

HOUSE BILL 945

By Swann

AN ACT to amend Tennessee Code Annotated, Title 5;
Title 6; Title 7; Title 62, Chapter 9 and Title 68,
relative to landfilling of recyclables.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 211, Part 1, is amended by adding the following as a new section:

68-211-125.

(a) As used in this section:

(1) "Aluminum cans" means aluminum beverage cans, aluminum food cans, and aluminum bottles; and

(2) "Plastic bottles" means recyclable plastic beverage containers that have a neck smaller than the body of the container.

(b) No person shall knowingly dispose of aluminum cans or plastic bottles in landfills.

(c)

(1) The accidental or occasional disposal of small amounts of prohibited solid waste by landfill shall not be construed as a violation of subsection (b).

(2) The underground storage tanks and solid waste disposal control board shall adopt rules that define the frequency that constitutes occasional disposal, and the weight or volume that constitutes a small amount, for purposes of determining the scope of the exception in subdivision (c)(1).

(d)

(1) A county or city may petition the commissioner for a waiver from the prohibition on disposal of any or all material described in subsection (b) in a

landfill based on a showing that prohibiting the disposal of the material would constitute an economic hardship.

(2) After public notice and an opportunity for comment, the commissioner may, to the extent allowed in regulations adopted by the underground storage tanks and solid waste disposal control board, grant waivers that are requested pursuant to subsection (b).

SECTION 2. This act shall take effect January 1, 2015, the public welfare requiring it.