

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: S3/26/09

A Bill

SENATE BILL 870

5 By: Senator Teague
6
7

For An Act To Be Entitled

9 AN ACT TO PERMIT SOLID WASTE MANAGEMENT
10 FACILITIES TO COLLECT AND CONVERT METHANE GAS
11 FROM LANDFILLS TO ELECTRICITY OR OTHER
12 ALTERNATIVE SOURCES OF ENERGY; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15 TO PERMIT THE USE OF LANDFILL GAS IN THE
16 CREATION OR PRODUCTION OF ALTERNATIVE
17 SOURCES OF ENERGY.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

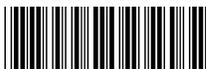
23 *SECTION 1. Arkansas Code § 8-6-220 is amended to read as follows:*
24 *8-6-220. Yard waste.*

25 *(a)(1)(A) Except as provided in subdivision (a)(2) of this section, it*
26 *~~It is established by this section that it is illegal for any yard waste to be~~*
27 *placed in a solid waste management facility solely for the purpose of*
28 *disposal, except for fugitive amounts of yard waste.*

29 *(B) A permitted solid waste landfill may collect landfill*
30 *gas from the fugitive amounts of yard waste for conversion to energy.*

31 *(2)(A) If authorized by the Arkansas Department of Environmental*
32 *Quality through a permit modification process including a public notice and*
33 *comment period, yard waste may be accepted by a permitted solid waste*
34 *landfill that operates a landfill gas to energy system for the recovery and*
35 *use of landfill gas as a renewable energy fuel source.*

36 *(B) The department shall consider, at a minimum, the*



1 following before authorizing yard waste to be accepted by a solid waste
2 landfill for disposal:

3 (i) The number and types of permitted compost
4 facilities accepting yard waste within the service areas of the solid waste
5 landfill;

6 (ii) The environmental impact of the proposed change
7 in disposing of yard waste at a solid waste landfill instead of a permitted
8 compost facility;

9 (iii) The financial impact to each permitted compost
10 facility located within the service area of the solid waste landfill;

11 (iv) Whether the regional solid waste management
12 board hosting the solid waste landfill and hosting a permitted compost
13 facility within the landfill's service area supports the request;

14 (v) The amount of yard waste the solid waste
15 landfill intends to accept and the basis for estimating the volume of yard
16 waste to be disposed in the landfill;

17 (vi) The financial impact to residents and industry
18 within the service area of the solid waste landfill;

19 (vii) The location of the solid waste landfill;

20 (viii) The location within the solid waste landfill
21 for the placement of yard waste;

22 (ix) The plans to offset the effects of disposing of
23 yard waste on the volume reduction for municipal waste disposal;

24 (x) A description and timeline for the landfill gas
25 collected from the yard waste to become a renewable energy fuel source;

26 (xi) The design and efficiency of the landfill gas
27 collection system;

28 (xii) A list of purchase power agreements that
29 guarantee the collection and use of the landfill gas collected from the yard
30 waste for energy conversion; and

31 (xiii) Other information as may be required by the
32 department.

33 (C) Landfill gas recovered through the landfill gas to
34 energy system shall be utilized for the generation of electricity or used as
35 a substitute for conventional fuels.

36 (b)(1) In addition to composting requirements for regional solid waste

1 management districts set forth in § 8-6-719, each district shall furnish yard
2 waste reduction or usage and/or opportunities to ensure that its residents
3 are provided with the availability to choose, based upon need by population
4 ~~and/or~~ or area, ways and means of usage, reduction, reuse, ~~and/or~~ or
5 composting of yard waste.

6 (2) Such choices of yard waste reduction ~~and/or~~ or usage shall
7 be submitted to the Arkansas Department of Environmental Quality for approval
8 and shall become an integral part of the district's solid waste management
9 plan.

10 (c) ~~For purposes of~~ As used in this section:

11 (1) "Fugitive amounts of yard waste" means small quantities that
12 escape the approved methods of usage, reduction, reuse, or composting of yard
13 waste; ~~and~~

14 (2) "Landfill gas to energy system" means the process of
15 collecting, storing, and converting landfill gas to electricity for a direct
16 fuel use or other use as a substitute for conventional fuels, including
17 without limitation flaring for system testing, system maintenance, or proving
18 capacity for an intended energy use; and

19 ~~(2)(3)~~ "Yard waste" means grass clippings, leaves, and shrubbery
20 trimmings.

21
22 /s/ Teague
23
24
25
26
27
28
29
30
31
32
33
34
35
36