

19-6-809 Partial reimbursement.

- (1)
 - (a) A recycler may submit an application under Section 19-6-813 to the local health department having jurisdiction over the applicant's business address for partial reimbursement for the cost of transporting and processing a waste tire or a material derived from a waste tire that:
 - (i) meets the requirements of Subsections (3) and (4); and
 - (ii) is used within the state for:
 - (A) energy recovery or production;
 - (B) the creation of an ultimate product;
 - (C) the production of crumb rubber, if a contract exists for the sale of the crumb rubber for use, either within or outside the state, as a component in an ultimate product;
 - (D) the production of a chipped tire, if:
 - (I) the chipped tire is beneficially used, either within or outside the state; and
 - (II) a contract exists for the sale of the chipped tire; or
 - (E) a use defined in rule as recycling.
 - (b) A recycler is not eligible to receive partial reimbursement for transportation or processing costs related to the creation of an ultimate product if:
 - (i) the recycler used crumb rubber as a component of the ultimate product; and
 - (ii) the recycler, or another recycler, previously received under this section partial reimbursement for transportation or processing costs related to the production of the crumb rubber.
 - (c) A recycler who qualifies under this section for partial reimbursement may waive the reimbursement and request in writing that the reimbursement be paid to a person who:
 - (i) delivers a waste tire or material derived from a waste tire to the recycler; or
 - (ii) processes the waste tire before the recycler receives the waste tire or a material derived from the waste tire for recycling.
 - (d) A recycler is not eligible to receive partial reimbursement for transportation or processing costs for baling:
 - (i) whole waste tires; or
 - (ii) materials derived from waste tires that are larger than shredded waste tires.
- (2) Subject to the limitations in Section 19-6-816, a recycler is entitled to:
 - (a) \$65 as partial reimbursement for each ton of waste tires or material derived from waste tires converted to crumb rubber, if a contract exists for the sale of the crumb rubber for use as a component in an ultimate product;
 - (b) \$50 as partial reimbursement for each ton of waste tires or material derived from waste tires recycled, other than as crumb rubber; and
 - (c) \$20 as partial reimbursement for each ton of chipped tires used for a beneficial use.
- (3)
 - (a) A recycler is eligible for a partial reimbursement if the recycler establishes, in cooperation with a tire retailer or transporter, or both, a reasonable schedule to remove waste tires in sufficient quantities to allow for economic transportation of waste tires located in a municipality, as defined in Section 10-1-104, within the state.
 - (b) A recycler who is eligible for partial reimbursement under Subsection (3)(a) may also receive partial reimbursement for recycling a tire received from a location within the state other than those associated with a retail tire business, including a waste tire from a waste tire pile or an abandoned waste tire pile, as provided by Section 19-6-810.
- (4) A recycler who applies for partial reimbursement under Subsection (1) shall demonstrate to the local health department identified in Subsection (1)(a) that:

- (a) the waste tire or material derived from a waste tire that qualifies for the reimbursement was:
 - (i)
 - (A) removed and transported by a registered waste tire transporter, a recycler, or a tire retailer; or
 - (B) generated by a private person who:
 - (I) is not a waste tire transporter as defined in Section 19-6-803; and
 - (II) brings the waste tire to the recycler; and
 - (ii) generated in the state; and
- (b) if the tire is from a waste tire pile or abandoned waste tire pile, the recycler complied with the requirements of Section 19-6-810.

Amended by Chapter 263, 2012 General Session