Scrap Tire Ordinance Update

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Solid Waste Management Department
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DRAFT 09/10/2015
Overview of Scrap Tire Challenge

• Over 24 million tires discarded each year in Texas, lots of space, additional tire imports, and an international border;

• December 2010 TCEQ review of scrap tire management did not identify any issuances with compliance, however, Houston’s experience is contradictory;

• It costs the City of Houston, Solid Waste Management Department approximately $1 million annually to collect and dispose of illegally dumped debris including tires.
Hazards of Illegally Dumped / Improperly Stored Scrap Tires

- **Fire**
  - Water does not adequately penetrate/cool
  - Often fires have to “burn themselves out”

- **Mosquito & Vector breeding**
  - Breeding ground with standing water
  - Snake haven
  - Rat haven

- **Pollution**
  - Could release hydrocarbons and other contaminants into environment

DRAFT 09/10/2015
Illegal dumping calls to 311 2014
Illegal dumping calls to 311 2015 (YTD)
# Current COH Management of Tire Issues

## TIRE REGULATIONS WITHIN THE CITY OF HOUSTON

<table>
<thead>
<tr>
<th>VIOLATION</th>
<th>ENFORCING DEPARTMENT</th>
<th>ORDINANCE VIOLATED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improper storage</td>
<td>Health</td>
<td>Chapter 21, Article 7</td>
</tr>
<tr>
<td>Illegal dumping (early set out of heavy trash)</td>
<td>HPD</td>
<td>Chapter 39, Article 4</td>
</tr>
<tr>
<td>Improper transport</td>
<td>Health</td>
<td>Chapter 21, Article 7</td>
</tr>
<tr>
<td>Incomplete or missing manifest</td>
<td>HPD</td>
<td>Chapter 21, Article 7</td>
</tr>
</tbody>
</table>

## PERMISSIONS REQUIRED

<table>
<thead>
<tr>
<th>PERMISSIONS REQUIRED</th>
<th>GRANTING DEPARTMENT</th>
<th>ORDINANCE AUTHORITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liscense to sell tires, new or used</td>
<td>HPD Auto Dealer's Division</td>
<td>Chapter 8, Article 2</td>
</tr>
<tr>
<td>Liscense to change tires</td>
<td>HPD Auto Dealer's Division</td>
<td>Chapter 8, Article 3</td>
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Scrap Tire Program Purpose

• To establish regulations and procedures for the safe transportation, appropriate storage, accurate record-keeping, and proper disposal of used or scrap tires
Examples of Violations

• No or improper record keeping
• No or incomplete manifest
• Improper disposal
• Unpermitted transport
• Unregistered facility
TIRE FACILITY WITH NUMEROUS SCRAP TIRES

Improperly Stored
Used/Scrap Tire Entities

Registered with TCEQ

- 86 Transporters
- 1,576 Generators
- 1 Transportation Facility
- 6 Scrap Tire Facility
- 1 Storage Facility
- 6 Processors
- 1 Land Reclamation Project Using Tires (LRPUT)
Stakeholder Engagement

• Internal: Solid Waste Management, Health and Human Services, Houston Police Department
  – Meetings to discuss current practices and policies;
  – Completed paperwork to transfer program to the Solid Waste Department.

• External: Tire shops and tire transporters
  – Mailed letters, held meetings, and incorporated feedback into project plan;
  – Canvassed the entire geographic area of Houston to personally visit with each business.
What Did We Learn?

- Visited nearly 4,000 businesses

- Covered ~100% of the City area and ETJ

- Common feedback:
  - Many shops are not registered with TCEQ and/or don’t know they need to be
  - Lots of tires end up cut and in dumpsters
  - About 70% have complete manifests on hand

- Good actors want to reduce bad actors as much as the City would like to do.
Proposed Improvements

- Permit each tire transporter including the issuance of decals to be displayed on trucks hauling tires within the City limits;

- Register each tire generator annually to allow inspection of their manifest records;

- Increase audit frequency and depth of manifest records kept by both generators and transporters.
Chapter 39 Updates

• Open storage of tires prohibited; nuisance

• Tires must be secured, stacked, organized

• Registration required for tire storage
  – For record keeping/documentation purposes
  – One time $26 admin fee; plus one time registration fee of $43

• Permit required for tire transport
  – Name, address, contact information, business occupation, appropriate decals on vehicles
  – One time $26 admin fee; plus annual fee of $118, with added fee of $21 per truck and $11 per driver

• Tires must be manifested and records will be inspected routinely.
Current Actions and Next Steps

• Worked with Finance Department to review fees associated with the program, and perform cost analysis;

• Ready to move forward for City Council consideration and action;

• Concurrently working with state and national agencies and organizations to implement a better statewide program.

• If approved, program would begin January 1, 2016; with a six month grace period for compliance.
State legislative review

- **84th Legislature: SB 1242 Rodriguez**, passed one vote in the Senate Transportation Committee
  - Would have required financial assurance ($25,000 surety bond) from tire transporters to be used to clean up tire stockpiles if recouped;
  - Display insignia provided by TCEQ on every truck operated in the state of Texas;
  - Renew registration annually.

- **83rd Legislature: SB 459 Rodriguez**, similar bill but main aim was to prevent customers from taking tires with them after purchasing new tires

- **82nd Legislature: HB 2871 and HB 405**
Contact Information

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