

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO HEALTH AND SAFETY -- HIGH HEAT WASTE FACILITY ACT

Introduced By: Representatives McGaw, Spears, Kislak, Cortvriend, Carson, Ajello, Cotter, Henries, DeSimone, and Messier

Date Introduced: January 31, 2024

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Findings.

2 (1) As stated in §§ 23-19-3(14) and (16), solid waste incineration releases more than four
3 hundred (400) toxic pollutants including lead, mercury, dioxins, and acid gasses; poses
4 unacceptable threats to the health and safety of Rhode Islanders and the environment; and is the
5 most costly method of waste disposal;

6 (2) Energy derived from the combustion of solid waste, and from the combustion of fuels
7 derived from solid waste, is not renewable energy; and

8 (3) It is in the best interests of the health, safety, and welfare of residents and visitors to
9 Rhode Island to protect our communities, environment, climate, and natural resources by
10 prohibiting the construction and operation of solid waste incinerators, waste-to-fuel facilities,
11 waste-to-chemical facilities, and other high-heat waste facilities.

12 SECTION 2. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
13 amended by adding thereto the following chapter:

14 CHAPTER 19.19

15 HIGH HEAT WASTE FACILITY ACT

16 23-19.19-1. Definitions.

17 (1) "Construction and demolition (C&D) debris" has the same meaning as set forth in § 23-
18 18.9-7.

19 (2) "Depolymerization" means a process through which heat, pressure, and/or solvents are

- 1 used to break plastic polymers into oligomers and/or monomers.
- 2 (3) "Gasification" means a process through which materials are exposed to heat, converting
3 carbon-based materials to synthetic fuels, chemical feedstocks, waxes, lubricants, or other
4 substances and solid residues, slag, ash, char, liquid wastes, and/or wastewater.
- 5 (4) "Hazardous waste" has the same meaning as set forth in § 23-19.1-4.
- 6 (5) "High-heat waste facility" means a facility which:
- 7 (i) Uses any disposal, treatment, recycling, or manufacturing process including, but not
8 limited to, combustion, incineration, gasification, pyrolysis, hydrolysis, solvolysis, or
9 depolymerization, that exposes solid waste, segregated solid waste, recyclable materials,
10 construction and demolition (C&D) debris, post-use polymers, or recovered feedstock to
11 temperatures above four hundred degrees Fahrenheit (400° F); or
- 12 (ii) Combusts chemicals, feedstocks, fuels, monomers, oligomers, hydrocarbons, or waste
13 residues derived from any process that exposes solid waste, segregated solid waste, recyclable
14 materials, construction and demolition (C&D) debris, post-use polymers, or recovered feedstock to
15 temperatures above four hundred degrees Fahrenheit (400° F).
- 16 "High-heat waste facility" includes advanced recycling facilities, chemical recycling
17 facilities, molecular recycling facilities, and any other facility that uses a thermochemical process
18 to convert post-use polymers, plastic, or recovered feedstock into fuels, chemical feedstocks,
19 monomers, oligomers, hydrocarbons, waxes, lubricants, feedstocks, fuels, or hydrocarbons.
- 20 (6) "Hydrolysis" means a process through which materials are exposed to heat in the
21 presence of hydrogen, converting carbon-based materials to synthetic fuels, chemical feedstocks,
22 waxes, lubricants, or other substances and solid residues, slag, ash, char, liquid wastes, and/or
23 wastewater.
- 24 (7) "Plastic" means a synthetic material made from linking monomers through a chemical
25 reaction to create a polymer chain, including material derived from either petroleum or a
26 biologically based polymer, such as corn or other plant sources.
- 27 (8) "Post-use polymer" means a plastic polymer previously used in any industrial,
28 commercial, agricultural, or domestic activity.
- 29 (9) "Pyrolysis" means a process through which materials are exposed to heat in the absence
30 of oxygen, converting carbon-based materials to synthetic fuels, chemical feedstocks, waxes,
31 lubricants, or other substances and solid residues, slag, ash, char, liquid wastes, and/or wastewater.
- 32 (10) "Recovered feedstock" means material derived and separated from solid waste,
33 segregated solid waste, recyclable materials, or construction and demolition (C&D) debris for use
34 as a feedstock or raw material in a high-heat waste facility.

- 1 (11) "Recyclable materials" has the same meaning as set forth in § 23-18.9-7.
2 (12) "Segregated solid waste" has the same meaning as set forth in § 23-18.9-7.
3 (13) "Solid waste" has the same meaning as set forth in § 23-18.9-7.
4 (14) "Solvolysis" means a process through which materials are combined with a solvent
5 and subjected to heat and/or high pressure.

6 **23-19.19-2. Prohibition on new high-heat waste facilities.**

7 Notwithstanding any other law, rule, or regulation to the contrary, no permit or license shall
8 be issued for the construction or operation of a new high-heat waste facility, and no application for
9 a permit or license for such a facility shall be granted or issued by the state.

10 SECTION 3. 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 -- HIGH HEAT WASTE FACILITY ACT

1 This act would provide for a prohibition on the licensing of any new high-heat waste
2 facility.

3 This act would take effect upon passage.

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