

1 COMMITTEE: Environment  
2 POLICY: Solid Waste Management  
3 TYPE OF POLICY: Existing

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5 Recognizing the need to manage solid waste in an environmentally, economically, and  
6 politically acceptable manner, states are enacting comprehensive solid waste management  
7 plans. In the long run, source reduction and recycling offer the most economically and  
8 environmentally sound methods for dealing with a significant percentage of the solid waste  
9 stream.

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11 The National Conference of State Legislatures (NCSL) believes that properly designed and  
12 operated landfills will continue to be a component of any comprehensive solid waste  
13 management plan. The volume of waste to be landfilled should be reduced and minimized  
14 through environmentally sound methods such as source separation to retrieve recyclable or  
15 reusable materials. Yard waste and some biodegradable materials should be composted  
16 rather than landfilled. Source separation should occur in all waste streams. Solid waste  
17 incinerators without energy recovery and landfilling should be limited, whenever practical, to  
18 non-toxic and non-hazardous materials that cannot be treated by any other economically and  
19 environmentally sound method. With respect to waste-to-energy or resource recovery  
20 facilities, their capacity should be designed for the solid waste volume remaining after source  
21 separation, toxic materials removal, recycling, and pollution prevention measures have been  
22 implemented.

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24 The states are in need of the full cooperation and assistance of the federal government to  
25 accomplish their diverse solid waste management objectives. Recognizing the importance of  
26 a state-federal partnership and in support of the objectives of the Resource Conservation and  
27 Recovery Act (RCRA), NCSL makes the following recommendations:

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29 Congress should stimulate markets for recycled materials, recycling and source reduction  
30 and the development of comprehensive solid waste management plans.

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32 The federal government should significantly increase technical assistance to state and local  
33 governments in developing comprehensive source reduction, source separation, reuse and  
34 recycling programs while fully recognizing the primacy of state and local governments in solid  
35 waste management. The development of solid waste management plans is a state and local  
36 government responsibility and the federal government should restrict its role to reviewing  
37 these plans by setting performance standards.

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39 Regulation, tariffs and transportation policies should be revised to remove artificial price  
40 supports in order to create regulatory parity between recyclable and reusable material and  
41 virgin material.

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43 The provisions of RCRA requiring the federal government to promulgate regulations for  
44 federal procurement of recycled products should be fully implemented. The federal  
45 government should give priority consideration to the purchase of reusable and recycled  
46 products and allow a temporary price differential, where applicable, for goods made from  
47 recycled materials.

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49 Congress should provide for a limited waiver of the Commerce Clause to provide states with  
50 the greatest authority possible to manage solid waste. Such a waiver should allow states to  
51 restrict imported waste and to allow restrictions on the exportation of waste, including the  
52 imposition of differential fees.

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54 Funds received from any permits authorized by federal law and issued by states for purposes  
55 of management of solid waste shall be expended as determined by state legislatures.

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