

# HOUSE BILL 510

M3

9lr1409

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By: **Delegates Cassilly, Jalisi, and Stein**

Introduced and read first time: February 4, 2019

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

11 BY repealing

12 Article – Environment

13 Section 9–1723 and 9–1724

14 Annotated Code of Maryland

15 (2014 Replacement Volume and 2018 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article – Environment

18 Section 9–1701

19 Annotated Code of Maryland

20 (2014 Replacement Volume and 2018 Supplement)

21 BY adding to

22 Article – Environment

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Section 9–1723 and 9–1724  
2 Annotated Code of Maryland  
3 (2014 Replacement Volume and 2018 Supplement)

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6 Maryland be repealed.

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

9 **Article – Environment**

10 9–1701.

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

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

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

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

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

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

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

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

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

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

1           (2)    “Computer” does not include:

2                   (i)    A personal digital assistant device; or

3                   (ii)   A computer peripheral device, including:

4                           1.    A mouse or other similar pointing device;

5                           2.    A printer; or

6                           3.    A detachable keyboard.

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

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

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

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

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

22                   (3)   Any other program approved by the Department.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 ~~[(2)]~~ “Recycling” includes composting.]

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

28 ~~[(p)]~~ (S) “Resource recovery facility” means a facility in existence as of January  
 29 1, 1988 that:

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

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

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

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

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

9                           (i)   Hospital waste;

10                           (ii)   Rubble;

11                           (iii)   Scrap material;

12                           (iv)   Land clearing debris;

13                           (v)   Sewage sludge; or

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

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

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

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

25           **[(s)] (V)**   “White goods” includes:

26                           (1)   Refrigerators;

27                           (2)   Stoves;

28                           (3)   Washing machines;

29                           (4)   Dryers;

1           (5)    Water heaters; and

2           (6)    Air conditioners.

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

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

7   **9-1723.**

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

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

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

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

20   **9-1724.**

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

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

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