

2011 -- S 0454

LC01544

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY CORPORATION

Introduced By: Senators Lombardo, Sosnowski, Paiva Weed, Ruggerio, and Walaska

Date Introduced: March 10, 2011

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-19-13.1 of the General Laws in Chapter 23-19 entitled "Rhode  
2 Island Resource Recovery Corporation" is hereby amended to read as follows:

3 **23-19-13.1. Disposal of solid waste originating outside the state prohibited -- Rules**  
4 **and regulations.** -- (a) No person, firm, corporation, transfer station, or any other commercial  
5 entity engaged in the business of collecting, disposing, sorting, separating, recycling, processing,  
6 manufacturing, or remanufacturing of solid waste shall deposit or cause to be deposited solid  
7 waste that is generated or collected outside the territorial limits of this state at the central landfill.  
8 Each deposit in violation of the provisions of this subsection shall be punishable by imprisonment  
9 for up to three (3) years and/or a fine not to exceed fifty thousand dollars (\$50,000).

10 (b) Recyclable materials originating out-of-state that can be segregated into saleable  
11 commodities shall be allowed to be brought to the Rhode Island resource recovery corporation's  
12 recycling facilities for the purpose of further separation and/or sale, the profit of which shall be  
13 distributed as follows:

14 (1) Twenty-five percent (25%) to the town of Johnston;

15 (2) Twenty-five percent (25%) to the corporation; and

16 (3) Fifty percent (50%) to the remaining thirty-eight (38) municipalities to be distributed  
17 on a pro rata basis in accordance with the corporation's distribution of in-state recyclable profits  
18 to municipalities.

1           (4) The town of Johnston shall continue to receive its pro rata share of state recyclable  
2 profits.

3           (c) Notwithstanding subsection 23-19-13.1(a), the Rhode Island resource recovery  
4 corporation shall be allowed to accept for onsite daily cover purposes at the central landfill  
5 processed construction and demolition debris grindings materials from firms engaged in the  
6 receipt and processing of solid waste collect in-state and/or out-of-state. Such construction and  
7 demolition debris grindings materials must meet or exceed the corporation's criteria for  
8 alternative daily cover as published in its alternate cover material policy as reviewed and  
9 approved by the department of environmental management.

10           ~~(b)~~(d) The Rhode Island resource recovery corporation shall promulgate any rules and  
11 regulations that may be necessary to ensure that solid waste that is generated or collected outside  
12 the territorial limits of this state is not deposited at the central landfill.

13           The rules and regulations shall provide that any commercial entity engaged in the  
14 business of collecting, disposing, sorting, separating, recycling, processing, manufacturing or  
15 remanufacturing solid waste, which deposits or causes to be deposited solid waste at the central  
16 landfill shall provide a certification to the corporation, via United States mail, that the waste was  
17 not generated or collected outside the territorial limits of this state. The certification shall be  
18 required to be made not less than every thirty (30) days, setting forth the date and time of each  
19 deposit within the thirty (30) day period and shall be under oath, stating that the oath is made  
20 under the pains and penalties of perjury.

21           ~~(e)~~(e) Any fine collected pursuant to the provisions of this section shall be remitted to the  
22 environmental response fund established pursuant to section 23-19.1-23. The town of Johnston  
23 and the department of attorney general shall be reimbursed from the environmental response fund  
24 for reasonable costs associated with the enforcement and prosecution of any violation of section  
25 23-19-13.1; provided, however, that the amounts reimbursed shall not exceed the amount of fine  
26 monies collected for that violation pursuant to this section. The state controller is authorized and  
27 directed to draw his or her orders upon the general treasurer for the payment of that sum, or as  
28 much of that sum as may be deemed necessary, from time to time, upon receipt by him or her of  
29 properly authenticated vouchers.

30           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO HEALTH AND SAFETY -- RHODE ISLAND RESOURCE RECOVERY  
CORPORATION

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- 1           This act would authorize the central landfill to accept recyclable materials originating
- 2 out-of-state for the purpose of further separation and/or sale, and to accept processed construction
- 3 and demolition debris for onsite daily cover purposes.
- 4           This act would take effect upon passage.

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