A BILL

20-641

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish a sustainable solid waste management hierarchy and require mandatory source separation of solid waste in the District, to require private collection properties to provide adequate waste collection on the property and annually communicate information about source separation requirements to individuals who discard solid waste at the property, to require collectors to label waste containers and submit quarterly reports to the Mayor, to require collectors to register with the Office of Waste Diversion, to establish an Office of Waste Diversion within the Department of Public Works, to establish an Interagency Waste Reduction Working Group, to require the Mayor to ensure that training for employees who enforce the District’s waste laws addresses the requirements of this act, to authorize the Mayor to enter into contracts for solid waste collection and disposal services, the operation of recycling and composting facilities, and marketing or selling recyclable or compostable materials, to authorize the Mayor to impose fees on the disposal of solid waste at solid waste facilities, to establish a Solid Waste Diversion Fund, to require the Mayor to submit annual updates to the Council about waste diversion in the District, to require electronics manufacturers to submit electronic waste management plans to the Mayor, to require manufacturers of electronic waste to register with the Mayor, to require electronics manufacturers to accept covered electronic equipment sold under the manufacturer's brand name and on a one-to-one basis with a purchase of covered electronic equipment, to establish minimum collection standards for electronics manufacturers, to require electronics manufacturers to label and provide return information with covered electronic equipment, to ban the disposal of covered electronic equipment as trash in the District, to require electronics manufacturers submit annual reports to the Mayor; to amend the Litter Control Administrative Act of 1985 to authorize the Mayor to enforce provisions of the Sustainable Solid Waste Management Amendment Act of 2014; to repeal An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes; to repeal An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes; to repeal An Act To provide for the collection and disposal of garbage and miscellaneous refuse of the District of Columbia; to repeal An Act Authorizing the acquisition of land in the District of Columbia and the construction thereon of two modern, high-temperature incinerators for the destruction of combustible refuse, and for other purposes; to repeal An Act For the disposal of combustible refuse from places

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Sustainable Solid Waste Management Amendment Act of 2014”.

TITLE I. WASTE MANAGEMENT, REDUCTION, AND RECOVERY.

SUBTITLE A. SOLID WASTE REDUCTION AND RECOVERY.

Sec. 101. Definitions.

For the purposes of this subtitle, the term:

(1) “Collector” means a person engaged in the collection or transportation of solid waste in the District.

(2) “Compost” means a stable, organic substance produced by a controlled decomposition process that can be used as a soil additive, fertilizer, growth media, or other beneficial use.

(3) “Composting” or “composted” means the series of activities, including separation, collection, and processing, through which materials are recovered or otherwise diverted from the solid waste stream for conversion into compost.

(4) “Compostable” means made solely of materials that break down into, or otherwise become part of, usable compost in a safe and timely manner in an appropriate program.
(5) “Compost collection program” means a waste collection program, implemented either directly or through contract, that provides regular collection of separated compostable materials for public collection properties.

(6) “DDOE” means the District Department of the Environment.

(7) “Disposition” means the transport, placement, reuse, sale, donation, transfer, or temporary storage, for a period not exceeding 6 months, of recyclable materials for all possible uses except disposal as trash.

(8) “DPW” means the Department of Public Works.

(9) “Incineration” means a form of solid waste disposal through combustion or thermal conversion of solid waste materials into ash, flue gas, fuel, or heat; provided, that recycling, composting, anaerobic digestion of compostable solid waste, and conversion of compostable solid waste into biofuel are not considered incineration.

(10) “Intermediate processing facility” means a facility where solid waste can be separated, processed, stored, assembled, and prepared for sale or other disposition, except incineration or burial.

(11) “Private collection property” means a property that does not receive solid waste collection services from the District.

(12) “Public collection property” means a property that receives solid waste collection from the District either directly or through contract.

(13) “Recyclable” means made solely of materials that can be recycled using the District’s recycling collection program.
(14) “Recycle” or “Recycled” or “Recycling” means the series of activities including separation, collection, and processing, through which materials are recovered or otherwise diverted from the solid waste stream for use as raw materials or in the manufacture of products other than fuel.

(15) “Solid waste” means garbage, refuse, trash, or any other waste or waste product, including recyclable, compostable, or otherwise reusable material, whether in solid, liquid, semisolid, or contained gaseous state, resulting from an industrial, commercial, residential, or government operation or community activity; provided, that the following are not considered solid waste for the purpose of this subtitle:


(B) Medical waste, as defined in section 2(3A) of the Illegal Dumping Enforcement Amendment Act of 1994, effective May 20, 1994 (D.C. Law 10-117, D.C. Official Code § 8-901(3A)); and

(C) Construction and demolition waste subject to sections 406 and 503 of Title 12K of the District of Columbia Municipal Regulations (12K DCMR § 406; 503).

(16) “Sustainable solid waste management hierarchy” means the prioritization of solid waste diversion and disposal activities in the District set forth in section 102.

(17) “Solid waste stream” means all solid waste generated within the District.
(18) “Source separation” means the separation of solid waste at the point of discard into the categories required under section 103.

(19) “SWEEP” means DPW’s Solid Waste Education and Enforcement Program.

(20) “Trash” means solid waste that is collected for disposal by incineration or landfill.

(21) “Waste diversion” means activities that result in solid waste source reduction, reuse, recycling, composting, or conversion of compostable solid waste into biofuel.

(22) “Waste diversion rate” means the percentage of the solid waste stream, by weight, that is successfully diverted from landfilling and incineration through source reduction, reuse, recycling, composting, and conversion of compostable solid waste into biofuel.

Sec. 102. Sustainable solid waste management hierarchy.

To the maximum extent practicable, the District shall direct its solid waste management policies and diversion activities in the following order of priority:

(1) Source reduction and reuse;

(2) Recycling or composting of solid waste, or conversion of compostable solid waste into biofuel; and

(3) Landfill or incineration of solid waste.

Sec. 103. Mandatory source separation.

(a)(1) Solid waste in the District shall be separated at the point of discard into the following categories:

(A) Recyclable materials;
(B) Compostable materials; and

(C) Trash.

(2) Section 103(a)(1)(B) shall apply upon the Mayor’s implementation of a compost collection program; provided, that the Mayor may require that private collection properties or subcategories of private collection properties separate compostable materials before the implementation of a compost collection program.

(b) The Mayor shall make public a list of recyclable materials; and, upon the implementation of a compost collection program established by the Mayor, compostable materials. The Mayor shall review the list on a bi-annual basis to determine whether additional materials should be added or removed.

(c) By January 1, 2016, the Mayor shall submit a report to the Secretary of the Council regarding the feasibility of and progress made toward implementing a compost collection program.

(d) The Mayor may establish a uniform color, design, and labeling scheme for public collection property waste containers in the District.

Sec. 104. Mandatory adequate waste collection.

(a) A private collection property owner shall provide adequate waste collection service, including:

(1) Supplying waste containers to make source separation accessible for individuals discarding solid waste at the property. The containers shall:
(A) Be capable of containing reasonably anticipated source separated waste generated at the location; and

(B) Bear or be near visible signage indicating the category of source separated material by visuals or description or shall comply with a color scheme established by the Mayor; and

(2) Annually communicating information to individuals discarding solid waste at the property regarding the types of materials that must be source separated at the property; and

(3) Ensuring annual training on the property’s source separation requirements of any janitorial staff employed at the property.

(b) The Mayor may require a private collection property owner to submit a source separation plan outlining the steps the property owner will take to implement the requirements of this subtitle.

Sec. 105. Collector obligations.

(a) A collector shall appropriately and visibly label any solid waste container the collector provides to a property to indicate, by visuals or description, the category of waste for which the container is intended, unless the container complies with a color scheme established by the Mayor.

(b) A collector shall submit an annual report to the Mayor that includes the following information:

(1) The total tonnage of solid waste collected in the District by the collector in the previous calendar year;
(2) A breakdown of the total tonnage reported in subsection (b)(1) of this section by the individual tonnage of solid waste source separated as required by section 103 that was collected for delivery to recycling, composting, landfill, incineration, and any other waste processing or disposal facilities;

(3) The names, locations, and tonnage of solid waste delivered to recycling, composting, landfill, incineration, and other waste processing or disposal facilities; and

(4) Any other information the Mayor may require.

(c) A collector shall retain records of solid waste collected and disposed of for 3 years or a different period as prescribed by the Mayor.

(d) To ensure compliance with this section, the Mayor may inspect all records, documents, or data compilations in the possession or control of a collector during normal operating hours.

(e) Information submitted to the Mayor pursuant to subsection (b) of this section may not be distributed publicly except in aggregate numbers by year, facility name, type, and waste type as part of the reporting required by section 113. Collector-specific information shall be designated confidential. Except as otherwise provided by law or court order, collector-specific information may be used only by the Mayor, the Mayor’s agents and employees, other District agencies, and, as authorized by the Mayor, by the United States Environmental Protection Agency.

(f) Failure to submit an annual report required in section 105(b) or to maintain a record pursuant to section 105(c) of this section may result in one or more of the following penalties:
(1) A maximum fine of $25,000; or

(2) Suspension or revocation of a collector’s registration or license.

Section 106. Collector registration.

(a) A collector shall register with the Office of Waste Diversion before operating in the District in accordance with this section.

(b) The Office of Waste Diversion shall issue registrations annually for collectors and vehicles engaged in the collection and transportation of solid waste in the District. No collector registration shall be issued unless the collector:

(1) Certifies that recyclable or compostable materials source separated as required by this subtitle will be delivered to a recycling or composting facility, as appropriate;

(2) Provides a list of all vehicles used to collect solid waste in the District, including any information the Office requires about the vehicles; and

(3) Beginning on October 1, 2016, has submitted the annual report required under section 105(b) for the previous year.

(c) The Mayor may establish separate registration procedures or requirements for collectors and vehicles based upon the type of solid waste collected or transported.

(d) The Mayor shall establish registration fees to offset the costs of administering this subtitle.

Sec. 107. Office of Waste Diversion.

There is established an Office of Waste Diversion (“Office”) within the Department of Public Works. The duties of the Office shall include:
(1) Coordinating and supervising the implementation of the provisions of this subtitle;

(2) Implementing the source separation education and outreach program developed pursuant to section 108;

(3) Supervising and developing a system to respond to citizen inquiries about mandatory source separation;

(4) Serving as a liaison between the District and neighboring jurisdictions in developing regional waste reduction and diversion campaigns;

(5) Implementing policies for reducing the generation of solid waste in the District and increasing the District’s solid waste diversion rate developed by the Interagency Waste Reduction Working Group;

(6) Publishing annually on its website the reports issued to the Council under section 113; and

(7) Registering all collectors and vehicles engaged in the collection or transportation of solid waste in accordance with section 106.


(a) There is established an Interagency Waste Reduction Working Group (“Working Group”) that shall regularly evaluate the District’s solid waste management and diversion activities and policies and sustainable waste management and diversion practices, policies, and techniques that could be established in the District. The purpose of the Working Group shall be to advise and guide the Mayor, the Council, and the Office of Waste Diversion on sustainable
solid waste management and waste diversion policy in the District in accordance with the sustainable solid waste management hierarchy established under section 102.

(b) The Working Group shall be composed of at least 7 members selected by the Mayor from District agencies that have expertise and experience in solid waste management, environmental policy development, and implementation of public waste diversion programs, including, at a minimum, DPW and DDOE.

(c) The Working Group shall, at a minimum:

(1) Advise the Office of Waste Diversion in the implementation of policies, outreach, and enforcement techniques that have the potential to reduce the generation of solid waste in the District and increase the District’s solid waste diversion rate;

(2) Develop a zero waste plan for the District outlining steps the District can take to achieve at least an 80% waste diversion rate;

(3) Design and ensure the development of education and outreach programs with purpose of reducing the generation of solid waste and increasing the waste diversion rate in the District;

(4) Design and guide the development of educational materials reflecting the District’s source separation requirements;

(5) Ensure that the educational materials developed pursuant to this section are updated at least every 5 years and upon the addition of a new source separation requirement;

(6) Ensure issuance and accuracy, to the maximum extent practicable, of the reports and studies required by section 113; and
(7) Meet at least quarterly to fulfill the requirements of this section and to evaluate the effectiveness of the programs established pursuant to this section.

(d) The source separation education materials developed pursuant to subsection (c)(4) of this section shall be placed on the DPW and DDOE websites and posted in public places where such materials are customarily placed.

Sec. 109. Enforcement training.

The Mayor shall ensure that training designed for employees who enforce the District’s waste laws and regulations addresses the requirements of this subtitle and the policies established by the Interagency Waste Reduction Working Group pursuant to section 108.

Sec. 110. Contract and licensing authority.

(a) The Mayor may enter into a contract or agreement for a period not to exceed 10 years for:

(1) Solid waste collection, disposal, and diversion services;
(2) The operation of recycling buy-back centers, composting facilities, and intermediate processing facilities for the collection, storage, processing, and disposition of source separated recyclable or compostable materials; and
(3) The marketing and sale of recyclable and compostable materials.

(b) The Mayor may purchase or lease any equipment necessary to facilitate the marketing and sale of recycling or compostable materials.

(c) The Mayor may issue to universities, nonprofit institutions, and businesses grants for solid waste research, collection, marketing, and other services.
(d)(1) The Mayor may designate, select, or acquire, by purchase a site or sites that are suitable for the purpose of solid waste disposal or diversion.

(2) The Mayor may acquire a site or sites that are suitable for the purpose of solid waste disposal or diversion through condemnation, in accordance with the provisions of Chapter 13 of Title 16 of the D.C. Official Code.

(3) The Mayor shall submit a proposed site to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed site, in whole or in part, by resolution within this 45-day review period, the proposed site shall be deemed approved.

Sec. 111. Solid waste disposal and reduction fees.

(a) The Mayor shall impose:

(1) A fee on the disposal of solid waste at solid waste disposal facilities owned by the District sufficient to cover the costs of operating, maintaining, and improving the solid waste facilities. Revenue from this fee shall be deposited in the Solid Waste Disposal Cost Recovery Fund established under section 6011 of the Fiscal Year 2008 Budget Support Act of 2008, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.91).

(2) A surcharge on the disposal of solid waste at the District’s solid waste disposal facilities of, at a minimum, $1 per ton. Revenue from this surcharge shall be deposited in the Solid Waste Diversion Fund established under section 112.

(b) The Mayor may impose a fee on public collection property owners; provided, that:
(1) The Mayor provides the Council with an analysis of the feasibility and expected economic outcomes of implementing the fee;

(2) Any rules or regulations implementing the fee shall be approved by the Council; and

(3) The fee is proportional to the amount of trash generated at the property.

(c) Failure to comply with this section may result in an assessment of twice the amount of the fee or surcharge due.

Sec. 112. Solid Waste Diversion Fund.

(a) There is established as a special fund the Solid Waste Diversion Fund ("Fund"), which shall be administered by the Department of Public Works in accordance with subsection (c) of this section.

(b) Revenue from the following sources shall be deposited in the Fund:

(1) The surcharge established under section 111(a)(2);

(2) Any funds in the District Recycle Program Fund as of the effective date of this section; and

(3) Other funds designated by the Mayor.

(c) Money in the Fund shall be used to offset the cost of developing new and additional methods of solid waste diversion in the District.

(d) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.
Sec. 113. Reporting requirements.

(a) On February 28, 2016, and annually thereafter, the Mayor shall provide a solid waste diversion update to the Council that shall include, at a minimum:

(1) The total tonnage of solid waste collected in the District, from both private collection and public collection properties;

(2) A breakdown of the total tonnage reported in subsection (a)(1) of this section by the individual tonnage of solid waste that was collected for delivery to recycling, composting, landfill, incineration, and any other waste processing or disposal facilities;

(3) The names, locations, and tonnage of solid waste delivered to the recycling, compost, landfill, incineration, and other waste processing or disposal facilities;

(4) A calculation of the District’s solid waste diversion rate for the previous year; and

(5) A calculation of the District’s per-capita solid waste generation for the previous year.

(b) On January 31, 2018, and every 4 years thereafter, the Mayor shall issue a waste characterization study describing solid waste generation, collection, recycling, composting, diversion, and management in the District.

Sec. 114. Rules; enforcement

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), shall issue rules to implement the provisions of this subtitle within one year of its effective date.
(b) Rules and standards adopted pursuant to any act repealed or superseded by this subtitle shall remain in effect unless replaced or repealed by rules and standards promulgated in accordance with this subtitle.

(c) The Mayor may establish civil penalties or fines to enforce the provisions of this subtitle and regulations promulgated pursuant to this subtitle.

(d) The Mayor may require a private collection property owner found in violation of section 103 more than once in a period of 6 months to submit a source separation plan.

**SUBTITLE B. EXTENDED MANUFACTURER RESPONSIBILITY FOR ELECTRONIC WASTE.**

Sec. 115. Definitions.

For the purposes of this subtitle, the term:

(1) “Brand” means a manufacturer’s name, brand designation, make or model name or number, or other nomenclature by which covered electronic equipment is offered for sale by a manufacturer.

(2) “Covered electronic equipment” means computers and computer peripherals, including keyboards, electronic pointing devices, printers, computer monitors and display devices, laptops or other portable computers, and portable digital music players that have memory capability and are battery-powered, televisions, and television peripherals. Covered electronic equipment does not include a motor vehicle or part of a motor vehicle, a mobile phone, household appliances, equipment that is functionally or physically part of a larger piece of equipment intended for use in an industrial, research and development or commercial setting,
security or anti-terrorism equipment, monitoring and control instrument or system, thermostat,
hand-held transceiver, server other than a small-scale server, cash register or retail self-checkout
system, stand-alone storage product intended for use in industrial, research and development, or
commercial settings, medical equipment that contains a cathode ray tube, a flat panel display or
similar video display device, and is not separate from the larger piece of equipment, or other
medical devices as defined under the Federal Food Drug, and Cosmetic Act.

(3) “Product label” means information on the surface of covered electronic
equipment that must be permanently attached to, printed, or engraved on or incorporated in any
other permanent manner on the equipment and obvious and visible to users of the equipment.

(4) “Manufacturer” means a person who:

(A) Manufactures, imports, assembles, or substantially assembles covered
electronic equipment for sale in the District by means of retail, wholesale, or electronic
commerce, under its own or another brand name or label, or without affixing a brand name or
label;

(B) Sells in the District by means of retail, wholesale, or electronic
commerce, under its own brand name or label, covered electronic equipment produced by
another person; or

(C) Owns a brand name or label that it licenses to another person for use
on covered electronic equipment sold in the District by means of retail, wholesale, or electronic
commerce.

Sec. 116. Manufacturer registration.
(a) By January 1, 2016, a manufacturer shall not sell or offer for sale or deliver to retailers for subsequent sale new covered electronic equipment, unless:

(1) The equipment is labeled with a readily visible brand identifying the manufacturer; and

(2) The manufacturer has registered with the Mayor pursuant to subsection (b) of this section; provided, that the Mayor may establish a *de minimis* level of covered electronic equipment sales in the District that shall be exempt from the provisions of this section.

(b) By January 1, 2016, and annually thereafter, a manufacturer shall submit an application for registration with the Mayor that shall include:

(1) The name, address, and contact information of a person responsible for ensuring compliance with this subtitle;

(2) The fee established under section 117;

(3) A report disclosing:

(A) A list of the brands of covered electronic equipment the manufacturer sells in the District;

(B) Annual data of the manufacturer’s covered electronic equipment sold in the District during the previous 3 calendar years;

(C) The total weight or an estimate of the total weight of covered electronic equipment sold in the previous year;

(D) The total weight of electronic equipment collected and recycled through the manufacturer’s electronics recycling program in the previous year;
(E) Compliance with the minimum collection standards applicable in accordance with section 118; and

(F) The end markets and electronic recyclers utilized by the manufacturer in the previous year;

(4) A description of the manufacturer’s electronics recycling program in the District, including details for the collection, handling, disposition, recycling or reuse of collected electronic equipment and the location of anticipated recycling facilities and end markets;

(5) A description of convenient methods by which a District resident can return covered electronic equipment, and methods by which the manufacturer will inform District residents and businesses about its electronics recycling program;

(6) If the manufacturer has not attained the collection standards established in section 118, a description of how the manufacturer plans to attain those standards;

(7) A certification that the manufacturer’s collection, handling, and recycling or reuse of covered electronic equipment complies with local state, federal, and international laws and regulations; and

(8) A certification that vendors who recycle or reuse covered electronic equipment collected under the manufacturer’s waste management plan have a valid certification under the e-Stewards Standard for Responsible Electronics Recycling and Reuse of Electronic Equipment certification program; and

(9) Any other information as may be required by the Mayor.
(c) The Mayor shall approve or disapprove a registration application within 180 days of a manufacturer’s submission. The Mayor may approve a submitted application that does not conform to each requirement of this subtitle upon a showing of good cause by the manufacturer. If the Mayor approves an application, the Mayor shall expeditiously notify the manufacturer. If the Mayor disapproves an application, the Mayor shall expeditiously notify the manufacturer and specify the reasons for disapproval. The Mayor shall approve or disapprove a resubmitted application within 90 days of resubmission.

(d) The Mayor may establish a procedure and timeframe for the modification or renewal of applications under this section.

Sec. 117. Registration and shortfall fees.

(a) A manufacturer’s application for registration under section 116 shall be accompanied by:

(1) A registration fee of at least $1,000; and

(2) Beginning January 1, 2017, if the manufacturer did not meet the collection standards applicable under section 118, a shortfall fee determined by multiplying at least $0.30 by the number of additional pounds of covered electronic equipment that the manufacturer should have collected.

(b) The Mayor may increase the fees and modify the fee structures established by this section through rulemaking.
(c) Fees collected under this section shall be used for the purpose of offsetting the cost of implementing this subtitle, and may be used to support District waste diversion activities and programs.

Sec. 118. Manufacturer responsibilities.

(a) A manufacturer shall collect or arrange for the collection of a minimum amount of covered electronic equipment for recycling on an annual basis. The minimum amount shall be determined by:

(1) Applying the minimum collection standard established in subsection (b) of this section to the average annual sales of the manufacturer’s covered electronic equipment in the District, reported by weight, during the previous 3 calendar years; or

(2) A formula established by the Mayor through rulemaking consistent with the minimum collection standards established under this section.

(b) The minimum collection standard for covered electronic equipment shall be: 25% by January 1, 2017; 50% by January 1, 2020; and 80% by January 1, 2022. The Mayor may increase the minimum collection standard through rulemaking.

(1) For the purposes of calculating achievement of a manufacturer’s minimum collection standard, a manufacturer may count the collection of a single item of covered electronic equipment as twice its weight when that item is donated free of charge for reuse to the District’s public schools, or to any not-for-profit organization with a principal mission of assisting low-income children or families. To qualify for this credit, the covered electronic...
equipment must be no more than 3 years old, in full working condition, and accepted in writing
by the recipient as a donation.

(2) The Mayor may grant a one-year waiver, in whole or in part, from the
minimum collection standards, where a manufacturer has demonstrated that the standard could
not be met despite best efforts because the manufacturer has substantially increased the amount
of covered electronic equipment sold within the District over the 3-year period during which
compliance with the minimum collection standard is to be calculated.

(c) Beginning January 1, 2017, a manufacturer shall accept, on a one-to-one basis with
the purchase of the same type of covered electronic equipment, covered electronic equipment
that is offered for return by a person in the District.

(d) Beginning January 1, 2017, a manufacturer shall provide at the point of sale
information on how a person can return purchased covered electronic equipment for recycling.

Sec. 118. Beginning January 1, 2017, the Mayor shall post on the District’s website
information describing available electronic recycling programs in the District.

Sec. 119. Disposal ban.

(a) Beginning January 1, 2018, no person shall dispose of covered electronic equipment
as solid waste in the District except through recycling programs or other methods approved by
the Mayor.

(b) Beginning January 1, 2017, it shall be prohibited for a manufacturer to dispose of
covered electronic equipment as solid waste in the District except through recycling programs or
other methods approved by the Mayor.
Sec. 120. Confidential information and trade secrets.

Information submitted to the Mayor pursuant to this subtitle may be designated by the Mayor as confidential upon a showing of good cause by the person submitting. Except as otherwise provided by law or court order, information the Mayor deems confidential may be used only by the Mayor, the Mayor’s agents and employees, other District agencies, and, as authorized by the Mayor, United States Environmental Protection Agency.

Sec. 121. Rules; enforcement.

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), shall issue rules to implement the provisions of this subtitle within one year of its effective date. The Mayor may expand the definition of covered electronic equipment to include items exempted in this section 115(2) after January 1, 2017.

(b) Rules and standards adopted pursuant to any act repealed or superseded by this subtitle shall remain in effect unless replaced or repealed by rules and standards promulgated in accordance with this subtitle.

(c) The Mayor may establish civil penalties or fines to enforce the provisions of this subtitle and the regulations promulgated pursuant to this subtitle.

TITLE II. WASTE CONTROL AND ENFORCEMENT AMENDMENTS.

Sec. 201. The Litter Control Administrative Act of 1985, effective March 25, 1986 (D.C. Law 6-100; D.C. Official Code § 8-801, et seq.), is amended as follows:

(b) Section 8a (D.C. Official Code § 8-807.01) is amended as follows:

(1) Section 8a (D.C. Official Code § 8-807.01) is amended as follows:

(A) Subsection (b) is amended by striking the word “continuing” and inserting the phrase “non-lapsing” in its place.

(B) Subsection (c) is amended to read as follows:

“(c) Monies deposited into the Fund shall be used to offset some of the costs of implementing this act, the costs of the abatement of solid waste nuisances, and to fund waste recovery and recycling education and activities in accordance with the Sustainable Solid Waste Management Amendment Act of 2014, introduced January 7, 2014 (D.C. Bill 20-641).”.

(c) Section 13(b) (D.C. Official Code § 8-812(b)) is amended by striking the phrase “Metropolitan Police Department district,” and inserting the phrase “Ward,” in its place.

TITLE III. REPEALERS.

Sec. 301. Repealers.

(a) Chapter 176, paragraph 137, line 25 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes, approved March 2, 1895 (28 Stat. 758; D.C. Official Code § 8-701), is amended by repealing the phrase “The Mayor is hereby
authorized to make necessary regulations for the collection and disposition of garbage in the District of Columbia, and to annex to said regulations such penalties as will secure the enforcement thereof.”

(b) Chapter 248, paragraph 117 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes, approved May 18, 1910 (36 Stat. 389; D.C. Official Code § 8-702), is repealed.

(c) Section 6 of Chapter 67 of An Act To provide for the collection and disposal of garbage and miscellaneous refuse of the District of Columbia, approved May 6, 1918 (40 Stat. 541; D.C. Official Code § 8-703), is repealed.

(d) An Act Authorizing the acquisition of land in the District of Columbia and the construction thereon of two modern, high-temperature incinerators for the destruction of combustible refuse, and for other purposes, approved March 4, 1929 (45 Stat. 1549; D.C. Official Code § 8-705 et seq.), is repealed.

(e) Chapter 286 of An Act For the disposal of combustible refuse from places outside of the city of Washington, approved May 15, 1930 (46 Stat. 334; D.C. Official Code § 8-711), is repealed.

(g) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 18a, 20, 22, 23, 24, 25, 25a, and 26 of the Solid Waste Management and Multi-Material Recycling Act of 1988, effective March 16, 1989 (D.C. Law 7-226; D.C. Official Code §§ 8-1001-1023), is repealed.

TITLE IV. FISCAL IMPACT AND EFFECTIVE DATE.

Sec. 401. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-206.02(c)(3)).

Sec. 402. Applicability.

(a) Title I, Subtitle A, sections 101, 102, 103(a),(b),(d), 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, and 114 shall apply as of the effective date of this act.

(b) Title I, Subtitle A, section 103(c) shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

(c) Title I, Subtitle B shall apply as of the effective date of this act.

(d) Title II shall apply as of the effective date of this act.

(e) Title III shall apply as of the effective date of this act.

Sec. 403. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.