

2016 -- S 2093 SUBSTITUTE A

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LC004051/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO HEALTH AND SAFETY - REFUSE DISPOSAL

Introduced By: Senator Roger Picard

Date Introduced: January 21, 2016

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-18.9-8.1 of the General Laws in Chapter 23-18.9 entitled
2 "Refuse Disposal" is hereby amended to read as follows:

3 **23-18.9-8.1. Criteria for public and private licenses.** -- (a) The director shall grant
4 licenses only to those public facilities which the director determines meet all relevant criteria by
5 regulation to protect human health and the environment and which are reasonably required to
6 dispose of wastes generated within this state. All public projects shall meet the criteria for need
7 established in § 23-19-4(b) and the director shall require no further demonstration of need.

8 (b) The director shall grant licenses only to those private facilities which he or she
9 determines meet all relevant criteria established by regulation to protect human health and the
10 environment.

11 (c)(1) The director shall have the authority to grant emergency temporary refuse transfer
12 licenses to existing public or private collection stations or recycling centers, as long as the
13 stations or centers can provide sufficient assurances as to the public or private entity's ability to
14 protect human health and the environment. Notice to the director from a public entity of the
15 municipality's intent to establish a temporary transfer station shall be deemed sufficient to begin
16 emergency operations, provided that the municipal letter of notice is accompanied by proof of
17 health, human, and environmental safety assurances.

18 (2) The temporary license shall have a set expiration date which may be extended upon
19 request by the entity, and is subject to a site inspection by a representative of the department.

1 (3) The entity to which the temporary license is issued shall provide means to recycle any
2 waste collected that is considered recyclable as defined by the department.

3 (4) The department shall not charge a fee for the temporary refuse transfer license, nor
4 shall the department assess any fines to the municipal host of the collection station for the
5 emergency establishment of the transfer station. Should the municipality determine a need for a
6 permanent transfer station, the municipality shall abide by all department rules and regulations
7 governing the establishment and operation of a transfer station, in accordance with the provisions
8 of chapter 18.9 of title 23 and chapter 19 of title 23.

9 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 - REFUSE DISPOSAL

1 This act would grant the director of the department of environmental management the
2 authority to issue emergency temporary refuse transfer licenses to existing collection stations or
3 recycle centers.

4 This act would take effect upon passage.

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