

Representative Douglas R. Welton proposes the following substitute bill:

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 political subdivisions to publish information about the collection of recyclable materials.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a recyclable material hauler to report data to political subdivisions about the amount of recycling material collected;
- ▶ requires a recycling facility to submit an annual report on the amount of recycling material collected to the Division of Waste Management and Radiation Control;
- ▶ requires a political subdivision to publish the recycling data; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



26 **19-6-509**, as last amended by Laws of Utah 2023, Chapter 206

27

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

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

30 **19-6-509. Recycling data.**

31 (1) As used in this section:

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

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

37 (A) post-use polymers; or

38 (B) recovered feedstock.

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

40 (c) "Recyclable material hauler" means a person, including a political subdivision,
41 who:

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

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

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

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

49 (i) accepts recyclable material collected and paid for through a political subdivision's
50 billing process;

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

52 (iii) sells the recyclable material; and

53 (iv) sends the waste stream contaminant to a landfill.

54 (f) "Recycling facility annual report" is a report submitted each year by a recycling
55 facility to the Division of Waste Management and Radiation Control.

56 (2) A recyclable material hauler shall ~~report, in accordance with Subsection (3) and~~

57 ~~according to the best of the recycler's knowledge,]~~ collect data on the approximate tonnage of
58 recyclable material collected by the recyclable material hauler that the recyclable material
59 hauler delivered directly, or through an intermediary hauler, to:

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

61 (b) a recycling facility.

62 (3) (a) At least two times each calendar year, a recyclable material hauler shall ~~[provide~~
63 ~~the information]~~ report the data described in Subsection (2) to ~~[the political subdivision whose~~
64 ~~billing and collection system the recyclable material hauler uses]~~ each political subdivision that
65 the recyclable material hauler uses for billing and collection.

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

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

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

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

72 (a) in a newsletter produced by the ~~[municipality]~~ political subdivision; and

73 (b) if the political subdivision operates a website, on [a] the website operated by the
74 [municipality] political subdivision.

75 (5) (a) A recycling facility shall submit a recycling facility annual report by March 1.

76 (b) The recycling facility shall complete the recycling facility annual report:

77 (i) using the methods approved by the Division of Waste Management and Radiation
78 Control; and

79 (ii) including data collected during the previous calendar year.

80 (c) The Division of Waste Management and Radiation Control shall compile the data
81 submitted in the recycling facility annual reports described in this Subsection (5) by June 1
82 each year.

83 (6) A political subdivision shall publish the data or an electronic link to the data
84 compiled by the Division of Waste Management and Radiation Control from the recycling
85 facility annual reports described in Subsection (5):

86 (a) in a newsletter produced by the political subdivision that is published between June
87 1 and October 1 of each year; and

88 (b) if a political subdivision operates a website, on the website each year beginning on
89 a date that occurs between June 1 and October 1, and ending no earlier than December 31 of
90 the same year.

91 Section 2. **Effective date.**

92 This bill takes effect on May 1, 2024.