

SUBJECT: Deleting deadline for state solid waste 40 percent reduction goal

COMMITTEE: Environmental Regulation — committee substitute recommended

VOTE: 5 ayes — Dukes, Howard, Kuempel, Stiles, Yost

0 nays

4 absent — Chisum, Jackson, Saunders, Talton

WITNESSES: For — None

BACKGROUND: On 1991, the legislature enacted SB 1340 by Parker, which established a comprehensive state recycling program and set a 40 percent statewide recycling goal to be achieved by January 1, 1994.

The 40 percent recycling goal was changed to a 40 percent *source reduction* and recycling goal in 1993 when the Legislature enacted SB 1051 by Parker.

Health and Safety Code, sec. 361.422 provides that to measure progress towards the municipal solid waste reduction goal, the weight of the total municipal solid waste stream in 1991 is used as a baseline for comparison. To compute progress towards the municipal solid waste reduction annual goal, the TNRCC compares the total number of tons disposed of in the year under comparison, to the total number of tons disposed of in the base year.

By January 1, 1994, the TNRCC was required to determine whether the 40 percent goal was being achieved. TNRCC estimated the total source reduction and recycling rate was lower than 40 percent on January 1, 1994.

DIGEST: HB 2945 by Dukes would remove January 1, 1994 as the specific date by which the state would try to achieve a 40 percent reduction of municipal solid waste through source reduction and recycling. The state's goal would no longer be attached to a specific date.

TNRCC would use the weight of the total solid waste stream in 1992 as the base year for comparison in order to measure progress towards the state source reduction and recycling goal. To compute progress towards the state's reduction in one year, TNRCC would compare the annual tonnage in the year under comparison to the weight of the total municipal solid waste

stream in the base year, adjusting for population and other relevant changes, between the base year and the comparison year.

Before January 1, 2001 the TNRCC would be required to determine whether the 40 percent goal was being achieved. CSHB 2945 would refer to the state's "source reduction and recycling goal" rather than the wording in the current code specifying the state "municipal solid waste reduction goal."

CSHB 2945 would repeal a provision permitting an advisory task force (convened if the state were not reaching 40 percent reduction) to recommend to the legislature a phased-in ban on the disposal of yard waste in a landfill, after considering how the ban would affect the state's economy, disposal capacity and local governments as well as considering how the ban would be accepted and adhered to by the public. CSHB 2945 would require the advisory task force to recommend a plan to the Legislature for reaching the 40 percent goal.

The bill would take immediate effect upon approval by two-thirds of the membership of each house.

**SUPPORTERS
SAY:**

The 40 percent Waste Reduction Task Force was convened by the TNRCC in June of 1994, triggered by a state waste reduction rate lower than 40 percent. The task force determined that waste reduction is of continuing importance to both the economy and environment of Texas and recommended that the state maintain the 40 percent goal without attaching it to a specific future date. They also recommended that the base year be changed to 1992. CSHB 2945 would implement both these recommendations: the new state goal would be to reduce per capita solid waste disposal by 40 percent over 1992 levels.

Under CSHB 2945, the waste reduction rate could be measured in pounds of solid waste disposed per person per day rather than in overall tonnage reductions. This would provide an automatic correction for population changes and would eventually allow cities to gauge their own waste disposal reduction progress against the state's.

It is very important that the state continue to achieve a 40 percent reduction of solid through source reduction and recycling. Reducing waste can help avoid disposal costs for the commercial sector while helping the environment at the same time. A growing recycling industry in Texas is

dependant on the state's commitment to reduce waste and promote recycling. Recycling industries in Texas have invested millions of dollars in the state and are creating jobs statewide.

Reducing waste saves landfill space, and as a result of new, stringent federal regulations the number of landfills in Texas has decreased significantly over the past two years.

**OPPONENTS
SAY:**

It is unnecessary to put into the statutes a 40 percent state source reduction and recycling goal. Currently, the goal is not mandatory but it will only be a matter of time before the "goal" becomes a mandate that could be extremely costly for the cities of Texas to meet.

NOTES:

The committee substitute made conforming and technical changes to the bill.