

**§2133. Municipal recycling****1. Technical and financial assistance program.**

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

**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 department shall determine reasonable progress.

[PL 2011, c. 655, Pt. GG, §33 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

**2. Recycling feasibility studies.**

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

**2-A. Assistance with managing solid waste.** The department shall assist municipalities with managing solid waste. The department 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 department shall provide assistance pursuant to this subsection 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.

[PL 2013, c. 300, §21 (AMD).]

**2-B. Household hazardous waste collection.** The department 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 department shall attempt to:

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

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

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

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

At a minimum, the department 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.

[PL 2013, c. 300, §22 (AMD).]

**2-C. Business technical assistance program.** The department 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 department shall coordinate these efforts in conjunction with the department.

[PL 2011, c. 655, Pt. GG, §33 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

**2-D. Preference for other state grants and investments.**

[PL 2013, c. 300, §23 (RP).]

**3. Recycling capital investment grants.** The department 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 department may establish requirements for local cost sharing of up to 50% of the total grant amount. [PL 2011, c. 655, Pt. GG, §33 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

**4. Recycling incentives.** The department 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. [PL 1993, c. 298, §2 (RP).]

B. [PL 1995, c. 465, Pt. A, §48 (RP); PL 1995, c. 465, Pt. C, §2 (AFF).]  
[PL 2011, c. 655, Pt. GG, §33 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

**5. Access to state waste disposal services.**  
[PL 1995, c. 465, Pt. A, §49 (RP); PL 1995, c. 465, Pt. C, §2 (AFF).]

**6. Recycling demonstration grants.** The department 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. [PL 2011, c. 655, Pt. GG, §33 (AMD); PL 2011, c. 655, Pt. GG, §70 (AFF).]

**7. Recycling progress reports.** Municipalities shall report biennially, on forms provided by the department, on their solid waste management and recycling practices. The biennial report must identify the options available to residents and businesses within the municipality for managing solid waste, including any provisions for the separate management of reportable recyclable materials and organic waste and the disposal of other municipal solid waste, including construction and demolition debris. The department shall assist municipalities in developing and tracking a municipal or regional recycling rate by developing a municipal waste stream management 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. [PL 2019, c. 291, Pt. B, §4 (AMD).]

## SECTION HISTORY

PL 1989, c. 585, §A7 (NEW). PL 1991, c. 517, §§B8-11 (AMD). PL 1993, c. 298, §2 (AMD). PL 1995, c. 465, §§A43-50 (AMD). PL 1995, c. 465, §C2 (AFF). PL 1995, c. 656, §§A36-38 (AMD). PL 1997, c. 672, §4 (AMD). PL 1999, c. 385, §§4,5 (AMD). PL 1999, c. 779, §3 (AMD). PL 2001, c. 626, §21 (AMD). PL 2003, c. 567, §§1,2 (AMD). PL 2011, c. 655, Pt. GG, §33 (AMD). PL 2011, c. 655, Pt. GG, §70 (AFF). PL 2013, c. 300, §§21-23 (AMD). PL 2019, c. 291, Pt. B, §4 (AMD).

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