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SENATE JOINT RESOLUTION NO. 42
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Rules
on February 27, 2020)

(Patron Prior to Substitute—Senator Hanger)

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

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 meet to discuss ways to increase waste diversion and recycling.

In conducting its meetings, the Waste Diversion and Recycling Task Force shall 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 Waste Diversion and Recycling Task Force shall discuss (i) methods of improving recycling, reducing waste, and diverting waste from landfills; (ii) recommendations to reduce waste at the source, such as composting and recycling of organic material; and (iii) 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 meetings, the Waste Diversion and Recycling Task Force also shall discuss (a) 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) §§ 10.1-1422.01 and 10.1-1422.04 of the Code of Virginia and related statutory provisions and whether amendments are advisable, and (c) the allocation formula, codifying and increasing the percentage of grants that it awards to localities on a competitive basis, reallocating funds for the purpose of funding regional recycling programs that provide service to multiple localities, providing additional grants for educational programs, imposing constraints on the amount of grant funds

60 that may be used to fund personnel salaries and wages, providing funding for additional collection points
61 for recyclables generated by localities, and any other changes it deems appropriate.

62 All agencies of the Commonwealth shall provide assistance to the Waste Diversion and Recycling
63 Task Force for its meetings, upon request.

64 The Waste Diversion and Recycling Task Force shall meet no more than four times and shall
65 complete its meetings by November 30, 2021, and shall submit to the Governor and the General
66 Assembly an executive summary and a report of its meetings, including meeting minutes and any
67 identified recommendations, for publication as a House or Senate document. The executive summary and
68 report shall be submitted as provided in the procedures of the Division of Legislative Automated
69 Systems for the processing of legislative documents and reports no later than the first day of the 2022
70 Regular Session of the General Assembly and shall be posted on the General Assembly's website.