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SENATE JOINT RESOLUTION NO. 42

Senate Amendments in [] - January 28, 2020

Requesting the Department of Environmental Quality to establish a Waste Diversion and Recycling Task Force to study ways to increase waste diversion and recycling. Report.

Patron Prior to Engrossment—Senator Hanger

Referred to Committee on Rules

WHEREAS, pursuant to § 10.1-1411 of the Code of Virginia, localities are required to maintain a minimum recycling rate of 25 percent of generated waste, or 15 percent in localities with a low population density; and

WHEREAS, technological and economic changes in the waste management industry have made it more difficult for localities to achieve those targets; and

WHEREAS, in 2019, pursuant to Chapter 615 of the Acts of Assembly of 2018, the Department of Environmental Quality (the Department) completed its report titled "Recycling in Virginia: An Evaluation of Recycling Rates and Recommendations" (the Report); and

WHEREAS, the Report recommended that the Department establish a Waste Diversion and Recycling Task Force to develop recommendations for reducing waste and diverting it from landfills; and

WHEREAS, the Report also observed that economic trends in the recycling sector have in some circumstances made existing local recycling practices fiscally unfeasible; and

WHEREAS, the Report noted that, until 2016, China was by far the largest consumer of the recyclable waste of the United States, purchasing about 40 percent of its recyclables; and

WHEREAS, in 2017, China implemented its National Sword policy to reduce smuggling and illicit activities related to recyclables; and

WHEREAS, in 2018, China banned the import of 24 types of recyclable materials and announced its intent to ban the import of all recyclable materials by 2020; and

WHEREAS, the Report observed that changes to China's recyclables policy decreased demand for recyclables from the United States by 40 percent, resulting in the reduction, suspension, or termination of service by public and private recycling facilities; and

WHEREAS, the Report concluded that "the cost of maintaining recycling programs is relatively high while the supply of recyclable material exceeds the current market demand" and "in several rural areas, due to a variety of factors, operation expenses can make recycling cost prohibitive"; and

WHEREAS, technological changes in the United States recycling industry and shifts in demand in the market for recyclable materials have rendered some Virginia recycling programs economically unsustainable; and

WHEREAS, for localities to meet their statutory recycling targets and accomplish Virginia's general policy of responsible management of waste material, additional state support to localities may be necessary; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Department of Environmental Quality be requested to establish a Waste Diversion and Recycling Task Force to study ways to increase waste diversion and recycling.

In conducting its study, the [Department] [Waste Diversion and Recycling Task Force] shall [consult with] [include] stakeholders, including localities, [the Virginia Waste Industries Association, the Virginia Beer Wholesalers Association, the Virginia Beverage Association, the Virginia Petroleum and Convenience Marketers Association,] the Virginia Manufacturers Association, the Virginia Recycling Association, the Virginia Municipal League, the Virginia Association of Counties, and any other entity it deems appropriate. The [Department] [Waste Diversion and Recycling Task Force] shall (i) study methods of improving recycling, reducing waste, and diverting waste from landfills., (ii) develop recommendations to reduce waste at the source, such as composting and recycling of organic material, and (iii) consider whether current recycling rates required by Virginia law should be increased and whether state policy should be changed to give landfills a greater role in the management of organic material.

In conducting its study, the [Department] [Waste Diversion and Recycling Task Force] shall also (a) study potential improvements in the goals and efficiency of the grant program funded by the Litter Control and Recycling Fund pursuant to Article 3 (§ 10.1-1414 et seq.) of Chapter 14 of Title 10.1 of the Code of Virginia, (b) recommend amendments to §§ 10.1-1422.01 and 10.1-1422.04 of the Code of Virginia and related statutory provisions if it determines amendments are advisable, and (c) consider

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59 modifying the allocation formula, codifying and increasing the percentage of grants that it awards to
60 localities on a competitive basis, reallocating funds for the purpose of funding regional recycling
61 programs that provide service to multiple localities, providing additional grants for educational programs,
62 imposing constraints on the amount of grant funds that may be used to fund personnel salaries and
63 wages, providing funding for additional collection points for recyclables generated by localities, and any
64 other changes it deems appropriate.

65 All agencies of the Commonwealth shall provide assistance to the [~~Department~~] [Waste Diversion
66 and Recycling Task Force] for this study, upon request.

67 The [~~Department~~] [Waste Diversion and Recycling Task Force] shall complete its meetings by
68 November 30, [2020] [2021] , and shall submit to the Governor and the General Assembly an
69 executive summary and a report of its findings and recommendations for publication as a House or
70 Senate document. The executive summary and report shall be submitted as provided in the procedures of
71 the Division of Legislative Automated Systems for the processing of legislative documents and reports
72 no later than the first day of the [2021] [2022] Regular Session of the General Assembly and shall
73 be posted on the General Assembly's website.