

**As Introduced**

**126th General Assembly  
Regular Session  
2005-2006**

**H. B. No. 100**

**Representatives Taylor, Carano, Collier, C. Evans, McGregor, Otterman,  
Reidelbach, Seitz, White, Willamowski**

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**A B I L L**

To enact section 3734.576 of the Revised Code to 1  
authorize a solid waste management district to 2  
exempt automotive shredder residue from the 3  
district's generation fee. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 3734.576 of the Revised Code be 5  
enacted to read as follows: 6

**Sec. 3734.576.** (A) As used in this section: 7

(1) "Recycling" means the process of collecting, sorting, 8  
cleansing, treating, and reconstituting waste or other discarded 9  
materials for the purpose of recovering and reusing the materials. 10

(2) "Automotive shredder residue" means the nonrecyclable 11  
residue that is generated as a direct result of processing 12  
automobiles, appliances, sheet steel, and other ferrous and 13  
nonferrous scrap metals through a hammermill shredder for purposes 14  
of recycling and that meets all of the following requirements: 15

(a) The residue is solid waste. 16

(b) The residue is not hazardous waste. 17

(c) The residue created during the recycling process 18

comprises not more than thirty-five per cent of the total weight  
of material that is processed for recycling.

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(d) The residue is generated by processing recycled materials  
that are to be sold, used, or reused within ninety days of the  
time when the material is processed.

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(B)(1) The solid waste management policy committee of a solid  
waste management district that is levying a solid waste generation  
fee under section 3734.573 of the Revised Code may adopt a  
resolution exempting automotive shredder residue from that fee  
without the necessity for ratification of the resolution or may  
include the exemption in an amended solid waste management plan of  
the district adopted under section 3734.56 of the Revised Code at  
the time when adoption of an amended plan is required. Not later  
than seven days after the adoption of such a resolution or the  
approval of an amended plan, the committee shall notify by  
certified mail the owner or operator of each solid waste disposal  
facility or transfer facility that is required to collect  
generation fees on behalf of the district of the exemption. The  
exemption shall take effect on the first day of the first month  
following the month in which notification is sent to each disposal  
facility and transfer facility, as applicable.

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The policy committee of a solid waste management district may  
establish procedures and requirements, including record-keeping  
procedures and requirements, that are necessary for the  
administration and enforcement of an exemption established under  
division (B)(1) of this section.

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(2) If the policy committee of a solid waste management  
district has adopted a resolution under division (B)(1) of this  
section and the committee seeks to continue exempting automotive  
shredder residue from the district's generation fee at the time  
when the district is required to adopt an amended solid waste

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management plan under section 3734.56 of the Revised Code, the  
committee shall include the exemption in the amended plan of the  
district. If the exemption is not included in the amended plan of  
the district, the exemption shall expire and shall cease to apply  
as provided in division (C) of this section.

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(C) If the policy committee of a solid waste management  
district seeks to eliminate an exemption of automotive shredder  
residue from the district's generation fee that was established  
under division (B)(1) of this section, the committee shall adopt a  
resolution eliminating the exemption without the necessity for  
ratification of the resolution. After adoption of the resolution  
and if the district has included the exemption in its amended  
solid waste management plan in accordance with either division  
(B)(1) or (2) of this section, the committee shall subsequently  
amend the plan to reflect the elimination of the exemption at the  
time when the adoption of an amended plan is required under  
section 3734.56 of the Revised Code.

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Upon expiration of the exemption or adoption of a resolution  
eliminating the exemption, the policy committee shall notify by  
certified mail the owner or operator of each solid waste disposal  
facility or transfer facility that is required to collect  
generation fees on behalf of the district of the expiration or  
elimination of the exemption, as applicable. The exemption shall  
cease to apply on the first day of the first month following the  
month in which notification is sent to each disposal facility and  
transfer facility, as applicable.

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