



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

**Designation of Inertness #04-I-001
for
Tire Material**

In accordance with the provisions of Section 11507(3) of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), and the rules promulgated under Part 115, tire material (Material) that is used for the purposes specified below is granted a designation of inertness by the authorized representative of the Director of the Michigan Department of Environmental Quality (MDEQ) in accordance with the specific terms and conditions of this approval.

This designation supersedes approval #97-I-004 issued on October 8, 1997.

1. The following tires are inert when used as listed below:
 - A. Shredded Tires - Shredded material when used at a Type II or upgraded Type III landfill and approved by the MDEQ for the following uses:
 - (i) Daily cover;
 - (ii) Leachate collection system protection layer; or
 - (iii) Access road construction within a lined cell.
 - B. Shredded Tires - Material less than 3/8 inch by 3/8 inch in size that is free of all steel when used in construction or in the modification of the following sports surfaces:
 - (i) Golf course turf (soil amendment-high compaction areas);
 - (ii) Athletic field turf (soil amendment-football fields, etc.);
 - (iii) Athletic tracks or hiking trail surfaces;
 - (iv) Livestock, "Show Arena" surface; or
 - (v) Safety cushion under playground equipment.

The use of this material for these purposes must be accomplished in a manner that will prevent the migration of scrap tire material outside of the defined sports arena area by wind, water, or other cause. For uses listed in this condition, the

minimum amount of material that will be effective shall be used. Before application of this material for these purposes, the site owner shall provide to the MDEQ, Waste and Hazardous Materials Division (WHMD), in writing, the site location, the sports surface type, and the defined area of the sports surface where tire material will be applied.

- C. Shredded Tires - When used in drain fields for sewerage systems, where the use is expressly authorized by an applicable District/County Sanitary Code that has been approved, in writing, by the MDEQ, Water Division, pursuant to Part 31, Water Resources Protection, of Act 451.
 - D. Crumb Rubber - Granulated material less than 1/8 inch by 1/8 inch in size, free of all steel and all fiber; any use.
 - E. Shredded tires used as ground cover or mulch, if the following conditions are met:
 - (i) Ninety-five percent of the Material is less than or equal to 3/4 inch in size in any dimension.
 - (ii) The Material must contain less than 1 percent, by weight or volume, of steel and/or fiber.
 - (iii) The depth of Material shall not be greater than 6 inches.
 - (iv) If more than 10 cubic yards of Material is used on a site, the Material shall not be placed within 4 feet of groundwater or within 100 feet of surface water.
 - (v) Commercially sold Material must be labeled with the use conditions listed above or an information sheet must be provided that contains this requirement.
 - F. Less than 500 whole tires and/or shredded tires for uses approved on a case-by-case basis, in writing, by the appropriate District Supervisor of the WHMD.
 - G. Five hundred or more whole tires and/or shredded tires for other uses approved on a case-by-case basis, in writing, by the Chief of the WHMD.
2. The material shall not come into direct contact with surface water or groundwater or be placed in a floodplain or wetland as defined by Part 115, unless authorized by the Chief of the WHMD.
 3. The transportation, use, or placement of the material shall be done in such a manner to prevent nuisance conditions and to control the release of fugitive dust or visible

emissions in accordance with Part 55, Air Pollution Control, of Act 451, or the rules promulgated under Part 55.

4. The material shall not be mixed with other wastes that are not inert as defined by Part 115.
5. All persons collecting, transporting, stockpiling, processing, incinerating, or otherwise using the material shall be in compliance with all requirements of Part 169, Scrap Tires, of Act 451, and all applicable state and federal laws.
6. This inertness designation does not preclude any person from disposing of the material at a properly licensed solid waste disposal facility in accordance with Part 115 or at an out-of-state facility in accordance with that state's waste disposal regulations.

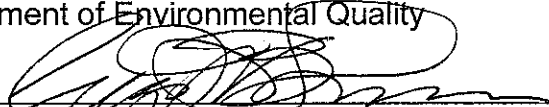
This designation shall immediately become void for any of the following reasons:

1. The persons using the material do not comply with the conditions of this designation.
2. Additional information demonstrates the material is not inert.
3. Additional information demonstrates the material is causing environmental contamination.
4. New state or federal regulations are promulgated that would cause this designation to be invalid.

Violation of the conditions of this designation is subject to enforcement provisions of Part 31, Part 55, Part 115, Part 169, or other applicable state and federal laws/statutes.

The effective date of the designation is the date signed by the Director's authorized representative.

STATE OF MICHIGAN
Department of Environmental Quality

By: 
George W. Bruchmann, Chief
Waste and Hazardous Materials Division

Dated: 3-4-04