

RECYCLING FACILITY TRANSPARENCY AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Douglas R. Welton

Senate Sponsor: _____

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 enacted by Laws of Utah 2022, Chapter 385

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

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

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

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

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

43 (e) "Recycling facility" means a public facility that:

44 (i) accepts recyclable material;

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

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

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

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

50 (2) A recyclable material hauler shall ~~report,~~ gather, and, in accordance with
51 Subsection (3) ~~and according,~~ report to the best of the ~~recycler's~~ recyclable material hauler's
52 knowledge, the approximate tonnage of recyclable material collected by the recyclable material
53 hauler that the recyclable material hauler delivered to:

54 (a) a landfill; ~~and~~ or

55 (b) a recycling facility.

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

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

- 61 (i) the time since the recyclable material hauler last provided the data; or
- 62 (ii) six months before the day on which the data is provided.

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

- 65 (a) in a newsletter produced by the [~~municipality~~] political subdivision; and
- 66 (b) if the political subdivision operates a website, on [a] the website operated by the
67 [municipality] political subdivision.

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

- 71 (a) delivered to a landfill; or
- 72 (b) sold to an end destination.

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

76 (b) The recycling facility shall provide data under Subsection (6)(a) for the longer of:
77 (i) the time since the recycling facility last provided the data; or
78 (ii) six months before the day on which the data is provided.

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

- 81 (a) in a newsletter produced by the political subdivision; and
- 82 (b) if the political subdivision operates a website, on the website operated by the
83 political subdivision.