

9220.0130 CONTENTS OF ABATEMENT PLAN.

Subpart 1. **Goal.** The abatement of a tire dump subject to an agency abatement action shall be accomplished through the processing and removal of the waste tires present in the tire dump. Abatement action must be in accordance with a plan that meets the criteria in this part. If approved by the commissioner, a plan that meets the criteria in this part shall be incorporated into a stipulation agreement signed by the responsible tire collector or collectors and the agency.

Subp. 2. **Processing on site.** If the responsible tire collector elects to process the waste tires on the tire dump site, the following information must be included in the abatement plan submitted to the commissioner in compliance with the request for abatement action:

- A. A description of the processing techniques.
- B. A description of the equipment that will be used on the site to process and remove the waste tires. The function of each piece of equipment should be specifically noted.
- C. The name, address, and telephone number of the users of the tire-derived products produced from the processing of the waste tires constituting the tire dump, and a description of how the tire-derived products will be used.
- D. A description of how any residuals from processing the waste tires will be disposed.
- E. A time schedule for removal and processing of the waste tires constituting the tire dump. Abatement of the tire dump must be completed within five years of the execution of the stipulation agreement incorporating the abatement plan. Abatement increments must be established.
- F. A time schedule for bringing the tire dump into compliance with the technical and operational standards in parts 9220.0150 and 9220.0160. The tire dump must be in compliance with all technical and operational standards within six months, unless otherwise agreed to in the stipulation agreement incorporating the abatement plan. An emergency preparedness manual meeting the standards in part 9220.0160, subpart 8, must be submitted to the commissioner as part of the abatement plan.
- G. A description of how records on the number of waste tires processed and removed will be maintained.

H. [Repealed, L 2002 c 382 art 1 s 6]

Subp. 3. **Processing off site.** If the responsible tire collector elects to remove the waste tires to another location for processing, the following information must be included

in the abatement plan submitted to the commissioner in compliance with the request for abatement action.

A. A description of the equipment that will be used to pick up and transport the waste tires to the tire processor.

B. If the responsible tire collector will contract with another person or firm for the transportation of the waste tires, the name, address, and telephone number of that person or firm.

C. The name, address, and telephone number of the facility at which the waste tires will be processed, and a description of the processing techniques employed by that tire processor.

D. The name, address, and phone numbers of the users of the tire-derived products produced from the processing of the waste tires constituting the tire dump, and a description of how the tire-derived products will be used.

E. A time schedule for the removal of the waste tires constituting the tire dump. The abatement of the tire dump must be completed within five years of the execution of the stipulation agreement incorporating the abatement plan. Abatement increments must be established.

F. A time schedule for bringing the tire dump into compliance with the technical and operational standards in parts 9220.0150 and 9220.0160. The tire dump must be in compliance with all technical standards within six months, unless otherwise agreed to in the stipulation agreement incorporating the abatement plan. An emergency preparedness manual meeting the standards in part 9220.0160, subpart 8, must be submitted to the commissioner as part of the abatement plan.

G. A description of how records on the number of waste tires removed will be maintained.

H. If the responsible tire collector will seek reimbursement under part 9220.0170, an estimate of the net cost of processing the waste tires using the most cost-effective processing alternative. This estimate must be supported through submission of documentation of the net cost of processing the waste tires.

Subp. 4. **Permitting during abatement.** If the responsible tire collector wishes to obtain an agency permit for the site that is the subject of the abatement action, the responsible tire collector must notify the commissioner of this intent at the time the abatement plan is submitted, and agree to develop a plan for bringing the site into compliance with the waste tire permit rules for storage, transfer, or processing facilities once rules governing these facilities are in place.

Subp. 5. **New waste tires.** If the responsible tire collector wants to continue to receive new waste tires during the time the tire dump is being abated, the responsible tire collector must notify the commissioner of this intent at the time the abatement plan is submitted, and agree to develop a plan for processing and removal of the new waste tires.

Statutory Authority: *MS s 115A.914*

History: *11 SR 1113; 12 SR 2426; L 1999 c 73 s 5; L 2002 c 382 art 1 s 6*

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