

DNREC issues Secretary's Orders requiring scrap tire regulatory compliance and assesses penalties to six facilities

DOVER – DNREC Secretary Shawn M. Garvin has issued six  Notices of Administrative Penalty and Secretary's Orders to resolve compliance issues with state regulations governing scrap tires. The Orders were issued to Bayly's Garage in Delmar; Irfan Tire Center in Millsboro; Mall Tire Center, LLC, in Seaford; Master Tire & Auto in Georgetown; Gulab's Tire Center, LLC in Millsboro; and West Auto Repair & Salvage, Inc. in Delmar. The Orders call for a penalty of \$5,000 with an additional stipulated penalty of \$1,000 per day if compliance is not achieved by the deadlines established in the Secretary's Orders.

On Jan. 1, 2017, regulations governing the management of scrap tires became effective in Delaware. Since then, DNREC's Solid & Hazardous Waste Management Section has conducted mass mailings and training sessions in each Delaware county to educate businesses generating scrap tires of the regulatory requirements. After the educational period for businesses ended, DNREC staff began conducting inspections at facilities accumulating scrap tires outdoors, and providing onsite guidance to those entities that were not in compliance with the new regulations, affording each the opportunity to voluntarily comply.

During these inspections, DNREC staff verify that tire retailers are registered with the Delaware Division of Revenue and are submitting the required \$2 fee on every tire sold. The

collected fees assist in the removal and proper disposal of scrap tires. Currently, DNREC is focusing its inspections on those businesses identified as not paying the required fee for the sale of each tire.

Each company cited by a Secretary's Order and Notice of Administrative Penalty has 20 days to appeal the Order, or 30 days to request a public hearing regarding the Order.

The Secretary's Orders can be found on the DNREC website at <https://dnrec.alpha.delaware.gov/secretarys-orders/>.

Media contact: Michael Globetti, DNREC Public Affairs,
302-739-9902

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