

111TH CONGRESS
2D SESSION

S. 3633

To amend the Solid Waste Disposal Act to improve a provision relating to Federal procurement of recycled materials to reduce greenhouse gas emissions.

IN THE SENATE OF THE UNITED STATES

JULY 22, 2010

Mr. CARPER (for himself and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Solid Waste Disposal Act to improve a provision relating to Federal procurement of recycled materials to reduce greenhouse gas emissions.

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. FEDERAL PROCUREMENT OF RECYCLED MATE-**
4 **RIALS TO REDUCE GREENHOUSE GAS EMIS-**
5 **SIONS.**

6 Section 6002(c) of the Solid Waste Disposal Act (42
7 U.S.C. 6962(c)) is amended—

8 (1) by striking “(1) After the date” and insert-
9 ing the following:

1 “(1) IN GENERAL.—After the date”;

2 (2) by redesignating paragraphs (2) and (3) as
3 paragraphs (4) and (5);

4 (3) in paragraph (1)(C)—

5 (A) by inserting “subject to paragraph
6 (3),” before “are only available”; and

7 (B) by striking the last sentence; and

8 (4) by inserting after paragraph (1) the fol-
9 lowing:

10 “(2) RELATIONSHIP TO BUREAU OF STAND-
11 ARDS GUIDELINES.—Any determination under para-
12 graph (1)(B) shall be made on the basis of the
13 guidelines of the Bureau of Standards in any case
14 in which the material is covered by those guidelines.

15 “(3) UNREASONABLE PRICE RESTRICTION.—
16 For a product containing at least 25 percent recov-
17 ered materials, a price in the amount of not more
18 than 110 percent of the bid price of the highest-
19 ranked competing product containing zero or de-
20 minimis recovered materials shall not be considered
21 an unreasonable price under paragraph (1)(C).”.

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