

# **Seeking Solutions for Waste Tyres:**

## **Informing the Environment Agency's Waste Tyres Programme**

### **Definition of Waste Tyres Task Group**

### **The Definition Of Waste As Applied To Tyres**

### **Report 1: the current legal status**

October 2003



RMC Environment Fund



The RMC Environment Fund is a grant-giving fund which supports environmental and community based projects through the Landfill Tax Credit Scheme. The Fund is managed by The Environment Council and supported by RMC Group p.l.c. [www.rmcef.org.uk](http://www.rmcef.org.uk)

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**Please note: This report is a reference paper which is now being made available for wider circulation and use.**

**It has been developed by a working group – the Definition of Waste Task Group - and agreed by the stakeholders involved in the Waste Tyres Dialogue (about 150 in total). Anglo Environmental Tyre Recycling wish to have it noted that they have not been able to agree to all the points in the report.**

## CONTEXT

The Waste Tyres dialogue, of which this task group is part, was initiated by the Environment Agency (the Agency) in 2001 to try and develop solutions to waste tyres in England and Wales. A key driver behind this is the EC Directive 1999/31/EC on the Landfill of Waste that will prohibit the disposal of whole tyres to landfill from 2003 and shredded tyres from 2006. About 30% of waste tyres in England and Wales are currently disposed of to landfill.

The objective of the dialogue is to support a sustainable disposal and recovery system for tyres by seeking agreement amongst stakeholders of how the change in legislation can be complied with. The outcome of this process is to avoid waste tyres being illegally dumped, stockpiled, exported or otherwise handled or dealt with.

The dialogue has a Main Group of some 150 stakeholders, around 50 of whom have met about once every six months since July 2001. The Main Group established three working groups to look at aspects of waste tyres in detail and put forward proposed ways forward to the Main Group. The three working groups are:

- Definition of Waste
- Historic Stockpiles and
- Enforcement of Illegal dumping

The working groups have been tasked to develop detailed proposals for consideration by the Main Group. It is the Main Group that has been set up with the decision-making authority.

This paper is seen by the stakeholders as being the output of the first stage of a two stage process. The second stage is focused on developing proposals for exemptions from Waste Management Licensing if the process is seen to be beneficial to the environment. The reason this is seen to be important is that the new understanding of the definition of waste (this paper) means that many existing tyre recycling processes now require a Waste Management Licence. This can be an onerous undertaking and one of the desired outcomes of this process is to increase tyre recycling not to hinder or reduce it.

For site-specific regulatory enquiries, please call the Environment Agency on 0845 9333 111. For enquiries related to the background of this Paper, and how it came about, please contact The Environment Council on 020 7836 2626.

## THE DEFINITION OF WASTE TASK GROUP

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## STATUS OF THIS PAPER

The Definition of Waste Task Group, whose membership is listed above, has developed this paper.

This paper has been considered and agreed by the Main Group and published by The Environment Council (the independent convenors of the dialogue) on behalf of all the stakeholders. It is a publication that has a shared and collective ownership by all the stakeholders.

**This is an information paper only and represents the Task Group's understanding of the law at the date of the document. The law may change and the reader must take account of future developments. It is not to be taken as the view of any one of the participants, does not bind those participants and is not intended to be used in any legal proceedings concerning tyres.**

## 1. BACKGROUND

- 1.1 This paper is based on the work of the Task Group at its meetings between February 2002 and January 2003. The discussions were informed by the Environment Agency's legal advisor.
- 1.2 In addition, the area of discussion was informed by comments made and issues identified by the Main Group during their first two workshops in 2001. These were:
  - Determine when in the tyres lifecycle it becomes waste
    - ↳ Are tyres suitable for retreading treated as a product or a waste
    - ↳ Are tyres used as a construction material in embankments waste or not
    - ↳ The meaning of discarding needs to be clarified
  - Want better information on current UK law interpretation
  - Need to agree the "grey" areas to create a level playing field
- 1.3 The Task Group further defined its role as:
  - Developing shared understanding of the issues
  - Agreeing how to communicate this understanding to others
  - Agreeing how to implement practical mechanisms to move to any new understanding
  - To evaluate the impacts of any new definitions on sectors in the tyre industry
  - To see how these impacts can be managed/mitigated

## 2. WHY THE DEFINITION OF WASTE IS IMPORTANT

- 2.1 Certain controls apply to waste, designed to protect human health and the environment. The definition of waste is important to both business and the Environment Agency, as whether something is waste determines which controls apply.
- 2.2 The definition of Waste, as outlined in the paper, is currently being applied by the Agency. It is apparent that this definition represents the 'new direction of travel' and creates constraints for certain sectors of the tyre industry. The Agency will continue to work with industry with the aim to ensure beneficial recovery processes are not overburdened with regulation and where it is required to consider enforcement action will have regard to all the circumstances and act in accordance with its enforcement and prosecution policy.

As part of this and recognising the immediate consequence of this work there is a Working Group currently working to develop proposals for exemptions from waste management licensing for recovery activities with the aim of ensuring that the regulatory requirements are proportionate to the risk posed by the activity.

### 3. THE RELEVANT LAW

- 3.1 This paper is provided simply to assist a common understanding of the interpretation of waste as it is applied to tyres. There is no case law specifically on when tyres are waste.
- 3.2 Directive waste is defined in Regulation 1(3) of the Waste Management Licensing Regulations 1994 (the Regulations) as: "any substance or object in the categories set out in Part II of Schedule 4 which the producer or the person in possession of it discards or intends or is required to discard." That definition reflects and implements the definition of waste in the Framework Directive on Waste 75/442/EEC (the Waste Framework Directive).
- 3.3 Interpretation of the definition has to have regard for judgements made by the courts, both at European and National Level.
- 3.4 Recent case law from the European Court of Justice (Arco Chemie and subsequent cases<sup>1</sup>) and the domestic courts<sup>2</sup>) has established three core principles that must be followed when deciding if something is waste:
- The scope of the term "waste" turns on the meaning of the term "discard".
  - Whether a substance or object has been discarded and is in fact waste, within the meaning of the Waste Framework Directive, must be determined in the light of all the circumstances, having regard to the aim of the Waste Framework Directive and the need to ensure that its effectiveness is not undermined.
  - The concept of waste cannot be interpreted restrictively.
- 3.5 Government guidance on the definition of waste is provided in DOE circular 11/94 but this no longer reflects the definition of waste as developed by case law and that part of the circular can no longer be relied upon.
- 3.6 The paper sets out some general examples of when a used tyre or its derivatives may or may not be waste in light of present understanding. The paper can only be considered to provide general guidance. Whether something is a waste is ultimately a matter for the courts and has to be determined in all the circumstances.
- 3.7 Whether a substance or object is waste is a matter of law and fact and is not determined by the person handling it. Once something is waste it will remain waste until it is completely recovered. If waste is dealt with at an intermediate location, such as a civic amenity site or transfer station it will remain waste from the time it is discarded until completely recovered. A local authority collecting waste from domestic property need not obtain a transfer note for that waste under the duty of care (section 34

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<sup>1</sup> Joined cases C-418/97 and C-419/97 ARCO Chemie Netherland Ltd and others (15 June 2000)  
Abfall Services Ag case C-6/00  
Palin Granit Oy Case C-9/00

<sup>2</sup> R-v-Environment Agency ex parte Castle Cement Ltd (Queens Bench Division 22 March 2001)  
Attorney-Generals Reference No. 5 of 2000 (Court of Appeal)

Environmental Protection Act 1990). Even where the local authority is not obliged to obtain a transfer note for waste from domestic properties it does not prevent the waste being waste and it must be handled at a licensed or exempt site.

- 3.8 The point at which waste can be said to be recovered has been considered by the European Court of Justice<sup>3</sup> in a number of recent cases. Those cases re-affirm the requirements of the Waste Framework Directive that the essential characteristic of a waste recovery operation is that its principal objective is that the waste should serve a useful purpose in replacing other materials which would have had to be used for that purpose, thereby conserving natural resources, and that determination of what amounts to recovery will have to be made on a case by case basis.

## 4. DEFINING DISCARDING

- 4.1 To be able to determine what is waste, first it must be decided if the material is discarded. Discard is not a subjective test. A person intends the natural consequences of their actions. The test is whether in looking at all the circumstances objectively the tyre has been discarded.
- 4.2 Unless a tyre can be put to immediate re-use as a tyre, it is discarded and therefore a waste when it is removed from a vehicle.
- ↳ If the tyre is removed for repair it is not a waste (e.g. puncture repair, regrooving)
  - ↳ If it is removed and goes through some process it is waste until it is completely recovered (e.g. retread). Recovery includes recycling and reclamation
- 4.3 Tyres that are discarded remain as waste, whether they are whole or not, until they are completely recovered. Completely recovered is not yet precisely defined and therefore needs to be assessed currently on a case-by-case basis. But, for example, the general principles outlined above would suggest that crumb used for a playground surface would remain waste until it has been incorporated into the surface.
- 4.4 A tyre may be discarded because the producer or person in possession of it is required to discard it. Such an obligation may be imposed as a result of law (for example, the tread of the tyre has fallen below the prescribed standard so that the tyre can no longer lawfully be used as a tyre) or it can be inferred from the circumstances (for example, the tyre has burst and is damaged to such a degree that it can no longer be used as a tyre).
- 4.5 Once a tyre has become waste it remains waste until it has been completely recovered. Imports and exports will be determined according to the same principles (whole tyres or not). A tyre that has become waste in the UK, because it no longer fulfils the tread requirements, for example, must be exported as waste even if it is to be used as a tyre in a country with less stringent tread requirements because the tyre will only be completely recovered once it has been put to that new use.

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<sup>3</sup> Joined cases C-418/97 and C-419/97 ARCO Chemie Netherland Ltd and others (15 June 2000)  
 Abfall Services Ag case C-6/00  
 Commission -v- Germany C-228/00  
 Commission -v- Luxembourg C-458/00  
 Joined cases C-307/00 to C311/00 Olihandel Koeweit BV  
 Mayer Parry -v- Environment Agency C-444/00

## 5. THE STATUS OF TYRES WITHIN COMMON ACTIVITIES/PROCESSES

### 5.1 Manufacturing (rejects)

- 5.1.1 The concept of waste does not exclude any kind of residue, industrial by-product or other substance arising from production processes.
- 5.1.2 An unvulcanised tyre will be a waste tyre, as opposed to waste rubber, etc, if, an objective observer would consider it to be a tyre i.e. it will be a tyre if it looks like a tyre, even if it is rejected as substandard or damaged, or is crushed or compacted.
- 5.1.3 The Waste Framework Directive applies to disposal and recovery of waste by specialist undertakings and to disposal and recovery of waste by the undertaking, which produced them, at the place of production.
- 5.1.4 The fact that a substance or object is a production residue is a factor to be considered in deciding whether it has been discarded. A production residue is likely to be waste.
- 5.1.5 The fact that a substance is a residue for which no use other than disposal can be envisaged is also a factor to be taken into account in determining whether the substance or object has been discarded. It is unlikely that a court considering this observation (from the judgement in Arco Chemie) would necessarily limit it to disposal but would be likely to include recovery.
- 5.1.6 The temporary storage of waste pending its collection on the site where it is produced is exempt from waste management licensing. Thus production residues stored at the site of production will not require a waste management licence.

### 5.2 Removal of tyres

- 5.2.1 Tyres that are removed from vehicles and cannot be put to immediate re-use (with repair such as a puncture repair or as a part worn tyre) will have been discarded. Generally it will be the vehicle owner who has discarded that tyre. That person has made the decision to discard the tyre.

### 5.3 Removal of tyres from end-of-life vehicles

- 5.3.1 An end of life vehicle (elv) including its tyres must by definition (in the directive on end of life vehicles) be waste. Elv's are included on the hazardous waste list and therefore elv's are to be treated as hazardous waste until they have been depolluted (removal of oils, etc). This means that tyres, while they are part of an elv which has not yet been depolluted must be considered to be hazardous waste. Once that operation has taken place, tyres, along with the rest of the elv, will no longer be hazardous waste, but will still be waste. The tyre will remain waste until it is brought back into use as a tyre on another vehicle. An elv is not currently special waste under the Special Waste Regulations 1996. Those regulations are being reviewed.

### 5.4 Part Worn casings (UK)

- 5.4.1 A part worn tyre originating in the UK and intended for immediate re-use as a tyre in the UK would not usually be considered to be waste. If a garage having removed a tyre from a customers vehicle, decides at that stage that a tyre can be used as a part worn tyre and stores it separately from those tyres it considers cannot be repaired or used further, the part worn tyre will not be waste and will not enter the waste stream. If however, all tyres that the garage removes are simply stored together the whole load will be regarded as waste and will remain waste until the part worn tyres are physically refitted

to a vehicle (i.e. sorting one from the other will not amount to full recovery). A part worn tyre from an end-of-life vehicle will be waste until refitted to another vehicle.

## **5.5 Part Worn casings (imported)**

5.5.1 If part worn casings arise abroad and have been discarded in that country (because they do not satisfy the tread standards of a particular country, for example) they will be waste and must be shipped and imported as waste. If, however, the tyre has not been discarded in another country (because for example it is still capable of use in that country) it will not usually be waste. If within such a load of imported tyres there are some that on examination in the UK are or will be discarded, those tyres will become waste at that point.

5.5.2 If a load of imported tyres has to be sorted to determine which tyres can be reused as such; the whole load is regarded as waste. If the tyre casings can not be put to immediate reuse but require retreading, i.e. they can not be used in their existing condition, on the basis of Arco Chemie it is likely that the courts would consider them to have been discarded and waste.

## **5.6 Sorting of casings**

5.6.1 If the casings (imported or not) are waste but in the course of sorting those tyres some are identified as capable of being put to immediate use when they are sorted, those tyres will cease to be waste when they are actually refitted to a vehicle as the sorting of one tyre from another in itself does not amount to complete recovery.

## **5.7 Storage of used tyre casings**

5.7.1 Casings held in storage for further processing will usually be regarded as waste, and subject to waste management licensing requirements. Schedule 3 to the 1994 Waste Management Licensing Regulations sets out activities exempt from waste management licensing and includes an exemption for the storage of 1000 tyres or less, subject to certain conditions. These conditions include that the storage of tyres on premises is secure, that the waste is to be reused or recovered and that no waste is stored on the premises for longer than twelve months. In addition to those specific conditions all exempt activities must be carried out in such a way that they do not cause harm to human health or pollution of the environment and must satisfy the requirements of paragraph 4 of Schedule 4 to the Waste Management Licensing Regulations 1994. The exemption does not differentiate between the type of tyres (e.g. car or commercial).

## **5.8 Retreading tyres**

5.8.1 Following the decision in Arco Chemie and subsequent decisions<sup>3</sup> retreading is likely to be regarded by the courts as recycling or reclamation of the tyre.

5.8.2 Recycling is defined as: 'reprocessing in a production process of the waste materials for the original purpose or for other purposes including organic recycling but excluding energy recovery' in the Packaging Waste Directive. The same definition of recycling may apply to the Waste Framework Directive as well<sup>4</sup>. It is likely that recycling will involve some form of processing.

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<sup>4</sup> see Mayer Parry -v- Environment Agency C-444/00



5.8.3 The Waste Framework Directive also includes “reclamation” as a recovery operation distinct from recycling, but it is not defined in the Directive. It may embrace: making something reusable by removing impurities or accretions and restoring its properties to a state in which it may be re-used. That subsequent use must be something, which can be done without involvement in any disposal or recovery operation.

5.8.4 Retreading is likely to fall into the category of recycling or reclamation and will therefore be recovery.

## **5.9 Processing of tyres for material recovery**

5.9.1 Such tyres are waste until the recovery has been completed. The definition of recycling requires those materials to be “reprocessed” in a production process for the original purpose or for another purpose.

5.9.2 While not precise, this is likely to mean that once something is considered to be waste it is likely to remain waste for longer than common understanding. For example, used tyre granulate continues to be considered as waste up until the point it is deployed (e.g. in safety surface) even though the granulate may be produced to a particular standard and have a significant value.

## **5.10 Use of tyres in physical structures (landfill engineering, embankment products)**

5.10.1 This category is so broad that decisions will have to be made on a case-by-case basis taking into account all the circumstances.

5.10.2 Tyres that have been discarded are waste until they are incorporated into a physical structure (e.g. an embankment, Go-Cart barriers & sea defence structures). If the tyre ceases to be used in this form it reverts back to being a waste in tyre form.

5.10.3 Shredding of tyres, even where carried out to a detailed specification, is a partial recovery operation. It is only when the shredded tyres are incorporated into the engineering works that the recovery is complete and the shredded tyres cease to be waste.

5.10.4 Bales for incorporation into physical structures will be regarded as waste because the baling operation itself cannot be said to amount to a complete recovery operation. The operation will be complete when the bale is used, i.e. incorporated into the engineering structure.

## **5.11 Use of tyres as silage clamps**

5.11.1 If waste tyres can be put to use without the need for any treatment, for example as silage clamps, they will cease to be waste once they have been used in that way. If a tyre, following that use, is subsequently discarded it will become waste again at that point.

## **5.12 Pyrolysis**

5.12.1 Any of the derived substances, (e.g. oil, char, steel) remain a waste until they are completely recovered.

## **5.13 Energy recovery – tyres as fuel**

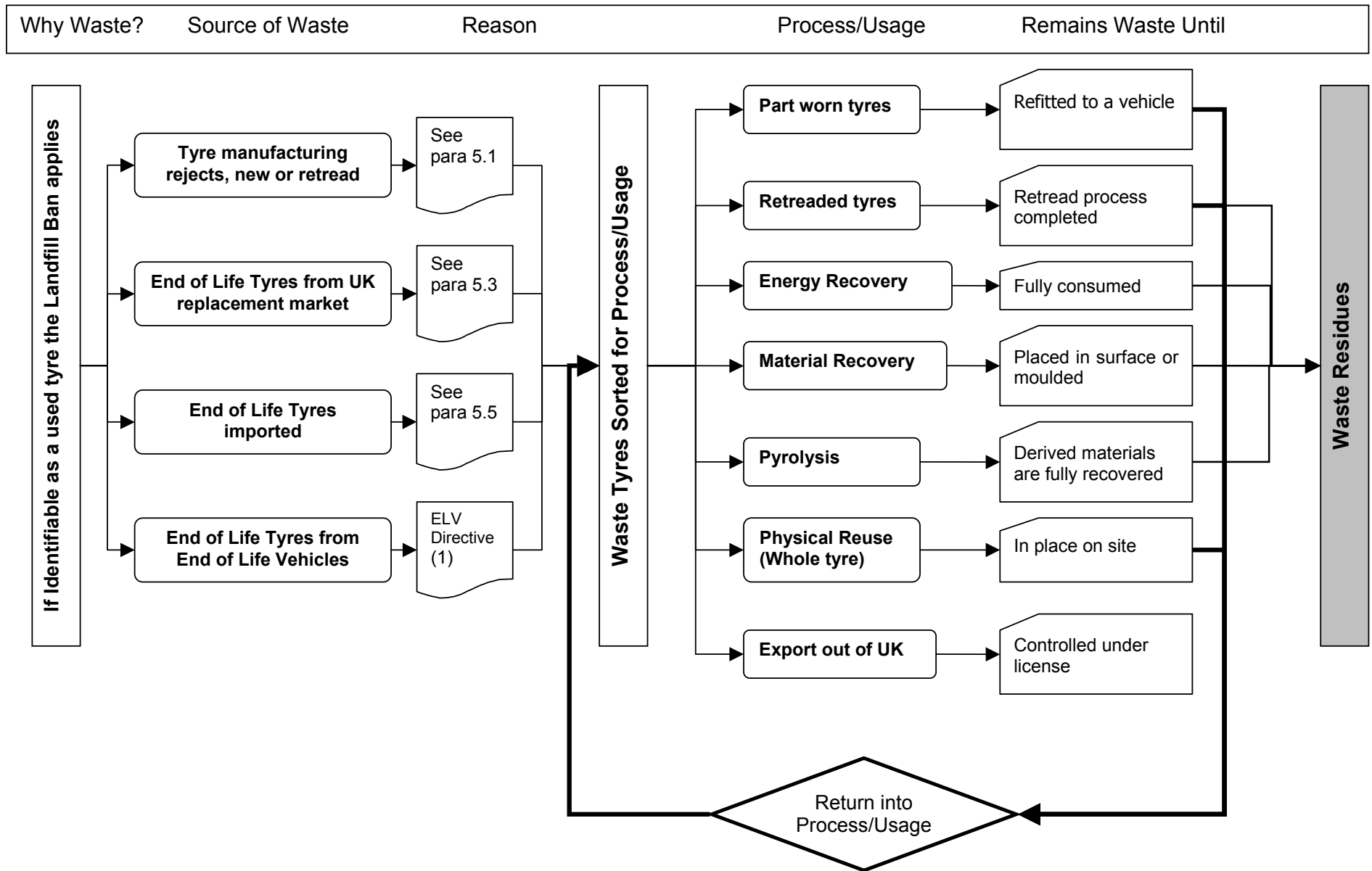
5.13.1 In Arco Chemie the Court held that while subjecting a substance or object to a recovery operation did not automatically mean that the substance or object was waste, it was a factor to be taken into account. The matter has been considered in Castle Cement –v-

Environment Agency. It is clear from the judgment in that case that tyres destined for burning as fuel will have been discarded, are therefore waste, and that the tyres remain waste until they are actually burnt for energy recovery, even if they are processed in some way before burning. The European Court considered recovery by using waste principally as a fuel or other means to generate energy in *Commission –v- Germany* and *Commission –v- Luxembourg*. The effect of those decisions is that waste burnt in a municipal incinerator is likely to be regarded as disposal even if the incinerator provides energy to the national grid, where as waste burnt in an industrial process, such as a cement kiln is capable of amounting to recovery of waste. The distinction is particularly important for imports of waste, where waste imported for disposal is banned (subject to limited exceptions).

#### **5.14 Defective tyres returned to manufacturer**

5.14.1 A tyre considered to be defective by a customer will become waste when it is taken back by the retailer, on the assumption that the tyre is then sent to the manufacturer for testing and subsequent disposal of the tyre, ie. it never returns to the market place.

### 5.14 Waste tyre lifecycle flow chart



## 6. LANDFILLING OF TYRES

### 6.1 Disposing of the physical structures

6.1.1 Once a land surface or physical structure that has been made from crumbed tyres is dug up it becomes a waste because it is being or has been discarded. The options for dealing with this waste are the same as for any waste, i.e. re-processing, landfill, burning, re-use.

6.1.2 The limitations on acceptance of tyres for landfill introduced by the Landfill Directive will remove the option of disposal of tyres to landfill 2003, shredded 2006. However, tyres for landfill engineering purposes are not covered by the landfill disposal ban. Some sites are already refusing to accept tyres in advance of the Landfill Directive requirements. The decision on whether a particular load of waste will be accepted at a landfill site is made by the landfill operator (in the same way that they have the ability to decide to accept or not any material, within the terms of their licence). The licence conditions do not require the site operator to accept wastes of particular descriptions. They merely permit the acceptance of those wastes if the operator wishes to do so. The Environment Agency does not view the discarded structure or objects made from processed tyres as discarded tyres.

6.1.3 A summary of the Landfill Ban Update briefing note issued by the Agency in June 2003:

- After 16 July 2003, whole used tyres may only be accepted at existing landfills for Hazardous waste provided that they are used as engineering material, or are bicycle tyres or are tyres with an outside diameter above 1400mm where the waste management licence or permit provides that they may be accepted. It will be an offence under Regulation 17(1)(a) Landfill Regulations to accept whole used tyres in any other circumstances.
- After 16 July 2003, whole used tyres may continue to be accepted at other existing landfills where the waste management licence or permit provides that they may be accepted.
- Shredded used tyres may be accepted at landfills until 16 July 2006 where the waste management licence or permit provides that they may be accepted. However, as tyres are not considered to be Hazardous waste, a landfill for Hazardous waste may not accept shredded used tyres after 16 July 2004.

## 7. IMPLEMENTATION OF NEWLY UNDERSTOOD DEFINITION

### 7.1 Applying / Enforcing Definitions

7.1.1 Whether something is waste is a matter of law. However, the way in which the cases have developed means that certain operations previously not thought to have involved waste now do so. There are implications for the industry in complying and for the Environment Agency in how they enforce.

7.1.2 The tyre sector is only one in which changes have come about.

7.1.3 The Agency makes its regulatory decisions primarily through its direct contact with business and industry etc within each of its 26 Areas in 8 Regions. To promote consistency in regulatory decision-making and to apply common understanding of the Agency's interpretations, the Agency operates a process management system. Central Technical process teams provide written standard guidance and instructions for Area

staff to use for example when determining the conditions to be applied in licences as well as responding to day to day queries. This will be supported where necessary by consultation with the Agency's legal Department and the Head Office Policy Directorates when the issues require clarification or decisions affecting the Agency's position nationally are required.

- 7.1.4 In developing new guidance or for areas where new regulations apply the initial impetus will often be from or directed by the relevant Head Office Policy Directorate which will work with the Process teams to establish the appropriate framework of control.
- 7.1.5 For cases where the Agency Area's decision is disputed the Agency has adopted a complaints procedure. The procedure is detailed in the Agency's Customer Charter. A copy of this may be obtained either from the Agency's Public Inquiries Unit at its Bristol Head office or by downloading a copy from the Web site: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk). In such circumstances the complaint will be investigated first at Area level and then if this is not resolved to the customer's satisfaction the matter may be taken up with the Regional Director. After that, if still not resolved, it will be dealt with by the relevant Directorate at Head Office. The Charter also identifies whom to contact for complaints about the Agency to be investigated formally and independently for example by the Ombudsman and the Secretary of State.

## **7.2 Implications**

- 7.2.1 The most significant implication for industry is that an activity involving waste (including storage of waste tyres or partly processed tyres) is required to be licensed or carried out under an exemption. Licensing involves establishing that the operator is a fit and proper person.
- 7.2.2 There are a number of activities exempt from the need for licensing. They are set out in Schedule 3 to the Regulations. However, the group recognises that those current exemptions for tyres are limited. They do not cover many of the activities that the group consider involves the recovery of waste tyres which can be carried out with generic and clearly definable environmental controls. The group considers that it is worthwhile developing a number of suggested exemptions to propose to Government.
- 7.2.3 Carriers of waste (including tyre granulate, shred, casings for retreading, etc) must be registered. A certificate of registration, which lasts for three years, is available from the Agency at a cost of £127 (2002). You can find out from your local Agency office who is registered or ask for a copy of the certificate from the carrier (and keep a copy).
- 7.2.4 Operators dealing with waste are required to comply with the duty of care under section 34 of the Environmental Protection Act 1990. That may involve increased awareness to ensure that waste is only passed to authorised operators, that it is kept in a way that prevents its escape and that transfer notes are produced when waste is passed from one operator to another. The description of waste in transfer notes should include the relevant code from the European classification of waste (see [www.environment-agency.gov.uk/business/wasteman/landfill/](http://www.environment-agency.gov.uk/business/wasteman/landfill/) then select: Consolidated Version of the European Waste Catalogue). For example, whole tyres are coded 16.01.03 and shred/granulate/crumb are coded 19.12.04.

### 7.3 Proposals for Managing the Implications

- 7.3.1 There may be a case for establishing exemptions from the licensing regime. Only recovery operations and disposal at the place of production can be exempted from the need for a licence. Disposal elsewhere must be licensed. To construct a case for an exemption some detailed information needs to be stated in the exemption wording on:
- Quantity
  - Waste type
  - Conditions under which the activity may be carried out. This might include time limit for storage and the method of storage
- 7.3.2 The case to propose any exemption would have to be justified but, as a starting point, would be to allow existing recovery and recycling processes to continue effectively, with appropriate regulatory controls proportionate to risk.
- 7.3.3 At this stage it is important to note that exemptions may be possible. To achieve them would mean amending existing regulations by making an effective case to DEFRA. This is likely to be more effective if all sectors speak with one voice and the industry is able to put clear, well-thought through proposals forward.

## GLOSSARY

1. **Retread** is the generic term for a used tyre, which has been reconditioned by replacing the worn tread with new material. It may also include renovation of the outermost sidewall surface. It covers the following process methods;
  - **Bead to Bead (commonly known as remoulding)** - replacement of the tread and renovation of the sidewall including all or part of the lower area of the tyre
  - **Top capping** - replacement of the tread
  - **Re-Capping** - replacement of the tread and with the new material extending over part of the sidewall.
2. **Repair** - is the remedial work carried out to damaged tyres or casings within recognised limits.
3. **Regrooving** - the process whereby a 'regroovable' truck tyre has the tread pattern, which has worn to the legal tread depth, recut to extend the life of the tyre. Car tyres cannot be regrooved.
4. **Casing** - the structural part of a tyre, which includes the sub-tread ply of the reinforcing, layers and outermost rubber of the sidewalls to which tread may be vulcanised for the purpose of retreading.
5. **Part-worn tyre** – The Motor Vehicle Tyres (Safety) Regulations 1994 (as amended) set out a number of requirements controlling the supply of part-worn tyres. These requirements, which apply to a wide range of tyres, including those to be refitted to cars and commercial vehicles, stipulate a minimum of 2mm tread depth across the full breadth of tread and round the entire circumference of the tyre and which when subjected to inspection of the structural soundness of the casing and/or proper repair can be safely returned to its originally intended purpose. Included in this category are factory run tyres which are those removed from a new vehicle at or before its delivery to the vehicle purchaser and replaced by another tyre make or type.
6. **Whole tyre applications** - the use of whole tyres without physical or chemical transformation, instead of virgin materials e.g. artificial tyre reefs, silage clamps.
7. **Civil engineering applications** - the use of whole, shredded or granulated tyres in construction projects, e.g. porous asphalt.
8. **Shredding** - any mechanical process by which tyres are fragmented, ripped or torn into irregular pieces of greater than 25mm and less than 300mm in any dimension.
9. **Granulation/crumbing** - the mechanical shearing of rubber to reduce it in size into finely dispersed pieces of under 25mm in any dimension.
10. **Pyrolysis** - the thermal decomposition of rubber in the absence of oxygen, which chemically breaks the tyre into its original components of oil, gas, steel and carbon, char.
11. **Energy recovery** - the incineration of tyres (e.g. in cement kilns) principally to extract the fuel or energy value from whole or processed tyres.
12. **Vulcanisation** - a process which involves reaction with sulphur and other chemicals at temperatures generally around 150 °C to produce cross links between the rubber molecules which cures it to make the rubber stronger and more durable.