

15A NCAC 13B .1111 FINANCIAL RESPONSIBILITY REQUIREMENTS

(a) Owners and operators of scrap tire disposal sites shall provide proof of financial responsibility in accordance with the financial responsibility rules for landfills adopted pursuant to G.S. 130A-294(b) and 130A-309.27.

(b) Owners and operators of scrap tire collection sites permitted under these Rules shall provide proof of financial responsibility to ensure closure of the site in accordance with these Rules and to cover property damage or bodily injury to third parties which may result from fire or other public health hazard occurring at the site. Financial responsibility may be demonstrated through surety bonds, insurance, letters of credit, a funded trust, or other documents which show that the owner or operator has sufficient resources to meet the requirements of this Rule, including the guarantee of a corporate parent with sufficient resources to meet the requirements of this Rule. Documentation of financial responsibility shall be kept current, and updated as required by changes in these Rules, changes in operation of the site, and inflation.

(c) Owners and operators of scrap tire collection sites shall demonstrate the following minimum amounts of financial responsibility:

- (1) For site closure: one dollar and fifty cents (\$1.50) per tire for the maximum number of tires permitted to be stored on the site at any one time.
- (2) For property damage and bodily injury to third parties and public property: two thousand five hundred dollars (\$2,500) worth of coverage per occurrence for each 1,000 tires permitted to be stored on-site, with an annual aggregate of five thousand dollars (\$5,000) worth of coverage for each 1,000 tires permitted to be stored on-site.

Maintenance of financial responsibility in the required amounts in Paragraphs (c)(1) and (2) does not in any way limit the responsibility of owners and operators for the full costs of site closure and clean-up, the expenses of any on-site or off-site environmental restoration necessitated by activities at the site, and liability for all damages to third parties or private or public properties caused by the establishment and operation of the site.

History Note: Authority G.S. 130A-294(b); 130A-309.27;
Eff. October 1, 1990.