

RULEMAKING & LEGISLATIVE UPDATES

Council on Recycling
May 28, 2024



RECYCLING RULEMAKING

Since we last met:

- Discussed key issues with stakeholders
- Finalized rule language
- Requested rule approval at May 22 NRB meeting

Next Steps:

- Submit for Governor's approval
- Submit for legislative committees review in early 2025
- Update existing and develop new guidance docs, publications, webpages, etc.

INDIVIDUAL SUBSCRIPTION SERVICE

- If used to meet collection system requirements, RU must
 - Modify recycling ordinance to require all single family and 2-4 units residences contract for at least monthly curbside collection of specified materials
 - Modify Compliance Assurance Plan to include how RU will address non-compliance with above
 - Report to the DNR recycling tonnage data from individual subscription service

OFR FOR MRFS

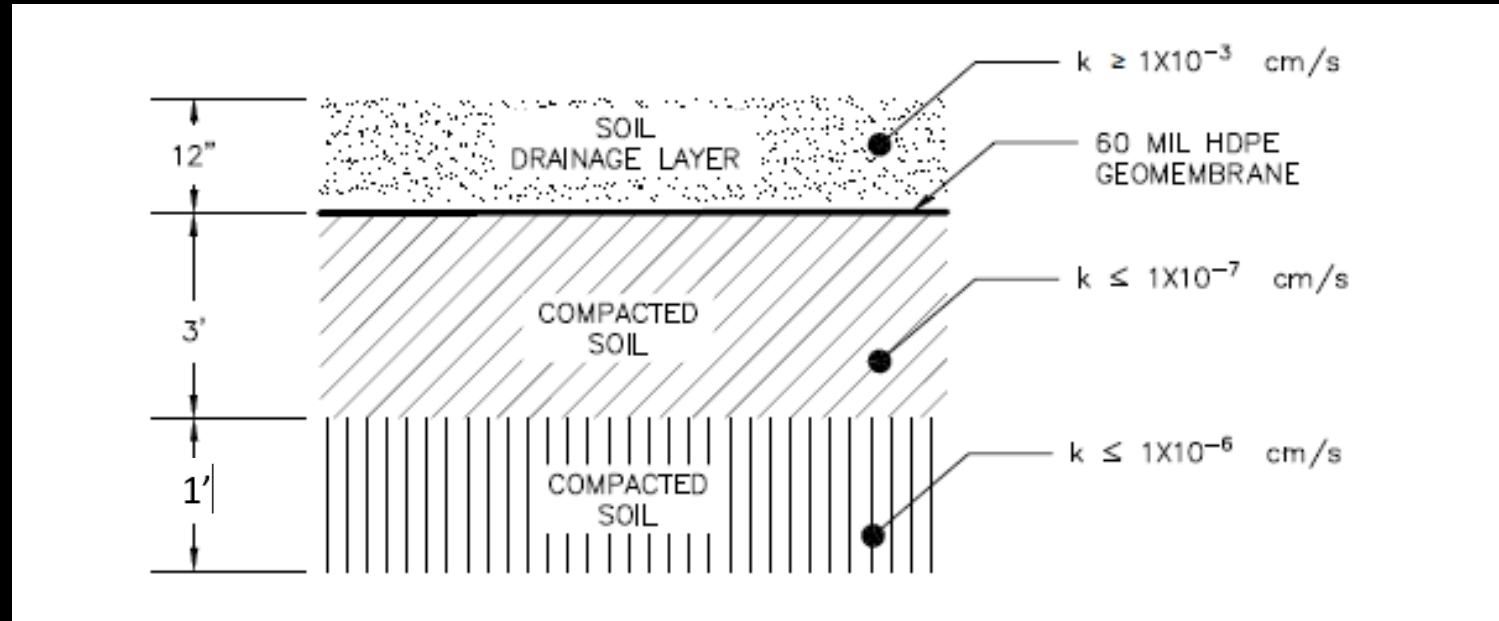
- Owner Financial Responsibility (OFR) for Material Recovery Facilities (MRFs)
 - Delay implementation until 2027
 - Specify OFR will only include costs of removing remaining inventory of materials (unprocessed, residual and negative value materials) and 10% contingency
 - Specify OFR will NOT include decontamination/clean-up of the facility or equipment decommissioning, which can be required for other solid waste processing facilities

LANDFILL RULEMAKING



- Drafting rule documents and economic impact analysis
- Posting for economic impact comments expected June 2024
- Advisory Committee meeting held 2/13/24 focused on landfill fees

NR 504.065 ALTERNATIVE LINER DESIGN



- 1 foot of prepared sub-base under all portions of the clay liner
- 3 feet of clay at the base of the liner
- 4 feet of clay under the leachate collection sump
- 2 feet of clay for the 3:1 side slopes

ECONOMIC IMPACT ANALYSIS

- Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole
- Elements of the EIA
 - NR 520.04 (1)(d) 3. The tonnage rate shall be 15.0 cents/ton effective July 1, 2005, 25.0 cents/ton effective January 1, 2026, 27.0 cents/ton effective January 1, 2031, and 30.0 cents/ton effective January 1, 2036.
 - Requiring the inside diameter of all leachate collection pipes be a minimum six inches, rather than a six-inch outside diameter
 - Geotextiles used to line leachate collection trenches and on top of landfill liners must be at least 16 ounces/yard² rather than the current 12 ounces

ECONOMIC IMPACT ANALYSIS

Review Fee	Current	2027	2028	FY2023 Frequency	Fee Impact in 2028
Feasibility Report	\$22,000	\$33,000	\$44,000	3	\$66,000
Plan of Operation	\$7,700	\$16,500	\$22,000	3	\$42,900
Plan of Operation Modification and Supplemental Reviews	\$1,650	\$2,625	\$3,500	60	\$111,000
Expedited Plan Modification	\$1,000	\$1,750	\$1,750	13	\$9,750
Construction Documentation	\$1,100	\$2,250	\$3,000	33	\$62,700
Certain Inspections	\$550	\$900	\$1,210	80	\$52,800
Low Hazard Exemption	\$550	\$2,000	\$2,000	10	\$14,500
Long-Term Care License	\$6,600	\$7,700	\$7,700	1	\$1,100
				Total	\$360,750

LEGISLATION UPDATE

The governor signed into law the following two bills:

- Now [Act 107](#) - **Proposal: SB 624** relating to: method for establishing proof of financial responsibility for municipal solid waste facilities; payments for closure, long-term care, and corrective action costs for certain solid or hazardous waste facilities; extending the time limit for emergency rule procedures; providing an exemption from emergency rule procedures; granting rule-making authority; and making an appropriation
- Now [Act 108](#) - **Proposal: SB866 (-5411)** [View Bill History](#) relating to: changes to the electronic waste recycling program and granting rule-making authority

- Did not pass

- **Senate Bill 906/Assembly Bill 987**, regarding education about rechargeable batteries and providing grants for collecting and recycling rechargeable batteries.
- **2023 SB 876/AB 935** would have removed the prohibition on the Wisconsin Department of Natural Resources from utilizing its existing appropriation to conduct statutorily required statewide education on solid waste reduction, recovery, and recycling.
- **2023 SB 721** would have created a food waste reduction grant program at the Dept. of Agriculture, Trade and Consumer Protection.
- **Paintcare (SB1073/AB1167), Battery EPR (AB 1205)**

QUESTIONS?

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