



Closing Gaps in Waste Tire Management

Jeremy Hooper | June 12, 2024

Presentation Overview

- **Legislative Process**
- **The Problem: Illegal Dumping of Waste Tires**
- **The Cause: No Authority to Regulate Waste Tire Haulers**
- **The Solution: Establish *Waste Tire Hauler Registration Program***
- **Next Steps / Fiscal & Staffing Considerations**

Legislative Process

- Develop idea and proposal
- Approval Levels
 - Division management
 - Deputy Commissioner Greg Young
 - Commissioner and ELT
- Take proposal to Governor's Office
- Determine House and Senate sponsors
 - Rep. Grills
 - Sen. Southerland

- Work through House and Senate
 - Subcommittees
 - Committees

Passed H., Ayes 96, Nays 0, PNV 0 03/04/2024

Passed Senate, Ayes 32, Nays 0 03/11/2024

- Sent to Governor's Desk

Signed by Governor. 03/27/2024

The Problem: Illegal Dumping of Waste Tires

- In 2019, the General Assembly passed Joint Resolution 344 requesting that the Tennessee Advisory Council on Intergovernmental Relations (TACIR) study the overall effects of waste tire dumps in Tennessee.
- In 2020, TACIR concluded that:
 - Illegal dumping of waste tires is a problem in Tennessee;
 - Tire dumps pose a risk to public health and the environment;
 - Cleanup costs plague local governments and private property owners; and
 - **TDEC's existing tire program IS NOT structured to prevent ongoing illegal dumping.**



Negative Impacts at State and Local Levels

- **Undue financial burden on local governments, private property owners, and the department**
 - Ex: Private property owner in Cheatham County with ~**1,000 tires**. Cleanup costs estimated to be **\$15,000**.
 - Ex: In 2018, Knox County spent **\$120,000** to clean up **4,000 tires** on church property line. Church spent **\$42,000** to pay for a fence to deter future dumping.
- **Cleanup and enforcement require significant amounts of time and resources**
 - Ex: Polk and Bradley County tire dump complaints - 13+ months to clean up due to amount of tires and challenges in enforcement process
 - Cleanups require access to heavy equipment, available personnel, and disposal sites
- **Risks to public health and environment**
 - Increased risk of disease spread (e.g., from mosquitos)
 - Increased fire risk

Statewide Impacts



Deputi

24 localmemphis.com
['Unbelievable much for neig bulldozers](#)

MEMPHIS, Tenn — T
an empty lot in the F
Jan 24, 2023



Tires are seen that l

'An unfortunate situation': Building owners cleaning up former tenant's illegal tire dump

Published 3:29 pm Wednesday, July 20, 2022

By Stacy Graning



4 of 4



Star Photo/Delaney Scalf While waiting for the trailer to be emptied and returned, the tires are removed from inside the building and stored outside.



oga



surge into

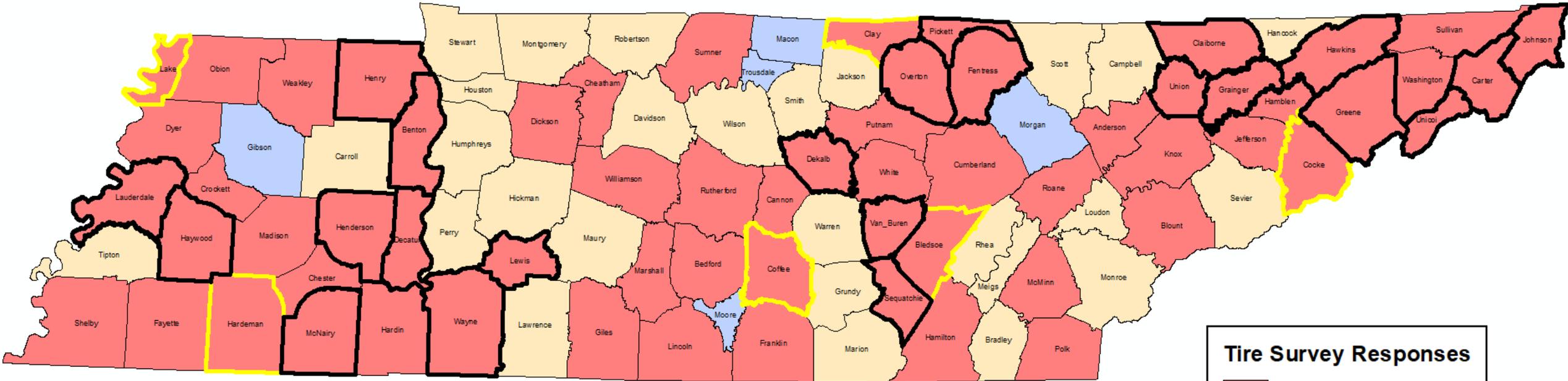
now about this

ns out of gun

Support for a Solution

- **Complaints and Pleas for Assistance**
 - On average, 100 tire complaints filed per year
 - Local officials - “Enforcement capabilities are limited, please help us!”
 - Private property owners – “How is this my responsibility and how do I prevent it?”
- **Legislation Filed in 2022:**
 - SB2344/HB2381 – Waste Tire Hauler Permit Program
 - Pub. Chapter 1105 – Aggravated criminal littering of tires
 - Pub. Chapter 746 – Tire pre-disposal fee used for disposal and beneficial reuse
- **2020 TACIR Report**
- **TDEC’s 2022 Waste Tire Survey**

Waste Tire Survey: Are Tires a Problem in Your County?



Survey Results

- 80 responses
- 68 counties
- Are tires a problem in your county?
 - 74 said yes (93%)

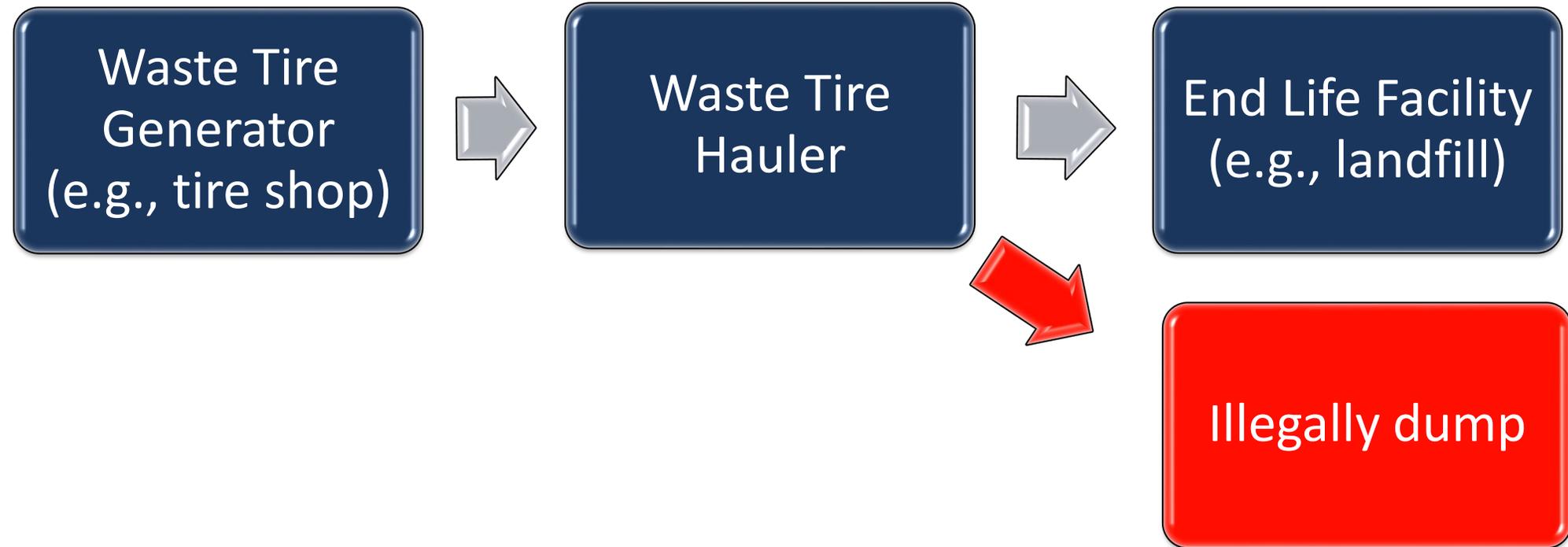
County Impacts

- 6 Distressed Counties
- 23 At-Risk Counties
- Rural Counties

Tire Survey Responses

- Yes, a Problem
- Not a Problem
- No Response
- At-Risk Counties
- Distressed Counties

The Cause: No Authority to Regulate Waste Tire Haulers



The Solution: Establish Waste Tire Hauler Registration Program

- 1. Registers the Haulers:** requires a person engaging in the transportation of waste tires for the purpose of storage, processing, or disposal to obtain a waste tire hauling registration from TDEC;
- 2. Manifests Track the Tires:** establishes a manifest system that accurately tracks waste tires from the point of generation (e.g., a tire shop) to disposal;
- 3. Supports Tire Cleanups:** uses registration fees and financial assurance from the haulers for cleanup of illegal dumps; and
- 4. Strengthens Enforcement Authority:** registration establishes mechanism for law enforcement/TDEC to investigate; manifest aids in investigation.

Nationwide Success

- **2020 TACIR Study Report**

- “Given the notable hazards associated with illegally dumping tires, **most states require tire haulers to obtain permits and require tire businesses to use only permitted waste tire haulers.** This report recommends that Tennessee do the same, including proof of financial assurance as a condition of permit approval.”

- **Council of State Governments**

- “A state must have several mechanisms in place, including a mandatory waste tire manifest system and permitting systems.” (Brody 2017)

- **TDEC Research: Other State Waste Tire Hauler Programs**

- **Texas:** Reported that program has helped local authorities ensure the proper disposal of waste tires and reduce illegal tire dumps.
- **Ohio:** Reported that program has reduced illegal tire dumps.
- **Arkansas:** Reported that financial assurance has been successfully utilized four times in past year to clean up illegal tire dumps.

Fiscal / Staffing Considerations and Next Steps:

- **Annual cost: \$500,000 utilizing existing funds.**
 - Redirect funds from the portion of the new tire pre-disposal fee the department receives (i.e., \$0.25 per tire) to administration of the program.
- **Establish three additional three (3) FTEs.**
 - Two (2) Environmental Scientist 2's
 - One (1) Environmental Scientist 3
- **Increase to state revenue: approx. \$10,000 annually.**
 - Each hauler required to pay a \$100 registration fee
 - 100 (anticipated number of registered haulers based on neighboring states) x \$100 = \$10,000.
- **Rule making authority goes into effect July 1, 2024**
- **Hire staff**
- **Full authority goes into effect July 1, 2025**

Questions?