

By: Senator(s) Dearing

To: Environment Prot,
Cons and Water Res

SENATE BILL NO. 2958
(As Sent to Governor)

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.