

Frequently Asked Questions

Why are these regulatory changes important?

These changes will help to reduce the waste stream by encouraging recycling with the ultimate goal of recycling 50 percent of all waste generated in Montgomery County, and the additional reporting requirements will make the County, collection companies, property managers, business owners, and employees more aware of their individual responsibilities and better document collection and contamination issues.

What additional materials must be recycled?

Businesses and multi-family properties are now required to recycle additional paper products, including mixed paper or sorted paper (i.e., white paper, colored paper, corrugated cardboard, boxboard, newspapers, inserts, magazines, catalogs, telephone directories, paperback books, unwanted mail, and other clean, dry paper). In addition, scrap metals and Christmas trees must also be recycled.

What will happen if recyclables are found in with the trash?

ER18-04 prevents collectors from taking these materials to County waste acceptance facilities. The collector is required to issue a written notice to both the generator and the County as documentation of non-compliance.

When will these regulations take effect?

ER15-04AM and ER18-04 became effective on February 8, 2005.

What happens if my business or property doesn't comply with these regulations?

Failure to comply with the requirements is a Class B violation of Montgomery County Code and is subject to fines of \$100 for the initial violation and \$150 for subsequent violations and will be levied for each day the violation exists.

Who should I contact if I have further questions or need help?

Visit the Division of Solid Waste Services Web site at www.montgomerycountymd.gov/recycling for more information and to download full copies of the regulations. You can also call 240-777-6400. County staff are available to assist any and all businesses and multi-family properties that need assistance in updating their recycling programs to come into immediate compliance.

History of Recycling Regulations in Montgomery County

Recycling has been law in Montgomery County for over 12 years. In 1993, Montgomery County enacted Montgomery County Executive Regulation (ER) 109-92AM which was aimed at reducing the amount of waste disposed within the County by 50 percent and encouraging recycling activities. This law required all residents, multi-family properties, and businesses to recycle various materials including newspaper, cardboard, paper, plastics, glass, aluminum and steel cans, and yard trim. ER109-92AM also created reporting requirements for both the multi-family and business sectors to help these groups and the County track progress of their individual and overall recycling efforts.

More than ten years later, the Division of Solid Waste Services (DSWS) has modified ER109-92AM to improve and clarify recycling requirements. To develop these regulations, DSWS worked with various stakeholders, including: the County Executive Task Force on Recycling, Solid Waste Advisory Committee, Facilities Implementation Group, licensed collectors, businesses, property managers, and others. On February 8, 2005, the County enacted Montgomery County **Executive Regulation 15-04AM** which is effective immediately and replaces ER109-92AM.

In addition to this revised regulation, the County enacted a second law, **Executive Regulation 18-04**. This new regulation complements ER15-04AM by banning the disposal of the required recyclable materials as solid waste at County disposal facilities. This regulation also provides guidelines for collection companies that contract with businesses and multi-family properties in Montgomery County for collection of recyclable materials and clearly defines responsibilities and roles.

DSWS is implementing various notification initiatives to inform all parties of their responsibilities under the revised regulations. This brochure highlights some of the changes that affect business owners, property managers, and employees as a result of ER15-04AM and ER18-04 and provides valuable resource and contact information.

Still Have Questions?

We're here to help. Contact us.

Montgomery County, Maryland Division of Solid Waste Services

SORRT Program
(Smart Organizations Reduce and Recycle Tons)

Contact: Gabriela Monzon-Reynolds

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Web: www.montgomerycountymd.gov/recycling

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This information is available in an alternate format by calling Gabriela Monzon-Reynolds at (240) 777-6400.

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Highlights of Executive Regulations 15-04AM and 18-04

Business Recycling and Waste Reduction Program



Spring 2007

Highlights of Executive Regulation 15-04AM

Effective February 8, 2005, **Executive Regulation (ER) 15-04AM** supersedes existing Montgomery County Executive Regulation 109-92AM and addresses lessons learned over the last 12 years. These regulatory changes impact the owners and employees of businesses and property managers and recycling collection companies. More details on each of these changes are described below:

Businesses must comply with these recycling regulations within 30 days of operating within the County.

Businesses Are Now Required to Recycle the Following:



Mixed paper or sorted paper

(white paper, colored paper, corrugated cardboard, boxboard, newspapers, inserts, magazines, catalogs, telephone directories, paperback books, unwanted mail, and all other clean, dry paper)



Commingled containers (which may also be sorted) (aluminum cans and foil products, bi-metal cans, glass bottles and jars, and plastic narrow neck bottles)



Scrap metal items (non-ferrous and ferrous)



Yard trim (grass, leaves and brush)



Christmas trees



New Reporting Requirements

File Documents

- Business Recycling Plan
 - All businesses must file 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 50% annually, by volume or weight.
 - Property owners of multi-tenant facilities are now required to file these waste reduction plans on behalf of all their tenants.
- Annual Recycling and Waste Reduction Reports
 - Property owners of multi-tenant facilities are now required to file annual recycling and waste reduction reports covering facilities in their entirety, including information for all tenants.
- Education Plan
 - Property management or businesses must describe their efforts to educate tenants and/or employees about their recycling program.

Data Collection

- If a business self-hauls recyclable materials to a recycling facility, the business must obtain scale house tickets or other proof of quantity recycled if scale tickets cannot be obtained, as proof of recycling as reported on annual report.

Verification of Information

- Businesses must keep copies of any contracts and/or invoices for collection/disposition of recyclable materials available for review by the County.

New Program Requirements

Recycling Containers

- Owners or operators of each business must provide and place containers for all required recyclable materials in adequate sizes and quantities in each location where trash containers are located.
- Containers must be placed in reasonable and convenient proximity to all buildings and other uses on-site and in close and convenient proximity to any vending machine that dispenses products in recyclable packaging.
- Any business that sells or provides food or beverages in recyclable containers for onsite consumption must also provide an adequate size and number of recycling containers for use by consumers.

Collection of Materials

Use Licensed Contractors for Recycling Collection Services

- Any business, regardless of size or type, must use a collection company that has a valid license to collect and transport recyclable solid waste in the County.
- A business that contracts for collection services must maintain, for inspection, a copy of that Licensed Collector's license.

Collectors Servicing Commercial Properties In Montgomery County Must Be Licensed

- Collectors must collect and deliver to a recycling facility materials that have been source separated from the solid waste stream, unless the recyclable materials are not acceptable.
- Collectors must also notify, in writing, the generator or responsible agent if it is determined that the recyclable materials are not acceptable for collection. A copy of this notice must also be submitted to the County.
- Collectors must provide a copy of its current Montgomery County Collector's License to each customer, at least once annually.

Highlights of Executive Regulation 18-04

Executive Regulation (ER) 18-04 was adopted on February 8, 2005. This regulation complements ER15-04AM by clearly establishing new recycling-related roles and responsibilities for haulers, collectors, and all other persons using County solid waste acceptance facilities. It effectively bans the delivery of recyclables mixed in with waste delivered for disposal. In addition, ER18-04 includes new but practical requirements which will efficiently promote enforcement of ER15-04AM. Under the new regulation collectors must:

Collection Process

Collectors must separately collect waste set out for disposal from materials set out in separate containers for recycling.

Document Presence of Recyclables in Solid Waste

A collector who observes recyclables in solid waste that are set out for disposal must notify the Division of Solid Waste Services and the customer (e.g. the waste generator who is regulated under ER15-04AM).

Maintain Tracking log of Collection Activities

At any time during its collection or off-loading activities, collectors must immediately provide an accurate and legible list of all customer locations from which waste was collected for the load carried at the time, if requested by the County.



BUSINESS RECYCLING — IT'S THE LAW.