

Proposals Waste Tire Program
November 4, 2009
Requested Changes

Modifications to Existing System:

(Continue reimbursement county by county with no “used” tires eligible for waste tire grant funds)

- Coordinate with the Department of Revenue to allow more counties access to tire dealer estimated sales (ongoing).
- Implement on-line electronic manifesting system through Re-trac. Counties opting out of the Re-trac system would continue with paper manifesting system and receive reports of tire generator receipts to assist county with program monitoring
- Change waste tire manifest to include stronger certification language that all tires have had the tire pre-disposal fee collected/paid, and that making false claims is punishable by law.
- Counties may form cooperatives (tire hubs) to maximize movement of tires to recycling and improve cost effectiveness of tire programs. TDEC will approve establishment of all tire hubs and provide incentives contingent on availability of necessary funds.
- Counties may use contracts to incorporate tire materials in parking lots, playgrounds, walking tracks, mulching around county/municipal buildings, etc. in quantities equal to at least 10% of total tires collected and recycled in the county on an annual basis. TDEC would provide incentives if goal is reached contingent on availability of necessary funds.
- Resubmit manifests that have been previously rejected. Legislation not required. (Leadership team will look into this)
- Edit manifest to include hauler signature and business license number (may need to expand to full page and need to be added to electronic manifesting).

Legislation Required:

(Expands existing program with “used” tires eligible for waste tire grant funds)

- Counties may use contracts to incorporate tire materials in parking lots, playgrounds, walking tracks, mulching around county/municipal buildings, etc. in quantities equal to at least 10% of total tires collected and recycled in the county on an annual basis. TDEC would provide incentives if goal is reached contingent on availability of necessary funds. Legislation not required.
- Enact legislation to add the collection of pre-disposal fees for scrap tire management on all tires (new and used). ~~in addition to existing tires on which tire pre-disposal fees are paid.~~

- Modify grant program to allow reimbursement for collection and recycling of all tires for which a tire pre-disposal fee has been paid.
- Counties and TDEC Environmental Field Offices will supply SWM with a complete inventory of legacy illegal tire dumps for prioritizing and scheduling cleanups. Inventory will also contain property owner information, approximate size of tire piles as is currently being done. After legacy illegal tire dumps are cleaned up, TDEC will pursue enforcement against property owners seeking recoupment of cleanup funds for the unpermitted waste tire site. These cleanups will be accomplished under existing enforcement procedures.
- ~~Enact fee-based legislation for state registration/permitting/bonding of tire haulers and processors (10? or more tires) with reporting requirements documenting movement of tires throughout the state.~~
 - ~~Business license issued by county clerk~~
- ~~Establish criminal and civil penalties for violations of rules/regulations by haulers, processors, and generators; impose penalties for violations.~~
- ~~Develop rules for enforcement of tire hauler responsibilities~~
- ~~If tire dealers (retailers) use independent haulers, they must be registered/permited/bonded~~
- Change from quarterly fee collection to monthly fee collection

**New Approach to Waste Tire Management requiring Legislation:
(Market Driven)**

1. Enact legislation to transition the existing program and establish a new program. Fees on all tires (new and used) would be collected at the current rate (change rate? Increased until new program is activated?).
 - a. Ongoing rate would be reduced
2. ~~Pre-disposal fees~~ State tire management fee collected would be dedicated to the following tire initiatives (~~enforcement, education, product market development, unpermitted waste tire site abatement, and collection and disposal of "orphan" tires~~) and not available for other purposes.
 - a. Enforcement,
 - b. Market development and education,
 - c. Collection and disposal of orphan tires,
 - d. Unpermitted waste tire site abatement, or
 - e. Remediation and clean up of orphan sites
3. Enact fee-based legislation for state registration/permitting/bonding of tire haulers and processors (10? or more tires) with reporting requirements documenting movement of tires throughout the state.
 - a. Business license issued by county clerk
4. Establish criminal and civil penalties for violations of rules/regulations by haulers, processors, and generators; impose penalties for violations.
5. Develop rules for enforcement of tire hauler responsibilities
6. ~~Establish responsibility for tire collection at the point of sale taking~~ Counties are taken out of the waste tire handling business, with the exception of orphan tires. (~~not including orphan tires~~) (~~counties are only responsible for orphan tire collection~~)
7. If tire dealers (retailers) use independent haulers, they must be registered/permited/bonded
8. Enact state regulations for collection, storage and processing of scrap tires. Auto salvage yards would have to remove 75% of annual inflow to beneficial end use. Processors would be required to process and remove 75% of annual inflow to beneficial end use, establish proper storage to reduce likelihood of fires and water collection, limit number of tires that may be stored on site. Establish off-site storage regulations for processors.
9. Tire materials sold/transported off site are "commodity" not regulated as a solid waste

10. TDEC promotes markets for tire materials, including developing additional beneficial uses of tire materials; working with rural counties to find local solutions; survey current markets and identify potential uses; educate potential end users of benefits of using tire products.
11. Counties and TDEC Environmental Field Offices will supply SWM with a complete inventory of legacy unpermitted waste tire sites for prioritizing and scheduling cleanups. Inventory will also contain property owner information, approximate size of tire piles as is currently being done. After legacy unpermitted waste tire sites are cleaned up, TDEC will pursue enforcement against property owners seeking recoupment of cleanup funds for the unpermitted waste tire site. These cleanups will be accomplished under existing enforcement procedures.