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Dear Ms. Dunn

The National Waste & Recycling Association is a trade association representing private sector solid waste and recycling companies. Our members collect residentially and commercially generated recyclables throughout the United States. In addition, they own and operate materials processing facilities that turn those recyclables into raw materials for manufacturers. We are America's recycling industry for homes and businesses. As such, we are submitting these comments in response to CalRecycle's March 22 Packaging Reform Workshop.

75 Percent Source Reduction, Recycling and Composting Is a Goal not a Mandate

We appreciate the challenge AB 341 created in 2011 for CalRecycle. Achieving a 75 percent source, reduction, recycling and composting goal in the span of less than nine years, is a herculean undertaking. This would be a challenging goal for any state, even one such as California that is already a national leader in recycling.

However, we are surprised that CalRecycle has decided to turn what the legislature specifically described as a "policy goal" into a "mandate". Instead of prudently assessing where the unrecycled packaging and other materials are generated, how programs for package recycling can be improved, and what are the realistic limits to additional recycling, CalRecycle has declared that 8 million additional tons of packaging are available for recycling and can be recovered by 2020 to meet the policy goal.

Our industry agrees that recycling can be improved and that recycling tonnages can increase. However we would note that as the recycling rate increases, the obstacles to more recycling also increase. California's current 50 percent recycling rate

is proof of a robust and thriving recycling industry in California. It is also proof of the considerable challenges that face increased recycling. These range from the stubborn behavior change challenges facing public space, multi-family and small business recycling to practical realities caused by a changing universe of packages, such as the challenges posed by product substitution and lightweighting. In the latter case, for instance, due to the lightweighting of PET beverage containers, our processing facilities have seen a 60 percent increase in the number of bottles needed to make a bale. As a result, we are in the odd situation of recycling more containers by unit, while not seeing any significant increase in the tonnage of those recycled containers.

We strongly believe that CalRecycle needs to adopt a pragmatic approach towards meeting AB 341's policy goal. Only three years remain towards achieving this goal, no new legislated program be enacted and implemented within this time frame. We urge CalRecycle to focus on what can realistically be achieved within the next three years and beyond.

California is not Europe or Canada

We heard a great deal at the workshop on the impact of extended producer responsibility programs in Europe and Canada. And it is true that some of those programs are doing well. It is also true that many have made little to no significant impact on recycling. At the packaging workshop in January, 2016, a former EPA Region IX Administrator warned against assuming that what works in say, Germany, or Japan, will automatically work in the United States. Countries and cultures differ. Failure to recognize those differences will only lead to failed programs.

The Importance of Behavior Change

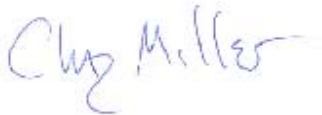
We are disappointed that most of the speakers shied away from discussing the impact of behavior change in increasing recycling. Instead, there seemed to be an attitude that what CalRecycles wills, the public will do. Yet, in spite of legislative mandates and education programs, public spaces, multi-family housing and small businesses are among the places where recycling does not do well. This failure is caused by a number of reasons, including lack of awareness of recycling opportunities, perceived inconvenience of those opportunities, and most importantly of all, the failure to create a social norm for recycling in those locations. We urge CalRecycle to devote some of its resources to investigating how to create those social norms so that recycling will be the normal practice, as it currently is in single-family housing.

CalRecycle Should Not Harm What Is Working

Finally, California has a thriving recycling collection and processing infrastructure. Long established companies have served California's local governments for decades as their solid waste and recyclables service partners. The expertise and experience of these companies should be used, not blindly discarded in favor of a new theory on the best way to recycle.

We are concerned that CalRecycle's desire to turn a goal into a mandate and declare success in 2020 could destroy the existing relationships between California's local governments and their solid waste and recycling service providers. We question if the state has the authority to usurp local government authority whether in regard to existing contracts or what is recycled and how. We question the wisdom of ignoring an existing infrastructure that has the expertise and ability to continue to increase recycling in California.

On behalf of America's recycling industry, I appreciate the opportunity to make these comments. If you have any questions about the issues I have raised, do not hesitate to contact me.



Chaz Miller
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National Waste & Recycling Association