



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 301
[2013 Assembly Bill 444]

Exemption From Solid Waste Disposal Fees for Certain Residue From Recycling Facilities

Wisconsin law imposes certain fees, often referred to as “tipping fees,” on the disposal of solid and hazardous waste in a disposal facility. 2013 Wisconsin Act 301 creates an exemption from such fees for certain solid waste residue discarded by recycling facilities. Residue is material accepted by a licensed facility that cannot be processed or recycled. The Act exempts residue from recycling facilities from solid waste tipping fees in an amount of up to 10% of the total weight of material accepted by a recycling facility, or up to 30% of the total weight of material accepted by a recycling facility that handles construction and demolition materials. The Act also authorizes the Department of Natural Resources (DNR) to require the owner or operator of a licensed facility to report the weight of any residue to which the exemption is applied, and to identify the facilities that generate that residue.

In addition, if the operator of a facility claims an exemption under the Act for a greater weight of residue than is authorized under the Act, the operator is ineligible for the exemption for any additional residue until the operator pays the balance of fees owed.

The Act also creates a process for exemption from or repayment of fees in cases in which a waste disposal facility operator is unable to collect tipping fees from a person required to pay them. In order to receive a refund of such fees from the DNR, the Act requires a facility operator to submit an affidavit that includes a description of the efforts made to collect payment and a commitment that no waste will be accepted from the delinquent person until the relevant fees have been paid.

Effective date: April 18, 2014.

Prepared by: Anna Henning, Staff Attorney

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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>.