

## RÉSUMÉ DIGEST

**HB 855**

**2018 Regular Session**

**Miguez**

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. The fees are deposited into the Waste Tire Management Fund that 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 recycling 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 present law prohibiting waste tire disposal in solid waste facilities and providing for waste tires commingled with solid waste.

Proposed law would have defined "customary end-market use" as any use in a project that conformed 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 would have provided that any end-market use application for a customary end-market use for waste tires or waste tire material would be considered approved if not denied by the department within 15 days of the submission of the application. Proposed law would have changed 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.

Present law requires the task force to report annually.

Proposed law would have required the task force to submit reports and recommendations to the oversight committee on Feb. 15, 2019, and Feb. 15, 2020, and it would have terminated the task force on Feb. 15, 2020.

Present law provides for the membership of the task force as follows:

- (1) The secretary of the DEQ, or her designee.
- (2) The chairman of the House Committee on Natural Resources and Environment, or his designee.
- (3) The chairman of the Senate Committee on Environmental Quality, or his designee.
- (4) A representative appointed by the governor.
- (5) A representative appointed by the La. Motor Transport Association.
- (6) A representative appointed by the La. Independent Tire Dealers Association.
- (7) A representative appointed by the La. Marine and Motorcycle Dealers Association.
- (8) A representative appointed by the La. Farm Bureau.

Present law provides that the membership include a representative appointed by each of the waste tire processors permitted as of May 1, 2013.

Proposed law would have retained present law and limited the representative appointed by each waste tire processor to the task force from only active waste tire processors.

Proposed law would have added the secretary of the Dept. of Transportation, or his designee, and a representative of the La. Automobile Dealers Association as members of the Waste Tire Program Task Force.

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

**VETO MESSAGE:**

"House Bill 855 requires that any end-market use application for a customary end-market use for waste tires or waste tire material be considered approved, if not denied by the LDEQ within 15 days of the submission of the application. Notably, the Waste Tire Regulations presently provide for a 15 day approval process for certain designated projects, but specifies a suspension of the 15 day period for inadequate and incomplete project applications. House Bill 855 lacks this suspension period. Further, House Bill 855 requires the Waste Tire Task Force to terminate on February 15, 2020. The Task Force should remain in place until all issues with the program are addressed."

Please be advised that I have vetoed House Bill No. 855 of the 2018 Regular Session.