

NR 544 Walkthrough & Discussion Council on Recycling

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What does NR 544 do?

- Sets standards for
 - RU effective recycling programs
 - Activities undertaken by RUs (collection, processing, ordinance, reporting)
 - DNR approval of RU programs
- Provides for RU probation
- Provides for variances to landfill bans
- Sets standards for MRFs used as part of effective RU programs

What does NR 544 NOT cover?

- How RUs are defined (each local government, unless alternative RU established)
- Which materials are banned from landfill disposal and which materials RUs are required to provide collection for
- How the recycling grant is distributed

These items are defined in statute, Ch. 287, Wis. Stats.

NR 544 Discussion

Does any particular portion of NR 544 jump out as an area requiring modification?

RU requirements - any needed actions to RU components? How can programs demonstrate effectiveness?

What checks are needed to maintain integrity of recycling program?

Standards (Table 1 lbs/person, 80% of households, etc.) need to be updated? Source of replacements?

Checks and balances between RUs and MRFs, how connected and how can work together

Definition of MRF - more clarity needed?

502.06 C&T of recyclables; what do we require of haulers? (Scales?)

In general, what should be offered by a recycling program to be effective for its customers? What tools/services/tracking would be necessary (and therefore likely required statewide)? Do you think there are improvements that should be made for better recycling in WI related to RUs? To haulers? To MRFs? (To end markets?)

NR 544 Walkthrough

544.01 Purpose

Establishes criteria under Stat. 287.11 to determine an effective recycling program, which qualifies RUs for grants and exemptions from landfill and incinerator restrictions

544.02 Applicability

Applies to all RUs seeking approval of an effective recycling program and those on probation

544.03 Definitions

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544.04 Required Components of an Effective Program

- Information and education program
 - Single family and 2-4 unit residents
 - Multi-family (5 or more units)
 - Non-residential facilities/properties
 - Regular distribution of program info, consumer/youth edu
 - Includes lead acid batteries, appliances, electronics, oil, oil filters, yard waste, tires and Table 1 materials: containers made from plastic #1 & #2, glass, aluminum, steel/bi-metal and cardboard, magazines, newspaper and office paper)
- Recycling ordinance
- System for collecting, processing, and marketing recyclables from single family and 2-4 unit residents (Table 1 materials and tires only)
- Equipment and staff to implement 'system' (can include contractor equip/staff)
- Require multi-family and businesses provide recycling
- Prohibit disposal or burning recyclables which have been separated
- Means of enforcement & Compliance Assurance Plan (CAP)
- Submit an annual report
- Management provisions for waste generated w/in RU consistent w/waste hierarchy
- Effort to reduce amount of recyclables generated and disposed of (or burned) as solid waste

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544.05 Collection and Processing Systems

Collection

- Collection systems for residencies must separate recyclables from waste before collection
- Not compact glass with newspaper
- Maintain marketable conditions
- Meet total collection standard

Urban (5,000+ population or at least 70 people/sq mile): at least monthly curbside pickup of recyclables OR implement drop-off system used by at least 80% of residencies (documented by drop-off site records)

Rural: must provide pick-up or drop-off location open min. 2 days/mo for 5 hours each, unless demonstrated less is adequate

Processing

- Must produce materials of marketable quality
- Use of 1 or more self-certified MRFs

Alternative collection/processing systems may apply for approval (single-stream does not need approval)

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544.06 Components of a Recycling Ordinance

- All residences, multi-family and non-residential must separate recyclables (full list) from waste or send to licensed mixed waste processing facility (none currently in WI)
- Multi-family and non-residential must:
 - provide adequate, separate containers
 - notify at move-in and 2x/year of how/why to recycle
 - provide for collection
- Prohibition on disposal of recyclables separated for recycling
- Enforcement must include appropriate penalties (\$ prescribed in statute), citation and inspection authority

Multi-municipal RUs not required to adopt ordinance for any members which have, and enforce, their own

544.07 Record-Keeping

RU must maintain records for at least 3 years

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544.08 Initial or Alternative Program Approval

Initial

- Certified copy of ordinance, estimate of collection amount, enforcement and CAP, names of MRFs utilized
- Description of: edu program; collection, marketing and processing methods for single family and 2-4 units; staffing/equipment/contractors; provisions for multi-family and non-residential; opportunities to RRR; solid waste mgmt. provision; efforts to reduce materials going to solid waste

Alternative collection or processing applications

- Description of alternative, including operator name and cost estimates, pro/con and cost-effectiveness comparison, demonstration of meeting collection standards, operating procedures to minimize contamination and loss, demonstration system will recover materials from solid waste, demonstration of residual materials generated from system

544.09 Initial or Alternative Application Approval Process

- Complete review w/in 90 days
- Approved if: includes elements of 544.04 and 544.08 and projected to meet collection standard
- Denied if not meeting above or failure to comply with any other provision w/in 544

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544.10 Annual Program Report

By April 30, include:

- Approved program is operating or notification of change(s)
- Statement of ordinance being in effect, efforts to enforce
- Description of collection system or any changes
- Table 1 material tonnages and explanation if standard not met
- Statement on recyclables processing and marketing efforts (weight slips and contract copies on file)
- Statement of participation/compliance at multi-family and non-residences, include documentation of inspections, complaint response
- RRR opportunities
- Solid waste management description consistent w/waste hierarchy
- Efforts to improve effectiveness

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544.11 Annual Report Review Process

If RU noncompliant, DNR may modify or condition approval, place on probation, terminate approval, or grant exemption

544.12 Programs on Probation

- Probation period may not exceed one year
- RU is still considered to have an effective program, submit an action plan to meet requirements

544.13 RUs in Current Service Areas of Exempt Facilities

- Applies to RUs in grandfathered WTE service areas
- Approved if program established for glass, aluminum, steel/bi-metal recycling

544.14 Variances and Exemptions

- RU may request variance for up to 1 year
- DNR shall grant if cost to sell processed material/ton >\$40 (1989, adjusted for inflation) or if cost to dispose of processed material > sell
- DNR may also initiate variance
- Variances also may be issued in event of emergency or for non-statutory requirements

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544.16 MRFs Used as Part of an Effective Recycling Program

- Must operate nuisance free and environmentally sound
- Verify with records that at least 75% materials are recycled or transported off-site w/in 1 year
- Maintain recyclables in marketable condition
- DNR must maintain a list of self-certified MRFs
- Single commodity MRFs exempt from certifying
- MRF must notify 60 days prior to closing, planned interruption of service (>1 week), moving, or initiating single-stream processing and as soon as practicable for unanticipated interruption of service

Self-certification prior to taking RU material: description of operation, acceptable material, collection method of received materials, storage/processing capacity, anti-nuisance procedures, residual, record-keeping, info to RUs by 2/1, recyclables not stored in wetland or floodplain, compliance with landfill bans

Renewal & Report: by 3/30, certification of above (or changes), tonnages received/processed, residuals

Invalidation: significant discrepancies, rendering recyclables unmarketable, failure to operate in nuisance-free manner, failure to operate per certification (may recertify)

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TABLE 1
Standards for Collection of Recyclables
– Pounds Per Person Per Year –

	Rural Municipalities	Other Municipalities
Newspaper	36	47
Corrugated Paper	6	7
Magazines	7	9
Aluminum Containers	1.4	1.8
Steel & Bi-Metal Containers	7	9
Plastic Containers	4	5
Glass Containers	22	29
Foam PS Packaging	0.3	0.4
TOTAL	83.7	108.2

Note: 1) Rural municipalities are those with a population of 5,000 or less or a permanent aggregate population density of less than 70 persons per square mile. For purposes of ch. NR 544, municipalities that do not meet that population criterion fall into the other category. 2) The department intends to periodically revise these collection standards as conditions warrant.

CONNECT WITH US

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