

ENGROSSED SENATE
BILL NO. 29

BY: GILES of the SENATE

and

WIDENER of the HOUSE

[AN ACT RELATING TO PUBLIC HEALTH AND SAFETY -

AMENDING 63 O.S. 1991, SECTION 1-2302 -

EMERGENCY]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-2302, is amended to read as follows:

Section 1-2302. As used in the Oklahoma Solid Waste Management Act, unless the context otherwise requires:

- (1) "Board" means the State Board of Health;
- (2) "Department" means the State Department of Health;
- (3) "Person" means any individual, corporation, company, firm, partnership, association, trust, state agency, government instrumentality or agency, institution, county, any incorporated city or town or municipal authority or trust in which any governmental entity is a beneficiary, venture, or other legal entity however organized;
- (4) "Solid waste" means all putrescible and nonputrescible refuse in solid or semisolid form including, but not limited to, garbage, rubbish, ashes or incinerator residue, street refuse, dead

animals, demolition wastes, construction wastes, solid or semisolid commercial and industrial wastes including explosives, biomedical wastes, chemical wastes, herbicide and pesticide wastes. Scrap materials which are source separated for collection and processing as industrial raw materials shall not be considered solid waste for the purposes of this act, except when contained in the waste collected by or in behalf of a solid waste management system;

(5) "Disposal site" means any ~~place, including a transfer station, or any other place at which solid waste is dumped, abandoned, or accepted or disposed of by incineration, land filling, composting, shredding, compaction, baling or any other method or by processing by pyrolysis, resource recovery or any other method, technique or process designed to change the physical, chemical or biological character or composition of any solid waste so as to render such waste safe or nonhazardous, amenable to transport, recovery or storage or reduced in volume~~ landfill, transfer station, processing facility or any other place at which solid waste is dumped, abandoned, disposed, accepted, loaded, unloaded, processed or received for any purpose. A disposal site shall not include a manufacturing facility which processes scrap materials which have been separated for collection and processing as industrial raw materials.

A. "Landfill" means an area of land or an excavation in which wastes are placed for permanent disposal and includes all contiguous land and structures, other appurtenances, and improvements on the land used for the disposal of solid waste.

B. "Transfer station" means any disposal site, processing facility or other place where solid waste is transferred from a vehicle or container to another vehicle or container for transportation, including but not limited to a barge or railroad unloading facility where solid waste, in bulk or in containers, is loaded, unloaded, stored, processed or transported for any purpose.

The term does not include a landfill, citizens' collection station or a facility, such as an apartment complex or a large manufacturing plant, where the solid waste that is transferred has been generated by the occupants, residents, or functions of the facility.

C. "Processing facility" means any place at which solid waste is processed by incineration, composting, shredding, compacting, baling, resource recovery or any other method;

(6) "Solid waste management system" means the system that may be developed for the purpose of collection and disposal of solid waste by any person engaging in such process as a business or by any municipality, authority, trust, county or by any combination thereof at one or more disposal sites;

(7) "Dwelling" means a permanently-constructed, habitable structure designed and constructed for full-time occupancy in all weather conditions, which is not readily mobile and shall include but not be limited to a manufactured home as such term is defined by paragraph 11 of Section 1102 of Title 47 of the Oklahoma Statutes;

(8) "Integrated solid waste management plan" means a plan that provides for the integrated management of all solid waste within the planning unit and embodies sound principles of solid waste management, natural resources conservation, energy production, and employment-creating opportunities;

(9) "Recycling" means to reuse a material that would otherwise be disposed of as waste, with or without reprocessing;

(10) "Solid waste planning unit" means any county or any part thereof, incorporated city or town, or municipal authority or trust in which any governmental entity is a beneficiary, venture, or other legal entity however organized, which the State Department of Health determines to be capable of planning and implementing an integrated solid waste management program; and

(11) "Waste reduction" means to reduce the volume of waste requiring disposal.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 24th day of February, 1992.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1992.

Speaker of the House of Representatives