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Committee on Environmental Preservation

Senator Paula Dockery, Chair

## REVIEW OF THE SOLID WASTE MANAGEMENT ACT

### SUMMARY

In 1988, the Legislature enacted the comprehensive Solid Waste Management Act (SWMA). This act mandated waste minimization, conservation of landfill space, litter control, and recycling. A major provision of the act required all counties to initiate recycling programs to separate and offer for recycling a majority of aluminum cans, glass, newspaper, and plastic bottles. Counties were required to achieve a waste reduction goal of 30 percent by 1994.

The SWMA also created the Solid Waste Management Trust Fund to fund solid waste management activities. In particular, moneys in the trust fund were to be used to fund certain grant programs – small county grants, recycling and education grants, waste tire grants, and litter and marine debris prevention grants.

In 1993, the SWMA was substantially amended. Significant features of this rewrite included implementation of the Advance Disposal Fee, the waste newsprint fee, new requirements for permitting waste-to-energy facilities and commercial hazardous waste incinerators, and overall providing a greater emphasis on recycling.

There have been several amendments to the SWMA since 1993; however, these amendments have been enacted in a piecemeal fashion and the issues have not been addressed in a comprehensive manner.

In 1988, landfill space and cost of disposal were of great concern to the state. Today, the Department of Environmental Protection has reported that the landfill capacity issue has virtually disappeared. Landfill disposal is moving toward regional landfill facilities that are in many cases privately owned. These facilities have options for disposal on adjacent acreage.

In addition to landfills, Florida has 12 operating waste-to-energy (WTE) facilities. Several factors influence the cost and successful operation of WTEs.

Flow control remains an issue since such facilities must be guaranteed a certain amount of solid waste to justify the cost to operate the facility.

Hazardous waste disposal in Florida has been effectively addressed. Various pollution reduction initiatives and activities have significantly reduced the amount of hazardous waste generated. Most of Florida's hazardous waste is sent for disposal in Alabama.

According to the Department of Environmental Protection, the overall statewide recycling rate is 28 percent. Money that was deposited into the Solid Waste Management Trust Fund and used for recycling grants was diverted several years ago for other uses. As a result, the only recycling grants available are for the smaller counties to support waste tire, litter prevention, recycling and education grants, and general solid waste management programs.

Current solid waste issues include disposal of hurricane and vegetative debris, certain construction and demolition debris issues, and e-waste and electronics recycling. Also, the SWMA contains several provisions, terms, and dates that are either outdated, obsolete, never been used or implemented.

### BACKGROUND

In 1988, the Legislature enacted the Solid Waste Management Act. This comprehensive act mandated waste minimization, conservation of landfill space, litter control, and recycling. In 1992, the Senate Natural Resources Committee conducted an interim project study and review of the 1988 act. The Solid Waste Management Act was substantially rewritten in 1993. Since that time, there have been several amendments to the statutory provisions relating to solid waste management; however, these amendments have been piecemeal and the issues have not been addressed in a comprehensive manner.

In the past few years, issues have arisen regarding the recycling and disposal of vegetative and construction and demolition debris. The problem has been exacerbated by the fact that Florida was hit with four major hurricanes in 2004 and by Hurricanes Dennis and Katrina in 2005.

## METHODOLOGY

Staff reviewed past interim project reports on the various aspects of the Solid Waste Management Act. Also, staff worked with the staff of the Department of Environmental Protection and other interested persons in order to identify obsolete provisions and develop any appropriate legislation.

## FINDINGS

### History

*Ch. 88-130, Laws of Florida.* Solid waste management is primarily a local government responsibility. Prior to 1988, local governments in Florida did not receive ongoing grants to subsidize and assist in recycling and other solid waste management problems. Pollution problems at existing landfills, long delays in siting new landfill sites, and forecasts that one-third of the landfill space available in the state in 1985 would be closed by 1996 prompted the Legislature to help local governments meet their solid waste management responsibilities. The Solid Waste Management Act (SWMA) was enacted in 1988 to provide comprehensive programs to promote recycling and reduce the volume of materials going to landfills.<sup>1</sup>

The SWMA mandated waste minimization, conservation of landfill space, litter control, and recycling and required the involvement and cooperation of Florida's residents, businesses, and visitors.<sup>2</sup> Several state agencies were given responsibilities under SWMA with the Department of Environmental (DEP) Protection having the lead responsibility for developing the state program, adopting all regulations and standards, permitting facilities, and managing biohazardous waste.

A major provision of the SWMA required all counties to initiate recycling programs to separate and offer for recycling a majority of aluminum cans, glass, newspaper, and plastic bottles.

Local governments were encouraged to separate all plastics, metals, and all grades of paper for recycling prior to final disposal and were also encouraged to recycle yard trash and other mechanically treated solid waste into compost available for agricultural and other acceptable uses.

Counties were required to achieve a waste reduction goal of 30 percent by 1994. No more than one-half of the goal could be met with yard trash, white goods<sup>3</sup>, construction and demolition (C&D) debris, and tires. The goal could be modified or reduced for any county that demonstrated it would have an adverse impact on the financial obligations of the county regarding waste-to-energy facilities.

The Solid Waste Management Trust Fund (SWMTF) was created to fund solid waste management activities.

To assist the counties in their recycling efforts, the SWMA established certain grant programs. The types of grants available included small county grants, recycling and education grants, waste tire grants, and litter and marine debris prevention grants.

The SWMA also provided for a waste newsprint fee, a waste tire fee, and the implementation of an advance disposal fee if certain recycling conditions were not met.

*Ch. 93-207, Laws of Florida.* In 1993, the SWMA was significantly rewritten to update and refine the act. Major features of this rewrite included:

- Creating the Recycling Markets Advisory Committee in the Department of Commerce.<sup>4</sup>
- Providing significant new provisions relating to the Advance Disposal Fee and statewide litter program. Initially, the fee was 1 cent per container with an increase to 2 cents on January 1, 1995. The estimated proceeds of the fee (\$22 million) were deposited into the SWMTF to be used to supplement recycling grants, Surface Water Improvement and Management or SWIM program, Sewage Treatment Revolving Loan, and Small Community Sewer Construction Assistance.

<sup>1</sup> Senate Staff Analysis CS/CS/CS/SB 710, Feb. 2002.

<sup>2</sup> A Report on the Review of 1988 Solid Waste Management Act, Staff of the Senate Natural Resources and Conservation Committee.

<sup>3</sup> "White goods" generally include discarded refrigerators, water heaters, freezers, and other similar domestic and commercial appliances.

<sup>4</sup> The Department of Commerce was abolished in 1996 pursuant to ch. 96-320, L.O.F.

- Providing new requirements for permitting WTE facilities and commercial hazardous waste incinerators in the state. No commercial hazardous waste incinerator may be permitted or certified in the state without a certificate of need, issued by the Governor and Cabinet, sitting as the Statewide Multipurpose Hazardous Waste Facility Siting Board.
- Establishing the Florida Packaging Council and creating a comprehensive litter and marine debris control and prevention program.
- Providing assistance to smaller counties to aid in meeting their waste reduction and recycling responsibilities.
- Providing for the ownership of solid waste and flow control.
- Providing for the disposal of certain batteries.
- Allowing the SWMTF to be used to fund projects relating to market development for recycled materials.
- Allowing counties of less than 50,000 to be eligible for annual solid waste grants of \$50,000.

*Ch. 96-381, Laws of Florida.* Another significant revision to the SWMA occurred in 1996 when the provisions relating to C&D debris were substantially revised. The DEP was required to establish a separate category for solid waste management facilities which accept only C&D debris for disposal or recycling. DEP may not require liners and leachate collection systems at individual facilities unless it demonstrates that the facility is reasonably expected to result in violations of ground water standards. A permit is not required for disposal of C&D debris on the property where it is generated, but such property must be covered, graded, and vegetated as necessary when disposal is complete.

*Advanced Disposal Fee and Waste Newsprint Fee.* The ADF and the waste newsprint fee provisions expired on October 1, 1995, as provided in ch. 88-130, Laws of Florida.

While the SWMA created the ADF to provide economic incentives for recycling, it was not implemented until October, 1993. The initial 1988 law provided for the ADF and the waste newsprint fee to be repealed on October 1, 1995, pending a legislative review.

In the interim preceding the 1995 legislative session, the ADF and the waste newsprint statutory provisions were reviewed by the Legislature as required by 1988 SWMA

Legislation to repeal the repealers contained in 1988 law that would have allowed the ADF and the waste newsprint fee to continue did not pass; therefore, the ADF and the waste newsprint fee were effectively repealed on October 1, 1995.

*Other revisions to the SWMA since 1993 included:*

- Expanding the misdemeanor trespass law to include the unlawful dumping of litter on property.
- Extending a moratorium for the construction of biomedical waste incinerators
- Providing that the dumping of raw human waste from a commercial vehicle on private property is presumed to have been done for commercial purposes and therefore constitutes a third degree felony.
- Clarifying DEP's authority relating to ash residue. Authorizing the department to allow an applicant to reuse or recycle ash residue if the applicant demonstrates that there will no significant threat to public health and that applicable environmental standards and criteria will not be violated.
- Clarifying the conditions under which the disposal of household waste is exempt from the DEP's permit requirements. However, certain materials that create a public nuisance or threat to the public health or the environment are not subject to the exemption. Those items included white goods, batteries, tires, petroleum products; pesticides, solvents, and hazardous materials.
- Providing certain restrictions on the siting of facilities that manage hazardous waste generated offsite.
- Provided that a local government with waste collection services in direct competition with a private company must comply with certain provisions.
- Providing that a local government may not require a certified recovered materials dealer to enter into a nonexclusive franchise agreement in order to enter into a contract with any commercial establishment located within the local government's jurisdiction. Counties and municipalities may grant fee waivers to nonprofit organizations that are engaged in the collection of donated goods for charitable purposes and that have a recycling or reuse rate of 50 percent or more.
- Requiring a solid waste management facility permit applicant to notify the local government with jurisdiction over the facility before or on the same day of the filing of the permit application with the DEP.

*Solid Waste Management Trust Fund and Recycling Grants.* For several years, approximately \$30 million was appropriated annually from the SWMTF and used for water quality and restoration projects. As a result, the Legislature in 2002 provided for the permanent reallocation of the sales tax proceeds that were being deposited into the SWMTF. These funds (approximately \$30 M annually) are now deposited into the Ecosystem Management and Restoration Trust Fund to be used for water quality improvement and water restoration projects. The SWMTF is now funded almost exclusively from the waste disposal fees imposed on tires purchased at retail. This fee generates approximately \$19 million annually and supports not only the grants program, but also the general solid waste activities of the Division of Waste Management.

Also, the counties are no longer required to annually submit to the DEP certain solid waste and recycling information. Instead, the DEP may periodically seek the information from the counties to evaluate and report on the success of meeting the solid waste reduction goal.

Counties must still implement a recyclable materials recycling program; however, the counties are no longer required to recover a majority of the minimum five.<sup>5</sup> Instead, they are encouraged to recover a significant portion of at least four of the following materials: newspaper, aluminum cans, steel cans, glass, plastic bottles, cardboard, office paper, and yard trash.

The 2002 revisions to the SWMA also:

- Deleted specific language regarding the amount of C&D debris, yard trash, white goods, and tires that may be considered when determining the 30 percent waste reduction goal.
- Redefined “small county” from 75,000 to 100,000 for purposes of providing an opportunity to recycle in lieu of achieving the 30-percent goal.
- Required C&D debris to be separated from the solid waste stream in separate locations at a solid waste disposal facility or other permitted site.
- Refocused the purposes of the SWMTF toward the core solid waste management responsibilities of the DEP such as funding for mosquito control activities in Department of Agriculture and Consumer Services (DACS) and created a new competitive and innovative solid waste management grant program.

<sup>5</sup> Aluminum cans, steel cans, newsprint, glass, and plastic.

- Redistributed the funds in the SWMTF
  - Up to 40 percent for funding solid waste activities of the DEP and other state agencies.
  - Up to 4.5 percent for funding research and training programs relating to solid waste management through the Center for Solid and Hazardous Waste Management.
  - Up to 11 percent to DACS for mosquito control.
  - A minimum of 40 percent for funding a competitive and innovative grant program relating to recycling and reducing the volume of municipal solid waste, including waste tires requiring final disposal.
- Provided for the distribution of the available solid waste management grants funds:
  - Up to 15 percent for the competitive and innovative grant program.
  - Up to 35 percent for the consolidated grant program for small counties.
  - Up to 50 percent for the waste tire program.
- Directed DEP to use the \$30 million annually transferred from the sales tax proceeds to the Ecosystem Management and Restoration TF for projects to improve water quality and restore lakes and rivers impacted by pollution. At least 20 percent of the funds available are to be used for projects that assist financially disadvantaged small local governments.

#### *2005 SWMA Revisions*

- Prior to the construction of a new WTE facility or the expansion of an existing WTE, the county must implement and maintain a solid waste management and recycling program designed to meet the 30 percent waste reduction goal. If a WTE is built in a county with a population of less than 100,000 that county would have to have a program designed to achieve the 30 percent waste reduction goal, and not just provide the opportunity to recycle.
- Local government applicants for a permit to construct or expand a Class I landfill are encouraged to consider the construction of a WTE facility as an alternative to additional landfill space.
- Clarified that local governmental entities are required to pay the waste tire fee and the lead-acid battery fee.
- Increased the penalty for a litter violation from \$50 to \$100. The \$50 increase is to be deposited into

the SWMTF to be used for the solid waste management grant program.

- Provided for a pilot project to encourage the reuse or recycling of campaign signs. The recovered campaign signs are to be made available to schools and other entities that may have a use for them at no cost.

### Disposal Status in Florida.

*Landfills.* Prior to the enactment of the 1988 SWMA, the Florida Senate Select Committee on Solid Waste found that the cost of landfill disposal was increasing and that the cost of solid waste management was the second largest expense of local governments on a national basis. Further, it was reported that approximately one-third of the landfill space available in 1985 would be closed by 1996.<sup>6</sup>

Today, according to the DEP, there are 96 active Class I, Class II, and Class III landfills<sup>7</sup> in Florida. Most of these facilities are county-owned and operated; however, nine facilities are privately-owned and operated and seven facilities are publicly-owned and privately-operated. Also, Florida has 158 active C&D debris disposal facilities – 92 of which are permitted as active C&D disposal facilities and 69 are permitted as land clearing facilities. (3 facilities are both C&D and land clearing)<sup>8</sup>

As reported by the DEP, the landfill capacity issue has virtually disappeared in Florida. Municipal landfill disposal is moving toward regional landfill facilities that are privately owned and designed to receive municipal solid waste from neighboring counties as well as the county in which it is located. Many of these landfills have options for disposal on adjacent acreage. Also, some south Georgia landfills are accepting solid waste from Florida.

The cost of landfill disposal in Florida varies across the state. According to a state survey, Class I municipal solid waste tipping fees vary from county to county and

<sup>6</sup> A Report of the Activities of the Senate Select Committee on Solid Waste Management, February 1988.

<sup>7</sup> Class I and Class II landfills receive general, nonhazardous household, commercial, industrial, and agricultural wastes. Class I are the largest landfills and are required to be lined. Class III receive only yard trash, C&D debris, waste tires, carpet, glass furniture and other such materials which do pose a threat to public health or the environment.

<sup>8</sup> Solid Waste Management in Florida 2000, Fla. DEP Bureau of Solid and Hazardous Waste, Page 45.

range from \$23 per ton to \$92 per ton. The statewide average tipping fee per ton is \$41.62.<sup>9</sup>

*Waste-to-Energy Facilities.* In addition to landfills, Florida has 12 operating WTE facilities. A WTE facility is a facility that uses an enclosed device using controlled combustion to thermally breakdown solid, liquid, or gaseous combustible solid waste to an ash residue that contains little or no combustible material and that produces electricity, steam, or other energy as a result.<sup>10</sup>

Several factors influence the cost and successful operation of WTEs. Flow control remains an issue since such facilities must be guaranteed a certain amount of solid waste to justify the cost to operate the facility.

The U.S. Environmental Protection Agency (EPA) rules govern emission standards for such facilities.

The 1993 amendments to the SWMA provided some restrictions on the siting of WTE facilities. Basically, no new WTE facility can be built unless the county in which the facility is to be located has met the 30 percent waste reduction goal, and the county can show that the facility is an integral component of the county's solid waste management plan. In 2005, this requirement was altered to provide that the county must implement and maintain a solid waste management and recycling program designed to meet the 30 percent waste reduction goal. If a WTE is built in a county with a population of less than 100,000 that county would have to have a program designed to achieve the 30 percent waste reduction goal, and not just provide the opportunity to recycle. Further, local government applicants for a permit to construct or expand a Class I landfill are encouraged to consider the construction of a WTE facility as an alternative to additional landfill space.

*Hazardous Waste Disposal.* Over the past 15 to 20 years, the amount of hazardous waste generated in Florida that requires disposal has steadily declined as a direct result of various pollution reduction initiatives and activities. Today, virtually all of the hazardous waste generated in Florida that requires disposal is sent to a hazardous waste disposal facility in Alabama. Also, much of what was once hazardous waste can now be recycled and reused by other entities.

<sup>9</sup> Id. at page 49.

<sup>10</sup> S. 403.7061(4), F.S.

## Recycling

As noted earlier, solid waste management is primarily a local government responsibility. The 1988 SWMA sought to assist local governments in Florida with this responsibility by providing various recycling and solid waste management grants.

The SWMTF was created to finance the various activities authorized under the SWMA. The major source of first-year funding for these programs came from the Oil Overcharge Settlement Fund which was the result of the settlement of a large civil suit brought against several large oil companies by the federal Department of Energy.<sup>11</sup> In subsequent years, the SWMTF received its major revenues from a distribution of two-tenths of one percent of the sales tax proceeds (approximately \$30 million per year), the \$1 per tire fee imposed on new tires sold at retail, and the waste newsprint disposal fee and the ADF until they were allowed to expire in 1995.

One activity financed by these revenues was the Recycling and Education Grants Program. This program was very successful in assisting counties in establishing and operating recycling programs. The grant funds have been used by the counties to fund not only recycling programs but also certain solid waste management operating costs.

By the mid 1990s, the various state program demands for General Revenue Funds were greater than the growth of General Revenue Funds. As a result, significant amounts of revenues were being diverted in the General Appropriations Act from the SWMTF for other uses.<sup>12</sup> In 2002, the Legislature statutorily transferred the sales tax proceeds that were funding the SWMTF and primarily the recycling grants program to both the large and small counties to the Ecosystem Management Trust Fund for the funding of various water restoration projects.

As a result, funding for the recycling and education grants to the large counties was virtually eliminated and funding has been limited to the counties with populations less than 100,000. For FY 2005-2006, the Legislature appropriated \$6.5 million to be used for consolidated solid waste management grants in these smaller counties to support waste tire, litter prevention,

recycling and education grants, and general solid waste management programs.

Although they no longer receive the recycling grants, the large counties continue to operate successful recycling programs. The smaller counties continue to rely on the grants to operate their solid waste management programs. In some counties, these are the only funds available to continue providing solid waste management services.

The recycling market continues to be cyclical and largely flows with the state of the economy and the demand for recycled goods and products. Currently, except for aluminum and some steel products, the recycling market is depressed.

According to latest published data on recycling rates by the DEP, the overall statewide recycling rate for the period January 1, 2002 through December 31, 2002 is 28 percent, although several counties have exceeded that percentage.<sup>13</sup> Again, these percentages fluctuate with the economy.

## Solid Waste Issues

*Hurricane and Vegetative Debris.* The 2004 hurricane season was very active and costly for Florida. Florida was hit by a record four named storms. In a statement issued by the Federal Emergency Management Agency (FEMA) on August 12, 2005, the amount of money for federal and state disaster assistance totaled more than \$5.6 billion. Included in that amount was \$1.4 billion in Public Assistance grants to reimburse communities for protective measures, debris removal and permanent repairs to infrastructure. These grants are made available from the Florida Department of Community Affairs, acting as the grants manager

For many areas of the state, hurricane debris removal was a major undertaking. It is not known at this time how much of the \$1.4 billion in Public Assistance Grants was spent on debris removal contracts.

According to the DEP, the hurricane debris consisted of approximately 70 percent vegetative debris and 30 percent mixed waste. The mixed waste was required to be sent to a Class I landfill for disposal. The vegetative debris removal was handled through FEMA contracts independent of the local solid waste management system. The DEP was involved in the siting of the staging areas for the debris removal, but not for the disposal of such debris. Burning was authorized under

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<sup>11</sup> Review of Activities Financed by the Solid Waste Management Trust Fund, Senate Natural Resources Committee, January 1998, p. 1.

<sup>12</sup> *Id.*

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<sup>13</sup> As reported by the DEP.

an emergency order by the Governor; however, burn permits are issued by the Division of Forestry in the DACS, not the DEP. In many cases, burning was not allowed by the local government because of smoke and other health issues.

The ownership of the debris went to the companies contracted to dispose of the debris. Often, the debris was sent to a C&D landfill, burned, or mulched. In some cases, particularly in the Panhandle, the contracted company stated that the debris was to be shipped overseas to be used as boiler fuel in energy facilities, particularly in Italy.

During the 2005 Legislative session, concern was expressed over the growing piles of hurricane debris and the timely disposal of such debris. Legislation to address this issue did not pass. The proposed legislation was broader than the issue of hurricane debris – it sought to address general issues of recycling C&D materials and reclassifying such materials as recovered materials, and franchise concerns over the hauling of such debris. Much of the C&D debris and vegetative debris can be recycled or disposed of in ways other than disposal in a landfill. However, legal and financial issues concerning hauling and disposal franchises complicate and impede the recycling and beneficial use of such materials.

*C&D Facilities.* There continues to be some issues around the state concerning C&D facilities. These facilities are not required to be lined; however, the DEP may require liners if environmental conditions warrant.

According to DEP, about one-third of the C&D facilities in the state exceed the parameters of secondary groundwater standards, particularly those relating to odor, taste, and smell. While these exceedances do not necessarily pose a significant health threat, they are certainly undesirable to those affected persons and communities. Significant odor problems have occurred in some disposal sites when sheetrock (which is a phosphogypsum product) anaerobically decomposes and produces a rotten egg smell.

*E-waste and Electronics Recycling.* The EPA has reported that the National Safety Council projects that nearly 250 million computers will become obsolete in the next 5 years and mobile phones will be discarded at a rate of 130 million per year by 2005.<sup>14</sup> Computer

monitors and older TV picture tubes contain an average of four pounds of lead and require special handling at the end of their lives. Also, electronics can contain chromium, cadmium, mercury, beryllium, nickel, zinc, and brominated flame retardants. When not disposed of properly or recycled properly, these toxic materials can present problems.<sup>15</sup> The disposal of these toxic materials in electronics is governed by the Federal Resource Recovery and Conservation Act (RCRA) and is regulated by the EPA.

The number of electronics to be disposed of is a growing problem not only in Florida, but nationwide. As a result, the 2005 National Conference of State Legislatures Annual Meeting held a discussion on the subject of e-waste and electronics recycling to discuss the concerns about the possibly disparate patchwork of state laws as more states implement programs to address e-waste.

In Florida, the DEP has indicated that it has followed a four-pronged strategy in managing end-of-life electronics.

- Unwanted electronics are considered “products” and not “waste” if they are donated to another organization, given to a charity, sold, reused, or recycled, as long as they are not disposed of in the solid waste stream.
- The DEP works with private electronic recyclers to verify that the collected electronics are being recycled in an environmentally sound manner.
- The Department of Management Services has a contract with an electronics recycler to recycle electronics from governmental agencies.
- The DEP pursued pilot programs to evaluate various management options for end-of-life electronics.

In 2001, the Legislature specifically authorized the use of SWMTF for grants to certain Florida-based businesses that recycle electronics such as commercial telephone switching equipment, computers, televisions, computer monitors and other products that utilize lead-containing cathode ray tubes. This funding was to be used for demonstration projects with one or more counties for countywide comprehensive electronics recycling. The funding could also be used for grants to counties to develop methods to collect and transport

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[www.epa.gov/epaoswer/hazwaste/recycle/ecycling/index.htm](http://www.epa.gov/epaoswer/hazwaste/recycle/ecycling/index.htm)

<sup>15</sup> Id.

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<sup>14</sup> U.S. EPA eCycling,

electronics to be recycled provided such methods are comprehensive in nature.

The DEP has awarded more than \$1.9 million in grants to 23 counties for programs serving 25 counties. An additional \$200,000 has been awarded to a private electronic recycler to provide a comprehensive countywide recycling demonstration project in Orange County. To date, the total amount of funding for electronics recycling programs has been more than \$2.1 million.

*Outdated or Obsolete Solid Waste Management Act Provisions.* The solid waste management statutes contain provisions, terms, and dates that are either outdated, obsolete, never been used or implemented, or not otherwise used in the statutes.

An example of provisions that have never been used is the Multipurpose Hazardous Waste Facility Siting Act. This act was passed in 1989 to provide a centralized and coordinated permitting process for the location, construction, operation, and maintenance of statewide multipurpose hazardous waste facilities.

## RECOMMENDATIONS

1. The Solid Waste Management Act needs to be rewritten to the extent that outdated and obsolete provisions are removed. In addition, several provisions can be reorganized and rewritten to provide a clearer and more concise understanding of the act's stated purposes.
2. Small counties should continue receive funding through the recycling and education grants program to assure that their solid waste management programs remain viable.
3. The state should continue to explore innovative and creative ways to recycle and reuse discarded electronics and their potentially dangerous and hazardous components.
4. Several recycling issues have to be legislatively addressed. The state needs to look closely at what is and can be recycled and find innovative ways to remove such materials from the traditional waste stream. Of particular concern is the growing and needless disposal of vegetative debris and certain C&D debris in landfills. The Legislature must address the legal and statutory impediments to the recycling of such materials.