

2015 Regular Session

HOUSE BILL NO. 746

BY REPRESENTATIVES MIGUEZ AND STUART BISHOP

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ENVIRONMENT/WASTE TIRES: Provides for the waste tire program in the Department of Environmental Quality

1 AN ACT

2 To amend and reenact R.S. 30:2418(I)(2) and Sections 3(A) and (C) of Act No. 323 of the
3 2013 Regular Session of the Legislature and to enact R.S. 30:2412(31) and
4 2418(H)(10), relative to waste tires; to provide for the waste tire program; to provide
5 for definitions; to provide for payments to processors of waste tires; to provide for
6 the authority of the Department of Environmental Quality; to provide for the Waste
7 Tire Program Task Force; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 30:2418(I)(2) is hereby amended and reenacted and R.S. 30:2412(31)
10 and 2418(H)(10) are 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 (31) "Processed" means any method or activity that alters whole waste tires
16 so that they are no longer whole; such as, cutting, slicing, chipping, shredding,
17 distilling, freezing, or other processes as determined by the administrative authority.

18 * * *

19 §2418. Waste tires

20 * * *

1 Section 3.A. The Waste Tire Program Task Force is hereby created and
 2 charged with the responsibilities to study, report, and make recommendations on the
 3 Department of Environmental Quality's waste tire program, including the laws, rules,
 4 and regulations governing the program and the fee structure and financial obligations
 5 of the program, and to submit a report of its findings and recommendations to the
 6 House Committee on Natural Resources and Environment and the Senate Committee
 7 on Environmental Quality ~~on or before February 15, 2014.~~

8 * * *

9 C. Task force members shall serve without compensation, except per diem
 10 or expense reimbursement to which they may be individually entitled as members
 11 of their constituent organizations. The secretary of the Department of Environmental
 12 Quality, or her designee, shall serve as chairman of the task force and at the first
 13 meeting, the task force shall elect a vice chairman. The task force ~~shall hold its first~~
 14 ~~meeting by August 31, 2013,~~ shall meet as necessary to complete its responsibilities,
 15 and shall disband upon submitting the report as provided in this Section.

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 746 Original

2015 Regular Session

Miguez

Abstract: Provides for the waste tire program in the Dept. of Environmental Quality.

Present 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.

Present law requires a permitted waste tire processing facility to be paid a minimum of .075¢ per pound of waste tire material that is recycled or that reaches end market uses or per pound of whole waste tires that are recycled or reaches end market uses.

Proposed law changes present law by requiring payment for waste tire material that is processed instead of recycled and reaches end market uses.

Proposed law defines "processed" as any method or activity that alters whole waste tires so that they are no longer whole; such as, cutting, slicing, chipping, shredding, distilling, freezing, or other processes as determined by the administrative authority.

Present law requires the payments to waste tire processors by the 12th day of the month following the request for payment and conditions payment on providing documentation required by rules and regulations. Proposed law retains present law.

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

Proposed law requires the rules and regulations to provide for standards and requirements for end market uses of waste tire material which shall include, but are not limited to, uses recognized by the U.S. Environmental Protection Agency, the Rubber Manufacturers Association, and end market uses approved by the department prior to March 15, 2015.

Proposed law prohibits disposal as an end market use of eligible waste tire material.

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 on or before February 15, 2014. Present law requires the task force to hold its first meeting by August 31, 2013. Proposed law removes the required dates for the report and holding its first meeting.

(Amends R.S. 30:2418(I)(2) and §3(A) and (C) of Act No. 323 of the 2013 R.S.; Adds R.S. 30:2412(31) and 2418(H)(10))