

By: Senator(s) Nunnelee

To: Environment Prot, Cons
and Water Res

SENATE BILL NO. 2838

1 AN ACT TO AMEND SECTION 17-17-407, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT THE DISPOSAL OF WASTE TIRES IN LANDFILLS; TO AMEND
3 SECTION 17-17-401, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR
4 RELATED 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. (1) The commission may promulgate and enforce
9 rules and regulations pertaining to collection, transportation,
10 storage, processing and disposal of waste tires and may modify,
11 repeal, make exceptions to and grant exemptions and variances from
12 the rules and regulations. The rules and regulations shall
13 include:

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

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

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

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

23 (iv) Incineration; and

24 * * *

25 (v) Other methods as approved by the commission;

26 (b) Procedures for authorization or permitting for
27 waste tire collection sites, waste tire processing facilities,

28 waste tire haulers and waste tire disposal sites, including a
29 review of the applicant's performance history;

30 (c) Requirements for location of facilities at which
31 waste tires are collected, stored, processed or disposed, with
32 regards to property boundaries and buildings, pest control,
33 accessibility by fire fighting equipment and other considerations
34 as they relate to protection of public health and safety and the
35 environment; and

36 (d) Requirements for any financial assurance for waste
37 tire haulers, waste tire collection sites, waste tire processing
38 facilities and waste tire disposal facilities.

39 (2) Landfilling of waste tires in any form, including, but
40 not limited to, split, ground, chopped, sliced, shredded or whole
41 waste tires is prohibited.

42 **SECTION 2.** Section 17-17-401, Mississippi Code of 1972, is
43 amended as follows:

44 17-17-401. The Legislature finds that:

45 (a) Uncontrolled disposal of waste tires may create a
46 public health and safety problem because tire piles act as
47 breeding sites for mosquitoes and other disease-transmitting
48 vectors, pose substantial fire hazards and present a difficult
49 disposal problem for landfills.

50 (b) A significant number of waste tires are illegally
51 dumped in Mississippi.

52 (c) It is in the state's best interest to encourage
53 efforts to recycle or recover resources from waste tires.

54 (d) It is desirable to prohibit the landfilling
55 of * * * waste tires.

56 **SECTION 3.** This act shall take effect and be in force from
57 and after July 1, 2004.