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SENATE JOINT RESOLUTION NO. 265

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Requesting the Secretary of Commerce and Trade and the Secretary of Natural Resources to jointly study a reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit. Report.

Patrons—Lucas and Dance; Delegates: James and Kory

Referred to Committee on Rules

WHEREAS, over the past 10 years, the General Assembly has considered, but not passed, bills that would have either reduced or banned the use of disposable plastic items; and

WHEREAS, until 2017 China was the leading importer of plastics and recycled materials from around the world; and

WHEREAS, China is no longer the leading importer of plastics and recycled materials following notification to the World Trade Organization in July 2017 of its intention to ban the import of 24 kinds of waste, including some post-consumer plastics, beginning in January 2018; and

WHEREAS, such ban was a result of growing stress on Chinese communities and environments caused by increasing processing costs and amounts of discarded, unusable recyclable materials; and

WHEREAS, China cited declining materials quality, mainly from increasing food and product residue contamination and the inclusion of other materials that do not meet recycling bale specifications, as the cause of the heightened cost and waste; and

WHEREAS, in November 2017, China decreased its limit for recyclable material contamination from a maximum of 1.5 percent to 0.5 percent; and

WHEREAS, current law requires Virginia solid waste planning units to maintain a minimum 25 percent recycling rate, or a minimum 15 percent recycling rate in certain areas; and

WHEREAS, many solid waste planning units are not yet prepared to comply with the new Chinese recyclable material contamination rate while also maintaining the required minimum recycling rate; and

WHEREAS, the reduced contamination limit has caused some solid waste planning units to slow processing rates to comply with the limit; and

WHEREAS, congestion caused by the slowed processing rate has caused some recyclable materials to be sent to landfills, where decomposition is slow and can cause harmful chemical contamination in soil and aquifers; and

WHEREAS, a reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit may assist in resolving congestion and other problems caused by the recent market developments; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Secretary of Commerce and Trade and the Secretary of Natural Resources be requested to jointly study a reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit. The study shall examine the potential impact of a less stringent recycling requirement on solid waste planning units as a result of the current market conditions in the export of recyclable materials.

In conducting its study, the Secretary of Commerce and Trade and the Secretary of Natural Resources (the Secretaries) shall (i) investigate the impact that China's reduced recyclable material contamination acceptance rate has had and is currently having on solid waste planning units in the Commonwealth; (ii) analyze the effect on the Commonwealth of reducing the minimum required recycling rate for solid waste planning units, including impacts to landfills, localities, ecosystems, and the economy; and (iii) propose one or more solutions to assist solid waste planning units and the Commonwealth as a whole, including recommending a specific reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit.

All agencies of the Commonwealth shall provide assistance to the Secretaries for this study, upon request.

The Secretaries shall complete their joint meetings by November 30, 2019, and shall submit to the Governor and the General Assembly an executive summary and a report of their findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2020 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

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