



## WASTE TIRE RECYCLING PROGRAMS

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### ISSUE

This report provides examples of state statutory waste tire recycling programs in the United States.

### SUMMARY

According to the federal [Environmental Protection Agency](#) (EPA), waste tires are primarily managed at the state level and about 48 states have laws or regulations to address waste tire management. While many states manage waste tires through broad solid waste management laws, including [Connecticut](#), some states have specific tire recycling programs in statute.

This report provides information from seven states with statutory waste tire recycling programs: Arizona, Colorado, Nebraska, New York, Oklahoma, Rhode Island, and Virginia (see Table 1).

These states' laws set requirements for waste tire storage, collection, processing, and disposal. They generally prohibit landfill disposal of waste tires, and some states, such as Arizona and Rhode Island, also ban burning the tires. The laws generally (1) specify the manner of disposal for waste tires and (2) restrict the number of and manner in which waste tires are stored. And many states, including New York and Rhode Island, require tire businesses to take waste tires from customers.

Each state in Table 1 imposes a tire fee to help pay for its recycling or cleanup program, ranging from 50 cents (Virginia) to \$5 (Rhode Island). They impose the fees on new tire purchases, and Nebraska and Oklahoma also collect them when motor vehicles are registered. About half of the states allow retailers to keep a portion of the fees to cover accounting and reporting expenses. Rhode Island's fee is refundable if a consumer delivers a waste tire to the retailer, but the retailers keep all unclaimed fees.

The laws require depositing the tire fees into accounts or funds dedicated to operating the states' waste tire programs. The funds are used for things such as (1) cleaning up waste tires, (2) monitoring or enforcing the laws' requirements, (3) education, and (4) waste tire market development. And several states, such as Colorado, Nebraska, and Virginia, partially reimburse certain entities that use, purchase, or process waste tires.

The states' environmental agencies are primarily responsible for administering the recycling programs and their revenue or tax departments generally control the funds.

Additional information about regional or state waste tire programs is available on EPA's [website](#), including a link to its [reference guide](#) on all states' waste tire programs and regulations.

**TABLE 1: SELECTED STATUTORY WASTE TIRE RECYCLING PROGRAMS**

STATE	PROGRAM ELEMENTS	TIRE FEES	FUND	ADMINISTERING AGENCY
<p>ARIZONA</p> <p><a href="#">(Ariz. Rev. Stat. §§ 44-1301 et seq.)</a></p>	<ul style="list-style-type: none"> <li>• generally bans landfilling and burning waste tires – tires must be disposed of at registered tire collection sites</li> <li>• specifies the allowed methods of waste tire disposal (e.g., retreading or recapping, use as building material for flood or erosion control, shredding for landfill cover, grinding for asphalt)</li> <li>• requires counties to establish waste tire programs and annually prepare waste tire management plans</li> <li>• makes (1) county waste tire sites take tires from residents and (2) tire retailers and wholesalers take tires from customers</li> <li>• restricts storing waste tires outdoors</li> </ul>	<ul style="list-style-type: none"> <li>• 2% of sale price per tire, up to \$2</li> <li>• up to \$1 per tire on new vehicle sales</li> <li>• retailers keep 10¢ per tire to cover accounting and reporting expenses</li> <li>• allows additional fees by counties or private contractors under certain conditions</li> </ul>	<ul style="list-style-type: none"> <li>• fees are deposited into the Waste Tire Fund</li> <li>• used to (1) monitor and enforce the law, (2) clean up waste tires, and (3) establish waste tire programs</li> </ul>	<ul style="list-style-type: none"> <li>• Department of Environmental Quality</li> <li>• Department of Revenue administers the fund</li> </ul>

Table 1 (Cont.)

STATE	PROGRAM ELEMENTS	TIRE FEES	FUND	ADMINISTERING AGENCY
COLORADO  <a href="#">(Colo. Rev. Stat. §§ 30-20-1401 et seq.)</a>	<ul style="list-style-type: none"> <li>• generally requires (1) tire disposal to occur at a registered waste tire generator, processor, monofill, or collection facility and (2) tires to be beneficially used, recycled, or reused</li> <li>• limits the number of waste tires certain entities can have on-site</li> <li>• makes generators (1) accept certain waste tires from customers and (2) use registered haulers</li> <li>• allows government to give preference to contractors who recycle or reuse waste tires</li> <li>• creates a priority list of illegal waste tire disposal sites for cleanup</li> <li>• closes all waste tire monofills by 7/1/24</li> <li>• provides, until 1/1/18, (1) rebates, to certain waste tire end users, retailers of tire-derived products, and waste tire processors (maximum amount is \$80 per ton and limited to in-state tires) and (2) funds for waste tire market development (e.g., education and grants for waste tire businesses)</li> </ul>	<ul style="list-style-type: none"> <li>• up to \$1.50 per tire on new tire sales (reduced to 55¢ on 1/1/18)</li> </ul>	<ul style="list-style-type: none"> <li>• Until 12/31/17, fees are deposited into the:               <ul style="list-style-type: none"> <li>(1) Waste Tire Administration, Enforcement, and Cleanup Fund;</li> <li>(2) End Users Fund; and</li> <li>(3) Waste Tire Market Development Fund</li> </ul> </li> <li>• waste tire cleanup fund used for enforcement, fee collection, community events, and grants for cleanup or education</li> <li>• Beginning 1/1/18, all funds will be deposited into the waste tire cleanup fund</li> </ul>	<ul style="list-style-type: none"> <li>• Department of Public Health and Environment</li> <li>• State Treasurer administers the funds</li> <li>• Department of Transportation helps research waste tire use for roadways</li> </ul>

Table 1 (Cont.)

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<p>NEBRASKA (Neb. Rev. Stat. §§ <a href="#">13-2033</a>, <a href="#">13-2039</a>, and <a href="#">81-15, 158.01 et seq.</a>)</p>	<ul style="list-style-type: none"> <li>• generally prohibits (1) land disposal of non-recyclable waste tires and (2) disposal of tires in water</li> <li>• limits the number of waste tires a person may store without a permit</li> <li>• makes certain tire projects eligible for partial cost reimbursement or cost sharing, including (1) purchasing crumb rubber generated and used in-state or other tire-derived product, (2) building waste tire collection or processing facilities, (3) manufacturing tire-derived product, (4) using the tires for civil engineering projects, and (5) cleaning up waste tire disposal sites</li> <li>• generally prioritizes public/private partnership projects for awarding the grants</li> <li>• gives a preference to projects using tires generated and used in the state</li> </ul>	<ul style="list-style-type: none"> <li>• \$1 per tire for each new motor vehicle or trailer sold, collected at registration</li> <li>• \$1 per tire for each tire sold at retail, collected at purchase</li> </ul>	<ul style="list-style-type: none"> <li>• establishes the Waste Reduction and Recycling Incentive Fund</li> <li>• includes (1) tire fees and (2) the \$25 per year waste reduction and recycling fee certain businesses pay</li> <li>• used for (1) administrative costs; (2) creating recycling systems and waste programs; (3) education; (4) market development; and (5) grants to promote waste tire use, including cost reimbursement</li> <li>• first \$1.5 million of tire fees limited to waste tire projects</li> </ul>	<ul style="list-style-type: none"> <li>• Department of Environmental Quality</li> <li>• Department of Revenue collects the tire fees</li> </ul>

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NEW YORK <a href="#">(N.Y. Env'tl. Conserv. §§ 27-1901 et seq.; N.Y. Env'tl. Conserv. § 27-0703; N.Y. State Fin. § 92-bb)</a>	<ul style="list-style-type: none"> <li>• generally bans knowing disposal of waste tires in landfills</li> <li>• requires, until 12/31/16, businesses that sell or install new tires or sell new vehicles to (1) accept a certain number of waste tires from customers and (2) post written notice of the law and fee</li> <li>• required the Department of Environmental Conservation to develop a plan to abate noncompliant waste tire stockpiles</li> <li>• requires facilities storing at least 1,000 tires to be permitted</li> <li>• requires the Department of Economic Development to help develop new technologies and markets for waste tire reuse and recycling</li> </ul>	<ul style="list-style-type: none"> <li>• until 12/31/16, \$2.50 per tire on each new tire sold (waste tire management and recycling fee)</li> <li>• retailers may keep 25¢ per tire of the fee</li> <li>• retailers may charge up to an additional \$2.50 per tire to pay for tire management or recycling costs</li> </ul>	<ul style="list-style-type: none"> <li>• establishes the Waste Management and Cleanup Fund</li> <li>• includes the waste tire management and recycling fees</li> <li>• used for such things as (1) program administration and enforcement, (2) market analyses and research projects, and (3) paving and engineering projects</li> </ul>	<ul style="list-style-type: none"> <li>• Department of Environmental Conservation</li> <li>• DEC cooperates with (1) Department of Economic Development, (2) Energy Research and Development Authority, (3) Department of Transportation, (4) Thruway Authority, and (5) Department of Health</li> <li>• Department of Taxation and Finance and Comptroller administer the fund</li> </ul>

Table 1 (Cont.)

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<p>OKLAHOMA</p> <p><a href="#">(Okla.Stat. tit. 27A, §§ 2-11-401.1 et seq.)</a></p>	<ul style="list-style-type: none"> <li>• generally requires (1) disposing of waste tires to occur at permitted sites and (2) having a manifest form when at least 10 waste tires are removed from a dealer</li> <li>• bans owning or operating a waste tire storage, collection, or disposal site with more than 50 tires without a permit</li> <li>• pays (1) in-state waste tire facilities, recycling facilities, and tire-derived fuel facilities to collect, transport, and process tires; (2) certain entities using tires in erosion control projects; and (3) local or country governments using baled waste tires for engineering projects</li> <li>• requires recycling and tire-derived fuel facilities to collect tires from places with at least 300 waste tires</li> <li>• establishes a priority list for cleaning up waste tire dumps, prioritizing victims of illegal dumping</li> </ul>	<ul style="list-style-type: none"> <li>• generally \$1, \$2.50, or \$3.50, per tire, based on size and type</li> <li>• generally agricultural equipment tire fees are 5¢ per pound of tire weight, but at least \$2.50 per tire</li> <li>• fee assessed when a (1) tire is sold to consumer or (2) motor vehicle or cycle is first registered in the state</li> <li>• tire dealers and motor license agents allowed to keep some fees if they timely submit the fees</li> </ul>	<ul style="list-style-type: none"> <li>• establishes the Used Tire Recycling Indemnity Fund</li> <li>• includes the fees from tire sales and vehicle registrations</li> <li>• used to 1) control air pollution; (2) reimburse tire collection, transport, or processing; (3) pay certain end users; (4) pay administrative and audit costs; (5) remediate tire waste sites; and (6) market tire-derived products</li> </ul>	<ul style="list-style-type: none"> <li>• Department of Environmental Quality</li> <li>• Oklahoma Tax Commission administers the fund and collects the fees</li> </ul>

Table 1 (Cont.)

STATE	PROGRAM ELEMENTS	TIRE FEES	FUND	ADMINISTERING AGENCY
RHODE ISLAND <a href="#">(R.I. Gen. Laws §§ 23-63-1 et seq.)</a>	<ul style="list-style-type: none"> <li>• (1) requires disposal of tires at specified waste tire disposal facilities and (2) bans burning waste tires in the state</li> <li>• requires tire recycling or recovery businesses to be licensed</li> <li>• limits unlicensed entities to storing 400 tires</li> </ul>	<ul style="list-style-type: none"> <li>• \$5 per tire at retail sale, refundable within 14 days if consumer delivers a waste tire to the retailer</li> <li>• retailers keep unclaimed fees</li> </ul>	<ul style="list-style-type: none"> <li>• establishes a Tire Site Remediation Account</li> <li>• funded by licensing fees and fines</li> <li>• used to (1) cleanup, recycle, and dispose of tires; (2) design remedial action for industrial properties; and (3) help towns collect and dispose of tires</li> </ul>	<ul style="list-style-type: none"> <li>• Department of Environmental Management</li> <li>• Rhode Island economic development corporation holds the account</li> </ul>

Table 1 (cont.)

STATE	PROGRAM ELEMENTS	TIRE FEES	FUND	ADMINISTERING AGENCY
<p>VIRGINIA</p> <p>(Va. Code Ann. §§ <a href="#">10.1-1418.2 – 10.1-1418.5</a>; <a href="#">10.1-1422.1</a>; <a href="#">10.1-1422.3 -10.1-1422.4</a>; <a href="#">58.1-640- 58.1-642</a>)</p>	<ul style="list-style-type: none"> <li>• requires the state to implement a plan to manage and transport waste tires</li> <li>• generally bans storing more than 100 tires without a permit (e.g., exempts tires stored for recycling or processing new products)</li> <li>• provides partial reimbursement to certain entities, including out-of-state end users, for the cost of using Virginia-generated waste tires or chips (e.g., resource recovery or producers of new products)</li> </ul>	<ul style="list-style-type: none"> <li>• 50¢ tire recycling fee on each new tire sold at retail</li> <li>• retailers may keep 5% of fees to cover administrative costs</li> </ul>	<ul style="list-style-type: none"> <li>• establishes Waste Tire Trust Fund</li> <li>• funded by the tire recycling fees</li> <li>• used to (1) implement the waste tire plan, (2) partially reimburse people who use waste tires or chips, and (3) remove waste tire piles</li> </ul>	<ul style="list-style-type: none"> <li>• Department of Environmental Quality</li> <li>• Department of Taxation collects and administers the tire recycling fees</li> </ul>

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