



Department of  
**Environment &  
Conservation**

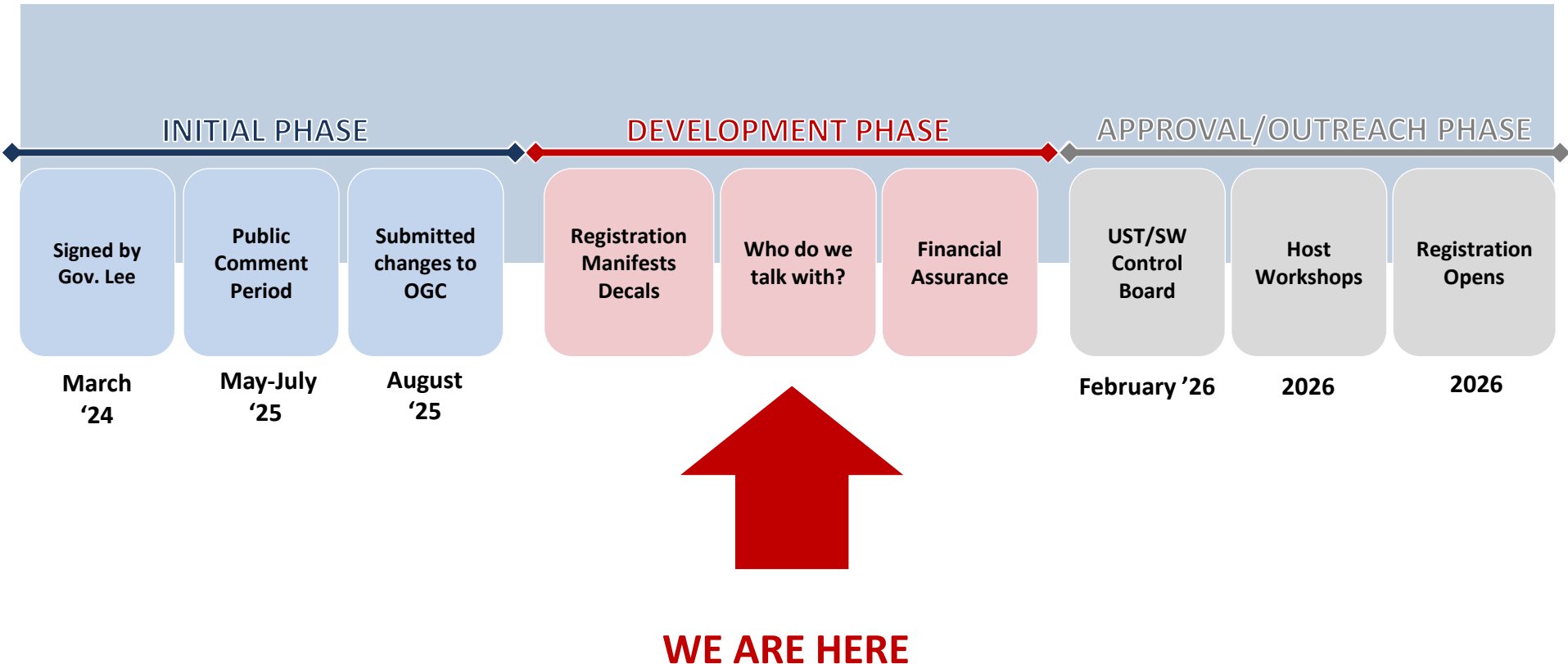
# Solid Waste Rule Package Board Presentation

Christina Perez | February 4, 2026

# Proposed Rulemaking

- Waste Tire Registration Program
  - T.C.A. 68-211-1101 to -1105
  - Chapter 0400-11-04
    - Registration
    - Manifest
    - Financial Assurance
- Waste Tire Disposal Site Cleanup Funds
  - Chapter 0400-11-05
    - Administrative Requirements
    - Evaluation Criteria
    - Reports
  - Waste Tire Disposal Site Cleanup Funds
- Public Hearing held on July 1, 2025

# Timeline - T.C.A. § 68-211-11



# Public Hearing Comments: Tire Count

- **Comment:** Part (2)(b)2 of Rule 0400-11-04-.01 excludes from regulation under Chapter 0400-11-04, persons who are not hauling waste tires commercially, including farmers hauling their own waste tires. A commenter recommended amending this part to add the underlined language:

Persons who are not hauling waste tires commercially, including farmers hauling their own tires, provided such persons transport no more than 10 tires per trip.

- **Response:** T.C.A. § 68-211-1101 defines “waste tire hauler” to include a person engaged in the commercial transporting of waste tires and T.C.A. § 68-211-1102(a)(1) prohibits a person from commercially transporting waste tires without being registered with the Department. The statute does not require registration of a person who is hauling waste tires for non-commercial purposes regardless of the number of waste tires hauled. The Board cannot adopt a rule that conflicts with the statute. That said, the Board agrees that hauling more than 10 tires per trip may be an indication of commercial hauling subject to this rule.

# Public Hearing Comments: Manifest Requirements

- **Comment:** A commenter is concerned that the requirement in paragraph (5) of Rule 0400-11-04-.05 for the waste tire receiver to verify the manifest would prevent removing tires from the load as recovered materials.
- **Response:** If a manifested load of waste tires is received by a waste tire receiver and tires are removed and recovered for reuse and the remainder of the waste tires are to be shipped to another waste tire receiver; then at that time a new manifest would be created for the remainder of the waste tires for transportation to their ultimate processing or disposal destination.

# Public Hearing Comments: Definitions

- **Comment:** A commenter was concerned that part (2)(b)3 of Rule 0400-11-04-.01 did not sufficiently make it clear that the hauling of off-specification tires from original equipment manufacturer's operations, that have never been on a vehicle or used on the road, were excluded from regulation under Chapter 0400-11-04. The commenter added that these tires are being transported as part of controlled, tracked supply chains to be installed on new vehicles and are not at risk of being illegally discarded.
- Rule 0400-11-04-.01(2)(b)3 is amended to read:
  3. Tires that are not waste tires, as defined in Rule 0400-11-04-.02, such as new tires generated by a tire manufacturer, or off-specification tires generated in connection with **both the tire manufacturing process and the motor vehicle original equipment manufacturing process.**

# Public Hearing Comments: Definitions

- **Comment:** A commenter is concerned that the definition of “waste tire receiver” is not specific enough to include all facilities that are authorized to manage waste tire in Tennessee or in other states.
- Rule 0400-11-02(13) is amended to read:

(13) “Waste tire receiver” means ~~any person or facility that receives waste tires from a waste tire hauler.~~ a permitted landfill, waste tire processing facility, waste tire storage facility, county and municipal government accepting waste tires in compliance with T.C.A. Title 68, Chapter 211, Part 8, recovered materials processing facility, as defined in paragraph (2) of Rule 0400-11-01-.01, and operating in compliance with subpart (1)(b)3(xxii) of Rule 0400-11-01-.02, or at a facility authorized to manage waste tires in Tennessee or other states that receives waste tires from a waste tire hauler.

# Public Hearing Comments: Manifest Requirements

- **Comment:** A commenter was concerned that paragraph (3) of Rule 0400-11-04-.04 only allows registrants to deposit waste tires at permitted landfills, waste tire processing facilities, waste tire storage facilities, or at facilities authorized to manage waste tires in other states, which would prohibit county governments from accepting waste tires in accordance with T.C.A. § 68-211-867 and treating them as recovered materials. A commenter was concerned that paragraph (3) of Rule 0400-11-04-.04 only allows registrants to deposit waste tires at permitted landfills, waste tire processing facilities, waste tire storage facilities, or at facilities authorized to manage waste tires in other states, which would prohibit county governments from accepting waste tires in accordance with T.C.A. § 68-211-867 and treating them as recovered materials.
- Rule 0400-11-04-.04(3) is amended to read:

(3) Registrants shall only ~~deposit waste tires at permitted landfills, waste tire processing facilities, waste tire storage facilities, or at facilities authorized to manage waste tires in other states.~~ deliver tires to a waste tire receiver.

# Public Hearing Comments: Manifest Requirements

- **Comment:** A commenter suggested that paragraph (5) of Rule 0400-11-04-.05 be revised to require all the facilities authorized to receive waste tires to verify the accuracy of the information on the manifest.
- Rule 0400-11-04-.05(5) is amended to read:

(5) ~~The storage facility, waste tire processing facility, or landfill serving as the final destination of the waste tires~~ The waste tire receiver shall verify the accuracy of the information regarding the waste tires and note on the manifest any discrepancy in the quantity or type of waste tires received before signing the manifest and submit a legible copy of the manifest with the note about the discrepancy to the Department within 30 days of receiving the delivery.

# Public Hearing Comments: Manifest Requirements

- **Comment:** A commenter was concerned that paragraph (10) of Rule 0400-11-04-.05 requires the waste tire hauler to complete the information required on the manifest if an out of state entity fails to complete their portion of the manifest. Since the signature of the out of state waste tire generator or waste tire receivers is a part of those requirements, the comment is asking that the waste tire hauler not be required to sign for the out of state entity.
- Rule 0400-11-04-.05(10) is amended to read:

(10) A waste tire hauler must complete any manifest requirements for out-of-state waste tire generators or out-of-state waste tire receivers that do not voluntarily comply with this rule. **However, the waste tire hauler is not required to sign the manifest on behalf of the out-of-state generators or out-of-state waste tire receivers.**

# Thank you!

## Questions / Comments

# Contact Information

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