Resolution No.: 18-457
Introduced: April 26, 2016
Adopted: April 26, 2016

COUNTY COUNCIL
FOR MONTGOMERY COUNTY MARYLAND

Lead Sponsor: Council President at the request of the County Executive

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SUBJECT: Executive Regulation 1-15, Residential and Commercial Recycling

Background

1. County Code, Chapter 48, Article V establishes the County's long-term commitment to remove and recycle certain materials from the solid waste stream. As an important part of the County's integrated solid waste management system, extensive recycling will: decrease the flow of solid waste to County disposal facilities; aid in the conservation and recovery of valuable resources; conserve energy; increase the supply of reusable raw materials; reduce the cost of planning, constructing, and operating solid waste disposal facilities; and reduce the environmental impact of waste management.

2. The County accomplishes the above intentions through its mandatory recycling program for single-family residences, multi-family properties, and businesses pursuant to County Code, 2014, Chapter 48, Article V. The County also promotes these objectives through the implementation of its Comprehensive Solid Waste Management Plan adopted under State law.

3. The County first established executive regulations for recycling in 1992 with Executive Regulation 109-92AM, subsequently revised via Executive Regulation 15-04AM.

4. The County Executive proposes that Executive Regulation 15-04AM be updated.

Action

The County Council for Montgomery County, Maryland approves the following regulation:

Executive Regulation 1-15, "Residential and Commercial Recycling".

This is a correct copy of Council action.

Linda M. Lauer

Linda M. Lauer, Clerk of the Council

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Residential and Commercial Recycling	**Number:** 1-15
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	**Effective Date:** April 26, 2016

Montgomery County Regulation on:

SOLID WASTE AND RECYCLING
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Issued by: County Executive
Regulation No. 1-15
COMCOR 48.00.03, Solid Waste and Recycling, Chapter 48

Authority: Montgomery County Code, 2014, Chapter 48, Section: 48-47
Supersedes: Executive Regulation 15-04AM
Council Review: Method (1) under Code Section 2A-15
Register Vol. 32, Issue 11

Effective Date: April 26, 2016
Comment Deadline: January 15, 2016

Summary: The proposed regulation describes the residential recycling requirements for single-family and multi-family dwellings (including reporting requirements for multi-family properties), nonresidential recycling and reporting requirements, and recycling requirements for collectors of solid waste and recyclable materials.

Address for comments: Department of Environmental Protection
Division of Solid Waste Services
Executive Office Building
101 Monroe Street, 6th Floor
Rockville, Maryland 20850

Staff contact: Eileen Kao, Chief, Waste Reduction and Recycling Section
240-777-6406

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject:	Number:
Residential and Commercial Recycling	1-15
Originating Department:	**Effective Date:**
DEPARTMENT OF ENVIRONMENTAL PROTECTION	

Background: Executive Regulation 15-04AM Solid Waste and Recycling, was adopted on February 8, 2005 to further implement the provisions of Montgomery County Code, Chapter 48, Article V. The County's Comprehensive Solid Waste Management Plan for the years 2012 – 2023 was adopted by Council Resolution 18-86, on March 31, 2015. This regulation is to further update the provisions of Executive Regulation 15-04AM and implement the Solid Waste Management Plan.

48.00.03.01 Definitions. Terms defined herein are for purposes of this Regulation only. The terms used are as defined in Chapter 48 of the Montgomery County Code or as defined in this section:

(a) **"Acceptable"** means items which conform to prevailing and customary standards of existing recycling markets.

(b) **"Business"** means any enterprise, individual, corporation, partnership (limited or general), sole proprietorship or other entity or person, including institutions, health care facilities, construction sites, the Federal Government and other government agencies, to the extent authorized by law.

(c) **"Commingled materials"** means acceptable items such as aluminum cans and foil products, steel or tin cans, bi-metal cans, glass bottles, jars and jugs, plastic bottles, tubs, lids, and containers, which are not separated by type, but are mixed (mingled) together in one container.

(d) **"Department"** means Montgomery County Department of Environmental Protection.

(e) **"Director"** means Director of the Montgomery County Department of Environmental Protection or the Director's designee.

(f) **"Disposal facility"** means the Montgomery County Shady Grove Processing Facility and Transfer Station or any other location operated by the County where solid waste is taken for disposal.

(g) **"Employee"** means any person working on-site 20 or more hours per week directly for the business or for an entity affiliated with the business; and any person working on-site for the business or an entity affiliated with the business as an agent or independent contractor for more than six months in any calendar year.

(h) **"Generator"** means the owner or occupant of any dwelling unit where solid waste is generated, and the owner or occupant of any business, entity, or institution at, from, or by which solid waste is generated.

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Residential and Commercial Recycling	Number: 1-15
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date:

(i) **"Licensed Collector"** means a collection company that has a license to collect and transport recyclable solid waste in the County.

(j) **"Market"** means any business that receives processed or unprocessed source separated or commingled recyclable solid waste and utilizes the material as a finished product or as a raw material for a manufacturing process.

(k) **"Mixed paper"** means acceptable paper items which are not separated by type, but are mingled and collected together. These items include white paper, colored paper, coated paper items, corrugated cardboard, boxboard, newspapers and inserts, magazines, catalogs, telephone directories, books, unwanted mail, and other clean, dry paper.

(l) **"Recyclables"** means those materials in the solid waste stream which are collected, separated, processed, and returned to the economic mainstream in the form of raw materials or product for reuse.

(m) **"Recycling"** means any process by which materials are diverted from the solid waste stream and are collected, separated, processed, and returned to the economic mainstream in the form of raw materials or product for reuse.

(n) **"Recycling plan"** means a plan describing a program for source reduction and recycling.

(o) **"Scrap metal"** means acceptable items consisting of metal and/or predominantly metal materials. These items include washers, dryers, refrigerators, air conditioners, dishwashers, sinks, stoves, freezers, furnaces, hot water heaters, trash compactors, iron furniture, doors, cabinets, humidifiers/dehumidifiers, bikes, swing sets, aluminum lawn chairs, shower stalls, and disassembled metal sheds.

(p) **"Solid waste stream"** means solid waste as defined in Section 48-1 of the Montgomery County Code from the point of generation to disposal.

(q) **"Sorted"** means a category of recyclable materials which are further separated into sub-categories or groupings in preparation for recycling. For example, generators may separate paper by grade or type.

(r) **"Source separation"** means the process of separating recyclables from the solid waste stream at the point of generation and placing them into containers or arranging them in a manner specified by the County for reuse or recycling.

(s) **"Unavailable"** means non-existent.

(t) **"Unit"** means individual housing unit or business unit.

(u) **"Waste reduction/source reduction"** means reducing the amount of waste generated at the source or point of generation.

(v) **"Yard trim"** means leaves, grass, garden trimmings, and brush.

48.00.03.02 Waiver from these Regulations, subject to the requirements of Section 48-3(c) of the Montgomery County Code

(a) The Director may grant temporary or permanent waivers from participation in the recycling program to individuals who are physically impaired and who are not reasonably able to undertake the activities required by this regulation.

(b) The Director may also grant a temporary partial waiver for all generator categories for particular materials which would otherwise have to be recycled where markets for these materials are unavailable.

(c) Persons or entities for whom compliance with Section 3 subsection (b) and subsection (c) herein would be an unreasonable hardship may apply to the Director for a temporary or permanent waiver in a manner prescribed by the Director.

(d) For entities subject to recycling plan or report requirements, a request for a waiver must be submitted with the recycling plan and/or annual report. If the plan/report has already been filed, the request must accompany an amended plan/report. If the request for a waiver is denied, the plan and/or annual report must be resubmitted within 30 days from the date of denial, to include the materials for which a waiver was sought unless a plan and/or annual report on file already addresses those materials. Those persons or entities requesting a waiver must specify the materials requested to be waived from recycling requirements, the duration of the requested waiver, reason(s) for the request at the time they submit it, and include any documentation necessary to justify a waiver.

(1) The Director must consider the following criteria in granting a waiver:

(A) The unavailability of markets for the material identified;

(B) Extreme financial hardship due to significant disparity between the costs of recycling an identified material and the costs of disposal of that material; or

(C) The unavailability of an on-site or proximate off-site location to prepare and store materials for recycling.

48.00.03.03 Solid Waste, Waste Reduction and Recycling Program

(a) Single-family residential recycling program, including dwellings having 6 or fewer dwelling units.

(1) Recycling services areas.

(A) The entire County is a recycling service area for the collection of recyclable materials, including: mixed paper; commingled materials; yard trim; Christmas trees; scrap metals; and other materials designated by the Department through means including, but not limited to, posting on the Departmental website.

(B) Recycling service sub areas are designated on a map maintained by the Department and available upon request. All residents provided County recycling service must recycle in accordance with these regulations, Chapter 48 of the Montgomery County Code (2014), as amended, and the schedule for their recycling service sub area maintained and publicized by the Division of Solid Waste Services.

(2) Preparation of material for recycling collection.

(A) Mixed paper. Mixed paper must be separated from other solid waste and placed in wheeled carts provided by the County, in paper bags, in small cardboard boxes or tied with string strong enough to support the weight of the bundle and prevent dispersion. The total weight of each bag, box or bundle must not exceed 45 gallons in volume and 60 pounds in weight. A County supplied wheeled cart does not have a weight limit and can have up to a 100 gallon capacity. Mixed paper contaminated by garbage or other putrescible material must not be included for recycling.

(B) Commingled materials. All commingled materials must be separated from other solid waste and placed in a County approved container. Lids and tops which are acceptable for recycling must be separated from containers before being placed into an approved recycling container. Any loose food or liquid must be removed.

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Residential and Commercial Recycling	Number: 1-15
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date:

(C) Yard trim. Grass and leaves must be placed in containers or large paper bags labeled "yard trim". Containers or bags must not exceed 45 gallons in volume and 60 pounds by weight. Brush must not exceed 4 inches in diameter and 6 feet in length, and must be placed in labeled containers or paper bags or tied in bundles no greater than 36 inches in diameter. Plastic bags must not be used to contain any yard trim or Christmas trees. Christmas trees must have all ornaments and metal objects removed.

(3) Solid Waste and Recycling Collection requirements.

(A) Location. Materials for solid waste and recycling collection must be placed within 10 feet of the publicly maintained right-of-way closest to the dwelling. Materials must not be placed in a manner that interferes with parking or vehicular and pedestrian traffic.

(B) Alternate location. Residents for whom placement in accordance with paragraph (A) would be a hardship may apply to the Director for permission to use an alternate location. The Director may set a time limit on any permission granted. Any container used at an approved alternate location must be identified, as provided by the Director, and must be visible from the publicly maintained right-of-way.

(C) Time limit. Solid waste and recyclables prepared for disposal or recycling must be set out for collection no earlier than 5:00 p.m. before the designated day of collection, and no later than 7:00 a.m. on the designated day of collection. Recycling and solid waste containers must be removed from the collection location no later than 5:00 p.m. the day after that designated for collection.

(D) Litter. Owners and occupants are responsible for keeping the area around <u>all</u> containers litter free.

(b) Multi-family residential recycling program - Buildings with 7 or more dwelling units.

(1) Applicability. This section is applicable to all generators, property owners, property managers, whether individuals or entities, and common ownership associations, including boards of condominium associations and cooperative housing projects (as those terms are defined in state law) of multi-family dwelling units that have 7 or more units ("multi-family entities"). This section is not applicable to facilities receiving collection as described in (a) or to businesses covered under (c).

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Residential and Commercial Recycling	**Number:** 1-15
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	**Effective Date:**

(2) Multi-family entities and residents must recycle. Materials which are required to be recycled are: cardboard; mixed paper; commingled materials; yard trim; Christmas trees; scrap metal items; and other materials designated by the Department through means including, but not limited to, posting on the Departmental website. Persons or entities covered by this section are encouraged to recycle any other materials for which there is a viable market.

(3) Plan and report requirements.

(A) Designation of responsible agent. Multi-family entities subject to this section must designate an agent responsible for carrying out the plan and report requirements of this section. In the case of multi-family dwelling units covered by a common ownership association, the association representative, as listed in the Office of Common Ownership Communities, is responsible. In the case of leased units or facilities, the property owner or representative, as listed with the Montgomery County Office of Landlord and Tenant Affairs or as confirmed through other sources, is responsible.

(B) Waste reduction and recycling plan.

1. Who must submit. Multi-family entities having 101 or more units must submit a waste reduction and recycling plan demonstrating how the entity will recycle or reduce the amount of solid waste going to disposal facilities with the goal of reducing solid waste for disposal by at least 70% annually, by weight, for each facility. Multi-family entities having 100 or fewer units must submit a waste reduction and recycling plan demonstrating how the entity will recycle or reduce the amount of solid waste going to disposal facilities with the goal of reducing solid waste for disposal by at least 70% annually, by weight, within 60 days from receipt of a written request for a plan from the Department.

2. Contents of plan. The plan must be submitted electronically or on forms provided by the Department and must include, at a minimum: a description of the facility by type; name, address, and telephone number of contact person responsible for on-site recycling program; list of materials to be recycled; name and address of person/collection company providing recycling collection service; sites where materials are delivered; and description of waste reduction activities.

(C) Annual report on waste reduction and recycling activities.

1. Who must submit. All multi-family entities having 101 or more units must prepare and submit to the Department, on or before February 1 of each year, an annual waste

reduction and recycling report for each facility covering the previous calendar year. Multi-family entities having 100 or fewer units must prepare and begin submission of initial annual waste reduction and recycling reports within 60 days from receipt of a written request for reports from the Department. From that time forward, each year, all of these entities must prepare and submit to the Department on or before February 1 annual waste reduction and recycling reports covering the previous calendar year.

2. Contents of report. The annual report must be submitted electronically or on a form provided by the Department and must include tonnages of materials collected for recycling and for solid waste disposal, a description of the multi-family entity's efforts to educate residents about its recycling program, and any changes from the approved recycling plan required under Section 3(b)(3)B(2) of this regulation. If recyclable materials are self-hauled to a recycling facility, the multi-family entity must obtain scale house tickets and provide these as documentation of quantity recycled for reporting requirements. In the event that scale house tickets are not obtainable, receipts or other proof of quantity recycled may be substituted. The annual report must also include a description of the multi-family entity's efforts to educate tenants, residents and/or employees about its recycling program.

3. Review Process. Annual reports will be reviewed, field verified, and audited by the Department through on-site evaluation.

(4) Certification. All reports and plans must be signed by a person authorized to bind the multi-family entity, and must certify that the information is correct to the best of his or her knowledge. Examples of authorized persons include the property owner or responsible agent.

(5) Verification of information. Multi-family entities must maintain and make available, upon request, to the Department for inspection and copying during normal business hours, any contracts and invoices for collection and disposition of materials to be recycled for a period covering the most recent five (5) years. Contract prices and other such financial information may be deleted from the materials provided.

(6) Containers. Containers for all required recyclable materials in adequate sizes and quantities must be placed in each location where trash containers/trash chutes are located, and must be clearly labeled to indicate the appropriate material(s) to be placed inside for recycling. All solid waste and recycling containers for the collection of solid waste and recyclable materials must be located within reasonable and convenient proximity to all dwelling units, and to any offices,

clubhouses, recreation facilities, and other uses on-site as recommended by the Department. In addition, wherever vending machines dispensing products in recyclable packaging are located, recycling containers for those materials must be located in close and convenient proximity.

(7) Property Owner of Multi-family Properties. Property owners of multi-family entities must make recycling collection service and storage space for recyclable solid waste available to tenants in compliance with these regulations and Section 48-24 of the Montgomery County Code.

(8) Collectors Servicing Multi-Family Entities.

(A) Collectors must collect separate from waste and deliver to a recycling facility materials that have been source separated from the solid waste stream, unless the recyclable materials are not acceptable. If a collector determines that the recyclable materials are not acceptable, then the collector must inform the generator or responsible agent either electronically or in writing using a form designated by the County, keep a copy on file, and send a copy to the Department. The collector must indicate the name of the property, name of the responsible agent notified, date, time, address, nature of the problem, and suggested remedy and specify a collector contact name and telephone number for additional information.

(B) Collectors must provide a copy of their current Montgomery County Collector's License to each customer at least once annually, and must keep a copy of such notice and the date provided to its customer in their business records. If a copy has not yet been provided and a customer requests one, the collector must provide the customer with a copy of its license within 3 business days.

(9) Contract Services.

(A) A multi-family entity, when contracting for collection service of recyclable materials must use Licensed Collector with a valid and current license.

(B) A multi-family entity contracting for collection services with a Licensed Collector must maintain for inspection a copy of the Licensed Collector's license. A property manager or responsible agent must produce a copy of the license upon request by the Department within 3 business days.

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Residential and Commercial Recycling	**Number:** 1-15
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	**Effective Date:**

(c) Commercial recycling and waste reduction program – Generators/Businesses.

(1) Business Size. For the purposes of this subsection (c), businesses are classified into the following size categories: Large businesses. All businesses with 250 or more employees. Medium-sized businesses. All businesses with 100-249 employees. Small businesses. Businesses with fewer than 100 employees.

(2) Applicability. This section applies to all generators and businesses, including property owners, property managers, whether individuals or entities, and common ownership associations, including boards of commercial condominium associations, which must recycle the materials described in Section 3(c)(3) herein. All businesses in Montgomery County must comply with these recycling regulations within 30 days of operating within the County.

(3) Businesses and employees must recycle. Materials required to be recycled by businesses are: cardboard; mixed paper or sorted paper; commingled materials (which may be sorted); yard trim; Christmas trees; scrap metal items; and any other materials designated by the Department through means including, but not limited to, posting on the Departmental website. Businesses are encouraged to recycle any other materials for which there is a viable market.

(4) Verification of information. Businesses must maintain, and make available to the Department for inspection and copying during normal business hours and upon request, any contracts and invoices for collection and disposition of materials to be recycled for a period covering the most recent five (5) years. Contract prices and other such financial information may be deleted from the materials provided.

(5) Requirement for a waste reduction and recycling plan.

(A) Applicability.

1. Large and medium-sized businesses. All large and medium-sized businesses must prepare a waste reduction and recycling plan demonstrating how the business will recycle or reduce the amount of solid waste going to disposal facilities with the goal of reducing solid waste for disposal by at least 70% annually, by weight.

2. Small businesses. Small businesses must prepare a waste reduction and recycling plan demonstrating how the business will recycle or reduce the amount of solid waste going to disposal facilities with the goal of reducing solid waste for disposal by at least 70% annually, by weight, within 60 days from receipt of a written request for a plan from the Department.

3. Property owner of multi-tenant facilities. Owners of multi-tenant facilities must file a waste reduction and recycling plan covering facilities in their entirety, and including information for all tenants, demonstrating how the businesses will recycle or reduce the amount of solid waste going to disposal facilities with the goal of reducing solid waste for disposal by at least 70% annually, by weight.

4. Multiple Business Locations. Each business required to submit a plan and/or report for multiple locations in the County may submit a single plan and/or report to cover multiple locations, or may submit an individual plan and/or report for each separate location demonstrating how the business will recycle or reduce the amount of solid waste going to disposal facilities with the goal of reducing solid waste for disposal by at least 70% annually, by weight, in compliance with these regulations. Any plan and/or report covering multiple locations must list each property address subject to it, and each location covered by the plan and/or report must maintain a copy of the plan and/or report on the premise.

5. Common ownership commercial properties. The governing body representing owners of a common ownership commercial property must submit a single plan which covers all businesses within that common ownership commercial property that are served by a commonly managed waste and recycling collection system. Any business served by a separate collection system must submit an individual plan covering that business. A plan must demonstrate how the business(es) will recycle or reduce the amount of solid waste going to disposal facilities with the goal of reducing solid waste for disposal by at least 70% annually, by weight. Each business covered by the plan must maintain a copy of the plan on the premises.

(B) Plan updates. A business must update its plan if there are changes to the waste reduction and recycling activities of the business or if required as a result of revisions to these regulations.

(C) Contents of plan. The waste reduction and recycling plan must be submitted electronically or on forms provided by the Department and must include the following:

1. A description of the business, including:

   a. Name and address of the property owner and the reporting business.

   b. Name of all entities affiliated with the business, including any parent and subsidiary business.

c. Number of full-time and part-time employees.

d. Number of square feet occupied by the business.

e. The activities conducted by the business.

2. A description of the business' current solid waste generation, including:

a. Estimated tonnage of all solid waste produced.

b. Identification of recyclable solid waste defined in subsection (c)(3) above.

3. A description of the business' waste reduction and recycling methods.

4. Name(s) of the person(s) responsible for coordinating recycling and waste reduction activities, preparing the annual report, and for responding to the Department on actions concerning implementation and enforcement of these regulations.

5. Name and telephone number of the licensed collector responsible for collecting the materials to be recycled and sites where materials are delivered.

(6) Requirement for an annual report on waste reduction and recycling activities.

(A) Applicability.

1. Large businesses. Each year all large-sized businesses must prepare and submit to the Department, on or before February 1, annual waste reduction and recycling reports covering the previous calendar year.

2. Medium-sized businesses. Each year, all medium-sized businesses must prepare and submit to the Department, on or before March 1, annual waste reduction and recycling reports covering the previous calendar year.

3. Small businesses. Small-sized businesses must prepare and begin submission of initial annual waste reduction and recycling reports within 60 days from receipt of a written request for reports from the Department. From that time forward, each year, all of these small businesses must prepare and submit to the Department, on or before March 1, annual waste reduction and recycling reports covering the previous calendar year.

4. Property owner of multi-tenant facilities. Owners of multi-tenant facilities must file annual waste reduction and recycling reports covering facilities in their entirety, and including information for all tenants. Each year, owners must prepare and submit to the Department, on or before March 1, annual waste reduction and recycling reports covering the previous calendar year.

5. Property owners in common ownership commercial properties. The governing body representing owners of a common ownership commercial property must submit a single waste reduction and recycling report which covers all businesses within that common ownership commercial property that are served by a commonly managed waste and recycling collection system. Any business within a common ownership commercial property served by a separate collection system must submit an individual report covering that business. Each year, the governing body and owners must prepare and submit to the Department, on or before March 1, annual waste reduction and recycling reports covering the previous calendar year.

(B) Review Process. Annual reports will be reviewed, field verified and audited by the Department through on-site evaluation.

(C) Contents of the report. The annual report must include the following information on waste reduction and recycling activities conducted between January 1 and December 31 of the previous calendar year:

1. Any change in the description of the business as submitted in the waste reduction and recycling plan or most recent annual report, including:

   a. The purpose of, and activities conducted by, the business.

   b. The number of full-time and part-time employees associated with the business.

   c. The number of square feet occupied by the business.

2. Identification of the total annual tonnage of solid waste generated and the annual tonnage of each type of material being reduced or recycled.

3. Name and telephone number of the licensed collector responsible for collecting the materials to be recycled and sites where materials are delivered.

4. If recyclable materials are self-hauled to a recycling facility, the business must obtain scale house tickets and provide these as documentation of quantity recycled for reporting requirements. In the event that scale house tickets are not obtainable, receipts or other proof of quantity recycled may be substituted.

5. A description of the progress in waste reduction and reuse efforts undertaken by the business.

6. A description of the property owner's, property management's, business condominium association's or business' efforts to educate tenants and/or employees about its recycling program.

(D) Certification. All reports and plans must be signed by a person authorized to bind the business, and must certify that the information is correct to the best of his/her knowledge. Examples of authorized persons include a corporate officer (President, Vice-President, Chief Administrative Officer, Chief Operating Officer or their designee) or owner of the business.

(7) Containers. The owner or operator of each business must place containers for all required recyclable materials in adequate sizes and quantities in each location where trash containers are located, and must clearly label each container to indicate the appropriate material(s) to be placed inside for recycling. All solid waste and recycling containers for the collection of solid waste and recyclable materials must be located within reasonable and convenient proximity to all buildings and other uses on-site as recommended by the Department. In addition, any business that sells or provides food or beverages in recyclable containers for on-site consumption must provide an adequate size and number of recycling containers for use by consumers, and wherever vending machines dispensing products in recyclable packaging are located, recycling containers for those materials must be located in close and convenient proximity.

(8) Property owner of commercial properties and business condominium associations. Property owners must make recycling collection service and storage space for recyclable solid waste available to tenants in compliance with these regulations and Section 48-24 of the Montgomery County Code.

(9) Collectors servicing commercial properties.

(A) Collectors must collect, separate from waste and deliver to a recycling facility materials that have been source separated from the solid waste stream, unless the recyclable materials are not acceptable. If a collector determines that the recyclable materials are not

acceptable then the collector must inform the generator or responsible agent either electronically or in writing using a form designated by the County, keep a copy on file, and send a copy to the Department. The collector must indicate the name of the business, name of the responsible agent notified, date, time, address, nature of the problem and suggested remedy and specify a collector contact name and telephone number for additional information.

(B) Collectors must provide a copy of their current Montgomery County Collector's License to each customer at least once annually, and must keep a copy of such notice and the date provided in their business records. If a copy has not yet been provided, and a customer requests one the collector must provide the customer with a copy of its license within 3 business days.

(10) Contract Services. Businesses that contract for recycling collection service are required to use a Licensed Collector.

(A) A business, regardless of employee size or type, when contracting for collection service of recyclable materials must use a Licensed Collector with a valid and current license.

(B) A business contracting for collection services with a Licensed Collector must maintain for inspection a copy of the Licensed Collector's license. A property manager or responsible agent must produce a copy of the license upon request by the Department within 3 business days.

48.00.03.04 Administration

(a) Responsibilities of the Department.

(1) Forms. The Department must provide any forms or electronic filing systems, as appropriate, that assist multi-family dwellings with 7 or more units and businesses in meeting the requirements of these regulations.

(2) Confidentiality. Subject to applicable law, the Department must maintain the confidentiality of any information required to be provided in these regulations that identifies markets or customers. The Department must not, unless required by law to do so, disclose this information

MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive, 101 Monroe Street, Rockville, Maryland 20850

Subject: Residential and Commercial Recycling	Number: 1-15
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date:

to third parties other than in nonspecific summary form in general recycling and solid waste analyses. This requirement does not prohibit the Department from using this information in preparing a summary analysis of waste reduction and recycling activities in the County.

48.00.03.05 Enforcement

These regulations may be enforced in accordance with Montgomery County Code (2014), as amended, Section 48-49.

48.00.03.06 Construction

This regulation must be construed liberally to permit the Department to effectuate the purposes of Article V (recycling) of Chapter 48 of the Montgomery County Code (2014), as amended, and the policies of the County's Comprehensive Solid Waste Management Plan.

Isiah Leggett
County Executive

APPROVED AS TO FORM AND LEGALITY.
OFFICE OF COUNTY ATTORNEY
BY Evelyn E. Brooks
DATE February 11, 2016