



COMMONWEALTH of VIRGINIA

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To: The Honorable Timothy M. Kaine

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, 2009

Subject: Progress of Waste Tire Pile Cleanups 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 2009, 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 Angela Jenkins, Manager, Office of Policy, at (804) 698-4268.

PROGRESS OF WASTE TIRE PILE CLEANUP IN VIRGINIA



***A Report to the Honorable Timothy M. Kaine, 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 2009

I. INTRODUCTION

This report is being provided to the Governor, the Chairman of the Senate Committee on Agriculture, Conservation and Natural Resources, and the Chairman 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 chairmen 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 2009, 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. 2009 Activities

Pursuant to the Clean Sweep II plan, DEQ initiated two year-long regional cleanup contracts in mid-2008 and one in 2009. The DEQ regions to be addressed included:

- BRRO - the Roanoke, Lynchburg, Martinsville and Danville areas
- SWRO - all areas west of Roanoke
- NRO - Northern Virginia and surrounding areas

Essentially all work has been completed in the BRRO and SWRO regions. The NRO contractor began work in September 2009 and has completed approximately 25% of the work in that region.

The results under these three contracts to-date are:

| <u>2009 Activities</u> | <u>Tires Removed</u> | <u>Cost</u> |
|--------------------------------|----------------------|-------------|
| 40 piles in BRRO, SWRO and NRO | 484,000 | \$ 922,864 |

It should be noted that all 2009 expenditures were made to businesses certified by the Virginia Department of Minority Enterprises (DMBE) as Small, Women and Minority (SWAM) vendors. DEQ has a policy of contracting tire pile cleanup services only with SWAM-certified vendors unless financially infeasible, in support of the Governor’s SWAM initiative.

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 2009, DEQ investigated and certified 18 such piles containing an estimated 150,000 “new find” tires.

B. 2003-2009 Results

Since 2003, individual Big 5 projects and regional Clean Sweep contracts 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 | <u>484,000</u> | \$ <u>922,864</u> |
| TOTALS | | 7,349,500 | \$13,036,914 |

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 expected to become available. Prior to the budget reductions described below, the schedule was:

| <u>DEQ Region</u> | <u># Piles</u> | <u># Tires</u> | <u>Estimated Time Frame</u> |
|-----------------------|----------------|----------------|-----------------------------|
| VRO- Valley area | 15 | 308,000 | April-June 2009 |
| TRO-Tidewater area | 29 | 864,000 | January-December 2010 |
| PRO- Richmond/Central | 69 | 872,000 | April- December 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 contract to address piles in the Valley area has been postponed and no action has been taken with respect to planning for the tire pile clean-ups in the Tidewater and Richmond/Central areas. Funding levels for FY 2011 and FY 2012 will need to be determined before DEQ will be able revise the schedules in the Clean Sweep II Plan and undertake any additional cleanups.

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, just over \$13 million has been spent to recover and beneficially use 7.3 million tires from these types of piles. An estimated 2.3 million tires in 148 piles remain at this time.