



# Fact Sheet

## Updating Rules for the Management of Waste Tires

The State of Oregon is proposing to update its administrative rules for how waste tires are managed. The Department of Environmental Quality is inviting people to provide formal public comment on the proposed draft rules. The [public notice and proposed rules](#) were published online March 1, 2023, and DEQ is accepting public comment until 4 p.m. on Friday, March 31. DEQ will hold a public hearing on Thursday, March 16, via Zoom to share information and accept verbal comment on the proposed changes.

Please view the [Waste Tire web page](#) for more information.

### How to provide comment or participate in the public hearing

DEQ is asking for public comment on the proposed rules. Anyone can submit comments and questions about this rulemaking. DEQ will accept comments by email, regular mail or verbally at a public hearing. Comments on the proposed rules must be submitted by 4 p.m. on Friday, March 31, 2023.

**Submit comments by email:** [wastetire.2022@deq.oregon.gov](mailto:wastetire.2022@deq.oregon.gov)

### Submit comments by mail:

Oregon DEQ  
Attention: Stephanie Caldera/Materials Management  
700 NE Multnomah St., Suite 600  
Portland, OR 97232-4100

### Provide comments at the public hearing

DEQ will hold a public hearing at 3:30 p.m. on Thursday, March 16, 2023. Anyone can attend the hearing by Zoom, using the online platform or toll-free telephone connection. You must [pre-register for this public hearing](#).

After registering, you will receive a confirmation email with instructions on how to join the hearing on March 16.

### Translation or other formats

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800-452-4011 | TTY: 711 | [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov)

# Brief summary of proposed changes

DEQ is proposing moving rules for waste tires from OAR 340, Division 64 to [OAR 340, Division 93, Solid Waste: General Provisions](#) to use existing solid waste permitting criteria and procedures for waste tire rules. Division 93 rules describe procedures for solid waste permit application, public notice, permit issuance, compliance and enforcement. Landfill disposal requirements for waste tires would also be incorporated within Division 93 under wastes requiring special management. Some duplicate rules would be eliminated as part of the move.

DEQ is also proposing moving rules for waste tire storage sites and waste tire carriers from Division 64 to [Division 96, Solid Waste: Special Rules for Selected Solid Waste Disposal Sites](#), which describes solid waste permitting requirements.

DEQ's proposal also includes moving Waste Tire Storage and Waste Tire Carrier Permits and annual compliance fees from Division 64 to [Division 97, Solid Waste: Permit Fees](#). The fees would include permit application and annual compliance fees for waste tire storage sites and waste tire carriers. DEQ is not proposing to increase fees but is proposing to eliminate waste tire carrier per vehicle fees.

DEQ's proposal includes eliminating Beneficial Waste Tire Storage Permits and Combined Tire Carrier/Storage Permits. As proposed, Beneficial Waste Tire Storage Permits would become new Waste Tire Storage Permits and Combined Tire Carrier/Storage Permits would become new, separate, Waste Tire Carrier and Waste Tire Storage Permits.

Waste tire rules are currently in Oregon Administrative Rules Chapter 340, Division 64. Division 64 was established by the DEQ's Environmental Quality Commission in 1988 to support waste tire management. The rules have only been modified once since being first adopted, in 1992, to incorporate minor updates. Statutory changes made in the early 1990s and from legislation in 2019 have made many of the waste tire rules in Division 64 obsolete and DEQ is proposing those elements be repealed in addition to the summary of changes noted above. A comprehensive listing of proposed changes, including the specific rule language amendments, is included in the [public notice document](#).

## Next steps

DEQ will review all comments received during the public comment period and prepare a final report, including proposed draft rules and formal responses to comments, for consideration by the Oregon Environmental Quality Commission. DEQ intends to bring the report and proposed draft rules for commission review and potential approval to the May 18-19, 2023, regular EQC meeting.

If approved by the Oregon Environmental Quality Commission, the rule revisions will become effective when filed with the Secretary of State's office. All current and active permits, including those proposed to be eliminated, will remain in effect and enforceable until the permit's end date and renewal. During the renewal period, the new rules and changes to permit conditions will be incorporated to the permit. Any applications for new waste tire-related permits will be subject to the updated rules and conditions once they are adopted and filed.

## Non-discrimination statement

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