

Top 10 Reasons to Oppose Senate Bill 43

- 1.) The Solid Waste Management Fund is the sole state fund to support:
 - A.) Traditional and Expansion Recycling Projects
 - B.) Pre-school and K-12 projects
 - C.) Regional cooperative projects
 - D.) Public education and promotion campaigns *and now the*
 - E.) Mercury Switch removal program.
- 2.) The Solid Waste Management Fund has only a \$1.1 million balance to support these many initiatives and it has yet to start paying out to vendors who are removing mercury switches from abandoned cars and trucks. The Solid Waste Management Fund supports some household hazardous waste programs as well.
- 3.) New IDEM management structure and safeguards have been instituted to make sure that Solid Waste Management Funds are used wisely. This judicious awarding of state assistance is important since there were 39 applications totaling over \$990,000 in the last round of recycling grants to which there were only \$300,000 to be allocated.
- 4.) The Waste Tire Fund already exists and has \$6.9 million in it, of which two-thirds can be used for private companies to use waste tires as a fuel source to make their products. One third of the fund is set aside in reserve by the Office of Land Quality in case of a waste tire emergency or for public awareness and education campaigns.
- 5.) While Senate Bill 43 gives priority to funding the incineration of waste tires it leaves open the potential for subsidizing the incineration of other feed stocks, like unsorted trash.
- 6.) Senate Bill 43 now includes electronic waste. A multitude of existing scrap electronics companies will suffer if the state encourages disposal of the resources they use as a feed stock, instead of the vital reuse and recycling solutions these companies provide.
- 7.) The latest IDEM brochure states that for every one job that is created through incineration, recycling businesses generate 36 times as many.
- 8.) Proper waste disposal is driven by regulation and is not purely market-driven, so incineration should not be eligible for government funds set forth expressly to promote recycling - a voluntary activity.
- 9.) The U.S. EPA in its waste hierarchy recognizes incineration as a means of final disposal, even when generating energy, and as such is not recycling.
- 10.) All 49 other states respect the ranking of waste reduction and recycling above incineration as superior methods of waste management.

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SENATE BILL No. 43 - ENGROSSED VERSION (1/24/08)

EXCERPT OF DIGEST OF INTRODUCED BILL

Allows use of the state solid waste management fund to provide grants and loans to promote beneficial uses of technologies for the conversion of solid waste into energy or another useful product. Directs IDEM in providing the grants and loans to: (1) consider electronic waste projects; and (2) consider technologies for the conversion of waste tires into energy or another useful product only if the balance in the waste tire management fund is insufficient to remove and dispose of one-half of the total number of waste tires located at unregulated tire sites.

EXCERPT OF BILL

SOURCE: IC 13-20-22-2; (08)SB0043.2.4. --> SECTION 4. IC 13-20-22-2, AS AMENDED BY P.L.137-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The state solid waste management fund is established to provide money for the following:

(1) Programs that provide grants and loans that provide education and promote the following:

- (A) Recycling and the use of recycled materials.
- (B) Waste reduction.
- (C) Management of yard waste.

(2) Providing grants to implement household hazardous waste source reduction or recycling projects.

(3) Providing grants for household hazardous waste and conditionally exempting small quantity generator waste collection, recycling, or disposal projects under IC 13-20-20.

(4) Payments by the department under IC 13-20-17.7-6.

(5) Subject to subsection (g), providing grants and loans to promote beneficial uses of technologies for the conversion of solid waste into energy or another useful product.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The sources of money for the fund are the following:

(1) All fees deposited into the fund under section 12(2) of this chapter.

(2) Accrued interest and other investment earnings of the fund.

(3) Appropriations made by the general assembly.

(4) Gifts and donations from any person to the fund.

(5) Civil penalties imposed under IC 13-30-4 for violations of IC 13-20-17.7 and proceeds received following a criminal conviction in connection with a violation of IC 13-20-17.7.

(6) Subject to subsection (f), assets assigned and other contributions made by persons.

(7) Transfers from the Indiana recycling promotion and assistance fund under IC 4-23-5.5-14(i).

(8) Money credited to the fund from the environmental management special fund under IC 13-14-12-1(c).

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) Money in the fund resulting from assets assigned and other contributions made under subsection (c)(6) may be used only by the department of environmental management to make payments under IC 13-20-17.7-6.

(g) In providing grants and loans under subsection (a)(5), the department shall:

(1) consider electronic waste projects; and

(2) consider technologies for the conversion of waste tires into energy or another useful product only if the balance in the waste tire management fund is insufficient, as determined by the commissioner, to remove and dispose of one-half (1/2) of the total number of waste tires located at tire sites in Indiana that are not certified under IC 13-20-13-3.