

19-6-810 Recycling waste tires from abandoned waste tire piles and other waste tire piles.

- (1) A recycler may be reimbursed for recycling or beneficial use of waste tires from an abandoned waste tire pile within the state if:
 - (a) prior to recycling or the beneficial use of any of the waste tires, the recycler receives an affidavit from the local health department of the jurisdiction where the waste tire pile is located, stating:
 - (i) the waste tire pile is abandoned; and
 - (ii) the local health department has not been able to:
 - (A) locate the persons responsible for the waste tire pile; or
 - (B) cause the persons responsible for the waste tire pile to remove it;
 - (b) the waste tire transporter who transports the waste tires to the recycler:
 - (i) is registered;
 - (ii) has received from the local health department an affidavit stating it has authorized the transporter to remove the waste tires and deliver them to a recycler; and
 - (iii) provides a copy of the affidavit to the recycler; and
 - (c) the recycler provides to the local health department:
 - (i) proof of compliance with this Subsection (1) in the required form; and
 - (ii) the information required under Section 19-6-809.
- (2) A recycler may receive partial reimbursement for recycling or the beneficial use of waste tires from waste tire piles within the state that are not abandoned if:
 - (a) prior to recycling or the beneficial use of any of the waste tires, the recycler receives an affidavit from the local health department of the jurisdiction where the waste tire pile is located, stating the waste tire pile is not abandoned;
 - (b) the recycler obtains an affidavit from the owner of the waste tire pile or the owner's authorized designee stating:
 - (i) the waste tires are from a pile to which no tires have been added after June 30, 1991; or
 - (ii) if the waste tires are from a waste tire pile to which waste tires have been added after June 30, 1991, all the waste tires provided to the recycler were generated within the state;
 - (c) the waste tires are transported to the recycler by a registered waste tire transporter, who provides a manifest to the recycler; and
 - (d) the recycler provides to the local health department:
 - (i) proof of compliance with this Subsection (2) in the required form; and
 - (ii) the information required under Section 19-6-809.

Amended by Chapter 165, 2001 General Session