

Research Plan: Senate Joint Resolution 344, Illegal Tire Dumping in Tennessee

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Support:

Deputy Executive Director Approval: Initial: *NMB* Date: *5-17-19*

Executive Director Approval: Initial: *[Signature]* Date: *5/17/19*

Purpose

Study the overall effects of illegal waste tire dumps in Tennessee, including the adverse effects tire dumping has on the environment; review current waste tire recycling methods; and assess potential preventative measures to curb the practice of illegal tire dumping.

Background

Senator Steven Dickerson (Davidson County) was contacted by a constituent concerned about tires being dumped in his district. Senator Dickerson reached out to his colleagues and found that there is widespread concern about this issue in both urban and rural areas across the state. After consulting with other legislators and staff from the Tennessee Department of Environment and Conservation (TDEC), Senator Dickerson introduced Senate Joint Resolution 344 on March 28, 2019, directing TACIR to study problems stemming from illegal waste tire dumps in Tennessee. The legislation was referred to the Senate Energy, Agriculture, and Natural Resources Committee on April 1st, but the 111th General Assembly adjourned without taking up the bill. Senator Dickerson, with support from Senate Energy, Agriculture, and Natural Resources Committee Chairman Steve Southerland (Morristown, Hamblen County) sent a letter on May 5th to formally request that TACIR take up the study.

In 1990, according to the US Tire Manufacturers Association (USTMA), about a billion scrap tires were being stored in stockpiles in the US. The industry says that, by 2017, over 94% of those tires had been cleaned up and about 60 million stockpiled tires remained. Tennessee has fewer than 1 million stockpiled tires according to the

USTMA—but these figures only represent known stockpiles of tires, not all illegally dumped tires. Approximately 250 million scrap tires were generated in the US in 2017 and Tennessee could have an estimated five to six million of those.

The letter from Senator Dickerson requests that the study to focus on these topics:

1. Public health risks, including
 - a. diseases carried by mosquitoes, rodents, and other pests that live within or potentially flock to illegal waste tire dumps; and
 - b. air pollution from illegal tire fires.
2. Other effects of burning or igniting fires at waste tire dumps, including the length and duration of tire fires and effects of residue left behind.
3. Waste tire dumping prevention strategies, including extra policing efforts and heavier fines and penalties.
4. Waste tire recycling issues, including
 - a. modern recycling methods for waste tires, including shredding, pyrolysis, and others
 - b. end uses for recycled tire products, including
 - i. building materials for roads and highways,
 - ii. construction material for Tennessee State Park trails,
 - iii. mulching alternatives for schools and playgrounds,
 - iv. barriers for reefs, riversides, sandbars, and other applicable waterway facets; and
 - v. fuel sources for manufacturing companies.
 - c. incentive initiatives for tire recycling practices, including buyback programs through state and local resources and tire redemption programs.

Step 1. Define the Problem

Illegal dumping of waste tires is damaging to the environment and negatively affecting the public health of Tennesseans, and existing efforts to prevent tire dumping and encourage tire recycling are not adequately reducing the number of tires being dumped. Illegal dumping of waste tires has an adverse effect on property values and creates a liability for private land owners.

Step 2. Assemble Some Evidence

- Review referred legislation, Senate Joint Resolution 344, to determine what it asks the commission to study.
 - Interview the sponsor of the legislation and any other members of the General Assembly who have an interest in the bill.
 - Interview other stakeholders to determine what is driving this issue.
- Review Tennessee's statutes and regulations relevant to waste management, environmental protection, recycling, and other topics germane to the study.
- Review existing programs, including those of nonprofit organizations in Tennessee, designed to address this issue, and interview stakeholders involved with such programs.
- Review relevant federal statutes and regulations.
- Review similar laws, regulations, and programs in other states.
- Review relevant literature.
- Gather relevant data sets, including statistics related to the number and locations of illegal tires dumped over time, landfill and recycling statistics, public health statistics, and funding and finance of preventative programs.
- Review industry information—tire manufacturing, recycling, use of recycled products, landfills and solid waste management, etc. and interview subject matter experts in these fields.

Step 3. Construct Alternatives

Alternatives will be based on

- current law,
- proposed changes in the current law, and
- any additional alternatives drawn from the research and analysis in Step 2.

Each alternative will be described specifically enough to project outcomes in Step 5.

Step 4. Select Criteria

- Cost:
 - Direct and indirect
 - To state
 - To local governments
 - Businesses
 - Individuals
- Effectiveness at reducing illegal tire dumps
- Estimate receptiveness of
 - State government
 - Local governments
 - General public
 - Other stakeholders (e.g., the Tire Industry Association, tire manufactures and tire retailers)

Step 5. Project Outcomes

- Estimate cost.
- Estimate the effectiveness.
- Estimate the acceptability to the state and local governments, the general public, and other affected stakeholders.

Step 6. Confront Trade-offs

- How will the differences between the current law and the other alternatives affect the public?
- What are the pros and cons of the potential solutions?

Step 7. Decide which alternatives to present to the Commission

Based on the results of Step 6, choose the alternatives that most practically and realistically resolve the problem.

Step 8. Produce the Draft Report

Develop and present a draft for review and comment to the Commission.

Revisit Steps 5 through 8.

Respond to feedback from Commission regarding outcome projections, trade-offs, and selection of alternatives.

Revise and edit the draft to reflect comments of the Commission.

Submit final report to the Commission for approval.





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May 5, 2019

Mayor Larry Waters
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Mr. Cliff Lippard
Executive Director
Tennessee Advisory Commission on Intergovernmental Relations
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Executive Director Lippard and Mayor Waters,

I write to you today to formally request that the Tennessee Advisory Commission on Intergovernmental Relations to perform a study over the contents SJR0344, regarding the effects of illegal waste tire dumps in Tennessee. This issue is of particular concern to me, and other members, because illegal waste tire dumps cause great harm to the health of the citizens Tennessee, the environmental resources of Tennessee, and the natural beauty of Tennessee.

The SJR is laid out in six sections, all of which we hope that TACIR will study and find the core issues to which the legislature can then fix through regulatory and legislative actions:

1. The Health Risks of Illegal Waste Tire Dumps
2. Dangers of the Igniting and Burning of Illegal Waste Tire Dumps
3. Current Recycling Methods for Waste Tires
4. New Recycling Alternatives for Waste Tires
5. New Preventative Strategies for the Practice of Illegal Waste Tire Dumping
6. Incentives for Recycling through State and Local Programs

Chairman Southerland of the Senate Energy, Agriculture, and Natural Resources Committee has expressed interest in a study of this caliber, and we believe that a study by the Tennessee Advisory Commission on Intergovernmental Relations as well as recommendations for legislative solutions before the next legislative session it will be incredibly helpful in solving this issue.

Warmest Regards,

A handwritten signature in cursive script that reads "Steven Dickerson".

Steven Dickerson
State Senate – District 20