

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Solid Waste Program, Attn: Geraldine Travers
17 State House Station
Augusta, Maine 04333-0017
Telephone: (207) 287-7688

<u>FOR DEP USE ONLY</u>			
ATS ID: _____	Seq: _____	DEP ID: _____	Received by DEP: _____
Bureau: <u>S</u>	Type of Application: <u>WI</u>	Activity: <u>P</u>	Fees Paid: _____
Project Analyst: _____			Check No.: _____

**NOTIFICATION FOR PERMIT BY RULE FOR SMALL TIRE STORAGE AREAS
 NOT ASSOCIATED WITH LICENSED AUTOMOBILE RECYCLING BUSINESSES**

A business that proposes to operate a single tire storage site and meets all of the standards and requirements of Chapter 402, section 7(D) of the *Solid Waste Management Rules* may receive a permit-by-rule. This completed notification form must be received by the Department at least 24 calendar days prior to commencement of any construction or operation of the tire storage area.

PLEASE TYPE OR PRINT

Company and Address Information

Company Name: _____ **Telephone:** _____

Applicant's Last Name: _____ First Name: _____

Contact Person: _____ Telephone: _____

Applicant Name: _____ **Agent/Consultant Name:** _____

Telephone: _____ Telephone: _____

Mailing Address: _____ Mailing Address: _____

Street Address: _____ Street Address: _____

Town: _____ State: _____ Zip: _____ Town: _____ State: _____ Zip: _____

Billing Information

Name: _____

Mailing Address: _____

Street Address: _____

Town: _____ State: _____ Zip: _____

Site/Activity Information

Project Description: Tire storage facility not at licensed automobile recycler - Permit-by-Rule

911 address: _____ GPS Location: _____

Directions: _____

PLEASE SEE PAGE 2 - SIGNATURE REQUIRED

TYPES OF BUSINESSES THAT MAY APPLY FOR A PERMIT-BY-RULE FOR TIRE STORAGE INCLUDE:

- (a) Tire retreading businesses where the total volume for tire storage will be no greater than 5000 square feet by 6 feet high;
- (b) Automobile graveyards or junkyards as defined in 30-A M.R.S., Section 3752 *et seq.* where the total volume for tire storage will be no greater than 2500 square feet by 6 feet high;
- (c) Automobile recycling businesses as defined in 30-A M.R.S., Section 3752 *et seq.*, but without a valid local permit issued in accordance with 30-A M.R.S., Section 3755A, where the total volume for tire storage will be no greater than 2500 square feet by 6 feet high; or
- (d) Processors or brokers of tire chips for tire derived fuel or construction applications, where the total volume for tire chip storage will be less than 10,000 square feet and the height of the storage area(s) will be less than 12 feet.

SIGNATURE OF APPLICANT

By signing this notification, the applicant certifies that he or she has: (1) provided public notice in accordance with Chapter 400, section 3(B)(1)(c)(iii) to the chief municipal officer and chair of the municipal planning board of the municipality in which the project is located ; (2) filed a complete copy of this notification in the municipal office of the municipality in which the project is located; (3) reviewed the appropriate state laws that relate to the proposed project; and (4) the standards and requirements of Chapter 402, section 7(D) will be met throughout operation and closure of the facility.

I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

DATE: _____ NAME: _____

(Applicant)

TITLE: _____

(If other than applicant, attach letter of agent authorization.)

INSTRUCTIONS

For assistance in filling out this notification, please contact the Division of Materials Management, Bureau of Remediation and Waste Management.

1. Send this notification along with all attachments to: Maine Department of Environmental Protection, Bureau of Remediation and Waste Management, 17 State House Station, Augusta, Maine 04333-0017.
2. Provide Public Notice in accordance with the following requirements:

Within 30 days prior to filing this application, you must provide public notice of intent to file a permit-by-rule notification with the Department. The notice must be mailed by certified mail or Certificate of Mailing to the municipal office of the municipality(ies) where the project will be located.

The public notice must include the following information:

- a. Name, address and telephone number of the applicant;
- b. Citation of the statutes or rules under which the permit-by-rule notification is being processed;
- c. Location of the activity;
- d. Summary of the activity;
- e. Anticipated date for filing the permit-by-rule notification with the Department; and
- f. A statement that public comments on the permit-by-rule notification may be provided to the Department within 10 days of the filing of the permit-by-rule notification, together with the mailing address of the Department.

Please note that public notice for this permit-by-rule notification does not require the publishing of a notice in a newspaper or the serving of a notice upon abutters to the project.

3. Keep a copy of this completed form for your files. This copy will be helpful in communications with the DEP staff if any questions arise during the review of a project.

PLEASE SEE ATTACHED FEE SCHEDULE TO DETERMINE THE NOTIFICATION FEE FOR A PERMIT-BY-RULE FACILITY

**STANDARDS FOR PERMIT-BY-RULE FOR SMALL TIRE STORAGE AREAS
NOT ASSOCIATED WITH LICENSED AUTOMOBILE RECYCLING BUSINESSES**

To qualify for a permit-by-rule, all of the following siting, design, and operational standards must be met.

1. Setbacks. The following setbacks must be maintained:
 - a. a minimum 20 foot setback between the tire storage areas and all public roads and property boundaries.
 - b. a minimum 50 foot setback between the tire storage areas and residences in existence at the time the application is filed.
2. Floodplain. New tire storage area(s) shall not be located on a 100-year floodplain.
3. Protected Natural Resources. A storage site shall not be located:
 - a. within 100 feet of a protected natural resource; or
 - b. in, on or over a protected natural resource, or on land adjacent to the following areas, without first obtaining a permit pursuant to 38 M.R.S., Section 480-A *et seq.*:
 - (1) a coastal wetland, great pond, river, stream or brook, or significant wildlife habitat contained within a freshwater wetland; or
 - (2) freshwater wetlands consisting of or containing:
 - (a) under normal circumstances, at least 20,000 square feet of aquatic vegetation, emergent marsh vegetation or open water, except for artificial ponds or impoundments; or
 - (b) peatlands dominated by shrubs, sedges and sphagnum moss.
4. Fire Breaks. Any pile of tires greater than 625 square feet must be separated by a fire break consisting of a 25 foot mineral strip. All grasses, weeds, slash, brush, debris, and other combustible material must be removed from this fire break.
5. Notification of Closure. The Department shall be notified in writing a minimum of 30 days prior to the proposed date of cessation of use of a storage area. Notification shall meet the following closure performance standard:
 - a. the storage area must be closed in a manner that minimizes the need for further maintenance; and so that it will not pollute any waters of the state, contaminate the ambient air, constitute a hazard to health or welfare, or create a nuisance.
 - b. at a minimum, the owner/operator must remove all tires from the storage area.
6. Operational Requirements. A tire storage area must be operated so that it does not contaminate ground or surface water. To qualify for a permit-by-rule, the applicant must propose to operate the tire storage area in compliance with the following operational requirements.
 - a. The operator must develop an operations manual to provide for flow-through of tires, and clean-up and maintenance of the storage areas.
 - b. The operator shall keep copies of all non-hazardous transport manifests for tires delivered to and removed from the facility. The manifests shall be available for inspection by the Department upon request.
 - c. The 25 foot fire break required by paragraph 7(B)(4), above, around any pile of tires greater than 625 square feet must be maintained.

- d. Compaction must not be allowed on piles of chipped tires, unless the facility implements the following temperature monitoring program to prevent excessive heating of the piles. The records of temperature readings must be kept on-site and be available for inspection by the Department upon request.
- (1) the core temperature of each pile must be monitored by sufficient numbers of fixed temperature monitoring probes installed in the pile.
 - (2) routine temperature readings must be taken weekly and recorded.
 - (3) if a weekly reading exceeds 100° F. in a pile, readings shall be taken daily and recorded until the temperature readings return to 100° or less.
 - (4) if any temperature reading exceeds 150° F., the pile will be turned over and aerated to reduce the temperature to 100° F. or less.

**THE FOLLOWING INFORMATION MUST BE INCLUDED WITH YOUR
PERMIT BY RULE NOTIFICATION FOR SMALL TIRE STORAGE AREAS NOT ASSOCIATED WITH LICENSED
AUTOMOBILE RECYCLING BUSINESSES**

1. **Description.** Please provide a description of the proposed tire storage area and the type of business at which the tire storage will occur.
2. **Title, Right, or Interest.** Submit information that demonstrates sufficient title, right or interest to property proposed for development, as specified in 06-096 C.M.R. Chapter 2, section 7.
3. **Topographic Map.** Include the most recent full size U.S. Geological Survey topographic map (7 1/2 minute series, if available) of the area, showing the storage area boundary and the property boundary.
3. **Public Notice.** Include a copy of the Public Notice given in accordance with the requirements listed in the instructions above.

END