



Department of
**Environment &
Conservation**

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

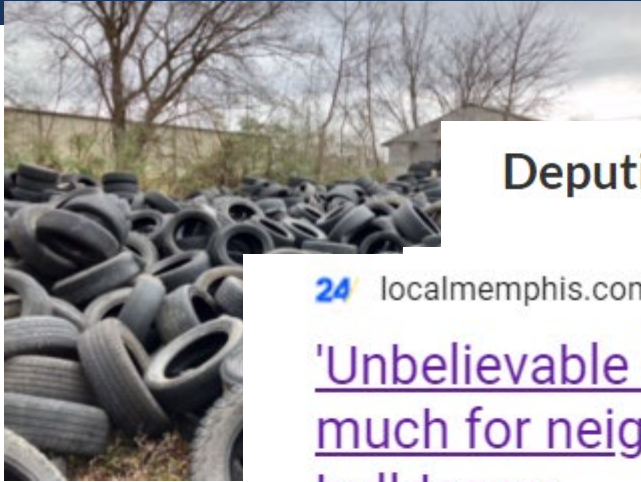
- In 2019, the General Assembly passed Joint Resolution 344 requesting that the Tennessee Advisory Council on Intergovernmental Relations (TACIR) study the overall effects of waste tire dumps in Tennessee.
- In 2020, TACIR concluded that:
 - Illegal dumping of waste tires is a problem in Tennessee;
 - 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

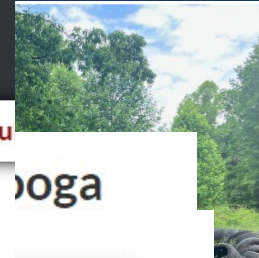
By Stacy Graning



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.



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now about this

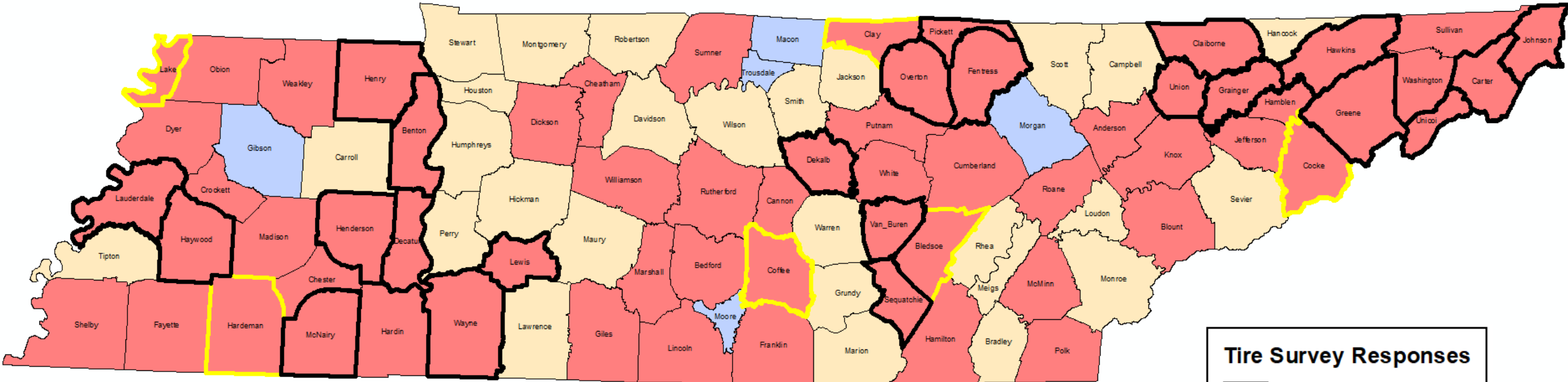
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Support for a Solution

- **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%)

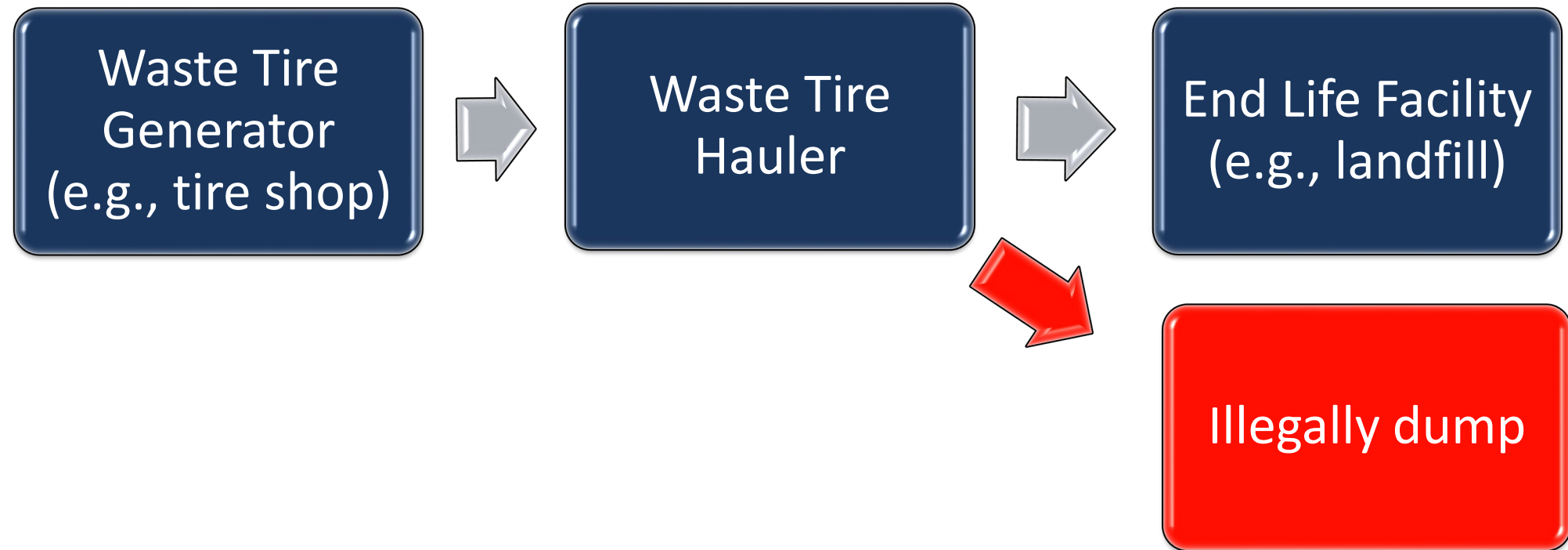
County Impacts

- 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.”

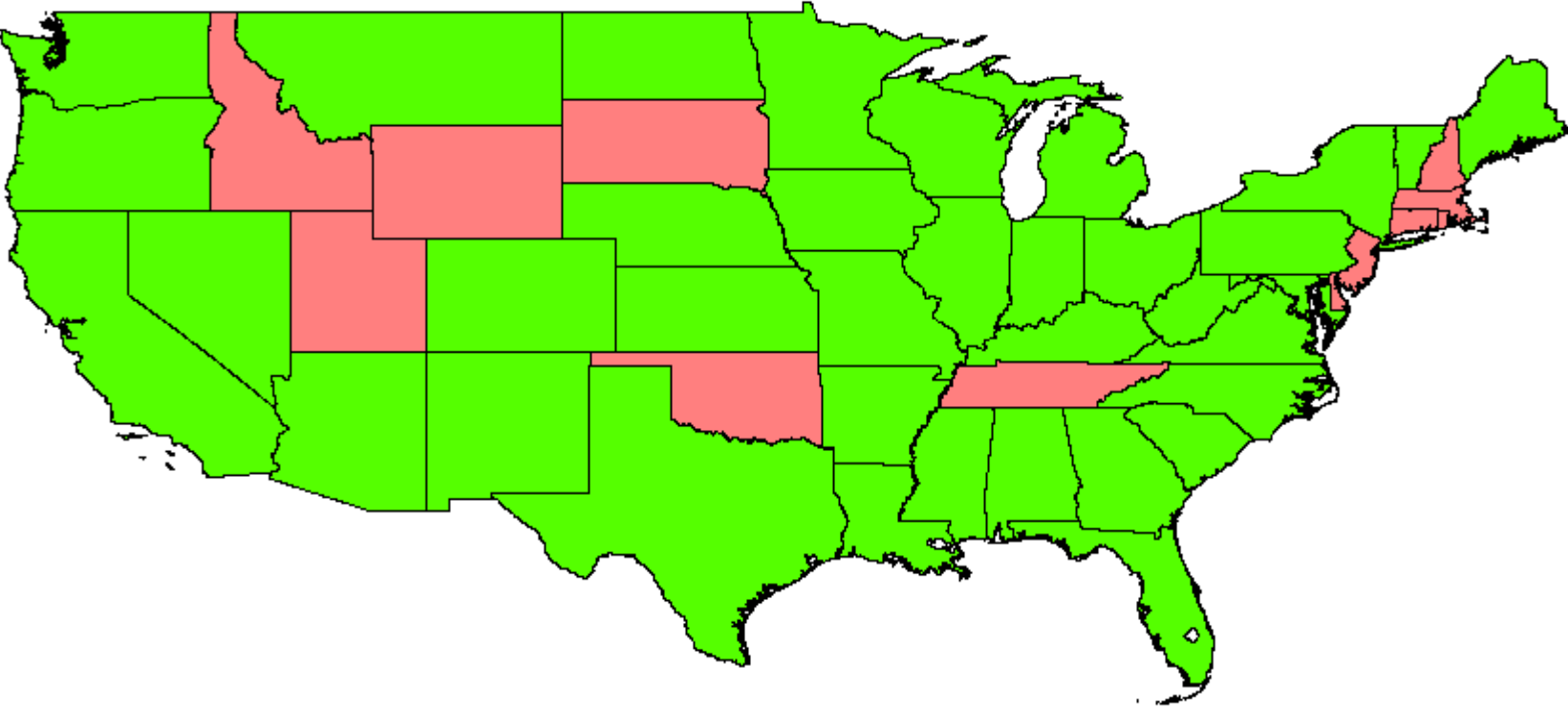
- **Council of State Governments**

- “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.

Nationwide Waste Tire Hauler Programs



State Waste Tire Hauler Programs

- Has Program
- No Program

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?