



Wednesday, April 10, 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:** [HB 402](#) / [SB 264](#) replace the chemical "advanced" recycling definitions introduced in 2023 as [HB 460](#). The new bills add a definition for "mass balance attribution" for chemical recycling and amend the existing definition for a "recovered materials processing facility" to state that such is a manufacturing facility. The Scrap Recyclers Association of Alabama has voted to oppose the legislation, and the Alabama Dept of Environmental Management has expressed that it does not see the need for the bill. Radius Recycling, KW Plastics, and International Paper will be testifying in opposition to the bills. [HB 250](#), an odd "recycle credit" bill for recycled materials used to "produce a new product or an energy source", could also be intended to incentivize chemical processing to create fuels. The bill was passed through the House Economic Development and Tourism Committee on April 3 with an amendment adding oil, grease, and other similar wastes from restaurants to the definition of "recyclable materials".

California

- **Environmental Justice Permitting:** [AB 2851](#), requiring DTSC develop requirements for fence line air quality monitoring at metal shredder facilities, was amended on April 4 to remove requirements for local health departments to conduct biannual assessments and changed the community notice advisory requirement to only be applicable if monitoring shows there is a potential adverse impact on air quality and public health. It also narrowed who the Department would consult with to only the affected local pollution control and air quality management districts. [Assembly Constitutional Amendment 16](#) would declare that "The people shall have a right to clean air and water and a healthy environment"; the amendment was referred from the Natural Resources Committee to Appropriations on April 9.
- **PFAS Bans:** [AB 2761](#) would ban plastic packaging containing PFAS or PVC as of 2026, with no limitation to "intentionally added" PFAS such as the state's existing ban on PFAS in food packaging includes. [SB 903](#) would ban the sale of any product with intentionally added PFAS as of 2030 unless the Dept. of Toxic Substances Control determines the use of PFAS is currently unavoidable; it also exempts the sale of used products. AB 2761 was set for a hearing on April 9 by the Assembly Environmental Safety and Toxic Materials Committee; SB 903 was passed out of the Senate Environmental Quality Committee on April 4 and referred to Judiciary.
- **Beverage Containers:** [AB 2762](#) was amended from a placeholder to require manufacturers and distributors form a reusable beverage container management system (RCMS) and submit plans to CalRecycle for approval by January 1, 2027. The bill would require that 25% of all beverage containers sold be reusable by 2035, with 95% of those returned for reuse.
- **Vehicles / Materials Theft:** [SB 359](#) would extend the state's vehicle dismantler industry strike team focused on unlicensed vehicle dismantlers for three years.
- **EV / Hybrid Battery EPR:** Stakeholder discussions on [SB 615](#), creating a limited EPR program for stranded vehicle traction batteries and creating a core exchange program for traction batteries, is expected to resume this spring before the July deadline for bills to pass their policy committees.

Colorado

- **PFAS Ban:** [SB 81](#) was amended to remove the proposed ban on any non-exempted product with intentionally added PFAS. Instead, the bill now adds restrictions on intentionally added PFAS in cookware, textile articles, artificial turf, and certain other named consumer products. Members are working to insure that the existing definition for intentionally added PFAS provides protection for the use of recycled materials.

Connecticut

- **Battery EPR:** [HB 5226](#), creating a battery and battery-embedded product EPR program, was amended to remove the requirement for a study and report on policy

recommendations for hybrid and EV batteries. ISRI is looking at provisions that could prevent electronics recyclers from fully participating in the collection and recycling process.

- **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 was referred to the Office of Legislative Research on April 1 after passing the Joint Environment Committee.

Georgia

- **Catalytic Converters:** Member-supported [SB 479](#) clarifying registration and business licensing requirements for secondary metals recyclers was substitute amended to instead address superior court issues. Members will seek to bring these clarifications back, as well as the fixes to the disposal fees for auto shredder residue in [HB 654](#), in 2025.

Illinois

- **Session Deadlines:** Friday, April 12 is the deadline for Senate bills to pass the Senate; Friday, April 19 is the deadline for the House.
- **Catalytic Converters:** [HB 4589](#) passed the House Judiciary with amendments and has been placed on the House floor calendar. 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.
- **Lithium-Ion Batteries:** [SB 3686](#) creating an EPR program for portable batteries, medium-format batteries, and battery containing products was scheduled for a vote on the Senate floor, but a floor amendment on April 8 had it re-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 Energy and Public Utilities Committee and is dead for the session.
- **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 Environmental and Conservation Committee on March 7, but was amended on the Senate Floor on March 22 and re-referred to Assignments.
- **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.

Iowa

- **Catalytic Converters:** [HF 713](#) is expected to be considered on the Senate Floor next week before the regular session ends on April 16. 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

- **Packaging EPR / Recyclability / Labeling:** [LD 295](#) signed on April 2, amends the state's packaging EPR law to require a report on criteria and standards adopted by other states to regulate recyclability claims on packaging, including the SB 343 law adopted by California that ISRI opposed.
- **PFAS Restrictions:** [LD 1537](#) requiring manufacturers notify the DEP of the use of PFAS in products and requiring the DEP adopt rules banning intentionally added PFAS from at least one product category or use a year beginning in 2025, may begin moving again soon. The bill was introduced in April 2023 but was not acted on last session.

Maryland

- **End of Session:** Maryland's 2024 regular session adjourned on April 8.
- **Catalytic Converters:** Following member outreach to the sponsors, [HB 871](#) was amended to only seek the VIN of a vehicle a catalytic converter was removed from and clarify that automotive dismantlers and recyclers are required to follow the scrap metal requirements for detached catalytic converters. The amended bill passed the Senate unanimously on April 4 and will be sent to the governor.
- **Lithium Ion Batteries:** [HB 468](#) / [SB 532](#), companion bills creating a Commission to Advance Lithium-Ion Battery Safety to study and make recommendations on best practices to suppress battery fires in consumer applications and at recycling facilities and study the viability of EPR for li-ion batteries, have passed the legislature on April 8 and will be sent to the governor.
- **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. HB 24 passed the House on March 18 and was referred to the Senate Education, Energy, and the Environment Committee, but did not receive a hearing before the regular session ended on April 8.

Michigan

- **Tipping Fees:** The Dept. of Environment, Great Lakes and Energy's proposed budget included a tipping fee increase from \$0.36 per ton to \$5 per ton. ISRI's Michigan Chapter is opposing the increase due to the huge detrimental impact it could have on the recycling industry.

Minnesota

- **Materials Theft:** Staff are working with the Upper Midwest Chapter on potential amendments to [HF 4461](#) / [SF 4455](#). As introduced, the bills would require an annual license to purchase or sell copper.

Mississippi

- **Vehicle Detitling:** [HB 1589](#) would require scrap metal processors conduct an electronic lien check before purchasing or receiving a vehicle for dismantling, and ban purchase or receipt if a lien exists. The Mississippi Recycling Association met with the Dept. of Revenue on the bill, who suggested they also wished to amend the state's title exemption clause from 10 years old or older to 20 years. The bill as it passed the Senate Finance Committee on April 2 does not impact the clause.

Missouri

- **Catalytic Converters:** Members continue to seek amendments to [HB 1948](#) and its companion bill [SB 1439](#). HB 1948 passed the House on March 27 in spite of changes that would create a loophole in the current requirements for catalytic converters and confuse the exemption for items that are a minor part of a smaller item, potentially forcing whole vehicles with attached catalytic converters to be treated under the same requirements as detached converters.

Nebraska

- **End of Session:** With its scheduled 2024 regular session ending on April 18, the following bills may be dead for the session.
- **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

- **EV / Propulsion Batteries:** [SB 430](#) creating a Council to study the impacts of vehicle lithium-ion batteries and battery fires on first responders, environment, safety, and other factors passed the Senate and was referred to the House Executive Departments and Administration Committee with a hearing scheduled for April 10. [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 and has been scheduled for a hearing by the House Commerce and Consumer Affairs Committee on April 24.

New York

- **Materials Theft:** Members are watching for legislation to be introduced addressing copper and telecom theft.
- **Packaging and Paper EPR:** As residential EPR was not included in the ongoing budget discussions, [A5322](#) and [S4246](#) continue as the primary legislative vehicles this session but have not moved recently.
- **Li-Ion Battery EPR:** [S643](#) creating an EPR program for rechargeable batteries, including batteries for electric scooters and bicycles, passed the Senate on March 28 and was referred to the Assembly Codes Committee. The bill already passed the Senate once in 2023, but ultimately was not taken up by the Codes Committee and was returned to the Senate in January.

Rhode Island

- **Environmental Justice Permitting:** [S 2535](#), the Environmental Justice Act, proposes New Jersey-like environmental impact reports, community outreach, and permitting restrictions on listed facilities within 1/2 mile of an EJ focus area, including recycling centers, scrap metal facilities, auto salvage operations, and C&D processing facilities, as well as chemical recycling facilities. ISRI provided testimony for the Senate Committee on Environment and Agriculture hearing on March 27, and will be preparing testimony and suggested amendments for the recently introduced companion bill [H 8127](#).
- **Truck Weights:** Members are working with other stakeholders to address restrictions on bridge and city truck weights.
- **Packaging EPR:** The House Environment and Natural Resources Committee held a hearing on [HB 7023](#) on April 4, where the bill was held for further study, likely killing it for the session.
- **PFAS Restrictions:** Several bills restricting the use of PFAS in various products were held in committee in March and April hearings, including [HB 7356](#), [HB 7359](#), [HB 7619](#), [SB 2152](#), [SB 2296](#), and [SB 2850](#).

Pennsylvania

- **Capital Day:** Members will be holding a reception for all of their state legislators as well as staff of key committees on April 29, followed up with their Day on the Hill on April 30.

Utah

- **Materials Theft:** Utah's 2024 regular session adjourned on March 1, but members are already working on 2025 legislation to address copper thefts.

Vermont

- **Environmental Justice:** [H.687](#) creating the Environmental Review Board passed the House on March 28 and was referred to the Senate Natural Resources and Energy Committee on April 2.
- **Li-Ion Batteries:** [S.254](#), adding rechargeable batteries and battery-containing products to the existing EPR program for primary batteries, passed the Senate on March 27 and was referred to the House Environment and Energy Committee. 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](#) was signed into law on April 2, effective July 1, 2024. The bill requires the DEQ identify "significant sources of PFAS" and options for addressing each source, as well as requiring certain industries perform PFAS testing.

Washington

- **Catalytic Converters:** Chapter-supported [HB 2153](#) was signed into law on March 26, with an effective date of April 1, 2025.

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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