

Permit to Operate Facility for Management of Waste Tires

NAC 444A.280

Permit required; exceptions. (NRS 444.560, 444A.020, 444A.080)

1. Except as otherwise provided in subsection 2, the owner or operator of a facility for the management of waste tires shall not accept waste tires for processing, recycling or for use as a fuel until he obtains a permit to operate a facility for the management of waste tires from the solid waste management authority.
2. The following businesses are not required to comply with subsection 1:
 - (a) A business which retreads tires and stores less than 3,000 passenger tire equivalents on the premises.
 - (b) A retail dealer of tires, or any other business that removes tires from motor vehicles, which stores less than 1,500 passenger tire equivalents on the premises.
 - (c) A disposal site which is authorized by the solid waste management authority to store waste tires or deposit waste tires in a landfill.
 - (d) Any business which stores less than 500 passenger tire equivalents on the premises.

NAC 444A.290

Application for permit: Contents. (NRS 444.560, 444A.020, 444A.080) Each applicant for a permit to operate a facility for the management of waste tires must complete an application on a form prescribed by the solid waste management authority. The application must include:

1. The name of the owner and operator of the facility;
2. The address of the location of the facility;
3. A plan of operation which complies with the requirements set forth in NAC 444A.350 and 444A.360;
4. A plan of the area where the tires will be stored at the facility which includes:
 - (a) The arrangement and size of the piles of tires in the storage area;
 - (b) The width of the fire lanes;
 - (c) The location of each building at the facility; and
 - (d) The methods to be used to control access to the facility;
5. An estimate of the number of passenger tire equivalents the facility will receive each year;
6. A description of the final use for the waste tires deposited or the available market for the material derived from tires after it is processed;
7. Proof of compliance with any applicable ordinances or other requirements of the state or local governments for permits;

8. Proof of compliance with any applicable ordinances or other requirements of the local fire authority;
9. The procedures:
 - (a) For the prevention of fire; and
 - (b) To be used if a fire occurs at the facility,
 - (c) which must be approved by the local fire authority;
10. A copy of the plan to demonstrate financial assurance required by NAC 444A.410 and 444A.420; and
11. Any other information required by the solid waste management authority.

NAC 444A.300

Application for permit: Notification of applicant; submission of additional information. (NRS 444.560, 444A.020, 444A.080) A solid waste management authority shall, within 45 days after receiving an application for a permit to operate a facility for the management of waste tires, notify the applicant whether his application is complete. The solid waste management authority shall base its determination on whether the application contains all the documents and information required by NAC 444A.290. The solid waste management authority may require the applicant to submit any additional documents or information it deems necessary.

NAC 444A.310

Application for permit: Evaluation by solid waste management authority; notice of intent to issue or deny application; public notice. (NRS 444.560, 444A.020, 444A.080)

1. A solid waste management authority shall complete an evaluation of an application for a permit to operate a facility for the management of waste tires within 30 days after notifying the applicant that his application is complete.
2. Upon completion of the evaluation, the solid waste management authority shall:
 - (a) Issue to the applicant a notice of intent to issue or deny the permit; and
 - (b) Issue a public notice stating whether it intends to issue or deny the permit. The public notice must include a fact sheet which describes:
 - (1) The proposed facility;
 - (2) The proposed action;
 - (3) The availability of the documents which were evaluated; and
 - (4) The procedures for public review and comment.

NAC 444A.320

Application for permit: Period for public review; duties of solid waste management authority following period for public review. (NRS 444.560, 444A.020, 444A.080)

1. A solid waste management authority shall provide a period for the public review of an application for a permit to operate a facility for the management of waste tires. The period for public review is 30 days and begins on the date the solid waste management authority issues public notice pursuant to subsection 2 of NAC 444A.310. During this period, the applicant or any other interested person may submit to the solid waste management authority written comments concerning the permit. The period for public review may be concurrent with any other period for public review required by a local government for issuing permits.
2. Within 15 days after the period for public review has ended, the solid waste management authority shall issue the permit or provide written notice to the applicant which sets forth the reasons for the denial of the permit.

NAC 444A.330

Issuance; revocation or suspension of permit; request for modification of permit. (NRS 444.560, 444A.020, 444A.080) A permit to operate a facility for the management of waste tires which is issued by a solid waste management authority:

1. Must be issued to a specific owner or operator;
2. Is not transferable;
3. Is valid for 5 years;
4. May be renewed;
5. May be modified by the solid waste management authority if the statutes or regulations upon which the permit is based are amended or if a modification is otherwise necessary to protect the environment or public health;
6. May be revoked or suspended upon written notice by the solid waste management authority if the holder of the permit does not comply with applicable statutes or regulations or the conditions upon which the solid waste management authority issued the permit; and
7. May be modified by the owner or operator if the modification is approved by the solid waste management authority. The owner or operator must submit a written request for a modification of the permit to the solid waste management authority. A proposed modification of a permit may be subject to public notice and 30 days of public review if the solid waste management authority so requires.

NAC 444A.340

Renewal of permit; operation of facility pending issuance of new permit. (NRS 444.560, 444A.020, 444A.080)

1. At least 120 days before a permit to operate a facility for the management of waste tires expires, the solid waste management authority shall send to the holder of the permit:
 - (a) A notice which informs the holder that he must renew his permit to continue operations; and
 - (b) An application to renew the permit.
2. The holder of a permit who wishes to renew his permit must:

- (a) Submit an application for renewal to the solid waste management authority at least 60 days before the permit expires;
 - (b) Provide any information concerning the operation of the facility that was not submitted with his application for the initial permit or the renewal of the permit; and
 - (c) Revise any information that has changed since he last submitted an application for the permit to the solid waste management authority.
3. If the solid waste management authority does not renew the permit before its expiration, the holder of the permit may continue to operate the facility pursuant to the terms and conditions of the permit until the solid waste management authority issues or denies a new permit.

Operation of Facility for Management of Waste Tires

NAC 444A.350

Design and construction; attendants; equipment; final use of waste tires deposited at facility. (NRS 444.560, 444A.020, 444A.080)

1. The owner or operator of a facility for the management of waste tires shall:
 - (a) Design and construct the facility to ensure that:
 - (1) Runoff of water from the surface of the property is directed away from the area used to store tires; and
 - (2) Waters of the State are protected from potential runoff resulting from extinguishing a fire at the facility. As used in this subparagraph, “waters of the State” has the meaning ascribed to it in NRS 445A.415.
 - (b) Control vectors to protect public health and welfare. As used in this paragraph, “vector” has the meaning ascribed to it in NAC 444.630.
2. If a facility for the management of waste tires receives tires from a person other than the operator of the facility, an attendant must be present when the facility is open for business.
3. Before the operator of a facility for the management of waste tires may begin operation of the facility, he shall ensure that each area where waste tires are cut, chipped, ground or otherwise altered has the equipment which is necessary to process waste tires in operating condition.
4. A facility for the management of waste tires must have a final use for the waste tires deposited or an available market for the material produced from processing the waste tires to ensure that at least 75 percent of the waste tires deposited are used or removed from the facility as processed material for recycling or disposal within 12 months after receipt.

NAC 444A.360

Storage of tires; compliance with regulations adopted by State Fire Marshal required. (NRS 444.560, 444A.020, 444A.080)

1. The owner or operator of a facility for the management of waste tires shall not store more than 5,000 passenger tire equivalents on the premises of the facility unless he has written approval from the solid waste management authority.
2. An owner or operator of a facility for the management of waste tires, upon request from the solid waste management authority, shall produce evidence that the facility complies with the provisions of chapter 477 of NAC.
3. Any area in which tires are stored outside of a building located at the facility must be enclosed with a fence that limits access to the area.

NAC 444A.370

Procedures to be used if fire occurs at facility. (NRS 444.560, 444A.020, 444A.080) The owner or operator of a facility for the management of waste tires shall adopt and carry out procedures to be used if a fire occurs at the facility. The procedures must include:

1. The name and telephone number of each person who will be notified if a fire occurs;
2. A list of the equipment to be used in response to a fire at the facility, the location of that equipment and the manner in which the equipment will be used if a fire occurs; and
3. A description of the procedure that must be followed if a fire occurs.

NAC 444A.380

Maintenance of records; availability of records for inspection by solid waste management authority. (NRS 444.560, 444A.020, 444A.080)

1. The owner or operator of a facility for the management of waste tires shall include in the records kept at the facility:
 - (a) Copies of the manifests required by NAC 444A.450; and
 - (b) The following information, if applicable:
 - (1) The number of passenger tire equivalents or tons of material processed from tires received, stored and shipped at the facility.
 - (2) The names and registration numbers of haulers of waste tires who transport each shipment to and from the facility. If a hauler is not required to be registered, the record must include his address.
 - (3) The origin of each shipment of waste tires to the facility and the destination of each shipment from the facility.
 - (4) A copy of the plan for financial assurance required by NAC 444A.410 and 444A.420.
2. The owner or operator of the facility shall maintain the records required by subsection 1 for at least 3 years, and make them available for inspection by the solid waste management authority during regular business hours.

NAC 444A.390

Annual report: Submission; contents. (NRS 444.560, 444A.020, 444A.080) The owner or operator of a facility for the management of waste tires shall submit an annual report to the solid waste management authority not later than March 1 of each year. The owner or operator shall:

1. Submit the report on a form prescribed by the solid waste management authority;
2. Include a summary of the information described in subsection 1 of NAC 444A.380 in the report; and
3. Include any other information in the report which is required by the solid waste management authority.

Closure of Facility for Management of Waste Tires

NAC 444A.400

Notice of closure; removal of waste tires and material derived from waste tires. (NRS 444.560, 444A.020, 444A.080)

1. An owner or operator of a facility for the management of waste tires who wishes to close that facility shall:
 - (a) Prohibit public access to the facility; and
 - (b) Post a notice at the facility stating that the facility is closed and the name and address of the nearest facility for the management of waste tires.
2. Within 12 months after a facility for the management of waste tires is closed and, according to a schedule approved by the solid waste management authority, the owner or operator of the facility shall remove from the facility any waste tires and material derived from waste tires.

NAC 444A.410

Estimate of costs for closure; demonstration of financial assurance; modification of estimate of costs for closure. (NRS 444.560, 444A.020, 444A.080)

1. The owner or operator of a facility for the management of waste tires shall estimate the costs of processing and removing or disposing of all waste tires or material derived from waste tires at the facility. The owner or operator shall base his estimate on:
 - (a) The maximum amount of waste tires and material which is derived from waste tires stored at the facility at any time; and
 - (b) The possibility of having to hire another person to perform the work.
2. The estimate of costs must be approved by the solid waste management authority and revised annually to adjust for inflation.
3. The owner or operator of the facility shall demonstrate adequate financial assurance to close the facility based on the estimate of costs set forth in subsection 1.
4. The owner or operator of the facility shall increase the estimate of costs for closure and the amount of financial assurance provided if changes in the plan for closure or conditions at the facility increase the maximum costs of closure.
5. The owner or operator of the facility may reduce the estimate of costs for closure and the amount of financial assurance if the estimate of costs exceeds the maximum costs of closure at any time during which the facility will remain in operation. An owner or operator who wishes to reduce an estimate shall notify the solid waste management authority that the justification for reducing the estimate of costs for closure and the amount of financial assurance has been noted in the records required to be kept by NAC 444A.380.

NAC 444A.420

Mechanisms for demonstrating financial assurance; alternate plans for demonstrating financial assurance. (NRS 444.560, 444A.020, 444A.080)

1. Except as otherwise provided in subsection 2, the owner or operator of a facility for the management of waste tires shall demonstrate financial assurance in the manner prescribed in NAC 444.68525.
2. The solid waste management authority may approve an alternate plan for demonstrating financial assurance if the alternate plan complies with the requirements set forth in NAC 444.6859.

NAC 444A.430

Inspection of facility after notification of closure; notification concerning demonstration of financial assurance. (NRS 444.560, 444A.020, 444A.080) A solid waste management authority shall inspect a facility for the management of waste tires after it receives notification that closure of the facility has been completed. If the requirements of the plan for closure have been met, the solid waste management authority shall notify the owner or operator of the facility and the person who is providing financial assurance, in writing, that the person providing financial assurance is no longer required to continue to demonstrate financial assurance.

Haulers of Waste Tires

NAC 444A.440

Registration number: Requirement; application; display. (NRS 444.560, 444A.020, 444A.080)

1. A hauler of waste tires shall obtain a registration number from the solid waste management authority by July 1, 1995, or 14 days before beginning operation, whichever is later. The hauler of waste tires shall display his registration number on the vehicle he uses to transport waste tires or material derived from waste tires.
2. Each hauler of waste tires who applies for a registration number must complete an application on a form prescribed by the solid waste management authority. The application must include the license number and the name of the registered owner of the vehicle used to transport waste tires or material derived from waste tires.
3. A registration number for a hauler of waste tires issued by a solid waste management authority must be recognized by any other solid waste management authority.
4. A hauler of waste tires who obtains a registration number pursuant to this section is required to comply with any other applicable requirements adopted by a local government for a permit.

NAC 444A.450

Manifest to transport waste tires: Contents; copies to certain persons; penalty for noncompliance. (NRS 444.560, 444A.020, 444A.080)

1. A hauler of waste tires shall initiate a manifest to transport waste tires from the place where he takes possession of the waste tires from a generator of waste tires to the place where he deposits the waste tires at a facility for the management of waste tires or a disposal site approved by the solid waste management authority. The manifest must include the:
 - (a) Name of the generator of the waste tires;
 - (b) Passenger tire equivalents or total tons of waste tires to be transported;
 - (c) Name and registration number of the hauler of waste tires;
 - (d) Date of transport;
 - (e) Destination of the waste tires;
 - (f) Number of tires sold for reuse, if any; and
 - (g) Signatures of the generator of the waste tires, hauler of the waste tires and operator of the facility for the management of waste tires or disposal site approved by the solid waste management authority.
2. The hauler of waste tires shall:

- (a) Provide the owner or operator of the facility for the management of waste tires or the disposal site approved by the solid waste management authority with a completed copy of the manifest; and
 - (b) Return a completed copy of the manifest to the generator of the waste tires not later than 30 days after the date the hauler of the waste tires takes possession of the waste tires.
3. A hauler of waste tires who fails to comply with the provisions of this section may be subject to enforcement action, including the revocation of his registration number.

NAC 444A.460

Semiannual reports: Submission; contents. (NRS 444.560, 444A.020, 444A.080)

1. A hauler of waste tires shall submit semiannual reports with the solid waste management authority. The first report must be submitted for the reporting period beginning on July 1, 1995, and ending on December 31, 1995. Subsequent reports must be submitted semiannually thereafter. The hauler shall submit each report within 30 days after the end of the reporting period on a form prescribed by the solid waste management authority. The report must include:
 - (a) The registration number of the hauler of waste tires;
 - (b) The type and quantity of waste tires collected during the reporting period;
 - (c) The destination of the waste tires collected; and
 - (d) The names of the generators of the waste tires or premises from which the waste tires were collected.
2. A hauler of waste tires who fails to comply with the provisions of this section may be subject to enforcement action, including the revocation of his registration number.