

House Bill 785 (COMMITTEE SUBSTITUTE)

By: Representatives Nix of the 69th, McCall of the 33rd, Nimmer of the 178th, Tankersley of the 160th, and Buckner of the 137th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 12-8-22 of the Official Code of Georgia Annotated, relating to
2 definitions relative to solid waste management, so as to modify certain definitions and enact
3 new definitions; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Code Section 12-8-22 of the Official Code of Georgia Annotated, relating to definitions
8 relative to solid waste management, is amended by revising paragraphs (25), (26), (27), (34),
9 and (35) and by adding new paragraphs to read as follows:

10 "(9.1) 'Feedstock' means raw material that is used in a machine or industrial process."

11 "(10.1) 'Gasification to fuels and chemicals' means a process through which recovered
12 materials or other nonrecycled feedstock is heated and converted into a fuel-gas mixture
13 in an oxygen-deficient atmosphere, and such mixture is converted into fuel, including
14 ethanol and transportation fuel, chemicals, or other chemical feedstocks.

15 (10.2) 'Gasification to fuels and chemicals facility' means a facility that collects,
16 separates, stores, or converts nonrecycled feedstock into fuels, chemicals, or other
17 valuable final or intermediate products using a gasification to fuels and chemicals
18 process. Such term shall not be considered a waste handling facility or solid waste
19 thermal treatment facility."

20 "(20.1) 'Nonrecycled feedstock' means one or more of the following materials, derived
21 from nonrecycled materials, that has been processed so that it may be used as a feedstock
22 in a gasification to fuels and chemicals facility, but excluding coal refuse and scrap tires:

23 (A) Post-use plastics; or

24 (B) Materials for which the Environmental Protection Agency has made a nonwaste
25 determination under 40 C.F.R. Section 241.3(c) or that are otherwise determined not
26 to constitute waste."

27 "(22.1) 'Post-use plastics' means recovered plastics, derived from any source, that are not
28 being used for their originally intended purpose and that might otherwise become waste
29 if not processed at a pyrolysis or gasification to fuels and chemicals facility or recycled,
30 and the term includes plastics that may contain incidental contaminants or impurities such
31 as paper labels or metal rings."

32 "(24.1) 'Pyrolysis' means a process through which post-use plastics are heated, in an
33 oxygen-free environment, until melted and thermally decomposed, then cooled,
34 condensed, and converted into oil, diesel, gasoline, home heating oil, or other liquid fuel;
35 gasoline or diesel blendstock; chemicals or chemical feedstock; waxes or lubricants; or
36 other similar raw materials or intermediate or final products.

37 (24.2) 'Pyrolysis facility' means a facility that collects, separates, stores, or converts
38 post-use plastics into fuels or other valuable final or intermediate products using a
39 pyrolysis process. Pyrolysis facilities shall not be considered solid waste handling
40 facilities or solid waste thermal treatment facilities.

41 (25) 'Recovered materials' means those materials which have known use, reuse, or
42 recycling potential; can be feasibly used, reused, or recycled; and have been diverted or
43 removed from the solid waste stream for sale, use, reuse, or recycling, whether or not
44 requiring subsequent separation and processing. Recovered materials include post-use
45 plastics and nonrecycled feedstock that are subsequently processed using a pyrolysis or
46 gasification to fuels and chemicals process.

47 (26) 'Recovered materials processing facility' means a facility engaged solely in the
48 storage, processing, recycling, and resale or reuse of recovered materials. Recovered
49 materials processing facilities include pyrolysis and gasification to fuels and chemicals
50 facilities. Such term shall not include a solid waste handling facility; provided, however,
51 that any solid waste generated by such facility shall be subject to all applicable laws and
52 regulations relating to such solid waste.

53 (27) 'Recycling' means any process by which materials which would otherwise become
54 solid waste are collected, separated, or processed and reused or returned to use in the
55 form of raw materials, intermediates, or products, including fuels, fuel substitutes, and
56 other products of pyrolysis and gasification to fuels and chemicals processes."

57 "(34) 'Solid waste handling' means the storage, collection, transportation, treatment,
58 utilization, processing, or disposal of solid waste or any combination of such activities,
59 but does not include pyrolysis or gasification to fuels and chemicals processes or the
60 holding of post-use plastics or nonrecycled feedstock at a pyrolysis facility or gasification
61 to fuels and chemicals facility prior to processing at the facility where those materials are
62 being held to ensure production is not interrupted.

63 (35) 'Solid waste handling facility' means any facility the primary purpose of which is
64 the storage, collection, transportation, treatment, utilization, processing, or disposal, or
65 any combination thereof, of solid waste, but does not include pyrolysis or gasification to
66 fuels and chemicals facilities."

67 **SECTION 2.**

68 All laws and parts of laws in conflict with this Act are repealed.