

2018 Regular Session

HOUSE BILL NO. 855

BY REPRESENTATIVE MIGUEZ

ENVIRONMENT/WASTE TIRES: Provides for end-market uses of waste tires and waste tire material and repeals the Waste Tire Program Task Force.

1 AN ACT

2 To amend and reenact R.S. 30:2418(H)(10), to enact R.S. 30:2412(40), and to repeal Section
3 3 of Act No. 323 of the 2013 Regular Session and Section 2 of Act No. 427 of the
4 2015 Regular Session, relative to waste tires; to provide for end-market uses of waste
5 tires and waste tire material; to provide for definitions; to repeal the Waste Tire
6 Program Task Force; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 30:2418(H)(10) is hereby amended and reenacted and R.S.
9 30:2412(40) is hereby enacted to read as follows:

10 §2412. Definitions

11 As used in this Chapter, unless the context clearly indicates otherwise, the
12 term:

13 * * *

14 (40) "Customary end-market use" means any use in a project that conforms
15 to generally accepted standard industry practices, including but not limited to, those
16 recognized by the United States Environmental Protection Agency, the U.S. Tire
17 Manufacturers Association, and those previously approved by the department
18 including bulkheads, tire derived fuel, and crumb rubber applications, or other uses
19 approved by the department.

20 * * *

1 §2418. Waste tires

2 * * *

3 H. The secretary shall promulgate rules, regulations, and guidelines for the
4 administration and enforcement of the waste tire program provided for in this
5 Chapter, which shall be subject to legislative review and approval by the Senate
6 Committee on Environmental Quality and the House Committee on Natural
7 Resources and Environment. The rules, regulations, and guidelines shall provide for
8 but not be limited to:

9 * * *

10 (10) Establishing standards and requirements for expedited approval of
11 customary end-market uses including but are not limited to those recognized by the
12 United States Environmental Protection Agency, the ~~Rubber Manufacturers~~
13 ~~Association~~ U.S. Tire Manufacturers Association, or previously approved by the
14 department. Such standards and requirements shall not include disposal as an ~~end~~
15 ~~market~~ end-market use of eligible waste tire material. No such standard or
16 requirement shall contravene Subsection C or E of this Section. Any end-market use
17 application for a customary end-market use for waste tires or waste tire material shall
18 be considered approved if not denied by the department within fifteen days of the
19 submission of the application.

20 * * *

21 Section 2. Section 3 of Act No. 323 of the 2013 Regular Session and Section 2 of
22 Act No. 427 of the 2015 Regular Session are hereby repealed in their entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 855 Engrossed 2018 Regular Session Miguez

Abstract: Provides for end-market uses of waste tires and waste tire material and repeals the Waste Tire Program Task Force.

Present law provides that a fee of \$2 per passenger/light truck tire, \$5 per medium truck tire, and \$10 per off-road tire be collected for every tire sold. Specifies that the fees are deposited

into the Waste Tire Management Fund which is used to operate the waste tire program in the Dept. of Environmental Quality. Present law also addresses reimbursement of waste tire processors from the fund for scrapping waste tires generated within the state.

Present law requires the department's rules and regulations provide for standards and requirements for expedited approval of customary end-market uses including, but not limited to, those recognized by the Environmental Protection Agency, the Rubber Manufacturers Association, or previously approved by the department.

Present law prohibits the standards and requirements from including disposal as an end market use of eligible waste tire material and contravening existing law prohibiting waste tire disposal in solid waste facilities and providing for waste tires commingled with solid waste.

Proposed law defines "customary end-market use" as any use in a project that conforms to generally accepted standard industry practices, including but not limited to, those recognized by the U.S. Environmental Protection Agency, the U.S. Tire Manufacturers Association, and those previously approved by the department including bulkheads, tire derived fuel, and crumb rubber applications, or other uses approved by the department.

Proposed law provides that any end-market use application for a customary end-market use for waste tires or waste tire material will be considered approved if not denied by the department within 15 days of the submission of the application. Changes the reference to the Rubber Manufacturers Association to its new name, "U.S. Tire Manufacturers Association".

Present law creates the Waste Tire Program Task Force charged with the responsibilities to study, report, and make recommendations on the waste tire program to the oversight committees. Proposed law repeals the task force.

(Amends R.S. 30:2418(H)(10); Adds R.S. 30:2412(40); Repeals §3 of Act No. 323 of the 2013 R.S. and §2 of Act No. 427 of the 2015 R.S.)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill:

1. Make technical changes.