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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 1050** Session of  
2007

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

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AS REPORTED FROM COMMITTEE ON ENVIRONMENTAL RESOURCES AND  
ENERGY, HOUSE OF REPRESENTATIVES, AS AMENDED,  
SEPTEMBER 23, 2008

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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

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7 making repeals," repealed in part July 10, 2002 (P.L.781, No.  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

9 Section 110. Funds.

10 (a) Establishment of restricted account.--There is hereby  
11 established in the General Fund a restricted account to be known  
12 as the Used Tire Pile Remediation Restricted Account. This  
13 account shall receive [up to \$1,000,000,] ~~\$3,000,000~~ \$1,250,000 <—  
14 transferred [upon approval of the Governor,] on an annual basis  
15 for a period [not to exceed] ~~of five~~ FIVE OF FOUR consecutive <—  
16 years beginning fiscal year 2008-2009 through fiscal year 2012- <—  
17 2013 2011-2012 from the Recycling Fund created by section 706 of <—  
18 the act of July 28, 1988 (P.L.556, No.101), known as the  
19 Municipal Waste Planning, Recycling and Waste Reduction Act.

20 (b) Appropriation of fund.--

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

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

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

30 (ii) The remediation of waste tire piles on the list

1 of additional waste tire sites maintained by the  
2 department pursuant to section 107(d).

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

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

13 (d) Annual report by department.--No later than December 31,  
14 2009, and no later than each December 31 thereafter, the  
15 department shall provide a report to the Environmental Resources  
16 and Energy Committee of the Senate, the Appropriations Committee  
17 of the Senate, the Environmental Resources and Energy Committee  
18 of the House of Representatives and the Appropriations Committee  
19 of the House of Representatives on the Used Tire Pile  
20 Remediation Restricted Account and the remediation of used tire  
21 piles. The last report to be submitted by the department  
22 pursuant to this subsection shall be submitted no later than  
23 December 31, ~~2013~~ 2012. Within seven days following submission ←  
24 of the report to the Senate and House committees, the department  
25 shall post the report on the department's publicly accessible  
26 Internet website. The report shall include:

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

30 (2) A listing of waste tire piles remediated or to be

1 remediated pursuant to subsection (b) during the prior fiscal  
2 year and cumulatively since the effective date of this  
3 subsection.

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

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

11 Section 2. This act shall take effect immediately.