

## **NOTICE OF PROPOSED GENERAL PERMIT**

### **CONSTRUCTION AND OPERATION OF TIRE COLLECTION CENTERS AND MOBILE TIRE PROCESSING EQUIPMENT**

In accordance with provisions of the Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation No. 8.207, public notice is hereby given that the Arkansas Department of Environmental Quality (ADEQ or "Department") has made a decision to issue a General Permit for the construction and operation of tire collection centers and mobile tire processing equipment. In accordance with the provisions of The Arkansas Solid Waste Management Act (Act 237 of 1971), Ark. Code Ann. §8-6-201 *et seq.*, as amended, The Arkansas Used Tire Recycling and Accountability Act (Act 317 of 2017), Ark. Code Ann. §8-9-401 *et seq.*, as amended, and APC&EC Regulation No. 36, ADEQ has the authority to issue and administer general permits for tire collection centers and mobile tire processing equipment.

General Permit 0000-TAP-TCCMTP for eligible tire collection centers and mobile tire processing equipment is hereby proposed. This Permit will apply to facilities as described below and as further defined in APC&EC Regulation No. 14 and 36.

Owners or operators of tire collection centers are eligible for coverage under General Permit 0000-TAP-TCCMTP if the facility stores no more than 5000 loose used tires at any one time or up to a maximum of 10,000 tires that have been compacted and baled, at any one time. Owners or operators of mobile tire processing equipment are eligible for coverage under General Permit 0000-TAP-TCCMTP if no more than 500 tires are processed during any thirty (30) calendar day period.

Owners or operators of tire collection centers or mobile tire processing equipment located within the State of Arkansas must submit a notification to ADEQ indicating their intent to be covered under General Permit 0000-TAP-TCCMTP using Form TAP-6. Unless otherwise notified in writing by the ADEQ Director or designee, owners or operators are authorized to operate under General Permit 0000-TAP-TCCMTP within thirty (30) calendar days after submission of the notification by certified mail, provided all eligibility requirements have been met and the initial permit fee has been submitted to ADEQ. Existing tire collection facilities and mobile processing equipment general permit holders that hold General Permit 0000-TAP-TCCMTP or 0000-SG-WTP may continue to operate under these permits until they expire on June 16, 2019. Act 317 of 2017 requires additional facilities to obtain a general permit. Tire collection facilities that are not currently permitted under a general permit but that, under Act 317, must now operate under a general permit, may continue to operate until such time as General Permit 0000-TAP-TCCMTP is issued, provided that the facility follows the terms and conditions of all applicable rules and regulations, the requirements of proposed General Permit 0000-TAP-TCCMTP, and submits written notification to ADEQ using Form TAP-6.

Any interested person is encouraged to submit oral or written comments to ADEQ regarding the technical and regulatory merits of this proposed general permit decision within thirty (30) calendar days of the publication of this notice. After consideration of the written comments received within the public comment period, ADEQ shall determine the necessity of a public hearing on the permitting decision. Only those persons who submit written comments during this designated thirty (30) calendar day comment period, or who make comments for the record at a formal public hearing called by ADEQ, shall have legal standing to appeal any final permitting decision made by the ADEQ Director. ADEQ will mail notice of the final permitting decision to those persons submitting written or public hearing comments. Copies of the proposed general permit, fact sheet, related permit forms, applicable regulations, and other supporting documents will be available for public review and photocopying at ADEQ, 5301 Northshore Drive, North Little Rock,

Arkansas, during normal business hours. Additional information can be obtained by calling ADEQ at (501) 682-0006. There may be a charge for photocopying documents.

Written comments concerning this decision should be sent to:

Tammie J. Hynum  
ADEQ – Office of Land Resources  
5301 Northshore Drive  
North Little Rock, AR 72118

A final, written decision on issuing the general permit will be prepared and distributed by ADEQ. The final decision will include a response to each comment received during the public comment period and will include an explanation of the rationale for any technical requirements or standards involved in making the final decisions. Any person with legal standing in this matter may appeal ADEQ's final decisions to the APC&EC. Appeals must be in accordance with the requirements of APC&EC Regulation No. 8. General information on appeal procedures may be obtained by contacting the Legal Division, Arkansas Department of Environmental Quality, 5301 Northshore Drive, North Little Rock, AR72118 (501-682-0892); however, specific legal advice cannot be provided.

Dated this 11th day of January 2018

Kevin White

Associate Director  
Office of Land Resources  
Arkansas Department of Environmental Quality