

ReMA

State Update

Region & Chapter Policy Activities



Recycled Materials
Association
Sustainable. Resilient. Essential.

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 ReMA's Lobbyist Network; feel free to forward to your respective Chapter members.

You can view legislation and regulations impacting the recycled materials industry using [ReMA'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.

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ISRI is now the [Recycled Materials Association](#) (ReMA). While our [isri.org](#) email addresses will remain functional, please know that future emails will be coming from [recycledmaterials.org](#). The new Recycled Materials Association logo pack and Brand Book can be accessed at <http://www.isri.org/rema>. For more information, contact Eric Reller, VP of Communications at ereller@recycledmaterials.org

Position on Beverage Container Deposit Legislation

Prior to the official ReMA rebranding, on April 15 ISRI's Board of Directors approved the Position on Beverage Container Deposit Legislation, which will be uploaded to [ReMA's Policy and Position Statements](#) page. The Position was reviewed by several Committees and Divisions before the Board vote to ensure that it gives members the ability to engage on deposit initiatives to prevent negative repercussions on the current recycling ecosystems and consumers. Key considerations include:

- Requiring a needs assessment to study the potential impact on the existing recycling stream and what changes may be needed to compensate for the removal of valuable recyclable materials from the stream;
- Preventing monopolies by ensuring competitive contracting for material flows and processing to account for existing regional recycling infrastructure. Protections should be established for recyclers – MRFs and metal recyclers – currently operating in the state to prevent market disruption caused by flow control;
- Compensation of full market value for all materials purchased through the system from recyclers regardless of level of deposit;
- ISRI supports recycling operators, facilities and programs being able to recover prepaid deposits for eligible containers recovered through their sorting and any and all qualified payments that are part of the deposit system;
- Adjusting deposit values only if there is significant decrease or long-term stagnation in redemption rates and doing so has been proven to enhance the program and not be detrimental financially or to the public's perception of recycling; and
- Safeguarding confidential business information to maintain transparent, yet secure, program operations.

Nominations for the NLGA Recycling Impact Award

ReMA 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@RecycledMaterials.org

Arizona

- **Batteries:** [HB 2367](#), requiring the Department of Environmental Quality create a register and fee for recyclers that accept lead-acid batteries, was signed into law on April 9.

Alabama

- **Chemical Recycling:** [HB 402](#) failed to receive a motion for favorable report after a short public hearing by the Alabama House Commerce and Small Business Committee with Stephanie Baker of KW Plastics, Emily Ham of International Paper, and David Cole of the Ductile Iron Pipe Research Institute testifying in opposition. [HB 250](#), an odd "recycle credit" bill for recycled materials used to "produce a new product or an energy source", passed the House with amendments on April 23 and was referred to the Senate Committee on Fiscal Responsibility and Economic Development.

California

- **Environmental Justice Permitting:** [AB 2851](#), requiring DTSC develop requirements for fence line air quality monitoring at metal shredder facilities, was heard by the Assembly Committee on Natural Resources on April 23, with West Coast Chapter lobbyist Ryan Flanigan and Tony Cuevas, Manager for SA Recycling, provided testimony. The Chapter plans to oppose this bill unless it is further amended. The chapter [submitted a letter](#) on April 14 outlining potential improvements to the bill, including advocating for local air pollution control and air quality management districts to assume primary responsibility for the development and oversight of these programs. The chapter also seek amendments to ensure information be collected according to accepted scientific protocols and methodologies, and that the monitoring results be accurately interpreted according to officially promulgated ambient air quality standards and accepted thresholds pertaining to human health risk. At the hearing, the bills were reported as 'Do pass' with a majority of eight Ayes and two Noes, before being re-referred to the Committee on Appropriations.
- **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 advanced from the Assembly Judiciary Committee with an 8-3 vote and is under consideration by the Assembly Appropriations Committee. SB 903 is currently under review by the Senate Appropriations Committee and is scheduled for a hearing on April 29.

- **Beverage Containers:** [AB 2762](#) passed the Assembly Committee on Natural Resources on April 23 requiring 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.

Colorado

- **PFAS Ban:** [SB 81](#) passed the legislature on April 23 and was sent to Governor Polis. While the proposed ban on any non-exempted product with intentionally added PFAS was removed, the bill now adds restrictions on intentionally added PFAS in cookware, textile articles, artificial turf, and certain other named consumer products. While the Rocky Mountain Chapter worked to insert additional protections for the use of recycled materials to the existing definition for "intentionally added PFAS", the sponsor believed the definition already prevented recycled materials from being impacted.

Connecticut

- **Battery EPR:** ReMA's New England Chapter is working with ReMA member Redwood Materials on amendments to ensure that [HB 5226](#), creating a battery and battery-embedded product EPR program, protects the capabilities of electronics recyclers and specialized battery recyclers to collect batteries directly from consumers. The bill passed the Joint Environment and Joint Judiciary Committees in April, but will need to pass through the House and Senate before the session adjourns on May 8.
- **Weight Limits / Beverage Container Deposit:** Although [SB 293](#) passed the Joint Environment Committee with language increasing the weight limits for vehicles hauling solid waste including recyclables to 100,000 lbs. and creating a waste characterization and needs assessment, the bill was substitute amended by the Senate on April 24 to instead require "Redemption Warning" signs for the state's beverage container deposit program.

Illinois

- **Catalytic Converters:** [HB 4589](#) passed the House on April 16 and was assigned to the Senate Judiciary Committee. The bill was amended to remove provisions adding catalytic converters to the list of "essential parts" under the Vehicle Code but retains provisions restricting the purchase of a used, detached catalytic converter to licensed recyclable metal dealers, requiring that purchases take place at a dealer's fixed place of business, and adding 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 passed the Senate on April 12 and was referred to the House Energy & Environment Committee. In contrast, [SB 3206](#), tasking the IL EPA with creating a EV and lithium ion battery EPR

programs through rulemaking, failed to meet the crossover deadline for bills to pass their first chamber and is dead for the session.

- **Packaging and Paper EPR:** [SB 3165](#) amending the recycling needs assessment requirements passed last year, was further amended to extend the deadline for the draft needs assessment to June 30, 2026 and create additional requirements for the 3rd party selected by the IL EPA to conduct the assessment. It also requires the 3rd party enter a nondisclosure agreement with each entity that provides data for the assessment and exempts information reported from the state Freedom of Information Act. The bill passed the Senate as amended on April 12 and was referred to the House Energy & Environment Committee.
- **PFAS:** [HB 4627](#) requiring 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, failed to meet the crossover deadline.
- **Beverage Container Deposit:** [SB 85](#), creating a Beverage Container Recycling Refunds Act, failed to meet the crossover deadline.

Iowa

- **Catalytic Converters:** [HF 2707](#) was introduced and passed quickly in April and was sent to the Governor on April 26. Instead of the fixes proposed in [HF 713](#), the new bill would address requirements for catalytic converters by allowing a copy of a business seller's valid business license or permit for the records, and allowing an individual seller to provide a signed affidavit attesting to the seller's valid ownership of the catalytic converter.

Maine

- **PFAS Restrictions:** [LD 1537](#) requiring manufacturers notify the DEP of the use of PFAS in products, was amended to include bans on various products that contain intentionally added PFAS, including packaging, cookware, juvenile products, textiles, and artificial turf, and modifies requirements for a full phaseout of PFAS unless the use is currently unavoidable. The bill was enacted as amended on April 16.
- **Catalytic Converters:** [LD 2072](#), enacted on April 16, makes numerous changes to motor vehicle provisions; Section 22 amends the current requirement that persons purchasing detached catalytic converters must be licensed vehicle recyclers to also require any business selling detached converters be licensed as a vehicle recycler.

Missouri

- **Catalytic Converters:** [HB 1948](#) is scheduled for a hearing by the Senate Emerging Issues Committee on April 30. The Mid-America Chapter has sought to work with the sponsor to address loopholes that the bill would create in the current requirements for catalytic converters.

New Hampshire

- **Materials Theft:** [HB 1321](#) was introduced to repeal penalties for the sale of kegs without a receipt, but also creates a definition for kegs under the scrap metal dealer law. The bill is scheduled for a Senate Commerce Committee hearing on April 30.

- **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 House Executive Departments and Administration Committee on April 10.
- **Batteries / Landfill Ban:** [HB 1386](#) banning the disposal of wet-cell batteries, lithium-ion batteries, or electronic devices in any landfill or incinerator and requiring public education on safe handling and recycling was reported favorably from the Senate Energy and Natural Resources Committee on April 24.
- **Municipal Recycling:** [HB 1371](#) allows municipalities' master plans to include a waste reduction section outlining a solid waste reduction plan, including ways to reduce solid waste disposal, such as increasing reuse, recycling, composting, hazardous and electronic waste management. The bill is scheduled for a hearing by the Senate Energy and Natural Resources Committee on April 30.

New York

- **Packaging EPR:** The first phase of the [New York State Recycling System Needs Assessment](#) and gap analysis for residential, institutional, and commercial materials was released on April 16. This first phase compiled initial data on how the collection and recycling system in the state operates, including the amount and types of material collected, collection systems and sorting infrastructure, and required operational and capital investment needs. A public report on recycling services provided or offered to commercial and institutional generators is expected this summer.

Rhode Island

- **Environmental Justice Permitting:** [S 2535](#), the Environmental Justice Act, is scheduled for consideration by the Senate Environment and Agriculture Committee on May 1. The Committee previously recommended the bill be held for further study after a May 27 hearing where ReMA provided testimony opposing the New-Jersey like permitting restrictions for recycling centers, scrap metal facilities, auto salvage operations, and C&D processing facilities, as well as chemical recycling facilities. ReMA is also preparing testimony and suggested amendments for the companion bill [H 8127](#).

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.

Tennessee

- **Catalytic Converters:** [SB 1316](#), a 2023 carryover making possession of a used, detached catalytic converter a class E felony instead of a misdemeanor, received a hearing by the Senate Finance, Ways, and Means Committee on April 23. The bill was already recommended for passage by the Senate Judiciary in 2023.

Vermont

- **Issue: Environmental Justice:** [H.687](#) creating the Environmental Review Board was voted favorably from the Senate Natural Resources and Energy Committee and Finance Committee and referred to the Senate floor for consideration on April 30.

Washington

- **Materials Theft:** Pacific Northwest Chapter President Leah Glucoft of ShearCore, Chapter Treasurer Tony Belot of Radius Recycling, and ReMA Secretary/Treasurer Sean Daoud of PNW Metal Recycling participated in a Washington Network Fiber Attack Physical Security Forum with telecom providers, law enforcement, and other stakeholders on April 25. The group agreed to focus on non-legislative fixes to address thefts during future meetings. Leah, Tony, and Sean highlighted maintenance of the state's No Buy List, participation with [ScrapTheftAlert.com](#) and marking of wire and equipment as key ways that law enforcement and providers can assist the recycled materials industry in identifying stolen materials, while recyclers can check and record work orders, employee badge numbers, etc. from businesses selling wire.
- **Battery EPR:** Ecology is starting rulemaking for a new rule, [Chapter 173-905 WAC](#), Battery Stewardship Program, to guide implementation of the state's [Battery Stewardship](#) law. The first Battery Stewardship Rule Advisory Committee Meeting will be held via Zoom on May 6, 2024 at 10 AM Pacific; public [registration for the Zoom meeting](#) is welcome. For more information about the rulemaking, please contact Chris Fredley at batterystewardship@ecy.wa.gov or by phone at 564-233-1615; you can also subscribe to the [Battery Stewardship email list](#) for updates.

If you have any questions regarding the updates or the Lobbyist Network, please reach out to us. ReMA's Lobbyist Network and Government Relations Committee meetings are open to all members, and you can always view bills and regulations impacting the industry on [ReMA's State Resources and Tracking](#) pages.

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