

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-7
January 23, 2009

SUBJECT: Establishment of Recycling Policy into the District Department of the Environment

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(6) and (11) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No 93-198, D.C. Official Code § 1-204.22(6) and (11) (2001), and by the District Department of the Environment Establishment Act of 2005, effective February 15, 2006, D.C. Law 16-51, D.C. Official Code § 8-151 *et seq.* ("Act"), it is hereby **ORDERED** that:

I. PURPOSE:

The purpose of this establishment order is to set forth a new and consolidated Recycling Policy to be overseen by the District Department of The Environment. The District Department of the Environment ("DDOE") was created to "establish a single executive agency to protect human health and the environment... and to streamline the administration of District environmental law and programs..." currently in other agencies as provided by section 102 of the Act.

II. FUNCTIONS:

Section 103 of the Act authorizes the Mayor to transfer to DDOE existing authority vested in other agencies currently performing duties related to the protection of the environment. In addition, section 103(b)(1)(B)(ii)(V) of the Act specifically transfers the policy setting duties and functions of the Director of the Department of Public Works ("DPW") related to recycling policy.

III. ADMINISTRATION:

The Mayor's authority is hereby delegated as follows:


- A. The following duties and authorities are jointly shared by the Director of DDOE, pursuant to §§ 103(b) and 105 of the Act, and the Director of the Department of Public Works, pursuant to § 8 of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1008):
 1. Researching the technology available for solid waste utilization;
 2. Identifying potential markets for recyclable materials and obtaining statements of interest for recovered materials;
 3. Identifying the amount and characteristics of the solid waste stream in the District;

4. Providing an assessment of the potential impact of alternative methods of solid waste management, including the public health, physical, social, economic, fiscal, environmental, and aesthetic implications;
 5. Conducting and evaluating the results of public forums or surveys of local citizen opinion on solid waste management practices in conjunction with the Environmental Planning Commission; and
 6. Coordinating efforts to stimulate markets for recycled materials, including District government purchasing policies.
- B. The following authorities vested in the Mayor that were heretofore exercised solely by the Director of DPW, are hereby also vested in the Director of DDOE, with DDOE serving as lead agency in ensuring that these requirements are met:
1. § 8-1014(a) of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1014), which pertains to annual reporting requirements;
 2. § 8-1015(g) of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1015), which pertains to annual reporting of recycling surcharges and collection fees;
 3. § 8-1016 of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1016), which pertains to maintaining an information clearinghouse; and
 4. § 8-1019 of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1019), which pertains to minimum recycled content percentage requirements.
- C. The following authority shall be jointly shared by the Director of DDOE and Director of the Office of Contracting and Procurement (“OCP”):
1. § 8-1013 of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1013), which pertains to District procurement policies.

IV. REPEAL OF PRIOR DELEGATIONS. To the extent Mayor’s Order 89-160 dated July 20, 1989, vests the authorities identified in III.B. and C. to the Director of DPW and the Director of Administrative Services, that Order is repealed and the vesting of the authorities are amended as stated above.

V. EFFECTIVE DATE: This Order shall become effective immediately.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA