

2023 -- H 5142

LC000250

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO HEALTH AND SAFETY -- HIGH HEAT WASTE FACILITY ACT OF 2023

Introduced By: Representatives McGaw, Caldwell, Bennett, Carson, Donovan, Kazarian, Serpa, Cortvriend, Fogarty, and Batista

Date Introduced: January 18, 2023

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 19.19

4 HIGH HEAT WASTE FACILITY ACT OF 2023

5 **23-19.19-1. Findings.**

6 (1) As stated in §§ 23-19-3(14) and (16), solid waste incineration releases more than four
7 hundred (400) toxic pollutants including lead, mercury, dioxins, and acid gasses; poses
8 unacceptable threats to the health and safety of Rhode Islanders and the environment; and is the
9 most costly method of waste disposal;

10 (2) Energy derived from the combustion of solid waste, and from the combustion of fuels
11 derived from solid waste, is not renewable energy; and

12 (3) It is in the best interests of the health, safety, and welfare of residents and visitors to
13 Rhode Island to protect our communities, environment, climate, and natural resources by
14 prohibiting the construction and operation of solid waste incinerators, waste-to-fuel facilities,
15 waste-to-chemical facilities, and other high-heat waste facilities.

16 **23-19.19-2. Definitions.**

17 (1) "Construction and demolition (C&D) debris" has the same meaning as set forth in §
18 23-18.9-7.

19 (2) "Depolymerization" means a process through which heat, pressure, and/or solvents are

1 used to break plastic polymers into oligomers and/or monomers.

2 (3) “Gasification” means a process through which materials are exposed to heat, converting
3 carbon-based materials to synthetic fuels, chemical feedstocks, waxes, lubricants, or other
4 substances and solid residues, slag, ash, char, liquid wastes, and/or wastewater.

5 (4) “Hazardous waste” has the same meaning as set forth in § 23-19.1-4.

6 (5) “High-heat waste facility” means a facility which:

7 (i) Uses any disposal, treatment, recycling, or manufacturing process including, but not
8 limited to, combustion, incineration, gasification, pyrolysis, hydrolysis, solvolysis, or
9 depolymerization, that exposes solid waste, segregated solid waste, recyclable materials,
10 construction and demolition (C&D) debris, post-use polymers, or recovered feedstock to
11 temperatures above four hundred degrees Fahrenheit (400° F); or

12 (ii) Combusts chemicals, feedstocks, fuels, monomers, oligomers, hydrocarbons, or waste
13 residues derived from any process that exposes solid waste, segregated solid waste, recyclable
14 materials, construction and demolition (C&D) debris, post-use polymers, or recovered feedstock to
15 temperatures above four hundred degrees Fahrenheit (400° F).

16 “High-heat waste facility” includes advanced recycling facilities, chemical recycling
17 facilities, molecular recycling facilities, and any other facility that uses a thermochemical process
18 to convert post-use polymers, plastic, or recovered feedstock into fuels, chemical feedstocks,
19 monomers, oligomers, hydrocarbons, waxes, lubricants, feedstocks, fuels, or hydrocarbons.

20 (6) “Hydrolysis” means a process through which materials are exposed to heat in the
21 presence of hydrogen, converting carbon-based materials to synthetic fuels, chemical feedstocks,
22 waxes, lubricants, or other substances and solid residues, slag, ash, char, liquid wastes, and/or
23 wastewater.

24 (7) “Plastic” means a synthetic material made from linking monomers through a chemical
25 reaction to create a polymer chain, including material derived from either petroleum or a
26 biologically based polymer, such as corn or other plant sources.

27 (8) “Post-use polymer” means a plastic polymer previously used in any industrial,
28 commercial, agricultural, or domestic activity.

29 (9) “Pyrolysis” means a process through which materials are exposed to heat in the absence
30 of oxygen, converting carbon-based materials to synthetic fuels, chemical feedstocks, waxes,
31 lubricants, or other substances and solid residues, slag, ash, char, liquid wastes, and/or wastewater.

32 (10) “Recovered feedstock” means material derived and separated from solid waste,
33 segregated solid waste, recyclable materials, or construction and demolition (C&D) debris for use
34 as a feedstock or raw material in a high-heat waste facility.

- 1 (11) “Recyclable materials” has the same meaning as set forth in § 23-18.9-7.
2 (12) “Segregated solid waste” has the same meaning as set forth in § 23-18.9-7.
3 (13) “Solid waste” has the same meaning as set forth in § 23-18.9-7.
4 (14) “Solvolysis” means a process through which materials are combined with a solvent
5 and subjected to heat and/or high pressure.

6 **23-19.19-3. Prohibition on new high-heat waste facilities.**

7 Notwithstanding any other law, rule, or regulation to the contrary, no permit or license shall
8 be issued for the construction or operation of a new high-heat waste facility, and no application for
9 a permit or license for such a facility shall be granted or issued by the state.

10 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- HIGH HEAT WASTE FACILITY ACT OF 2023

- 1 This act would provide for a prohibition on any new high-heat waste facility.
- 2 This act would take effect upon passage.

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