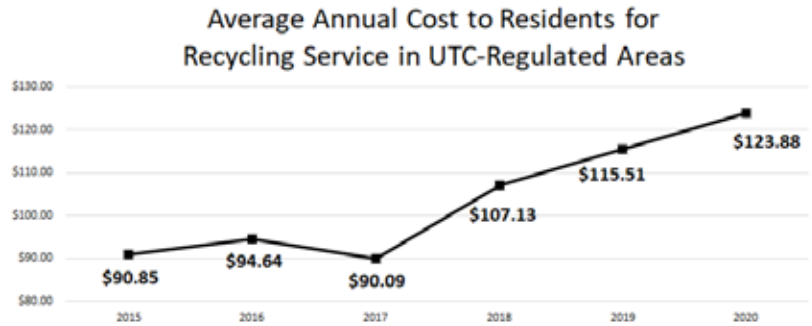


**SB 5022 / HB 1118 Concerning the management of certain materials
to support recycling and waste and litter reduction
Bill Summary 2021 Session**

WHY: Washington’s residential recycling programs are in trouble. Contamination, lack of markets and transparency about the fate of our recyclable materials, plastics pollution, and rising costs for reduced service are all symptoms of a broken system. **SB 5022/HB 1118 will improve Washington’s recycling system and provides a long-term solution that will fund responsible recycling, create sustainable end-markets for recycled materials, fund infrastructure investments and create green jobs in Washington.**



WHAT: SB 5022/HB 1118 is a “Producer Responsibility” policy that requires the **producers (brand owners) of packaging and paper products (PPP) to take financial responsibility** for the statewide recycling system. Producers are required to meet recycling and reuse targets and use the recycled materials in new products/packaging.

HOW: Producers form a non-profit Producer Responsibility Organization (PRO) to coordinate the system. **Producers conduct a robust consultation process** with Washington’s recycling service providers, local governments and other stakeholders **to develop a reuse and recycling Plan.**

The **Plan is the blueprint for building a well-coordinated and fully funded recycling system.** The Plan establishes a **single harmonized list of materials that will be collected from residents across the state.** All residents that have garbage service will have access to curbside recycling at no cost. Alternate collection sites will be provided for residents without garbage service and for packaging materials such as plastic bags that can’t be collected curbside. Collection of recyclables from public spaces must also be provided. The Department of Ecology approves the Plan and provides oversight and enforcement.

Local governments retain control over their curbside recycling services. The PRO reimburses local governments for providing recycling collection and education services. The PRO ensures that materials are sent to processors/end markets that have verified health and safety standards in place.

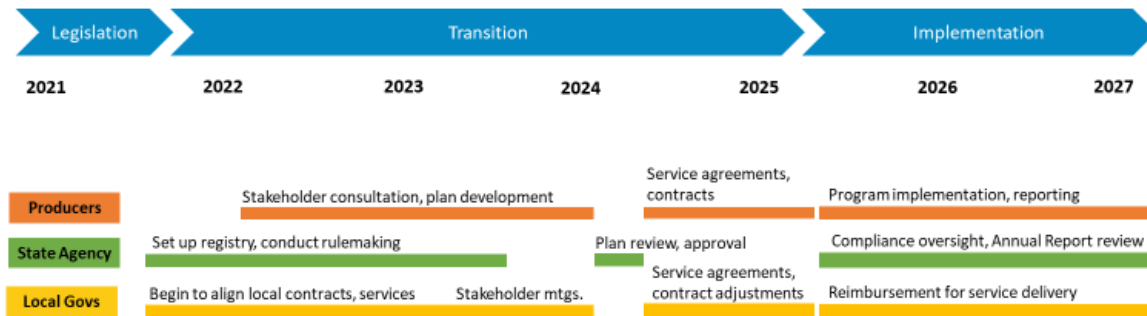
WHEN: Improving Washington’s recycling system is a gradual process that will evolve over multiple years.

Overall target: All “covered” products must be reusable, recyclable, or compostable no later than January 1, 2030					
Reuse and Recycle Targets			Recycled Content Targets		
Material Category	By 2026 reuse+ recycle rates	By 2030 reuse+ recycle rates	Material Category	By 2026	By 2030
All Covered Products	55%	75%	Plastic Beverage containers (per Manufacturer)	25%	50%
Rigid Plastic	25%	60%	Other Rigid Plastic	30%	50%
Flexible Plastic	10%	25%	Flexible Plastic	10%	30%
Paper	60%	85%	Paper Packaging	50%	75%
Aluminum	55%	75%	Other Paper Products	25%	50%
Steel	45%	75%	Aluminum	50%	70%
Glass	70%	85%	Steel	30%	50%
Reuse specific target (overall)	5%	10%	Glass	40%	60%
Long-term goal (in bill intent section): Overall recycling and reuse target of 90% by 2040					

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Producers register with Ecology by April 1, 2022 in order to sell or distribute products in Washington after July 1, 2022. The consultation process to develop the reuse and recycling Plan would take 3 – 4 years. Plans are due to Ecology for approval by January 1, 2024. Implementation of the Plan would start by July 1, 2025. This allows time to modify recycling service agreements to comply with the Plan and make necessary infrastructure improvements. Throughout the life of the recycling system, a Stakeholder Advisory Committee provides input and addresses any issues with the system at least annually. The system allows for continuous improvement and the ability to respond to changes in material types and market demands.

Implementation Timeline



RESPONSIBLE RECYCLING: Recycling does not include energy recovery, waste-to-fuel or landfill cover. Prior to the use of advanced technology for conversion of plastic polymers, producers must provide a 3rd-party assessment showing air and water pollution, greenhouse gas emissions, and release or creation of any hazardous pollutants resulting from operations. PPP that contains toxic substances cannot be designated for collection and recycling. PRO(s) must document how they have used domestic and local collection and processing infrastructure, as technologically feasible and economically practical. PRO(s) must coordinate with Ecology on litter prevention measures and incentivize design for recycling and litter prevention (supplemental to litter tax activities). PRO(s) must address contamination from covered products at compost or other organics processing facilities.

WHO: Roles and Impacts on Stakeholders

Stakeholder	Roles
Producer/brand owner	<ul style="list-style-type: none"> Producers are defined via a tiered list of manufacturers, brand owners, and importers of packaging and paper products. Exempted are governments, charities, and businesses with <1 ton or <\$1 million of materials sold or distributed in Washington. Products include packaging and paper products (except books) and materials: <ul style="list-style-type: none"> to protect, contain, transport, or serve a product, attached for marketing, used to facilitate delivery of product, and used for food and beverage consumption. Producers must create/join a PRO to sell or distribute products in Washington. Producers remain individually responsible for compliance. Are legally responsible for meeting reuse and recycling rate requirements by material type.

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Stakeholder	Roles
	<ul style="list-style-type: none"> • Conduct a consultation process with stakeholders to create a Reuse and Recycling Plan. The Plan defines the recycling system for Washington including the harmonized list of recyclable materials to be collected across the state. • Fund curbside recycling services available to all single and multi-family residences at no cost. • Fund and make available alternate means of collection for materials such as plastic bags and film that are disruptive to curbside collection/sorting systems. • Ensure that recyclable materials processed by responsible, verified end markets. • Use a minimum amount of recycled materials in new products and packaging. • Prevent litter and contamination of compost systems by packaging and paper products. • Must invest in reuse and recycling infrastructure and market development in Washington. • Provide transparency and report annually on the performance of the recycling system.
Local Governments	<ul style="list-style-type: none"> • Provide input on the Reuse and Recycling Plan via the consultation process. • Retain responsibility for garbage and organics services. • Retain authority over how and where their residents' recyclables are collected and processed. Cities have options for their participation in the system: <ol style="list-style-type: none"> 1. Cities maintain existing contracts with haulers or continue to provide municipal collection, comply with the recycling standards outlined in the Plan (harmonized list of materials) and are reimbursed by the PRO for collection/education costs. 2. Cities continue education role, but the PRO contracts with local service providers to provide curbside recycling collection. Contractors must meet high labor standards. 3. Cities decline to receive funding reimbursement from the PRO and are not required to meet the recycling standards outlined in the Plan. • Existing Utilities and Transportation Commission (UTC) regulations/collection service franchises remain in place.
Recycling Service Providers	<ul style="list-style-type: none"> • Provide input on the Reuse and Recycling Plan via the consultation process. • At City/County discretion, continue providing residential recycling collection under contracts or in UTC areas, in accordance with new statewide requirements. • Able to bid on contracts for service areas that have elected to have Producers secure curbside collection service of recyclables. • Do not bill residents for recycling collection service, but rather receive reimbursement from Producers. • Coordinate with Producers to ensure materials are sorted and have responsible end markets.
Material Recovery Facilities (MRFs)	<ul style="list-style-type: none"> • Provide input on the Reuse and Recycling Plan via the consultation process. • Provide post-collection sorting of residential PPP in coordination with Local Governments and Producers. • Provide verifiable information about responsible recycling outcomes. • Work with Producers to identify gaps in infrastructure that require investment in order to meet required recycle rates.
Residents	<ul style="list-style-type: none"> • Recycling (curbside/drop off) is offered at no charge to all residents. • Receive convenient, comprehensive, and equitable recycling service across the state with consistent messaging about how and what to recycle.