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“Developing and implementing a regulated recyclable materials ordinance at the local level.”

Background: Beginning in 1995, Orange County designed and implemented a County landfill ban on recyclable corrugated cardboard generated in the non-residential sector. From that ban and with rapidly dwindling Construction & Demolition (C&D) landfill capacity locally, the County and its three town partners evolved a broader Regulated Recyclable Materials Ordinance (RRMO) oriented at recovering readily recyclable marketable materials, requiring all new construction and major renovations to include a solid waste plan stipulating how to recycle construction materials and requiring sufficient outdoor storage space and access for recycling. This RRMO has evolved since its initial passage in 2002 to an omnibus ordinance including many facets of regulation: approving private sorting facilities, requiring solid waste plans for new construction and coordination among the governmental agencies to track permits and loads of C&D and licensing of haulers as well as enforcement of the bans at job sites and ensuring proper recycling of the regulated materials. Materials on the list are limited to those with currently viable markets but not restricted to just C&D sector, hence the name of the ordinance.

National SMM Initiatives

This unique program effectively keeps out of the waste stream that which is readily recyclable and easily identified. The best approach to using it nationally could be both broader dissemination of the program and ordinance details and a comparative analysis with other C&D oriented programs that require bonds and levy direct financial impacts on those not in compliance.

Program Details

The County’s original ban on landfilling corrugated cardboard in the non-residential sector grew from the 1995 waste composition study that identified corrugated as 20% of the commercial (non-residential) waste by weight. In 2010 waste composition study it had dwindled to 3%. That one act properly enforced, saved an estimated year of air space in our small County-owned landfill. It also resulted in recovery of an estimated 60,000 tons of cardboard (projected at 3,000 tons a year diverted for 20 years of the ban at say \$75/ton = \$4.5MM) plus the value of the special dumpsters that had to be made to hold that OCC at 1,000 dumpsters at \$700/each = \$700,000) as a minimum value of that one activity.

When the local C&D landfill was filling up, the regulated recyclable materials ordinance was initially developed as a means to leverage siting a new C&D landfill locally by showing how we would reduce C&D going into it. It was supported by the Chamber of Commerce and Home Builders Association as a quid pro quo for siting a local C&D landfill. That RRMO has evolved to become the mechanism to regulate the whole flow of C&D waste throughout the County via a restriction on materials to be landfilled, not the sector affected. It does however also impact the construction sector more directly due to its requirement of submission of a solid waste plan for each new development stating how those materials must be managed as condition of getting a permit. The haulers are required to either separate the regulated materials or prove they’ve taken them to a bona fide recycler for sorting out. Those recyclers are inspected annually by the County and certified only if they hit a 30% recovery threshold – and that’s a realistic threshold, notwithstanding many other claims of very high recovery rates that have not proven to be true in our region. The only materials regulated now by ordinance are OCC, clean wood and scrap metal. Other materials may be added as stable, long term markets develop. Other materials are banned from landfilling by the State of NC like aluminum cans, plastic bottles and pallets.