

## 38 §2133. MUNICIPAL RECYCLING

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#### 1. Technical and financial assistance program.

[ 1995, c. 465, Pt. C, §2 (AFF); 1995, c. 465, Pt. A, §43 (RP) .]

**1-A. Recycling progress.** Municipalities are not required to meet the state recycling goal in section 2132, but they must demonstrate reasonable progress toward that goal. The office shall determine reasonable progress.

[ 1995, c. 465, Pt. A, §44 (NEW); 1995, c. 465, Pt. C, §2 (AFF) .]

#### 2. Recycling feasibility studies.

[ 1995, c. 465, Pt. C, §2 (AFF); 1995, c. 465, Pt. A, §45 (RP) .]

**2-A. Technical and financial assistance program.** A program of technical and financial assistance for waste reduction and recycling is established in the office to assist municipalities with managing solid waste. The office may also provide planning assistance to municipalities and regional organizations for managing municipal solid waste. Planning assistance may include cost and capacity analysis and education and outreach activities. The director shall administer the program in accordance with the waste management hierarchy in section 2101. Preference in allocating resources under this section must be given to municipalities that take advantage of regional economies of scale.

[ 2001, c. 626, §21 (AMD) .]

**2-B. Household hazardous waste collection.** The office may, within available resources, award grants to eligible municipalities, regional associations, sanitary districts and sewer districts for household hazardous waste collection and disposal programs. In implementing this program, the office shall attempt to:

A. Coordinate the household hazardous waste collection programs with overall recycling and waste management; [1995, c. 465, Pt. A, §46 (NEW); 1995, c. 465, Pt. C, §2 (AFF) .]

B. Encourage regional economies of scale; [1995, c. 465, Pt. A, §46 (NEW); 1995, c. 465, Pt. C, §2 (AFF) .]

C. Coordinate programs between private and public institutions; [1999, c. 779, §3 (AMD) .]

D. Maximize opportunities for federal grants and pilot programs; and [1999, c. 779, §3 (AMD) .]

E. By January 1, 2002 and as necessary thereafter, fund capital improvements and operating expenses to facilitate the development of collection programs throughout the State for hazardous waste that is universal waste, as identified in board rules, generated by households, small-quantity generators, public schools and municipalities. [1999, c. 779, §3 (NEW) .]

Preference in allocating resources under this subsection must be given to municipalities that participate in a household hazardous waste collection region as defined in subsection 2-D.

At a minimum, the office shall award grants to public schools and municipalities for reasonable costs incurred as a result of managing waste mercury-added products generated by those public schools and municipalities, in compliance with the requirements in sections 1663 and 1664, that would not otherwise be incurred by complying with existing laws, rules or regulations as of July 15, 2002.

[ 2003, c. 567, §1 (AMD) .]

**2-C. Business technical assistance program.** The office may, as resources allow, assist the business community to develop state programs and services that are designed to promote the solid waste hierarchy and that are desired by and financially supported by the business community. The office shall coordinate these efforts in conjunction with the department.

[ 1999, c. 385, §5 (NEW) .]

**2-D. Preference for other state grants and investments.** When awarding grants or making a discretionary investment under any of the programs under paragraphs A and B, a state agency shall give preference to a municipality that is part of a household hazardous waste collection region. For purposes of this subsection, "household hazardous waste collection region" means a region made up of 2 or more municipalities that work together to establish a collection center to accept the household hazardous waste of residents of each municipality for disposal on a year-round basis. This subsection applies to:

A. Programs that assist in the acquisition of land for conservation, natural resource protection, open space or recreational facilities under Title 5, chapter 353; and [2003, c. 567, §2 (NEW).]

B. Programs intended to:

- (1) Accommodate or encourage additional growth and development;
- (2) Improve, expand or construct public facilities; or
- (3) Acquire land for conservation or management of specific economic and natural resource concerns. [2003, c. 567, §2 (NEW).]

This subsection does not apply to state grants or other assistance for sewage treatment facilities, public health programs or education.

The office shall work with state agencies to prepare mechanisms for establishing preferences in specific investment and grant programs as described in paragraphs A and B.

[ 2003, c. 567, §2 (NEW) .]

**3. Recycling capital investment grants.** The office may make grants to eligible municipalities, regional associations, sanitary districts and sewer districts for the construction of public recycling and composting facilities and the purchase of recycling and composting equipment. The office may establish requirements for local cost sharing of up to 50% of the total grant amount.

[ 1995, c. 656, Pt. A, §37 (AMD) .]

**4. Recycling incentives.** The office shall develop and implement a program of incentives to encourage public recycling programs to reach maximum feasible levels of recycling and to meet the recycling goal of section 2132.

A. [1993, c. 298, §2 (RP).]

B. [1995, c. 465, Pt. C, §2 (AFF); 1995, c. 465, Pt. A, §48 (RP).]

[ 1995, c. 465, Pt. A, §48 (AMD); 1995, c. 465, Pt. C, §2 (AFF) .]

**5. Access to state waste disposal services.**

[ 1995, c. 465, Pt. C, §2 (AFF); 1995, c. 465, Pt. A, §49 (RP) .]

**6. Recycling demonstration grants.** The office may make demonstration grants to eligible municipalities, regional associations or other public organizations to pilot waste reduction, recycling and composting programs and to test their effectiveness and feasibility.

[ 1995, c. 465, Pt. A, §50 (NEW); 1995, c. 465, Pt. C, §2 (AFF) .]

**7. Recycling progress reports.** Municipalities shall report annually, on forms provided by the office, on their solid waste management and recycling practices. The annual report must include how much of each type of solid waste is generated and how that solid waste is managed. The office shall assist municipal reporting by developing a municipal waste stream assessment model. The model must rely on actual waste data whenever possible, but incorporate default generation estimates when needed. Default generation estimates must incorporate factors such as commercial activity, geographical differences and municipal population.

[ 1995, c. 656, Pt. A, §38 (NEW) .]

SECTION HISTORY

1989, c. 585, §A7 (NEW). 1991, c. 517, §§B8-11 (AMD). 1993, c. 298, §2 (AMD). 1995, c. 465, §§A43-50 (AMD). 1995, c. 656, §§A36-38 (AMD). 1995, c. 465, §C2 (AFF). 1997, c. 672, §4 (AMD). 1999, c. 385, §§4,5 (AMD). 1999, c. 779, §3 (AMD). 2001, c. 626, §21 (AMD). 2003, c. 567, §§1,2 (AMD).

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