

# FACT SHEET

## Mandatory Recycling and Disposal Bans

Some states and municipalities have enacted legislation mandating the recycling of certain commercially generated items and/or banning the disposal of certain items in landfills or waste to energy facilities. This is an effort to drive a higher recycling rate, increase the capture of recyclable materials, and promote the development of markets for recyclable materials. Mandated commercial recycling legislation can take different forms, for example:

1. Require generators to recycle;
2. Require haulers to provide recycling services; or
3. Require local governments to implement recycling programs.

This fact sheet is designed to serve as a starting point and quick reference tool for retailers. The information contained in the summary tables below provides an overview of state-level recycling regulations with links to external sources for additional information. This fact sheet focuses on waste streams most relevant to retail store operations and distribution centers and includes information on commonly recycled materials such as paper, plastic, metal and glass.

Mandatory recycling laws and disposal bans act largely in a similar manner and have a similar goal, to recover target materials and limit the amount of material going to final disposal in the landfill or incinerator.

## Components of mandatory recycling laws and disposal bans

**Materials covered:** Some states define the materials that must be recycled or are banned from disposal within the state law. Other states leave the determination of materials that will be mandated for recycling or banned from disposal up to local authorities. Still others include a list of materials and require that a certain number or portion of them are recycled as part of a commercial recycling program.

**Source separation:** Regulations may specify the way covered materials are collected and stored onsite, including provisions that prohibit recyclables from being commingled with trash.

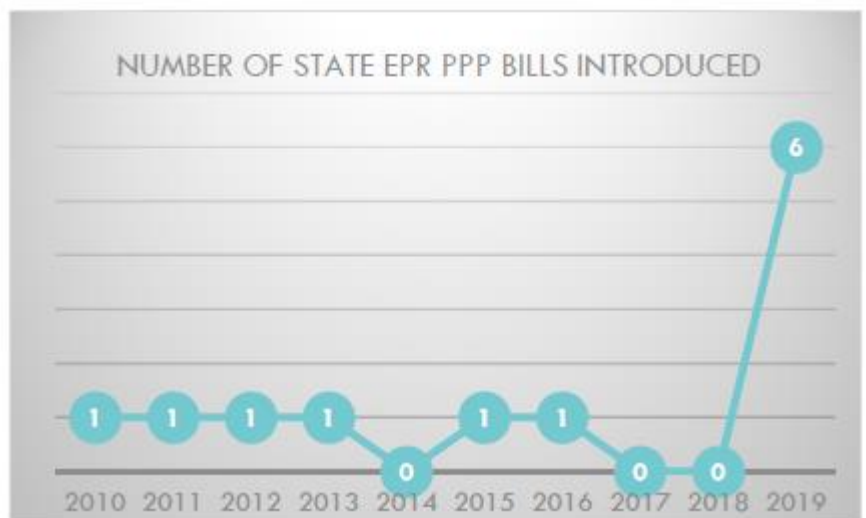
**Generator size:** Regulations may apply based on the size of the generator, the amount of waste generated, or other criteria.

**Owner vs. occupant:** In some places, the regulatory responsibility is placed on the building owner, whereas in other places the occupant is also held responsible.

## Trends in Mandatory Recycling and Disposal Bans at the State Level

Mandatory recycling and disposal bans play important roles as more communities embrace zero waste to landfill goals. The recent ocean plastics crisis has also brought heightened awareness and attention to recycling, leading to record numbers of extended producer responsibility (EPR) bills being introduced by states.

Finally, as the U.S. recycling industry adapts to commodity market shifts instigated by China's National Sword policy, some states are revising mandatory recycling laws to allow for waivers for materials that may not have current markets (e.g., Vermont and Wisconsin).



## STATE-LEVEL MANDATORY RECYCLING AND DISPOSAL BANS

State	Mandatory Commercial Recycling		Commercial Disposal Bans		Bottle Bill?	Laws
	Products / Materials Covered	Summary	Products / Materials Covered	Summary		
<b>California</b>	<ul style="list-style-type: none"> <li>– Recyclables</li> <li>– Organics</li> </ul>	<p>Any business that generates 4 cubic yards or more of commercial solid waste per week must arrange for recycling services. As of January 1, 2019, any business that generated 4 cubic yards or more of organic waste must arrange for organics recycling services as well.</p> <p>California's statewide legislation allows for cities to implement more stringent and comprehensive requirements.</p>	N/A	N/A	Yes	<a href="#">Recycling of Commercial Solid Waste</a>  <a href="#">Recycling of Organic Waste</a>  <a href="#">Rigid Plastic Packaging Container (RPPC) Program</a>  <a href="#">At-Store Recycling Program</a>  <a href="#">Single-Use Carryout Bags</a>  <a href="#">Expanded Polystyrene Loosefill Packaging</a>  <a href="#">Beverage Container Recycling and Litter Reduction Act</a>
<b>Connecticut</b>	<ul style="list-style-type: none"> <li>– Boxboard</li> <li>– Cardboard</li> <li>– Glass food containers</li> <li>– HDPE containers</li> <li>– PET containers</li> <li>– Colored ledger paper</li> <li>– Magazines</li> <li>– Metal food containers</li> <li>– Newspaper</li> <li>– Office paper</li> <li>– Residential high-grade white paper</li> <li>– Organics</li> </ul>	<p>Requires municipalities to recycle the listed materials and products.</p> <p>Commercial food wholesalers, food processors, and supermarkets located not more than 20 miles from a source-separated organic composting facility and that generate an average project volume not less than 104 tons annually of source-separated organics. Can treat on-site as permitted and be considered in compliance. Starting 1/1/2020 volume threshold decreases to 52 tons per year.</p>	N/A	N/A	Yes	<a href="#">Designated Recycling Regulation</a>  <a href="#">Recycling of Source-Separated Organics</a>  <a href="#">Beverage Container Deposit and Redemption</a>
<b>District of Columbia</b>	<ul style="list-style-type: none"> <li>– Paper</li> <li>– Paperboard</li> <li>– Cardboard</li> <li>– Metal</li> <li>– Glass</li> <li>– Plastic</li> </ul>	<p>Each owner or occupant of a commercial property shall, at a minimum, recycle the materials listed. Materials separated for recycling should best stored in bins, dumpsters, or other containers not used for the simultaneous storage of solid waste and recyclable materials.</p>	N/A	N/A		<a href="#">Separation of Recyclable Material at Commercial Properties</a>  <a href="#">Retail Establishment Carryout Bags</a>  <a href="#">Expanded Polystyrene Prohibition</a>
<b>Delaware</b>	N/A	<p>Commercial sector (i.e. retail stores and warehouses) must identify recyclables within solid waste stream, separate from the solid waste stream,</p>				<a href="#">Universal Recycling Regulations</a>

		and ensure they enter the marketplace or are collected for recycling as part of comprehensive recycling program. Retail locations without a comprehensive recycling program are subject to enforcement and penalties.				
<b>Florida</b>	NOT MANDATORY – Paper – Metals – Glass – Plastics – Textiles – Rubber materials – Mulch	Private business that recycle the listed materials are encouraged, BUT NOT REQUIRED, to report the amount recycled annually to the count. FL DEP recognizes private businesses with outstanding recycling rates.				<a href="#">State Agency Recycling Laws</a>
<b>Hawaii</b>	N/A	N/A	N/A	N/A	Yes	<a href="#">Integrated Solid Waste Management (includes Deposit Beverage Container Program)</a>
<b>Iowa</b>	N/A	N/A	N/A	N/A	Yes	<a href="#">Beverage Containers Control</a>
<b>Maine</b>	– Office paper (ledger, computer, and bond paper) – Cardboard	Businesses employing 15 or more people at a site within state required to recycle covered materials.	N/A	N/A	Yes	<a href="#">Office Paper Recycling Program</a>  <a href="#">Development of Product Stewardship Law for Packaging</a>  <a href="#">Manufacturers, Distributors and Dealers of Beverage Containers</a>
<b>Massachusetts</b>	N/A	N/A	– Organics – Ferrous metals – Non-ferrous metals – Glass containers – Metal Containers – Recyclable paper cardboard, paperboard – Single-resin narrow-necked plastic containers – White goods	Disposal of organic wastes by business that dispose of one ton or more material per week is banned.	Yes	<a href="#">Solid Waste Management Facility Regulations (section 19.017: Waste Bans)</a>
<b>Michigan</b>	N/A	N/A	N/A	N/A	Yes	<a href="#">Beverage Containers</a>
<b>Minnesota</b>	At least three of the following types of material must be recycled: – Glass – Metal – Plastic – Paper: office paper, cardboard, newspaper	Requires owners of commercial buildings to collect and recycle at least three of the listed materials and transfer collect materials to a recycler.	– White goods	Major appliances prohibited from being mixed with MSW and disposed in a landfill. Recycling required.		<a href="#">Recycling Requirements; Public Entities; Commercial Buildings; Sports Facilities</a>  <a href="#">Major appliances Disposal Ban</a>

	– Organics					
<b>New Jersey</b>	<ul style="list-style-type: none"> <li>– Metal</li> <li>– Glass</li> <li>– Paper</li> <li>– Plastic</li> <li>– Polycoated paperboard packaging (beverage containers and aseptic packaging)</li> <li>– Corrugated and other cardboard</li> <li>– Newspaper</li> <li>– Magazines</li> <li>– High-grade office paper</li> <li>– Food waste</li> </ul>	Commercial sector required to recycle leaves and at least three of the “designated recyclables” listed.	N/A	N/A		<a href="#">Mandatory Source Separation and Recycling Act</a>  <a href="#">Definitions (including recyclable materials)</a>  <a href="#">Municipal Recycling System</a>
<b>New York</b>	<ul style="list-style-type: none"> <li>– Food waste</li> </ul>	Businesses including hotels, supermarkets, colleges, large restaurants and correctional facilities that produce an annual average of at least 2 tons of food waste per week at a single location and are within 25 miles of a recycling facility must divert food waste from disposal following the EPA’s food waste hierarchy. The regulation does not apply to businesses in New York City which are covered by local legislation.	N/A	N/A	Yes	<a href="#">Food Donation and Food Scrap Recycling Act</a>  <a href="#">New York Returnable Container Law</a>  <a href="#">Plastic Bag Reduction, Reuse, and Recycling Law</a>
<b>North Carolina</b>	N/A	N/A	<ul style="list-style-type: none"> <li>– Aluminum cans</li> <li>– Plastics containers</li> <li>– Pallets</li> <li>– White goods</li> </ul>	Plastics containers defined as “recyclable rigid plastic containers that are required to be labeled as provided in subsection (e) of this section, that have a neck smaller than the body of the container, and that accept a screw top, snap cap, or closure. Does not apply to motor oil or pesticide bottles.		<a href="#">Disposal of Certain Solid Wastes in Landfills or by Incineration Prohibited</a>
<b>Oregon</b>	N/A	N/A	N/A	N/A	Yes	<a href="#">Beverage Containers and Bottle Bill</a>
<b>Pennsylvania</b>	<ul style="list-style-type: none"> <li>– High grade office paper</li> <li>– Aluminum</li> <li>– Corrugated paper</li> <li>– Leaf waste</li> </ul>	Municipalities with populations greater than 10,000 and municipalities with populations of greater than 5,000 and a population density greater than 300 people/mi <sup>2</sup> must implement ordinances that require commercial establishments to separate and store materials listed, and others deemed appropriate by the municipality for recycling.	N/A	N/A		<a href="#">Municipal Waste Planning Recycling and Waste Reduction</a>

<p><b>Rhode Island</b></p>	<ul style="list-style-type: none"> <li>- Aluminum</li> <li>- Coated, unbleached kraft beverage carriers</li> <li>- Corrugated cardboard</li> <li>- Glass food and beverage containers</li> <li>- Newspaper</li> <li>- HDPE milk and water containers</li> <li>- Office paper</li> <li>- PET soft drink containers</li> <li>- Steel and tin-coated steel cans</li> <li>- Telephone directories</li> <li>- White goods</li> <li>- Wood waste</li> <li>- Leaves and yard waste</li> </ul>	<p>Commercial solid waste generators that employ 50 or more employees must contract for recycling services as part of an agreement with a private hauler or the city or town.</p>	<ul style="list-style-type: none"> <li>- Organics</li> </ul>	<p>“Covered entities” (commercial food wholesaler or distributor, supermarket, corporation, etc.) that generate 104 tons/year or more of organics and is located 15 or less miles from an authorized composting facility or anaerobic digester with available capacity must ensure generated go to either of those types of facilities.</p>		<p><a href="#">Waste Recycling (includes mandatory commercial recycling)</a></p> <p><a href="#">Rules and Regulations for Reduction and Recycling of Commercial and Non-Municipal Residential Solid Waste (defines recyclable materials)</a></p> <p><a href="#">Refuse Disposal (includes commercial food waste ban)</a></p> <p><a href="#">Promotion of Paper Bag Usage</a></p> <p><a href="#">Beverage Container Recyclability</a></p>
<p><b>Vermont</b></p>	<ul style="list-style-type: none"> <li>- Paper, Boxboard, and Cardboard (uncoated, clean, dry)</li> <li>- Metal cans</li> <li>- Glass bottles and jars</li> <li>- Plastic bottles and containers labeled #1 and #2</li> </ul>	<p>Universal recycling law mandates the recycling of all listed materials.</p>	<ul style="list-style-type: none"> <li>- Organics</li> </ul>	<p>Businesses must separate their food waste if they are within 20 miles of a certified compost facility and produce more than 18 tons of food scraps per year.</p> <p>Recent bans on several single-use items also passed in 2019.</p>	<p>Yes</p>	<p><a href="#">Universal Recycling Law</a></p> <p><a href="#">Solid Waste Management Laws</a></p> <p><a href="#">Beverage Containers; Deposit-redemption System</a></p>
<p><b>West Virginia</b></p>	<p>N/A</p>	<p>Law requires municipalities of 10,000 people or more to implement ordinances that require corporations and other entities within the municipality to separate at least three recyclable materials, as determined appropriate by the municipality: provided, the list of recyclables to be separated may be adjusted according to when the generator is residential, commercial, or another type of establishment.</p>				<p><a href="#">Solid Waste Reduction, Recovery, and Recycling Law</a></p> <p><a href="#">Establishment of County Recycling Programs for Solid Waste</a></p>
<p><b>Wisconsin</b></p>	<p>N/A</p>	<p>N/A</p>	<ul style="list-style-type: none"> <li>- Aluminum containers</li> <li>- Corrugated paper and other container board</li> <li>- Foam PS packaging</li> <li>- Glass containers</li> <li>- Magazines and other materials</li> </ul>	<p>Municipal recycling programs overseen by the responsible units (RUs), the unit of government responsible for planning, operating, and funding a recycling program. Each RU is required to have a local ordinance</p>		

			printed on similar paper – Office paper – Plastic containers – Steel containers – Containers for malt beverages that is primarily made of a combination of steel and aluminum	prohibiting disposal and requiring recycling of listed material through an effective recycling program. A program is required to ensure businesses recycled materials banned from the landfill. RUs may get permission from the DNR to no enforce bans under certain conditions (i.e. limited markets for #3-#7 plastics).	
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### Legislation Within Major Cities

Local ordinances have been adopted in some major cities focused on mandatory recycling and disposal bans.

City, State	Summary	Rule/Code
New York City, NY	<p>All commercial businesses are required to recycle; metal, glass and plastic must be separated and set out for recycling (and must be separate from cardboard and paper), paper and cardboard must be separated and set out, construction waste must be separate, if waste stream is &gt;10% textiles they must be separated and recycled.</p> <p>Since 2018, commercial businesses are required to separate organic waste, this includes food scraps, plant trimmings, food-soiled paper, and certified compostable products.</p>	<a href="#">RCNY §1-10</a>
Chicago, IL	<p>Commercial establishments are required to recycle three items from the list of approved recyclables. If a commercial establishment can prove that a single item constitutes more than 51% by weight of the waste stream, only that item is required to be recycled. Under an amendment, property owners of commercial establishments are mandated to provide source-separated single stream recycling. Property owners are responsible for implementing an ongoing educational program that includes posting signage, providing adequate carts and sending written notice to tenants about the changes.</p>	<a href="#">Chicago High Density Residential and Commercial Recycling Ordinance</a>
Philadelphia, PA	<p>Commercial properties are required to have a recycling program in place. Penalties for noncompliance can amount to \$300 per violation per day. This local law was developed in response to PA state law requiring municipalities with more than 5,000 residents to adopt and enforce commercial recycling regulations. Businesses are required to submit recycling plan and, at a minimum, recycle materials including bottles, cans, and paper.</p> <p>Businesses that generate food waste are required to either install a garbage disposer for grindable food waste, or arrange for twice-weekly collection of organic waste.</p>	<a href="#">Philadelphia Code Chapter 10-700: Refuse and Littering</a>
Austin, TX	<p>Austin's Universal Recycling Ordinance requires commercial establishments to 1. Provide recycling for plastics #1 &amp; #2, paper, cardboard, glass, and aluminum. Substitute materials can be proposed on the Annual Recycling Plan. 2. Make sure recycling capacity is equal to or larger than total onsite trash capacity. Recycling capacity can include single-stream dumpster services as well as any other diversion activities (reuse, repurpose, recycled, back-hauled, scrapped, donated, or baled). 3. Provide signage with illustrations that indicates recyclable materials accepted, in both English and Spanish. 4. Educate new employees and tenants within 30 days of hire or move-in and annually thereafter. 5. Submit annual diversion plan online each year between Oct. 1 and Feb. 1.</p> <p>Another local ordinance requires commercial organic materials (food scraps, paper towels and napkins, soiled paper, cardboard, or wax board, floral décor, and landscape trimmings) to be diverted. An organics diversion plan must be submitted every year starting October 1 outlining how a business will meet ordinance requirements of diverting organics from landfill, provide access to employees, provide education, and post bilingual signage.</p>	<a href="#">Universal Recycling Ordinance</a>

## **Additional Resources**

### **State-level**

- Northeast Regional Recycling Council – [Disposal Bans & Mandatory Recycling in the United States \(revised May 1, 2017\)](#)
- CalRecycle – [Mandatory Commercial Recycling](#)
- MassDEP – [Waste Disposal Bans](#)
- Minnesota Pollution Control Agency – [Commercial Recycling Law FAQ](#)
- New Jersey Department of Environmental Protection – [NJ Statewide Mandatory Source Separation and Recycling Act](#)
- Rhode Island Resource Recycling Corporation – [State Waste and Recycling Laws](#)
- Vermont Department of Environmental Conservation – [The Universal Recycling Law Requirements for Businesses](#)
- Vermont Department of Environmental Conservation – [Vermont’s Universal Recycling Law](#)
- Wisconsin Department of Natural Resources – [Waste and Recycling Law Summary](#)

### **City-level**

- New York City – [Recycling Laws for Business, Retailer and Service Provider Requirements](#), and [Commercial Organics Requirements](#)
- City of Philadelphia – [Commercial Waste Report Guide](#)
- City of Austin – [Commercial Recycling Requirements](#) and [Commercial Organics Diversion Requirements](#)