

Kansas Department of Health and Environment
Bureau of Waste Management Policy 2013-P1
Recycling Waste Tires as Craft Projects

Purpose

This policy specifies the conditions under which a person may create craft items from waste tires without obtaining a waste tire processor permit.

Background

Projects to create craft items from waste tires range from flower planters and garden accessories to swings made to look like horses. Waste tire craft projects typically use few tires and do not present health or environmental concerns. Many of these craft items will be used by the individual who made them or will be sold at farmers markets, flea markets, and other small venues.

KSA 65-3424 states that to “cut or otherwise alter whole waste tires so that they are no longer whole” is considered processing of waste tires, and KSA 65-3424b requires waste tire processors to obtain a permit from the Kansas Department of Health and Environment (KDHE). A strict interpretation of the statutes would require a person who creates small amounts of craft items from waste tires to obtain a waste tire processor permit.

On the other hand, KSA 65-3406(a)(16) authorizes and directs KDHE to “adopt suitable measures, including rules and regulations if appropriate, to encourage recovery and recycling of solid waste for reuse whenever feasible.” KDHE must maintain a balanced approach between a strict interpretation and a common sense application of the waste tire statutes and regulations. This policy will encourage recovery and recycling of waste tires by clarifying whether or not a person creating craft items from waste tires is required to obtain a waste tire processor permit.

Action

A person that creates craft items from waste tires will be exempt from the waste tire processor permitting requirements if that person meets all of the following standards:

1. Stores no more than 50 whole waste tires [KSA 65-3424(e)];
2. Stores a combination of less than 100 whole waste tires and products made from waste tires;
3. Prevents mosquito breeding and other disease vectors in the whole waste tire storage area [KS. 65-3424b(d) and KSA 28-29-29b] and in the waste tire craft item storage area; and
4. Stores unusable waste tire scrap in waste containers and disposes of scrap at least monthly.

This policy shall remain in effect until it is revoked or is rendered obsolete by amendments to the solid or hazardous waste laws or regulations.



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Director, Bureau of Waste Management

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Date