

# HOUSE BILL No. 4501

April 20, 1999, Introduced by Reps. Switalski, Bogardus, Woodward, Martinez, Lemmons, Jacobs, Thomas, Mans, Baird, Gielegem, Minore, DeHart, O'Neil and Bovin and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
(MCL 324.101 to 324.90106) by adding part 170.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           PART 170 SCRAP TIRE REIMBURSEMENT GRANTS  
2           SEC. 17001. AS USED IN THIS PART:  
3           (A) "COLLECTION SITE" HAS THE MEANING SPECIFIED IN SECTION  
4 16901.  
5           (B) "CRUMB" MEANS TIRE CHIPS NO GREATER THAN 1/4 INCH IN ANY  
6 DIMENSION THAT HAVE BEEN PROCESSED TO REMOVE STEEL OR OTHER MATE-  
7 RIAL EXISTING IN SCRAP TIRES.  
8           (C) "DEPARTMENT" MEANS THE DEPARTMENT OF ENVIRONMENTAL  
9 QUALITY.  
10          (D) "END USER" MEANS A PERSON WHO UTILIZES THE HEAT CONTENT  
11 OR OTHER FORM OF ENERGY FROM THE INCINERATION, COMBUSTION, OR

1 PYROLYSIS OF SCRAP TIRES OR THE LAST PERSON WHO USES THE TIRES,  
2 CHIPS, CRUMB, OR SIMILAR MATERIALS TO MAKE A PRODUCT WITH ECO-  
3 NOMIC VALUE. IF THE SCRAP TIRE IS PROCESSED BY MORE THAN 1  
4 PERSON IN BECOMING A PRODUCT, THE END USER IS THE LAST PERSON TO  
5 USE THE TIRE AS A TIRE, TIRE CHIPS, CRUMB, OR SIMILAR MATERIALS.  
6 END USER DOES NOT INCLUDE A PERSON WHO PRODUCES TIRE CHIPS OR  
7 SIMILAR MATERIALS AND GIVES OR SELLS THEM TO ANOTHER PERSON TO  
8 USE.

9 (E) "FUND" MEANS THE SCRAP TIRE RECOVERY FUND CREATED IN  
10 SECTION 17007.

11 (F) "GRANT" OR "SCRAP TIRE REIMBURSEMENT GRANT" MEANS A  
12 SCRAP TIRE REIMBURSEMENT GRANT PROVIDED FOR IN THIS PART.

13 (G) "PROCESSOR" MEANS A PERSON WHO PRODUCES SHREDDED TIRE  
14 CHIPS, CRUMB, OR SIMILAR MATERIALS FROM A SCRAP TIRE AND GIVES OR  
15 SELLS THEM TO AN END USER. IF A SCRAP TIRE IS PROCESSED BY MORE  
16 THAN 1 PERSON, THE LAST PERSON TO PROCESS THE SCRAP TIRE BEFORE  
17 IT IS USED BY AN END USER IS THE PROCESSOR.

18 (H) "PYROLYSIS" MEANS THE SUBJECTION OF ORGANIC COMPOUNDS TO  
19 VERY HIGH TEMPERATURES AND THE RESULTING DECOMPOSITION.

20 (I) "SCRAP TIRE" MEANS A TIRE THAT IS NO LONGER BEING USED  
21 FOR ITS ORIGINAL INTENDED PURPOSE.

22 (J) "TIRE BUFFINGS" MEANS SMALL PIECES OF A TIRE THAT HAVE  
23 BEEN MECHANICALLY REMOVED PRIOR TO RETREADING.

24 SEC. 17002. IN ORDER TO ENHANCE AVAILABLE AND NEW MARKETS  
25 FOR THE REUSE OF SCRAP TIRES SO THAT THEIR VALUE IS RECOVERED, AN  
26 ECONOMICALLY ATTRACTIVE ALTERNATIVE TO LANDFILLING AND  
27 STOCKPILING SHOULD BE IN PLACE. TO CREATE THESE MARKETS,

1 FINANCIAL ASSISTANCE IS NECESSARY TO DEVELOP AND OPERATE SCRAP  
2 TIRE RECOVERY ACTIVITIES.

3 SEC. 17003. (1) THE DEPARTMENT SHALL ESTABLISH A SCRAP TIRE  
4 REIMBURSEMENT GRANTS PROGRAM.

5 (2) AN END USER OR PROCESSOR OF SCRAP TIRES MAY APPLY TO THE  
6 DEPARTMENT FOR A SCRAP TIRE REIMBURSEMENT GRANT IF ALL OF THE  
7 FOLLOWING CONDITIONS ARE MET:

8 (A) AT LEAST 95% OF THE SCRAP TIRES USED OR PROCESSED WERE  
9 GENERATED IN MICHIGAN.

10 (B) THE SCRAP TIRES ARE USED OR PROCESSED FOR THOSE ELIGIBLE  
11 USES IDENTIFIED UNDER SECTION 17004.

12 (C) THE APPLICANT HAS RECEIVED ADVANCE CERTIFICATION FROM  
13 THE DEPARTMENT UNDER SECTION 17005.

14 (3) TO BE ELIGIBLE FOR A GRANT, AN END USER SHALL MEET ALL  
15 OF THE FOLLOWING REQUIREMENTS IN ADDITION TO THE REQUIREMENTS  
16 SPECIFIED IN SUBSECTION (2):

17 (A) THE ELIGIBLE USE SHALL BE CONDUCTED AFTER THE EFFECTIVE  
18 DATE OF THIS SECTION.

19 (B) THE SCRAP TIRES THAT ARE USED SHALL NOT ORIGINATE FROM  
20 COLLECTION SITES WHERE STATE FUNDS ARE USED TO CONTRACT FOR THE  
21 CLEANUP.

22 (4) TO BE ELIGIBLE FOR A GRANT, A PROCESSOR SHALL MEET ALL  
23 OF THE FOLLOWING REQUIREMENTS IN ADDITION TO THE REQUIREMENTS  
24 SPECIFIED IN SUBSECTION (2):

25 (A) THE SCRAP TIRES SHALL BE PROCESSED AFTER THE EFFECTIVE  
26 DATE OF THIS SECTION.

1 (B) THE SCRAP TIRES THAT ARE PROCESSED SHALL NOT ORIGINATE  
2 FROM COLLECTION SITES WHERE STATE FUNDS ARE USED TO CONTRACT FOR  
3 THE CLEANUP.

4 SEC. 17004. (1) USES OF SCRAP TIRES THAT ARE ELIGIBLE FOR A  
5 SCRAP TIRE REIMBURSEMENT GRANT INCLUDE ALL OF THE FOLLOWING:

6 (A) ENERGY RECOVERY, INCLUDING COMBUSTION OF WHOLE TIRES,  
7 SHREDDED TIRES, OR THE COMBUSTIBLE BY-PRODUCTS OF PYROLYSIS WHICH  
8 ARE USED TO PRODUCE ELECTRICITY, STEAM, OR HEAT.

9 (B) PYROLYSIS OF SCRAP TIRES, INCLUDING THE PRODUCTION OF  
10 COMBUSTIBLE BY-PRODUCTS OR OTHER SALABLE PRODUCTS.

11 (C) HIGHWAY IMPROVEMENTS, INCLUDING THE USE OF SCRAP TIRE  
12 CHIPS OR CRUMB PHYSICALLY BLENDED WITH ANOTHER MATERIAL SUCH AS  
13 ASPHALT.

14 (D) RECYCLING OF SCRAP TIRE STRIPS, SHREDS, OR CRUMB TO MAN-  
15 UFACTURE A NEW PRODUCT. THE NEW PRODUCT MAY BE PRODUCED BY PHYS-  
16 ICAL OR CHEMICAL PROCESSES SUCH AS ANY OF THE FOLLOWING:

17 (i) WEAVING FROM STRIPS OF SCRAP TIRES.

18 (ii) STAMPING OUT PRODUCTS FROM THE TIRE CASING.

19 (iii) PHYSICALLY OR CHEMICALLY BONDING SCRAP TIRE CHIPS OR  
20 CRUMB WITH ANOTHER MATERIAL TO FORM A NEW PRODUCT SUCH AS A MAT.

21 (E) OTHER USES OF SCRAP TIRES THAT THE DEPARTMENT DETERMINES  
22 HAVE A MARKET IMPACT AND THAT DO NOT THREATEN THE ENVIRONMENT OR  
23 PUBLIC HEALTH OR SAFETY.

24 (2) USES OF SCRAP TIRES THAT ARE NOT ELIGIBLE FOR A SCRAP  
25 TIRE REIMBURSEMENT GRANT INCLUDE ANY OF THE FOLLOWING:

26 (A) LAND DISPOSAL, INCLUDING USE AS A DAILY COVER AT  
27 LANDFILLS.

1 (B) REUSE AS A VEHICLE TIRE.

2 (C) RETREADING.

3 (D) USE OF SCRAP TIRES FOR EROSION CONTROL OR AS A RIPRAP  
4 MATERIAL.

5 (E) USE OF TIRE BUFFINGS GENERATED DURING RETREADING  
6 OPERATIONS.

7 (F) USE OF WHOLE OR SPLIT TIRES FOR TIRE FENCES, BARRIERS,  
8 DOCK AND RACETRACK BUMPERS, ORNAMENTAL PLANTERS, AGRICULTURAL  
9 USES SUCH AS RAISED BEDS, PLAYGROUND EQUIPMENT, OR SUCH USES FOR  
10 WHICH THE USER INCURS LITTLE OR NO COST AND DOES NOT TAKE PLACE  
11 WITHIN A MARKET.

12 (G) OTHER USES OF SCRAP TIRES WHICH IN THE DEPARTMENT'S  
13 OPINION MAY THREATEN THE ENVIRONMENT OR PUBLIC HEALTH OR SAFETY.

14 Enacting section 1. This amendatory act does not take  
15 effect unless Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_  
16 (request no. 00970'99 b) of the 90th Legislature is enacted into  
17 law.