

# SENATE BILL REPORT

## SB 5186

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As of January 25, 2007

**Title:** An act relating to beneficial use of discarded vehicle tires.

**Brief Description:** Providing for the beneficial use of discarded vehicle tires.

**Sponsors:** Senators Morton, Swecker, Hewitt, Holmquist, Pflug, McCaslin, Brandland, Parlette, Schoesler, Clements, Roach, Carrell and Berkey.

**Brief History:**

**Committee Activity:** Water, Energy & Telecommunications: 1/26/07.

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### SENATE COMMITTEE ON WATER, ENERGY & TELECOMMUNICATIONS

**Staff:** Sam Thompson (786-7413)

**Background:** Discarded vehicle tires are regulated as solid waste under the state Solid Waste Management Act (Act). The Act expressly encourages storage, proper disposal, and recycling of discarded tires.

The Act provides that the Department of Ecology (DOE) can, by administrative rule, exempt a solid waste from solid waste permitting requirements for beneficial uses. In doing so, DOE must consider whether a proposed beneficial use will present threats to human health or the environment. DOE has not yet exempted any solid waste proposed for beneficial use from solid waste permitting requirements.

Some states have exempted beneficial use of discarded vehicle tires from solid waste permitting requirements. Recognized beneficial uses include use of tire chips as fill in construction projects, tire strips in commercial flooring, and tire granules in athletic tracks.

A one dollar fee on the retail sale of new vehicle replacement tires provides revenue for the Waste Tire Removal Account. Funds in the account may be appropriated for removing waste tires from unauthorized sites, preventing future unauthorized accumulations, and studying tire cleanup sites.

**Summary of Bill:** DOE must exempt beneficial use of discarded vehicle tires from solid waste permitting requirements. DOE may impose conditions necessary to protect human health and the environment. Beneficial use includes use that is not storage, disposal, or recycling but serves as a replacement for another product or material for specific purposes, and includes use of chipped tires as low-density, light-weight aggregate fill.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Solid Waste Management Act is revised to encourage beneficial use of discarded vehicle tires. DOE must include beneficial use of discarded vehicle tires in its research programs pertaining to solid waste management systems. Funds in the Waste Tire Removal Account may be appropriated to facilitate beneficial use of discarded vehicle tires and related marketing studies.

Penalties for dumping waste vehicle tires will not apply to beneficial use of discarded vehicle tires pursuant to administrative rules adopted by DOE.

**Appropriation:** None.

**Fiscal Note:** Requested on January 12, 2007.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.