

**RULES AND REGULATIONS**

**FOR THE**

**PROHIBITION**

**OF**

**OUT-OF-STATE WASTE**

**AT THE**

**RHODE ISLAND  
RESOURCE RECOVERY  
CORPORATION**

**CENTRAL LANDFILL**

**RULES AND REGULATIONS  
FOR THE  
RHODE ISLAND RESOURCE RECOVERY CORPORATION**

As set forth in **Rhode Island General Law §23-19-13.1**, the Rhode Island Resource Recovery Corporation (“RIRRC” or the Corporation”) shall promulgate any rules and regulations that may be necessary to ensure that solid waste generated or collected outside the territorial limits of this state is not deposited at the Central Landfill. RIRRC is responsible for providing solid waste disposal services to municipalities, businesses and persons within the State by receiving solid waste at the Corporation facilities. Because delivery of out of state solid wastes threatens to drastically shorten the life span of the facility, the RHODE ISLAND RESOURCE RECOVERY CORPORATION, pursuant to the provisions of Rhode Island General Laws §42-35-3, Procedures for adoption of rules, hereby adopts the following Rules and Regulations:

RULE 1. The rules and regulations of the Corporation is to reject any solid waste at the Central Landfill which neither originated nor was generated within the State of Rhode Island as defined in “Rhode Island General Law § 23-19-13.1 **Disposal of solid waste originating outside the state prohibited** – (a) No person, firm, corporation, transfer station, or any other entity engaged in the business of collecting, disposing, sorting, recycling, processing, manufacturing, or remanufacturing of solid waste shall deposit or cause to be deposited solid waste that is generated or collected outside the territorial limits of this state. Each deposit in violation of the provisions of this subsection shall be punishable by imprisonment for up to three (3) years and/or a fine not to exceed five thousand dollars (\$5,000) or state law, which ever is higher.”

RULE 2. RIRRC shall establish clauses in its contracts with commercial customers specifying that the customer and/or their solid waste hauling designee shall not deliver out-of-state waste to the Central Landfill, and that all customers will cooperate with the Corporation to verify and ensure compliance with these rules and regulations. RIRRC may enforce this restriction on out of state waste through suspension of contract terms, either temporarily or permanently, or through prosecution of the penalties cited in § 23-19-13.1, or a combination of contract penalties and prosecution.

RULE 3. All commercial waste haulers will be allowed, as soon as practicable after the promulgation of these Rules, to enter into contracts with the Corporation containing, inter alia, provisions concerning the following:

A. Such contracts will be for a specific period.

B. The contract will specify that the customer and/or their solid waste hauling designee shall not deliver out-of-state waste to the Central Landfill, and that the customer will cooperate with the Corporation to verify compliance.

RULE 4. DECLARATION REGARDING WASTE DELIVERY. All customer/haulers delivering solid waste to the RIRRC shall be presented a "Declaration Regarding Waste Delivery" document, which shall state the following; "The undersigned declares, to the best of their knowledge that 100% of the solid waste delivered to the Central Landfill in the vehicle and on the date above, was generated and collected in Rhode Island, is not Hazardous Waste, does not contain in excess of 20% recyclable material, as defined by DEM regulation, and complies with all applicable laws and regulations."

RULE 5. RHODE ISLAND RESOURCE RECOVERY CORPORATION may initiate reviews of customer/haulers records and/or conduct other investigations, such as surveillance of transfer stations and points of entry into Rhode Island and inspection of loads for out-of-state waste, so as to verify that waste delivered to the Central Landfill is, in fact, generated and collected in Rhode Island.

RULE 6. Solid waste generated in Rhode Island and processed outside of Rhode Island to be used as part of the construction, operation or closure of the Central Landfill shall be considered acceptable solid waste pursuant to these Rules and Regulations.

RULE 7. Interpretation and Severability: The provisions of these Regulations shall be liberally interpreted to accomplish their stated purpose. If any provisions hereof or the application thereof to any person or circumstances is held invalid or is rendered invalid by legislation subsequently adopted by the General Assembly, the remaining provisions, and the application of such provisions to any other persons or circumstances shall not be affected thereby.

\_\_\_\_\_ Date \_\_\_\_\_



Michael OConnell  
Executive Director, Rhode Island Resource Recovery Corporation  
65 Shun Pike, Johnston Rhode Island 02919

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 2009.

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NOTARY PUBLIC

MCE: