

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 1050** Session of
2007

INTRODUCED BY BAKER, GORDNER, COSTA, GREENLEAF, KASUNIC,
KITCHEN, ROBBINS, STOUT, TOMLINSON, D. WHITE, M. WHITE,
MELLOW AND ERICKSON, AUGUST 15, 2007

SENATOR ARMSTRONG, APPROPRIATIONS, RE-REPORTED AS AMENDED,
JUNE 9, 2008

AN ACT

1 Amending the act of December 19, 1996 (P.L.1478, No.190),
2 entitled "An act relating to the recycling and reuse of waste
3 tires; providing for the proper disposal of waste tires and
4 the cleanup of stockpiled tires; authorizing investment tax
5 credits for utilizing waste tires; providing remediation
6 grants for the cleanup of tire piles and for pollution
7 prevention programs for small business and households;
8 establishing the Small Business and Household Pollution
9 Prevention Program and management standards for small
10 business hazardous waste; providing for a household hazardous
11 waste program and for grant programs; making appropriations;
12 and making repeals," further providing for the Used Tire Pile
13 Remediation Restricted Account; and requiring the Department
14 of Environmental Protection to provide an annual report on
15 cleanup of stockpiled tires.

16 The General Assembly of the Commonwealth of Pennsylvania
17 hereby enacts as follows:

18 Section 1. Section 110 of the act of December 19, 1996
19 (P.L.1478, No.190), entitled "An act relating to the recycling
20 and reuse of waste tires; providing for the proper disposal of
21 waste tires and the cleanup of stockpiled tires; authorizing
22 investment tax credits for utilizing waste tires; providing
23 remediation grants for the cleanup of tire piles and for

1 pollution prevention programs for small business and households;
2 establishing the Small Business and Household Pollution
3 Prevention Program and management standards for small business
4 hazardous waste; providing for a household hazardous waste
5 program and for grant programs; making appropriations; and
6 making repeals," repealed in part July 10, 2002 (P.L.781, No.
7 111), is amended to read:

8 Section 110. Funds.

9 (a) Establishment of restricted account.--There is hereby
10 established in the General Fund a restricted account to be known
11 as the Used Tire Pile Remediation Restricted Account. This
12 account shall receive [up to \$1,000,000,] \$3,000,000 transferred
13 [upon approval of the Governor,] on an annual basis for a period
14 [not to exceed] of five consecutive years beginning fiscal year
15 ~~2007-2008 through fiscal year 2011-2012~~ 2008-2009 THROUGH FISCAL <—
16 YEAR 2012-2013 from the Recycling Fund created by section 706 of
17 the act of July 28, 1988 (P.L.556, No.101), known as the
18 Municipal Waste Planning, Recycling and Waste Reduction Act.

19 (b) Appropriation of fund.--

20 (1) Moneys in the account are hereby appropriated [upon
21 approval of the Governor] to the department for the purposes
22 of this act.

23 (2) For fiscal year ~~2007-2008 through fiscal year 2011-~~ <—
24 ~~2012~~ 2008-2009 THROUGH FISCAL YEAR 2012-2013 moneys in the <—
25 account shall be used for the following purposes:

26 (i) The remediation of waste tire piles on the
27 priority enforcement list maintained by the department
28 pursuant to section 107(a) and (b).

29 (ii) The remediation of waste tire piles on the list
30 of additional waste tire sites maintained by the

1 department pursuant to section 107(d).

2 (iii) For the award of grants pursuant to section
3 111 for remediation of waste tire piles as provided in
4 this subsection or for activities authorized by section
5 111 which the department determines will assist with the
6 remediation of waste tire piles as provided in this
7 subsection.

8 (3) No more than 5% of the money in the account may be
9 used for the development and implementation of public
10 education and technical assistance programs concerning the
11 management of used tires.

12 (d) Annual report by department.--As part of its annual <—
13 budget submission to the General Assembly for fiscal year 2007-
14 2008 through fiscal year 2011-2012, NO LATER THAN DECEMBER 31, <—
15 2009, AND NO LATER THAN EACH DECEMBER 31 THEREAFTER, the
16 department shall provide a report TO THE ENVIRONMENTAL RESOURCES <—
17 AND ENERGY COMMITTEE OF THE SENATE, THE APPROPRIATIONS COMMITTEE
18 OF THE SENATE, THE ENVIRONMENTAL RESOURCES AND ENERGY COMMITTEE
19 OF THE HOUSE OF REPRESENTATIVES AND THE APPROPRIATIONS COMMITTEE
20 OF THE HOUSE OF REPRESENTATIVES on the Used Tire Pile
21 Remediation Restricted Account and the remediation of used tire
22 piles. The THE LAST REPORT TO BE SUBMITTED BY THE DEPARTMENT <—
23 PURSUANT TO THIS SUBSECTION SHALL BE SUBMITTED NO LATER THAN
24 DECEMBER 31, 2013. WITHIN SEVEN DAYS FOLLOWING SUBMISSION OF THE
25 REPORT TO THE SENATE AND HOUSE COMMITTEES, THE department shall
26 post the report on the department's publicly accessible Internet
27 website. The report shall include:

28 (1) The current balance of the account and the projected
29 balance of the account at the end of the fiscal year for
30 which the department's budget is being submitted.

1 (2) A listing of waste tire piles remediated or to be
2 remediated pursuant to subsection (b) during the prior fiscal
3 year and cumulatively since the effective date of this
4 subsection.

5 (3) Those waste tire piles which the department expects
6 to remediate pursuant to subsection (b) during the fiscal
7 year for which its budget is being submitted and the
8 projected cost for remediation of those waste tire piles.

9 (4) Those waste tire piles which will remain to be
10 remediated pursuant to subsection (b) and the projected cost
11 for remediation of those waste tire piles.

12 Section 2. This act shall take effect immediately.