

1 AN ACT relating to residual wastes.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 224.43-350 is amended to read as follows:

4 (1) In addition to its other powers, the cabinet may suspend the authority of a municipal
5 solid waste management facility to accept waste streams upon any of the following
6 grounds:

7 (a) The cabinet finds that any shipment of waste contains waste excluded by law
8 from municipal solid waste disposal facilities in the Commonwealth;

9 (b) Any part of the waste streams in question are being transported by
10 transporters whose vehicles and drivers do not comply with the provisions of
11 KRS Chapter 281 or 281A.

12 (2) The suspension described in subsection (1) of this section shall terminate upon the
13 cabinet's determination that the basis for the suspension has been corrected.

14 **(3) *Notwithstanding any provision of law to the contrary:***

15 **(a) *Metallurgic industrial wastes generated outside of the Commonwealth shall***
16 ***not be deemed a residual solid waste, regardless of whether the waste is***
17 ***reprocessed, and the waste shall not be disposed of in the residual waste site***
18 ***or facility by its owner or operator or by the solid waste generator's wholly***
19 ***owned subsidiary regardless of whether the metallurgic, industrial solid***
20 ***waste was used in the manufacturing or industrial processes of the plant,***
21 ***business, or operation; and***

22 **(b) *The cabinet shall suspend a residual waste facility from accepting any***
23 ***metallurgic, industrial solid waste generated outside of the state and then***
24 ***transported into the county where the industrial or manufacturing plant,***
25 ***business, or operation of a residual waste site owner or operator is located***
26 ***for the purpose of reprocessing the metallurgic industrial waste and***
27 ***disposing of the metallurgic, industrial waste in the residual waste site or***

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facility.