

STATE OF DELAWARE



**EXECUTIVE DEPARTMENT
DOVER**

EXECUTIVE ORDER
NUMBER EIGHTY-TWO

TO: HEADS OF ALL STATE DEPARTMENTS, AGENCIES, AND AUTHORITIES, AND ALL POLITICAL SUBDIVISIONS AND GOVERNMENTAL UNITS OF THE STATE OF DELAWARE

RE: RECYCLING

WHEREAS, the average Delawarean produces 1,200 pounds of solid waste annually and much of that waste can and should be recycled;

WHEREAS, recycling saves energy, conserves natural resources and preserves our limited landfill space;

WHEREAS, the Department of Natural Resources and Environmental Control (DNREC), the Delaware Solid Waste Authority (DSWA), and the Delaware Economic Development Office (DEDO) all promote varying aspects of municipal solid waste recycling in the State of Delaware;

WHEREAS, increasing Delaware's recycling efforts will benefit the environment and is in the public interest;

WHEREAS, increasing our recycling efforts over the long-term will require a strong commitment on the part of Delaware's youth;

WHEREAS, communities, schools, counties, municipalities and cities are the entities most able to increase recycling within their borders and need assistance to provide the tools necessary to start recycling programs; and


WHEREAS, while the majority of Delawareans think that recycling is important and are interested in doing more recycling, many Delawareans are unaware of current recycling opportunities.

NOW, THEREFORE, I, THOMAS R. CARPER, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and Order as follows:

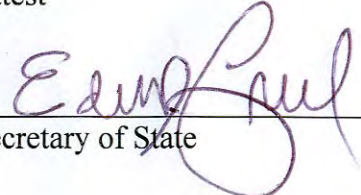
1. It shall be the goal of this State to achieve a thirty (30) percent diversion rate for recyclables from Delaware's residential solid waste stream.
2. The DNREC, Division of Air and Waste Management, in concert with the DSWA and the Recycling Public Advisory Council created herein, shall:
 - a. Monitor the state's recycling initiatives and measure Delaware's achievements toward attainment of the thirty percent recycling goal;
 - b. Implement a grant program for use by communities, municipalities, counties and cities in reaching the statewide thirty (30) percent recycling goal specified herein;
 - c. Design and implement public educational efforts aimed at increasing public awareness of recycling opportunities;
 - d. Implement a public school recycling initiative whereby our school systems are able to participate in and benefit from increased recycling opportunities;
 - e. Provide technical assistance to local entities to assist them in increasing their recycling rates;
 - f. Provide administrative support to the Recycling Public Advisory Council; and
 - g. Promote any other measures identified by the Council to support the achievement of the thirty (30) percent-recycling goal.
3. The DNREC shall make matching grants available to communities and local governments to implement programs to reduce the amount of residential solid waste disposed of in Delaware. Grants may be used for implementing or expanding recycling programs, encouraging composting of yard waste, implementing "pay-as-you-throw" programs or any other activity that supports the achievement of the thirty (30) percent recycling goal. The DNREC, in conjunction with the Recycling Public Advisory Council, will develop criteria for the grants program by March 31, 2001. The criteria shall include, but shall not be limited to, the terms and conditions for obtaining a grant, grant selection criteria, match requirements, reporting requirements, and applicant eligibility. Match requirements for the grant program shall not be less than 25% local match. The availability of grant money shall be subject to annual appropriations by the General Assembly.
4. There is hereby established a Recycling Public Advisory Council. The Council shall be composed of nine members who shall be appointed by the Governor as follows:
 - a. One member each from the DNREC, the DSWA, and the DEDO;
 - b. One member representing county governments with such member being recommended by the Delaware Association of Counties;
 - c. One member representing municipal governments with such member being recommended by the Delaware League of Local Governments;
 - d. One member representing the recycling industry;
 - e. One member representing the waste hauling industry; and

- f. Two members representing environmental or citizens' groups.
5. Members of the Council shall serve 3-year terms and may be re-appointed. Members shall be appointed for staggered terms so that no more than 3 appointments shall expire in any one calendar year. For the initial appointments, 3 members shall be appointed for 1 year, 3 members shall be appointed for 2 years and 3 members shall be appointed for 3 years. Thereafter, all terms are three years. Members may not serve more than 2 consecutive, 3-year terms. Members may be reimbursed for travel to and from meetings. The Governor shall appoint a Chairman from among the nine members. Actions of the Council shall be approved by a majority vote of the Council.
6. The Recycling Public Advisory Council shall:
- a. Advise the DNREC and the DSWA on all aspects of recycling;
 - b. Advise the DNREC in developing grant criteria, including local match requirements, and selection of applications;
 - c. Develop, in conjunction with the DNREC and the DSWA, a methodology for measuring recycling rates;
 - d. Advise the DNREC and the DSWA on possible outreach activities designed to achieve greater recycling rates; and
 - e. Report to the Governor and the General Assembly annually by December 1st of each year on the status of recycling activities in Delaware. The report shall include, but is not limited to the following: (1) status of attainment of the thirty (30) percent recycling goal; (2) an accounting of the matching grants program authorized herein and any recommendations for future funding of the grants program; (3) an assessment of the activities of both the DNREC and the DSWA in achieving the thirty (30) percent recycling goal; and (4) such other recommendations as the Council shall deem appropriate.

Approved this 14th day of Sept, 2000


Governor

Attest


Secretary of State