
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 208 (S.285). Conservation and land development; solid waste; recycling; beverage container redemption; escheats

An act relating to universal recycling requirements

This act amends several provisions related to universal recycling or the beverage container redemption system. The act allows a solid waste facility to accept process residuals without separating 100 percent of the mandated recyclables if the Agency of Natural Resources (ANR) approves and the receiving facility has a plan to remove as much mandated recyclables from the process residuals as possible. The act also requires a solid waste management facility to accept leaf and yard residuals only between April 1 and December 15. The act authorizes a solid waste facility to charge for the collection of mandated recyclables.

The act repeals the requirement that that a commercial solid waste hauler offer collection of leaf and yard residuals. The requirement that a hauler offer collection of food residuals is delayed until July 1, 2020. The act clarifies requirements for all persons to separate food residuals from solid waste beginning July 1, 2020. If a hauler operates a bag-drop or fast-trash site at a fixed site to collect solid waste, the hauler shall offer collection of mandated recyclables, leaf and yard residuals, and food residuals. ANR shall consult with a stakeholder group regarding whether haulers shall offer food residual collection.

The act reclaims unredeemed beverage container deposits by requiring the first beverage distributor or manufacturer who collects a beverage container deposit to open a bank account in which all deposits shall be placed. Beginning January 1, 2020, and quarterly thereafter, beverage distributors and manufacturers are required to remit to the Department of Taxes the amount of abandoned beverage containers for the previous calendar quarter. The abandoned deposits are calculated by subtracting from the amount of deposits collected the amount refunded plus any interest on the account. The remitted abandoned deposits would be allocated to the Clean Water Fund for the purposes of that Fund.

Multiple effective dates, beginning on May 30, 2018