
OLR Bill Analysis

HB 5352 (as amended by House "A")*

AN ACT CONCERNING MINOR REVISIONS TO THE TIRE STEWARDSHIP PROGRAM.

SUMMARY

PA 23-62 requires the establishment of a statewide stewardship program to manage discarded tires. Among other things, by January 1, 2025, tire producers must join a stewardship organization and submit a plan to implement the program to the Department of Energy and Environmental Protection (DEEP) for its approval. This bill makes several changes to the law establishing the program.

First, the bill expands the programs' operational requirements to include ensuring, if technologically feasible and economically practical, that all tire collectors and processors are (1) qualified to perform their responsibilities under the program and (2) in substantial compliance with the laws and regulations of any state in which they operate (e.g., financial assurance or closure plan requirements) (see BACKGROUND).

The bill allows DEEP to approve a tire stewardship plan with conditions when it disapproves a resubmitted plan, instead of only modifying it to meet the law's requirements. It also gives the stewardship organization an additional 60 days to implement the program.

The bill allows the organization to hold additional funds by eliminating the law's cap on its financing system for the program. Current law requires the financing system to cover, and explicitly not exceed, the costs to develop the plan, operate and administer the program, and keep a financial reserve sufficient to operate the program for six months. The bill removes the limitation on exceeding costs.

Lastly, the bill reduces by one-half, from 10% to 5% of total program

costs, the maximum fee that DEEP may assess a stewardship organization for administration costs.

*House Amendment "A" adds the provisions (1) allowing DEEP to approve a stewardship with conditions and (2) expanding the program requirements to include ensuring the participation of qualified collectors and processors that comply with applicable state laws and regulations.

EFFECTIVE DATE: Upon passage

TIRE STEWARDSHIP PLAN

By law, a tire stewardship organization must submit its program plan to DEEP for approval. The law sets out the timeline for reviewing the plan and a process for resubmitting it if DEEP disapproves it.

Current law requires DEEP to modify a resubmitted plan to conform with the law's requirements and approve it if the organization fails to provide an acceptable plan within the resubmission timeframe and process. The bill gives DEEP an alternative of approving the plan with conditions. If DEEP does this, it must identify the conditions in a notice of determination provided to the organization. The organization must then comply with the conditions within 45 days after receiving the notice unless DEEP determines that more time is necessary.

The bill also gives the stewardship organization an additional 60 days to implement its program, which under current law, must start within 120 days after DEEP approves the plan. The bill expands this implementation window to 180 days after approval.

BACKGROUND

Program Operational Requirements

By law, the tire stewardship program must, to the extent that it is technologically feasible and economically practical, establish and manage a statewide collection system for tires and provide for the following:

1. free public access to the collection system (i.e., drop-off);

2. suitable storage containers for tires, as needed, throughout the collection system;
3. public promotion and education about the program;
4. market development, as needed, to meet performance goals; and
5. financing program activities only with producer funding.

The program must also ensure that discarded tires are (1) picked up from the collection system and transported for recycling and (2) resold or recycled (CGS § 22a-905i).

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 34 Nay 0 (03/20/2024)