

ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023
COMMITTEE STATEMENT
LB599

Hearing Date: Wednesday February 01, 2023
Committee On: Natural Resources
Introducer: Armendariz
One Liner: Change provisions relating to recycling under the Environmental Protection Act and the Integrated Solid Waste Management Act and provide for an additional use of the Waste Reduction and Recycling Incentive Fund

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	6	Senators Bostelman, Brandt, Hughes, Jacobson, Moser, Slama
Nay:	1	Senator Cavanaugh, J.
Absent:		
Present Not Voting:	1	Senator Fredrickson

Testimony:

Proponents:
Senator Christy Armendariz
Prapti Muhuri
Kjersten Hyberger

Representing:
Introducer
American Chemistry Council
Self

Opponents:
Lash Chaffin
Haley Nolde
Al Davis

Representing:
League of Nebraska Municipalities
Nebraska Recycling Council
Nebraska Chapter Sierra Club

Neutral:
Blair McDonald

Representing:
Nebraska Beverage Association; Nebraska Grocery Industry Association

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB599 amends Sections 13-2001 to Section 13-2043 (Integrated Solid Waste Management Act) to introduce Advanced Recycling and Advanced Recycling facilities, and to treat the processes and technology associated with Advanced Recycling as manufacturing rather than as solid waste disposal. Advanced recycling uses engineered manufacturing processes that can convert used plastic materials into new plastic products and chemicals. This process is certified by the International Sustainability and Carbon Certification (ISCC PLUS) system. Post-use plastics are recycled into a valuable product, contributing to reduced virgin feedstock consumption. The recycled material is

verified and confirmed by a third party.

Explanation of amendments:

AM383 Strikes the original section 15 and continues county and municipal powers to regulate the recycling industry.

AM383 also strikes section 18, to delete Advanced Recycling from access to the grants made available to traditional recycling projects.

AM383 introduces a new Section 16 which is an addition to the original bill to address storage concerns and proper disposal, placing responsibility on the advanced recycling facility and requiring cleanup within 60 days of a facility ceasing operations.

Finally, AM383 requires sorting and storage in an enclosed facility and eliminates those repeal statutes connected with newly stricken sections 15 and 18.

Section by Section

Sec. 1 Amends Sections 13-2001 (naming the Act) to add sections 3-5 and 7-11 of the bill to be part of the Integrated Solid Waste Management Act.

Sec. 2 Amends Section 13-2003 to add definitions found in Sections 3-5 of this bill to the current list of definitions found at Sections 13-2004 to 13-2016.01.

Sec. 3 Definition of "Advanced recycling" and removes Advanced recycling from considered solid waste management, solid waste processing, solid waste recovery, incineration, treatment, or waste to energy.

Sec. 4 Definition of "Advanced recycling facility"

Sec. 5 Definition of "Depolymerization"

Sec. 6 Amends Section 13-2010 (Facility defined) to clarify that "Facility" shall not include advanced recycling facility.

Sec. 7 Definition of "Gasification" manufacturing process.

Sec. 8 Definition of "Mass balance attribution" chain of custody accounting method

Sec. 9 Definition of "Post-use polymer" and enumerates five (5) conditions that must apply to a plastic to meet the term

Sec. 10 Definition of "Pyrolysis" manufacturing process

Sec. 11 Definition of "Recovered feedstock"

Sec. 12 Definition of "Recycled plastic"

Sec. 13 Definition of "Solvoysis"

Sec. 14 Definition of "Third-party certification system, which assigns an international and multinational third-party certification system which sets rules for implementation of mass balance attribution approaches for advanced recycling of materials.

Sec. 15 Deleted by AM383

Sec. 16 Amends section 13-2034 (Rules & regulations) to exempt advanced recycling programs from Rules and regulation adopted by the council regarding permitting program, collection, source separation, storage, etc. requirements; closure and post-closure requirements

Sec. 17 Amends Section 81-1502 to change and/or add to the Terms defined for purposes of the Environmental Protection Act (EPA)

Sec. 18 Deleted by AM383.

Sec. 19 Repeals original sections.

Bruce Bostelman, Chairperson