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1 IN THE HOUSE

2

HOUSE BILL NO. 478

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to solid and hazardous waste manage-
7 ment."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. LEGISLATIVE FINDINGS. The legislature finds that

10 (1) there is a growing concern nationally about the environment
11 and the effects on human health from past solid waste management practices;

12 (2) there is a desire to prevent these effects from occurring in
13 the future as well as a growing interest in conserving and ensuring the
14 wise use of virgin materials;

15 (3) present solid and hazardous waste management practices in
16 many communities in the state do not protect human health or the environ-
17 ment;

18 (4) many communities in the state are necessarily concentrating
19 their limited resources on more immediate environmental or human health
20 concerns such as ensuring a safe drinking water supply or the safe manage-
21 ment of sewage;

22 (5) communities in the state, though concerned over the problems
23 associated with current solid and hazardous waste management practices do
24 not have the technical or financial resources to plan for improved waste
25 management or for enhanced recycling, treatment, or disposal facilities;

26 (6) there is a need for the state to provide financial and
27 technical assistance to communities in the state to improve solid and
28 hazardous waste management within the state;

29 (7) there is a need for state government to provide leadership

1 by working actively to improve waste reduction and recycling activities and
2 to use its buying power to strengthen the markets for recycled goods.

3 * Sec. 2. AS 46.06 is amended by adding new sections to read:

4 Sec. 46.06.021. SOLID AND HAZARDOUS WASTE MANAGEMENT PRACTICES.
5 In order to minimize present and future threats to human health and
6 the environment in the state, the department shall promote the follow-
7 ing solid and hazardous waste management practices in the following
8 order of priority:

- 9 (1) waste source reduction;
- 10 (2) recycling of waste;
- 11 (3) waste treatment; and
- 12 (4) waste disposal.

13 Sec. 46.06.031. SOLID AND HAZARDOUS WASTE REDUCTION AND RE-
14 CYCLING PROGRAM. (a) There is established within the department a
15 solid and hazardous waste reduction and recycling program. Within the
16 limit of funds available, the department shall

17 (1) coordinate community and agency efforts to reduce the
18 production of solid and hazardous waste, including air and water
19 emissions;

20 (2) promote the practices and priorities established under
21 AS 46.06.021 by promoting solid and hazardous waste reduction, on-site
22 recovery of resources from hazardous waste sources, recovery of re-
23 sources from solid waste sources, repeated use of packaging and prod-
24 ucts, materials recycling, appropriate pretreatment, waste separation,
25 or separate management for waste that creates problems when disposed
26 of within the community, transportation for solid waste that cannot be
27 disposed of within the community, and environmentally sound disposal;

28 (3) provide technical assistance and consultation for
29 source reduction and recycling as necessary to assist with the

1 implementation of the practices and priorities established under
2 AS 46.06.021 with communities and regional planning organizations and
3 generators of solid and hazardous waste;

4 (4) sponsor or co-sponsor, with public or private organiza-
5 tions, technical workshops and seminars on implementation of the
6 practices and priorities established under AS 46.06.021, including
7 solid and hazardous waste reduction and recycling;

8 (5) develop a technical reference center and data base
9 relating to the implementation of practices and priorities established
10 under AS 46.06.021 for solid and hazardous waste reduction and re-
11 cycling;

12 (6) establish and maintain an information referral service
13 on the implementation of the practices and priorities established
14 under AS 46.06.021 for solid and hazardous waste reduction and re-
15 cycling;

16 (7) identify and evaluate research needs for state busi-
17 nesses and industry, communities and regional planning organizations,
18 and state agencies as they relate to the implementation of the prac-
19 tices and priorities established under AS 46.06.021 for solid and
20 hazardous waste reduction and recycling;

21 (8) develop, in consultation with institutions of higher
22 education in the state, courses and curricula related to the implemen-
23 tation of the practices and priorities established under AS 46.06.021
24 for solid and hazardous waste reduction and recycling; and

25 (9) issue hazardous waste reduction grants and community
26 solid waste management planning grants under AS 46.06.041.

27 (b) In response to a request of a hazardous waste generator, a
28 representative of the department may visit the hazardous waste genera-
29 tor's site for the purpose of observing a waste generating process,

1 obtaining information relevant to waste reduction, rendering advice,
2 and making recommendations. A visit under this subsection may not be
3 regarded as an inspection or investigation. A representative of the
4 department designated to render advisory or consultative services may
5 not have enforcement authority.

6 (c) This section does not diminish the responsibility of a
7 person to comply with this chapter, AS 46.03, AS 46.04, or AS 46.09.

8 Sec. 46.06.041. COMMUNITY SOLID WASTE MANAGEMENT PLANNING
9 GRANTS. (a) A community solid waste management planning grant ac-
10 count is established in the general fund. It consists of appropria-
11 tions made to it.

12 (b) The department may issue matching grants from money in the
13 account to a municipality, to an unincorporated community, to an
14 organization representing two or more municipalities or unincorporated
15 communities within a region, to a nonprofit organization, coastal re-
16 sources service area, or regional health corporation for the purpose
17 of a community solid waste management plan.

18 (c) In its award of a grant under this section, the department
19 may consider the extent to which the proposed planning effort will
20 meet the needs of more than one community, the extent to which there
21 is clear evidence of local support for the planning effort, the number
22 of individuals who will benefit from the planning effort, and the
23 severity of environmental or public health concerns relating to exist-
24 ing solid waste management practices.

25 (d) The department shall establish guidelines for the prepara-
26 tion of plans funded under this section to achieve the practices and
27 priorities established under AS 46.06.021.

28 (e) A grant under this section

29 (1) must be matched on a dollar-for-dollar basis by the

1 grantee in cash or in kind;

2 (2) may not exceed \$50,000 for a single proposal or proj-
3 ect.

4 * Sec. 3. AS 46.03.100 is amended by adding a new subsection to read:

5 (e) A person who applies for a solid waste permit under this
6 section shall demonstrate to the satisfaction of the commissioner that
7 the applicant has reasonably considered all solid waste management
8 options and that the permit would be consistent with the practices and
9 priorities established under AS 46.06.021.

10 * Sec. 4. AS 46.03.299(f) and 46.03.316 are repealed.