

By: Senator(s) Dearing

To: Environment Prot,  
Cons and Water Res

SENATE BILL NO. 2958  
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 17-17-407, MISSISSIPPI CODE OF 1972,  
2 TO DELAY THE PROHIBITION ON LANDFILLING WASTE TIRES FOR ONE YEAR;  
3 AND FOR RELATED PURPOSES.

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

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

7 17-17-407. The commission may promulgate and enforce rules  
8 and regulations pertaining to collection, transportation, storage,  
9 processing and disposal of waste tires and may modify, repeal,  
10 make exceptions to and grant exemptions and variances from the  
11 rules and regulations. The rules and regulations shall include:

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

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

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

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

21 (iv) Incineration;

22 (v) Landfilling split, ground, chopped, sliced or  
23 shredded waste tires until July 1, 2000. Beginning July 1, 2000,  
24 the landfilling of waste tires in any form, including, but not  
25 limited to, split, ground, chopped, sliced, shredded or whole  
26 waste tires is prohibited, unless the commission grants an

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

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

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

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

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

53 SECTION 2. This act shall take effect and be in force from  
54 and after its passage.