



House Bill No. 5352

Public Act No. 24-124

AN ACT CONCERNING MINOR REVISIONS TO THE TIRE STEWARDSHIP PROGRAM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsections (d) and (e) of section 22a-905i of the 2024 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Each stewardship organization shall establish and implement a system for financing the tire stewardship program that covers [, but does not exceed,] the costs of developing the plan described in subsection (c) of this section, operating and administering the program described in subsection (b) of this section and maintaining a financial reserve for six months sufficient to operate such program. Each stewardship organization shall maintain all records relating to the tire stewardship program for a period of not less than three years. Funding of such program may be through a fee structure.

(e) The Commissioner of Energy and Environmental Protection shall approve a plan for the establishment of a tire stewardship program, provided such plan meets the requirements of subsections (b) to (d), inclusive, of this section. Prior to making any such determination, the commissioner shall post the plan on the Department of Energy and

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Environmental Protection's Internet web site and solicit public comments on the plan. Such solicitation shall not be conducted pursuant to chapter 54. Not later than ninety days after submission of the plan pursuant to this section, the commissioner shall make a determination whether to approve the plan. In the event that the commissioner disapproves the plan because it does not meet the requirements of subsections (b) to (d), inclusive, of this section, the commissioner shall describe the reasons for the disapproval in a notice of determination that the commissioner shall provide to the tire stewardship organization. Such tire stewardship organization shall revise and resubmit the plan to the commissioner not later than forty-five days after receipt of the commissioner's notice of disapproval. Not later than forty-five days after receipt of the revised plan, the commissioner shall review and approve or disapprove the revised plan and provide a notice of determination to the tire stewardship organization. Such stewardship organization may resubmit a revised plan to the commissioner for approval on not more than two occasions. If the tire stewardship organization fails to submit a plan that is acceptable to the commissioner because it does not meet the requirements of subsections (b) to (d), inclusive, of this section, the commissioner shall either approve the submitted plan with conditions or modify [a] the submitted plan to make it conform to the requirements of subsections (b) to (d), inclusive, of this section and approve it. In the event that the commissioner approves the submitted plan with conditions, the commissioner shall identify the conditions in a notice of determination that the commissioner shall provide to the tire stewardship organization. The tire stewardship organization shall comply with such conditions not later than forty-five days after receipt of the commissioner's notice of determination, unless the commissioner determines that additional time is needed. Not later than one hundred [twenty] eighty days after the approval of a plan pursuant to this section, the tire stewardship organization shall implement the tire stewardship program.

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Sec. 2. Subsection (q) of section 22a-905i of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(q) The Commissioner of Energy and Environmental Protection may assess a reasonable fee to any tire stewardship organization, not to exceed [ten] five per cent of total program costs, for administration of the applicable tire stewardship program.

Sec. 3. Subsection (b) of section 22a-905i of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) On or before January 1, 2025, each producer, or such producer's designee, shall join a tire stewardship organization and such organization shall submit a plan, for the Commissioner of Energy and Environmental Protection's approval, to establish a state-wide tire stewardship program, as described in this subsection. Any retailer may participate in any such tire stewardship organization. Such tire stewardship program shall, to the extent it is technologically feasible and economically practical: (1) Establish and manage a state-wide collection system utilizing covered entities; (2) provide access to the collection system to the public, free of charge, for the drop-off of discarded tires; (3) ensure discarded tires are picked up from the collection system and transported for recycling; (4) ensure all discarded tires collected in the collection system are resold or recycled; (5) provide suitable storage containers for tires, as required, throughout the collection system; (6) implement public promotion and education about the program; (7) assist in market development, as needed, to achieve performance goals; [and] (8) finance all program activities solely through producer funding; and (9) ensure that all collectors and processors are qualified to perform their respective functions pursuant to such program and are in substantial compliance with the laws and regulations of any state in which such collector or processor operates,

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including, but not limited to, any financial assurance and closure plan requirements.