

## **CHAPTER 265**

**(House Bill 1290)**

AN ACT concerning

### **Environment – Recycling – Public School Plans**

FOR the purpose of requiring a county recycling plan to address the collection, processing, marketing, and disposition of recyclable materials from county public schools; requiring a county to submit a revised recycling plan by a certain date; and generally relating to county recycling plans.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1703

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

(As enacted by Chapter 239 of the Acts of the General Assembly of 2007)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

### **Article – Environment**

9–1703.

(a) Each county shall submit a recycling plan to the Secretary for approval when the county submits its county plan to the Secretary in accordance with the provisions of § 9–505 of this title.

(b) In preparing the recycling plan as required in § 9–505 of this title, the county shall address:

- (1) Methods to meet the solid waste stream reduction;
- (2) The feasibility of source separation of the solid waste stream generated within the county;
- (3) The recyclable materials to be separated;
- (4) The strategy for the collection, processing, marketing, and disposition of recyclable materials, including the cost-effective use of recycling centers;
- (5) Methods of financing the recycling efforts proposed by the county;

- (6) Methods for the separate collection and composting of yard waste;
- (7) The feasibility of a system for the composting of mixed solid wastes;
- (8) The feasibility of a system for the collection and recycling of white goods;
- (9) The separate collection of other recyclable materials; [and]

**(10) THE STRATEGY FOR THE COLLECTION, PROCESSING, MARKETING, AND DISPOSITION OF RECYCLABLE MATERIALS FROM COUNTY PUBLIC SCHOOLS; AND**

[(10)] **(11)** Any other alternative methods of recycling that will attain or exceed the solid waste stream reduction goals determined by the county.

(c) (1) In preparing the recycling plan as required under § 9-505 of this title, the county may address methods for the separate collection and recycling of covered electronic devices, including efforts by the county to establish partnerships with covered electronic device manufacturers, recyclers, retailers, or other local governments for the collection and recycling of covered electronic devices.

(2) If a county elects to address methods for the separate collection and recycling of covered electronic devices in its recycling plan, any reduction in the county's solid waste stream attributable to the implementation of the methods shall count towards the county's required reduction through recycling of the solid waste stream under § 9-505 of this title.

(d) A county that achieves a reduction of at least 5 percent in the volume of its waste through the utilization of 1 or more resource recovery facilities in operation as of January 1, 1988 shall be considered to have achieved a reduction by recycling of 5 percent of its solid waste stream.

(e) In preparing a recycling plan, a county may not calculate a tax or mandatory deposit on any beverage container that is enacted by a county or municipality to achieve the recycling goals required under § 9-505 of this title.

(f) For the purpose of determining weight, the Department may not preclude the use of portable weigh scales.

**(G) A COUNTY SHALL REVISE ITS RECYCLING PLAN BY OCTOBER 1, 2010, TO ADDRESS THE REQUIREMENTS OF SUBSECTION (B)(10) OF THIS SECTION.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.

**Approved by the Governor, May 7, 2009.**