



March 11, 2024

Please send policy activities happening in your states that you want included in the next update to [Justin Short](#); updates will be sent every two weeks. The update is shared with ISRI's Lobbyist Network; feel free to forward to your respective Chapter members.

You can view legislation and regulations impacting the recycled materials industry using [ISRI's State Resources and Tracking](#) page reports. Reports are available by commodity and issue targeted and can be sorted alphabetically or by last action using the toggle in the upper right.

Nominations for the NLGA Recycling Impact Award

ISRI is seeking nominations for the 2024 National Lieutenant Governors Association (NLGA) [Recycling Impact Award](#). The Award recognizes a public official who played key roles related to resource conservation, sustainability, reuse, and recycling in America which may impact every aspect of life in America today including the U.S. economy and jobs, manufacturing, commodities, global trade, the environment, reducing solid waste, sustainable living and development, transportation (rail, trucking, and waterborne shipping), and other recycling.

The nomination deadline is June 17, 2024, with the award to be presented at the [2024 NLGA Annual Meeting](#). Members can create an account with NLGA to submit their nominations or email the nomination information to jshort@isri.org

Alabama

- **Chemical Recycling:** Members are watching for new language for the chemical "advanced" recycling definitions introduced in 2023 as [HB 460](#). The bill was reported favorably by the House Commerce and Small Business Committee in May 2023, but was indefinitely postponed later that month. While the American Chemistry Council had agreed to rename its definitions to "molecular recycling" in 2023, a draft is not yet available for 2024.
- **Recycled Content:** [HB 250](#) would create "recycle credits" for persons who use at least one ton of recyclable materials to create a new product or energy source and allow the credits to be sold and traded to persons seeking to offset tipping fees at landfills.

Arizona

- **Batteries:** [HB 2367](#), requiring the Department of Environmental Quality create a register and fee for recyclers that accept lead-acid batteries, is scheduled for a March 14 hearing by the Senate Natural Resources, Energy, and Water Committee. The bill also establishes fees for solid waste facilities, fees for handlers of used oil, a landfill disposal fee, and makes various cleanup amendments to tire and vehicle statutes.

California

- **Packaging EPR:** California held a meeting of its Advisory Board on March 8, holding elections for positions on the Board and discussing agenda items for its future meetings, which will be held monthly for the next 3 months. The meeting agenda and draft minutes are available on the [Packaging Producer Responsibility Act](#) website.
- **Environmental Justice Permitting:** The Chapter is still waiting for language to be introduced for two EJ placeholder bills and for the bills to be assigned to a committee. [AB 2851](#) states the intent to establish a fence-line monitoring standard for all metal shredding facilities, while [AB 2900](#) is less clear on potential impacts; it states the intent to address toxic air contaminant emissions in California's central valley. Other new bills included in the February 26 State Update are also still waiting on committee assignments.

Colorado

- **Packaging EPR:** The next [Advisory Board meeting](#) will be held on Wednesday, March 13 at 12:30 PM Mountain Time. The Joint Budget Committee will also hold a meeting on March 12 on the three proposed recycling scenarios outlined in the Circular Action Alliance's Needs Assessment, available on the [Producer Responsibility Program](#) website. The Solid and Hazardous Waste Commission has also scheduled a formal rulemaking hearing on May 21, 2024.
- **PFAS Ban:** [SB 81](#) creates a large-scale ban on products containing intentionally added PFAS. Members are seeking clarifications to ensure that the continued use of recycled materials is protected.

Connecticut

- **Li-Ion Batteries EPR / EV Study:** [HB 5226](#), creating a battery and battery-embedded product EPR program and requiring a study and report on policy recommendations for hybrid and electric vehicle (EV) batteries, received a hearing by the Joint Environment Committee on February 28.
- **Weight Limits / Packaging EPR:** [SB 293](#) would increase the weight limits for vehicles hauling solid waste including recyclables to 100,000 lbs., and would also require the DEEP hire a consultant to conduct a waste characterization and needs assessment that could be the prelude to a new attempt at packaging EPR legislation in 2025. The bill is scheduled for a hearing by the Joint Environment Committee on March 15.

Florida

- **End of Session:** With the 2024 session adjourned on March 8, several concerning bills the Florida Recyclers Association had advocated on are dead for the year, including bills on EVs, recycling goals, towing and fees, employment issues, and procurement.
- **Li-Ion / EV Batteries:** [HB 1645](#) was amended to remove the proposed EV Battery Deposit Program following member discussions with the sponsors.
- **Electric Vehicles:** [SB 1350](#) adding numerous EV and hybrid vehicle parts to the vehicle salvage definition of "major component parts", was passed by the Legislature.
- **PFAS / Stormwater:** [HB 1665](#) / [SB 1692](#) requiring wastewater facilities create an inventory of industrial users to identify probable sources of PFAS and other chemicals and requiring the DEP create permitting requirements for identified industrial users, failed to gain traction, though PFAS legislation is expected to return in 2025.

Georgia

- **Catalytic Converters:** Following on a successful Georgia Recycler's Capital Hill Day last week, member-supported [SB 479](#) clarifying registration and business licensing requirements for secondary metals recyclers was reported favorably from the House Agriculture and Consumer Affairs Committee on March 7. The bill also authorizes the Georgia Sheriff's Association to recoup costs from registration fees for managing registrations and the secondary metals recyclers database.

Hawaii

- **Packaging and Paper EPR:** [HB 1688](#) requiring a statewide needs assessment of the collection and recycling system and infrastructure in preparation for future packaging and paper products EPR legislation, passed the House on March 7 and has been referred to the Senate Agriculture and Environment Committee.
- **Li-Ion / EV Batteries:** [HB 1972](#) creating a working group to study recycling of EV batteries passed the House on March 5 and has been referred to the Senate Energy, Economic Development, and Tourism Committee. Earlier in the session the bill was amended away from a full propulsion battery EPR program with language similar to the New Jersey law adopted at the end of the 2023 session.

Illinois

- **Packaging and Paper EPR:** [SB 3165](#) amends the recycling needs assessment requirements passed last year to require the IL EPA and its chosen 3rd party only use the data collected for conducting the needs assessment. It also requires the 3rd party enter a nondisclosure agreement with each entity that provides data for the assessment. The bill passed the Senate Environment and Conservation Committee unanimously on March 7 and is scheduled for a floor vote on March 12.

- **PFAS:** [HB 4627](#) requires manufacturers of PFAS or products containing intentionally added PFAS to register with the IL EPA, with information on the products to be posted to a public website. It also allows the IL EPA to enter into an interstate clearinghouse on chemicals in consumer products. The bill passed the House Energy and Environment Committee on May 5.
- **Lithium-Ion Batteries:** [SB 3686](#) creating an EPR program for portable batteries, medium-format batteries, and battery containing products passed the Senate Energy and Public Utilities Committee on March 7 and was referred to Assignments. In contrast, [SB 3206](#), tasking the IL EPA with creating a EV and lithium ion battery EPR programs through rulemaking, did not receive a hearing from the same committee.
- **Catalytic Converters:** [HB 4589](#) is scheduled for a second hearing by the House Judiciary on March 12. The bill includes catalytic converters in the vehicle recycler requirements for an essential part. The bill also restricts the purchase of a used, detached catalytic converter to licensed recyclable metal dealers, requires that purchases take place at a dealer's fixed place of business, and adds any part number on the converter and the VIN and title or registration of the vehicle the converter was removed from to the records, but does not amend the existing exemption for businesses that provide written evidence of ownership at the time of purchase.

Indiana

- **Vehicle Detitling:** Chapter-supported [SB 65](#) passed the legislature on March 7. The bill as amended allows an automotive salvage recycler to apply for a certificate of authority on behalf of a seller as long as, if the recycler learns that the motor vehicle was reported stolen or the owner does not match the individual that provided the vehicle, the recycler notifies law enforcement.

Iowa

- **Catalytic Converters:** [HF 713](#) is being taken up by the Senate after it passed the House in 2023. The bill creates a registration process through the Dept. of Revenue to allow authorized sellers and purchasers to qualify for the state's requirements for business transactions for catalytic converters.

Maine

- **Chemical Recycling:** [LD 1660](#) was enacted without the Governor's signature on March 5. The new law creates a definition for "chemical plastic processing", requires chemical plastic processing facilities to be licensed as solid waste facilities, and excludes chemical plastic processing from the new definition for "plastic-to-plastic recycling".
- **Packaging EPR:** The deadline for comments on the [proposed rule](#) for implementing the Packaging Stewardship Program is next Monday, March 18.

Maryland

- **Catalytic Converters:** Members have met with the sponsors of [HB 871](#) before and after its February 28 hearing by the house Economic Matters Committee to explain concerns over the bill's amendments to existing catalytic converter requirements, including a provision that could inadvertently make the law apply to whole vehicles with attached converters.
- **Environmental Justice:** [HB 24](#) / [SB 96](#) require the Dept of Environment conduct "climate and environmental equity evaluations" of any permit it determines may impact an underserved or overburdened community. Members are working on amendments that would narrow the current broad scope of the bill.

Minnesota

- **Beverage Container Deposits:** [HF 3200](#) / [SF 3260](#) creating a beverage container deposit program are currently on hold in their respective committees, but proposals have been made to amend the packaging EPR bills to include it.
- **Packaging EPR:** [HF 3577](#) / [SF 3561](#) would mandate that "producers" of plastic and paper packaging "implement and finance a statewide stewardship program" that "encourages packaging redesign" to reduce waste generally, minimize environmental and health impacts, and promote reuse, recycling and composting. SF 3561 was last heard on Feb. 26 where it was reported favorable in the Senate Committee on Environment, Climate, and Legacy, sending it on to the Senate Commerce and Consumer Protection; HF 3577 was also reported favorably from the House Environment and Commerce Committees and sent to the House State and Local Policy Committee on March 7.
- **Li-Ion Batteries:** [HF 4721](#) / [SF 4711](#) were just introduced creating battery and battery-containing products EPR programs.

Missouri

- **Catalytic Converters:** Chapter Lobbyist Trent Ford is in discussions with the sponsor of [SB 1439](#) to try to ensure that the bill is amended to retain Chapter-supported provisions on possession restrictions and increased theft penalties while removing provisions that would allow dismantlers to bypass the existing catalytic converter restrictions and potentially apply restrictions to attached catalytic converters.

Nebraska

- **Vehicle Detitling:** [LB1105](#) creating a branded certificate of title for vehicles that are structurally totaled to distinguish them from salvage vehicles received a hearing by the Transportation and Telecommunications Committee on February 27.
- **Catalytic Converters:** While [LB347](#), creating additional requirements for catalytic converter transactions, was carried over from the 2023 session, there are no indications that it will be moved from the Judiciary Committee this year.

- **Chemical Recycling:** [LB599](#)'s chemical "advanced" recycling definitions, however, are expected to be taken up again by the legislature this year. The bill creates "advanced recycling" definitions and exemptions from state solid waste definitions and state and local governmental oversight that are not extended to mechanical recyclers.

New Hampshire

- **Li-Ion:** [SB 365](#) would ban the sale of "second use" li-ion batteries intended for use in electric bikes, scooters, etc. The bill passed the Senate in January but has not been scheduled for a hearing in the House. [SB 430](#) also passed the Senate to establish a council to study the impacts of EVs and li-ion batteries on first responders and fire safety.

New York

- **Packaging and Paper EPR:** As packaging EPR proposals were not included in or added to Governor Hochul's budget proposals, [A5322](#) / [S4246](#) remain the primary bills for packaging and paper EPR in the 2024 session. While the bills were amended in February, the amendments did not significantly impact the overall requirements for the program, and Assemblymember Glick has expressed her unwillingness to accept any significant amendments to the bills.
- **Li-Ion Battery EPR:** [S643](#) creating an EPR program for rechargeable batteries, including batteries for electric scooters and bicycles, passed the Senate Environmental Committee and is scheduled for a vote by the Senate. The bill already passed the Senate in 2023, but was returned to the Senate in January after the Assembly failed to take it up.
- **Catalytic Converters:** [S8769](#) was introduced last week as a companion to [A9056](#). The bills would require all catalytic converters be marked with serial numbers before vehicles are sold and set specific requirements for scrap processors and vehicle dismantlers purchasing converters. It would also update the existing scrap processor law.

Ohio

- **Catalytic Converters:** Following a meeting with sponsors of [HB 328](#) and representatives of prosecutors, sheriffs, and the Ohio Dept. of Homeland Security in January, Chapter members are working on amendments that would remove the proposed additional restrictions on recyclers, increase penalties for theft, and provide more tools for law enforcement to address thefts.

Oregon

- **Packaging and Paper EPR:** Oregon's next [Recycling 2024 Advisory Committee](#) meetings are [March 14](#) and [April 3](#). Oregon DEQ also has a [Webinar](#) scheduled for March 21, 2024, hosted by the Oregon DEQ. This webinar will center on RMA, tailored for local governments, offering insights into their pivotal role in the implementation of Oregon's revamped recycling system.

Rhode Island

- **Environmental Justice Permitting:** [S 2292](#), the Green Justice Zone Act essentially seeks to push named industrial facilities, including scrap metal processors and other recycling facilities, out of any location designated as a Green Justice Zone, and bans "polluting facilities", including metal recyclers, from overburdened communities.

Tennessee

- **Packaging EPR:** [HB 550](#) / [SB 573](#) were introduced in 2023 as packaging EPR bills. SB 573 was revived in 2024 but died in Senate committee on March 6.
- **Catalytic Converters:** Member-supported [HB 484](#) has passed the Finance Committee with a reduced fiscal impact note, and will hopefully be included in the state's budget proposal. The bill would change the offense of possession of a used, detached catalytic converter by an unauthorized person from a Class A misdemeanor punishable only by fine to a Class E felony.

Vermont

- **Environmental Justice:** [H.687](#) creating the Environmental Review Board has been scheduled for a hearing by the House Committee on Environment and Energy on March 14.
- **Li-Ion Batteries:** [S.254](#), adding rechargeable batteries and battery-containing products to the existing EPR program for primary batteries, passed the Senate Natural Resources and Energy Committee with amendments and has been scheduled for consideration by the Senate on March 12. The bill also mandates the Department of Natural Resources study end-of-life management programs for electric and hybrid vehicle batteries, energy storage systems, and batteries that are not easily removed from products.

Virginia

- **PFAS / Stormwater:** [HB 1085](#) requiring the DEQ identify "significant sources of PFAS" and options for addressing each source, as well as requiring certain industries perform PFAS testing, has passed the legislature and is expected to be signed by Governor Youngkin. Members worked with the sponsor to ensure the recycled materials industry was not included among the list of industries targeted for PFAS testing.
- **Market Development:** [HB 316](#), creating the Virginia Recycling Development Center to provide or issue grants for R&D, marketing assistance, and policy analysis for recycling market development, ultimately failed to pass this year after the House and Senate were unable to agree on amendments in conference committee last week after the bill was amended in the Senate Finance and Appropriations Committee to remove most provisions and simply create a recycling market development fund with no dedicated source of funding.

Washington

- **Catalytic Converters:** Chapter-supported [HB 2153](#) was delivered to Governor Inslee on March 7. The bill requires licensing for all purchasers of catalytic converters and makes knowingly trafficking in catalytic converters or purchasing a detached catalytic converter without possessing a valid scrap processor or vehicle wrecker license a class C felony.
- **Tires:** [SB 5931](#) was also delivered to Governor Inslee on March 8. The bill adds motor vehicle tires containing 6PPD to the Safer Products for Washington process, but stresses that the Dept. of Ecology rulemaking process must consider the effect on driver and passenger safety in any action it may take to restrict the use of 6PPD in tires.
- **Li-Ion / EV EPR:** [HB 2501](#) / [SB 6319](#) were introduced just before the end of the 2024 session. The bills proposed a propulsion battery EPR program borrowing much of the NJ language.

You can view legislation and regulations impacting the industry on [ISRI's State Resources and Tracking](#) pages, with commodity and issue reports on the main page and widgets on each state page that display the active legislation and regulations being tracked. Please let us know if we can provide any assistance.

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