

RECYCLING FACILITY TRANSPARENCY AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Douglas R. Welton

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill requires certain recycling facilities to publish information about the end location of recyclable materials.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a recycling facility that bills customers through a political subdivision's billing and collection system to provide, to the political subdivision, data about the end location of recyclable materials collected by the recycling facility; and
- ▶ requires a political subdivision to publish the recycling data in a newsletter and, if the political subdivision operates a website, on the political subdivision's website.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

19-6-509, as last amended by Laws of Utah 2023, Chapter 206

Be it enacted by the Legislature of the state of Utah:



28 Section 1. Section **19-6-509** is amended to read:

29 **19-6-509. Recycling data.**

30 (1) As used in this section:

31 (a) (i) "Municipal solid waste" means nonhazardous solid waste, including garbage,
32 refuse, office waste, or other similar material that results from the operation of residential,
33 municipal, commercial, or institutional establishments or community activities.

34 (ii) "Municipal solid waste" does not include a plastic or material that is converted or
35 held at an advanced recycling facility, including:

36 (A) post-use polymers; or

37 (B) recovered feedstock.

38 (b) "Recyclable material" means municipal solid waste that is suitable for recycling.

39 (c) "Recyclable material hauler" means a person, including a political subdivision,

40 who:

41 (i) for compensation, collects and transports recyclable material; and

42 (ii) uses the billing and collection system of a political subdivision to bill or collect
43 payment from the recyclable material hauler's customers.

44 (d) "Recycle" means to take action to recover recyclable materials from the municipal
45 solid waste stream for the purposes of use or reuse, conversion into raw materials, or use in the
46 production of new products.

47 (e) "Recycling facility" means a facility that:

48 (i) accepts recyclable material;

49 (ii) separates the recyclable material by material type;

50 (iii) sells the recyclable material to an end destination;

51 (iv) delivers the waste stream contaminant to a landfill; and

52 (v) uses the billing and collection system of a political subdivision to bill or collect
53 payment for the services provided.

54 (2) A recyclable material hauler shall ~~[report]~~ gather, and, in accordance with
55 Subsection (3) ~~[and according]~~ report to the best of the ~~[recycler's]~~ recyclable material hauler's
56 knowledge, the approximate tonnage of recyclable material collected by the recyclable material
57 hauler that the recyclable material hauler delivered to:

58 (a) a landfill; ~~[and]~~ or

59 (b) a recycling facility.

60 (3) (a) At least two times each calendar year, a recyclable material hauler shall provide
61 the information described in Subsection (2) to ~~the~~ each political subdivision whose billing
62 and collection system the recyclable material hauler uses.

63 (b) The recyclable material hauler shall provide data under Subsection (3)(a) for the
64 longer of:

65 (i) the time since the recyclable material hauler last provided the data; or

66 (ii) six months before the day on which the data is provided.

67 (4) Within 45 days after the day on which a recyclable material hauler provides data
68 under this section, ~~a~~ the political subdivision shall publish the data, as available:

69 (a) in a newsletter produced by the ~~municipality~~ political subdivision; and

70 (b) if the political subdivision operates a website, on ~~a~~ the website operated by the
71 ~~municipality~~ political subdivision.

72 (5) A recycling facility shall gather, and, in accordance with Subsection (6), report to
73 the best of the recycling facility's knowledge, the approximate tonnage of recyclable material
74 collected by the recycling facility that the recycling facility:

75 (a) delivered to a landfill; or

76 (b) sold to an end destination.

77 (6) (a) At least two times each calendar year, a recycling facility shall provide the
78 information described in Subsection (5) to each political subdivision whose billing and
79 collection system the recycling facility uses.

80 (b) The recycling facility shall provide data under Subsection (6)(a) for the longer of:

81 (i) the time since the recycling facility last provided the data; or

82 (ii) six months before the day on which the data is provided.

83 (7) Within 45 days after the day on which a recycling facility provides data under this
84 section, the political subdivision shall publish the data, as available:

85 (a) in a newsletter produced by the political subdivision; and

86 (b) if the political subdivision operates a website, on the website operated by the
87 political subdivision.

88 Section 2. **Effective date.**

89 This bill takes effect on May 1, 2024.