



North Carolina
Scrap Tire Disposal Act
Article 9. Part 2B.

NCGS 130A-309.51 through 130A-309.64

October 2019

*Department of Environmental Quality
Division of Waste Management
Solid Waste Section*



Scrap Tire Disposal Act

DWM - SWS

- The purpose of the Scrap Tire Disposal Act is to prevent the uncontrolled disposal of scrap tires which may create public health and safety concerns [disease-transmitting vectors and dusts] and pose substantial fire hazards.
- The Scrap Tire Disposal Act is required to be administered through units of local government which are tasked with managing scrap tire disposal.
- Each county is responsible for providing for the disposal of scrap tires located within its boundaries; whether accumulated, dumped, or brought into the county for disposal.
- “Scrap Tire” means a tire that is no longer suitable for its original, intended purpose because of wear, damage, or defect.

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- “Tire” means a continuous solid or pneumatic (filled with air or gas under pressure) rubber covering that encircles the wheel of a vehicle. Bicycle tires and other tires for vehicles propelled by human power are not subject to the provisions of this Part.
- Landfilling of whole pneumatic rubber covering type scrap tires is prohibited. The prohibition does not apply to whole solid rubber covering type scrap tires.
- “Tire Retailer” means a person who engages in the retail sale of a tire in any quantity for any use or purpose by the purchaser other than for resale.
- Each county is responsible for developing a description of its scrap tire disposal procedures and providing for at least one scrap tire disposal [collection] site.

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- A fee shall not be charged for the disposal of scrap tires when accompanied by a completed scrap tire certification form. A scrap tire certification form is not required for scrap tires brought for disposal in quantities of five or less by someone other than a [scrap] tire collector, [scrap] tire processor, or [scrap] tire hauler.
- A fee may be charged for the disposal of scrap tires, that does not exceed the cost of disposing of the scrap tires, only if (1) the scrap tires are new tires being disposed of by their manufacturer due to defect or substandard condition or (2) the scrap tires are not accompanied by a scrap tire certification form [which also means, an incomplete or inaccurately filled out certification form, a certification form lacking original signatures, or if the scrap tires do not qualify for free disposal].
- Before hauling scrap tires, any scrap tire hauler must register with the Department to obtain a scrap tire hauler certificate.

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- A tire retailer that only hauls its own scrap tires received by it in connection with the retail sale of replacement tires is not required to obtain a scrap tire hauler certificate.
- Any scrap tire hauler shall ensure that its scrap tire hauler identification number [provided on the scrap tire hauler certificate] is on the scrap tire certification form. A tire retailer, if not also a scrap tire hauler, shall ensure that its merchant identification number is on the scrap tire certification form. Proof of scrap tire hauler certificate or merchant identification number may also be required for free disposal.
- Scrap tire tax imposed [Article 5B. NCGS 105-187.16]: a tax is imposed at a percentage rate of the sales price of each new tire sold [motor vehicle, aircraft, construction equipment, maintenance and industrial equipment, an implement of husbandry, farm tractors, special mobile equipment, or vehicles designed primarily for use in non-highway work (NC Scrap Tire Disposal Tax Bulletin, 06/28/19)]. A new tire with a bead diameter of less than 20 inches = 2% tax rate and a bead diameter of 20 inches or more = 1% tax rate.

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- Scrap tire tax exemptions [Article 5B. NCGS 105-187.18]: (1) bicycle tires and other tires for vehicles propelled by human power, (2) recapped tires, (3) tires sold for placement on newly manufactured vehicles.
- Recapped tires are not new tires. Recapped tires are stamped with the letter “R” prior to the [new] imprinted DOT code. A recapped tire shall be accepted for free disposal if documented that it was purchased in North Carolina as a new tire.
- The Scrap Tire Disposal Tax [Article 5B. NCGS 105-187.19] requires that monies collected from the sale of new tires is distributed to counties to implement the Scrap Tire Disposal Act.
- Scrap tire tax distributions – Session Law 2013-360, Senate Bill 402: Each quarter 30% of the net tax proceeds is credited to the General Fund and the remaining 70% of the net tax proceeds is distributed among the counties on a per capita basis. The Session Law allocated \$420,000 to the Department to be used for the scrap tire disposal account fund. The monies allocated each fiscal year since have remained the same.

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- Prior to Session Law 2013-360, Senate Bill 402, it was required that the Department be credited 30% of the net tax proceeds from the scrap tire disposal tax, of which 17% was credited to the scrap tire disposal account fund.
- Of the \$420,000 allocated each fiscal year to be used for the scrap tire disposal account fund, \$200,000 each grant cycle (April – September and October - March) is used; totaling \$400,000. The remaining \$20,000 is used for scrap tire cleanups and/or put towards the scrap tire disposal account fund grants.
- For the scrap tire disposal account fund grant period - October 2018 through March 2019, grant requests totaled \$778,547. The grant amount awarded to individual qualifying counties was ~ 1/4 to 1/3 of what was requested, totaling \$233,000.

COST OVERRUN GRANTS (January Distribution)					
Summer - Fall Grant Period	Amount Requested	Amount Granted	Percent Awarded	Surplus Funds	
April 2014 - September 2014	\$891,554	\$853,277.00	95.71%	Includes	
April 2015-September 2015	\$646,574	\$517,212.00	79.99%	Includes	
April 2016 - September 2016	\$771,744	\$607,173.00	78.68%	Includes	
April 2017- September 2017	\$954,057	\$761,422.21	79.81%	Includes	
April 2018- September 2018	640,911.91	199,998	31.21%	Exhausted	
COST OVERRUN GRANTS (July Distribution)					
Winter - Spring Grant period	Amount Requested	Amount Granted	Percent Awarded	Surplus Funds	
October 2014-March 2015	387,860.00	375,069.00	96.70%	Includes	
October 2015-March 2016	342,039.00	275,928.00	80.67%	Includes	
October 2016-March 2017	508,950.00	401,545.27	78.90%	Includes	
October 2017-March 2018	618,233.00	307,336.00	49.71%	Includes	
October 2018-March 2019	778,547	233,000	29.93%	Exhausted	
Fiscal Year	Tire Tax Income	Money to Counties (70%)	Money To State (30%)	Money to Scrap Tire Disposal Account Fund	General Fund -vs- Scrap Tire Disposal Account Fund
2013-2014	\$17,115,447.00	\$11,980,812.90	\$5,134,634.10	\$872,887.80	0% Tire Tax monies to GF, 17% to STDAF
2014-2015	\$17,608,909.00	\$12,326,236.30	\$5,282,672.70	\$420,000.00	30% Tire Tax monies to GF, 0% to STDAF, Allocation of \$420,000 to STDAF
2015-2016	\$19,073,739.00	\$13,351,617.30	\$5,722,121.70	\$420,000.00	Same
2016-2017	\$19,305,382.00	\$13,513,767.40	\$5,791,614.60	\$420,000.00	Same
2017-2018	\$19,687,424.72	\$13,564,821.52	\$5,813,494.95	\$420,000.00	Same
Red text indicates Session Law change in effect					8
Adam Ulishney, ECB Head, NCDEQ, DWM – SWS July 2019					

- Scrap tire disposal account fund grant allocation, per [NCGS 130A-309.64(a)], “The Department may make grants to units of local government to assist them in disposing of scrap tires.”
- “To administer the grants, the Department shall establish procedures for applying for a grant and the criteria for selecting among grant applicants.” The criteria shall include:
 1. Financial ability to provide for scrap tire disposal;
 2. Severity of the scrap tire disposal problem;
 3. Effort made to ensure only qualifying scrap tires are accepted for free disposal;
 4. Effort made to provide for scrap tire disposal within the resources available to it.
- Additional criterion: Readiness to administer environmentally safe disposal of scrap tires.
- A grant fund allocation may not exceed the unreimbursed cost [to a county].

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- A county may request reimbursement from the Department for the cleanup of a scrap tire dump that is not located on private property. The Solid Waste Section may be able to administer a grant from the scrap tire disposal account fund for the cost or partial cost for disposal of scrap tires. The grant is applied to scrap tire disposal costs only. The cost of transportation, labor, machinery, contract services, etc., not associated with county expenditures, will not be reimbursed.
- If the scrap tire dump is located on private property, the property owner and/or responsible party is responsible for the cost of cleanup. The county should work directly with the property owner and/or responsible party to have the scrap tire dump cleaned up.
- Do not assume funds are available for scrap tire cleanup. Contact John Patrone at: john.patrone@ncdenr.gov or at 336-776-9673.

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- If after discussion with the Department, the scrap tire dump qualifies for grant fund reimbursement and reimbursement funds are available, correspondence shall be via email and on county letterhead. It shall detail the cleanup costs, include digital pictures [before cleanup and after cleanup], invoices, and receipts and other documentation as may be deemed necessary. Include information for where to send the reimbursement check.
- When up to five scrap tires are cleaned up by county personnel and brought to the scrap tire collection site, they should not be associated with a scrap tire dump. If the county encounters a scrap tire disposal cost overage due to these scrap tires; the county may apply for a grant from the scrap tire disposal account fund. Maintain the scrap tire disposal receipts for submittal during the next scrap tire disposal account fund grant application period.



Scrap Tire Hauling Identification Certificate

Hauler ID#: NCT001234

Date Issued: 10/1/19
Business Name: The Scrap Tire Hauling Company
Owner: John Patrone
Contact: John Patrone
Mailing Address: PO Box 16202
High Point, NC 27261

THIS CERTIFICATE PROVIDES AUTHORIZATION TO OPERATE IN THE FOLLOWING NC COUNTY(S):

County Name
or
Statewide

This identification certificate references the scrap tire hauler registration application submitted to the Division of Waste Management – Solid Waste Section by the scrap tire hauler.

Hauling and disposal of scrap tires in violation of this certificate, the Scrap Tire Management Rules (15A N.C.A.C. 13B .1100), or the Scrap Tire Disposal Act (N.C.G. S. Chapter 130A - Article 9, Part 2B) is subject to civil and criminal penalties (N.C.G.S. 130A-22; N.C.G.S. 130A-309.62; N.C.G.S. 14-399).

This certificate must be presented to the tire retailer or other person(s) when scrap tires are acquired by the hauler. The scrap tire hauler must also present this certificate to the operator of the scrap tire collection or disposal site. A scrap tire hauling identification certificate is required to be renewed. It is valid for five years from the date of issuance and must be updated if the hauler contact information has changed.

**North Carolina Department of Environmental Quality
Division of Waste Management – Solid Waste Section**

**Scrap Tire Certification Form
Required for Free Disposal**

A county may conduct inspection of a tire retailer or other person to verify that a scrap tire originated in North Carolina in the normal course of business. A scrap tire that did not originate in North Carolina does not qualify for free disposal. A used tire retailer or other person that sorts scrap tires removed from vehicles by a North Carolina retailer or other person within the state must provide to the scrap tire hauler, collector, processor or disposer the original scrap tire certification form from the retailer or other person that first removed the scrap tire from the vehicle. Scrap tires stockpiled before January 1, 1994 are not eligible for free disposal. This form shall be retained by the collector, processor, or disposer for a minimum of three years.

As stated in NCGS 130A-22, a person who violates rules adopted by the Commission pursuant to Article 9 is subject to an administrative penalty of up to \$15,000 per day and, as stated in NCGS 130A-26.2, falsifying information on this form is a Class 2 misdemeanor subject to a \$10,000 fine.

Part 1: to be completed by the North Carolina tire retailer or other person generating scrap tires within the state

Business name of tire retailer or name of other person within the state: _____

Address: _____

Phone number: _____ Number of scrap tires collected for disposal: _____

Scrap tires collected from (month, day, year): _____ to (month, day, year): _____

County in which the scrap tires were collected: _____

• Number of scrap tires removed from vehicles when replacement tires were sold in North Carolina: _____

• Number of scrap tires removed from vehicles that were repaired due to an accident or junked in North Carolina: _____

• Number of scrap tires removed from fleet vehicles in North Carolina: _____

• Number of scrap tires collected by means other than "the normal course of business for disposal" [cleanup projects, pre-1994 stockpiles, etc.]: _____

disposal fee paid: _____ disposal fee waived by County: _____

• Number of scrap tires that originated outside of North Carolina: _____, disposal fee paid: _____ disposal fee waived by County: _____

Certification that the scrap tires originated in North Carolina in the normal course of business for disposal:

Signature: _____ Date: _____

The information provided on this form is subject to verification.

A tire retailer may use its merchant identification number [in Part 2] in place of a scrap tire hauler identification number if it solely hauls scrap tires received by it in connection with the retail sale of replacement tires.

Part 2: to be completed by the scrap tire hauler

Name of scrap tire hauler: _____ Scrap tire hauler company name: _____

Address: _____

Phone number: _____ Scrap tire hauler vehicle license plate number and state: _____

Number of scrap tires received for disposal (same number as listed in Part 1 unless usable tires were removed): _____

Scrap tire hauler identification number: _____ or Merchant identification number: _____

Certification that the load contains the same scrap tires received from the tire retailer or other person, as specified in Part 1:

Signature: _____ Date: _____

Part 1 shall be filled-out in its entirety only by the scrap tire retailer or other person that generated the scrap tires; if different from the scrap tire hauler

Part 3: to be completed by the scrap tire collector, processor, or disposer

Local government or business collector, processor, or disposer name: _____

Number of scrap tires accepted for free disposal: _____ Number of scrap tires charged for disposal: _____

Signature: _____ Date: _____

Scrap tire collector, processor or disposer optional data
Number of scrap tires:
Passenger: _____
Truck: _____
Off-road: _____
Agricultural: _____
Cleanup: _____
Out of State: _____

**Parts 1 and 2 must be completed in full to receive consideration for free scrap tire disposal.
Original signatures are required.**

**North Carolina Department of Environmental Quality
Division of Waste Management – Solid Waste Section**

**Scrap Tire Certification Form
Instructions**

Part 1:

- Is to be filled out in its entirety by the tire retailer or other person that generated the scrap tires.
- Shall contain an original signature.
- Only the scrap tire generator shall fill in the information.

Part 2:

- Ensure Part 1 is filled out correctly and contains an original signature.
- Is to be filled out in its entirety by the scrap tire hauler.
- Ensure the scrap tire hauler identification number is listed.
- A tire retailer may use its merchant identification number in place of a scrap tire hauler identification number if it solely hauls scrap tires received by it in connection with the retail sale of replacement tires.
- Only scrap tires received from the tire retailer or other person that generated the scrap tires, as specified in Part 1, shall be included in the load. Do not add additional scrap tires to the load. If you remove usable tires, enter the lower number of scrap tires received.
- Shall contain an original signature.
- Only the scrap tire hauler shall fill in the information.

Part 3:

- Ensure Part 2 is filled out correctly and contains an original signature.
- Is to be filled out by the scrap tire collector, processor, or disposer.
- Shall contain an original signature.
- Only the scrap tire collector, processor, or disposer shall fill in the information.
- The scrap tire certification form shall be retained for a minimum of three years.

Additional Information

- A county is responsible for managing its scrap tire program, which may include: verification of scrap tire hauler identification certificates, verification of the information submitted on scrap tire certification forms, inspection of scrap tire haulers, inspection of tire retailers, inspection of scrap tire businesses, inspection of scrap tire stockpiles and dumps, and any other actions not prohibited by NCGS Chapter 130A – Article 9 Part 2B, “The Scrap Tire Disposal Act.”
- A county is responsible for the cleanup of scrap tires located within its boundaries.
- A county shall provide for the disposal of scrap tires brought to its collection site(s) and may choose to schedule optimal disposal times with large quantity scrap tire haulers.
- Scrap tires that originate within any county in North Carolina shall be considered for free disposal.
- A scrap tire disposal fee may be charged if the scrap tire does not qualify for free disposal or is not accompanied by a scrap tire certification form or a properly filled out scrap tire certification form.
- The fee for disposal of a scrap tire shall not exceed the cost of disposal.
- A scrap tire certification form is not required for up to five scrap tires brought for disposal by someone other than a scrap tire collector, scrap tire processor, or scrap tire hauler.

Ask scrap tire haulers to use the web link for the “Scrap Tire Hauler Registration Application” available at:

<https://deq.nc.gov/about/divisions/waste-management/scrap-tires>

If the “Scrap Tire Hauler Registration Application” is provided as a handout, please use the updated form available at:

<https://deq.nc.gov/about/divisions/waste-management/scrap-tires/forms>

**North Carolina Department of Environmental Quality
Division of Waste Management
Scrap Tire Hauler Registration Application**

1. Scrap tire hauler status: New Renewal Update Info
Current Hauler ID Number: NCT _____
2. Business name of hauler: _____ Phone number: _____
3. Owner of hauler service: _____
4. Contact person (if different from owner): _____
5. Mailing address of hauler: _____
City: _____ County: _____ State: _____ Zip: _____
6. Hauler's e-mail address: _____
7. Counties to be served: _____

8. List all solid waste facilities where you will drop scrap tires or processed tires for disposal or recycling (attach additional sheets, if necessary)

Facility Name	Facility Address	Facility County

9. Number of vehicles to be used: _____
10. Please submit the following information for each vehicle you will use to transport scrap tires. If you are using more than two vehicles, attach additional sheets to provide the information for each vehicle.
- | | |
|---|---|
| Vehicle 1 | Vehicle 2 |
| a. Description of vehicle: _____ | a. Description of vehicle: _____ |
| b. License plate number of vehicle: _____ | b. License plate number of vehicle: _____ |
| c. Department of Motor Vehicles registration number or VIN #: _____ | c. Department of Motor Vehicles registration number or VIN #: _____ |

By sending this application into the Scrap Tire Program, I acknowledge that I have read and understand the scrap tire regulations and laws.

Yes or No If you have print capabilities AND an e-mail address, may we e-mail the registration certificate to you?
Return completed form to:
Scrap Tire Program, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646
or E-mail: tires@ncdenr.gov



Scrap Tire Hauler Registration Application

Scrap Tire Hauler Status: New Renewal Update Info

Scrap Tire Hauler ID Number:
NCT-####

Business name of hauler:

Phone:
###-###-####

Owner of hauler service:

Contact person:
If different from owner

Mailing address of hauler:

City:

County:

State:

Zip-code:

Hauler's e-mail address:

Counties to be served:

List all solid waste facilities where you will drop scrap tires or processed tires for disposal or recycling

Facility Name	Facility Address and ZIP code	Facility County
1 <input type="text"/>	<input type="text"/>	<input type="text"/>

[Add](#)

Number of vehicles to be used:

Please submit the following information for each vehicle you will use to transport scrap tires. If you are using more than two vehicles, attach additional sheets to provide the information for each vehicle.

	Make and Model*	License plate number of vehicle*	State that issued License plate*	DMV registration number or VIN#*
Vehicle 1	<input type="text"/>	<input type="text"/>	NC <input type="text"/>	<input type="text"/>

[Add](#)

Additional vehicle sheet:

Certification

By sending this application into the Scrap Tire Program, I acknowledge that I have read and understand the scrap tire regulations and laws.

Signature:

Date:

Program Contact Information

Scrap Tire Program	Phone: 336-776-9673
Solid Waste Section	E-mail: john.patrone@ncdenr.gov
1646 Mall Service Center	Internet: http://deq.nc.gov/about/divisions/waste-management/scrap-tires
Raleigh, NC 27699-1646	

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Scrap Tire Management Program

Business Audits and County/Local Government Involvement

- Retail Tire Business:
 1. Compare the number of tires accumulated during a specific date range (ex. scrap tire certification form) to the business's sales records.
 2. Compare the business's E500G – Scrap Tire Disposal Tax Return quarterly, semi-annual, or annual reports/payments to estimate tire sales and compare them to the scrap tire certification forms.
- Used Tire Business:
 1. Compare the number of tires accumulated during a specific date range (ex. scrap tire certification form) to the business's sales records.
 2. Inspect invoices and receipts from where shipments of used tires are purchased. Tires purchased from out of state that are deemed to be scrap are not eligible for free disposal.

- Junkyards:
 1. Develop a policy for disposal procedures applicable to junkyards.
 2. Require records of the number of vehicles crushed and allow 5 tires per vehicle.
 3. Require a title or registration for each vehicle from which scrap tires were removed.
 4. Restrict the time period that junkyards can accumulate scrap tires (ex. crushing receipts only good for 60 or 120 days from the date crushed and titles or registrations only good for 60 or 120 days from the date of receipt).

- County Departments/Local Governments:
 1. Liaison with planning and zoning staff to remediate scrap tire dumps and accumulation sites.
 2. Liaison with health department staff to abate scrap tire dumps and accumulation sites. The potential negative health risks associated with mosquitoes, snakes, etc. should require remediation of these sites.
 3. Liaison with solid waste department staff, or its equivalent, to remediate scrap tire dumps and accumulation sites.
 4. Develop county/local government ordinances to address scrap tire dumps and accumulation sites.
 5. County/local governments are required to remediate scrap tire dumps and accumulation sites as required by the Scrap Tire Disposal Act. Existing local ordinances may also have the same authority.
 6. Educate the public regarding the proper disposal of scrap tires.

North Carolina Department of Environmental Quality
Division of Waste Management – Solid Waste Section

<https://deq.nc.gov/about/divisions/waste-management/solid-waste-section>



John Patrone

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North Carolina Department of Environmental Quality
Division of Waste Management – Solid Waste Section

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Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

*Division of Waste Management – Solid Waste Section
Scrap Tire Management Program*



Department of Environmental Quality

