

2027 SESSION

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SB684

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SENATE BILL NO. 684

Offered January 14, 2026

A BILL to amend the Code of Virginia by adding in Article 2 of a chapter numbered 14.4, consisting of sections numbered 10.1-1465.1 through 10.1-1465.15, relating to establishing the Virginia Recycling Development Center and the Virginia Recycling Infrastructure Fund; supporting statewide recycling infrastructure; incentivizing voluntary stewardship programs; authorizing public-private partnerships; and addressing priority materials including waste tires, mattresses, and bulky waste.

Patron—Head

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:
That the Code of Virginia is amended by adding in Title 10.1 a chapter numbered 14.4, consisting of sections numbered 10.1-1465.1 through 10.1-1465.15, as follows:

CHAPTER 14.4.

Virginia Recycling Development Center.

§ 10.1-1465.1. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Bulky waste" means large household items, including furniture, appliances, and other oversized discarded materials not suitable for standard waste collection systems.

"Center" means the Virginia Recycling Development Center established in § 10.1-1465.2.

"Director of the Center" means the Director of the Virginia Recycling Development Center established in § 10.1-1465.2.

"Fund" means the Virginia Recycling Infrastructure Fund created pursuant to § 10.1-1465.8.

"Priority materials" means (i) waste tires from vehicles, including passenger, truck, agricultural, construction, or industrial equipment tires; (ii) discarded mattresses and box springs; (iii) bulky waste and furniture; and (iv) other hard-to-recycle materials designated by the Center.

"Public-private partnership" or "partnership" means a collaboration between one or more public bodies and one or more private entities to plan, develop, finance, construct, operate, or maintain recycling, reuse, or materials recovery infrastructure or programs.

"Voluntary stewardship organization" or "VSO" means a manufacturer, retailer, recycler, trade association, nonprofit entity, or other private-sector coalition that operates or participates in a voluntary stewardship program. A voluntary stewardship organization may operate one or more voluntary stewardship programs.

"Voluntary stewardship program" means a privately led, nonregulatory initiative in which manufacturers, retailers, distributors, recyclers, or trade associations may choose to participate for the purpose of improving the collection, recycling, reuse, or end-market development of priority materials. A voluntary stewardship program may be operated by a voluntary stewardship organization or a coalition of such organizations. Participation in such a program is not mandated but may be supported or incentivized by the Center through technical assistance, grant eligibility, or other nonregulatory measures.

§ 10.1-1465.2. Establishment of the Virginia Recycling Development Center.

A. There is hereby created the Virginia Recycling Development Center as a division within the Department of Environmental Quality.

B. The Director of the Virginia Recycling Development Center shall be appointed by the Secretary of Natural and Historic Resources to serve as the principal administrative officer of the Center.

C. The purpose of the Center is to (i) coordinate statewide recycling and materials management planning; (ii) support and expand local and regional recycling infrastructure; (iii) administer grants, loans, and technical assistance; (iv) facilitate public-private partnerships; and (v) increase recycling, recovery, reuse, and beneficial use of priority materials.

D. The Center may develop nonbinding informational materials and technical assistance resources; however, no policy, standard, or requirement of the Center shall be enforceable unless adopted through regulations promulgated pursuant to § 10.1-1465.14. Guidance documents and technical assistance materials issued pursuant to this subsection shall not have the force of law and shall not be used as substitutes for or interpretations of regulations.

E. The center shall employ such staff as may be necessary to carry out the duties of this chapter.

§ 10.1-1465.3. Duties and powers of the Center.

A. The Center shall have the following duties and powers:

1. By October 1, 2026, and every five years thereafter, develop and publish a statewide plan for the

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collection, storage, processing, recycling, reuse, and beneficial use of recyclable materials, including priority materials. The plan shall include measurable diversion goals and shall seek to achieve a 75 percent reduction in disposal and stockpiling of waste tires and discarded mattresses by January 1, 2030.

2. Develop and publish guidance, model ordinances, procurement standards, operating procedures, and best-practice manuals to assist local governments, regional authorities, and private entities in the safe and efficient management of recyclable and priority materials.

3. Review applicable U.S. Environmental Protection Agency regulations, guidance, and grant programs, and identify federal funding opportunities to support implementation of this chapter.

4. Administer grants, loans, cost-share awards, loan guarantees, and technical assistance through the Fund to eligible applicants for the development, expansion, or operation of recycling and materials recovery infrastructure.

5. Facilitate, support, and participate in public-private partnerships to develop infrastructure and market capacity for recycling and beneficial use of priority materials.

6. Identify and support end-market development opportunities for materials recovered from priority materials, including but not limited to rubberized asphalt, recovered steel, textile fiber recycling, and foam recovery.

7. Review, certify, and oversee voluntary stewardship programs, and provide incentives for voluntary industry participation as provided in § 10.1-1465.7.

8. Collect, analyze, and publish annual data on recycling rates, diversion of priority materials, infrastructure capacity, market development, program outcomes, and statewide trends.

9. Provide technical assistance to local governments, recyclers, processors, VSOs, institutions of higher education, state agencies, and P3 partnerships.

10. Assist state and local law-enforcement agencies in identifying illegal dumping sites for priority materials and coordinate cleanup and enforcement activities.

11. Promote the formation and operation of voluntary stewardship programs by providing outreach, convening stakeholders, and identifying opportunities for collaboration among manufacturers, retailers, recyclers, and local governments.

12. Review best practices, program models, and performance outcomes from voluntary and statutory stewardship programs in other states, and incorporate applicable practices into statewide planning, technical assistance, public-private partnerships, and voluntary stewardship program support. The Center shall prioritize practices that have demonstrated measurable improvements in recycling, cost-efficiency, market development, or reductions in illegal dumping.

13. Evaluate the cost-effectiveness and return on investment of recycling and stewardship programs in Virginia and other states, including analysis of consumer cost impacts, administrative efficiency, and lifecycle economic outcomes. The Center shall prioritize strategies that maximize environmental benefits while minimizing costs to consumers, private entities, and local governments.

B. The Center shall ensure that statewide planning, grant distribution, and market development efforts prioritize localities with demonstrably high rates of illegal dumping, limited recycling access, or disproportionate impacts from inadequate recycling infrastructure, including low-income communities, rural localities, and historically marginalized communities.

§ 10.1-1465.4. Priority Materials Stewardship and Infrastructure Program.

A. The Center shall establish and administer a Priority Materials Stewardship and Infrastructure Program to support statewide collection, processing, recycling, reuse, and beneficial use of priority materials.

B. The Center shall prioritize projects that:

1. Eliminate waste tire and mattress stockpiles;
2. Reduce illegal dumping of priority materials;
3. Expand regional collection, drop-off, and processing capacity;
4. Develop sustainable end-use markets; and
5. Serve rural or underserved localities.

C. The Center may designate additional materials as priority materials upon finding that they pose challenges to management or recycling infrastructure.

D. In administering the Program, the Center shall give priority to projects involving the collection, processing, recycling, or beneficial use of waste tires and discarded mattresses, which present acute statewide challenges related to stockpiling, illegal dumping, transportation, and landfill capacity.

§ 10.1-1465.5. Inter-agency and institutional cooperation.

A. All agencies of the Commonwealth, including institutions of higher education, shall provide research, technical assistance, data, and programmatic support to the Center upon request.

B. Institutions of higher education may conduct pilot projects, material flow analyses, and demonstration programs supporting the goals of this chapter.

§ 10.1-1465.6. Public-private partnerships.

A. The Center may facilitate, enter into, or provide financial assistance to public-private partnerships for

the planning, development, financing, construction, or operation of recycling infrastructure or programs.

B. Eligible partnership projects include, but are not limited to:

1. Mattress and tire processing facilities;
2. Regional bulky-waste collection and material recovery facilities;
3. Transportation and logistics systems for priority materials; and
4. Manufacturing facilities utilizing recycled feedstocks.

§ 10.1-1465.7. Voluntary Stewardship Programs; certification.

A. Manufacturers, retailers, recyclers, trade associations, nonprofit entities, coalitions, partnerships, or voluntary stewardship organizations may apply to the Center for certification of a voluntary stewardship program. A voluntary stewardship program may be operated by any private-sector entity or coalition of entities.

B. Applications shall include:

1. A plan describing collection, transportation, processing, and end-use for priority materials;
2. Measurable performance goals;
3. Reporting methods;
4. Education and outreach strategies; and
5. Identification of participating public and private sector partners.

C. Certified voluntary stewardship programs shall be eligible for grants, loans, cost-share awards, and technical assistance from the Fund. When awarding incentives, the Center shall give priority consideration to certified voluntary stewardship programs that demonstrate measurable improvement in recycling or beneficial use of priority materials.

D. The Center shall maintain a public registry of certified voluntary stewardship programs.

E. Participation in any voluntary stewardship program shall remain strictly voluntary. Nothing in this chapter shall be construed to permit the Center or the Department to require participation in, operation of, or funding of a voluntary stewardship program, or to impose any obligation on private entities without express authorization of the General Assembly.

F. The Center shall establish an administrative process to receive and review applications for certification of voluntary stewardship programs no later than July 1, 2026. The Center shall approve or deny a complete application within 90 days of receipt.

§ 10.1-1465.8. Virginia Recycling Infrastructure Fund created.

There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Recycling Infrastructure Fund. The Fund shall be administered by the Center and established on the books of the Comptroller. The Fund shall consist of (i) moneys appropriated by the General Assembly, (ii) civil penalties collected pursuant to § 10.1-1465.12, (iii) federal grants, (iv) gifts, donations, and private contributions, and (v) any other funds designated for recycling infrastructure. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of this chapter. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Center.

§ 10.1-1465.9. Eligible grant and loan recipients.

Eligible recipients of Fund assistance under § 10.1-1465.8 include:

1. Local governments and regional waste management authorities;
2. Public-private partnership entities;
3. Certified voluntary stewardship programs and their administering organizations or entities;
4. Recyclers, processors, and manufacturers utilizing recycled feedstocks;
5. Nonprofit organizations engaged in recycling or reuse; and
6. Institutions of higher education conducting pilot projects.

§ 10.1-1465.10. Virginia Recycling Development Center Advisory Committee; membership; terms.

A. The Advisory Committee shall advise the Center on matters of planning, market development, stewardship, and funding priorities. Membership shall consist of the following nonlegislative citizen members:

1. One member appointed by the Virginia Water and Waste Authorities Association;
2. One member appointed by the Virginia Recycling Association;
3. One member appointed by the Virginia Municipal League representing local government;
4. One member appointed by the Virginia Association of Counties;
5. One member of the State Council of Higher Education for Virginia;
6. One member appointed by the Secretary of Natural and Historic Resources to represent a national or statewide nonprofit organization whose mission is litter reduction;
7. One member appointed by the Secretary of Commerce and Trade to represent the economic

183 development community; and

184 8. One member appointed by the Virginia Manufacturers Association to represent manufacturers and
185 processors of recycled material and products and waste reduction or remediation technology.

186 B. Members of the Advisory Committee shall be appointed to serve for a term of four years. Vacancies
187 occurring other than by expiration of a term shall be filled by appointment of the Secretary of Natural and
188 Historic Resources for the remainder of the unexpired term. Members shall continue to hold office until their
189 successors have been appointed and qualified.

190 C. The Advisory Committee shall elect a chairman and vice-chairman from among its membership. A
191 majority of the members shall constitute a quorum. The meetings of the Advisory Committee shall be held at
192 the call of the chairman or whenever the majority of the members so request.

193 D. All members of the Advisory Committee shall serve without compensation but shall receive
194 reimbursement for all reasonable and necessary expenses incurred in the performance of their duties as
195 provided in §§ 2.2-2813 and 2.2-2825.

196 **§ 10.1-1465.11. Reporting requirements.**

197 A. Certified voluntary stewardship programs and recipients of Fund assistance shall submit annual
198 reports to the Center, detailing:

- 199 1. Materials collected, processed, or recycled;
- 200 2. Diversion rates;
- 201 3. End-use markets;
- 202 4. Education and outreach activities; and
- 203 5. Financial expenditures.

204 B. The Center shall submit an annual statewide report to the General Assembly summarizing program
205 outcomes, progress toward diversion goals, and recommendations for statutory or regulatory changes.

206 **§ 10.1-1465.12. Illegal disposal of priority materials; civil penalties.**

207 A. General illegal disposal.

208 1. Any person who knowingly disposes of a waste tire, mattress, or other priority material in the waters of
209 the Commonwealth or in an unauthorized location shall be subject to a civil penalty of not less than \$500 and
210 not more than \$5,000 per violation.

211 2. Any person who knowingly disposes of a waste tire, mattress, bulky waste item, or other priority
212 material into the waters of the Commonwealth, or in any location where such materials are likely to enter
213 state waters, may be subject to a higher civil penalty of not less than \$2,500 and not more than \$10,000 for
214 each violation.

215 B. Additional civil penalties for repeat offenders.

216 1. A second violation within a five-year period shall result in a civil penalty not less than \$5,000 and not
217 more than \$15,000.

218 2. For purposes of this section, "waters of the Commonwealth" has the same meaning as in § 62.1-44.3,
219 and includes rivers, streams, lakes, wetlands, groundwater, and tidal waters.

220 C. Deposit of penalties.

221 All civil penalties collected pursuant to this section shall be deposited into the Virginia Recycling
222 Infrastructure Fund and shall be used solely for: (i) cleanup of illegally dumped priority materials; (ii)
223 development of recycling infrastructure for priority materials; and (iii) enforcement activities.

224 D. Enforcement authority.

225 Civil penalties under this section may be assessed by:

- 226 1. The Center;
- 227 2. the Department of Environmental Quality; or
- 228 3. any locality participating in an approved local enforcement program. Any locality may adopt an
229 ordinance to enforce this section.

230 E. Civil penalties under this section shall be in addition to any criminal penalties imposed under
231 § 10.1-1414 or other applicable law.

232 **§ 10.1-1465.13. Prohibition on misrepresentation.**

233 No person shall falsely represent that a product is recycled, recyclable, or managed through a certified
234 voluntary stewardship program. Violations are subject to civil penalties deposited into the Fund.

235 **§ 10.1-1465.14. Rulemaking authority.**

236 The Department of Environmental Quality may adopt regulations necessary to implement the provisions
237 of this chapter.

238 **§ 10.1-1465.15. Sunset and review.**

239 The provisions of this chapter shall be reviewed by the General Assembly by December 1, 2032, to assess
240 progress toward statewide diversion goals and determine whether statutory adjustments are necessary.