



ISRI is the voice of the recycling industry, promoting safe, economically sustainable and environmentally responsible recycling through networking, advocacy and education.



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Office of Resource Conservation & Recovery
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Washington, DC 20460

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On behalf of the Institute of Scrap Recycling Industries, Inc. (ISRI), I appreciate the opportunity to provide these comments on the USEPA's draft *National Recycling Strategy*, dated October 5, 2020. ISRI is grateful for USEPA's continued leadership and hard work to bring the America Recycles Network together and the commitments made since 2018 to direct efforts geared towards expanding recycling in the United States. ISRI fully supports USEPA's work to establish *National Recycling Goals* and the companion *National Recycling Strategy*, and we hope these comments will help finalize attainable objectives.

1. Need for Clarity and Definitions in Scope of the Draft *National Recycling Strategy*

ISRI supports EPA's *National Recycling Strategy*, which correctly identifies reducing contamination, increasing efficiency and improving markets as the key elements that need to be addressed to create a more resilient residential recycling system in the United States. However, it is imperative that before these objectives are even discussed, the *Strategy* must provide a well-defined scope and understanding – for all those reading and affected by the *Strategy* – of what segment of the recycling infrastructure the *Strategy* seeks to enhance. This is critical to ensure the proper focus of activities coming out of the *Strategy*.

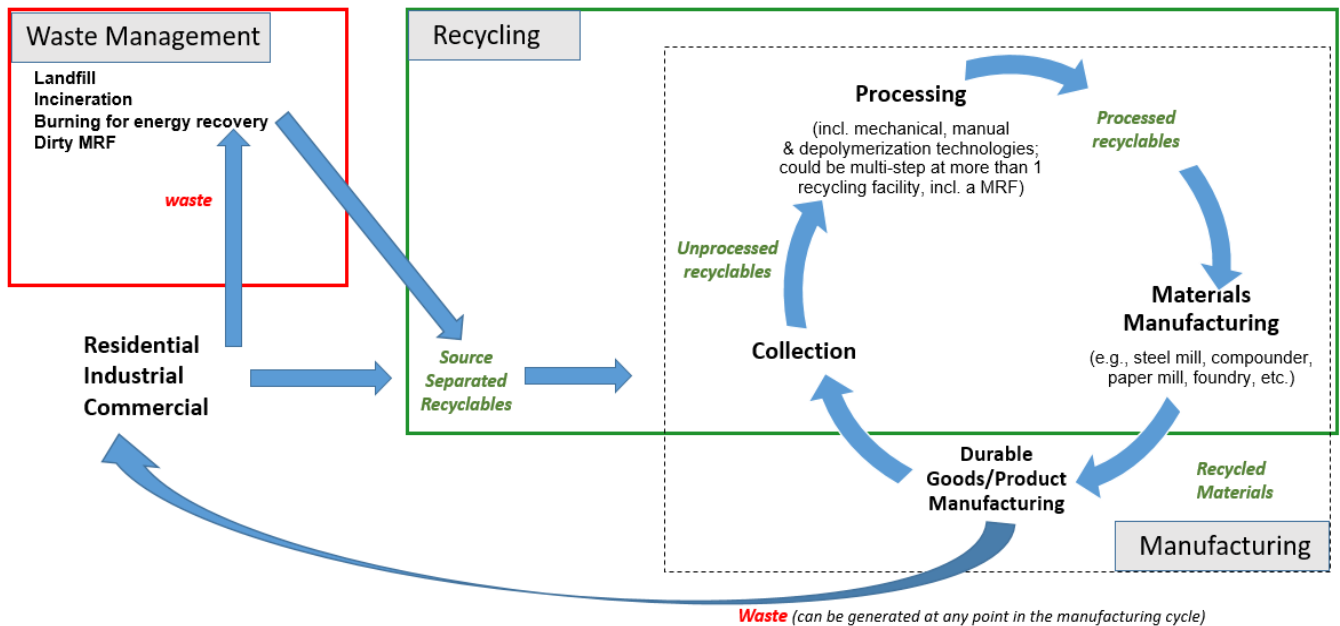
Recyclables are Not Waste and Recycling is not Waste Management: In the first paragraph of Section 1, the *Strategy* refers to the “municipal solid waste recycling system” and “municipal solid waste.” During the course of the work of the America Recycles Network, EPA Administrator Wheeler and EPA staff have often referred to the material that flows through the residential recycling stream as valuable resources, attempting to differentiate it from waste. This is a critical distinction that needs to be reflected in the *Strategy* itself.

Recyclable materials (often referred to as “scrap” by the recycling industry) are not waste. They are raw materials processed by recyclers to a specification-grade and valued by manufacturers for their cost, energy and environmental savings. The written references in the draft *Strategy* muddle the reality (as well as statutory understandings) that materials collected for the purpose of recycling are separate from solid waste.

Recommendation: We strongly recommend that the final *Strategy* correctly refer to the “municipal recycling system” or “residential recycling system,” as well as “municipal collections that are recycled” or “municipally-collected recyclables” and NOT use the term “municipal solid waste recycling system.”

To help illustrate the distinction between recycling and waste management, ISRI offers the following diagram that clearly shows the difference in activities:





Definitions: We appreciate the sentiment behind the statement in Section 1 that “Recycling has been a critical component of the Environmental Protection Agency’s (USEPA) decades-long efforts to implement the Resource Conservation and Recovery Act (RCRA)...” Indeed, as noted above, we are grateful for USEPA’s efforts on recycling, but we also note that RCRA does not contain an appropriate definition of recycling. Furthermore, the *Strategy* contains objectives focused on material recovery facility (MRF) performance, reducing contamination and creating demand for recyclables. The definition of recycling that is included in the side box within Section 1 does not completely reflect the contours of the industry, and the *Strategy* does not contain adequate definitions for recyclables, MRFs or contamination. Clear definitions will allow adequate measurement of progress toward meeting the objectives in the *Strategy* and the *National Recycling Goals*.

ISRI suggests the following definitions:

Recycling refers to the series of activities during which obsolete, previously used, off-specification, surplus, or incidentally produced materials are processed into specification-grade commodities, and consumed as raw-material feedstock, in lieu of virgin materials, in the manufacture of new products. The series of activities that make up recycling may include collection, processing, and/or brokering, and shall result in subsequent consumption by a materials manufacturer.

A “**Recyclable**” material is an obsolete, previously used, off-specification, surplus, or incidentally produced material for processing into a specification-grade commodity for which a market exists.

Materials Recovery Facility (MRF) is a recycling facility where primarily residential recyclables, diverted from disposal by the generator and which are collected separately from municipal solid waste are mechanically and/or manually sorted into commodities for further processing into specification-grade commodities and/or sale to end users. A solid waste management facility which may process municipal solid waste to remove recyclable materials is not a Materials Recovery Facility.

Contamination is anything not considered acceptable in recycling or renders materials unrecyclable, thus negatively affecting the ability of a recycler to produce high-quality, clean recycled materials that can serve as feedstock for new materials and products.

Recommendation: We ask that the USEPA adopt these definitions – in the *Strategy* as well as in federal rulemaking – to demonstrate clear Government guidance on what is recycling, thus leading to appropriate industry oversight and implementation and the successful achievement of the *Strategy*.

Related to these definitions, as a point of clarity in Section 1.2, the following edit is needed (with the deleted text indicated with a strike-through and new text indicated with an underline):

Collection: Materials are collected by a private hauler or government entity through curbside ~~recycling~~ collection, via transfer stations, on-site collection, drop-off centers, and/or scrap yards.

2. Objective 1: Reduce Contamination in the Recycling Stream

1.1 *Enhancing education and outreach to consumers on the value of recycling and how to recycle properly*

Public awareness, education and outreach are absolutely critical to ensure that consumers understand the need to recycle and to recycle right. Doing so will also help address the quality and contamination issues we are still seeing – although in reduced amounts – in the residential stream. It will also help restore confidence in recycling for all those Americans who have read the misleading news report about recycling in crisis.

ISRI believes that to be successful, such education and outreach must be led by USEPA. The general population is hungry for information and keen to do their part with recycling, and they are looking for general guidance from their government. Although the implementation requires a collaborative effort of which ISRI and the recycling industry are happy to play a part, it must come through the Government's leadership.

The Public Service Announcements that USEPA produced and broadcast during the pandemic are a great example of that leadership. There is no doubt in our minds that the Announcements went a long way toward clarifying the simple tasks that citizens can take in their homes while also demystifying some of the confusing information about materials quality that had been circulating in the pandemic's early days. It is with that model in mind that we offer the recommendations below.

Recommendation: Suggestions 1.1.3 and 1.1.4 are a priority. They should be led by USEPA, and ISRI welcomes the opportunity to support the development of these educational campaigns through sharing our knowledge and expertise and the use of our data and research, including the ISRI Inbound Residential Stream Specifications¹.

Suggestions 1.1.1 and 1.1.2 would support the work that would go into the education campaign, and we agree that it requires the continued coordination among the America Recycles Network, with USEPA continuing its role as convener.

Recommendation: ISRI also supports suggestion 1.1.5 to create a free universal labeling system. This is critical, but it must be led by USEPA with the support of the National Institute of Standards and Technology (NIST). ISRI looks forward to participating in that process.

¹ ISRI Inbound MRF Specifications: www.scrap2.org/specs/ Pages 56-59.

1.2 Increase coordination, availability and accessibility of information on recycling programs and policies at the federal, state, tribal and local Levels

If there is one thing ISRI has learned during the last few years of market transition (and especially during the pandemic), it is impossible to over-communicate. The more information provided to constituents the better in terms of staying current with changing policies, understanding each other's roles and responsibilities or simply knowing how to navigate the current market and regulatory landscape. We have also received numerous inquiries from a broad spectrum of interested parties – governments, brands, recyclers, civil society – seeking to understand how they can help. We have a wide-range of information resources, but we have also come to rely on our collaboration with the America Recycles Network to augment our information for the common purpose of enhancing recycling. It is for that reason that ISRI fully supports the objective of doing more to collect and disseminate information to the public, and we offer the following recommendations:

Recommendation: Suggestion 1.2.4 is absolutely critical and a priority, and we have worked closely with the U.S. Chamber of Commerce Foundation to provide data and information that makes the Beyond 34 clearinghouse an incredibly important tool. For it to succeed as a central clearinghouse, we suggest that USEPA take the lead to bring the America Recycles Network on board in using the platform as well as to link the public awareness campaign with advertising the platform as a place for information on “policies, programs, funding opportunities and outreach.”

Recommendation: Suggestion 1.2.2 is also very important, but it needs to go a step further. ISRI has done its own analysis of state and local policies that address recycling, but without federal definitions of recycling and recycling operations, state and local governments will continue to pursue a patchwork of policies and regulations that are well-intentioned but may not appropriately address the challenges and opportunities unique to the residential recycling industry. As noted above, we call on the USEPA to consider a rulemaking that generates a proper definition of recycling, thus creating a foundation for consistency in federal and state recycling policies.

3. Objective 2: Increase Processing Efficiency

Infrastructure improvements are always helpful, and we welcome USEPA's efforts to find creative solutions and match needs with resources. But it is imperative that a market-based approach continue to be pursued: there are certain localities where enhanced infrastructure (e.g. upgraded sorting equipment) may address challenges but in other localities it may be an expanded workforce that could increase efficiency. It also needs to be recognized that private and for-profit recycling companies have continued to invest over the last two years in equipment and new technologies to produce higher grades of recyclables with greater efficiency.

The draft *Strategy* includes some important sub-objectives, and we offer the following comments and recommendations:

2.1 Improve understanding of available recycling infrastructure and needs.

2.2 Increase awareness of available public and private funding and incentives and effective strategies to access the funding.

These two sub-objectives are very important data that could link needs with resources, and we are eager to see such data. But these sub-objectives need to go a step further in describing how such information will be used in support of the overall objective. In 2.1, it would help to know how a national map and needs assessment will encourage investment in infrastructure. Also, we press USEPA to ensure that any such investment that results from the use of this data be considered equitably between public and private recycling enterprises.

Furthermore, in 2.2, we support increased awareness of funding sources, but that needs to go hand-in-hand with a policy environment that welcomes recycling infrastructure development and expansion. Such a policy environment needs to consider how permitting requirements, regulatory compliance obligations, performance conditions, stakeholder engagement and other compulsory rules could spur recycling growth and not impair it.

2.3 Continue to fund research and development of new technologies and processes that result in environmental gains from improvements in manufacturing and processing efficiencies.

ISRI is a proud supporter and collaborator in several projects overseen by the Department of Energy’s Advanced Research Projects Agency-Energy (ARPA-E) and The REMADE Institute. These are two of the best examples of public-private partnership. ARPA-E is pursuing a number of cutting-edge projects, including with ISRI and our members, to develop and commercialize advanced material-separation technologies to unlock value that would otherwise be unrealized. ISRI is also active in REMADE projects that focus on driving down the cost of technologies for reuse, recycling and remanufacturing of metals, fibers, polymers and used electronics. Such work –in collaboration with, or enhanced by, research at the National Labs – must be given every latitude to continue their work and perhaps kick off additional R&D projects that support the *Strategy’s* overall objective of enhancing recycling efficiency.

2.4 Increase consideration of the sorting process in the design of new products.

ISRI believes this to be the number one priority within Objective 2. There has been tremendous innovation over the last decades on products and packaging commonly used by the public, but they are not always developed with recyclability in mind. When non-recyclable products are placed in recycling bins, they end up contaminating the recycling system, thus impairing the ability to recycle the materials that are recyclable. ISRI welcomes the opportunity to promote our 30+ years of work on encouraging Design for Recycling® and to work with manufacturers as a guide for product recyclability design. ISRI’s Recyclability Certification & Protocol for paper-based packaging will also guide more design for recyclability by the brands and their packaging suppliers.

It is also important that consideration should be not limited to the sorting process but be inclusive of all the processing steps necessary to meet end-market demand requirements. Sorting alone does not equal recycling.

Recommendation: We urge USEPA to consider nominating a central coordinator that can oversee this collaborative work, including to promote transparency and to facilitate market-based opportunities that can support manufacturers’ recyclability design work. In addition, such work should ensure all process steps are considered when evaluating the design of new products.

2.5 Develop and implement national recycling system definitions, measures, targets and performance indicators.

We refer USEPA to our comments on the *National Recycling Goals* in which we offer suggestions on data and metrics that will effectively measure progress obtained with the implementation of this *Strategy*. And we reemphasize the point already made above that the development of definitions must be prioritized, not just the creation of definitions but also in codifying those definitions to drive policy consistency nationwide.

4. Objective 3: Improve Markets

Although ISRI fully agrees that all three objectives, working in concert, are essential to achieving recycling goals, it is our belief that this objective – *Improve Markets* – is the most critical. Without demand for recyclable materials, recycling does not occur and the recyclable materials are not recycled. Recycling is stimulated through U.S. and

global manufacturer demand for high quality, specification-grade commodities as feedstock, thus achieving successful circularity. Collection without consumption is not recycling.

Furthermore, we wish to emphasize that any initiative, policy or project to encourage demand for recyclable materials could include incentives and stimulus measures, but they must be driven by the market economy. Although it is perceived that recycled content mandates, for example, could be a demand-driver, in reality mandates often stifle innovation by hampering recyclers from taking advantage of opportunities in shifting markets.

3.1 Conduct market development workshops and dialogues to spur market development for recycled materials, educate stakeholders on the value of secondary materials, and identify solutions to recycling system challenges.

USEPA has already done some great foundational work on this, especially the market development workshops conducted around the country. We hope USEPA will continue to convene the workshops, and we look forward to continuing to participate in these events.

3.2 Produce an analysis of different types of end markets that considers resilience, environmental benefits, and other relevant factors for decision makers.

Although such information may be useful, ISRI cautions that policy makers not be led to believe that (a) the analysis details the only end markets available, especially as product and material innovation is constantly evolving; and (b) that policies are needed to stimulate demand in these end markets, resulting in such policies that may not be market-driven. End markets will come about because of consumer demand (see below).

3.3. Increase data availability and transparency about recyclable materials generated and the materials manufacturers need.

ISRI was pleased to participate in the Census Bureau's Opportunity Project this year regarding "Developing Effective and Efficient Markets for Recycled Materials," which enabled a collaborative effort from a diverse group of stakeholders to drive development of an online platform to connect suppliers with buyers. The Census Bureau should continue to oversee this project's development and eventual implementation.

3.4 Increase manufacturing use of feedstocks in the regions where they are generated.

The recycling industry grew up in the vicinity of where suppliers and customers were located, but the industry also takes advantage of market opportunities outside their immediate regions and outside of the country. So while ISRI agrees with this suggestion and perhaps it can be facilitated by the first three sub-objectives, we are uncertain as to how to realize this sub-objective without artificially interfering in the marketplace.

3.5 Increase demand for recycled materials through policies, programs, initiatives, and incentives, focusing on materials with less mature markets.

ISRI believes this to be the priority, especially 3.5.3 on enhancing public awareness about the opportunity and value of purchasing products made with recycled content. Even a small increase in consumer demand for such products will go a long way toward accelerating recycling to meet that demand. Recycling is essential to the manufacturing supply chain, and ISRI is working with a range of manufacturing partners to reinforce the message of recycling's critical economic and environmental value to producing new goods. That also includes discrediting perceptions that the performance of goods made from recycled content are inferior. ISRI's Design for Recycling® also incites opportunities for manufacturers to integrate recycled content in the manufacturing of new products.

Stimulating consumer demand for products made from recycled materials starts with government procurement as guided by the Comprehensive Procurement Guides (CPGs). ISRI fully supports initiatives and incentives that are designed to strengthen domestic residential recycling and markets utilizing the strength of the U.S. Government's purchasing power.

Recommendation: We call on the federal government to procure more goods made from recycled content, using the CPGs as a guide. Furthermore, ISRI contributed suggestions in the open comment period on the CPGs to USEPA earlier this year, but we also recommend that USEPA undertake a rulemaking to modernize the CPGs and thus, provide updated guidance to federal, state and local government agencies that are considering purchasing goods made from recycled materials.

We look forward to working with USEPA on the final development of the *National Recycling Strategy*. At any time, if we can be of further help, please do not hesitate to contact me at aadler@isri.org, (202) 662-8514.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adina Renee Adler". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Adina Renee Adler
Vice President of Advocacy