

HOUSE BILL 2793

By Johnson G

AN ACT to amend Tennessee Code Annotated, Title 68,  
relative to recovered materials processing  
facilities.

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

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 211, Part 8, is amended by adding the following new section:

(a)

(1) As used in this section, "recovered materials processing facility" means a facility engaged in the receipt, recycling, storage, processing, and resale or reuse of recovered materials.

(2) "Recovered materials processing facility" does not include:

(A) A solid waste processing facility under part 1 of this chapter;

(B) Facilities that thermally treat solid waste principally for volume reduction or for reduction of contaminants;

(C) Organic or green waste facilities; or

(D) Recycling facilities owned by local governments that are available for use by the public.

(b)

(1) The commissioner shall promulgate rules to create a permitting process for owners and operators of recovered materials processing facilities. The permitting process must mirror, to the extent practicable, the permitting process for solid waste disposal facilities under the Tennessee Solid Waste Disposal Act, compiled in part 1 of this chapter.

(2) The rules promulgated pursuant to this section must include, but are not limited to, the following:

(A) The creation of a permit fee for owners and operators of recovered materials processing facilities;

(B) Provisions to ensure that recovered materials processing facilities operate in accordance with state, federal, and local government laws and regulations;

(C) A schedule of fines and other necessary penalties for violations of such rules; and

(D)

(i) The keeping of records by owners and operators, to be made available upon request by department personnel, and required by regions in accordance with § 68-211-871(c), of recovered materials processing facilities that document:

(a) The quantity of recovered materials processed at such facilities, including the weight of materials that are received at the facility and used, reused, or recycled or transferred to another site for use, reuse, or recycling; and

(b) The location of final disposition of the materials;

and

(ii) Any other information required to be reported under §

68-211-871(e).

SECTION 2. The rules promulgated under this act shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to implement, administer, and enforce this section.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.