

Amendment No. 863

Senate Amendment to Assembly Bill No. 487

(BDR 40-120)

Proposed by: Senator Denis

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date
Adopted	☐	Lost	☐ _____	Adopted	☐	Lost	☐ _____
Concurred In	☐	Not	☐ _____	Concurred In	☐	Not	☐ _____
Receded	☐	Not	☐ _____	Receded	☐	Not	☐ _____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

MSN/TMC



Date: 5/24/2013

A.B. No. 487—Makes various changes relating to recycling. (BDR 40-120)



ASSEMBLY BILL NO. 487—COMMITTEE ON NATURAL
RESOURCES, AGRICULTURE, AND MINING(ON BEHALF OF THE LEGISLATIVE COMMISSION'S
COMMITTEE TO STUDY THE DEPOSITS AND
REFUNDS ON RECYCLED PRODUCTS)

MARCH 25, 2013

Referred to Committee on Natural Resources,
Agriculture, and Mining

SUMMARY—Makes various changes relating to recycling. (BDR 40-120)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to recycling; requiring certain solid waste management authorities in this State to adopt regulations requiring contractors to dispose of certain construction and demolition debris at a materials recovery facility under certain circumstances; increasing the goal for the amount of total solid waste generated within a municipality to be recycled; requiring each board of county commissioners to report to the 78th Session of the Nevada Legislature concerning its efforts and progress in establishing programs of single-stream recycling; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill requires certain solid waste management authorities in this State to adopt regulations requiring contractors to dispose of certain construction and demolition debris at a materials recovery facility that has been approved to operate pursuant to regulations of the State Environmental Commission, if such a facility is located within 30 miles of the site of the work.

Existing law requires the ~~State Environmental~~ Commission to adopt regulations to establish minimum standards for recycling with the goal of recycling at least 25 percent of the total solid waste generated within a municipality. (NRS 444A.020) ~~Section 1.5~~ of this bill increases that goal to at least 40 percent of the total solid waste generated within a municipality.

Section 2 of this bill requires the board of county commissioners of each county to submit a report by November 1, 2014, for transmittal to the Nevada Legislature in 2015 concerning the efforts and progress made by the county to establish programs of single-stream recycling.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 444A of NRS is hereby amended by adding thereto a new section to read as follows:

1. A solid waste management authority shall adopt regulations which provide for the disposal of construction debris and demolition debris in the manner required by this section.

2. The regulations adopted pursuant to subsection 1:

(a) Except as otherwise provided in paragraph (b), must require a contractor who undertakes the construction, alteration, repair, maintenance or demolition of any building, structure or other work of improvement for which a building permit or demolition permit is required to dispose of the construction debris or demolition debris resulting from the work at a materials recovery facility, if a materials recovery facility is located within 30 miles of the site of the work.

(b) May provide that any recyclable material:

(1) That has been separated at the site of the work from other construction debris and demolition debris;

(2) That has been separated at the site of the work by type of recyclable material; and

(3) Which is not commingled with other recyclable material, may be disposed of at a recycling center.

3. As used in this section:

(a) "Debris" does not include soil, stone, masonry, concrete or asphalt pavement.

(b) "Materials recovery facility" means a solid waste management facility that provides for the extraction from solid waste of recyclable materials, materials suitable for use as a fuel or soil amendment, or any combination of those materials, and that has been approved to operate in accordance with regulations adopted by the State Environmental Commission pursuant to NRS 444.560. The term does not include:

(1) A facility that receives only recyclable materials that have been separated at the source of waste generation if further processing of the materials generates less than 10 percent waste residue by weight on an annual average;

(2) A salvage yard for the recovery of used motor vehicle parts;

(3) A facility that receives, processes or stores only concrete, masonry waste, asphalt pavement, brick, uncontaminated soil or stone for the recovery of recyclable materials; or

(4) A facility that recovers less than 10 percent by weight of the recyclable material from the solid waste received on an annual average.

(c) "Solid waste management authority" means the district board of health in any area in which a health district is created by NRS 439.362 and in any area over which the board has authority pursuant to an interlocal agreement, if the board has adopted all regulations that are necessary to carry out the provisions of NRS 444.440 to 444.620, inclusive.

~~Section 1.1~~ Sec. 1.5. NRS 444A.020 is hereby amended to read as follows:

444A.020 1. The State Environmental Commission shall adopt regulations establishing minimum standards for:

(a) Separating at the source recyclable material from other solid waste originating from residential premises and public buildings where services for the collection of solid waste are provided, including, without limitation, the placement

1 of recycling containers on the premises of apartment complexes and condominiums
2 where those services are provided.

3 (b) Establishing recycling centers for the collection and disposal of recyclable
4 material.

5 (c) The disposal of hazardous household products which are capable of causing
6 harmful physical effects if inhaled, absorbed or ingested.

7 2. The regulations adopted pursuant to subsection 1 must be adopted with the
8 goal of recycling at least ~~25~~ 40 percent of the total solid waste generated within a
9 municipality after the second full year following the adoption of such standards.

10 3. The State Environmental Commission shall, by regulation, establish
11 acceptable methods for disposing of used or waste tires consistent with the
12 provisions of NRS 444.505, 444.507 and 444.509.

13 **Sec. 2.** 1. The board of county commissioners of each county in this State
14 shall submit a report to the Director of the Legislative Counsel Bureau on or before
15 November 1, 2014, for transmittal to the 78th Session of the Nevada Legislature.
16 The report must detail the efforts and progress made by the county to establish
17 programs of single-stream recycling.

18 2. As used in this section, "single-stream recycling" means a system of
19 recycling in which all recyclable material is commingled and collected in one
20 container and separated for recycling at a later time.

21 **Sec. 3.** 1. This section and sections 1.5 and 2 of this act ~~becomes~~
22 become effective on July 1, 2013.

23 2. Section 1 of this act becomes effective;

24 (a) On July 1, 2013, for the purpose of adopting regulations; and

25 (b) On January 1, 2014, for all other purposes.