

Guidance for Projects Involving the Beneficial Use of Used or Scrap Tires

TCEQ Waste Permits Division

This document is intended to be used as guidance for persons considering or currently operating projects involving the beneficial use of used or scrap tires. This document is guidance only and does not constitute the approval or authorization to conduct beneficial use projects.

What is considered a beneficial use of used or scrap tires?

A beneficial use of used or scrap tires is a project that employs used or scrap tires for purposes not otherwise governed by Texas state laws or the rules of the TCEQ. A beneficial use project must put the tires to use and must not be for the purpose of storing, dumping, or disposing of the tires. Scrap tire activities that are regulated by the TCEQ (such as processing, energy recovery, recycling, and land reclamation) do not qualify as a beneficial uses. Additionally, a beneficial use project must not conflict with rules regarding Municipal Solid Waste, in Title 30 Texas Administrative Code (30 TAC), [Chapter 330](#).

Criteria for Determining if a Project is a Beneficial Use

It is the responsibility of the person initiating a project using used or scrap tires to ensure that such activity is not in conflict with state, TCEQ, or local laws, regulations, or requirements. Additionally, the activity can not interfere with another person's use and enjoyment of their property. The following criteria will be used by the TCEQ to determine if a project is a beneficial use:

- The activity for which tires are being used is not regulated by the TCEQ.
- The beneficial use of the tires is not limited to disposal of the tires.
- The project does not present a potential fire hazard. *(For more information about fire hazard, please contact your local fire marshal.)*
- The project does not present a potential vector problem, or if it does, proper vector control measures have been incorporated into the operation of the project. *(A vector is an agent, such as an insect, snake, rodent, bird, or animal capable of mechanically or biologically transferring a pathogen from one organism to another.)*
- The tires are managed in such a manner that they do not migrate from the project site. *(Tires should be securely anchored when used in the construction of a project.)*
- The project does not violate local regulations, ordinances, or requirements. *(The project should be approved by the local authorities*

that have jurisdiction over such a project.)

- The project does not violate state regulations or requirements.
- The project does not pose an actual or potential endangerment to public health and safety or to the environment.

Any project that does not meet the criteria may be in violation of local or state regulations, and may be considered an unauthorized disposal of municipal solid waste. Unauthorized disposal of municipal solid waste may result in formal enforcement actions by the TCEQ, with administrative penalties up to \$10,000 per day per violation.

Tire Storage at a Beneficial Use Site

The storage of tires is governed by 30 TAC [Chapter 328, Subchapter F](#). Any tires not currently part of the beneficial use project may be considered “stored” tires and subject to regulation. This includes tires that will be used in the beneficial use project, but have not yet been incorporated into the project. If you store tires on your property or site of operation, you may meet the definition of a storage facility and be required to obtain a [tire storage site registration](#). Operating a storage site without the required authorizations could result in enforcement and administrative penalties.

Once the beneficial use project has been completed and is no longer serving a purpose as beneficial use, scrap tires must be disposed of properly. Failure to do so may result in violations of municipal solid waste rules leading to enforcement and potential administrative penalties.

For more Information

For additional assistance, please contact your [local TCEQ region office](#), or the Scrap Tire Management Program at (512) 239-2515, or by email to tires@tceq.texas.gov.