

HOUSE BILL 1898

By Swann

AN ACT to amend Tennessee Code Annotated, Title 68,  
Chapter 211, relative to recycling.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-211-861(a), is amended by deleting the subsection and substituting the following:

(a)

(1) The goal of the state is to reduce the amount of solid waste disposed of at Class I municipal solid waste disposal facilities and incinerators, by the following percentages, measured on a per capita basis within Tennessee by weight:

(A) Until December 31, 2015, twenty-five percent (25%);

(B) Beginning January 1, 2016, and ending December 31, 2017, thirty-eight percent (38%); and

(C) Beginning January 1, 2018, fifty percent (50%).

(2) As an alternative to calculating the waste reduction and diversion goal on a per capita basis, regions shall have the option of calculating the goal on an economic growth basis using the method prescribed by the department and approved by the underground storage tanks and solid waste disposal control board. The goal shall also apply to each municipal solid waste region; provided, that the goal shall not apply to individual disposal facilities or incinerators. The base year from which reductions are to be measured is 1995, unless a region can demonstrate that 1995 data is clearly in error. The method of calculating goals based on economic growth using the method prescribed by the department

and approved by the underground storage tanks and solid waste disposal control board shall be promulgated as a rule in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Section 68-211-861(b), is amended by deleting the language "twenty-five percent (25%) waste reduction and diversion goal" and substituting the language "waste reduction and diversion goal specified in subsection (a)".

SECTION 3. Tennessee Code Annotated, Section 68-211-861(d), is amended by deleting the language "twenty-five percent (25%) goal" and substituting the language "waste reduction and diversion goal specified in subsection (a)".

SECTION 4. Tennessee Code Annotated, Section 68-211-861(e), is amended by deleting the language "twenty-five percent (25%) waste reduction and diversion goal" and substituting the language "waste reduction and diversion goal specified in subsection (a)".

SECTION 5. Tennessee Code Annotated, Section 68-211-861, is further amended by adding the following as a new subsection:

(h)

(1) Each municipal solid waste region that fails to meet the waste reduction and diversion goal specified in subsection (a) shall:

(A) Implement a residential curbside collection of source-separated recyclable materials, on the same day that residential garbage service is provided;

(B) Provide notice of the opportunity to recycle to those households to which residential curbside collection of source-separated recyclable materials is provided of the opportunity to recycle; and

(C) Promote source separation of recyclable materials through a public education program.

(2) In addition to complying with the requirements of subdivision (h)(1), each municipal solid waste region that fails to meet the waste reduction and

diversion goal specified in subsection (a) shall implement one (1) of the following programs:

(A) Residential curbside collection of source-separated recyclable materials, as described in subdivision (h)(1)(A), weekly rather than monthly;

(B) An expanded recycling education and promotion program which includes, but is not limited to, recycling collection promotion directed at residential and commercial solid waste service customers and generators at least four (4) times a year;

(C) Provision of at least one (1) durable recycling container directly to each residential collection service customer;

(D) Recycling collection service provided to multi-family dwelling complexes having five (5) or more units;

(E) Residential yard debris program for collection and composting of residential yard debris;

(F) Regular, on-site collection of source-separated principal recyclable materials from commercial generators;

(G) Establishment of an expanded system of recycling depots which are conveniently located to the population served;

(H) Garbage collection rates established as a waste reduction incentive, including a mini-can option; or

(I) A collection and composting program for commercial and institutional food waste, non-recyclable paper and other compostable waste.

SECTION 6. Tennessee Code Annotated, Title 68, Chapter 211, Part 8, is amended by adding the following as a new section:

The department shall give priority to solid waste regions that fail to meet the waste reduction and diversion goal specified in § 68-211-861(a) when issuing funds for planning grants, annual grants, grants funded by the solid waste management fund, matching recycling collection site equipment grants from the state surcharge on landfill tipping fees, or any other grants or incentives to aid and assist such regions to achieve such goal.

SECTION 7. This act shall take effect July 1, 2014, the public welfare requiring it.