



## THE RECYCLING LAW: IMPLICATIONS FOR BUSINESSES

The requirements of the recycling law, 1989 Wisconsin Act 335, are far-reaching, applying to the commercial, retail, and industrial sectors as well as to institutions and residents. Administrative rules resulting from the recycling law also contain provisions relating to commercial recycling programs. Ultimately, the local recycling ordinance will define how businesses must comply with these state mandates. In addition, there are requirements for businesses open to the public to include space for recycling in remodeling and expansion projects.

As well as requiring recycling, the state offers financial support to business in an attempt to stimulate development of markets and technology that can help make recycling economically feasible. Several state agency programs provide loans, grants, and rebates to businesses engaging in recycled product manufacturing, market creation, source reduction, and related projects.

This fact sheet is designed to explain the implications of the recycling law for businesses. It helps to clarify the basic framework in which businesses can manage their solid waste. The state recycling requirements and financial assistance programs for businesses are discussed and additional resources available are described.

Wisconsin's Recycling Law requires that anyone who lives or works in this state must recycle, including:

- Businesses: commercial, retail, industrial
- Institutions: public and private
- Residents

### Materials Banned from Disposal in Wisconsin

As of January 1, 1995

- Office paper
- Corrugated cardboard and other container board
- Newspaper and other materials printed on newsprint
- Magazines
- Aluminum containers
- Glass containers
- Steel containers
- Bi-metal steel/aluminum containers
- Plastic containers\*
- Foam polystyrene\*
- Tires

\* Plastic containers labeled 3-7 and foam polystyrene are exempt from the ban in 1995

As of January 1993

- Grass clippings, leaves, brush, sticks

As of January 1991

- Vehicle batteries
- Used oil
- Major appliances



### PROGRAM REQUIREMENTS

Wisconsin Act 335 requires businesses to separate items banned from landfills and incinerators or to send them to a facility that will separate them. These items include office paper, corrugated cardboard or other container board, newsprint, magazines, aluminum, steel, bi-metal, glass, and plastic containers, foam polystyrene packaging, and waste tires beginning January 1, 1995. (Plastic containers labeled 3 thru 7 and foam polystyrene are exempt until further legislative notification.) To learn which items are currently being collected and marketed in a particular region of the state, businesses are encouraged to check with their local government or with local recyclers who can be located by checking the Yellow Pages or the Wisconsin Recycling Markets Directory.

**◀Responsibility for Recycling▶**

Facility owners are responsible for recycling unless it is delegated to the tenant in a lease agreement.

Facility owners are required to:

- 1) Provide separate containers for recyclables
- 2) Provide for collection and transport to a recycling facility
- 3) Notify/educate tenants about the program

The responsibility for the business recycling program is on the facility owner unless it is delegated to the tenant as part of a lease arrangement. Facility owners must do three things according to the recycling law: provide adequate, separate containers for recyclables; provide for material collection and transport to a recycling facility; and notify and educate tenants regularly about the program. This is regulated through a local, county or multi-municipal ordinance (Effective Recycling Program Rule, Chapter NR544, Administrative Code). Local governments will inspect for compliance and report to the state. Businesses are encouraged to check with their local government to learn whether there are additional requirements in the local ordinance.

### SPACE REQUIREMENTS

For businesses open to the public, additional recycling rules, sections ILHR 51.01 and 52.24, Administrative Code, apply. These specify that as of April 1, 1993, space for recyclable materials in ◀public buildings▶ be included in any new construction or additions or remodeling of 50% or greater in size. The space must accommodate separation, temporary storage and collection of recyclables within or adjacent to a building. Space guidelines are included in the rule (indicated as minimum cubic feet per 1,000 square feet of floor space) by type of business such as grocery store, restaurant, hotel/motel, hospital, etc.

**◀Public Buildings▶**

For any businesses open to the public, space for collecting and storing recyclables must be included in new construction or additions of 50% or greater in size.

### FINANCIAL ASSISTANCE

The Recycling Law provides money to two Wisconsin state agencies to assist the private sector with recycling projects. One funding program is available to assist businesses as generators of recyclables, but most of the funding programs are applicable only to businesses interested in becoming consumers of recyclables.

### *Businesses as Generators of Recyclables*

The Department of Natural Resources (DNR) administers a program that provides up to \$150,000 per matching grant through its Waste Reduction and Recycling Demonstration Grant Program. The funds support innovative waste reduction and recycling ideas on a pilot or demonstration scale as well as the development of local uses for materials generated. Each year, \$1 million is available, with an August 1 annual application deadline; most years there is also a spring deadline as well. Contact Sheila Henneger at (608) 266-9426 or go to <http://www.dnr.state.wi.us/recycle/grants/> for information.

### *Businesses as Consumers of Recyclables*

Businesses using recyclables as a raw material to manufacture a product are eligible to apply for financial assistance from the Department of Natural Resources (DNR) and the Recycling Market Development Board (RMDB). DNR's grant program, described above, can be used by businesses to conduct research into innovative uses of recyclables by manufacturers. RMDB operates several funding programs that are specific to recycling projects. Through these programs, businesses can receive grants or loans for product development and testing; feasibility studies, equipment purchase; and other recycling-related expenses. For information on the RMDB's programs, call 800-435-7287.

## **RESOURCES**

The provisions described above provide a minimum framework for businesses to develop an effective recycling program. The next steps include evaluating your waste stream and material purchase, then planning and implementing a source reduction and recycling program. A fact sheet titled "Steps to Establish an Effective Business Source Reduction and Recycling Program" outlines how to reduce and manage materials, even if your business is already recycling. Fact sheets "Material Exchange Programs" and "Pallets: Management and Markets" provide information about potential markets for the wide variety of items manufacturers and businesses generate. A resource packet entitled "Getting Businesses Recycling," provides additional information. These are available from your county University of Wisconsin-Extension Community Resource Development (CRD) Agent, or from Sherrie Gruder (608) 262-0385. Also, a manual, "Business and Commercial Recycling: A Guide to Recycling in the Workplace" is available to agents and businesses through the DNR Publications Unit, (608) 267-7566.

A booklet titled "Wisconsin Recycling Business Development Assistance: Where to Look for Help with Business Plans, Recycling Markets and Financial Assistance" describes the funding programs provided by state agencies. It is available from county CRD Agents or by calling Mary Kohrell at (920) 465-2707. Finally, a listing of recycling markets, included in the "Wisconsin Recycling Markets Directory" is available from DNR by calling (608) 267-7566.

*Written by Sherrie Gruder, Recycling Operations Specialist and  
Mary Kohrell, Recycling Markets Specialist, UW-Extension, SHWEC*  
605gk9710.wpd

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**County Extension Information**

**SHWEC Offices**

**Green Bay**

University of Wisconsin  
2420 Nicolet Drive, ES 317  
Green Bay, WI 54311  
920/465-2707  
FAX 920/465-2143

**Stevens Point**

University of Wisconsin  
College of Natural Resources  
Stevens Point, WI 54481  
715/346-2793  
FAX 715/346-3624

**Madison**

610 Langdon Street, Rm. 529  
Madison, WI 53703  
608-262-0385  
FAX 608/262-6250

**Milwaukee**

UWM UW-Extension  
161 W. Wisconsin Ave., Ste 6000  
Milwaukee, WI 53203-2602  
414/227-3175  
FAX 414/227-3165