

2022 Accomplishments To Date

There have been 65 total accomplishments to date

Alabama (4 Accomplishments)

- On February 23, Gentry Shows testified in support of HB 304. Shows testified that Governor Bentley appointed a commission to review solid waste issues, including landfill permitting, approximately six years ago. Gentry Shows was appointed and served on this Committee. The Committee was made up of Legislators, as well as industry, county, and municipal leaders. One of the issues during this Committee dealt with local governing bodies' approval for new solid waste sites and permit modifications for existing sites. House Bill 304 sought to clarify the existing code regarding host government approval of applications and modifications. Mr. Shows testified to make it clear that the Committee never intended to require multiple local government approvals regarding landfill permitting that is governed by the Alabama Department of Environmental Management.
- The Alabama chapter worked with the Alabama Department of Environmental Management (ADEM) regarding proposed revisions and additions to Division 335-13 of the ADEM Administrative Code relating to the Solid Waste Program. Revisions to the ADEM Admin. Code div. 335-13 are being proposed to ensure consistency with State and Federal statutes and provide clarification of State requirements for the management of solid waste. These changes include updated language to conform to the revised statute for alternate cover material and minor technical revisions to provide better clarity on regulatory requirements or address regulatory concerns.
- Worked on HB 474, known as the Recycle Credit Bill. This bill would authorize the Department of Environmental Management to issue transferable recycle credits to users of recyclable materials for offsetting solid waste disposal costs, to administer all transactions, and impose civil penalties for fraud.
- The chapter worked against legislation to remedy permit application process whereby Court of Civil Appeals Ruling requires that permit applicants must return to the local government and restart the local approval process before ADEM may consider an amended application

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Carolinas (2 Accomplishments)

- In South Carolina, the Pollutant Remediation Fund and the Justice Forty Oversight Committee were established within the Senate Budget Plan. Both initiatives show the State's commitment to funding these from the general fund and not creating new revenue streams.
- In North Carolina, members have successfully kept an open conversation with North Carolina Environmental Quality and made it through the last spring session with no new rules implemented.

Colorado (3 Accomplishments)

- The Rocky Mountain chapter submitted comments to the Colorado Department of Public Health & Environment (CDPHE) regarding the draft changes to the Solid Waste Regulations (6 CCR 1007-2, Part 1)
- EPR – The Rocky Mountain chapter submitted a letter in opposition to EPR ([HB22-1355](#)) and participated in multiple stakeholder meetings with Recycle Colorado and state legislators. Though the EPR Bill passed, the chapter was able to get multiple amendments added that were in favor of the industry. During the floor debate on April 27 for House Bill 1355, Representative Andy Pico of Colorado Springs read the letter aloud, showing his support of NWRA's position. The Association also received responses from Senator Jessie Danielson and Representative Tonya Van Beber.
- Colorado chapter worked diligently to oppose PFAS legislation.

Connecticut (2 Accomplishments)

- EPR: Connecticut NWRA members were the driving force behind shutting down [SB115](#), which would have created an EPR program in the state.
- FOI: Members are also in the midst of preparing for a hearing against the state Department of Energy and Environmental Protection for refusing to comply with the NWRA chapter's Freedom of Information request last spring.

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Georgia (5 Accomplishments)

- The Georgia chapter submitted draft Comments on the Georgia Environmental Protection Division’s Permit Application Guidance for New Municipal Solid Waste Disposal Facilities (MSWDF) or Horizontal Expansions. The EPD released a notification on August 4 that they will now extend their commenting period to September 15 and will host a virtual stakeholder meeting on August 31.
- Due to the hard work of NWRA members and their lobbyists, the Georgia chapter was successful with:
 - Amending SB 516 to take out strict restrictions affecting the industry. This bill would require EPD to contract with the Department of Revenue to collect fees associated with the Solid Waste Trust Fund, and it would also add language to the law regarding how those funds are allocated.
 - HB 893, which would extend the Hazardous Management Waste Fees. This bill would extend the fee structure for the Hazardous Waste Trust Fund to 2027.
 - HB 1272 – Conservation and natural resources; landfill construction within one mile of any pipeline; prohibit. The intention is to block a proposed landfill in Haralson County.
 - HB 1511 would make it difficult to obtain a permit for a new landfill.

Florida (8 Accomplishments)

- Florida chapter members and chapter lobbyists worked on the following:
 - HB 1475 would require DEP to adopt by rule statewide cleanup target levels for PFAS in drinking water, groundwater, and soil using specified statutory criteria, with priority given to PFOA and PFOS, if the United States Environmental Protection Agency does not finalize its standards for PFAS in drinking water, groundwater, and soil by January 1, 2025.
 - SB 1764 – Municipal Solid Waste-to-Energy Program
 - HB 1177 – Grease Waste Removal and Disposal
 - SB 494 – Fish & Wildlife Conservation Commission
 - HB 1419 – Municipal Solid Waste-to-Energy Program
 - SB 1156 – Comprehensive Waste Reduction and Recycling Plan
 - SB 1764 – Municipal Solid Waste-to-Energy Program
 - HB 1177 – Grease Waste Removal and Disposal

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Kentucky (3 Accomplishments)

- In the Louisville Metro Government Solid Waste Management’s Five-Year Solid Waste Management draft plan, the NWRA Kentucky Louisville Committee successfully argued the proposed term “unorganized collection” to describe “Open Market” or “Subscription Services” was particularly offensive and provocative. The Committee maintained the term has never been used in the Louisville market, nor can it be found in any ordinance or 109 Kentucky Statute that created the Solid Waste Management District. The outcome was the 109 Advisory Committee agreed to replace the term “Unorganized” with “Open Market.”
- Kentucky Chapter members supported HB 314, which allows a new city or annexation request in Jefferson County to be approved if at least 66% of residents in the area signed a petition. The Governor initially vetoed this bill; however, the General Assembly voted to override the veto.
- Additionally, the members also welcomed the passage of HB 8, a tax reform bill that will eventually do away with the individual income tax.

Illinois (4 Accomplishments)

- PFAS - Illinois members were successful in adding an exemption for landfill gas to House Bill 4818, which would otherwise ban the incineration of PFAS generally.
- C&D Record Keeping - Senate Bill 3633 requires local units of government to maintain certain records for construction and demolition debris. The bill was amended favorably to ensure these potentially duplicate requirements do not apply to landfills.
- Environmental Justice - Environmental justice was an issue in the first half of the legislative session. House Bill 4093 had a lot of energy early on but stalled at the halfway point for many reasons, including lobbying by NWRA and the rest of the business community highlighting the duplicate regulatory requirements and excessive fees placed on the private sector.
- Developed and submitted comments on draft landfill fee collection documents at the request of Illinois EPA officials.

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Massachusetts (3 Accomplishments)

- Anaerobic Digestion: Governor Baker signed into law a major climate bill ([HB.5060](#)) which implements a procurement that will provide long-term MA Class 1 RECs on a unit contingent basis above floor prices to support existing MA LFG- and AD biogas- to energy and development of new projects in Massachusetts. This will be a boon to our members involved in the biogas-to-energy business.
- EPR & Bottle Bill
 - NWRA members pushed back against the bottle bill ([S.2149/HB.3289](#)) and EPR ([S.2923/HB.4851](#)) in Massachusetts this session. Both bills were stalled in Committee when the legislative session ended in the Commonwealth this July. Massachusetts members drafted memos in opposition to both bills and will be heavily involved in planning our legislative strategy for both issues in 2023.

Missouri (1 Accomplishment)

- Hours of Operation - NWRA Members worked successfully to defeat a troublesome local ordinance in St. Louis. In March, the St. Louis County Executive vetoed substitute bill 1 for bill number 15. [No link available] The bill would have prevented waste haulers from picking up from a commercial property that abuts residential before 5:30 throughout the county. The veto message included concerns for enforcement and safety, which was the primary reason for objection.

Minnesota (2 Accomplishments)

- Bonding for Public Infrastructure - The 2022 legislative session in Minnesota included considerable discussion about bonding projects to add public waste and recycling infrastructure. Ultimately, neither [HF 4492](#) nor [SF 4062](#) passed. NWRA lobbyists and members carried the message of the need to protect the private sector from unnecessary competition funded by public dollars.
- Landfill Ban - A task force to consider the elimination of landfills was the subject of introduced legislation in Minnesota. [SF 4243](#) was introduced by Senator Senjem. Members met with the Senator and explained the modern regulation of landfills since Subtitle D regulations were adopted. The group agreed to meet in the summer months to continue discussions – the bill did not advance.

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New York City (2 Accomplishments)

- Commercial Waste Zones (CWZ): NYC members successfully lobbied the NYC Department of Sanitation (DSNY) and the Mayor's Office to extend the deadline for implementation of the Commercial Waste Zone from April 15 to July 15. This would give members additional time to complete their applications. This effort was assisted by a letter drafted by NWRA.
- Rate Cap Increase: NYC members and NWRA were successful in getting two rate cap increases for haulers in 2022. NWRA testified before the Business Integrity Commission (BIC) this spring and followed up with a letter in June pushing for increases to keep up with skyrocketing inflation and labor costs. The BIC increased the rate cap by 9% in April and an additional 7% beginning in the fall.

New York State (3 Accomplishments)

- EPR: In New York State, NWRA members were heavily involved in the effort to stop an EPR bill from becoming law in 2022. First, members were able to keep EPR out of the state budget in April and then able to stop an even worse bill ([A. 10185](#)) from passing at the end of the session. This legislation would have shut the waste and recycling industry out of any involvement in the implementation of an EPR program in the state.
- Bottle Bill: New York members were also able to keep a bottle bill expansion effort in the state legislature at bay in 2022. The bill ([A.8668A/S.8651](#)) failed to make it out of Committee in either the Senate or the Assembly.
- NWRA provided written comments on the state's Climate Leadership and Community Protection Act Draft Scoping Plan
- CLCPA Public Comment Extension: New York members were successful in getting a two-month extension on the public comment period for the state's Climate Leadership and Community Protection Act public scoping plan. This extension gave members the needed time to draft a thorough response to this climate action plan that will have an important impact on the waste and recycling industry in New York.

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New Hampshire (1 Accomplishment)

- Governor Sununu vetoed [HB1454](#). This bill would have made it more difficult for our members to site landfills in New Hampshire.

New Jersey (2 Accomplishments)

- EPR: New Jersey members have been able to keep EPR from passing in the state legislature so far. NWRA testified on our members' behalf in June before the State Senate's Environmental and Energy Committee in opposition to the bill ([S.426](#)). We are also currently involved in stakeholder meetings with the Senate sponsor.
- Minimum Content: Governor Murphy signed a minimum content law in January; NWRA and our New Jersey members were involved in the process and pleased with the final product.

Ohio (1 Accomplishment)

- Over the summer, the Ohio Landfill Regulation Subcommittee held multiple meetings with the Ohio EPA to provide industry direction and insights into the proposed [Ohio Landfill Chapter 27-19 Operational Rules](#). These meaningful meetings produced actionable modifications to the proposed operational rules for NWRA members.
- Distracted Driving - Ohio Chapter members welcomed the traction HB 283 Distracted Driving has gained. Members considered it a win when the Governor continued to recognize the importance of this legislation and spoke about the significance of this legislation during his State of State Address. Note: Gov. DeWine made another case for stricter distracted driving laws following a 2021 increase in traffic fatalities.

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Oklahoma (7 Accomplishments)

- Oklahoma chapter members and the chapter lobbyist worked on the following:
 - HB 1137 – Provides for a tax credit to electric vehicle charging stations; such credit to be provided on a per-location basis and to be capped annually.
 - HB 3054 - Allows motor vehicles fueled wholly or partially by electric batteries or hydrogen fuel cells to be exempt from certain gross vehicle weight limits by up to 2,000 pounds.
 - SB 617 – places the oversight of various provisions related to motor carriers and intrastate commerce under the supervision of the Dept. of Public Safety and permits coordination with the Tax Commission to acquire outstanding fees.
 - SB 735 – Creates the Justin Sullivan Trailer Safety Act, which provides for a tax credit on purchases of safe wheel tethering systems for semitrailers and frac tanks.
 - SB 1318 – Provides a 60-day window to register a newly-purchased vehicle beginning at the time this bill is signed, after which the 30-day requirement will be reinstated
 - SB 1486 – Provides that when the sale of a vehicle includes trade in, gross receipts shall be calculated based only upon the difference between the values of both vehicles.
 - SB 1853 – Declares that the state will set a hydrogen fuel production standard as an annual goal each year through 2028 and directs related reporting to the Corporation Commission.

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Pennsylvania (3 Accomplishments)

- Blocked movement of two bills which would have dramatically increased existing setback requirements from housing and added a new setback requirement based upon population density. HBs 2338 & 2339 would have imposed these restrictions on all landfills - new, expanded, or reopened.
- Negotiated an alternative to DEP-mandated testing for Radium and PFAS. Instead, two industry funded pilot testing programs at a limited number of sites will review Radium in leachate and PFAS source emissions. Test results will then be reviewed by DEP to determine whether there is a need for comprehensive testing mandates.

Indiana (2 Accomplishments)

- RFP for Municipal Contracts - Indiana legislative activity included an update to statutes governing the RFP process used by municipalities for waste and recycling services. House Bill 1286 was adopted allowing for the use of a RFP in an identical manner that has been used in the Capital City of Indianapolis for some time. Difficulties with service in other metropolitan areas led to the introduction of the bill.
- Solid Waste Definition - NWRA members provided support to state regulators in opposing House Bill 1226. The poorly developed bill changed solid waste definitions, among other things that could be troublesome to the industry and allow for lax environmental compliance due to lack of regulatory authority.

Texas (2 Accomplishments)

- Texas chapter members have stayed active with the Sunset Commission which will hold their next hearing on October 12. At that hearing they'll finalize the TCEQ staff report and will vote on various amendments to the report. To date, none of the changes proposed would directly apply to solid waste.
- The chapter worked towards Trucking Tort Reform in 2021 and has continued to follow any updates on this issue. The main focus of the bill was to change things related to lawsuit processes, such as the admissibility of photographic evidence, how liability is determined and the splitting of cases into components where appropriate. There was a second bill, Senate Bill 207 by Senator Schwertner, that would have amended the "paid versus incurred" statute, which was part of the tort reform package. That statute

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dictates how future health care claims related to a lawsuit may be introduced into evidence. However, late in the session the Texas Supreme Court ruled on a case that addressed the coalition's concerns and so that bill was left pending.

Wisconsin (1 Accomplishment)

- Personal property tax reform has been an issue in Wisconsin for several years. While Senate Bill 189 did not pass this session, a study committee has been provided for during the summer months.