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1ST SESSION

H. R. 2286

To amend the Solid Waste Disposal Act to require States to provide an opportunity for their citizens to participate in comprehensive recycling programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 1993

Mr. TAUZIN (for himself, Mr. HAYES, Mr. RAVENEL, Mr. BISHOP, Mr. PENNY, Mr. WHEAT, Mr. CALLAHAN, Mr. LEWIS of Florida, Mr. COX, Mr. TALENT, Mr. GILLMOR, Mr. WILSON, Ms. BYRNE, Mr. SARPALIUS, Mr. PORTER, Mr. BOEHNER, Mr. CAMP, Mr. HASTERT, Mr. LEWIS of California, Mr. VOLKMER, Mr. EWING, Mrs. MEYERS of Kansas, Mr. HOBSON, and Mr. SOLOMON) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Solid Waste Disposal Act to require States to provide an opportunity for their citizens to participate in comprehensive recycling programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 The Act may be cited as the “Comprehensive Recy-
5 cling Act of 1993”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—The Congress finds and declares the
3 following:

4 (1) The United States failure to manage its
5 solid waste has resulted in critical regional and
6 national problems.

7 (2) Successful solid waste management requires
8 creative use of the entire hierarchy of solid waste
9 management, including waste reduction, recycling,
10 waste-to-energy operations, and landfilling.

11 (3) Recycling can play a significant role in
12 reducing municipal waste.

13 (4) Recycling can prevent depletion of valuable
14 landfill space, save energy and natural resources,
15 and provide useful products from discarded mate-
16 rials.

17 (5) The failure to recycle and reuse materials is
18 a significant and unnecessary waste of important na-
19 tional energy and material resources.

20 (6) Comprehensive, multimaterial recycling pro-
21 grams represent the most cost-effective and efficient
22 method of meeting recycling goals.

23 (7) Limited or selective approaches to recycling
24 may work to the detriment of a comprehensive na-
25 tional recycling effort by imposing additional costs
26 and creating inefficiencies in the overall program.

1 (8) The responsibility to recycle should be
2 shared by all consumers of recyclable goods, includ-
3 ing individual households, municipalities, and com-
4 mercial and institutional establishments.

5 (9) All Americans should be provided with an
6 opportunity to recycle in their community, including
7 at home and at their place of employment.

8 (b) PURPOSES.—The purposes of this Act are as
9 follows:

10 (1) To require each State to develop and imple-
11 ment a comprehensive, multimaterial recycling plan
12 to provide its citizens with the opportunity to
13 recycle.

14 (2) To require each State, under its plan, to
15 eventually recycle at least 25 percent of its munici-
16 pal waste stream.

17 **SEC. 3. NATIONAL POLICY.**

18 The Congress hereby establishes as a national goal
19 the recycling of municipal waste to the maximum extent
20 practicable, consistent with market demand for recycled
21 materials.

22 **SEC. 4. TECHNICAL ASSISTANCE.**

23 For purposes of assisting States in carrying out this
24 Act, the Administrator of the Environmental Protection
25 Agency shall provide technical assistance and guidance to

1 the States on recycling methods and opportunities, includ-
2 ing the development of the elements for an effective com-
3 prehensive State recycling program. Such a program shall
4 include, at a minimum, the following elements:

5 (1) Proven approaches to separation and collec-
6 tion of municipal waste according to material, in-
7 cluding metals, glass, paper, plastics, yard waste,
8 used oil, used tires, and used batteries.

9 (2) Guidance on local or regional drop-off
10 centers for municipal waste separated at home or
11 business.

12 (3) Planning and information exchange services
13 on successful strategies for municipal, commercial,
14 and industrial recycling programs.

15 (4) Planning and information exchange services
16 on the creation of State and regional information
17 clearinghouses on markets for secondary materials
18 and recycled goods.

19 **SEC. 5. RECYCLING PROGRAMS.**

20 (a) REQUIREMENT FOR STATE PROGRAMS.—

21 (1) Within 2 years after the date of enactment
22 of this Act, each State shall develop and implement
23 a comprehensive multimaterial recycling program to
24 provide its residents with an opportunity to partici-
25 pate and engage in recycling.

1 (2) Each State program shall be designed to
2 provide at least 20 percent of the State's population
3 with an opportunity to participate in the program
4 within 2 years after the date of enactment of this
5 Act. Every 2 years thereafter, such program must be
6 available to an additional 20 percent of the State's
7 population, until such time that 100 percent of the
8 population is provided an opportunity to participate
9 in the recycling program.

10 (b) PROGRAM COMPONENTS.—Each State recycling
11 program under this section shall include, at a minimum,
12 each of the following elements:

13 (1) MATERIAL SEPARATION AND RECYCLING.—
14 Provisions, as determined by the States, for the sep-
15 aration of recyclable materials from other municipal
16 waste generated at residential, commercial, indus-
17 trial, and institutional establishments. The types of
18 recyclable materials covered shall be designated by
19 the State and may include metal cans, glass bottles
20 and jars, paper, and containers made of plastic such
21 as polyethylene terephthalate (PET) and high den-
22 sity polyethylene (HDPE).

23 (2) YARD WASTE.—Persons at residential, com-
24 mercial, and institutional establishments shall sepa-
25 rate yard waste from other municipal waste gen-

1 erated at those establishments, unless those persons
2 have provided for the composting of their yard
3 waste.

4 (3) NOTICE.—Each State or its political sub-
5 divisions shall establish a comprehensive and sus-
6 tained public information and education program
7 concerning recycling program features and require-
8 ments.

9 (4) PREFERENCE.—In implementing its recy-
10 cling program, a State or its political subdivisions
11 shall accord consideration for the collection, process-
12 ing, and marketing of recyclable materials to persons
13 engaged in the business of recycling.

14 (c) ALTERNATIVE PROGRAMS.—A State or its mu-
15 nicipalities, or both, shall be deemed to comply with this
16 section if it has in place an existing program for the collec-
17 tion of separated materials which may provide for curbside
18 collection, drop-off centers, regional collection centers or
19 similar methods of collection which, in its discretion, best
20 meets the needs of the State and its political subdivisions
21 and which comply with the intent and requirements of this
22 Act.

23 **SEC. 6. PROGRAM APPROVAL.**

24 Within 2 years after the date of enactment of this
25 Act, a State shall include its comprehensive recycling pro-

1 gram in the State solid waste management plan required
2 by subtitle D of the Solid Waste Disposal Act (42 U.S.C.
3 6941 et seq.). Upon approval of the recycling program
4 component of the plan by the Administrator of the Envi-
5 ronmental Protection Agency, the State shall be eligible
6 to apply for Federal grants under section 4011 of the
7 Solid Waste Disposal Act, as added by section 7, to imple-
8 ment the recycling program.

9 **SEC. 7. STATE GRANTS FOR RECYCLING.**

10 (a) GRANTS.—Subtitle D of the Solid Waste Disposal
11 Act (42 U.S.C. 6941 et seq.) is amended by adding at
12 the end the following new section:

13 **“SEC. 4011. RECYCLING GRANTS.**

14 Upon application of a State and from funds appro-
15 priated pursuant to sections 4008 and 4009, the Adminis-
16 trator shall make grants, subject to such terms and condi-
17 tions as the Administrator considers appropriate, under
18 this section to such State for the purpose of assisting the
19 State in implementing the comprehensive recycling pro-
20 gram developed by the State and approved by the Admin-
21 istrator under the Comprehensive Recycling Act of 1993,
22 including activities to promote the use of recycling tech-
23 niques by businesses, local governments, and regional
24 waste management authorities. In reviewing grant applica-
25 tions, the Administrator shall give specific consideration

1 to the needs of rural areas regarding the collection, sepa-
2 ration, and transportation of such materials and the
3 availability and maturity of the region's recyclers and
4 markets.”.

5 (b) TECHNICAL AMENDMENT.—The table of contents
6 for such Act (contained in section 1001) is amended by
7 inserting after the item relating to section 4010 the follow-
8 ing new item:

“4011. Recycling grants.”.

9 **SEC. 8. DEFINITIONS.**

10 For the purposes of this Act:

11 (1) The term “commercial, non-hazardous solid
12 waste” means waste which originates in private,
13 commercial establishments or enterprises.

14 (2) The term “industrial waste” means all non-
15 hazardous solid wastes other than residential, com-
16 mercial, and institutional wastes.

17 (3) The term “institutional waste” means non-
18 hazardous solid waste originating from services pro-
19 vided by governmental entities to the public.

20 (4) The term “metal cans” means aluminum
21 cans, bimetal cans, and “tin” food cans.

22 (5) The term “municipal waste” means residen-
23 tial, commercial, institutional, and industrial waste.

24 The term does not include source-separated mate-
25 rials.

1 (6) The term “recycling” means (A) the collec-
2 tion, processing, and marketing for reuse of metals,
3 glass, paper, plastics, used oil, yard waste, and other
4 materials which could otherwise be disposed of or
5 processed as municipal waste, or (B) the mechanized
6 separation and treatment of municipal waste (other
7 than through combustion) and creation and recovery
8 of reusable materials other than a fuel. Such term
9 includes composting.

10 (7) The term “residential waste” means solid
11 waste originating from private households.

12 (8) The term “solid waste” has the meaning
13 given such term by section 1004(27) of the Solid
14 Waste Disposal Act.

15 (9) The term “waste reduction” means an ac-
16 tivity or action, or a combination of activities or ac-
17 tions, that result in less generation of waste from
18 production, use, and disposal of a product than
19 would have been generated in the absence of such
20 activities or actions.

21 (10) The term “yard waste” means leaves,
22 grass clippings, garden residues, shrubbery, tree
23 trimmings, and similar material, but does not in-
24 clude land clearing debris such as tree trunks and
25 stumps.

