

1 INTERIM STUDY PROPOSAL 2013-196

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3 REQUESTING THE INTERIM HOUSE COMMITTEE ON PUBLIC HEALTH, WELFARE
4 AND LABOR TO STUDY THE PRESENT OPERATIONS OF THE ARKANSAS WASTE
5 TIRE PROGRAM AND THE POTENTIAL FOR IMPROVING THE FINANCIAL AND
6 ENVIRONMENTAL STRENGTH OF THE ARKANSAS WASTE TIRE PROGRAM.
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8 WHEREAS, through Act 749 of 1991, the General Assembly intends that
9 the Arkansas Waste Tire program protect the public health and the state's
10 environmental quality by setting and implementing standards to be followed in
11 the hauling, storage, recycling, and disposal of waste tires; and
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13 WHEREAS, before the enactment of the Arkansas Waste Tire program many
14 thousands of waste tires were dumped randomly around the state; and
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16 WHEREAS, Arkansas Code § 8-9-404 sets the fees for waste tires at the
17 rate of two dollars (\$2.00) per automobile tire or truck tire, with an
18 additional fee at the rate of three dollars (\$3.00) per truck tire and allows
19 solid waste management districts to charge a fee for the collection and
20 disposal of specialty tires; and
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22 WHEREAS, recent increases in costs for the collection, hauling,
23 storage, recycling, and disposal of waste tires have begun to seriously erode
24 the efficiency and effectiveness of the program; and
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26 WHEREAS, innovations in other states' waste tire programs may provide
27 models for improving the Arkansas waste tire program; and
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29 WHEREAS, Louisiana's waste tire program provides for a fee paid by
30 consumers on new-tire purchases at two dollars (\$2.00) per passenger and
31 light-truck tire, five dollars (\$5.00) per medium-truck tire, and ten dollars
32 (\$10.00) for each off-road tire weighing more than one hundred pounds (100
33 lbs.); and
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1 WHEREAS, Louisiana's waste tire program requires that haulers are not
2 paid until they deliver waste tires to a processor, a requirement that
3 creates a disincentive for haulers to illegally dump tires; and
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5 WHEREAS, in most states, including Arkansas, tire retailers pay
6 haulers to cart away their scrap tires, so that rather than taking the tires
7 to a processor or approved disposal site, some haulers simply dump the tires
8 in illegal stockpiles. In Louisiana, such dumping does not occur because
9 haulers do not receive any money from retailers for taking their scrap tires;
10 and
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12 WHEREAS, overall in Louisiana, says Dennis Duszynski, environmental
13 scientist supervisor for the Department of Environmental Quality, "There have
14 been very few problems. Each processor has found his own niche," with most
15 opting to sell their processed rubber for tire-derived fuel and civil-
16 engineering applications; and
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18 WHEREAS, since 1994, Louisiana has identified eight hundred fifty-
19 seven (857) unauthorized tire stockpiles containing more than eight million
20 eight hundred thousand waste tires (8,800,000) and currently, thanks to its
21 waste tire program, all stockpiles in Louisiana have reportedly been cleaned
22 up except for six (6) small piles containing only about five hundred (500)
23 tires; and
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25 WHEREAS, the unlawful and environmentally destructive dumping of waste
26 tires has begun to rise in Arkansas; and
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28 WHEREAS, the Arkansas waste tire program requires substantial
29 financial and environmental improvement,
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31 NOW THEREFORE,

32 BE IT PROPOSED BY THE INTERIM HOUSE COMMITTEE ON PUBLIC HEALTH, WELFARE AND
33 LABOR OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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35 THAT the Senate Committee on Public Health, Welfare, and Labor and the
36 House Committee on Public Health, Welfare, and Labor study the present

1 operations of the Arkansas waste tire program and the potential for improving
2 the financial and environmental strength of the Arkansas waste tire program.

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4 Respectfully submitted,

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8 Representative Deborah Ferguson

9 District 51

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12 By: MGF/LNS

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