



## ENERGY AND ENVIRONMENT CABINET

# FACT SHEET

## Waste Tire Management for Retailers

The 1998 General Assembly passed legislation to establish a waste tire management program to protect human health and the environment. Waste tires are defined as tires not used for their originally intended purpose because of wear or damage, used tires stored for resale and processed waste tire material. Beginning July 1, 2018, retailers will collect \$2 from customers for each new motor vehicle tire sold. The fee shall be subject to the Kentucky sales tax. This money will be used to eliminate unmanaged tire piles and develop markets for waste tires and waste tire materials.

### Posting notice

Retailers will collect \$2 for every new motor vehicle tire sold. Retailers must accept, if offered, a waste tire for each new tire sold to a customer. Retailers must post notice of this in their shops. Retailers shall encourage consumers to leave their waste tires with the retailer for proper disposal.

### Reporting

On or before the 20th of each month, retailers must report to the state Revenue Cabinet the number of new motor vehicle tires sold and the number of waste tires received from customers during the preceding month.

Retailers will pay the state 95 percent of their fees and may keep 5 percent as a handling fee. The state will deposit its portion in the Waste Tire Trust Fund to be used by the Energy and Environment Cabinet to properly manage waste tires.

### Record-keeping

A record-keeping system will be established for every tire from the time it becomes waste to the time it is disposed, recycled or used as tire-derived hid. Retailers must obtain a receipt for the waste tires transferred to a transporter, processor or end user. The final processor, or a transporter who arranges for disposal or recycling out-of-state, must return a copy of the receipt for disposal or recycling to the retailer within 30 days of receiving waste tires. If the retailer does not receive that receipt, the retailer must notify the Division of Waste Management. The receipt must contain the following information:

- the name, address, company and signature of the person accepting the tires
- the number of waste tires or the passenger tire equivalents accepted
- the date the waste tires were transferred
- the name and address of the retailer transferring the waste tires

Retailers must keep their receipts for three years.

### Registering

Retailers who accumulate or haul more than 1,000 waste tires at a time must register with the cabinet. Retailers accumulating up to 1,000 must comply with the requirements for the storage of waste tires.

### Penalties

Violations of waste tire laws are subject to a civil penalty of up to \$1,000 and an additional penalty of up to \$1,000 for each day during which the violation continues. KRS 224.99-010(8).

If you have comments, suggestions or questions pertaining to waste tires, or if you'd like information on permitting or customers' rights and responsibilities, please contact us.

**DEP Division of Waste Management**  
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The Division of Waste Management does not discriminate on the basis of race, age, religion, sexual orientation or gender identity, ancestry, age, disability, or veteran status. The division provides, on request, reasonable accommodations necessary to afford an individual with a disability an equal opportunity to participate in all services, programs and activities. To request materials in an alternate format, contact the division.



# NOTICE

**State law requires a new tire buyer to pay \$2 for each new tire purchased.**

The money is collected and will be used by the state to oversee the management of waste tires including cleaning up abandoned waste tire piles and preventing illegal dumping of waste tires.

**State law requires the retailer to accept a waste tire of similar size, if offered, for each new motor vehicle tire sold.**

If you keep your waste tire, it is your responsibility to appropriately manage the tire and dispose of or recycle it properly.

Proper management requires that waste tires are stored in an environmentally safe manner and should include the following:

- Waste tires are stored in a manner that allows fire fighting equipment access to the tires
- Mosquito infestations and entrapment of water in the waste tires are prevented
- Waste tires are stored on-site, in a closed container or adjacent covered area, in a building where public access is restricted
- Unless the waste tires are stored in buildings, in adjacent covered areas or closed containers, they must be stored no closer than the following:
  - 30 feet from a utility easement
  - 250 feet from a residence, or
  - 250 feet from a karst feature, surface water of the Commonwealth or unplugged water well
- Waste tires are stored on a surface with a grade of 5 percent or less that is free of vegetation and other flammable materials

Proper disposal or recycling requires taking the tire to one of the following sites:

- 1) a permitted landfill;
- 2) an incinerator or other facility for use as a fuel; or
- 3) a transporter, processor or properly registered waste tire end use market.

