

115TH CONGRESS
1ST SESSION

H. R. 3967

To amend the Solid Waste Disposal Act to authorize States to restrict interstate waste imports and impose a higher fee on out-of-State waste.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2017

Mr. CARTWRIGHT (for himself and Mr. MCNERNEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Solid Waste Disposal Act to authorize States to restrict interstate waste imports and impose a higher fee on out-of-State waste.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Trash Reduction And
5 Sensible Handling Act of 2017” or the “TRASH Act”.

6 **SEC. 2. DISCRETIONARY STATE PLAN PROVISIONS.**

7 (a) IN GENERAL.—Section 4003(b) of the Solid
8 Waste Disposal Act (42 U.S.C. 6943(b)) is amended—

9 (1) in the subsection heading, by striking “RE-
10 LATING TO RECYCLED OIL”;

1 (2) by redesignating paragraphs (1) through
2 (4) as clauses (i) through (iv), respectively, and in-
3 denting appropriately;

4 (3) in the matter preceding clause (i) (as so re-
5 designated), by striking “Any State” and inserting
6 the following:

7 “(1) RECYCLED OIL.—

8 “(A) IN GENERAL.—Any State”;

9 (4) in the undesignated matter following clause
10 (iv) (as so redesignated), by striking “Any plan” and
11 inserting the following:

12 “(B) AMENDMENTS TO PLANS.—Any
13 plan”; and

14 (5) by adding at the end the following:

15 “(2) INTERSTATE WASTE IMPORTS.—

16 “(A) IN GENERAL.—Any State plan sub-
17 mitted under this subtitle may include, at the
18 option of the State, provisions to carry out each
19 of the following:

20 “(i) Restrictions at the State and
21 local level of interstate waste imports by
22 requiring that waste imported from an-
23 other State be only from States with equiv-
24 alent or more stringent standards of waste
25 handling and reduction.

1 “(ii) Subject to subparagraph (B), im-
2 position of additional or higher fees on
3 interstate waste imports, regardless of the
4 compliance of the exporting State with the
5 waste handling and reduction standards of
6 the importing State.

7 “(B) FEES DESCRIBED.—

8 “(i) IN GENERAL.—A fee imposed
9 under subparagraph (A)(ii) shall be known
10 as a ‘community benefit fee’.

11 “(ii) DISBURSAL OF FEES.—A State
12 may provide community benefit fees to af-
13 fected communities.

14 “(iii) DIFFERENTIATION OF FEES.—
15 The State may differentiate community
16 benefit fees based on whether the imported
17 waste was disposed of at a landfill, an in-
18 cinerator, a resource recovery facility, a
19 waste-to-energy facility, or other waste
20 handling facility.”.

21 (b) TECHNICAL AMENDMENTS.—Section 4008 of the
22 Solid Waste Disposal Act (42 U.S.C. 6948) is amended—

23 (1) in subsection (a)—

1 (A) by striking “section 4003(b)” each
2 place it appears and inserting “section
3 4003(c)”;

4 (B) in paragraph (3)(C), by striking “sec-
5 tion 4003(b)(1)(A)” and inserting “section
6 4003(c)(1)(A)”;

7 (2) in subsection (f)(1), by striking “section
8 4003(b)” and inserting “section 4003(b)(1)”;

9 (3) in subsection (g), by striking “section
10 4003(b)(1)” and inserting “section 4003(c)(1)”.

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