



# Ohio Legislative Service Commission

## Bill Analysis

Eric Vendel

### **S.B. 290**

129th General Assembly  
(As Introduced)

**Sens.** Jones, LaRose

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## **BILL SUMMARY**

- Exempts from regulation under the Solid, Hazardous, and Infectious Wastes Law certain materials that are separated prior to their commingling with other solid wastes by the generator in order to reuse or recycle the material.
- Prohibits a board of county commissioners or board of directors of a solid waste management district from spending money from solid waste disposal fees to acquire or operate assets for recycling purposes when two or more privately owned entities offer to provide or are providing recycling services for recyclable material that is generated in the district.

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## **CONTENT AND OPERATION**

### **Exemption of certain materials from regulation as solid wastes**

The bill exempts any material such as paper, cardboard, metal, glass, plastic, or similar material that is segregated prior to its commingling with other solid wastes by the producer or generator of the material in order to reuse or recycle the material from regulation as solid wastes under the Solid, Hazardous, and Infectious Wastes Law. It does so by removing such material from the definition of "solid wastes" in that Law.<sup>1</sup>

Currently, solid wastes are such unwanted residual solid or semisolid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of the type that normally would be included in demolition debris, nontoxic fly ash and bottom ash, including at least ash that results from the combustion of coal and

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<sup>1</sup> R.C. 3734.01(E).

ash that results from the combustion of coal in combination with scrap tires where scrap tires comprise not more than 50% of heat input in any month, spent nontoxic foundry sand, and slag and other substances that are not harmful or inimical to public health and include, but are not limited to, garbage, scrap tires, combustible and noncombustible material, street dirt, and debris. Excluded from solid wastes are any material that is an infectious waste or a hazardous waste.<sup>2</sup>

### **Use of money in a solid waste management district's special fund**

The bill prohibits a board of county commissioners of a solid waste management district or a board of directors of a joint solid waste management district, on and after the bill's effective date, from spending money in the district's special fund that is derived from solid waste disposal fees to acquire or operate assets for the collection or processing of recyclable material if two or more privately owned entities offer to provide or are providing collection or processing of recyclable material that is generated in the district.<sup>3</sup> Current law establishes the purposes for which a board may spend money in the solid waste management district's special fund. The money must be spent in accordance with the district's solid waste management plan or amended plan exclusively for ten specified purposes. One of the specified purposes is the implementation of the approved solid waste management plan or amended plan of the district, including, without limitation, the development and implementation of solid waste recycling or reduction programs.<sup>4</sup> Thus, the bill limits the use of money for that purpose if two or more privately owned entities offer to provide or are providing collection or processing of recyclable material that is generated in the district.

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	02-07-12

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<sup>2</sup> R.C. 3734.01(E).

<sup>3</sup> R.C. 3734.57(G)(2).

<sup>4</sup> R.C. 3734.57(G).

