



PA 24-124—HB 5352
Environment Committee

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 act makes several changes to the law that established the program.

First, the act 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 where they operate (e.g., financial assurance or closure plan requirements) (see BACKGROUND).

The act 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 act allows the organization to hold additional funds by eliminating the cap on its financing system for the program. Prior law required the financing system to cover, and not exceed, the costs to (1) develop the plan, (2) operate and administer the program, and (3) keep a financial reserve sufficient to operate the program for six months. The act removes the limitation on exceeding these costs.

Lastly, the act reduces the maximum fee that DEEP may assess a stewardship organization for administration costs from 10% of the total program costs to 5%.

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.

Prior law required DEEP to modify a resubmitted plan to conform with the law's requirements and approve it if the organization failed to provide an acceptable plan within the resubmission timeframe and process. The act gives DEEP an alternative of approving the plan with conditions, which must be identified in a notice of determination given to the organization. After receiving the notice, the organization has 45 days to comply with the conditions, unless DEEP determines that more time is necessary.

The act also increases the time a stewardship organization has to begin

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implementing its program after DEEP approves the plan, from within 120 to 180 days.

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).