

Existing law provides that \$2 per passenger/light truck tire, \$5 per medium truck tire, and \$10 per off-road tire be collected for every tire sold. These fees are deposited into the Waste Tire Management Fund which is used to operate the waste tire program in the Dept. of Environmental Quality (DEQ). One aspect of that program is to reimburse waste tire processors from the fund for scrapping waste tires generated within the state.

Prior law required the owner or operator of a waste tire collection center to provide the department the location, size, and the approximate number of waste tires that are accumulated at their site within six months after Sep. 1, 1989.

Prior law prohibited any person after Jan. 1, 1990, to knowingly and intentionally dispose of waste tires in the state, unless the waste tires are disposed of for processing, or collected for processing at a permitted solid waste disposal facility, a permitted waste tire processing facility, or a waste tire collection center.

Prior law prohibited the knowingly or intentionally disposing of waste tires that are not subjected to processing or recycling in a landfill after Jan. 1, 1991.

New law retains prior law except removes the dates.

Existing law requires the secretary of DEQ to promulgate rules, regulations, and guidelines for the administration and enforcement of a waste tire program.

Existing law requires the rules and regulations to provide for technical assistance and incentives to encourage market research and development projects.

Prior law required the rules to provide that 5% of the funds collected from July 1, 2003, through June 30, 2008, for the waste tire fund shall be used to encourage the development and promotion of products which have a beneficial use. Any amounts in excess of \$500,000 collected in that time after June 30, 2008, were required to be used solely for the purposes of the Waste Tire Management Fund. Further required the department to make recommendations to the oversight committees for tax credits to encourage development and implementation of technologies utilizing used and recycled tire rubber. New law repeals prior law.

Prior law required the rules to establish a priority system for the clean up of existing waste tires. New law repeals prior law and requires the establishment of a procedure to accept payments from tire retailers to defray the cost of transporting and recycling any tire collected at those facilities.

Prior law required a waste tire processing facility to be paid by DEQ a minimum of 7-1/2¢ per pound of waste tire material that is recycled or that reaches end-market uses or per whole waste tires marketed and shipped to a qualified recycler.

New law retains the payment amount and changes the requirement for payment for whole waste tires from that whole waste tires be marketed and shipped to a qualified recycler to that whole waste tires be recycled or reach end-market uses.

New law requires the payments to waste tire processors by the 12th day of the month following the request for payment.

Existing law conditions payment to the waste tire processing facility on providing documentation required by rules and regulations.

Prior law provided that in the event the balance of the Waste Tire Management Fund is insufficient to meet the obligations to waste tire processors, DEQ, after meeting all payments required by law, pay any undisputed amounts in a pro rata share to waste tire processors having a standard permit when the request was submitted.

Prior law provided that remaining undisputed obligations unpaid due to lack of funds shall be paid in a pro rata share from future surpluses to certain waste tire processors.

New law provides that beginning August 1, 2013, payments to processors shall be applied in priority from the earliest incurred undisputed obligation to the most current undisputed obligation.

Prior law required the secretary to make rules for payments to processors on the basis of weight or tire count at the option of the processor. New law removes that the option is made by the processor.

Existing law prohibits withholding or terminating payments to a waste tire processor without written notification of the reasons and requires any disputed payments be placed in escrow until resolution.

New law requires the department to initiate rulemaking to implement new law and submit the summary report to the oversight committees by Dec. 31, 2013.

New 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 on or before February 15, 2014.

New law provides that the task force shall be composed of the following members:

- (1) The secretary of the Department of Environmental Quality 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 the Environment or his designee.
- (4) A representative appointed by the governor.
- (5) A representative appointed by the Louisiana Motor Transport Association.
- (6) A representative appointed by the Louisiana Independent Tire Dealers Association.
- (7) A representative each appointed by each of the waste tire processors permitted as of May 1, 2013.

New law provides that the members shall serve without compensation, except per diem or expense reimbursement to which they may be individually entitled as members of their constituent organizations.

New law provides that the secretary of the Department of Environmental Quality, or her designee, shall serve as chairman of the task force and at the first meeting, the task force shall elect a vice chairman.

New law provides that the task force shall hold its first meeting by August 31, 2013, shall meet as necessary to complete its responsibilities, and shall disband after submitting its report.

Effective August 1, 2013.

(Amends R.S. 30:2418(A), (B), (C), (H)(3) and (6), (I)(2), and (3)(a), and (N))