

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 959

Short Title: Counties to Require Recycling.

(Public)

Sponsors: Senators Odom; Hunt of Moore, Johnson of Wake, Marvin, Richardson, Shaw, Sherron, Smith, Speed, Taft, Tally, Walker, Ward, and Winner.

Referred to: Environment & Natural Resources.

April 19, 1989

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE DISPOSAL OF RECYCLABLES IN LANDFILLS AFTER JANUARY 1, 1993, TO REQUIRE EACH COUNTY TO PARTICIPATE IN A RECYCLING PROGRAM, AND TO REQUIRE ALL PLASTICS TO BE LABELLED TO FACILITATE RECYCLING.

The General Assembly of North Carolina enacts:

Section 1. Part 2 of Article 9 of Chapter 130A of the General Statutes is amended by adding the following new sections:

§ 130A-295.2. Counties to recycle.

(a) No recyclables may be disposed of in landfills after January 1, 1993.

(b) Each county shall initiate a recyclable materials recycling program by July 1, 1991. Counties and municipalities are encouraged to form cooperative arrangements for implementing recycling programs. The following requirements shall apply:

(1) Construction and demolition debris must be separated from the solid waste stream and segregated in separate locations at a solid waste disposal facility or other permitted site.

(2) At a minimum, a majority of the newspaper, aluminum cans, glass, and plastic bottles must be separated from the solid waste stream prior to final disposal at a solid waste disposal facility and must be offered for recycling.

(3) Units of local government are encouraged to separate all plastics, metal, and all grades of paper for recycling prior to final disposal and

1 are further encouraged to recycle yard trash and other mechanically
2 treated solid waste into compost available for agricultural and other
3 acceptable uses.

4 (c) Each county shall ensure, to the maximum extent possible, that municipalities
5 within its boundaries participate in the preparation and implementation of recycling and
6 solid waste management programs through joint agencies established pursuant to G.S.
7 160A-462 or other means provided by law. Nothing in a county's recycling program
8 shall affect the authority of a municipality to franchise or otherwise provide for the
9 collection of solid waste generated within the boundaries of the municipality.

10 (d) In order to assess the progress in fulfilling the requirement set forth in
11 subsection (a), each county shall, by October 1, 1991, and each year thereafter, report its
12 annual solid waste management program and recycling activities to the Department.
13 The report by the county must include:

- 14 (1) A description of its public education program on recycling;
- 15 (2) The amount of solid waste disposed of at solid waste disposal
16 facilities, by type of waste such as yard trash, white goods, clean
17 debris, tires, and unseparated solid waste;
- 18 (3) The amount and type of materials from the solid waste stream that
19 were recycled;
- 20 (4) The percentage of the population participating in various types of
21 recycling activities instituted;
- 22 (5) The percent reduction each year in municipal solid waste disposed of
23 at solid waste disposal facilities and at landfills in particular; and
- 24 (6) A description of the recycling activities attempted, their success rates,
25 the perceived reasons for failure or success, and the recycling activities
26 which are ongoing and most successful.

27 **"§ 130-295.3. Plastics to be labelled.**

28 On or after July 1, 1991, no person shall distribute, sell, or expose for sale in this
29 State any plastic container product unless the product has a molded label indicating the
30 plastic resin used to produce the plastic container product. The label must appear on the
31 bottom of the plastic container product and be clearly visible. This label must consist of
32 a number placed inside a triangle and letters placed below the triangle. The numbers
33 and letters shall be as follows:

- 34 (1) For polyethylene terephthalate, the letters 'PET' and the number 1.
- 35 (2) For high density polyethylene, the letters 'HDPE' and the number 2.
- 36 (3) For vinyl, the letter 'V' and the number 3.
- 37 (4) For low-density polyethylene, the letters 'LDPE' and the number 4.
- 38 (5) For polypropylene, the letters 'PP' and the number 5.
- 39 (6) For polystyrene, the letters 'PS' and the number 6.
- 40 (7) For any other, including multilayer, the letters 'OTHER' and the
41 number 7."

42 Sec. 2. This act is effective upon ratification.