

Amendment No. 1 to SB0923

Southerland
Signature of Sponsor

AMEND Senate Bill No. 923

House Bill No. 219*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 211, is amended by adding the following as a new part:

68-211-401.

(a) For the purposes of this part, unless the context otherwise requires:

(1) "Gasification" means a process through which recoverable feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere and the mixture is converted into valuable raw, intermediate, and final products, including, but not limited to, monomers, chemicals, waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blendstocks, home heating oil, and other fuels including ethanol and transportation fuel;

(2) "Gasification facility" means a manufacturing facility that is engaged solely in the storage and gasification of recoverable feedstocks for resale or reuse and that complies with statutes and rules applicable to recovered materials processing facilities;

(3) "Post-use polymer" means a plastic polymer that:

(A) Is derived from any community, domestic, institutional, industrial, commercial, or other source of operations or activities and may contain incidental contaminants or impurities such as paper labels or

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metal rings but is not mixed with solid waste, medical waste, hazardous waste, e-waste, tires, or construction demolition debris; and

(B) Has been diverted or removed from the solid waste stream for gasification by a gasification facility or pyrolysis by a pyrolysis facility;

(4) "Pyrolysis" means a process through which post-use polymers are heated in the absence of oxygen until melted and thermally decomposed, and then cooled, condensed, and converted into valuable raw, intermediate, and final products, including, but not limited to, monomers, chemicals, waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blendstocks, home heating oil, and other fuels including ethanol and transportation fuel;

(5) "Pyrolysis facility" means a manufacturing facility that is engaged solely in the storage and pyrolysis of post-use polymers for resale or reuse and that complies with statutes and rules applicable to recovered materials processing facilities; and

(6) "Recoverable feedstock" means:

(A) Post-use polymers; and

(B) A fuel or feedstock for which the environmental protection agency has made a non-waste determination pursuant to 40 CFR 241.3(c) when it is used in gasification by a gasification facility and is not discarded or used in a manner constituting disposal.

(b) Unless the context requires otherwise or this section defines a term differently, the definitions set forth in §§ 68-211-103 and 68-211-802 and in any rules promulgated pursuant to this chapter, apply to terms used in this part.

68-211-402.

(a) The following facilities are not solid waste processing facilities or incinerators:

- (1) Gasification facilities; and
- (2) Pyrolysis facilities.

(b) The following materials are not solid waste:

- (1) Post-use polymers; and
- (2) Recoverable feedstocks.

(c) The provisions of this part do not affect the application of any other chapter in this title or in title 69 to gasification facilities or pyrolysis facilities.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.