



State of Oregon
Department of
Environmental
Quality

Waste Tire Storage Site, Beneficial Use, or Combined Storage/Carrier Permit Application

Attachment 1 – Financial Assurance (Bond)

Authority: Oregon Revised Statutes (ORS) 459

Waste tire storage site applicants are required by law to have financial assurance and to file it with DEQ as part of their permit application. After a waste tire storage site closure has been approved in writing by DEQ, any financial assurance not needed for the closure or other purposes under OAR 340-064-0020(1)(b) will be released to the permittee.

DEQ will accept the following types of financial assurance or other forms meeting the required level of security requirements:

- Surety bond in favor of the State of Oregon (must be on attached form, completed by your bonding agent)
- Insured savings account or negotiable securities irrevocably assigned to DEQ
- Trust fund
- Irrevocable letter of credit
- Insurance policy
- Corporate guarantee (if corporation meets a financial test).

If your business name, entity or ownership changes, you must provide DEQ with a rider to your valid bond on file with us, a new surety bond, or a new form of approved equivalent security in the required amount.

Amount of financial assurance. Waste tire storage site permittees must have financial assurance “in such amounts as determined by DEQ to be reasonably necessary for waste tire removal processing, fire suppression or other measures to protect the environment and the health, safety and welfare of the people of this state.” (ORS 459.720(1)).

The amount of financial assurance required will be based on the estimated cost of cleanup for the maximum number of waste tires and tire product allowed by the permit to be stored at the site. You can submit written cost estimates or bids or DEQ will use the following cleanup cost assumptions:

\$2.50 per passenger tire equivalent (p.t.e.)

1 truck tire = 5 p.t.e.’s

IMPORTANT: You should contact DEQ at least a **month before** your application is due to determine the amount of financial assurance needed and the type of financial assurance for which you can qualify if you are planning to use a form other than a surety bond. Contact DEQ for copies of administrative rules regarding waste tire management or obtain them at http://arcweb.sos.state.or.us/rules/OARS_300/OAR_340/340_064.html.

Waste Tire Storage Site Bond

Bond Number _____

(SHOW FULL NAME OF ALL PRINCIPALS DBA EXACT BUSINESS NAME)

KNOW ALL MEN BY THESE PRESENTS: That we,

each, as Principals, and _____, a corporation
organized and existing

under the laws of the State of _____, and duly authorized to transact a surety
business in the State of Oregon, as Surety, are held and firmly bound unto the State of Oregon in the sum of

_____ Dollars (\$ _____)

lawful money of the United States, for the payment of which well and truly to be made, we bind ourselves, our
heirs, executors, administrators, personal representatives, successors and assigns, jointly and severally, firmly by
these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH THAT: Whereas each of the above named
principals, pursuant to Oregon Revised Statutes (ORS) Chapter 459 and pursuant to rules of the Environmental
Quality Commission of the State of Oregon pertaining to standards for operation of a waste tire storage site,
Oregon Administrative Rules Chapter 340, Division 64, is applying to the Department of Environmental Quality
of the State of Oregon for a permit to engage in the business of waste tire storage as defined in ORS Chapter
459, at the following location:

NOW THEREFORE, if each of the said principals above named shall faithfully comply with all applicable
statutes, rules and waste tire storage site permit conditions of the State of Oregon, then this obligation shall be
null and void, otherwise to remain in full force and effect.

As provided by ORS 459.720, the State of Oregon shall have a right of action on the bond if any principal
shall fail to comply with ORS Chapter 459, Oregon Administrative Rules Chapter 340, Division 64, or
conditions of the principals' waste tire storage site permit concerning waste tire removal processing, fire
suppression or other measures to protect the environment and the health, safety, and welfare of the people of
this state, or shall abandon the waste tire storage site, provided that written claim of such right of action
shall be made to a principal or the surety company before the Department of Environmental Quality
approves the closure of the waste tire storage site in writing, pursuant to OAR 340-064-0045. The maximum
aggregate liability of this bond shall be:

\$ _____

This bond is effective beginning, _____, 20____ (mo/day/yr). The surety may cancel this bond by sending notice of cancellation by registered or certified mail to: Oregon Department of Environmental Quality, Waste Tire Program; 811 SW 6th Ave., Portland, OR 97204-1390. Such cancellations shall take effect on the date specified in the notice but not earlier than the 45th day after the date of mailing. If the bond is cancelled, the principals shall not accept additional waste tires for storage until a new bond or other financial assurance acceptable to the State is posted.

IN WITNESS WHEREOF, the above named parties have executed this instrument

The _____ day of _____, 20____.

Corporate Seal of Principal
(if corporation)

Principals

Corporate Seal of Surety

_____ of Surety

**Bond must be filed with the appropriate DEQ regional office
(DEQ region in which the storage site is located):**

1. Eastern Region
DEQ Solid Waste Programs
400 E Scenic Drive, Ste. 307
The Dalles, OR 97058
(541) 298-7255 ext. 221
2. Northwest Region
DEQ Solid Waste Programs
2020 SW Fourth Ave. Ste. 400
Portland, OR 97201
(503) 229-5353
3. Western Region
DEQ Solid Waste Programs
750 Front St. NE Suite 120
Salem, OR 97301
(503) 378-5047

