removed
 - d) Contractor's removal proposal/ bid with the per ton price indicated or affirmation from county, municipal government, etc., of its intent to self-remove and transport
 - e) Name of Delaware permitted transporter
 - f) Treatment, Storage, Disposal, and Recycling Facility (TSDRF) to be used
 - g) Proposed schedule for removal and completion of removal
- 6) Post Removal and Issuance of Reimbursement to the Requesting Entity
- a) Submit a brief summary report regarding the removal, to include the following:
 - 1. Before and after photographs
 - 2. Volume of tires removed
 - 3. Invoice or Receipt
 - 4. Original weigh tickets from a state certified scale showing the actual tonnage of scrap tires (only) removed from the site

These criteria, posted to DNREC's website 02/01/2018, can be found at: <http://www.dnrec.delaware.gov/dwhs/SHWMB/Documents/Scrap%20Tire%20Docs/Criteria-for-County.pdf>