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House: COM DP 8-2-0-0

SB 1156: solid waste; advanced recycling facilities

Sponsor: Senator Mesnard, LD 17

Caucus & COW

Overview

Excludes an advanced recycling facility that converts recovered feedstocks to manufacture raw materials and intermediate and final products from being considered as a solid waste facility.

History

The Arizona Department of Environmental Quality (ADEQ) is required to prepare and keep current a statewide solid waste management plan which establishes standards for solid waste facilities in cooperation with facility owners or operators, local governments and management agencies ([A.R.S. § 49-721](#)).

ADEQ's [Solid Waste Program](#) is responsible for permitting, inspecting, and providing compliance assistance to solid waste facilities. The main functions of the Solid Waste Program include:

- 1) Issuing permits, certifications and licenses to solid waste facilities;
- 2) Conducting solid waste facility inspections to ensure compliance in accordance with state and federal regulations;
- 3) Responding to and investigating any complaints related to solid waste; and
- 4) Providing information to the public regarding proper residential and commercial disposal of solid waste.

Statute directs ADEQ to implement an Arizona Recycling Program as well as initiate, conduct and support research, demonstration projects and investigations pertaining to recycling and source reduction ([A.R.S. § 49-832](#)). The Recycling Fund, administered by the Director of ADEQ and overseen by the Director-appointed Recycling Fund Advisory Committee, consists of monies appropriated by the Legislature, gifts, grants, donations and, subject to legislative appropriation, monies derived from Landfill Disposal Fees. Monies from the Recycling Fund may be used for the following purposes: 1) to provide grants to or contracts with political subdivisions, nonprofit organizations or private enterprise for research, demonstration projects, market development and source reduction studies and the implementation of Arizona Recycling Program recommendations and reports; 2) public programs on litter control, recycling and source reduction; 3) the collection of Landfill Disposal Fees and administration of the Recycling Fund; 4) the Arizona Recycling Program; 5) the Arizona Commerce Authority's Recycled Market Development Program; and 6) ADEQ's Solid Waste Control Program ([A.R.S. § 49-837](#)).

A *solid waste facility* is a transfer facility and any site owned, operated or utilized by any person for the storage, processing, treatment or disposal of solid waste, conditionally exempt small quantity generator waste or household hazardous waste. *Solid waste* is any garbage, trash, rubbish, waste tire, refuse, sludge from a waste treatment plant, water supply treatment plant or pollution control facility and other discarded material, including solid, liquid, semisolid or contained gaseous material. (A.R.S. §§ [49-701](#) and [49-701.01](#)).

Provisions

1. Excludes an advanced recycling facility that converts recovered feedstocks to manufacture raw materials and intermediate and final products from the definition of *solid waste facility*. (Sec. 1)
2. Exempts, from the definition of *solid waste*, recovered feedstocks if those materials are processed through advanced recycling and if the advanced recycling facilities are operated in a manner that:
 - a) Controls wind and other surface dispersion of recovered feedstock from the advanced recycling facility so that the recovered feedstock does not create a public nuisance or pose an imminent endangerment to public health or the environment;
 - i. Including the requirement to recover on a regular basis any visible recovered feedstock that is dispersed beyond the boundaries of the advanced recycling facility.
 - b) Does not discharge hazardous substances to surface water, groundwater or subsurface soil in a manner that creates a public nuisance or poses an imminent endangerment to public health or the environment;
 - c) Does not cause a nuisance, vector breeding or fire hazard by storing recoverable feedstocks or post-use polymers; and
 - d) Requires recoverable feedstocks or post-use polymer to be converted using an advanced recycling process after storage or less than 90 days or, for advanced recycling operations on government property, 120 days. (Sec. 2)
3. Permits Recycling Fund monies to be used for grants to or contracts with political subdivisions, nonprofit organizations or private enterprises for new technologies. (Sec. 4)
4. Defines *advanced recycling, advanced recycling facility, depolymerization, gasification, post-use polymer, pyrolysis, recovered feedstocks, and solvolysis*. (Sec. 1)
5. Makes technical and conforming changes. (Sec. 1-4)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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