

## Assembly Bill No. 1249

### CHAPTER 404

An act to amend Sections 42807, 42820, and 42821 of the Public Resources Code, relating to solid waste.

[Approved by Governor September 29, 2005. Filed with Secretary of State September 29, 2005.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1249, Blakeslee. Waste tire facility permit.

Under existing law, the California Integrated Waste Management Board, in consultation with the State Fire Marshal and the State Department of Health Services, is required to adopt emergency regulations setting forth procedures and requirements necessary to obtain a major waste tire facility permit. Existing law specifies the content of regulations for a major waste tire facility permit.

This bill would, instead, require the board, in consultation with the Office of Environmental Health Hazard Assessment, to adopt those regulations. The bill would require the State Fire Marshal, in consultation with the board, to adopt fire prevention regulations for a major waste tire facility. The bill would require the major waste tire facility permit regulations to include by reference the fire prevention regulations adopted by the State Fire Marshal. The bill would make related and technical, nonsubstantive changes.

*The people of the State of California do enact as follows:*

SECTION 1. Section 42807 of the Public Resources Code is amended to read:

42807. "Waste tire" means a tire that is no longer mounted on a vehicle and is no longer suitable for use as a vehicle tire due to wear, damage, or deviation from the manufacturer's original specifications. A waste tire includes a repairable tire, scrap tire, altered waste tire, and a used tire that is not organized for inspection and resale by size in a rack or a stack in accordance with Section 42806.5, but does not include a tire derived product or crumb rubber.

SEC. 2. Section 42820 of the Public Resources Code is amended to read:

42820. (a) The board, in consultation with the Office of Environmental Health Hazard Assessment, shall adopt regulations setting forth the procedures and requirements necessary to obtain a major waste tire facility permit. The regulations adopted pursuant to this subdivision

shall not be limited to, but shall include by reference, the regulations adopted by the State Fire Marshal pursuant to subdivision (b).

(b) The State Fire Marshal, in consultation with the board, shall adopt fire prevention regulations for a major waste tire facility.

(c) Regulations adopted pursuant to subdivision (a) shall not require the issuance of a separate permit to a solid waste disposal facility that is permitted pursuant to Chapter 3 (commencing with Section 44001) of Part 4.

SEC. 3. Section 42821 of the Public Resources Code is amended to read:

42821. The regulations for a major waste tire facility permit shall include, but not be limited to, all of the following:

(a) Requirements for submission of a detailed operations plan that contains the following components:

(1) Fire prevention measures consistent with applicable regulations adopted by the State Fire Marshal pursuant to subdivision (b) of Section 42820.

(2) Fencing and other security measures.

(3) Vector control measures.

(4) Limits on the size and height of tire piles.

(5) A closure plan.

(b) Requirements for submission of a detailed plan and implementation schedule for the elimination or substantial reduction of existing tire piles using any of the following methods or techniques:

(1) Polymer treatment.

(2) Rubber reclaiming and crumb rubber production.

(3) Pyrolysis.

(4) Production of supplemental fuels for cement kilns, lumber operations, or other industrial processes.

(5) Tire shredding and transportation to an authorized solid waste landfill.

(6) Energy recovery through incineration of whole or shredded tires in accordance with the terms and conditions of a permit issued by an air pollution control district or air quality management district.

(7) Other applications determined to be appropriate by the board.

(c) Requirements for the submission of evidence of financial assurances secured by the operator of the facility that are adequate to cover damage claims arising out of the operation of the facility and that are adequate to cover the cost of closure if that becomes necessary. The financial assurance shall be a trust fund, surety bond, letter of credit, insurance, or other equivalent financial arrangement acceptable to the board.