

**NERC States' Definitions of Compostable, Compostable Plastic, & Recyclable**  
**Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York,**  
**Pennsylvania, Rhode Island & Vermont**  
**January 2018**

| <b>Connecticut</b>  | <b>Definition</b>   | <b>Citation</b>  |
|---------------------|---|--|
| Compostable         | Capable of undergoing biological decomposition in a compost site as part of an available program, such that the material is not visually distinguishable and breaks down into carbon dioxide, water, inorganic compounds, and biomass, at a rate consistent with known compostable materials. | ASTM Standard Specification D6002                              |
| Compostable Plastic | A plastic that undergoes degradation by biological processes during composting to yield CO <sub>2</sub> , water, inorganic compounds, and biomass at a rate consistent with other known compostable materials and leave no visible, distinguishable or toxic residue.                         | ASTM Standard Specification D6400                              |
| Recyclable          | Products that can be collected and remanufactured into new products after they've been used. These products do not necessarily contain recycled materials and only benefit the environment if people recycle them after use.  | Earth 911  |
| <b>Delaware</b>     | <b>Definition</b>   | <b>Citation</b>  |
| Compostable         | None  |  |
| Recyclable material | Any material or group of materials that can be collected and sold or used for beneficial purposes or separated from the waste stream and disposed separately in an authorized manner to reduce environmental impacts.   | Chapter 64, Title 7, §6451                                     |
| Recycling           | The process by which solid wastes are separated for use as raw materials, products or replacement of products, including the reuse of organic yard waste, but does not include the incineration of materials for energy.  | Delaware Code Title 7, Chapter 60, subchapter III, §6052, (10) |
| <b>Maine</b>        | <b>Definition</b>   | <b>Citation</b>  |
| Compostable         | None  |  |
| Compostable Plastic | None  |  |
| Recyclable          | Possessing physical and economic characteristics that allow a material to be recycled.  | Chapter 13, Title 38, §1303-C                                  |
| Recycle             | To recover, separate, collect and reprocess waste materials for sale or reuse other than use as a fuel for the generation of heat, steam or electricity.  | Chapter 13, Title 38, §1303-C                                  |

| Maryland  | Definition  | Citation  |
|---|---|---|
| Compost   | A stabilized organic product produced by the controlled aerobic decomposition process in such a manner that the product may be handled, stored, and applied to the land or used as a soil conditioner in an environmentally acceptable manner without adversely affecting plant growth  | Code of Maryland Regulations (COMAR) 15.18.04.01  |
| Compostable   | Any biological material capable of being aerobically decomposed into compost.   | Maryland Department of Agriculture (MDA) regulates compost product. COMAR 15.18.04.01   |
| Compostable products<br><br>Labeling of plastic products as compostable | Containers, films, or food service items, such as a bowls, plates, cups, or cutlery, composed of materials such as:<br>(a) Vegetable matter;<br>(b) Paper;<br>(c) Cardboard; and<br>(d) Compostable plastics that are, within the length of time and process employed at the composting facility at which they are used, capable of biological decomposition to a degree that they result in marketable compost meeting the standards established by the Secretary of Agriculture under Agriculture Article, §6–221, Annotated Code of Maryland.<br><br>The law prohibits labeling of almost any plastic product as "biodegradable" (except certain mulch films) and references ASTM 6400 and 6868. | COMAR 26.04.11.02<br><br>These requirements will go into effect in October 2018. Annotated Code of Maryland, Environmental Article § 9-2101 et seq. |
| Recyclable materials  | Those materials that would otherwise become solid waste for disposal in a refuse disposal system and may be collected, separated, or processed and returned to the market-place in the form of raw materials or products.   | Annotated Code of Maryland, Environment Article § 9-1701(I))  |
| Massachusetts   | Definition  | Citation  |
| Compostable materials   | An organic material that has the potential to be composted, excluding wastewater treatment residuals, which is not co-mingled or contaminated by significant amounts of toxic substances.   | 330 CMR 25.00 §25.02  |
| Recyclable or Recyclable material                                       | Material that has the potential to be recycled and which is pre-sorted. Recyclable material includes biodegradable paper, but does not include: (a) organic materials that will be composted or converted; or (b) construction and demolition waste unless it has been separated, and kept separate, into at least the following categories: asphalt, brick and concrete; wood; metals; plaster and wallboard; roofing materials; and carpet.   | 310 CMR 19.006  |

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| Recycle                       | To recover materials or by-products which will be: (a) Reused; or (b) Used as an ingredient or a feedstock in an industrial or manufacturing process to make a marketable product; or (c) Used in a particular function or application as an effective substitute for a commercial product or commodity. It does not mean to recover energy from the combustion of a material or to create a fuel. It does not include composting or conversion.  |                 |
| <b>New Hampshire</b>          | <b>Definition</b>   | <b>Citation</b> |
| Compostable                   | None  |                 |
| Processed recyclable material | A recyclable material which has been physically sorted and separated by material type, formed into bales or otherwise physically processed and packaged in a manner satisfying the specifications for transportation to and acceptance by a market that will use the material for the production of certified waste-derived products.   | Env-Sw 104.12   |
| Recyclable materials          | As defined in RSA 149-M:4, XIX, namely “materials that can be used to produce marketable goods, including but not limited to separated clear and colored glass, aluminum, ferrous and nonferrous metals, plastics, corrugated cardboard, motor vehicle batteries, tires from motor vehicles, and paper.” The term does not include: <ul style="list-style-type: none"> <li>(a) Hazardous waste, hazardous air pollutants, and other waste not regulated as solid waste, as identified in Env-Sw 101.03;</li> <li>(b) Waste identified as non-reusable in Env-Sw 900, including asbestos and infectious waste; and</li> <li>(c) Wastes from an unspecified production or generation process, such as municipal solid waste incinerator ash and contaminated soils or absorbent media.</li> </ul> | Env-Sw 104.19   |
| Recycling                     | As defined by RSA 149-M:4, XX, namely “the collection, storage, processing and redistribution of recyclable materials.” The term excludes the redistribution of recyclable materials for any purpose constituting disposal as defined in RSA 149-M:4, VI, incineration or another purpose not directly related to the production of certified waste-derived products.   | Env-Sw 104.21   |

| New Jersey            | Definition   | Citation  |
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| Biodegradable plastic | Plastic products that are designed to biodegrade and compost and which meet the specifications of the American Society for Testing and Materials document – ASTM D 6400-99 – entitled “Standard Specifications for Compostable Plastics,” incorporated herein by reference.  | N.J.A.C. 7:26A-1.3 Definitions  |
| Compostable           | Able to undergo physical, chemical, thermal and/or biological degradation under aerobic conditions such that the material to be composted enters into and is physically indistinguishable from the finished compost (humus), and which ultimately mineralizes (biodegrades to carbon dioxide, water, and biomass) in the environment at a rate like that of known compostable materials such as paper and yard trimmings.  | N.J.A.C. 7:26A-1.3 Definitions  |
| Recycled product      | Any product that is manufactured in part or in whole using recycled materials.   | <a href="http://www.state.nj.us/dep/dshw/recycling/buy_recy/key_definite.htm">http://www.state.nj.us/dep/dshw/recycling/buy_recy/key_definite.htm</a> |
| Recyclable material   | <p>"Class A recyclable material" means a source separated non-putrescible recyclable material specifically excluded from Department approval prior to receipt, storage, processing or transfer at a recycling center in accordance with N.J.S.A. 13:1E- 99.34b, which material currently includes source separated non-putrescible metal, glass, paper, plastic containers, and corrugated and other cardboard.</p> <p>"Class B recyclable material" means a source separated recyclable material which is subject to Department approval prior to receipt, storage, processing or transfer at a recycling center in accordance with N.J.S.A. 13:1E-99.34b, and which includes, but is not limited to, the following:</p> <ol style="list-style-type: none"> <li>1. Source separated, non-putrescible, waste concrete, asphalt, brick, block, asphalt-based roofing scrap and wood waste;</li> <li>2. Source separated, non-putrescible, waste materials other than metal, glass, paper, plastic containers, corrugated and other cardboard resulting from construction, remodeling, repair and demolition operations on houses, commercial buildings, pavements and other structures; <ol style="list-style-type: none"> <li>1. Source separated whole trees, tree trunks, tree parts, tree stumps, brush and leaves provided that they are not composted;</li> </ol> </li> <li>3. Source separated scrap tires; and</li> <li>4. Source separated petroleum contaminated soil.</li> </ol> | N.J.A.C. 7:26A-1.3 Definitions  |

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|                 | <p>"Class C recyclable material" means a source separated compostable material which is subject to Department approval prior to the receipt, storage, processing or transfer at a recycling center in accordance with N.J.S.A. 13:1E-99.34b, and which includes, but is not limited to, organic materials such as:</p> <ol style="list-style-type: none"> <li>1. Source separated food waste;</li> <li>2. Source separated biodegradable plastic; and</li> <li>3. Source separated yard trimmings.</li> </ol> <p>"Class D recyclable material" means, but is not limited to, the following:</p> <ol style="list-style-type: none"> <li>2. Used oil, as defined in this section, which is subject to Department approval prior to the receipt, storage or processing at a Class D recycling center in accordance with N.J.S.A. 13:1E-99.34b, and which includes, but is not limited to, the following: <ol style="list-style-type: none"> <li>i. Used lubricant oil;</li> <li>ii. Used coolant oil (non-contact heat transfer fluids);</li> <li>iii. Used emulsion oil; and</li> <li>iv. Any other synthetic oil or oil refined from crude oil, which has been used, and as a result of such use is contaminated by physical or chemical impurities;</li> </ol> </li> <li>3. Antifreeze;</li> <li>4. Latex paints;</li> <li>5. Thermostats;</li> <li>6. Lamps (light bulbs);</li> <li>7. Oil-based finishes;</li> <li>8. Batteries;</li> <li>9. Mercury-containing devices; and</li> <li>10. Consumer Electronics.</li> </ol> |                           |
| <b>New York</b> | <b>Definition</b>  | <b>Citation</b>           |
| Compostable     | None   |                           |
| Recyclable      | A component of waste which exhibits the potential to be recycled.  | 6NYCRR Part 360.2(b)(220) |
| Recycle         | The series of activities by which recyclables are collected, sorted, processed, and converted into raw materials or used in the production of new products, or, in the case of organic recyclables, used productively for soil improvement. This terms excludes thermal treatment (other than anaerobic digestion) or the use of waste as a fuel substitute or for energy production, alternate operating cover, or within the footprint of a landfill.  | 6NYCRR Part 360.2(b)(224) |

| <b>Pennsylvania</b>  | <b>Definition</b>   | <b>Citation</b>   |
|----------------------|---|---|
| Compostable          | None  |   |
| Recyclable           | None  |   |
| Recycling            | The collection, separation, recovery and sale or reuse of metals, glass, paper, plastics and other materials which would otherwise be disposed or processed as municipal waste. | 0.25 Pa Code § 271.1. Definitions   |
| <b>Rhode Island</b>  | <b>Definition</b>   | <b>Citation</b>   |
| Compostable          | None  |   |
| Recyclable materials | Those materials which shall be separated from municipal solid waste for processing for reuse as listed in Appendix 1 of these regulations.                                      | <a href="http://www.dem.ri.gov/pubs/regs/regs/stratpol/muniregs.pdf">www.dem.ri.gov/pubs/regs/regs/stratpol/muniregs.pdf</a>  |
| Recycling            | The reuse of recovered resources in manufacturing, agriculture, power production, or other processes.   | <a href="http://webserver.rilin.state.ri.us/Statutes/TITLE23/23-19/23-19-5.HTM">http://webserver.rilin.state.ri.us/Statutes/TITLE23/23-19/23-19-5.HTM</a>   |
| <b>Vermont</b>       | <b>Definition</b>   | <b>Citation</b>   |
| Compostable          | A product, package or material that will safely decompose, in a composting system, into a humus-like material, that can be safely used as a beneficial soil amendment.          | Solid Waste Management Rules,<br>Rule Number: 11P-03<br><a href="http://dec.vermont.gov/sites/dec/files/wmp/SolidWaste/Documents/SWRule.final_.pdf">http://dec.vermont.gov/sites/dec/files/wmp/SolidWaste/Documents/SWRule.final_.pdf</a> |
| Recyclable materials | Solid waste which may be reclaimed and/or processed so that they may be used in the production of materials or products.  |   |
| Recycle              | The process of utilizing solid waste for the production of materials or products, but shall not include processing solid waste to produce energy or fuel products.              |   |