

Chapter 366

(House Bill 510)

AN ACT concerning

~~Composting – Food Waste – Acceptance for Final Disposal~~  
Organic Waste – Organics Recycling – Collection and Acceptance for Final Disposal

FOR the purpose of prohibiting an owner or operator of a refuse disposal system from accepting loads of certain ~~food~~ organic waste for final disposal unless the owner or operator provides for ~~the composting~~ the organics recycling of the ~~food~~ organic waste; authorizing loads of certain food waste to be transported to a refuse disposal system for final disposal under certain circumstances; defining certain terms; altering a certain definition; and generally ~~related to composting~~ relating to organics recycling.

BY repealing

Article – Environment  
Section 9–1723 and 9–1724  
Annotated Code of Maryland  
(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment  
Section 9–1701  
Annotated Code of Maryland  
(2014 Replacement Volume and 2018 Supplement)

BY adding to

Article – Environment  
Section 9–1723 and 9–1724  
Annotated Code of Maryland  
(2014 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 9–1723 and 9–1724 of Article – Environment of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article – Environment**

9–1701.

(a) In this subtitle the following words have the meanings indicated.

**(B) “ANAEROBIC DIGESTION” MEANS THE CONTROLLED ANAEROBIC BIOLOGICAL DECOMPOSITION OF ORGANIC WASTE MATERIAL TO PRODUCE BIOGAS AND DIGESTATE.**

**[(b)] (C) “Compost” means the product of composting in accordance with the standards established by the Secretary of Agriculture under § 6–221 of the Agriculture Article.**

**[(c)] (D) “Composting” means the controlled aerobic biological decomposition of organic waste material in accordance with the standards established by the Secretary under this title.**

**[(d)] (E) (1) “Composting facility” means a facility where composting takes place.**

**(2) “Composting facility” does not include a facility that is required to obtain:**

**(i) A natural wood waste recycling facility permit in accordance with this title;**

**(ii) A sewage sludge utilization permit in accordance with this title;**  
**or**

**(iii) A refuse disposal permit in accordance with this title.**

**[(e)] (F) (1) “Computer” means a desktop personal computer or laptop computer, including the computer monitor.**

**(2) “Computer” does not include:**

**(i) A personal digital assistant device; or**

**(ii) A computer peripheral device, including:**

**1. A mouse or other similar pointing device;**

**2. A printer; or**

**3. A detachable keyboard.**

**[(f)] (G) (1) “Covered electronic device” means a computer or video display device with a screen that is greater than 4 inches measured diagonally.**

(2) “Covered electronic device” does not include a video display device that is part of a motor vehicle or that is contained within a household appliance or commercial, industrial, or medical equipment.

[(g)] (H) “Covered electronic device takeback program” means a program, established by a covered electronic device manufacturer or a group of covered electronic device manufacturers, for the collection and recycling, refurbishing, or reuse of a covered electronic device labeled with the name of the manufacturer or the manufacturer’s brand label, including:

(1) Providing, at no cost to the returner, a method of returning a covered electronic device to the manufacturer, including postage paid mailing packages or designated collection points throughout the State;

(2) Contracting with a recycler, local government, other manufacturer, or any other person; or

(3) Any other program approved by the Department.

[(h)] (I) “Director” means the Director of the Office of Recycling.

[(i)] (J) “Manufacturer” means a person that is the brand owner of a covered electronic device sold or offered for sale in the State, by any means, including transactions conducted through sales outlets, catalogs, or the Internet.

[(j)] (K) (1) “Natural wood waste” means tree and other natural vegetative refuse.

(2) “Natural wood waste” includes tree stumps, brush and limbs, root mats, logs, and other natural vegetative material.

[(k)] (L) (1) “Natural wood waste recycling facility” means a facility where recycling services for natural wood waste are provided.

(2) “Natural wood waste recycling facility” does not include a collection or processing facility operated by:

(i) A nonprofit or governmental organization located in the State; or

(ii) A single individual or business that provides recycling services for its own employees or for its own recyclable materials generated on its own premises.

[(l)] (M) “Office” means the Office of Recycling within the Department.

**(N) (1) “ORGANICS RECYCLING” MEANS ANY PROCESS IN WHICH ORGANIC MATERIALS ARE COLLECTED, SEPARATED, OR PROCESSED AND RETURNED TO THE MARKETPLACE IN THE FORM OF RAW MATERIALS OR PRODUCTS.**

**(2) “ORGANICS RECYCLING” INCLUDES ANAEROBIC DIGESTION AND COMPOSTING.**

**(O) “ORGANICS RECYCLING FACILITY” MEANS A FACILITY WHERE ORGANICS RECYCLING TAKES PLACE.**

**[(m)] (P) “Recyclable materials” means those materials that:**

**(1) Would otherwise become solid waste for disposal in a refuse disposal system; and**

**(2) May be collected, separated, composted, or processed and returned to the marketplace in the form of raw materials or products.**

**[(n)] (Q) [(1)] “Recycling” means any process in which recyclable materials are collected, separated, or processed and returned to the marketplace in the form of raw materials or products.**

**[(2)] “Recycling” includes composting.]**

**[(o)] (R) “Recycling services” means the services provided by persons engaged in the business of recycling, including the collection, processing, storage, purchase, sale, or disposition of recyclable materials.**

**[(p)] (S) “Resource recovery facility” means a facility in existence as of January 1, 1988 that:**

**(1) Processes solid waste to produce valuable resources, including steam, electricity, metals, or refuse-derived fuel; and**

**(2) Achieves a volume reduction of at least 50 percent of its solid waste stream.**

**[(q)] (T) (1) “Solid waste stream” means garbage or refuse that would, unless recycled, be disposed of in a refuse disposal system.**

**(2) “Solid waste stream” includes organic material capable of being composted that is not composted in accordance with regulations adopted under § 9-1725(b) of this subtitle.**

**(3) “Solid waste stream” does not include:**

(i) Hospital waste;

(ii) Rubble;

(iii) Scrap material;

(iv) Land clearing debris;

(v) Sewage sludge; or

(vi) Waste generated by a single individual or business and disposed of in a facility dedicated solely for that entity's waste.

**[(r)] (U)** (1) “Video display device” means an electronic device with an output surface that displays or is capable of displaying moving graphical images or visual representations of image sequences or pictures that show a number of quickly changing images on a screen to create the illusion of motion.

(2) “Video display device” includes a device that is an integral part of the display and cannot easily be removed from the display by the consumer and that produces the moving image on the screen.

(3) A video display device may use a cathode-ray tube (CRT), liquid crystal display (LCD), gas plasma, digital light processing, or other image-projection technology.

**[(s)] (V)** “White goods” includes:

(1) Refrigerators;

(2) Stoves;

(3) Washing machines;

(4) Dryers;

(5) Water heaters; and

(6) Air conditioners.

**[(t)] (W)** (1) “Yard waste” means organic plant waste derived from gardening, landscaping, and tree trimming activities.

(2) “Yard waste” includes leaves, garden waste, lawn cuttings, weeds, and prunings.

**9-1723.**

**(A) ~~AN~~ EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN OWNER OR OPERATOR OF A REFUSE DISPOSAL SYSTEM MAY NOT ACCEPT:**

**(1) TRUCKLOADS OF SEPARATELY COLLECTED YARD WASTE FOR FINAL DISPOSAL UNLESS THE OWNER OR OPERATOR PROVIDES FOR THE ~~COMPOSTING OR MULCHING~~ ORGANICS RECYCLING OF THE YARD WASTE; OR**

**(2) LOADS OF SEPARATELY COLLECTED FOOD WASTE FOR FINAL DISPOSAL UNLESS THE OWNER OR OPERATOR PROVIDES FOR THE ~~COMPOSTING~~ ORGANICS RECYCLING OF THE FOOD WASTE.**

**(B) LOADS OF SEPARATELY COLLECTED FOOD WASTE THAT ARE DETERMINED BY AN ORGANICS RECYCLING FACILITY TO BE UNACCEPTABLE FOR RECYCLING DUE TO CONTAMINATION MAY BE ACCEPTED BY A REFUSE DISPOSAL SYSTEM FOR FINAL DISPOSAL.**

**9-1724.**

**(A) ALL YARD WASTE COLLECTED SEPARATELY FROM OTHER SOLID WASTE MAY BE TRANSPORTED TO ~~A COMPOSTING~~ AN ORGANICS RECYCLING FACILITY.**

**(B) THE ~~COMPOSTING~~ ORGANICS RECYCLING FACILITY MAY BE LOCATED AT A REFUSE DISPOSAL SYSTEM.**

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.

**Approved by the Governor, April 30, 2019.**