

MONTPELIER The Bridge

AUGUST 9, 2007

CONNECTING OUR COMMUNITY

FREE

HOW TO DEAL WITH ILLEGAL TIRE DUMPING Is New Legislation the Answer?

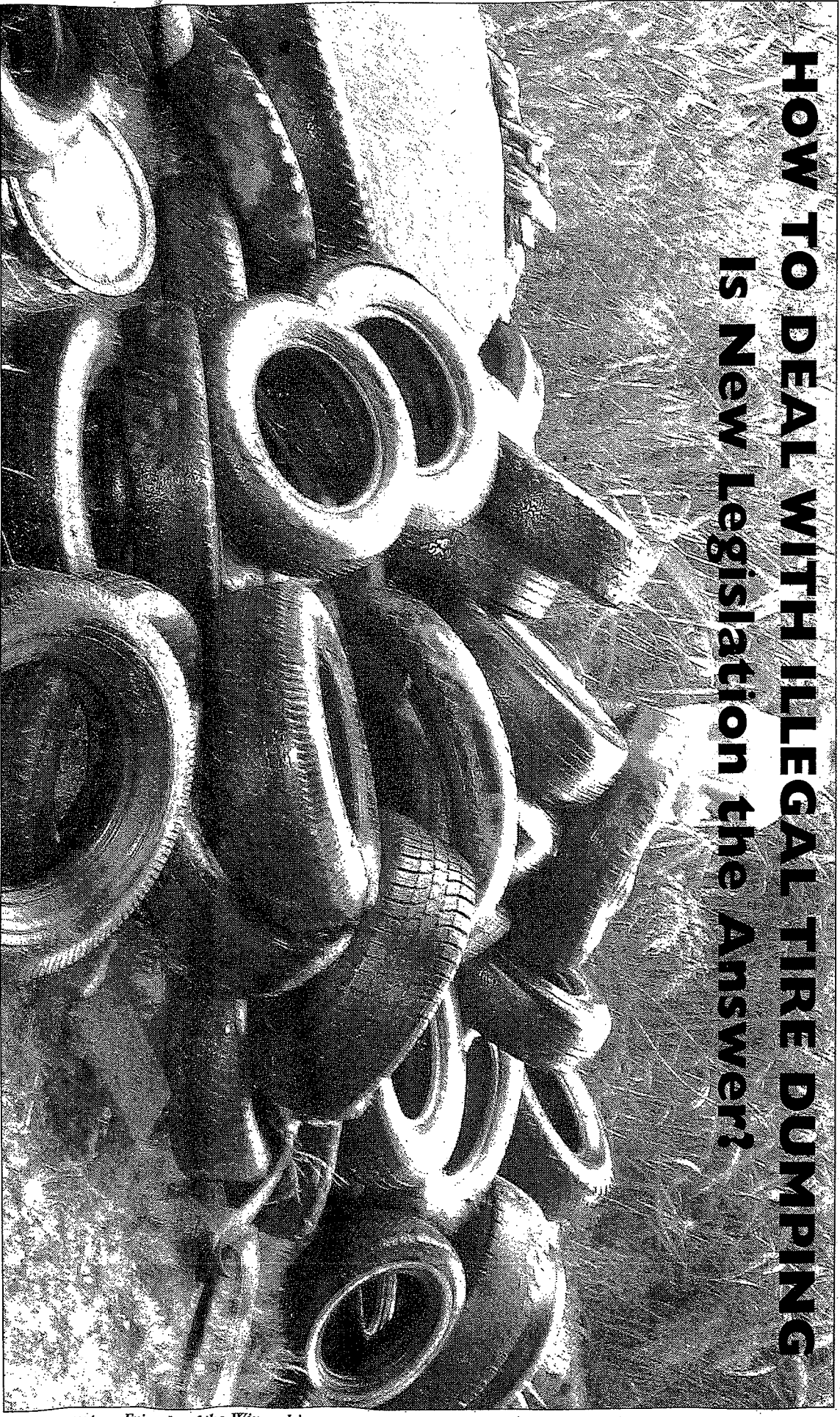


Photo courtesy Friends of the Winooski.

by Nat Frothingham

How to deal with illegally dumped tires—this problem is getting attention from two Vermont legislators: Rep. Jon Anderson from Montpelier and Rep. Jim McCullough from Williston. Both men have drafted a bill for consideration in the upcoming session that will begin in January 2008.

According to Anderson and others, discarded tires in significant number are continuing to turn up on and in the state's roads, woodlands, and rivers. At a recent meeting at *The Bridge* office, Anderson said that illegally dumped tires have been a continuous problem for many years. He went on to say, "Vermont depends on tourism. I

don't want to live in a dump. I don't think people want to visit a dump."

If the bill proposed by Reps. Anderson and McCullough becomes law, it would require consumers to pay a \$1 "advance disposal fee" for each tire bought in Vermont at a retail location. The money collected from this advance disposal fee would be deposited in the state's solid waste management assistance fund to pay for tire collection and disposal activities.

According to Anderson, about 31 states across the nation already have such predisposal fees that range from a low of 25 cents per tire in Indiana and Kansas to a high of \$2.50 per tire in Alaska, Illinois, and New York. In North Carolina, the predisposal charge is 2 percent of the tire's cost. In two states, there are different fees for car and truck tires: In Oklahoma, the car tire fee is \$1 and the truck tire fee is \$3.50. In Arkansas, the car tire fee is \$2 and the truck tire fee is \$4.

Just how serious and how widespread is illegal tire dumping in Vermont? Is it serious enough and widespread enough to require new legislation? This appears to be the critical question separating those who support new antidumping legislation and those who think there are already enough laws on the books and oppose new legislative measures.

Dick Cole is executive director of the New England Tire Dealers Association, representing all six New England states with 290 dealer-members in over 400 locations throughout the region. In a recent phone conversation with *The Bridge*, Cole said, "Currently, we don't think that tire dumping in Vermont is a big problem." Cole said he hasn't seen statistical evidence that proves there's a big Vermont tire dumping

problem. He also said that Vermont has laws on the books to prevent illegal dumping. "Our feeling is there's no need for this \$1 fee. It's in fact a tax," he said.

Here in Montpelier, there's been at least a 20-year history of local concern and action to deal with illegal tire dumping. According to former Montpelier High School (MHS) teacher Bill Haines, that local concern and action began with MHS students. "It came out of student concerns for the river," Haines said about the early local awareness of illegal tire dumping.

Back in the 1980s, Haines said there was a Physical Education elective in canoeing at MHS, which brought more focus to the river. At the same time, MHS students formed an organization with the acronym EARTH (Environmental Association for Recycling Trash Heaps). One activity of EARTH was to go out into the river in canoes near the high school

and pull out discarded materials, including tires, from the Winooski River beginning at the Bailey Street Bridge and ending at Cemetery Curve.

Haines said that the number of tires pulled out of the river varied from a low of 25 tires in one year to a high of 326 tires in another year. Normally, Haines said, "It's 75 to 100 tires." Over time, Haines estimated as many as 1,000 tires were pulled out of this stretch of the Winooski River. "Some of the tires that you find are really old," Haines said. "The tires are being carried forward by the river."

Tom Sabo, a biology teacher at MHS, said, "It's a mix of old and new tires. The tire industry says it's just old tires. But we know that's not the case." Sabo is in general support of the draft predisposal fee bill. But what he really thinks would work effectively

continued on page 7

Friends of the Winooski Call for Volunteers

by Sydney Rubin

The Friends of the Winooski River (FWR), a nonprofit organization that focuses on the improvement of the river's environment, will be hosting their annual cleanup on Saturday, September 8, from 9 a.m. to 12 noon. The cleanup not only helps beautify the river, but it also benefits the plant and animal life in and around it.

Last year, volunteers managed to clear three tons of trash and recyclables as well

as 72 tires from the Winooski. Freddie Cousins, an FWR volunteer, says that these numbers were actually "considerably down on previous river cleanups, indicating perhaps that the repeated effort of FWR volunteers is gradually paying off."

Volunteers will meet to help clean the riverbeds and banks at city hall at 8:45 a.m. Work clothes, sun hats, and sturdy shoes are recommended, and work gloves and refreshments will be supplied. For more information or to volunteer, please call (866) 685-7197.

The Montpelier Bridge
P.O. Box 1143
Montpelier, VT 05601

PRSR1 STD
CAR-RT SORT
U.S. Postage
PAID
Montpelier, VT
Permit NO. 123

POSTAL CUSTOMER

Illegal Tire Dumping

continued from page 1

is a tire deposit at the time of sale that would become a refund when the used tire was brought back to the tire dealer. Let's say you pay a deposit of \$5 for each tire that you buy. Then when you come back to the dealer to dispose of that used tire, you would get a refund of \$4 per tire. Sabo is convinced that the refund of the deposit would provide a strong incentive to the consumer to return the tire to the dealer and would prevent illegal dumping.

Of all the ideas currently being discussed in Vermont, it appears that the tire deposit idea is what really rankles Cole and the tire dealers he represents. They don't want tire deposits. They don't want the hassle of collecting the deposit money. They don't want to have to pay refunds. And they don't want to have to take in, store, and dispose of old tires. As they take a look at the proposed predisposal fee, they fear that it could be the first step leading to tire deposit legislation.

According to Sabo, two years ago a group of MHS students who were concerned about illegal tire dumping went to the Vermont Legislature and testified in favor of a tire deposit bill before the House Natural Resources Committee. Sabo said, "The tire industry took off the gloves. They had lobbyists from Washington, D.C. turning up in suits. The kids were a force."

But before any legislation got passed, the session ended. "The tire industry is a big, powerful, lobby," Sabo said.

Cole, however, has some misgivings about high students lobbying at the legislature and gives a different version of those events from two years ago.

"What concerns me honestly is that they are doing it through the schools," he said. "I'm not sure the school folks understand how many thousands of dollars this is costing Vermont tire dealers in preventing this bill from passing. The hours and hours I spent, and the TIA (Tire Industry Association) and Rubber Manufacturers Association spent. Thousands of dollars are being spent flying up to attend these hearings."

Cole also mentioned the time that tire dealers are spending and the email communications back and forth. "These monies are oftentimes passed on to consumers," he said.



Volunteers clean tires and other debris out of the Winooski River. Photo courtesy Friends of the Winooski.

"This is taking profits away from individual tire dealers."

Cole expressed a desire to get to the facts. For example, are the tires that are being pulled out of the Winooski River by the high school old tires or new tires? "I can't comment on what is happening in the river," he said. "We have asked to be involved. If these are new tires, we will tell from the serial numbers."

Cole resists the idea that illegal tire dumping in Vermont is widespread enough to warrant additional legislation. He thinks that the problem of illegal dumping could possibly be confined to a few people. Why not go after these bad actors, which is less expensive than putting a fee or tax on tires at retail outlets, he argued.

Although a tire deposit is not what the Anderson-McCullough bill calls for, Cole still rejects the idea of tire deposits. He said that with a tire deposit you would have to identify, or brand, each tire for the deposit system to work. That would void the tire warranty. Cole said tire manufacturers are saying they won't brand tires in Vermont.

"What about tires from Korea, Mexico,

Brazil, France?" he asked. "What about tires that are bought on the Internet?" Cole pointed out that tires sold on the Internet already have a 6 percent marketplace advantage because you can buy tires on the Internet and avoid the Vermont sales tax. "This is already a competitive disadvantage for Vermont," Cole said. If a tire deposit were to come in, it would raise the cost of tires to consumers and put Vermont tire dealers at a major disadvantage.

In sum, Cole doesn't see a need for new legislation of any kind, be it a \$1 predisposal fee or any tire deposit proposal that might be on the horizon.

"My comment to them [those proposing new legislative measures] is that you never had illegal disposal sites. And because of that," Cole said, "You are way in the forefront" and Vermont doesn't need new legislation to address a problem that doesn't exist."

Cole went on to say that he wants definite documentation and absolute numbers before the legislature acts on any proposed new legislation.