



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 285
[2017 Assembly Bill 941]

**Exemption From Solid Waste
Laws for Iron and Steel Slag**

Chapter 289, Stats., regulates solid waste facilities. Among other provisions, that chapter sets forth: a detailed procedure for siting solid waste facilities; financial responsibility and long-term care requirements for solid waste sites; and fees applicable to solid waste disposal.¹

2017 Wisconsin Act 285 exempts slag generated by the production or processing of iron or steel from regulation under ch. 289, Stats. Specifically, the Act amends the threshold definition of “solid waste” for purposes of that chapter to exclude such slag, if the slag is managed as an item of value in a controlled manner and is not discarded. However, under the Act, no person may use unencapsulated slag on private property within 100 feet of a residential dwelling or a building intended to be used in whole or in part as a school or daycare facility, unless the person obtains prior approval from the DNR for that use of unencapsulated slag.

Effective date: April 18, 2018

Prepared by: Anna Henning, Senior Staff Attorney

May 3, 2018

AH:mcm;jal

¹ The Department of Natural Resources (DNR) may authorize certain exemptions from those regulations for the purpose of encouraging the development of improved solid waste disposal methods, facilitating certain facilities’ recycling of high-volume industrial waste, or exempting certain low-hazard wastes. [s. 289.43 (4), (7), and (8), Stats.] The DNR has done so by exempting certain categories of industrial byproducts from specified statutory requirements, subject to various requirements and conditions. [ch. NR 538, Wis. Adm. Code.] In the past, facilities have obtained a limited exemption for iron and steel slag pursuant to that administrative code chapter.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.