

HOUSE BILL 1335

By Gilmore

AN ACT to amend Tennessee Code Annotated, Title 68,  
Chapter 211, relative to solid waste.

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

WHEREAS, since 1991 state policy, as codified at Tennessee Code Annotated, Section 68-211-803(a) has been to "...assure that solid waste facilities, whether publicly or privately operated, do not adversely affect the health, safety and well-being of the public and do not degrade the quality of the environment"; and

WHEREAS, it is also a policy of this state to "...reduce and minimize to the greatest extent possible the amount of solid waste which requires collection, treatment, incineration or disposal through source reduction, reuse, composting, recycling and other methods," as stated in § 68-211-803(b); and

WHEREAS, neither state policy has been adhered to, as Tennessee has no program to "...reduce and minimize to the greatest extent possible the amount of solid waste which requires collection, treatment, incineration or disposal through source reduction, reuse, composting, [and] recycling" as required by state policy under § 68-211-803(a) and (b); and

WHEREAS, the State is developing a Request for Proposals on a 'Comprehensive Solid Waste Plan', which will be funded by the 'State Solid Waste Fund' in conjunction with the "Waste Reduction Rule" developed in accordance with state law; and

WHEREAS, food waste, yard waste, paper, and construction waste each contain materials that damage landfills and pollute groundwater; this waste can be reduced through recycling and composting; and

WHEREAS, the Tennessee Solid Waste Control Disposal Board is strongly urged to ensure that the Division of Solid Waste and the Tennessee Department of Environment and

Conservation fund, through the Solid Waste Management Fund, a 'Comprehensive Solid Waste Plan' to include, among other factors: (1) content, sources, amounts, and generators of construction waste within the large counties (counties that rank 1-10 in population), middle counties (counties that rank 11-30 in population), and rural counties (counties that rank 31-96 in population); and (2) content, sources, amounts, and generators of food waste, yard waste, and paper within such counties; and

WHEREAS, the 'Comprehensive Plan' should demonstrate proven methods to compost and recycle food waste, yard waste, and paper from landfills including source separation, collection, and composting and recycling the waste; and

WHEREAS, the plan would also describe the types of construction waste, proven business models for recycling or re-using construction waste, capital costs for such businesses, and methods for state and local governments to assist development of businesses based on recycling construction waste; and

WHEREAS, the 'Comprehensive Plan' would determine incremental methods for creating incentives and methods for business, residential, and government institutions to source separate food waste, yard waste, construction waste, and paper, with the goal of composting and diverting waste from landfills, and to create jobs; and

WHEREAS, these components should be fully integrated into the plan, and include meetings with citizens, generators, and governments across the state; now, therefore,  
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-211-815, is amended by deleting subsection (a) in its entirety and by substituting instead the following new language:

(a)

(1) Each plan and revised plan submitted by a municipal solid waste region pursuant to this part shall be consistent with the state solid waste plan or other such plans developed by the department, with this part, with all other applicable provisions of law and with any regulation promulgated by the department.

(2) Such plans shall demonstrate compliance with § 68-211-803.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.