

Table 10-12.01 Eligible End Uses, Processing and Retailing for the End Users Fund*

This table describes potential scenarios for waste tire processing, retailing and end use. This Table does not create new rights or eligibilities, but explains the rights and eligibilities established in statute.

Column breakdown explanation:

End User only (4A)- An End User who "uses a tire-derived product for a commercial or industrial purpose"

End User only (4B)- An End User who "uses a whole waste tire to generate energy or fuel"

End User only (4C)- An End User who "consumes tire-derived product or uses tire-derived product in its final application or in making new materials with a demonstrated sale to a third-party customer."

Retailer Only- Sells a tire-derived product for its intended final use.

Processor Only- Processes waste tires into a tire-derived product.

Not eligible for a rebate- Scenario does not qualify for a rebate under the current statute or regulations

Scenario; If you...	...then you may apply as a/an:					
	End User only (4A)	End User only (4B)	End User only (4C)	Retailer only	Processor Only	Not eligible for a rebate
Use tire-derived product (alternative daily cover) at a landfill permitted by the state and approved for use of tire shreds for alternative cover for municipal solid waste.	X					
Install tire-derived product for use as a cover material, as approved by the department prior to use.	X					
Construct walls, fences and/or barriers made from tire-derived product as aggregate on residential, commercial or public property. This does not apply to walls, fences or barriers made from tire bales.	X					
Install tire-derived products (tire chips or crumb rubber) for sport fields, such as football, baseball or soccer fields on residential, commercial or public property.	X					
Install tire-derived product (tire chips, rubber mulch, crumb rubber) for playground surfacing or base material for a playground surface on residential, commercial or public property.	X					
Use tire-derived product for energy recovery or a fuel substitute in cement kilns, biofuel plants, electric arc furnaces, or power plants.	X					
Install tire-derived product as landscape mulch or other type of landscape material on a residential, commercial or public property.	X					
Install tire-derived products (tire chips) on the installation of septic systems on residential, commercial or public property.	X					
Install tire-derived products (ground rubber) incorporated/blended into asphalt or concrete for highway or paving applications.	X					
Install tire-derived product in civil engineering projects (highway embankments, leachate cells at landfills, base material for roads, etc.).	X					
Install tire bales for a permanent engineered structure, stamped and sealed by a Colorado Certified Professional Engineer, that is allowed by state laws and regulations and local ordinances. This does not include fencing, windbreaks, or corrals.	X					
Install tire bales for end use on agricultural land using galvanized steel baling wire and installed to facilitate tire bale stability and longevity, as allowed by state laws and regulations and local ordinances (including fencing, windbreaks, and corrals).	X					
Install tire-derived product for highway safety products (crash barrels, guard rails, crash walls).	X					
Install tire-derived product as silage covers for a commercial or industrial purpose.	X					
End use steel derived from a processed waste tire. This does not include steel produced through pyrolysis.	X					
Use whole waste tires for energy recovery or a fuel substitute in cement kilns, biofuel plants, electric arc furnaces, or power plants.		X				
Use whole waste tires through the process of pyrolysis to create fuel to be used by a third party customer.		X				

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Scenario; If you...	...then you may apply as a/an:					
	End User only (4A)	End User only (4B)	End User only (4C)	Retailer only	Processor Only	Not eligible for a rebate
Use whole waste tires through the process of pyrolysis to create syngas to be used in the industrial process of the pyrolysis facility. The percent of the weight of the waste tire used to produce syngas, not the total weight of the whole waste tires consumed, determines the rebate amount.		X				
Use whole waste tires through the process of pyrolysis to create syngas which is condensed into the liquid petroleum products derived from that same pyrolysis process. This final end liquid petroleum product is to be used by a third party customer.		X				
Use tire-derived product through the process of pyrolysis to create syngas to be used in the industrial process of the pyrolysis facility. The percent of the weight of the tire-derived product used to produce syngas, not the total weight of the tire-derived product consumed, determines the rebate amount.			X			
Use tire-derived product through the process of pyrolysis to create syngas which is condensed into the liquid petroleum products derived from that same pyrolysis process with a demonstrated sale to a third party customer.			X			
Perform pyrolysis on whole waste tires to make tire-derived products (recovered carbon steel) with a demonstrated sale to a third-party customer.			X			
Perform pyrolysis on tires shreds to make tire-derived products (recovered carbon steel) with a demonstrated sale to a third-party customer.			X			
Use tire-derived product (tire chips) that makes molded products (lawn furniture, deck boards, erosion control products, etc.) with a demonstrated sale to an in-state or out-of-state customer.			X			
Sell tire-derived products to a final in-state customer who will use the tire-derived product for its final intended use. Applicant charges sales tax for this transaction, or does not charge sales tax for this transaction because the consumer is an exempt organization (charity, government agency, or another tax-exempt entity).				X		
Sell tire-derived products to an out-of-state customer. Sales tax is charged for this transaction or sales tax is not charged for this transaction because the customer is an exempt organization (charity, government agency, or another tax-exempt entity).				X		
Sell tire-derived products to a commercial business, where sales tax is charged, or sales tax is not charged for this transaction because the customer is an exempt organization (charity, government agency, or another tax-exempt entity), and the commercial business will use the tire-derived product for its intended final use (e.g. landscape mulch installed on commercial property) and the tire-derived material will not be resold.				X		
Process whole waste tires into tire-derived products that are sold to an out-of-state End User.					X	
Process a whole waste tire, removing the steel, and then sell the steel to an out of state End User.					X	

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Process a whole waste tire, removing the steel, and then sell the steel to an in state End User.						X
Sell tire-derived products to either an in state or out-of-state wholesaler or retailer who will then sell the tire-derived products directly to a final customer.						X
Use pyrolysis-created tire-derived products (recovered carbon, biofuel, steel) in state for a commercial or industrial purpose.						X
Process whole waste tires into a tire-derived product that is sold to a national distributor.						X
Sell whole waste tires.						X
Sell tire bales.						X
Bale waste tires.						X
End use tire bales other than for a permanent engineered structure, stamped and sealed by a Colorado Certified Professional Engineer.						X
Reuse any used or whole waste tire as a vehicle tire or trailer tire.						X
Burn a whole waste tire or tire-derived product without recovering the energy.						X
Use buffings generated from the recapping or retreading process.						X
Dispose of waste tires or tire-derived product.						X
Recap or retread a tire for use on a vehicle or trailer.						X
Create buffings from the recapping or retreading of a tire.						X
Use whole waste tires, upon CDPHE beneficial use approval, for erosion control, stormwater management, sound damping, grade fill, corrals, fencing, home construction, and other approved uses.						X
Use any whole waste tire or tire-derived product out-of-state.						X

*An activity not covered by this Table may still be eligible for a rebate at the Department's discretion pursuant to these regulations and section 30-20-1401, C.R.S., et seq .