

An Act relating to environment and natural resources; amending 27A O.S. 2001, Sections 2-11-402, as amended by Section 1, Chapter 185, O.S.L. 2004, 2-11-403, as amended by Section 1, Chapter 502, O.S.L. 2002, 2-11-405, as last amended by Section 2, Chapter 185, O.S.L. 2004, 2-11-409 and 2-11-413 (27A O.S. Supp. 2004, Sections 2-11-402, 2-11-403 and 2-11-405), which relate to the Oklahoma Waste Tire Recycling Act; adding definitions; modifying definitions; deleting statutory references; deleting tire used on certain type of motor bike from assessment; clarifying statutory language; limiting compensation to waste tire and tire-derived fuel facilities located in Oklahoma; limiting compensation to waste tires from Oklahoma; requiring compliance with the Oklahoma Waste Tire Recycling Act; modifying allocation of the Waste Tire Recycling Indemnity Fund; changing allocation amount to the Oklahoma Tax Commission; changing allocation to the State Auditor and Inspector; deleting allocation to certain businesses that manufacture products or derive energy benefits from waste tires; deleting certain allocation for persons or entities that process discarded tires; deleting compensation rate for businesses that process tires for fuel; providing for reimbursement to certain facilities for certain capital investments; providing for compensation to waste tire facilities for waste tire processing; establishing compensation rates; requiring certain conditions; providing for compensation to waste tire facilities or TDF facilities for collection and transportation of waste tires; establishing compensation rate; prohibiting additional cost; limiting payment until tires are processed; prohibiting a tire dealer from charging an additional fee; setting criteria for compensation; providing certain proof of purchase in lieu of remittance of recycling fee; providing for compensation to certain persons or entities for erosion control projects; establishing compensation rate; establishing certain conditions; limiting compensation to tires actually collected and utilized; making entity liable for an erosion control project for certain period; providing for compensation to certain governmental entities for the use of bale waste tires in an engineering project; establishing compensation rate; requiring prior approval; limiting accumulation of waste tires; limiting type of entities from which tires can be obtained; requiring certain reporting; providing for apportionment of payments to qualified applications if funds are insufficient; providing for compensation to TDF and waste tire facilities to produce crumb rubber; establishing compensation rate; making production of crumb rubber a compensable event; requiring reporting of certain information; providing for apportionment of payments; providing for compensation to waste tires and TDF facilities for the collection and transportation of certain waste tires; providing for apportionment of payments; requiring facilities and entities to be in compliance with the Oklahoma Waste Tire Recycling Act to receive reimbursement; requiring the Oklahoma Tax Commission to prescribe certain forms; directing the Commission to evaluate and process applications on a monthly basis; requiring the Commission to make periodic inspections of tire dealers and motor license agents to ensure compliance; modifying criteria for rules promulgated by the Environmental Quality Board; requiring the Department of Environmental Quality to file certain reports; providing for the development of a priority cleanup list by the Department; providing for an audit of the administration of the Waste Tire Recycling Indemnity Fund; providing for cost of audit and submission of copies; adding approval requirement for certain sites or facilities; deleting erosion control or conservation project exception; updating statutory references; repealing Section 1, Chapter 262, O.S.L. 2001, which relates to excess monies accruing to the Waste Tire Recycling Indemnity Fund; repealing 27A O.S. 2001, Sections 2-11-406, as amended by Section 3, Chapter 185, O.S.L. 2004, 2-11-407, 2-11-

407.1, as last amended by Section 4, Chapter 185, O.S.L. 2004, 2-11-407.2, as amended by Section 2, Chapter 328, O.S.L. 2002, 2-11-408, as amended by Section 3, Chapter 502, O.S.L. 2002, 2-11-410, 2-11-411, 2-11-412, 2-11-414 and 2-11-415, as amended by Section 4, Chapter 502, O.S.L. 2002 (27A O.S. Supp. 2004, Sections 2-11-406, 2-11-407.1, 2-11-407.2, 2-11-408 and 2-11-415), which relate to the Oklahoma Waste Tire Recycling Act; providing for recodification; providing an effective date; and declaring an emergency.