

# H.B. 126

## TIRE RECYCLING MODIFICATIONS

Senator **Scott D. Sandall** proposes the following amendments:

1. *Page 1, Lines 13 through 14:*

13           ▶       addresses waste tire transporters complying with this part; and  
14           { ~~→ adjusts rates of partial reimbursement, fi → and ← fi }~~

2. *Page 1, Line 26:*

26           { ~~19-6-809, as last amended by Laws of Utah 2012, Chapter 263~~ }

3. *Page 7, Line 191 through Page 9, Line 249:*

191           { ~~Section 3. Section 19-6-809 is amended to read:~~  
192     ~~19-6-809. Partial reimbursement.~~  
193     ~~(1) (a) A recycler may submit an application under Section 19-6-813 to the local health~~  
194     ~~department having jurisdiction over the applicant's business address for partial reimbursement~~  
195     ~~for the cost of transporting and processing a waste tire or a material derived from a waste tire~~  
196     ~~that:~~  
197     ~~(i) meets the requirements of Subsections (3) and (4); and~~  
198     ~~(ii) is used within the state for:~~  
199     ~~(A) energy recovery or production;~~  
200     ~~(B) the creation of an ultimate product;~~  
201     ~~(C) the production of crumb rubber, if a contract exists for the sale of the crumb rubber~~  
202     ~~for use, either within or outside the state, as a component in an ultimate product;~~  
203     ~~(D) the production of a chipped tire, if:~~  
204     ~~(i) the chipped tire is beneficially used, either within or outside the state; and~~  
205     ~~(ii) a contract exists for the sale of the chipped tire; or~~  
206     ~~(E) a use defined in rule as recycling;~~  
207     ~~(b) A recycler is not eligible to receive partial reimbursement for transportation or~~  
208     ~~processing costs related to the creation of an ultimate product if:~~  
209     ~~(i) the recycler used crumb rubber as a component of the ultimate product; and~~  
210     ~~(ii) the recycler, or another recycler, previously received under this section partial~~  
211     ~~reimbursement for transportation or processing costs related to the production of the crumb~~  
212     ~~rubber;~~  
213     ~~(c) A recycler who qualifies under this section for partial reimbursement may waive the~~  
214     ~~reimbursement and request in writing that the reimbursement be paid to a person who:~~

215 ~~—— (i) delivers a waste tire or material derived from a waste tire to the recycler; or~~  
216 ~~—— (ii) processes the waste tire before the recycler receives the waste tire or a material~~  
217 ~~derived from the waste tire for recycling;~~  
218 ~~—— (d) A recycler is not eligible to receive partial reimbursement for transportation or~~  
219 ~~processing costs for baling:~~  
220 ~~—— (i) whole waste tires; or~~  
221 ~~—— (ii) materials derived from waste tires that are larger than shredded waste tires.~~  
222 ~~—— (2) Subject to the limitations in Section 19-6-816, a recycler is entitled to:~~  
223 ~~—— (a) [\$65] \$80 as partial reimbursement for [each] a ton of waste tires or material~~  
224 ~~derived from waste tires converted to crumb rubber, if a contract exists for the sale of the~~  
225 ~~crumb rubber for use as a component in an ultimate product;~~  
226 ~~—— (b) \$50 as partial reimbursement for [each] a ton of waste tires or material derived~~  
227 ~~from waste tires recycled, other than as crumb rubber; and~~  
228 ~~—— (c) \$20 as partial reimbursement for [each] a ton of chipped tires used for a beneficial~~  
229 ~~use:~~  
230 ~~—— (3) (a) A recycler is eligible for a partial reimbursement if the recycler establishes, in~~  
231 ~~cooperation with a tire retailer or transporter, or both, a reasonable schedule to remove waste~~  
232 ~~tires in sufficient quantities to allow for economic transportation of waste tires located in a~~  
233 ~~municipality, as defined in Section 10-1-104, within the state.~~  
234 ~~—— (b) A recycler who is eligible for partial reimbursement under Subsection (3)(a) may~~  
235 ~~also receive partial reimbursement for recycling a tire received from a location within the state~~  
236 ~~other than those associated with a retail tire business, including a waste tire from a waste tire~~  
237 ~~pile or an abandoned waste tire pile, as provided by Section 19-6-810.~~  
238 ~~—— (4) A recycler who applies for partial reimbursement under Subsection (1) shall~~  
239 ~~demonstrate to the local health department identified in Subsection (1)(a) that:~~  
240 ~~—— (a) the waste tire or material derived from a waste tire that qualifies for the~~  
241 ~~reimbursement was:~~  
242 ~~—— (i) (A) removed and transported by a registered waste tire transporter, a recycler, or a~~  
243 ~~tire retailer; or~~  
244 ~~—— (B) generated by a private person who:~~  
245 ~~—— (I) is not a waste tire transporter as defined in Section 19-6-803; and~~  
246 ~~—— (H) brings the waste tire to the recycler; and~~  
247 ~~—— (ii) generated in the state; and~~  
248 ~~—— (b) if the tire is from a waste tire pile or abandoned waste tire pile, the recycler~~  
249 ~~complied with the requirements of Section 19-6-810. }~~