

Senate Bill No. 772

CHAPTER 214

An act to amend Section 42885.5 of the Public Resources Code, relating to the environment.

[Approved by Governor September 6, 2005. Filed with
Secretary of State September 6, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

SB 772, Ducheny. Environment: border region: waste and used tires.

The existing California Tire Recycling Act requires the California Integrated Waste Management Board to administer a tire recycling program that promotes and develops alternatives to the landfill disposal of used whole tires. The board is required to adopt and biennially update a 5-year plan to establish goals and priorities for the waste tire program, including specified program elements. The budget for implementation of the act and the funding of the tire recycling program are based upon the 5-year plan.

This bill would additionally require the plan to include specified border region activities, conducted in coordination with the California Environmental Protection Agency, including training programs, environmental education, waste tire abatement, tracking tire flow across the border, and coordination with regard to environmental and control requirements.

The people of the State of California do enact as follows:

SECTION 1. Section 42885.5 of the Public Resources Code is amended to read:

42885.5. (a) The board shall adopt a five-year plan, which shall be updated every two years, to establish goals and priorities for the waste tire program and each program element.

(b) On or before July 1, 2001, and every two years thereafter, the board shall submit the adopted five-year plan to the appropriate policy and fiscal committees of the Legislature. The board shall include, in the plan, programmatic and fiscal issues including, but not limited to, the hierarchy used by the board to maximize productive uses of waste and used tires and the performance objectives and measurement criteria used by the board to evaluate the success of its waste and used tire recycling program. Additionally, the plan shall describe each program element's effectiveness, based upon performance measures developed by the board, including, but not limited to, the following:

- (1) Enforcement and regulations relating to the storage of waste and used tires.
- (2) Cleanup, abatement, or other remedial action related to waste tire stockpiles throughout the state.
- (3) Research directed at promoting and developing alternatives to the landfill disposal of waste tires.
- (4) Market development and new technology activities for used tires and waste tires.
- (5) The waste and used tire hauler program and manifest system.
- (6) A description of the grants, loans, contracts, and other expenditures proposed to be made by the board under the tire recycling program.
- (7) Until June 30, 2006, the grant program authorized under Section 42872.5 to encourage the use of rubberized asphalt concrete technology in public works projects.
- (8) Border region activities, conducted in coordination with the California Environmental Protection Agency, including, but not limited to, all of the following:
 - (A) Training programs to assist Mexican waste and used tire haulers to meet the requirements for hauling those tires in California.
 - (B) Environmental education training.
 - (C) Development of a waste tire abatement plan, with the appropriate government entities of California and Mexico.
 - (D) Tracking both the legal and illegal waste and used tire flow across the border and recommended revisions to the waste tire policies of California and Mexico.
 - (E) Coordination with businesses operating in the border region and with Mexico, with regard to applying the same environmental and control requirements throughout the border region.
- (c) The board shall base the budget for the California Tire Recycling Act and program funding on the plan.
- (d) The plan may not propose financial or other support that promotes, or provides for research for the incineration of tires.