



Eric Vendel

Bill Analysis
Legislative Service Commission

H.B. 100

126th General Assembly

(As Reported by S. Environment and Natural Resources)

Reps. Taylor, Carano, Collier, C. Evans, McGregor, Otterman, Reidelbach, Seitz, White, Willamowski, J. Stewart, Cassell, Domenick, Aslanides, Daniels, Flowers, Hood, Hughes, Kearns

Sens. Spada, Mumper

BILL SUMMARY

- Authorizes a solid waste management district to exempt automotive shredder residue from the district's generation fee, and establishes procedures and requirements governing the implementation of the exemption.
- Defines "automotive shredder residue" and "recycling."

CONTENT AND OPERATION

The bill authorizes the solid waste management policy committee of a solid waste management district that is levying a solid waste generation fee under the Solid, Hazardous, and Infectious Waste Law to adopt a resolution exempting automotive shredder residue from that fee without the necessity for ratification of the resolution under that Law or to include the exemption in an amended solid waste management plan of the district adopted under that Law at the time when adoption of an amended plan is required (sec. 3734.576(B)(1)). The bill defines "automotive shredder residue" as the nonrecyclable residue that is generated as a direct result of processing automobiles, appliances, sheet steel, and other ferrous and nonferrous scrap metals through a hammermill shredder for purposes of recycling and that meets all of the following requirements: (1) the residue is solid waste, (2) the residue is not hazardous waste, (3) the residue created during the recycling process comprises not more than 35% of the total weight of material that is processed for recycling, and (4) the residue is generated by processing recycled materials that are to be sold, used, or reused within 90 days of the time when the material is processed (sec. 3734.576(A)(2)). In addition, "recycling" is defined to mean the process of collecting, sorting, cleansing, treating, and reconstituting waste or other discarded materials for the purpose of recovering and reusing the materials (sec. 3734.576(A)(1)).

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 the bill (sec. 3734.576(B)(1)).

If the policy committee of a solid waste management district has adopted a resolution under the bill and 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 management plan under the Solid, Hazardous, and Infectious Waste Law, the committee must include the exemption in the district's amended plan. If the exemption is not included in the amended plan, the exemption must expire and must cease to apply as discussed below. (Sec. 3734.576(B)(2).)

Under the bill, 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, the committee must 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 the bill, the committee must subsequently amend the plan to reflect the elimination of the exemption at the time when the adoption of an amended plan is required under the Solid, Hazardous, and Infectious Waste Law. (Sec. 3734.576(C).)

Upon either expiration of the exemption or adoption of a resolution eliminating the exemption, the policy committee must 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 must 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. (Sec. 3734.576(C).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	03-01-05	p. 239
Reported, H. Economic Development & Environment	05-12-05	pp. 797-798
Passed House (82-6)	05-31-05	pp. 885-886
Reported, S. Environment & Natural Resources	10-27-05	pp. 1698-1699

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