

115TH CONGRESS  
1ST SESSION

# S. 746

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.

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IN THE SENATE OF THE UNITED STATES

MARCH 28, 2017

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## 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 higher standards of waste han-  
25                 dling and reduction.

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