

**SYNOPSIS OF
PROPOSED AMENDMENTS TO THE RULES OF THE
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION
SOLID WASTE MANAGEMENT, SCRAP AND USED TIRE MANAGEMENT
CHAPTER 391-3-4.19**

Rule 391-3-4.19(2) “Definitions” is being amended.

Purpose: The purpose of this amendment is to add new definitions, remove one definition, and edit existing definitions to make them consistent with the Georgia Comprehensive Solid Waste Management Act, O.C.G.A. § 12-8-22.

Main Features: Adding “Distributor” and “New Replacement Tire”, Edits to the following definitions: "Scrap Tire Generator", "Tire Retailer", "Used Tire", "Used Tire Dealer"; and removing “Retail Dealer”

Rule 391-3-4.19(3) “Retail Dealers” is being amended.

Purpose: The purpose of this amendment is to remove “Retail Dealers” and replace it with “Tire Management Fee” to be consistent with the Act, provide updated language consistent with the Act, and provide clarifying language regarding tire management fee collection.

Main Features: The reference in Sub-section (3)(a) 1-2 was revised to create language that is consistent with the Act and describe what tire sales operations are considered distributors.

The reference in Sub-section (3)(a) 1 removed language describing “new replacement tires” that was moved to the definitions section.

The reference in Sub-section (3)(b) added language referencing tire management fee

The reference in Sub-section (3)(d) Updated language to be consistent with the Act and to require distributors to register and remit fees and a quarterly tire fee report to EPD

The reference in Sub-section (3)(e) removed retailer as being responsible for collecting, reporting, and paying the tire management fee

Rule 391-3-4-.19(5)(i) 1, “Tire Carriers” is being amended.

Purpose: The purpose of this amendment is to include “distributor” with other types of tire carrying operations that are not required to have a tire carrier permit and to make a typographic correction.

Main Features: Rule 391-3-4-.19(5)(i) 1 is being amended to clarify that distributor is not required to have a tire carrier permit for transporting its own used tires, if such dealer can provide proof of purchase with receipt for all used tires being transported and a document verifying the origin, route and destination of such used tire

In 391-3-4-.19(7) there is a typographic correction to include a section symbol.

Rule 391-3-4-.19(6)(b) 2, “Scrap Tire Storage” is being amended.

Purpose: The purpose of this amendment is to include distributors in the list of tire operations that are allowed to store up to 1,500 scrap tires if certain conditions are met.

Main Features: The Rule is being amended to include distributors with other tire operations that are allowed to store up to 1,500 scrap tires if those scrap tires are secured in a locked enclosure or are otherwise adequately secured in a manner suitable to prevent unauthorized access.