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The original instrument was prepared by Tyler McCloud. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cheryl Serrett.

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DIGEST

SB 97 Reengrossed

2021 Regular Session

Lambert

Present law requires the secretary of the department to adopt and promulgate rules, regulations, and standards for the transportation, processing, resource recovery, and disposal of solid wastes consistent with the general solid waste management plan adopted by the Dept. of Environmental Quality.

Proposed law retains present law except provides that such rules and regulations regulating solid waste not include advanced recycling or facilities that store post-use polymers or recovered feedstocks or that convert post-use polymers and recovered feedstocks through advanced recycling. Proposed law requires notification to the department prior to conducting advanced recycling activities.

Proposed law provides the definition of solid waste does not include post-use polymers or recovered feedstocks that are converted through advanced recycling or are held at, or for the purpose of conversion at, an advanced recycling facility prior to conversion.

Present law defines "resource management" as the process by which solid waste is collected, transported, stored, separated, processed, or disposed of in any other way, according to an orderly, purposeful, and planned program.

Proposed law retains present law and provides that the term "resource management" does not include the storage of post-use polymers or recovered feedstocks or the conversion of post-use polymers or recovered feedstocks through advanced recycling.

Present law defines "resource recovery" as the process by which materials, excluding those under control of the Nuclear Regulatory Commission, which still have useful physical or chemical properties after serving a specific purpose are reused or recycled for the same or other purposes, including uses as an energy source.

Proposed law retains present law and provides that "resource recovery" does not include the conversion of post-use polymers or recovered feedstocks through advanced recycling.

Present law defines a "resource recovery and management facility" as any solid waste disposal area or other facility, the purpose of which is resource recovery or the disposal, recycling, processing, or storage of solid waste, excluding any "processing, treatment, or disposal facility".

Proposed law retains present law and provides the term "resource recovery and management facility" does not include a facility that stores post-use polymers or recovered feedstocks or converts post-use

polymers or recovered feedstocks through advanced recycling.

Present law defines a "solid waste disposal facility" as any land area or structure or combination of land areas and structures, used for storing, salvaging, processing, reducing, incinerating, or disposing of solid wastes, excluding any "processing, treatment, or disposal facility" and any facility where solid waste management activities are limited to transferring solid waste from collection vehicles to other vehicles for transport without processing.

Proposed law retains present law and provides the term "solid waste disposal facility" does not include a facility that stores post-use polymers or recovered feedstocks or converts post-use polymers or recovered feedstocks through advanced recycling.

Proposed law provides definitions for advanced recycling, advanced recycling facility, gasification, post-use polymer, pyrolysis, recovered feedstock, depolymerization, and solvolysis.

Proposed law requires storage of post-use polymers not exceed reasonable time frames.

Proposed law provides that where there is an analogous ingredient, the post-use polymers shall be managed in a manner consistent with the analogous ingredient or otherwise be adequately contained to prevent releases to the environment. Proposed law further provides if there is no analogous ingredient, the post-use polymers shall be adequately contained to prevent releases to the environment.

Proposed law requires post-use polymers provide a useful contribution to the production or manufacturing process or be used to produce a valuable product or intermediate. Proposed law provides a contribution is useful if it contributes a valuable ingredient to the product or intermediate or is an effective substitute for a commercial product.

Proposed law requires the use of post-use polymers result in products that contain contaminants at levels that are comparable in concentration to or lower than those found in traditional products that are manufactured with post-use polymer products.

Effective August 1, 2021.

(Amends R.S. 30:2153(2) - (5); adds R.S. 30:2153(1)(b)(v), (8) - (15), 2154(B)(1)(b)(iii), and 2157)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Natural Resources to the original bill

1. Adds provisions for the management and use of post-use polymers.
2. Requires notification to the department prior to conducting advanced recycling activities.

3. Adds to the definition of "recovered stock" materials for which the department has made a nonwaste determination.
4. Removes certain fuels from the definition of "advanced recycling".

Senate Floor Amendments to engrossed bill

1. Clarifies definitions of "advanced recycling" and "recovered feedstock".