

**Act No. 175 (S.208). Conservation and land development; solid waste management; architectural waste**

**An act relating to solid waste management**

This act amends multiple provisions regarding solid waste management in the State. The act establishes an architectural waste recycling program, under which, beginning January 1, 2015, a person who produces 40 cubic yards or more of architectural waste at a commercial project located within 20 miles of a solid waste facility that recycles architectural waste shall: (1) arrange for the transfer of the waste to a solid waste facility that recycles architectural waste; or (2) arrange for a method of disposition approved by ANR. The act defines “architectural waste” as discarded drywall, metal, asphalt shingles, clean wood, plywood, or oriented strand board derived from the construction or demolition of buildings or structures. The act defines “commercial project” as construction or demolition of a commercial building or a residential building with two or more units. ANR will report to the General Assembly on or before January 1, 2017 regarding the progress of the architectural waste recycling program.

The act extends the permit term from five years to 10 years for categorical solid waste facilities. The act also strikes the one-ton vehicle exemption from the permit requirement for commercial haulers. In addition, the act authorizes an exemption for solid waste haulers from the requirement to collect mandated recyclables when collecting solid waste. The exemption applies in a municipality with an approved solid waste plan that designates an area where collection of mandated recyclables is not required and where there are alternatives for recycling of mandated recyclables. The municipality must be achieving the per capita disposal rate from the State Solid Waste Plan, and the municipality must demonstrate progress toward meeting the diversion goal in State plan.

The act also established a nine-member Solid Waste Infrastructure Assistance Committee to evaluate the sufficiency of existing solid waste infrastructure in the State. The Committee will make recommendations where additional infrastructure is needed, how much it will cost, and potential methods for revenue generation. The Committee also will report to the General Assembly regarding the stability of the Solid Waste Infrastructure Assistance Account.

Effective Date: July 1, 2014