

Solid and Hazardous Waste Overview

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Federal regulation of solid and hazardous waste includes a complicated set of regulations for hazardous waste disposal, transport, and cleanup. Regulation of nonhazardous household waste has largely remained a state-level concern, but members of Congress have made repeated efforts to expand the federal role in that area as well. The key waste debates of recent years include:

- **Superfund.** The federal Superfund law is designed to promote cleanups at contaminated property. After several decades in operation, the program is widely recognized as one of the greatest failures of federal environmental policy. Yet attempts to reform the law have stalled.
- **Brownfields.** The “brownfield” issue is a result of the faulty liability scheme of the federal Superfund law. In general, brownfields are abandoned, idle, former industrial sites that no one will redevelop because developers fear costly liability associated with the Superfund law. Congress passed a brownfields law to address this problem in 2002. At question is whether the law has improved or exacerbated brownfield cleanup efforts.
- **Interstate commerce.** This section focuses on recent debates to regulate interstate movements of municipal solid waste. The issue heated up in recent years when New York City announced plans to increase its waste exports to other states. Members of Congress have responded by offering legislation to restrict trade in this industry.
- **Toxics release inventory (TRI).** This topic is included in solid and hazardous waste

because, in theory, this law is designed to inform the public of the byproducts of industry. Under the TRI program, companies must report all releases of waste products into air, land, and water. However, as the policy brief on TRI indicates, these reports do not convey information on actual waste produced or the risks associated with such byproducts.

- **Waste management.** During the past decade, Congress considered legislation to regulate household waste through recycling mandates, bottle deposit bills, and similar measures. As noted in the brief on waste management, these proposed policies have been based largely on myths about solid waste.

Another controversial area not covered in this book is the management of hazardous waste under the Resource Conservation and

Recovery Act. For information on that issue, see the following recommended readings.

Recommended Readings

- Adler, Jonathan. 1993. "The Hazards of Regulating Hazardous Waste." *Regulation* 16, no. 2. <http://www.cato.org/pubs/regulation/reg16n2g.html>.
- Bovard, James. 1991. "RCRA: Origin of an Environmental Debacle." *Journal of Regulation and Social Costs* 1, no. 2: 46.
- Hahn, Robert. 1991. "Reshaping Environmental Policy: The Test Case of Hazardous Waste." *American Enterprise* 2 (May–June): 72–80.
- Volokh, Alexander. 1995. *Recycling Hazardous Waste: How RCRA Has Recyclers Running around in CERCLAs*. Los Angeles: Reason Public Policy Institute.

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