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March 8, 2021

Office of Land and Emergency Management Docket
U.S. Environmental Protection Agency
via ORCRMMeasurement@epa.gov

Re: Docket No. EPA-HQ-OLEM-2020-0443

Dear Sir/Madam:

The Sustainable Materials Management (SMM) Task Force within the Materials Management Subcommittee of the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) appreciates the opportunity to provide comments on the U.S. Environmental Protection Agency's (EPA) measurement methodology related to the national recycling goal of increasing the U.S. recycling rate to 50% by 2030. These comments have not been reviewed or adopted by the ASTSWMO Board of Directors. In addition, individual State or Territorial (State) solid waste or recycling programs may also provide comments based on their own perspectives and experiences.

ASTSWMO is an association representing the waste management and remediation programs of the 50 States, five Territories and the District of Columbia (States). Our membership includes State waste program experts in the management and regulation of solid and hazardous waste as well as recycling.

Measurement is both vital and challenging, as EPA knows given its many years of work to improve recycling measurement across the country. The SMM Task Force appreciates EPA's continued efforts to address challenges in the recycling system and the setting of a national goal. This sets an important message and shared direction for our country.

Given the breadth of differences in the States, the SMM Task Force is not able to provide many specific suggestions for detailed methodology that EPA is requesting. However, despite the range of variations between States, the SMM Task Force believes there is an opportunity to maximally capture the data needed to evaluate progress towards the national recycling goal. To that end, the Task Force offers two holistic comments: (1) we recommend EPA clarify the information it intends to capture when calculating progress toward the national recycling goal and (2) in doing so, we recommend EPA consider including waste generation information, international markets, and recovery avenues beyond traditional recycling outlets. We hope our general comments will be useful as you move forward on this important work.

As EPA intends the national goal to *"provide the benchmark to evaluate the success of the collective efforts to improve the nation's recycling system"*, it would appear EPA needs to define the scope of what is included in the system. Based on the questions in the comment request, we note a lack of clarity on what exactly EPA intends to measure. Does EPA intend to focus on "blue bin recyclables," or all municipal solid waste (MSW) that is diverted from disposal, or the entire waste stream? There is value - and challenges - with each approach. The effort may benefit from a detailed determination of which aspect of the waste

stream to measure and why. Depending on the selected approach, there might be multiple parts to this system that are worth measuring.

If EPA is focused on a MSW goal, the SMM Task Force recommends that only typical MSW material be counted. These include material such as yard debris, food waste, and textiles, but not material like automobiles, asphalt, brick, and concrete, which are typically outside of the MSW stream.

One recommendation is to include a recovery rate, in addition to a recycling rate. A recovery rate, defined as methods other than recycling that divert materials from disposal, could include various pathways, such as anaerobic digestion or land application. A recovery rate provides a broad picture as it includes materials other than MSW; it includes many of the material streams and management pathways listed in the request for comments. EPA could receive data for various treatment methods and compile reports with these alternate pathways as a measure of recovery, which also benefit the environment and economy, while maintaining a separate recycling rate. Providing both a recycling and a recovery rate could also help accommodate the diversity in State measurement approaches.

The SMM Task Force recommends that the recycling rate be based on marketed commodities, including those sent for export, rather than collection rates. It is not clear recycling could be accurately measured without including materials sent for export. The U.S. still depends on exports for managing recyclables, especially for mixed recycled paper. If materials that are exported for recycling are not counted as recycled, would it appear that those materials are disposed rather than recycled? Would EPA make it clear that they are only tracking materials recycled domestically? Having separate categories within the recycling rate for domestic versus export markets and export would be ideal.

However, while it is necessary to include materials that are exported, there are few reporting requirements designed to track where recycled commodities are sent for use in manufacturing. This is especially true for material that is exported out of the country. There is no mechanism in place to track how much of the materials collected in the U.S. are really being made into new products or ending up improperly disposed. The SMM Task Force encourages EPA to try and make improvements to the export tracking process. It is important that the U.S. is only sending other countries the materials they can truly manufacture into new product, to ensure the export markets remain sustainable and vital.

The SMM Task Force is interested to know what role States will have in reporting data. As EPA is aware, some States do not track recycling data at all. States that do track recycling use varying practices and measures. If States are to have a role, a sound methodology to accommodate those differences would be imperative. The SMM Task Force would welcome further conversations about developing such a methodology, particularly if there is an expectation that States would have a role in providing data.

In addition to the items above, the SMM Task Force recommends adding and tracking a waste generation measure. We know this effort is focused on improving the country's recycling system. However, adding a waste generation measure would be consistent with broader EPA policy. Indeed, EPA's waste management hierarchy has waste reduction as its highest priority. And while the recycling system does need work, we encourage EPA to take this opportunity to set measurement and goals for the entire waste system. A recycling rate alone takes a narrow look, while a waste generation measure better represents the full impacts of waste and aligns more with Sustainable Materials Management (SMM) goals. Additionally, establishing guidance or metrics to measure source reduction would help focus on upstream solutions that reduce waste generation.

We understand that EPA's intent with this goal is to *"help improve recycling by assessing recycling performance, reducing contamination, increasing processing efficiency and strengthening recycled material markets."* All this is greatly needed. As EPA determines what data to include in measuring the 50% recycling goal, the complexity and inter-connections in the waste system become obvious. Given this complexity, broadening the measures, to include not just recycling, but also recovery and waste generation, may be the best path forward. Although outside of the scope of this request, it is important to consider these additional strategies the SMM Task Force believes are necessary to achieve a national recycling rate of 50% by 2030. Considering upstream strategies to align products with existing recycling systems and downstream strategies to help bolster markets for recycled material can help reduce waste generation and increase recycling.

Thank you again for this opportunity to comment. The SMM Task Force looks forward to continuing to provide input to EPA in its activities to advance recycling in the U.S. If you have any questions about these comments, please contact me at janine.bogar@ecy.wa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Janine Bogar (KE)". The signature is written in a cursive style.

Janine Bogar (WA), Chair
Sustainable Materials Management Task Force
ASTSWMO Materials Management Subcommittee