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Arkansas Pollution Control and Ecology Commission Regulation No. 36/Tire Accountability Program: Tammie J. Hynum (Arkansas Department of Environmental Quality) Arkansas Environmental Federation Regulated Waste Presentation

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Ms. Tammie J. Hynum of the Arkansas Department of Environmental Quality (“ADEQ”) undertook a presentation at the Arkansas Environmental Federation Regulated Waste Seminar titled:

Arkansas Pollution Control and Ecology Commission Regulation No. 36 –Tire Accountability Program (“Presentation”)

Ms. Hynum is a Senior Manager in ADEQ’s Office of Land Resources and manages the Tire Accountability Program (“TAP”).

Ms. Hynum has previously served in several managerial positions in the agency’s former Hazardous Waste Division.

The Arkansas General Assembly enacted legislation a number of years ago whose purpose is to ensure the appropriate management of waste tires in Arkansas. Further, in the previous Arkansas General Assembly legislation was enacted that revised the program. In fact, revisions to the waste tire program were one of the components of Arkansas Governor Hutchinson’s legislative package for the 91st Arkansas General Assembly.

Both ADEQ and the Arkansas Regional Solid Waste Management Districts have roles in the program. Regional Solid Waste Management Districts are required by Arkansas legislation to have a plan for the disposal and recycling of tires within their district. ADEQ’s responsibilities include permitting for certain facilities handling waste tires.

Ms. Hynum’s *Presentation* included the identification of ADEQ staffers who operate the TAP. They include:

- Tammie Hynum, Senior Manager
- Admin Analyst, K. Johnson

- Generators & Transporters Manager, Daniel Marks
- Admin Analyst, C. Kent
- Processors & Waste Tire Sites Manager, Scott McWilliams
- Admin Analyst, M. Womble
- Business Planning Manager, Everette Hatcher

The *Presentation* noted that Arkansas Pollution Control and Ecology Regulation No. 36 provides the regulatory framework necessary for the agency's implementation and administration of the tire legislation from the 91st Arkansas General Assembly (i.e., Act 317 of 2017 – The Used Tire Recycling and Accountability Act). See Ark. Code Ann. § 8-9-401 *et seq.*

The primary goal of the TAP is stated to be to ensure the Regional Solid Waste Management Districts recycle or put to beneficial use as many used tires as possible.

Used Tire Programs are stated to be defined as Solid Waste Management Districts or Inter-District programs that collect and manage used tires. Their responsibilities are stated to include:

- Acquisition of an identification number for using the e-manifest system
- Submit Business Plan for review and approval
- Develop and submit a Used Tire Management Plan

The Performance and Efficiency Evaluations were identified, including performance indicators that are used by ADEQ in evaluating the Business Plans. Further, the e-manifest system was described, including:

- Purpose
- How is this Done?
- Why and e-manifest system?

Ms. Hynum also addressed what constitutes a “tire generator” and a “tire transporter” and their various TAP obligations.

“Rim removal fees” were stated to be imposed starting January, 2018, upon:

. . . The transaction of removing a tire from a rim that is related to the sale of a replacement tire by a tire retailer.

The persons upon whom a tire retailer will impose a rim removal fee and the amount of those fees was addressed.

Also discussed were commercial generators and fees, what type of transaction is encompassed and the amount of the fee, including the commercial generators retention of five percent for administrative cost.

Importers and import fees imposed on used tire imported to Arkansas were discussed, along with their obligations such as registration with the Arkansas Department of Finance and Administration and ADEQ.

Two additional topics discussed included disbursements (providing incentives for recycling used tires collected under Regulation No. 36 and accountability of monies) and the concept of “beneficial use.”

A focus of TAP are waste tire sites which are prohibited. In addition, the Regional Solid Waste Management Districts' mandates to have at least one tire collection center in each county were addressed.

Finally, the Presentation noted permit fee requirements for tire processing facilities.

[A copy of the slides can be downloaded here.](#)