

## HB176 INTRODUCED



1      HB176  
2      SLZ3E55-1  
3      By Representative Robbins  
4      RFD: Economic Development and Tourism  
5      First Read: 13-Jan-26



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4     SYNOPSIS:

5                     Under the Solid Wastes and Recyclable Materials  
6     Management Act, the Alabama Department of Environmental  
7     Management is authorized to adopt rules to provide for  
8     the disposal and reuse of solid wastes.

9                     This bill would require the department to adopt  
10    rules providing for the beneficial reuse of foundry  
11    sand.

12                    This bill would also make nonsubstantive,  
13    technical revisions to update the existing code  
14    language to current style.

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17                   A BILL

18                   TO BE ENTITLED

19                   AN ACT

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

27    BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

28                   Section 1. Section 22-27-12, Code of Alabama 1975, is



29 amended to read as follows:

30 "§22-27-12

31 (a) The department may do the following:

32 (1) Adopt rules to implement this article.

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

37 b. The rules may include factors such as the  
38 characteristics of the solid waste, the potential for  
39 contamination of soils or ground and surface waters, the  
40 design and operation of management facilities, the financial  
41 capabilities of the applicant, soil and geological  
42 considerations, human health, and other environmental  
43 considerations.

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

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

56 ~~(3)~~ (4) Issue permits, notices, and orders, specify the



57 terms and conditions of permits or notices, conduct  
58 inspections, require that records be established and  
59 maintained, direct the abatement of unauthorized dumps or  
60 other public nuisances involving solid waste, and implement  
61 the rules and standards adopted pursuant to this article.

62 ~~(4)~~(5) Require postclosure activities be conducted in  
63 accordance with the Alabama Uniform Environmental Covenants  
64 Act and the corresponding rules ~~developed adopted~~ by the  
65 department.

66 ~~(5)~~(6) Require that solid waste management facilities  
67 identify the volumes and types of solid waste to be managed  
68 and the counties and state where ~~such the~~ solid waste will be  
69 generated.

70 ~~(6)~~(7) Enter upon, during reasonable hours, all solid  
71 waste management and materials recovery facilities owned and  
72 operated by persons subject to this chapter to inspect,  
73 investigate, obtain samples, monitor, or observe the transfer,  
74 treatment, storage, or disposal of solid waste and recovered  
75 materials, and ~~to~~ examine or copy records to determine  
76 compliance with this article and the rules ~~promulgated adopted~~  
77 under this article.

78 ~~(7)~~(8) ~~No later than April 15, 2010, require~~ Require  
79 that operators of all public solid waste management facilities  
80 be certified. The department ~~shall~~, by rule ~~or regulation~~,  
81 shall establish qualifications for certification programs, ~~to~~  
82 include including variance procedures for existing programs  
83 ~~which~~ that meet the qualifications ~~and~~ while taking into  
84 account the types of solid waste management facilities.



85           (8)(9) Promote, initiate, conduct, and support  
86 research, demonstration projects, and investigations and  
87 participate in all state agency research programs pertaining  
88 to solid waste handling, disposal, materials recovery, and  
89 energy recovery systems.

90           (9)(10) ~~Promulgate Adopt~~ rules to ban certain wastes  
91 from landfilling or incineration ~~in order~~ to protect the  
92 public health and environment and to promote recycling.

93           (10)(11) Regulate the management, including collection  
94 and transportation l of all medical waste~~r~~ until ~~such time as~~  
95 the United States Environmental Protection Agency ~~may~~  
96 ~~establish~~ establishes specific rules ~~which~~ that are applicable  
97 within the state for infectious waste under Subtitle C of the  
98 federal Resource Conservation and Recovery Act of 1976, 42  
99 U.S.C. §6901, et seq., as amended.

100           (11)(12) ~~Do Take~~ any ~~and all~~ other actions not  
101 inconsistent with this article or other state law ~~which it~~  
102 that the department deems necessary ~~and proper~~ for the  
103 effective enforcement of this article and the rules  
104 ~~promulgated~~ adopted pursuant to ~~it~~ this article.

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

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

111           b. Subbase for hard-surface road construction.

112           c. Fill Material.



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113           d. Filler for sandbags used for emergency flood  
114           control.

115           e. Leachate control drainage material at sanitary  
116           landfills.

117           f. Alternative cover material at sanitary landfills.

118           (2) For purposes of this subsection, the term "foundry  
119           sand" means a solid by-product from the foundry industry that  
120           is derived from molding, core-making, and casting cleaning  
121           processes that primarily contains sand, olivine, or clay and  
122           this is suitable for disposal as a solid waste in a sanitary  
123           landfill."

124           Section 2. This act shall become effective on June 1,  
125           2026.