

Proposed Idaho Waste Tire Legislation March 5, 2024





Overview of Waste Tire Disposal Law in Idaho

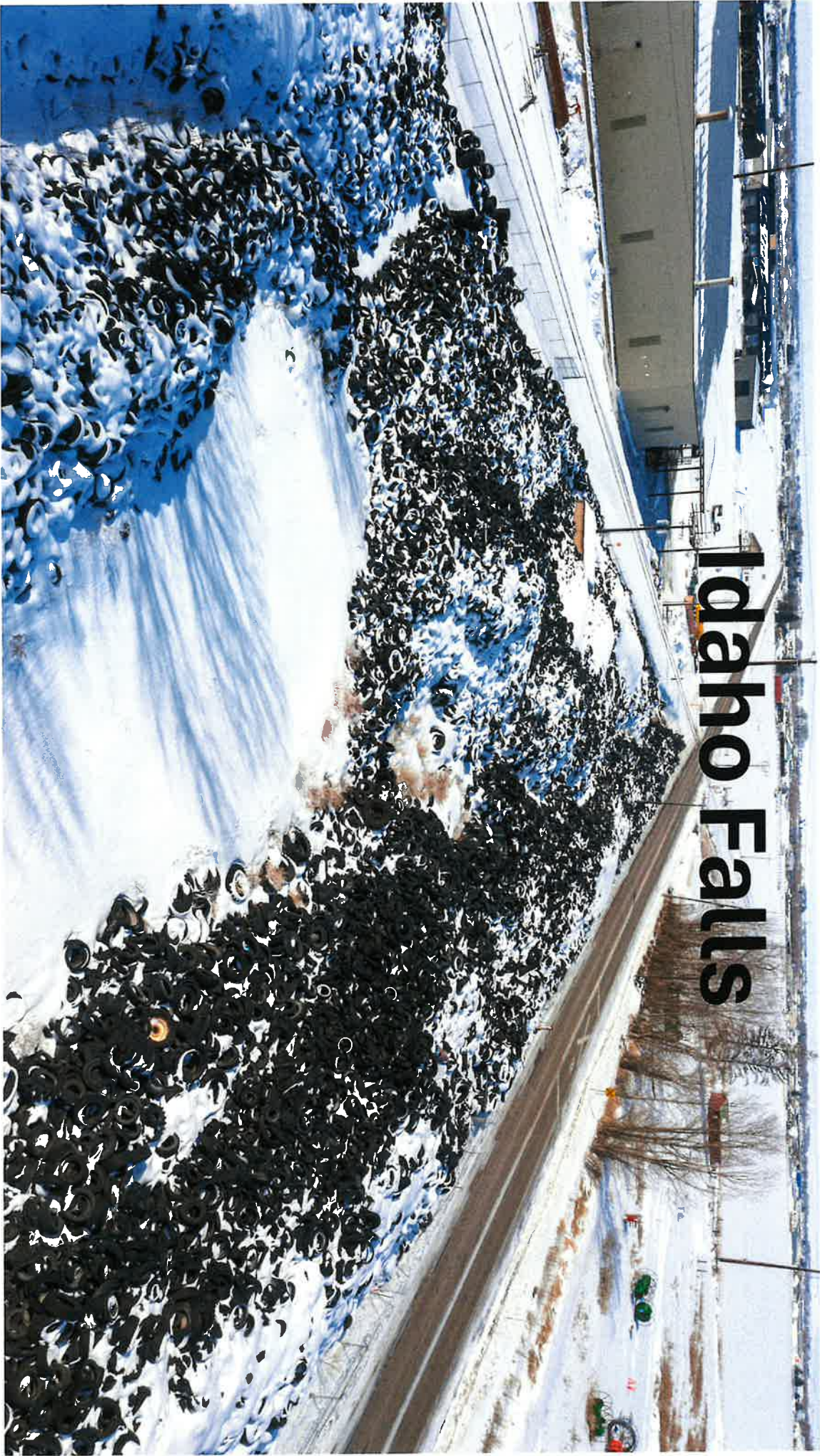
- Idaho enacted a waste tire disposal law in 1991 that established a \$1 per tire fee for every tire sold.
- Fees went into a fund administered by DEQ; DEQ gave grants for waste tire processing facility services and removal of waste tires from landfills or illegal piles. Counties were required to establish waste tire disposal regulation programs; DEQ also had authority to regulate waste tires.
- In 2003, law was amended:
 - Removed the \$1 fee;
 - Gave cities and counties exclusive authority to issue permits for waste tire storage;
 - Required \$2.50 bond per tire stored as waste tire storage sites.



Waste Tires in Idaho today

- Waste tire piles have grown
- DEQ has identified 19 abandoned piles totaling more than 100,000 tires.
- One facility has more than 600,000 tires and is currently involved in state and federal litigation to resolve.
- Just a few companies in Idaho currently collect tires for recycling. Liberty Tire takes them to Salt Lake or Spokane; Tire Reclaim opened in October in Caldwell and recycles tires here in Idaho.
- Action is needed to clean up existing piles and to incent tire recycling in Idaho.





Idaho Falls

Some of Idaho's Tire Piles

- **Stone Tire Pile – 5,300+ – Payette County**
- **Desert Farm – 1,500 – Payette County**
- **Granlund Site – 750 – Payette County**
- **2x Recycling – 5,000 – Elmore County**
- **Russell #1 – 10,000 – Bannock County**
- **Tew Site – 1,000 – Franklin County**
- **E. Iona Rd. – 50,000 – Bonneville County**
- **Holst Site – 10,000 – Bonneville County**
- **Antelope Ck. – 5,000 – Custer County**
- **Challis Fence – 1,500 – Custer County**
- **IF Russell #2 – 2,000 – Bonneville County**
- **Dubois Russell #3 – 1,000 – Clark County**
- **Menan Site – 3,000 – Jefferson County**
- **St. Anthony – 1,000 – Fremont**
- **Zierke – 4,000 – Boundary County**
- **Burke – 3,000 – Shoshone County**

Current (Draft) legislation

- Senate Bill 1393 was introduced March 1 as a conversation-starter. No waste tire legislation will move forward in 2024.
- We hope to spend the interim gathering input and making any changes needed to move consensus legislation in 2025.
- The legislation is modeled on that in many other states with waste tire disposal fee laws.



Current (Draft) legislation

- The following groups have had and will continue to have input:
 - Idaho Association of Counties
 - Association of Idaho Cities
 - Attorney General
 - Idaho Tax Commission
 - Public Health Districts
 - DEQ
 - Idaho Association of Retailers



Current (Draft) legislation

- Senate Bill 1393 establishes a \$1 per tire fee to be charged at point-of-purchase.
- The fee will be collected by the Idaho State Tax Commission and deposited into a fund paid administered by DEQ. Other miscellaneous sources such as penalties collected under this legislation or money recovered by lawsuits will also go to the fund.
- DEQ will disburse from the fund for two purposes: (1) to clean up abandoned waste tire piles; and (2) to provide for partial reimbursement for the costs of transporting, processing and recycling waste tires generated within the state.





Current (Draft) legislation

- Monies in the fund may only be expended subject to legislative appropriation, and the fee has a five-year sunset clause.
- DEQ will be able to directly contract cleanup or provide grants to local governments.
- Partial reimbursement for recyclers will be as follows:
 - (a) Sixty-five dollars (\$65.00) as partial reimbursement for each ton of waste tires or material derived from waste tires converted to ground rubber, if a contract exists for the sale of the ground rubber for use as a component in an end product;
 - (b) Fifty dollars (\$50.00) as partial reimbursement for each ton of waste tires or material derived from waste tires recycled, other than as ground rubber; and
 - (c) Twenty dollars (\$20.00) as partial reimbursement for each ton of ground rubber used for a beneficial use.

Current (Draft) legislation



The purpose of the recycler incentive fee is to bring the cost of collecting and recycling tires low enough to make it difficult for legitimate recyclers to be undermined by those collecting tires and tossing them on illegal piles.



35 states have a waste tire disposal fee to remediate tires and provide incentives for recycling. Fees range from 25 cents to \$10.00.



We expect the fee to raise about \$2 million in the first year (in other states it has worked out to about \$1 per person in the state)



We look forward to questions and suggestions as we work to develop successful legislation.

