

**§2152-A. State-owned solid waste disposal facilities; purpose, management and operation; disposal of municipal solid waste**

**1. Purpose of State-owned solid waste disposal facilities.** The Legislature finds that the purpose of State-owned solid waste disposal facilities is to ensure that adequate disposal capacity is available for the disposal of solid waste generated within the State through the development of new disposal capacity for anticipated state disposal capacity needs and the operation of existing facilities to address current state disposal capacity needs.

[PL 2019, c. 291, Pt. A, §2 (NEW).]

**2. Consistency with solid waste management hierarchy.** The Legislature intends that all aspects of the management and operation of State-owned solid waste disposal facilities be conducted in a manner that maximizes alignment with the solid waste management hierarchy under section 2101.

The bureau, the operators of State-owned solid waste disposal facilities and the department shall ensure that the acceptance of waste at State-owned solid waste disposal facilities is consistent with the hierarchy and that options for the management of such waste that represent a higher priority on the hierarchy are not otherwise reasonably available.

[PL 2019, c. 291, Pt. A, §2 (NEW).]

**3. Disposal of municipal solid waste at State-owned solid waste disposal facilities; department authorization criteria; department limitation of disposal.** The Legislature intends that the State prioritize the disposal at State-owned solid waste disposal facilities of special wastes for which there are limited disposal options in the State and minimize the disposal at State-owned solid waste disposal facilities of non-bypass, unprocessed municipal solid waste. In accordance with this intent and with the provisions of this chapter and chapter 13, the department may:

A. Authorize the land disposal of non-bypass, unprocessed municipal solid waste at a State-owned solid waste disposal facility only when:

(1) A specific need for the disposal has been identified by the bureau and the operator of the facility;

(2) The disposal is consistent with the solid waste management hierarchy under section 2101, as determined by the department; and

(3) Options for the management of the waste that represent a higher priority on the hierarchy are not otherwise reasonably available, as determined by the department; and [PL 2019, c. 291, Pt. A, §2 (NEW).]

B. Limit the volume of municipal solid waste disposed of at a State-owned solid waste disposal facility and the duration of such disposal through the imposition of such limitations under the facility's license. [PL 2019, c. 291, Pt. A, §2 (NEW).]

[PL 2019, c. 291, Pt. A, §2 (NEW).]

**SECTION HISTORY**

PL 2019, c. 291, Pt. A, §2 (NEW).

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