**Section 848.400 Scope and Applicability**

a) Except to the extent exempted by subsection (b), owners and operators of any tire storage site and owners and operators of any tire disposal site must comply with this Subpart prior to storing or disposing of any used or waste tires.

b) Owners and operators of any tire storage site and owners and operators of any tire disposal site are exempt from this Subpart with respect to the following types of sites:

1) sites where the real estate of the site is owned by:

A) the United States or one of its agencies;

B) the State of Illinois or one of its agencies; or

C) a unit of local government;

2) sites where, as reported in the annual notice of activity, 60 tons or less of used or waste tires, other than two-inch-minus chips that are supplied to a purchaser under a contract for purchase or other sale, are stored at the site and fewer than 50 used or waste tires have been disposed. Provided, however, that this exemption does not apply if the owner or operator has been issued, in any calendar year, pursuant to Section 55.5 of the Act, more than one written notice of violation of Section 55 of the Act;

3) sites for which a tire removal agreement has been approved by the Agency pursuant to Subpart E;

4) any tire retreading facilities, or tire stamping and die cutting facilities, at which:

A) fewer than 10,000 but more than 5,000 used or waste tires are located on site at any one time; and

B) the requirements of Sections 848.202(a)(3) and 848.203 are met; and

5) any tire retreading facilities, or tire stamping and die cutting facilities, at which:

A) 5,000 or fewer used or waste tires are located on site at any one time; and

B) the requirements of Section 848.202(a)(3) are met.

(Source: Amended at 39 Ill. Reg. 12934, effective September 8, 2015)