

T-3.6
SWANA TECHNICAL POLICY
Solid Waste Disposal Bans

I. Background

Some jurisdictions and waste facilities have implemented disposal bans for specific products and materials for reasons including worker safety, environmental protection, facility integrity, etc. from a municipal solid waste facility. Products and materials that are often banned include but are not limited to: electronics, tires, lead-acid batteries, organics, motor oil, mercury-containing products, and beverage containers.

The purpose of the policy on Solid Waste Disposal Bans is to establish guiding principles when considering or developing a waste disposal ban.

II. Issues to Be Addressed in Implementing a Solid Waste Disposal Ban

Prior to the implementation of a disposal ban, policy makers must evaluate the proposal's rationale, costs, and all impacts to public health and the environment.

In addition, prior to a ban, the infrastructure must be in place to safely collect, store, transport, reuse, recycle, remanufacture or compost/anaerobically digest the banned material.

Furthermore, consumers must be educated on the reasons for the disposal ban and how to divert the material from disposal. A source of funding to implement alternative management should be identified so that the ban and associated alternate diversion program(s) do not place an unfunded mandate on either the government and/or the owner(s) of the integrated solid waste management system.

SWANA encourages policy makers to consider the following approaches:

- **Material identification:** Identify the material(s) to be banned and explain why.
- **Stakeholder engagement:** Consult with those that may be affected by the proposed ban, including but not limited to governments, regulators, producers/generators, distributors, retailers, and current material handlers. Identify the possible effects on other non-waste related jurisdictions.
- **Diversion outlets:** Identify the alternative handling method(s), e.g. reuse, recycling, composting/anaerobic digesting, or other disposition of the proposed banned material(s); ensure markets and other system components have the capacity to handle the estimated quantities of the banned material.

- **Disposal ban management:** Consider how the banned material will be collected, processed, and/or marketed, and how the ban will be promoted, enforced, and administered.
- **Financial analysis:** Identify, quantify, and compare the costs of the existing disposal system to the potential costs of the new handling methods. Determine sustainable funding sources (such as Extended Producer Responsibility programs, sales fees, or disposal taxes) to fund the disposal ban promotion, administration, and enforcement, and how to fairly allocate these costs to producers, distributors, retailers, consumers and/or solid waste managers.
- **Health and safety:** Identify, quantify, and compare the environmental and human health impacts, to the public and workers, of the existing system to the new system. Use of water, energy and raw materials, (e.g. minerals), should be part of the analysis.
- **Data tracking:** Identify the program operator (public and/or private) and ensure they track program data, such as costs and quantities diverted.
- **Enforcement:** Determine the mechanisms to enforce the ban, including but not limited to methods, responsible parties, and funding sources.
- **Review:** Establish a mechanism to periodically review the disposal ban including but not limited to ban relevancy (e.g. ban on sale of subject material, success, enforcement efficacy, etc.)