

MANDATORY RECYCLING AND DISPOSAL BANS



SUMMARY

Solid waste and recycling are generally regulated at the state and local levels. Some states and municipalities have enacted legislation requiring the recycling of certain commercially generated items and/or banning the disposal of certain items in landfills or waste to energy facilities. This is an effort to increase recovery of valuable materials, reduce the amount of waste going to landfills and incinerators, and help develop markets for recyclable materials.

This fact sheet provides a starting point and quick reference tool for retailers on mandatory recycling. The summary tables below provide an overview of state and local recycling regulations with links to external sources for additional information. This fact sheet focuses on waste streams most relevant to retail store operations and distribution centers and includes information on commonly recycled materials such as paper, plastic, metal, and glass. For regulatory resources related to organics, extended producer responsibility, and other waste-related topics, please see the Retail Compliance Center's (RCC) [Solid Waste Resources](#).

IMPORTANT COMPONENTS OF MANDATORY RECYCLING LAWS AND DISPOSAL BANS

Mandated commercial recycling and disposal ban legislation can include one or more of the following elements:

Responsible party: Regulatory responsibility may be placed on the hauler, the building owner, and/or the occupant. "Universal access" requirements may be placed on the hauler, which requires them to offer recycling services if they offer trash collection services. Finally, mandates may fall on the local jurisdiction to offer or implement recycling programs.

Materials Covered: Some states specifically define in the state law the materials that must be recycled or that are banned from disposal. Other states leave the determination of materials up to local authorities. Still others include a list of materials and allow the regulated community (e.g., generators or haulers) to select a certain number or portion of materials from the list to recycle as part of a commercial recycling program.

Source separation: Regulations may specify how covered materials are collected and stored onsite, including provisions that prohibit recyclables from being commingled with trash.

Generator size: The size of the generator may determine if a retailer and/or retail location is covered by the regulation (e.g., amount of waste generated, chain stores, number of stores, square footage, number of employees).

Bins and signage: Some laws specifically require commercial generators to provide recycling bins and signage in their stores and to educate customers on how to recycle properly.

Enforcement: Most regulations include specific enforcement measures, including but not limited to fines, penalties, license-revocation, etc.

Reporting: Some government agencies require waste generators to file recycling plans and/or periodically report on waste diversion activities.

MANDATORY RECYCLING AND DISPOSAL BAN SUMMARY TABLES

The tables below summarize state and local regulations around recycling and disposal bans, with a focus on traditional recyclables and organics. Materials not covered here include hazardous waste, universal waste and special wastes, such as waste oil, batteries, e-waste, appliances, tires, and construction and demolition materials. Information in the tables below is meant to be a reference tool and does not convey all aspects of legislated requirements. For example, the summaries below do not generally include information on definition of terms, outreach and education requirements, bin and signage requirements, provision of services, distinction between generator roles (i.e. tenant versus landlord), penalties and enforcement, reporting, or instructions on how to comply. Retailers should reference official agency resources and/or the legislative text for comprehensive guidance. Note also that regulations below cover the broader universe of "commercial generators" and may or may not be directly relevant to retailers. Nevertheless, the legislation included below may impact retailers, even if retail is not specifically named in the regulation.

TABLE 1: STATE-LEVEL MANDATORY RECYCLING AND DISPOSAL BANS

State	Description of Legislation
California	<p>Recycling of Commercial Solid Waste Any business than generates four cubic yards or more of commercial solid waste per week must arrange for recycling services. California's statewide legislation allows for cities to implement more stringent requirements.</p> <p>Materials Covered: The regulation does not specify how much or what type of materials must be recycled by businesses, nor does it limit the types of materials that could be included in a recycling or composting program. The regulation does require that jurisdictions inform businesses about the state requirement to recycle and how they can recycle in the jurisdiction. Link to Text Agency Info</p>
Connecticut	<p>Designated Recycling Regulation Requires municipalities to recycle the listed materials and products.</p> <p>Materials Covered: Glass & metal food and beverage containers; Plastic containers labeled #1 and #2; Boxboard; Corrugated cardboard; Magazines; Newspaper; White office paper; Colored office paper; Scrap metal; Leaves and grass clippings Link to Text Agency Info</p>
District of Columbia	<p>Separation of Recyclable Material at Commercial Properties Each owner or occupant of a commercial property shall recycle the materials listed. Materials separated for recycling should best stored in bins, dumpsters, or other containers not used for the simultaneous storage of solid waste and recyclable materials.</p> <p>Materials Covered: Paper; Paperboard; Cardboard; Metal; Glass; Plastic Containers Link to Text Agency Info</p>
Delaware	<p>Universal Recycling Regulations Commercial property managers must ensure that single stream recycling services are available for tenants and commercial entities must participate in a comprehensive recycling program.</p> <p>Materials Covered: The type of materials that must be recycled is not specified by the legislation. Link to Text Agency Info</p>
Florida	<p>Florida DEP Business Recycling Recognition Program Private business that recycle the listed materials are encouraged, BUT NOT REQUIRED, to report the amount recycled annually to the count. Florida DEP recognizes private businesses with outstanding recycling rates.</p> <p>Materials Covered: Paper; Metals; Glass; Plastics; Textiles; Rubber materials; Mulch Link to Text Agency Info</p>

State	Description of Legislation
Iowa	<p>Waste Volume and Recycling Section 455D.21 instructs a city council or county board of supervisors which provides for the collection of solid waste by its residents to consider as a proposed ordinance, the mandatory curbside collection of recyclable materials which have been separated from other solid waste. Link to Text Agency Info</p>
Maine	<p>Office Paper Recycling Law Businesses employing 15 or more people at a site within state required to recycle covered materials. Materials Covered: Office paper (ledger, computer, and bond paper); Corrugated cardboard Link to Text Agency Info</p>
Maryland	<p>Maryland Recycling Law Requires each of Maryland's jurisdictions to develop and implement recycling programs. Jurisdictions with populations greater than 150,000 are required to recycle at a rate of 35% of their waste and jurisdictions with populations less than 150,000 are required to recycle 20% of their waste. Each jurisdiction selects materials to be recycled and the way materials are to be separated and processed. Materials Covered: N/A Link to Text Agency Info</p>
Massachusetts	<p>Solid Waste Bans Materials Covered: Ferrous and non-ferrous metals; Glass and metal containers; Leaves and yard waste; Recyclable paper; Cardboard and paperboard; Single-resin narrow-necked plastic containers.</p>
Minnesota	<p>Recycling Requirements for Commercial Buildings Requires owners of commercial buildings to collect and recycle at least three of the listed materials and transfer collect materials to a recycler. Materials Covered: At least three of the following types of material must be recycled: Glass; Metal; Plastic; Paper: "office paper, cardboard, newspaper"; Organics Link to Text Agency Info</p>
New Jersey	<p>Mandatory Source Separation and Recycling Act The Recycling Act requires New Jersey's twenty-one counties to develop recycling plans that mandate the recycling of at least three designated recyclable materials, in addition to leaves. Materials Covered: Metal; Glass; Paper; Plastic; Polycoated paperboard packaging (beverage containers and aseptic packaging); Corrugated and other cardboard; Newspaper; Magazines; High-grade office paper; Food waste Link to Text Agency Info</p>

State	Description of Legislation
New York	<p>Source Separation and Segregation of Recyclable or Reusable Materials New York's General Municipal Law Section 120-AA states that municipalities are required to adopt local laws or ordinances that required solid waste to be separated into recyclable, reusable or other components for which economic markets for alternate uses exists.</p> <p>Materials Covered: Paper, glass, metals, plastics, garden and yard waste. Other elements of solid waste may be included Link to Text Agency Info</p>
North Carolina	<p>ABC Container Recycling Law North Carolina requires holders of certain Alcohol Beverage Commission on-premise permits to recycle beverage containers generated on-site. A statewide disposal ban also applies to these materials.</p> <p>Materials Covered: Beverage containers Link to Text Agency Info</p> <p>Disposal of Certain Solid Wastes in Landfills or by Incineration Prohibited</p> <p>Materials Covered: Aluminum cans; Recyclable rigid plastic containers; Wood pallets Link to Text Agency Info</p>
Oregon	<p>Oregon's Recycling Law Oregon offers local governments flexibility to implement their recycling programs using a menu of program elements that include:</p> <ul style="list-style-type: none"> • A commercial recycling program that includes weekly onsite collection of source-separated principal recyclable materials and education for commercial generators; • A collection and composting system for food and other compostable waste from commercial and institutional entities that generate large amounts of such wastes; and • A commercial recycling program that requires commercial generators of solid waste that generate large amounts of recyclable materials to source separate recyclable materials. <p>Materials Covered: Varies by locality Link to Text Agency Info</p>
Pennsylvania	<p>Municipal Waste Planning Recycling and Waste Reduction Pennsylvania state law requires municipalities with populations more than 10,000 and municipalities with more than 5,000 residents and population densities more than 300 persons per square mile to adopt and enforce commercial recycling regulations that require commercial establishments to separate and store certain materials.</p> <p>Materials Covered: High grade office paper; Aluminum; Corrugated paper; Leaf waste; and Other materials deemed appropriate by the municipality Link to Text Agency Info</p>

State	Mandatory Commercial Recycling Summary
Rhode Island	<p>Rules and Regulations for Reduction and Recycling of Commercial and Non-Municipal Residential Solid Waste</p> <p>Commercial generators with 50 or more employees must contract for recycling services as part of an agreement with a private hauler or the city or town.</p> <p>Materials Covered: Aluminum; Coated unbleached Kraft beverage carriers; Corrugated cardboard; Glass food and beverage containers; Newspaper; HDPE milk and water containers; Office paper; PET soft drink containers; Steel and tin-coated steel cans; Telephone directories; Leaves and yard waste</p> <p>Link to Text Agency Info</p>
Vermont	<p>Universal Recycling Law</p> <p>Universal recycling law bans the mandatory recyclables from disposal.</p> <p>Materials Covered: Paper; Boxboard and Cardboard (uncoated, clean, dry); Metal cans; Glass bottles and jars; Plastic bottles and containers labeled #1 and #2</p> <p>Link to Text Agency Info</p>
Virginia	<p>Regional and Local Solid Waste Management Plans</p> <p>Each county, city, town, or regional authority is required to establish a recycling program that would meet or exceed a recycling rate of 15% or 25%, based on the community's population density and unemployment rate. Localities may adopt ordinances to require recycling and/or recycling reporting by businesses.</p> <p>Materials Covered: Varies by locality</p> <p>Link to Text Agency Info</p>
West Virginia	<p>Solid Waste Reduction, Recovery, and Recycling Law</p> <p>Law requires municipalities of 10,000 people or more to implement ordinances that require corporations and other entities within the municipality to separate at least three recyclable materials, as determined appropriate by the municipality.</p> <p>Materials Covered: Steel and bimetallic cans; Aluminum; Glass; Paper; and other solid waste materials specified by the local jurisdiction</p> <p>Link to Text Agency Info</p>

State	Mandatory Commercial Recycling Summary
Wisconsin	<p>Business and Workplace Recycling Businesses and other workplaces must recycle designated materials, as well as provide for the recycling of these materials by their clients or customers. Haulers must keep recyclable and waste material separate during collection. Depending on volume, businesses may collect their recyclables in carts or dumpsters in a single stream, dual stream, or multistream collection system. Some communities go above and beyond what is required by state law.</p> <p>Materials Covered: Aluminum containers; Corrugated paper or other container board; Foam polystyrene packaging; Glass containers; Magazines or other materials printed on similar paper; Newspapers or other materials printed on newsprint; Office paper; Plastic containers; Steel containers; Containers for carbonated or malt beverages that are primarily made of a combination of steel and aluminum. Link to Text Agency Info</p> <p>Prohibitions on Land Disposal and Incineration</p> <p>Materials Covered: Aluminum containers; Corrugated paper or other container board; Foam polystyrene packaging; Glass containers; Magazines or other materials printed on similar paper; Newspapers or other materials printed on newsprint; Office paper; Plastic containers; Steel containers; Containers for carbonated or malt beverages that is primarily made of a combination of steel and aluminum; Yard waste</p> <p>Note: Some communities go above and beyond what is required by state law. Link to Text Agency Info</p>

TABLE 2: LEGISLATION WITHIN MAJOR CITIES

Many local jurisdictions have recycling requirements, disposal ban laws, and organics diversion mandates. The table below presents legislation in some of the largest U.S. cities. This list is not comprehensive. When in doubt, check with the local government agency responsible for overseeing commercial solid waste management.

City, State	Summary of Requirement
<p>New York City, NY</p>	<p>Mandatory Commercial Recycling All commercial businesses are required to recycle the listed items.. If textiles comprise greater than 10% of your waste stream, they must be separated and recycled.</p> <p>Material Covered: Metal; Glass; Plastic; Paper; Cardboard; Textiles Link to Text Agency Info</p>
<p>Chicago, IL</p>	<p>Chicago Commercial Recycling Ordinance Commercial establishments must recycle three items from the list of approved recyclables. If a commercial establishment can prove that a single item constitutes more than 51% by weight of the waste stream, only that item is required to be recycled.</p> <p>Material Covered: Newspaper; High grade paper; Mixed paper; Steel and bi-metal cans; Magazines and catalogs; Glass bottles and jars; Aluminum cans, foil, and pans; Plastic film; Fats, oil and grease; Corrugated cardboard; Plastic containers; Wood pallets Link to Text Agency Info</p>
<p>Philadelphia, PA</p>	<p>Refuse and Littering for Owners of Private Premises Commercial properties are required to have a recycling program in place and source separate required items.</p> <p>Material Covered: Cardboard; Mixed paper (newspaper, junk mail, magazines, catalogs, old files, reports, etc.); Glass jars and bottles; Metal food and beverage cans (aluminum, bi-metal [tin] cans); Plastic containers (#1 - #7); and Food and beverage cartons Link to Text Agency Info</p>
<p>Austin, TX</p>	<p>Universal Recycling Ordinance Austin's Universal Recycling Ordinance requires commercial establishments to provide recycling for listed items.</p> <p>Materials Covered: Paper (including mixed paper and office paper); Plastics PETE (#1) and HDPE (#2) bottles and containers; Aluminum cans; Corrugated cardboard; and Glass bottles and jars Link to Text Agency Info</p>

Disclaimer: Information in the tables above is meant to be a reference tool and may not be exhaustive of all legislation in the U.S. The information provides a summary and does not convey all aspects of legislated requirements. For example, the summaries do not necessarily include definition of terms, information on outreach and education requirements, penalties and enforcement, reporting, or instructions on how to comply. Links to legislation are accurate as of the date of this publication. Retailers should reference official agency resources and/or the appropriate legislative documents for comprehensive guidance.

Prepared by RRS. Founded in 1986 and headquartered in Ann Arbor, Michigan, RRS is a sustainability and recycling consulting firm that strives to create a world where resources are managed to maximize economic and social benefit while minimizing environmental harm.

The firm has industry professionals, engineers, economists, technical analysts, and communication specialists who share this vision and possess core strengths in materials and recovery, life cycle management, applied sustainable design, and collaborative action development.



ABOUT THE RETAIL COMPLIANCE CENTER

The Retail Compliance Center (RCC) provides resources on environmental compliance and sustainability for all types and sizes of retailers. The RCC's goal is to develop retail-specific resources, tools and innovative solutions to help companies cost-effectively improve their compliance and environmental performance.

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