

115TH CONGRESS
1ST SESSION

S. 746

To amend the Solid Waste Disposal Act to authorize States to restrict interstate waste imports and impose a higher fee on out-of-State waste.

IN THE SENATE OF THE UNITED STATES

MARCH 28, 2017

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Solid Waste Disposal Act to authorize States to restrict interstate waste imports and impose a higher fee on out-of-State waste.

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 This Act may be cited as the “Trash Reduction and
5 Sensible Handling Act of 2017” or the “TRASH Act”.

6 **SEC. 2. DISCRETIONARY STATE PLAN PROVISIONS.**

7 (a) IN GENERAL.—Section 4003(b) of the Solid
8 Waste Disposal Act (42 U.S.C. 6943(b)) is amended—

9 (1) in the subsection heading, by striking “RE-
10 LATING TO RECYCLED OIL”;

(2) by redesignating paragraphs (1) through (4) as clauses (i) through (iv), respectively, and indenting appropriately;

(3) in the matter preceding clause (i) (as so redesignated), by striking “Any State” and inserting the following:

“(1) RECYCLED OIL.—

“(A) IN GENERAL.—Any State”;

(4) in the undesignated matter following clause (iv) (as so redesignated), by striking “Any plan” and inserting the following:

“(B) AMENDMENTS TO PLANS.—Any plan”; and

(5) by adding at the end the following:

“(2) INTERSTATE WASTE IMPORTS.—

“(A) IN GENERAL.—Any State plan submitted under this subtitle may include, at the option of the State, provisions to carry out each of the following:

“(i) Restrictions at the State and local level of interstate waste imports by requiring that waste imported from another State be only from States with equivalent or higher standards of waste handling and reduction.

1 “(ii) Subject to subparagraph (B), im-
 2 position of higher fees on interstate waste
 3 imports, regardless of the compliance of
 4 the exporting State with the waste han-
 5 dling and reduction standards of the im-
 6 porting State.

7 “(B) FEES DESCRIBED.—

8 “(i) IN GENERAL.—A fee imposed
 9 under subparagraph (A)(ii) shall be known
 10 as a ‘community benefit fee’.

11 “(ii) DISBURSAL OF FEES.—A State
 12 may provide community benefit fees to af-
 13 fected communities.

14 “(iii) DIFFERENTIATION OF FEES.—
 15 The State may differentiate community
 16 benefit fees based on whether the imported
 17 waste was disposed of at a landfill, an in-
 18 cinerator, a resource recovery facility, a
 19 waste-to-energy facility, or other waste
 20 handling facility.”.

21 (b) TECHNICAL AMENDMENTS.—Section 4008 of the
 22 Solid Waste Disposal Act (42 U .S.C. 6948) is amended—
 23 (1) in subsection (a)—

1 (A) by striking “section 4003(b)” each
2 place it appears and inserting “section
3 4003(c)”;

4 (B) in paragraph (3)(C), by striking “sec-
5 tion 4003(b)(1)(A)” and inserting “section
6 4003(c)(1)(A)”;

7 (2) in subsection (f)(1), by striking “section
8 4003(b)” and inserting “section 4003(b)(1)”;

9 (3) in subsection (g), by striking “section
10 4003(b)(1)” and inserting “section 4003(c)(1)”.

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