2018 Regular Session

HOUSE BILL NO. 855

1

## BY REPRESENTATIVE MIGUEZ

2	To amend and reenact Section 3 of Act No. 323 of the 2013 Regular Session of the
3	Legislature, as amended by Act No. 427 of the 2015 Regular Session of the
4	Legislature, and R.S. 30:2418(H)(10) and to enact R.S. 30:2412(40), relative to
5	waste tires; to provide for end-market uses of waste tires and waste tire material; to
6	provide for definitions; to provide for the Waste Tire Program Task Force; and to
7	provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 30:2418(H)(10) is hereby amended and reenacted and R.S.
10	30:2412(40) is hereby enacted to read as follows:
11	§2412. Definitions
12	As used in this Chapter, unless the context clearly indicates otherwise, the
13	term:
14	* * *
15	(40) "Customary end-market use" means any use in a project that conforms
16	to generally accepted standard industry practices, including but not limited to those
17	recognized by the United States Environmental Protection Agency, the U.S. Tire
18	Manufacturers Association, and those previously approved by the department
19	including bulkheads, tire-derived fuel, and crumb rubber applications, or other uses
20	approved by the department.
21	* * *

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§2418.	. Waste	tires

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

\* \* \*

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

20 \* \* \*

Section 2. Section 3 of Act No. 323 of the 2013 Regular Session of the Legislature, as amended by Act No. 427 of the 2015 Regular Session of the Legislature, is hereby amended to read as follows:

Section 3.A. The Waste Tire Program Task Force is hereby created and charged with the responsibilities to study, report, and make recommendations on the Department of Environmental Quality's waste tire program, including the laws, rules, and regulations governing the program and the fee structure and financial obligations of the program, and to submit a report of its findings and recommendations on February 15, 2019, and February 15, 2020, to the House Committee on Natural Resources and

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1	Environment and the Senate Committee on Environmental Quality annually
2	until February 15, 2020. Additionally, recommendations for any changes to
3	the fee structure of the program shall be submitted to the committees on or
4	before February 15, 2016, and thereafter, such recommendations shall be
5	submitted with the annual report.
6	B. The Waste Tire Program Task Force shall be composed of the
7	following members:
8	(1) The secretary of the Department of Environmental Quality, or her
9	designee.
10	(2) The secretary of the Department of Transportation and
11	Development, or his designee.
12	(2)(3) The chairman of the House Committee on Natural Resources
13	and Environment, or his designee.
14	(3)(4) The chairman of the Senate Committee on Environmental
15	Quality, or his designee.
16	(4)(5) A representative appointed by the governor.
17	(5)(6) A representative appointed by the Louisiana Motor Transport
18	Association.
19	(6)(7) A representative appointed by the Louisiana Independent Tire
20	Dealers Association.
21	(7)(8) A representative appointed by each of the active waste tire
22	processors permitted as of May 1, 2013.
23	(8)(9) A representative appointed by the Louisiana Marine and
24	Motorcycle Dealers Association.
25	(9)(10) A representative appointed by the Louisiana Farm Bureau.
26	(11) A representative appointed by the Louisiana Automobile Dealers
27	Association.
28	C. Task force members shall serve without compensation, except per
29	diem or expense reimbursement to which they may be individually entitled
30	as members of their constituent organizations. The secretary of the

1	Department of Environmental Quality, or her designee, shall serve as
2	chairman of the task force and at the first meeting, the task force shall elect
3	a vice chairman. The task force shall meet as necessary to complete its
4	responsibilities: , and shall disband on February 15, 2020.
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA

**ENROLLED** 

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APPROVED: