



SENATE BILL 469: Preserve Municipal Solid Waste Capacity.

2017-2018 General Assembly

Committee: Senate State and Local Government. **If Date:** April 11, 2017
favorable, re-refer to
Agriculture/Environment/Natural Resources.
If favorable, re-refer to Rules and Operations
of the Senate

Introduced by: Sen. Brown
Analysis of: First Edition

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Staff Attorney

OVERVIEW: *Senate Bill 469 would prohibit units of local government from enacting ordinances to prohibit the disposal of construction and demolition (C&D) debris in C&D landfills.*

CURRENT LAW and BACKGROUND:

C&D waste or debris is defined under the statutes to mean "solid waste resulting solely from construction, remodeling, repair, or demolition operations on pavement, buildings, or other structures, but does not include inert debris, land clearing debris or yard debris." Such debris may be disposed in C&D landfills, municipal solid waste landfills, and portions of the C&D waste stream, including clean wood and clean brick, block, etc., could be eligible for disposal in a land clearing and inert debris landfill. In addition, demolition debris from the decommissioning of manufacturing buildings may be disposed of on the same site as the decommissioned buildings if certain requirements are met.

The statutes currently authorize units of local government to, by ordinance, require that all solid waste generated within the geographic area and placed in the waste stream for disposal, be delivered to a permitted solid waste management facility or facilities serving the geographic area. Such ordinances are often called "flow control" ordinances, which are provisions that allow state and local governments to designate the places where solid waste must be taken for processing, treatment, or disposal. Flow controls ordinances are tools sometimes used by local governments to plan and fund solid waste management systems.

BILL ANALYSIS: The bill would prohibit units of local government from enacting ordinances to prohibit the disposal of C&D debris in a C&D landfill.

EFFECTIVE DATE: This bill would be effective when it becomes law.

Karen Cochrane-Brown
Director



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Legislative Analysis
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