



**House Economic Development and Tourism Reported
Substitute for HB176**

A BILL

TO BE ENTITLED

AN ACT

Relating to recycling; to amend Section 22-27-12, Code of Alabama 1975, to require the Alabama Department of Environmental Management to adopt rules providing for the beneficial reuse of foundry sand; and to make nonsubstantive, technical revisions to update the existing code language to current style..

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 22-27-12, Code of Alabama 1975, is amended to read as follows:

"§22-27-12

(a) The department may do the following:

(1) Adopt rules to implement this article.

(2) a. Adopt rules establishing requirements and restrictions for the management of solid waste, excluding the collection and transportation of nonhazardous and nonmedical solid waste.

b. The rules may include factors such as the characteristics of the solid waste, the potential for contamination of soils or ground and surface waters, the design and operation of management facilities, the financial



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capabilities of the applicant, soil and geological considerations, human health, and other environmental considerations.

c. With respect to solid waste disposal or materials recovery facilities, the rules may also include factors such as the quantity, nature, and origin of solid wastes and recovered materials to be managed.

~~(3) The department may condition~~ Condition the issuance of a permit for any solid waste management or materials recovery facility upon the facility being consistent with applicable rules as are necessary to carry out the intent of this article and the department's responsibilities under this article. Permits shall be issued for a period of time based on design life of ~~the~~ a facility and may include renewal periods as determined by rules ~~and~~ not inconsistent with federal law.

~~(3)~~ (4) Issue permits, notices, and orders, specify the terms and conditions of permits or notices, conduct inspections, require that records be established and maintained, direct the abatement of unauthorized dumps or other public nuisances involving solid waste, and implement the rules and standards adopted pursuant to this article.

~~(4)~~ (5) Require postclosure activities be conducted in accordance with the Alabama Uniform Environmental Covenants Act and the corresponding rules ~~developed~~ adopted by the department.

~~(5)~~ (6) Require that solid waste management facilities identify the volumes and types of solid waste to be managed and the counties and state where ~~such~~ the solid waste will be



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57 generated.

58 ~~(6)~~ (7) Enter upon, during reasonable hours, all solid
59 waste management and materials recovery facilities owned and
60 operated by persons subject to this chapter to inspect,
61 investigate, obtain samples, monitor, or observe the transfer,
62 treatment, storage, or disposal of solid waste and recovered
63 materials, and ~~to~~ examine or copy records to determine
64 compliance with this article and the rules ~~promulgated~~ adopted
65 under this article.

66 ~~(7)~~ (8) ~~No later than April 15, 2010, require~~ Require
67 that operators of all public solid waste management facilities
68 be certified. The department ~~shall~~, by rule ~~or regulation~~,
69 shall establish qualifications for certification programs, ~~to~~
70 ~~include~~ including variance procedures for existing programs
71 ~~which~~ that meet the qualifications ~~and~~ while taking into
72 account the types of solid waste management facilities.

73 ~~(8)~~ (9) Promote, initiate, conduct, and support
74 research, demonstration projects, and investigations and
75 participate in all state agency research programs pertaining
76 to solid waste handling, disposal, materials recovery, and
77 energy recovery systems.

78 ~~(9)~~ (10) ~~Promulgate~~ Adopt rules to ban certain wastes
79 from landfilling or incineration ~~in order~~ to protect the
80 public health and environment and to promote recycling.

81 ~~(10)~~ (11) Regulate the management, including collection
82 and transportation, of all medical waste, until ~~such time as~~
83 the United States Environmental Protection Agency ~~may~~
84 ~~establish~~ establishes specific rules ~~which~~ that are applicable



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within the state for infectious waste under Subtitle C of the federal Resource Conservation and Recovery Act of 1976, 42 U.S.C. §6901, et seq., as amended.

~~(11)~~ (12) ~~Do Take~~ any ~~and all~~ other actions not inconsistent with this article or other state law ~~which it~~ that the department deems necessary ~~and proper~~ for the effective enforcement of this article and the rules ~~promulgated~~ adopted pursuant to ~~it~~ this article.

(b) (1) Not later than January 1, 2027, the department shall adopt rules that provide for the beneficial reuse of foundry sand. The rules shall provide that foundry sand may be used for any of the following:

a. Raw material in the manufacture of asphalt, cement, and concrete products.

b. Subbase for hard-surface road construction.

c. Fill Material.

d. Filler for sandbags used for emergency flood control.

e. Leachate control drainage material at sanitary landfills.

f. Alternative cover material at sanitary landfills.

g. Other uses that provide a functional benefit and are substitutes for the use of a virgin material that must be otherwise obtained.

(2) For purposes of this subsection, the term "foundry sand" means spent green molding sand, resin bonded molding sand, or core sand with primary components consisting of combinations of silica sand, bentonite clay, and carbonaceous



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113 additives such as bituminous coal, gilsonite, and cellulose,
114 including nominal quantities of spent molding aides such as
115 riser sleeves and ceramic filters."

116 Section 2. This act shall become effective on June 1,
117 2026.