

1 **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

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4 **Solid and Hazardous Waste Commission**

5 **Hazardous Materials and Waste Management Division**

6 **6 CCR 1007-2**

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8 **STATEMENT OF BASIS AND PURPOSE**
9 **AND SPECIFIC STATUTORY AUTHORITY FOR**

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11 Amendment to the Regulations Pertaining to Solid Waste Sites and Facilities (6 CCR
12 1007-2, Part 1) - Section 1.7.6 (Waste Tire Fee), Section 10.3.2 (Waste Tire Hauler
13 Registration Requirements), 10.7.3 (Mobile Waste Tire Processors Registration
14 Requirements), 10.11.8 (Waste Tire Fee Administration), 10.12.5 (Rebate Amount).

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16 **Basis and Purpose**

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18 I. Statutory Authority

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20 Section 30-20-1401(2), C.R.S. gives the Solid and Hazardous Waste Commission (the
21 Commission) the authority to promulgate waste tire regulations in order to implement
22 and enforce Section 30, Article 20, Part 14, C.R.S.

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24 II. Purpose of revised regulations:

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26 The purpose of revising 6 CCR 1007-2 Part 1 (the Regulations) is to change the waste
27 tire hauler and mobile waste tire processor registration requirements, and to set the
28 Waste Tire Fee and the End User fund per ton rebate for 2024.

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30 **Discussion of Regulatory Proposal**

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32 In Section 1.7.6 (B) (Waste Tire Fee) the Waste Tire Fee was changed from \$1.25 to
33 \$.55 per replacement tire sold. The change is required per 30-20-1403 C.R.S. The
34 amount deposited into the End Users Fund (30-20-1405 C.R.S.) will be changed from
35 \$.75 per replacement tire sold to \$.05 per replacement tire sold. The proposed rate
36 change is due to the reduction of the Waste Tire Fee. The department will continue to
37 receive \$.50 per tire to maintain the current administration of the Waste Tire
38 Program.

In Section 10.3.2 (B) (Waste Tire Hauler Registration Requirements) a provision was added requiring the Waste Tire Hauler to certify submission of the Annual Report for the prior year as required by Section 10.3.5.

Section 10.3.2 (C) (Waste Tire Hauler Registration Requirements) was modified to codify procedures that the Department already implements regarding Waste Tire Hauler Certificates of Registration, including denying the Form WT-1H application and not renewing the Waste Tire Hauler Certificate of Registration of a person who fails to submit or complete all of the information on the Waste Tire Hauler renewal form (Form WT-1H), or denying the Form WT-1H application and not renewing the Waste Tire Hauler Certificate of Registration of a person who fails to submit or complete the Commercial Waste Tire Hauler Report Form (Form WT-4).

In Section 10.7.3 (C) (Mobile Waste Tire Processors Registration Requirements) a provision was added that the Mobile Waste Tire Processor must certify submission of the Annual Report for the prior year as required by Section 10.7.7.

Section 10.7.3 (D) (Mobile Waste Tire Processors Registration Requirements) was modified to codify procedures that the Department already implements regarding Mobile Waste Tire Processor Certificates of Registration, including denying the Form WT-1M application and not renewing the Mobile Waste Tire Processor Certificate of Registration of a person who fails to submit or complete all of the information on the Mobile Waste Tire Processor renewal form (Form WT-1M), or denying the Form WT-1M application and not renewing the Mobile Waste Tire Processor Certificate of Registration of a person who fails to submit or complete the Mobile Waste Tire Processor Annual Reporting Form (Form WT-8).

In Section 10.11.8 (2) (Waste Tire Fee Administration) the text was changed from \$1.25 to \$.55 for the Waste Tire Fee for the required language printed on a consumer's receipt or invoice when they purchase new replacement tires.

Section 10.12.5 (B) (Rebate Amount) was modified to change the year to 2024. Based on current End Users account funds, participation in the rebate program, and the rate change of the Waste Tire Fee, the per ton rates for the three tiers will be changed. The proposed regulations set the 2024 per ton waste tire end user rebate rates as follows:

- A. Tier 1: \$50 per ton;
- B. Tier 2: \$25 per ton;
- C. Tier 3: \$12.50 per ton; and
- D. Waste Tire Hauler: \$12.50 per ton.

Issues Encountered During Stakeholder Process:

Stakeholders were notified by e-mail of the revision of these regulations. Stakeholders were given an opportunity to provide any comments.

No questions were asked during the stakeholder meeting.

Regulatory Alternatives

No other regulatory alternatives were evaluated.

Cost/Benefit Analysis

A cost-benefit analysis will be performed if requested by the Colorado Department of Regulatory Agencies.