



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Assembly Bill 789

**Assembly
Amendment 1**

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2017 ASSEMBLY BILL 789

Assembly Bill 789 generally exempts pyrolysis¹ and gasification facilities from certain laws relating to solid waste facilities, storage, and treatment; creates definitions of these facilities; and provides the types of materials these facilities may heat and convert into other materials such as liquid fuel or chemical feedstock.

Under the bill, a “gasification facility” is defined to mean a facility that processes nonrecycled feedstock, which includes one or more of the following materials, derived from nonrecycled waste that has been processed so that it may be used as feedstock in a gasification facility:

- Post-use plastics, defined in the bill to mean plastics derived from any source that are not being used for their originally intended purpose and that might otherwise become solid waste if not processed at a pyrolysis or gasification facility or recycled. Under the bill, post-use plastics includes plastics that may contain incidental contaminants or impurities such as paper labels or metal rings.

¹ “Pyrolysis facility” is defined in the bill to mean a facility at which post-use plastics are heated, in an oxygen-free environment, until melted and thermally decomposed, then cooled, condensed, and converted into oil, diesel, gasoline, home heating oil, or other liquid fuel; gasoline or diesel blendstock; chemicals or chemical feedstock; waxes or lubricants; or other similar raw materials or intermediate or final products.

- Municipal solid waste that contains post-use plastics and that is processed into a fuel that would be considered a legitimate fuel under 40 C.F.R. s. 241.3 (c).²
- Other post-industrial waste containing post-use plastics.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 changes the third category above to “other post industrial waste **that contains** post-use plastics **and that may contain incidental contaminants or impurities.**”

BILL HISTORY

Representative Tittl offered Assembly Amendment 1 on January 4, 2018. On January 17, 2018, the Assembly Committee on Environment and Forestry recommended adoption the amendment on a vote of Ayes, 11; Noes, 0, and recommended passage of the bill, as amended, on a vote of Ayes, 8; Noes, 3.

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² Under criteria provided under federal law, the Environmental Protection Agency regional administrator may determine that certain nonhazardous secondary materials are not considered to be solid wastes when burned in combustion units as ingredients or fuels.