

NERC | Northeast Recycling Council

Celebrating 25 Years of Uniting the Ten Northeast States for Environmentally Sound Materials Management

SUMMARY OF U.S. STATE AND MUNICIPAL C&D REGULATIONS AND REQUIREMENTS

In the U.S., the solid waste management hierarchy places source reduction, reuse, and recycling as the highest priorities. This is applicable to residential and business-generated materials. It is also applicable to construction and demolition materials (C&D). More and more state and municipal regulations and requirements are mandating the recycling of C&D.

C&D materials are generated in new construction, remodeling, deconstruction and demolition. Common components of new construction in the U.S. include: wood; concrete/masonry; wallboard; metal; corrugated cardboard; bottles and cans; and trash. Demolition debris includes: concrete; wood; trash; scrap iron; asphalt; brick; and roofing. Many of these materials can be recycled and made into new products— clean, untreated wood can be made into new wood products (i.e., furniture, and wood chips and mulch for landscaping purposes); gypsum wallboard can be ground into a gypsum powder that is then manufactured into new plasterboard or applied as a soil amendment; and asphalt shingles can be recycled into cold patch, new shingles, or hot mix asphalt.

In 2011, the Northeast Recycling Council (NERC) completed the [Disposal Bans & Mandatory Recycling in the United States](http://www.nerc.org/documents/disposal_bans_mandatory_recycling_united_states.pdf) (http://www.nerc.org/documents/disposal_bans_mandatory_recycling_united_states.pdf)—a summary of state recycling regulations and material disposal bans in the U.S. Of the 49 states and District of Columbia (DC) reported in this study, 13 (28%) have some form of C&D material disposal ban or recycling requirement. Following are some of the highlights:

- Sixteen C&D materials are either banned from disposal or are required to be recycled in the reporting states.
- Six states ban the disposal of friable asbestos, which is commonly found in acoustic ceilings and tiles, many types of plasters, wallboard, joint compound or "mud" and thermal insulation for water heaters and pipes made before 1978.
- Five states ban the disposal of wallboard.
- Ten states require corrugated cardboard to be recycled, and one state bans its disposal.
- Seven states ban the disposal of mercury containing devices found in thermostats and in other devices.
- Seven states require glass containers to be recycled, and four states ban its disposal.

Table 1 below provides a summary of the information provided by the states.

C&D Material	States												
	CT	DC	MA	ME	NH	NJ	ND	PA	RI	SD	VA	WV	WI
Asbestos (friable)	B	B					B	B			B	B	
Asphalt Shingles & Pavement		B	B									B	
Brick		B	B									B	
C&D Wood		B	B									B	
C&D Metal	R	B	B		B		R	B	R			B	
Concrete		B	B									B	
Corrugated Cardboard	R	R	R	B	R	R		R	R	R	R		R
Glass (containers)	R	R	B	R	R	R		B	R	B	R		B
Land Clearing Debris												B	B
Metal (containers)	R	R	B			R		R	R		R		B/R
Mercury Containing Devices		B	B	B			B		B			B	B
Paint	B	B										B	B
Plastic (containers)		R	B			R		B/R	R	B			B/R
Scrap Metal	R					R	R	R	R				
Wallboard		B	B		B	B						B	
Wood (clean)	B		B						R				

NOTE: Glass, plastic, and metal containers are part of the waste generated by workers at C&D job sites.

Further research into municipal C&D recycling ordinances revealed that many regional state and federal agencies, as well as municipalities, do not maintain records about how C&D is handled at the municipal level. Instead, they track the promotion of C&D diversion at the state level, the kinds of C&D data tracking the states conduct (whether it is through voluntary methods or required by rule), and the licensing and permitting process for solid waste facilities and activities relating to the handling of C&D.¹

Iowa offers a [model C&D recycling ordinance](http://www.iowadnr.gov/portals/idnr/uploads/waste/cndord_demorecycling.pdf) (www.iowadnr.gov/portals/idnr/uploads/waste/cndord_demorecycling.pdf).

NERC identified C&D recycling ordinances in 128 municipalities; 118 in California (25% of all municipalities in the state), 2 in Connecticut, 2 in Florida, 2 in Illinois, 1 in Missouri, 12 in North Carolina, and 1 in Washington. Tables 2 and 3 lists of communities per state. Table 4 lists the C&D materials commonly included in municipal recycling ordinances.

Alameda	Coachella	Huntington	Piedmont	Santa Clara
Albany	Colma	Indian Wells	Pleasant Hill	Santa Clarita
Aliso Viejo	Contra Costa	La Canada Flintridge	Pleasanton	Santa Fe Springs
Antioch	Cotati	La Mesa	Pomona	Santa Monica
Apple Valley	Dana Point	Livermore	Port Hueneme	Santa Rosa
Arroyo Grande	Duarte	Lynwood	Portola Valley	Santee
Artesia	Dublin	Manhattan Beach	Rancho Cucamonga	Sierra Madre
Asheboro	East Palo Alto	Marin	Rancho Mirage	Signal Hill
Atherton	El Centro	Menlo Park	Rancho Santa	South El Monte
Baldwin Park	El Dorado	Mission Viejo	Redlands	South Gate
Bellflower	Emeryville	Monrovia	Redondo Beach	South Lake Tahoe
Berkeley	Fairfield	Monterey Park	Sacramento	Stockton
Brawley	Forest City	Moraga	San Buenaventura	Tulare
Brea	Foster City	Morro Bay	San Carlos	Tustin
Brentwood	Freemont	Needles	San Clemente	Union City
Brisbane	Fresno	Newark	San Diego	Vallejo
Burlingame	Gardena	Norwalk	San Francisco	Vista
Butte	Glendora	Oakland	San Gabriel	Walnut Creek
Calaveras	Half Moon Bay	Ontario	San Jose	Willits
Calexico	Hawaiian Gardens	Orinda	San Juan Capistrano	Winters
Camarillo	Hawthorne	Oro Loma	San Leandro	Woodland
Castro Valley	Hayward	Palo Alto	San Louis Obispo	Woodside
Chula Vista	Hidden Hills	Pasadena	San Marino	
Clayton	Highland	Pico Rivera	San Mateo	

¹ E.g., New Jersey regulates the facilities able to accept C&D. Municipalities' involvement with C&D is limited to the issuance of a building or demolition permit.

Table 3. Municipalities with C&D Material Recycling Ordinances in Other States					
Connecticut	Florida	Illinois	Missouri	North Carolina	Washington
Bridgeport	Lee	Chicago	Kansas City	Asheboro	Seattle
New Haven	Sarasota	Northbrook		Chapel Hill	
				Cramerton	
				Efland	
				Four Oaks	
				Glen Lennox	
				Hillsborough	
				Mount Olive	
				Pinehurst	
				Randleman	
				Smithfield	
				Stanley	

Table 4. Common C&D Materials Included in Municipal Recycling Ordinances	
Aluminum	Pallets
Asphalt	Paper
Brick	Pipe
Buckets	Plastic
Cardboard	Roof Tile
Carpet & Carpet Padding	Steel
Concrete	Shingles
Land Clearing Debris	Wallboard
Lumber	Wood