

Zero Waste in Action

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Mandatory Recycling: Delaware, USA

Summary

Businesses in Delaware were required to participate in a recycling program by 2014 under the same state law that required recycling services for all residents. Businesses are required to participate but this is not defined in terms of which materials must be recycled. The state repealed its refundable five-cent beverage deposit law in favor of this approach.

Population

936,000

Year enacted

2010

Who's affected

Businesses

Overview of Recycling Requirements

Businesses in Delaware were required to participate in a recycling program by 2014 under the same state law that required recycling services for all residents. Businesses are required to participate but this is not defined in terms of which materials must be recycled. The state repealed its refundable five-cent beverage deposit law in favor of this approach.

The five-cent refundable deposit on beverage containers was replaced with a four cent, nonrefundable fee on beverage containers which ends in 2014 or when it reaches \$22 million. Retailers are required to charge the fee and submit the payment to the state. The law only applies to carbonated beverages sold in glass or plastic bottles (not on aluminum cans). The bottle bill had been in place since 1982. The money went to the Delaware Recycling Fund to be used for low-interest loans and grants for haulers to help offset start-up costs for offering services, the study on how to implements the commercial recycling program, and administration of the program.

Recovery Goals



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The state law set recovery goals for municipal solid waste of 50% by 2015 and 60% by 2020. Goals for all solid waste (including construction debris and industrial waste) are 72% by 2015 and 85% by 2020. The state can explore other regulations such as pay-as-you-throw, EPR, or disposal bans if these goals are not met. The law recognizes the principles of Zero Waste, defined as “designing and managing products and processes to systematically avoid and eliminate the volume and toxicity of waste and materials, conserve and recover all resources, and not incinerate or bury them.”

Enforcement

Trash and recycling haulers are now required to report annually to the state on the type and weight of recyclables collected from residents, multi-family complexes and businesses; if the materials are collected in single or multiple streams; and where the materials were dropped off for recycling.

Policy Background

The state legislature passed a bill to repeal the bottle bill in 2009 but it was vetoed by the governor. The governor created a plan in 2010 to replace bottle deposits with universal recycling. Delaware was the first state to repeal its bottle bill and created much controversy with critics citing the high recycling rates achieved by other states’ bottle bills and advocating for improvements to, not a repeal of, Delaware’s existing legislation.

Downloads

[Recommendations for Implementing Business Recycling in Delaware](#)

[Guide to Recycling in Delaware](#)

More information

[Delaware Recycles](#)

[Toolkit for Recycling at Convenience Stores, Supermarkets, Hotels, Malls, and Other Businesses](#)

[Composting Program for Restaurants in Delaware](#)



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