



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

Fax: 804-698-4019 - TDD (804) 698-4021

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources


David K. Paylor
Director

(804) 698-4020
1-800-592-5482

To: The Honorable Robert F. McDonnell

The Honorable Harvey B. Morgan, Chair
House Committee on Agriculture, Chesapeake and Natural Resources

The Honorable Patricia S. Ticer, Chair
Senate Committee on Agriculture, Conservation and Natural Resources

From: David K. Paylor 

Date: December 1, 2010

Subject: Progress of Waste Tire Pile Cleanup in Virginia

I am pleased to provide you with a copy of the "Progress of Waste Tire Pile Cleanup in Virginia." This report has been prepared pursuant to the 2003 and 2008 Acts of Assembly and sets forth the progress of the Department of Environmental Quality's (DEQ's) efforts and progress at cleaning up waste tire piles in Virginia. Specifically, the report provides details regarding DEQ's cleanup activities during 2010, reviews the work and quantifies results achieved since 2003.

This report is being made available at www.deq.virginia.gov/regulations/reports/html. If you have any questions concerning this report or if you would like a hard copy of this report, please contact Angie Jenkins, Policy Director at (804) 698-4268.

PROGRESS OF WASTE TIRE PILE CLEANUP IN VIRGINIA

***A Report to the Honorable Robert F. McDonnell, Governor
and the House Committee on Agriculture, Chesapeake and Natural Resources
and the Senate Committee on Agriculture, Conservation and Natural
Resources***

Virginia Department of Environmental Quality

December 2010

I. INTRODUCTION

This report is being provided to the Governor, the Chair of the Senate Committee on Agriculture, Conservation and Natural Resources, and the Chair of the House Committee on Agriculture Chesapeake and Natural Resources pursuant to the 2003 and 2008 Acts of Assembly.

Chapter 101 of the 2003 Acts of Assembly included a provision that increased the Virginia tire recycling fee from \$0.50 to \$1.00 per tire sold at retail from July 2003 through June 2006, with all the additional revenue dedicated solely for the removal and recycling of tires from waste tire piles. This legislation also directed the Virginia Department of Environmental Quality (DEQ) to provide an annual progress report by December 1 of each year to the chairs of the Senate Committee on Agriculture, Conservation and Natural Resources and the House Committee on Agriculture Chesapeake and Natural Resources. The \$1.00 tire recycling fee was extended through June of 2008 by legislation adopted in 2006 and was later continued through June 2011 by Chapter 32 of the 2008 Acts of Assembly. The annual reporting requirement also was extended through 2011.

This report provides details on activities conducted during 2010, summarizes the work and results achieved since 2003, and presents a plan for the work to be undertaken through 2012.

II. HISTORICAL REVIEW

Following the tire fire in Roanoke County in 2002, where 3 million tires burned for over a month, the 2003 General Assembly increased the tire recycling fee from \$0.50 per tire sold at retail (the level since enactment of the fee in 1989) to \$1.00 per tire to clean-up the approximately 4.5 million tires in the 339 tire piles that had been identified at that time. The additional revenues were to be utilized only for waste tire pile remediation.

DEQ first implemented a “Big 5” Plan to clean-up the five largest tire piles because those piles would likely result in the most significant environmental damage if ignited. After completing the Big 5 Plan in 2004, DEQ implemented the “Clean Sweep” plan, a region-by-region, multi-contractor effort to clean-up the remaining tire piles. Clean Sweep continued through 2008, though funds were insufficient to complete all piles in each region. With the extension of the additional funding through June of 2011, a revised plan, “Clean Sweep II,” was developed to address the remaining piles. Implementation began in 2008 and will continue through 2012, depending on available funds.

III. CLEANUP ACTIVITIES

A. 2010 Activities

Pursuant to the Clean Sweep II plan, DEQ initiated a regional cleanup contract in 2009 that continued into 2010. During 2010, this contract covered activities out of DEQ's Northern Regional Office (NRO) and included the Northern Virginia suburbs, the Fredericksburg area and surrounding counties.

The NRO contractor completed the work in October 2010 and the results are as follows:

<u>2010 Regional Activities</u>	<u>Tires Removed</u>	<u>Cost</u>
13 piles in NRO area	84,500	\$202,436

This Regional contractor work was supplemented with DEQ Small Purchase contracts to remove tires from harsh terrains (termed a "Part B" removal) to facilitate recovery and recycling by the Regional Contractor. DEQ conducted six such removals in NRO during 2010 at a cost of \$ 55,406, included in the cost figure above.

Through its End User Reimbursement Program (EUR), DEQ can offer up to \$ 100 per ton to cleanup tires from tire piles. This program remains in place, primarily to support the recycling of the 8,000,000 waste tires generated ("current flow" tires) in Virginia each year.

End User tire pile cleanup results in 2010 were:

<u>2010 EUR Cleanup Activities</u>	<u>Tires Removed</u>	<u>Cost</u>
Three piles completed + two underway	340,700	\$ 340,700

Total cleanup activities for 2010 are as follows:

<u>2010 Cleanup Activities</u>	<u>Tires Removed</u>	<u>Cost</u>
Regional, EUR and Part Bs	425,200	\$ 543,136

DEQ continues to receive reports of old tire dumps, each of which is investigated by DEQ staff. All such "new finds" that qualify for the DEQ tire pile cleanup program (meaning they were created prior to 1994 or they are the result of illegal dumping after 1994) are added to the cleanup database. In 2010, DEQ investigated and certified 9 such piles containing an estimated 90,000 "new find" tires.

B. 2003-2009 Results

Since 2003, the Big 5 program, the Regional Clean Sweep contracts and the recent EUR activity have achieved the following results:

<u>Year</u>	<u>Program</u>	<u>Tires Removed</u>	<u>Cost</u>
2003	Big 5	1,657,000	\$ 1,349,525
2004	“	369,000	\$ 369,128
2005	Clean Sweep I	4,149,200	\$ 8,896,711
2006	“ I	344,600	\$ 881,755
2007	“ I	290,500	\$ 431,358
2008	Clean Sweep II	54,700	\$ 185,582
2009	Clean Sweep II	484,000	\$ 922,864
2010	EUR + Clean Sweep II	425,200	\$ 543,136
TOTALS		7,774,200	\$ 13,580,059

C. Plans Through 2012

The Clean Sweep II plan presented a schedule to cleanup all known tire piles by 2012, based on a projection of funds at the plan’s inception. Prior to the budget reductions described below, the schedule was:

<u>DEQ Region</u>	<u>Estimated Time Frame</u>
VRO- Valley area	2009
TRO-Tidewater area	2010
PRO- Richmond/Central	2011

The Waste Tire Trust Fund, however, experienced budget reductions of \$500,000 in FY 2009 and \$2,000,000 in FY 2010. Accordingly, the contracts to address piles in the Valley and Tidewater areas were postponed.

The Waste Tire Trust Fund has now encountered further reductions of \$1,500,000 in FY 2011 and \$1,500,000 in FY 2012 for a total of \$5,500,000 in reductions. This further complicates DEQ’s ability to complete all cleanups before the Tire Recycling Fee reduces to \$0.50 on July 1, 2011. Exact funding levels for FY 2011 and FY 2012 will need to be available before DEQ will be able to revise the schedules to complete Clean Sweep II, if possible.

There remains interest in cleanups through the EUR program. Because these types of cleanups are cost effective they may continue even when the fee reverts to \$0.50.

IV. CONCLUSIONS

Since 2003, DEQ has utilized the additional \$0.50 in tire recycling fee revenue to support the cleanup of legacy tire piles. To date, approximately \$13.5 million has been spent to recover and beneficially use almost 7,800,000 tires from these piles. Budget reductions have claimed \$ 5,500,000. An estimated 1,950,000 tires remain in the 123 “known” piles at this time.