

Regulation of tires has evolved in Wyo

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For years, the Wyoming Department of Environmental Quality routinely exempted the use of tire bales as fences and windbreaks in regard to solid waste permit requirements.

It began to rethink that practice in 2003.

In November 2003, the Wyoming DEQ Solid and Hazardous Waste Division issued a letter listing several concerns about "tire bales" used as windbreaks and fencing. Tires can collect rainwater and snowmelt, potentially creating breeding grounds for mosquitoes and increasing the spread of West Nile virus -- a major health concern for humans, horses and sage grouse.

The division also said the quality of tire baling varied, raising concern about fires and cleanup.

"Without the safeguards provided by a solid waste storage or disposal permit, including having fire prevention measures, and having bonding in place to ensure adequate funds for proper disposal of tires when the wire ties holding these bales together fail, there may be a longer-term risk to human health and the environment," wrote David A. Finley, who served as administrator of the DEQ Solid and Hazardous Waste Division at the time.

Finley went on to warn that from that point on, any non-beneficial-use tire bales on public or private land -- other than permitted disposal facilities -- would be subject to removal at the owner's expense.

DEQ issued new standards for scrap tire management in July 2008.

First, it noted that the generators of scrap tires -- the mines, heavy equipment companies and retail tire businesses -- are responsible for the proper management of their tires. If a mine's tires are discovered at an illegal dump, that mine is still liable for cleaning up the tires.

DEQ advised it would no longer approve tires for use in windbreaks, fences or other exposed applications.

Permits are not required for a reasonable accumulation that might occur from a ranching operation, so long as the tires are used for beneficial purposes -- stock watering tanks -- or are stored in a reasonable fashion.

The new standards prohibit the "speculative" accumulation of tires intended for future recycling and processing without a waste management facility permit. Such a violation could result in penalty of \$10,000 per day.