

HOUSE BILL 219

By Hulsey

AN ACT to amend Tennessee Code Annotated, Title 68,  
Chapter 211, relative to solid waste.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-211-103, is amended by adding the following new subdivisions:

( ) "Gasification" means a process through which recoverable feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere and the mixture is converted into valuable raw, intermediate, and final products including, but not limited to, monomers, chemicals, waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blendstocks, home heating oil, and other fuels including ethanol and transportation fuel. Gasification is not considered "incineration" or solid waste "processing";

( ) "Gasification facility" means a facility that receives, separates, stores, and converts post-use polymers and recoverable feedstocks using gasification. A gasification facility is not a "solid waste processing facility," "solid waste processing operation," or "incinerator";

( ) "Post-use polymer" means a plastic polymer that derives from any community, domestic, institutional, industrial, commercial, or other source of operations or activities which might otherwise become a waste if not converted to manufacture valuable raw, intermediate, and final products using pyrolysis or gasification. Post-use polymers may contain incidental contaminants or impurities such as paper labels or metal rings. Post-use polymers are not mixed with solid waste, medical waste,

hazardous waste, e-waste, tires, or construction demolition debris. Post-use polymers as described in this subdivision are not "solid wastes";

( ) "Pyrolysis" means a manufacturing process through which post-use polymers are heated in the absence of oxygen until melted and thermally decomposed, and then cooled, condensed, and converted into valuable raw, intermediate, and final products including, but not limited to, monomers, chemicals, waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blendstocks, home heating oil, and other fuels including ethanol and transportation fuel. Pyrolysis is not considered "incineration" or solid waste "processing";

( ) "Pyrolysis facility" means a manufacturing facility that receives, separates, stores, and converts post-use polymers using pyrolysis. A pyrolysis facility is not a "solid waste processing facility," "solid waste processing operation," or "incinerator";

( )

(A) "Recoverable feedstock" means one (1) or more of the following materials, derived from recoverable waste, that has been processed so that it may be used as feedstock in a gasification facility:

(i) Post-use polymers; or

(ii) Materials, including, but not limited to, municipal solid waste, that contain post-use polymers and other post-industrial waste containing post-use polymers, that have been processed into a fuel or feedstock for which the federal environmental protection agency has made a non-waste determination pursuant to 40 CFR 241.3(c) or otherwise determined are not waste or for which the department or board has made a non-waste determination;

(B) "Recoverable feedstock" does not include coal refuse;

SECTION 2. Tennessee Code Annotated, Section 68-211-103(8)(B), is amended by adding the following new subdivision:

(iii) Post-use polymers or recoverable feedstocks processed through pyrolysis or gasification;

SECTION 3. Tennessee Code Annotated, Section 68-211-103(10), is amended by deleting the subdivision and substituting instead the following:

(10) "Solid waste processing" means any process that modifies the characteristics or properties of solid waste, including, but not limited to, treatment, incineration, composting, separation, grinding, shredding, and volume reduction. "Solid waste processing" does not include pyrolysis or gasification or the grinding or shredding of landscaping or land clearing wastes or unpainted, unstained, and untreated wood into mulch or other useful products.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.