

By: Representative Ellington

To: Conservation and
Water Resources

HOUSE BILL NO. 1190

1 AN ACT TO AMEND SECTION 17-17-407, MISSISSIPPI CODE OF 1972,
2 TO EXTEND THE EFFECTIVE DATE ON THE PROHIBITION ON LANDFILLING
3 TIRES FROM JANUARY 1, 2000, UNTIL JANUARY 1, 2001; AND FOR RELATED
4 PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 17-17-407, Mississippi Code of 1972, is
7 amended as follows:

8 17-17-407. The commission may promulgate and enforce rules
9 and regulations pertaining to collection, transportation, storage,
10 processing and disposal of waste tires and may modify, repeal,
11 make exceptions to and grant exemptions and variances from the
12 rules and regulations. The rules and regulations shall include:

13 (a) Methods of collection, storage, processing and
14 disposal of waste tires. The following are permissible methods of
15 waste tire processing and disposal:

16 (i) Controlling soil erosion, when whole tires are
17 not used;

18 (ii) Grinding into crumbs for use in road asphalt,
19 tire derived fuel and as raw materials for other products;

20 (iii) Pyrolizing or other physico-chemical
21 processing;

22 (iv) Incineration;

23 (v) Landfilling split, ground, chopped, sliced or
24 shredded waste tires until January 1, 2001. Beginning January 1,
25 2001, the landfilling of waste tires in any form, including, but
26 not limited to, split, ground, chopped, sliced, shredded or whole
27 waste tires is prohibited, unless the commission grants an

28 exception. In determining whether to grant an exception, the
29 commission shall consider the following factors: A. whether
30 sufficient end-use or recycling markets have developed in all or
31 parts of the state, B. whether the condition of the waste tire or
32 waste tire derived material prevents recycling, C. whether the
33 prohibition on landfilling waste tires will place a financial
34 burden on local governments, or D. other factors the commission
35 deems relevant. It is the intent of the Legislature that the
36 commission shall, to the extent practicable, grant exceptions in
37 areas of the state where the prohibition against landfilling waste
38 tires will pose a demonstrated, unfunded financial burden on local
39 governments.

40 (vi) Other methods as approved by the commission.

41 (b) Procedures for authorization or permitting for
42 waste tire collection sites, waste tire processing facilities,
43 waste tire haulers and waste tire disposal sites, including a
44 review of the applicant's performance history;

45 (c) Requirements for location of facilities at which
46 waste tires are collected, stored, processed or disposed, with
47 regards to property boundaries and buildings, pest control,
48 accessibility by fire fighting equipment and other considerations
49 as they relate to protection of public health and safety and the
50 environment; and

51 (d) Requirements for any financial assurance for waste
52 tire haulers, waste tire collection sites, waste tire processing
53 facilities and waste tire disposal facilities.

54 SECTION 2. This act shall take effect and be in force from
55 and after July 1, 1999.