

H.B. 126

TIRE RECYCLING MODIFICATIONS

Representative **Lee B. Perry** proposes the following amendments:

1. *Page 1, Lines 14 through 16:*

14 ▶ adjusts rates of partial reimbursement; and
15 {→ ~~addresses funding for management of certain landfill or abandoned waste tire piles;~~
16 ~~and~~}

2. *Page 1, Line 27:*

{~~27 ——— 19-6-811, as last amended by Laws of Utah 2012, Chapter 360.~~}

3. *Page 9, Line 250 through Page 11, Line 316:*

250 {~~Section 4. Section 19-6-811 is amended to read:~~
251 ~~——— 19-6-811. Funding for management of certain landfill or abandoned waste tire~~
252 ~~piles -- Limitations:~~
253 ~~——— (1) (a) A county or municipality may apply to the director for payment from the fund~~
254 ~~for costs of a waste tire transporter or recycler to remove waste tires from an abandoned waste~~
255 ~~tire pile or a landfill waste tire pile operated by a state or local governmental entity and deliver~~
256 ~~the waste tires to a recycler.~~
257 ~~——— (b) The director may authorize a maximum reimbursement of:~~
258 ~~——— (i) 100% of a waste tire transporter's or recycler's costs allowed under Subsection (2) to~~
259 ~~remove waste tires from an abandoned waste tire pile or landfill waste tire pile and deliver the~~
260 ~~waste tires to a recycler, if no waste tires have been added to the abandoned waste tire pile or~~
261 ~~landfill waste tire pile on or after July 1, 2001; or~~
262 ~~——— (ii) [60%] 100% of a waste tire transporter's or recycler's costs allowed under~~
263 ~~Subsection (2) to remove waste tires from an abandoned waste tire pile or landfill waste tire~~
264 ~~pile and deliver the waste tires to a recycler, if waste tires have been added to the abandoned~~
265 ~~waste tire pile or landfill waste tire pile on or after July 1, 2001.~~
266 ~~——— (c) The director may deny an application for payment of waste tire pile removal and~~
267 ~~delivery costs, if the director determines that payment of the costs will result in there not being~~
268 ~~sufficient money in the fund to pay expected reimbursements for recycling or beneficial use~~
269 ~~under Section 19-6-809 during the next quarter.~~
270 ~~——— (2) (a) The maximum number of miles for which the director may reimburse for~~
271 ~~transportation costs incurred by a waste tire transporter under this section is the number of~~
272 ~~miles, one way, between the location of the waste tire pile and the State Capitol Building, in~~

273 Salt Lake City, Utah, or to the recycler, whichever is less:
274 ~~—— (b) This maximum number of miles available for reimbursement applies regardless of~~
275 ~~the location of the recycler to which the waste tires are transported under this section:~~
276 ~~—— (c) The director shall, upon request, advise any person preparing a bid under this~~
277 ~~section of the maximum number of miles available for reimbursement under this Subsection~~
278 ~~(2):~~
279 ~~—— (d) The cost under this Subsection (2) shall be calculated based on the cost to transport~~
280 ~~one ton of waste tires one mile.~~
281 ~~—— (3) (a) The county or municipality shall through a competitive bidding process make a~~
282 ~~good faith attempt to obtain a bid for the removal of the landfill or abandoned waste tire pile~~
283 ~~and transport to a recycler:~~
284 ~~—— (b) The county or municipality shall submit to the director:~~
285 ~~—— (i) (A) (I) a statement from the local health department stating the landfill waste tire~~
286 ~~pile is operated by a state or local governmental entity and consists solely of waste tires~~
287 ~~diverted from the landfill waste stream;~~
288 ~~—— (H) a description of the size and location of the landfill waste tire pile; and~~
289 ~~—— (HH) landfill records showing the origin of the waste tires; or~~
290 ~~—— (B) a statement from the local health department that the waste tire pile is abandoned;~~
291 ~~and~~
292 ~~—— (ii) (A) the bid selected by the county or municipality; or~~
293 ~~—— (B) if no bids were received, a statement to that fact.~~
294 ~~—— (4) (a) If a bid is submitted, the director shall determine if the bid is reasonable, taking~~
295 ~~into consideration:~~
296 ~~—— (i) the location and size of the landfill or abandoned waste tire pile;~~
297 ~~—— (ii) the number and size of any other landfill or abandoned waste tire piles in the area;~~
298 ~~and~~
299 ~~—— (iii) the current market for waste tires of the type in the landfill or abandoned waste tire~~
300 ~~pile:~~
301 ~~—— (b) The director shall advise the county or municipality within 30 days of receipt of the~~
302 ~~bid whether or not the bid is determined to be reasonable:~~
303 ~~—— (5) (a) If the bid is found to be reasonable, the county or municipality may proceed to~~
304 ~~have the landfill or abandoned waste tire pile removed pursuant to the bid:~~
305 ~~—— (b) The county or municipality shall advise the director that the landfill or abandoned~~
306 ~~waste tire pile has been removed:~~
307 ~~—— (6) The recycler or waste tire transporter that removed the landfill or abandoned waste~~
308 ~~tires pursuant to the bid shall submit to the director a copy of the manifest, which shall state:~~
309 ~~—— (a) the number or tons of waste tires transported;~~
310 ~~—— (b) the location from which they were removed;~~
311 ~~—— (c) the recycler to which the waste tires were delivered; and~~
312 ~~—— (d) the amount charged by the transporter or recycler:~~

313 ~~—— (7) Upon receipt of the information required under Subsection (6), and determination~~
314 ~~that the information is complete, the director shall, within 30 days after receipt authorize the~~
315 ~~Division of Finance to reimburse the waste tire transporter or recycler the amount established~~
316 ~~under this section.}~~