

The purpose of this guide is to provide information to law enforcement personnel regarding major requirements of Colorado's waste tire laws and regulations. However, this document is only a guide and the appropriate sections of the Colorado Revised Statutes and the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2, Part 1 should be referenced whenever a question arises.

Waste tires are improperly handled in Colorado for a variety of reasons, including economic benefit, past practices, and because people are not aware of Colorado's laws and regulations. In some instances, individuals illegally dispose of waste tires to avoid paying for the proper management and/or recycling of the tires. Sometimes waste tire generators contract with illegal waste tire haulers to remove their waste tires. In other instances, waste tire generators do not properly manage their waste tires, allowing for unauthorized removal of waste tires from their facility. Additionally, there are cases where illegal waste tire haulers dispose of waste tires in various locations including on empty lots, private property, along road sides and in ditches and arroyos.

What is a waste tire?

A waste tire is a tire that is modified from its original specifications, but has not been processed into a tire-derived product or crumb rubber. It is no longer being used for its intended purpose as a tire and cannot, or will not, be resold as a used tire. Waste tires can include passenger car and truck tires, motorcycle tires, trailer tires, off-the-road tires and mining tires.

Who is allowed to haul waste tires?

Anyone hauling 10 or more waste tires at a time must register with the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division ("the department"). A list of registered Waste Tire Haulers is posted on the department's website at www.colorado.gov/cdphe/wastetires and can be accessed by clicking on the "Registered tire haulers list." This list is updated monthly.

Registered waste tire haulers are issued a Waste Tire Hauler decal or Temporary Waste Tire Hauler decal for each vehicle registered with the department. Each Waste Tire Hauler or Temporary Waste Tire Hauler decal has a unique number and is valid until March 15 of the following year. Decals must be affixed to the lower left hand (driver's side) inside corner of the vehicle's windshield.

Persons hauling nine (9) or less waste tires at a time do not have to register with the department or display a Waste Tire Hauler or Temporary Waste Tire Hauler decal.

What document must accompany the waste tires?

Anyone hauling 10 or more waste tires at a time must carry a completed or partially completed Uniform Waste Tire Manifest form (Form WT-2) while transporting waste tires. The Waste Tire Hauler and Waste Tire Generator sections of the manifest form must be completed by the waste tire hauler and accompany the waste tire load. The manifest form can be in paper or electronic format.

What should I do if I observe a load of waste tires?

If 10 or more waste tires are being hauled at a time, look for the decal and manifesting requirements discussed above. Law enforcement officers have the authority to stop a vehicle that is hauling 10 or more waste tires at a time to determine if the hauler is a registered Waste Tire Hauler. Section 30-20-1408 (3) of the Colorado Revised Statute allows law enforcement officers to impound the unregistered hauler's vehicle and issue a citation to the driver. Waste tires can be transported in various types of vehicles registered with the department, including open trucks and trailers, closed trailers, rental trucks and semi-trailers.

New and used tires can be transported by haulers that are not required to be registered with the department. Haulers of new and used tires must carry written criteria that distinguishes used tires from waste tires and be able to clearly identify the tires as used using these criteria. In addition, they should have some type of receipt or documentation of sale (e.g., bill of lading or receipt of sale).

What should I do if I observe someone dumping or burning waste tires?

Waste tires are considered a solid waste. The disposal and/or burning of waste tires is a violation of the Solid Wastes Disposal Sites and Facilities Act, C.R.S. 30-20-100.5 *et seq.*, Strategies for Waste Tires, C.R.S. 30-20-1401 *et seq.*, the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2, as well as local codes and ordinances. Local law enforcement officials can use their enforcement capabilities to stop the violator and can also cite the above mentioned laws and regulations. The department should also be contacted (see contact information below).

What are the penalties for violating waste tire laws and regulations?

Depending on the circumstances, the department may pursue civil penalties of up to \$10,000 a day/per violation. In more serious situations, criminal prosecution may be considered by the Colorado State Attorney General's Office.

Who can I contact for more information?

Please email cdphe.hmwastetires@state.co.us or call our Customer Technical Assistance Line at 303-692-3320. You can also contact the Waste Tire Inspector assigned to a specific Colorado county. Inspector contact information is available at: www.colorado.gov/cdphe/wastetires by clicking on the "Contact" and/or "Waste tire staff assignment map" links.

Mailing address:

Colorado Department of Public Health and Environment
Hazardous Materials and Waste Management Division
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

Website: www.colorado.gov/cdphe/wastetires