

Subject	Regulation Reference	Question	Answer
Access & Security	14 CCR 17352	17352(a) requires waste tire facilities, and solid waste facilities open to the public, to have a sign posted at the facility entrance stating the name of the operator, operating hours, and site rules. What is considered the facility entrance? (property entrance? building entrance? at each of multiple entrances?) What type of site rules should be on the sign?	The facility entrance would be the primary entrance used by the public. If multiple entrances are used by the public then the sign should be at each of the entrances. Site rules would vary by site, but an example would be, "No hazardous waste accepted".
Collection Location	14 CCR 18420.1	18420.1 contains requirements applicable to collection locations. Do these requirements apply to one-time special collection locations, such as for amnesty day collections? Do these requirements apply to a site that annually stores <500 tires at any time but occasionally collects more tires, such as collecting from subtenants on the same property.	All collection locations must comply with the collection location requirements, including one-time or special collection locations like amnesty days collections. Sites with 500 or more waste tires do not need a waste tire facility permit if they are an exempt or excluded facility as described in 14 CCR 17225.822, or a beneficial reuse project as described in 14 CCR 18431.3. Collection locations with 500 or more waste tires must comply with 18420.1 and will need to obtain a waste tire facility permit if there are ever 5,000 or more waste tires at the site.
Collection Location	14 CCR 18420.1	18420.1 refers to containers at collection locations. How do you define a "container"? (movable? movable with tires inside? Is closure with a tarp OK, or must the closure be rigid? If the container is not closed, for example has a top lid that is completely open during inspection, are the tires still considered to be in a container?)	The regulation requires that the waste tires be in a "fully enclosed container", which would be a container that is enclosed on all sides and the top, and free of vectors, vegetation, and water. The regulation does not describe the type of material that can be used for the container. The regulation requires that the container be "...kept on or as part of a trailer for which a current, valid license plate has been issued... ". The regulation requires that the container must be closed and locked except while actively unloading, sorting, or loading. The tires would not be in a fully enclosed container if the top lid was open and tires were not being actively loaded or sorted at that time.
Collection Location	14 CCR 18420.1	If waste tires are kept in a locked container at a collection site awaiting transport, are they counted towards the total waste tire count? If they are counted, what is the maximum count allowed?	Waste tires in containers are always counted toward the maximum allowed for the type of site being inspected, including ones awaiting transport. The maximum quantity of waste tires allowed at a collection location is 4,999. Collection locations cannot be located at any facility or operation where waste tires are stored as required by 14 CCR 18420.1(a) and 18420(a).
Excluded Facilities	14 CCR 18431.2	How will waste tire facilities be notified of this new requirement? Will facilities be able to fill out the form online? Is the form available for download on the CalRecycle website? What is the deadline for submitting the notification form to CalRecycle? Do agricultural facilities have to comply with this notification requirement?	Proposed regulations were posted on the CalRecycle website and distributed to various LISTSERVs and to all active TPIDs in WTMS. Additionally, an industry webinar was held in January 2015. The long term goal is to have the form available to be completed online. For now, the paper version will be used and will be available online for download. Currently, there is no submission deadline. Excluded agricultural facilities are one of the group that must submit a notification to CalRecycle.
Excluded Facilities	14 CCR 18431.2	18431.2(c) states, "The owner or operator of an excluded waste tire facility shall notify the Department in writing of the intent to cease operations..." If the facility decides to stop selling tires, but continues to perform other non-tire related business, would that be considered ceasing operations?	If a waste tire facility is one of the excluded types listed in this regulation, it needs to notify CalRecycle of its intent to cease waste tire operations. This notification is required even if other non-tire related business continues.
Fire	14 CCR 17351	17351(d) requires that all parts of the storage yard be reachable by no more than 500 feet of hose. Does that mean that all facilities must now have a fire hydrant or water tank within 500 feet of the site?	For facilities storing 500 or more waste tires, all parts of the tire storage area must be reachable by no more than 500 feet of hose from a water supply. The water supply may be a fire hydrant, water tank, or some other water supply that meets the requirements in this section and may be located on or off the property.

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Fire	14 CCR 17351	<p>17351(f) states that a local fire authority may determine that different requirements are necessary or adequate to meet the intent of the fire prevention measures in 17351.</p> <p>What documentation if any is required by the facility to allow this? (letter from the local fire authority? A current or recent fire inspection showing that the facility is in compliance?) Does an "in compliance" fire inspection automatically put the facility in compliance with all or at least some of CalRecycle's fire regulations?</p> <p>What if the local fire authority does not currently inspect or actively regulate waste tire facilities?</p>	<p>Remember that this standard is only applicable to sites storing 500 or more waste tires. Any of the following would be acceptable documentation: a letter from the fire department stating an alternative approval; an approved fire plan with an alternative specified; or, a fire inspection which specifically states an alternative is acceptable. An fire inspection showing compliance generally would not be acceptable.</p> <p>If the local fire authority does not actively inspect or regulate waste tire facilities in your area, then the facility must comply with all the fire prevention measures contained in 14 CCR 17351.</p>
Fire	14 CCR 17351	<p>17351(a) refers to a fire safety plan.</p> <p>Are there any guidelines or examples of fire safety plans available to waste tire facilities?</p>	<p>Fire Safety Plans must include the following items identified in the California Fire Code, Title 24, California Code of Regulations, Part 24, Chapter 4, Section 404.3.2:</p> <ol style="list-style-type: none"> 1. The procedure for reporting a fire or other emergency. 2. The life safety strategy and procedures for notifying, relocating or evacuating occupants, including occupants who need assistance. 3. Site plans indicating the occupancy assembly point, the location of fire hydrants, and the normal routes of fire department vehicle access. 4. Floor plans identifying the locations of: exits; primary and secondary evacuation routes; accessible egress routes; areas of refuge; exterior areas for assisted rescue; manual fire alarm boxes; portable fire extinguishers; occupant-use hose stations; and, fire alarm annunciators and controls. 5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures. 6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires. 7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.
Indoor Storage	14 CCR 17356	<p>Is 17356 applicable to all facilities regardless of how many waste tires they have on site?</p>	<p>14 CCR 17350-17356 are only applicable when a facility has 500 or more waste tires.</p>
Indoor Storage	14 CCR 17356	<p>17356(b) refers to a 1-hour fire barrier. What does 1-hour fire barrier mean?</p>	<p>In simplistic terms, a 1 hour fire barrier means it would take 1 hour for a fire to burn through the barrier. This evaluation is best left to the local fire authority.</p>
Indoor Storage	14 CCR 17356	<p>17356(a)(6)(A)&(B) requires aisle widths of 44 inches in sprinklered buildings and 96 inches in nonsprinklered buildings for facilities with an indoor storage area of between 500 and 2,500 square feet.</p> <p>Is the square footage: (1) the total square footage of the tires being stored indoors? or, (2) the total square footage of all rooms where tires are stored? or (3) the total square footage of the building or structure itself?</p> <p>Does this mean that all aisles between tires must meet these measurements or only some aisles?</p>	<p>Total square footage where tires are actually stored.</p> <p>Only ingress and egress aisles need to meet these requirements.</p>
Indoor Storage	14 CCR 17356	<p>Should a storage shed or a lean-to with walls have sprinkler systems if a facility's total storage area is greater than 500 square feet?</p>	<p>A fire suppression system is required when the indoor storage area is greater than 500 square feet, and that area is determined by the actual area occupied by the waste tires. The shed or lean-to will need a fire suppression system if the actual area occupied by the waste tires is greater than 500 square feet.</p>
Indoor Storage	14 CCR 17356	<p>Please define the most minimal structure in which tires would be considered to be indoors. For example, are tires in a shed with just a roof, or a roof and one wall, or a roof and two walls, or a roof and three or four walls considered to be indoors? Must the shed have a door that can be closed, and if so, must the door actually be closed?</p>	<p>14 CCR 17225.821 contains the definition of indoors. <i>Indoor or Indoors.</i> "Indoor or Indoors" means an accumulation of waste tires or waste tire equivalents within any structure used or intended for supporting or sheltering any use of occupancy. Since the definition includes the term "within a structure", CalRecycle's interpretation is that the structure must have a top and sides all around to keep the tires away from vegetation, vectors, and water. Logically, there must be a door of some sort to get into and out of the structure but there is no requirement that the door be closed.</p>

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Manifesting / Recordkeeping	14 CCR 18460.2	<p>For registered haulers taking waste tires to the port:</p> <p>Is the hauler copy of the CTL given to the generator?</p> <p>When does the registered hauler have to give "confirming freight transport documents" [18460.2(d)(1)] to the generator? (when the waste tires are picked up? or after the waste tires are delivered to the port?)</p> <p>If a hauler makes multiple pick ups before delivering to the port, does the hauler have to give each pick up location a copy of the "confirming freight transport documents"?</p>	<p>The pickup and delivery copies are given to the generator. The hauler keeps his own copy.</p> <p>Ideally, "confirming freight transport documents" should be given to the generator when the tires are picked up. However, if those documents aren't available at the time of pick-up, then the hauler needs to give them to the generator as soon as possible.</p> <p>If multiple pickups are made, the hauler will most likely be taking the load to a site where they can bale or further reduce the tires for shipment. Tires that are not delivered directly to the port do not fall under the regulation. However, the final load going to the port after baling or reducing must meet these requirements with the baler or final operator keeping the confirming freight transport documents and the</p>
Manifesting / Recordkeeping	14 CCR 17357	Which facilities have to comply with the recordkeeping requirements contained in 17357?	17350(f) and 17357 clearly state that "all waste tire facilities" must comply with 17357. Waste tire facilities are defined in new section 17225.850. "Waste Tire Facility" means a waste tire facility as that term is defined by Public Resources Code section 42808 and includes exempt or excluded facilities, minor waste tire facilities, major waste tire facilities, and facilities where less than 500 waste tires are or will be stored, stockpiled, accumulated, or discarded; but does not include permitted solid waste facilities that receive for transfer or disposal less than 150 tires per day averaged over a 365-day period.
Manifesting / Recordkeeping	14 CCR 17357	<p>17357(a) states, "The records may include log entries..."</p> <p>"May" gives latitude... what are facilities <u>required</u> to include on the log?</p>	Waste tire facilities (defined in 14 CCR 17225.850) are required to "...create and maintain records documenting the quantity of waste tires received, stored and shipped from the site...". Per 14 CCR 18462(d), generators are also required to, "... document the removal method, number of tires removed, and person employed to remove the waste or used tires...". Waste tire facilities that are not generators "may" include the following additionally items for each log entry: method of receipt and removal of the waste tires; the number of waste tires received and removed; and, the name of the person employed to deliver or remove the waste tires.
Manifesting / Recordkeeping	14 CCR 17357	Must the records required by this section include records of waste tires generated on-site?	The regulation requires documentation of waste tires received, stored or shipped, so there is not a specific requirement for waste tires generated in a manner other than receipt of waste tires. However, if a tire dealer changes a tire and keeps it, the dealer has received a tire and it should be logged.
Manifesting / Recordkeeping	14 CCR 18462	<p>18462(d)(1) states that, "The documentation ...shall include, but not be limited to:"</p> <p>Does this mean that you "shall" have the types of documentation as described in subsections (A) and (B) but you may have other, additional kinds of records too? Or does it mean (A) and (B) are illustrative of the types of documentation that can be used but you may have other documentation methods that are acceptable as long as they accomplish the fundamental recordkeeping purpose of this requirement? If the answer to the above is the latter, if the documentation methods described in subsection (A) satisfies the overall documentation creation/maintenance required by this subsection, are daily log entries required also?</p>	The generator needs to have both – log entries and bills of lading, etc. The log is to make sure CalRecycle gets information regarding every tire, and the bills of lading, receipts and monthly billing statements verify those log entries.
Manifesting / Recordkeeping	14 CCR 17357 & 18462	If a facility does not use a registered hauler to remove waste tires then that facility must keep some kind of record of waste tires removed, right?	Yes, 18462(d) applies where manifesting is "not required." When a generator uses a registered hauler, manifesting is required, so 18462(d) does not apply. When a generator does not use a registered hauler because one was not required, the generator must meet the requirements of 18426(d). Daily logs are one way for a generator to meet 18462(d); the generator may also meet the requirement in 18462(d) by maintaining specific records for each load as set forth in 18462(d)(1)(a). If a generator does not use a registered waste tire hauler but should have, manifesting would have been required, so 18462(d) does not apply. However, the facility would be in violation of 18462(a).
Manifesting / Recordkeeping	14 CCR 17357	Are generators required to use a registered waste tire hauler if they have not kept a daily log detailing the accumulation of their tires?	The requirements for when a generator must use a registered hauler have not changed. Every generator must use a registered waste tire hauler unless one of the exceptions in PRC Section 42954 are present. The requirement for a registered waste hauler must be met first; whether a generator uses (or needed to use) a registered waste hauler determines whether or not CalRecycle applies manifesting requirements or daily log entry requirements; not the other way around.
Manifesting / Recordkeeping	14 CCR 17357 & 18462	Must log entries be made every day, every business day, or only on days that the accumulation of tires increases by one or more tires?	Under 17357, the daily log entries may be made only on those days when tires enter or leave the facility. Keep in mind, daily log entries are one way to meet the requirement, but actually the requirement being met is that of general maintenance of documents of the waste tires received, stored and shipped from the site, and that requirement needs to only be met quarterly. Daily log entries must be made even if the accumulation or removal of waste or used tires is 0, but only for days which the business is open. Daily log entries would fulfill both sections but are only actually required by section 18462.
Manifesting / Recordkeeping	14 CCR 17357	Do these requirements apply to a location where an amnesty events is occurring?	Yes. The log needs to reflect the number of waste tires that were removed from the facility and delivered to the amnesty event.

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Manifesting / Recordkeeping	14 CCR 17357	What is roadside services? What are the manifesting/recordkeeping requirements for roadside services?	Road side services are those services where the hauler goes to the site where the vehicle is located during transit (i.e., highway, parking lot, vacant field). The manifesting/recordkeeping requirements in 14 CCR 17357 and 18462(d) are the same for roadside services as they are for all other locations.
Manifesting / Recordkeeping	14 CCR 17357	Do CTLs/manifests meet these new recordkeeping requirements?	Manifests meet this requirement because manifests document the receipt and removal of waste tires.
Manifesting / Recordkeeping	14 CCR 17357	When a CTL is not received, will a simple written log suffice?	Yes, as long as the log contains the requirements included in the regulation.
Manifesting / Recordkeeping	14 CCR 18462	Are there any exceptions to the 3 year record retention requirement in 18462(d)(2), such as the generation of less than 10 waste tires per year?	The regulation does not allow for any exceptions.
Manifesting / Recordkeeping	14 CCR 17357	Are facilities that self haul 9 or fewer waste tires required to keep records/logs/receipts?	Yes.
Manifesting / Recordkeeping	14 CCR 17357	How long does a facility have to keep records/receipts for transporting 9 or fewer tires?	All records must be maintained for 3 years at the facility location.
Manifesting / Recordkeeping	14 CCR 18462	18462(d)(1)(B) refers to "daily log entry" for tires removed "...in a manner not requiring manifesting..." Is that a daily or monthly quantity? Is the log only a total amount for that day or month or is other information required?	The regulation requires a daily log of tires removed where manifesting was not required. 18462(d) contains all the information that must be recorded, such as removal method, number of tire removed, and person who removed the tires. This information must be logged every day for every quantity of tires removed.
Manifesting / Recordkeeping	14 CCR 18462	If a facility has a garbage dumpster contract with a local waste disposal company, and tires are commingled with other waste, does the facility need to receive a CTL/manifest from the disposal company?	If the facility puts less than 10 tires in the dumpster and the disposal company allows that, the facility would need to invoice or do a log for the removal. Some disposal companies are registered haulers and will use CTL forms. If the facility adds 10 or more tires to the dumpster, and the disposal company is not a register hauler, the facility would be "contracting" with an unregistered tire hauler and could receive a Notice of Violation, Area of Concern, or warning from CalRecycle for that action.
Outdoor Storage	14 CCR 17354	The outdoor storage requirements only apply to facilities with 500 or more waste tires on site, right?	That is correct. The outdoor storage requirements are only applicable to facilities that have 500 or more waste tires on site.
Outdoor Storage	14 CCR 17354	17354(g) states that waste tire piles can not be located in areas "...subject to immersion in water during a 100-year storm...". Do this apply to facilities with less than 500 waste tires? Does that mean that facilities with 500 or more waste can not be located in a 100-year flood zone?	State Minimum Standards only apply to facilities with 500 or more waste tires (see 17350). No, the regulation allows for the storage of waste tires in a location where those tires may be subject to immersion in water during a 100-year storm if "the owner or operator demonstrates that the waste tire facility or solid waste facility will be designed and operated so as to prevent waste tires from migrating off-site."
Outdoor Storage	14 CCR 17354	Some facilities store waste tires in containers outdoors. Can those containers be closer than 10 ft. to buildings and property lines?	If the container is enclosed on all sides and the top, and free of vectors, vegetation, and water, then the tires in the container do not have to comply with the outdoor storage requirements because the tires themselves would not be outdoors. Since those tires are not outdoors, the container can be closer than 10 ft. to buildings and property lines.
Outdoor Storage	14 CCR 17354	Do facilities now need to ask for fire code official approval if waste or used tires are stored within 10ft of a property or fence line? Does it matter what type of material the fence is made of? (cement, metal, chain link?)	This section only applies to locations that store 500 or more waste tires. According to the regulation, the distance is based on lot line, <i>not fence line</i> , and in most cases the facility's fence will be at the edge of the lot line. If the facility has 500 or more waste tires, it would need fire code official approval to store tires within 10 feet of the lot line. The 10 ft. requirement does not distinguish between different types of barriers between lots; however, the local fire authority may consider the barrier type when it reviews an application for a variance.
Outdoor Storage	14 CCR 17354	17354 states that waste tire piles shall be 10 or more feet away from lot lines. If the waste tires are in a stack and not in a pile, is it ok for that stack to be less than 10 feet from the lot line?	While the regulation does specifically state that tire "piles" shall be 10 or more feet away from lot lines, CalRecycle applies the 10 foot distance to all waste tires, including those in piles, stacks and racks. CalRecycle does not apply the set back requirement to used tires (as defined in PRC 42806.5) but the local fire authority <i>may</i> apply the set back requirement to new, used and waste tires.
Outdoor Storage	14 CCR 17354	17354(c) refers to maximum dimensions of waste tires piles. Since the pile can be no more than 5,000 square feet of contiguous area, and no more than 50,000 cubic feet in volume, and no more than 10 feet high, and no more than 50 feet wide, does that mean the pile can be any length as long as the pile doesn't exceed the 5,000 and 50,000 maximums?	At least one length is required to be a maximum of 50 ft. The other length can vary as long as the volume is no more than 50,000 cubic feet. The height must always be 10 ft. or less.

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Outdoor Storage	14 CCR 17354	Does 17354(h) mean that if a waste tire facility or solid waste facility has more than 150,000 cubic feet of tires, any two piles with less than 75 feet of space between them are considered part of the same group?	Yes.
Penalties	14 CCR 18429	Who will make the determination that an act was negligent or intentional?	CalRecycle staff will make a recommendation to its legal office. The recommendation is based on the facts that support whether the responsible party knowingly or unknowingly violated the law or regulations. Inspectors can support their decision by writing comprehensive inspection reports, citing the proper code section throughout the inspection/enforcement process, and making sure the operator is aware of the requirements.
Penalties	14 CCR 18429	What is the procedure for assessing, issuing, and collecting penalties prescribed by the 18429 penalty schedule? What is the procedure if penalties are not paid?	Currently, penalties are assessed when an Administrative Decision is issued. If penalties are not paid CalRecycle starts the "collection" process.
Permit Requirement	14 CCR 18420	Are all facilities with 500 or more waste tires required to obtain a waste tire facility permit?	Under certain conditions, exempt, excluded, and beneficial reuse sites are allowed to have 500 or more waste tires without a waste tire facility permit.
Permit Requirement	14 CCR 18420	Under 18420(a)(7), if a new tire dealer has waste tires removed every 90 days, and never has more than 1,500 waste tires on site at any time, is the new tire dealer required to obtain a waste tire facility permit?	Tire dealers who meet the requirements of 18420(a)(7) are excluded from permit requirements.
Permit Requirement	14 CCR 18420	18420(a)(7) refers to a waste tire facility permit exclusion for tire dealers. Are new and used tire dealers both considered "tire dealers"? Are they required to sell a specific number of either type of tire to be considered a tire dealer?	Yes, both are tire dealers. The regulations do not require a specific number of new or used tires be sold to be considered a tire dealer or used tire dealer. Additionally, <i>tire dealer</i> and <i>new tire dealer</i> are not defined in regulation, but <i>used tire dealer</i> is defined in 14 CCR 17225.820. To be a used tire dealer, the regulation requires that the business's primary purpose must be to sell used tires for profit.
Permit Requirement	14 CCR 18420	When is a solid waste disposal facility required to obtain a waste tire facility permit?	A landfill will never need a waste tire facility permit; however, in rare cases, a transfer station may need one if it accepts more than an average of 150 waste tires per day. The oversight of landfills and transfer stations is the responsibility of the solid waste enforcement agency and not the Tire Enforcement Agency. The TEA shall refer any concern regarding related matters to CalRecycle.
Storage Standards Applicability	14 CCR 17350-17359	The requirements of 17350-17359 apply to facilities with 500 or more waste tires on site. Would waste tires in trailers or other enclosed structures on the grounds count toward the 500? Does the answer change if the trailer or structure is locked?	All waste tires on site, regardless of where or how they are stored, are always counted toward the maximum allowed for the type of site being inspected.
Storage Standards Applicability	14 CCR 17350-17359	If a new tire dealer has waste tires removed every 90 days, and never has more than 1,500 waste tires on site at any time, do they have to comply with the storage and disposal standards contained in 17350-17359?	All facilities with 500 or more waste tires on site must comply with the requirements of 17350-17359, even if they are not required to obtain a waste tire facility permit.
Storage Standards Applicability	14 CCR 17350-17359	Facilities that are exempt or excluded from getting a waste tire facility permit, do they have to comply with the storage and disposal standards contained in 17350-17359?	All facilities with 500 or more waste tires on site must comply with the requirements of 17350-17359, even if they are not required to obtain a waste tire facility permit.
Storage Standards Applicability	14 CCR 17350-17359	Do "used tires" have to comply with the storage and disposal standards contained in 17350-17359?	For CalRecycle purposes, only "waste tires" have to meet the indoor and outdoor storage requirements in the State Minimum Standards contained in 17350-17359. Be aware though that the actual fire code requires all tires to meet the fire standards, so the local fire authority may enforce this provision against used tires as well as waste tires.
Storage Standards Applicability	14 CCR 17350	17350(a) refers to "technical and operational requirements". What does this term refer to?	17350-17359 are considered the technical and operational requirements.
Disposal of Waste Tires at a Solid Waste Disposal Facilities	14 CCR 17355	17355 states that waste tires may not be landfilled unless they have been permanently reduced in volume prior to disposal. What does it mean to permanently reduce waste tires by volume? Would cutting the waste tires in half meet that requirement?	Yes, cutting waste tires would be considered "permanently reduced by volume." 17355(a) is specific to landfills and is enforced by the solid waste enforcement agency.

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Waste Tire Facility	14 CCR 17225.850	If the only tires a golf course has on site are tires from golf carts, and they don't receive waste tires from any other source, is the golf course considered a waste tire facility?	A golf course that has maintenance vehicles or golf carts and changes those tires on site, would be considered a waste tire facility as defined in 14 CCR 17225.850. Most golf courses are small quantity generators and are not inspected on a routine basis.
Waste vs Used Tires	Waste vs Used Tires	Are tires in an enclosed container considered waste or used tires?	The definition of a used tire can be found in PRC 42806.5 and states that the used tire must be racked or stacked, sorted by size and stored in accordance with local fire and vector control requirements. Additionally, inspectors must be able to inspect each individual used tire. If tires stored in a container meet those requirements, as well as the other requirements in PRC 42806.5, then those tires can be considered used tires. If the tires do not meet all the requirements of PRC 42806.5, they will be considered and counted as waste tires.