

APPENDIX



New Jersey Department of Environmental Protection Testimony of Deputy Commissioner Debbie Mans

Testimony before Joint Session of the Senate Environment and Energy Committee and the
Assembly Environment and Solid Waste Committee

August 15, 2019

Good morning, Chairman Smith, Chairwoman Pinkin, and members of the Committees. I thank you for the opportunity to testify before you regarding the state of recycling in New Jersey. I am pleased to share with you the actions the State of New Jersey has already taken to strengthen our recycling programs and the steps we are taking moving into the future.

New Jersey is proud to have been a national leader in recycling for over thirty years. The Statewide Mandatory Source Separation and Recycling Act, passed in 1987, was the first such law of its kind in the United States. Municipal and County programs have partnered with us to increase resident participation in curbside collection programs, allowing New Jersey to achieve a statewide municipal solid waste recycling rate that is consistently higher than the national recycling rate. Bottles, cans, plastic and cardboard are being recycled every day in homes, offices, businesses, schools and hospitals across the Garden State.

But the recycling process doesn't end when we put the bottle in the blue bin. For over 25 years, China was the largest destination for U.S. recyclable materials, where they were processed and sold as either raw material or new products. By 2016, America was exporting approximately



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700,000 tons of material to China. When presented with a convenient single-stream system, we put everything into the recycling bin: greasy pizza boxes, shredded paper, and garden hoses, among other things. This is sometimes referred to as “aspirational” or “wishful” recycling. These unacceptable materials, also known as contamination, took time and energy to sort. Not only were contaminants clogging the machinery and decreasing efficiency, they were posing a health and safety risk to workers. For decades, China was willing to accept our contaminated recycling stream. But in 2017, China announced it would begin restricting the materials it accepted, and they set standards of very low contamination. By January 1, 2018, China’s “National Sword” policy effectively banned almost all imports of previously accepted materials from the United States. By the end of 2018, China took in less than 1% of its 2016 totals. Secondary markets, such as Vietnam, Malaysia, and Thailand, became overwhelmed with the resultant influx of material diverted from China, and some announced caps on their imports as well.

Almost overnight, communities across the United States found themselves without a market for their recyclable materials, and the cost of recycling increased. What’s more, the problem of contamination did not go away. Each of New Jersey’s 21 counties established its own recycling program and decided what materials to accept, and the municipalities followed suit. Therefore, what’s acceptable material at home may be considered “contamination” at work.



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Since the Recycling Act was first passed in 1987, the world has changed. You need only walk down the aisles of your local supermarket to see the vast array of new products and packaging now available. A busy public is seeking more convenient ways to work, shop and eat. The advent of online shopping has changed consumer behaviors, resulting in increased shipping materials, and the consumer electronics market has exploded. The time has come to consider how, and when, to reduce, reuse, and recycle the products and materials we use every day. Today, we find ourselves faced with the challenge of creating recycling programs for both new materials and materials that may not exist yet. It is critical our statutes possess the flexibility to adapt to a changing market. This requires us to take an in-depth look at all aspects of our recycling program, not just one commodity or product. As a leader in recycling, New Jersey must holistically examine our recycling statutes, programs and practices.

As we take that comprehensive look, we must make our decisions based on the law, the best available science, and current data. In the case of recycling, much of that data is not readily available. Recycling centers that aggregate and process what is today known as Class A recycling materials – paper, glass, cardboard, and some plastics – have not been required to report information to the Department regarding recycling markets. This includes the market's availability, location or cost. They have also not been required to report data on recycling contamination, either in its content or percentages. Without this data, it is difficult to understand the changing market place, the fluctuation in costs, and the current needs for



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public education. We must identify appropriate means to fill these and other data gaps as identified. In partnership with our local officials, the Legislature, and industry experts, the state can develop a stakeholder process to identify and prioritize the key challenges facing our recycling programs, as well as the knowledge gaps to be filled, to identify and work towards long-term solutions. Further considerations may include the best measures for success and DEP's role in market development. It will require all our efforts to identify strategies to reduce waste where recycling is not appropriate, or not enough, and to increase public participation and education.

Traditionally, our statewide recycling goals have been based on weight: tonnage of materials recycled, compared to total tonnage of waste recycled and disposed. But over time, heavier products, such as glass and newspaper, have become less common. Plastic and metal manufacturers are "lightweighting" their materials, such as producing thinner drinking water bottles. This means that when we recycle the same number of plastic bottles, because the newer bottles weigh less, the recycling rate goes down. In addition, some reports of material collected are based on volume estimates, then converted to weight. They are not ground-truthed weights, passed across a scale. We must consider how we define our recycling goal, as basing it on weight will continue to present challenges. While the Act includes requirements on pounds collected for recycling, there is limited actual data on the pounds that go from



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collection to recycling markets. Data on the final destination of these materials will allow us to better quantify progress towards meeting our goals and to identify market trends more quickly.

We must act to ensure the continued success of recycling. Because, despite the many challenges, we see first-hand the benefits of promoting both waste reduction and increased recycling. Landfills are the third-largest source of methane in the country, releasing greenhouse gas and contributing to climate change as organic waste breaks down. Burning trash releases emissions, presenting air quality challenges for communities that may be already environmentally overburdened. Recycling programs preserve expensive landfill space, save energy, and support local recycling businesses. When it comes to recycling in the United States, it's time to think outside the plastic box.

According to research conducted by the Ad Council, only 52% of Americans say they are "very" or "extremely" knowledgeable about how to recycle properly. To that end, DEP has already begun outreach on recycling standards. In 2018, DEP contracted to provide statewide access to "Recycle Coach", an app for smart devices available for all residents to download for free. In partnership with municipalities, the app makes recycling simple, clear and accessible by uploading information about collection days and acceptable recycling materials specific to their community. In addition, DEP launched the "Recycle Right NJ" social media campaign, available



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for local governments to use on Twitter, Facebook, and Instagram.

Facing these challenges is not only a case of better sorting and education on regulation; it is a cultural shift. To make those changes, we need to consider the relevant data and reevaluate our past standards. While our goals to increase recycling and reduce waste remain the same, our targets and measurements need to reflect the changing world around us. To further our understanding, the Department is preparing to announce grant opportunities to be funded under the Recycling Enhancement Act. The grant opportunities will be open to New Jersey institutions of higher learning in four general project areas: the role of government in recycling market research and development; performance of a municipal solid waste composition study; research, design, implementation and analysis of a solid waste or food waste reduction, reuse, and recycling project at the institution; and creation of a public outreach campaign to educate and motivate reduction of food waste in New Jersey. The results of these grant opportunities will help reduce our data gap and inform our decisions as we move forward.

Thank you all for your attention to this important matter. Moving forward, it will be the strong partnerships between state, municipal, and county officials, as well as our partners in the recycling industry, that shape the future of New Jersey's recycling program. I am happy to answer your questions.

Testimony of Gary Sondermeyer
Vice President of Operations
Bayshore Family of Companies
Representing the Association of New Jersey Recyclers
August 15, 2019 Joint Legislative Committee Hearing

Good Morning Chairman Pinkin and esteemed members of the Joint Legislative Hearing Committee, my name is Gary Sondermeyer, Vice President of Operations at the Bayshore Family of Companies. Thank you for the opportunity to offer testimony today on behalf of the Association of New Jersey Recyclers (ANJR).

The mission of ANJR is to support, promote and enhance source reduction, reuse practices, organics management, and recycling activities in the State of New Jersey. ANJR provides educational and training programs, and also advances policies that support sustainable materials management, which in turn benefits the environment, the communities and the economy of New Jersey. We are a not-for-profit, 501(c) (3), nonpartisan network that was incorporated in 1984. ANJR's members consist of individuals and organizations from both the public and private sectors, governmental entities, the recycling industry, and the business community.

Some 32 years ago New Jersey embarked on a sweeping experiment in being the first State in the United States to require recycling through the 1987 "Mandatory Source Separation and Recycling Act." The law required that the State DEP develop an overall master plan for recycling and the 21 counties were delegated with the responsibility to prepare county-specific plans and to designate materials for mandatory recycling. We started with three materials, bottles, cans and newspaper, and a Statewide ban on the disposal of leaves. This was a floor and not a ceiling. Through the years the recycling industry in New Jersey has grown to employ some 27,000 people which adds almost \$6 Billion annually to our State economy. We have 22 Class A facilities which process curbside collected material, over 100 NJDEP Class B facilities accepting concrete rubble, asphalt debris, wood scrap and scrap tires, 38 Class C facilities processing organic material and dozens of industrial facilities including steel mills, foundries and paper mills. Most recent DEP statistics

show the State achieving a 61% total waste stream recycling rate and a 44% municipal waste stream recycling rate – among the highest recovery rates for any State in the US. We have grown from mandating 3 materials for recycling to an average of 16 in County Recycling Master Plans.

Getting recycling started and to its current level of success took a massive, multidisciplinary approach involving both the public and private sectors as well as every single citizen and business who all contribute daily to our programs by their personal behavior at home, at work, at school, at commercial businesses when shopping, and while enjoying open space in our parks and ballfields. We now stand at a crossroads as international markets have all but collapsed, most notably based on public policy decisions and regulatory restrictions imposed by China which have been widely reported on and characterized as the Green Fence and Green Sword initiatives.

In 2011, China passed “Article 12” to crack down on the receipt of “garbage” being delivered to them and marketed as recyclables. Initially the crack down was not actively enforced. However, in March 2013 China announced “Operation Green Fence” and as many as 70% of all incoming containers of recycled material were rigorously inspected. As a result, entire ships loaded with containers began being rejected at Chinese ports after inspection. “Operation Green Sword” came thereafter in 2017 and included a combined prohibitive outthrow rate of .5% for contamination compared to the Institute of Scrap Recycling Industries (ISRI) index of 5%. The .5% rate is unprecedented in industry history and essentially impossible to achieve. The net result is that we have an over supply of material and too little demand for recycled commodities. Other Asian markets in India, Malaysia, Indonesia and Vietnam are following the same path as China and restricting or eliminating imports of recycled material.

The painful reality of restricted international markets has been in the economics of recycling. While historically orders of magnitude cheaper than disposal through landfilling or incineration, the current cost of recycling has risen at an alarming rate. Before the Green Sword was imposed by China, towns were regularly “paid” for their material since recyclers were able to sustain a suitable return on investment. However, the market crisis has resulted in tipping fees for single stream recycling in the range of \$65 - \$75

per ton and higher, thus being equivalent to and, in some cases exceeding, the cost of disposal. New Jersey towns have been forced to scramble under severe budget constraints to cover unanticipated costs to maintain recycling services to their residents.

Rather than dwell on the causes of the worst markets in the history of recycling, ANJR would like to focus on what is needed to get us back on track as an industry. We are at a point where we need to reassess what was done in the past when mandatory recycling was in its infancy and plot an aggressive course to rebuild domestic markets.

The first thing we need to do is start with an experts' dialogue to bring together industry leaders and government to frame solutions. ANJR is committed to this cause and has created a committee of experts to exclusively study markets development. Any conclusions and recommendations of these groups will be shared with the State and Counties for consideration. In the longer term, we similarly recommend that the State consider reconvening the Advisory Council on Solid Waste Management which is the official advisory body called for by Statute. Unfortunately, this body has not been active for at least the past 5 years. In this regard we also recommend Legislative changes to modify the membership of this body with a more detailed scope of work to make the advisory council a valuable tool in advising the Governor and DEP Commissioner on recycling issues. Finally, this body should be supplemented by legislatively creating a standing "Recycling Market Development Council" which will focus exclusively on the complexities of markets. Pennsylvania provides a good model for this action through the Pennsylvania Recycling Markets Center (RMC). Organized as a non-profit 501c(3) corporation, the Mission of the RMC is to expand and develop more secure and robust markets for recovered (recycled) materials by helping to overcome market barriers and inefficiencies. ANJR stands ready to work with the Senate Environment and Energy and Assembly Environment and Solid Waste Committees to develop such legislation.

There are many questions that the ANJR Committees and future State Advisory Committees need to consider. Market forces are complex and on a county, state, regional, national and international level – there are no simple

answers. We should be discussing all of the following as, once more, a multifaceted approach is critically needed:

- **Examining Collection Practices:** Over the past decade there has been a steady movement to single stream collection programs where fiber and non-fiber materials are mixed together at the curb. There have been concerns that the quality of the end market material has diminished thus affecting finished product economies because of this collection method. We need to provide towns with guidance on the best collection methods, considering materials quality, reducing collection injuries and optimizing collection practices to benefit the environment and reduce the impact on municipal and private sector budgets;
- **Contamination in the Recycling Stream:** There is no question that we are victims of our own success where “wishful recycling” is now rampant in our towns and businesses. Everything is not currently recyclable with available markets and existing public education campaigns need to be strengthened to get the public to recycle only the materials called for in county plans and which can be successfully marketed;
- **Public Education to Stop the Confusion:** Related to the contamination issue is a critical discussion needed to clarify the message of what is and what isn't recyclable. Do we leave the caps on or do we take them off? Can we recycle the pizza box or not? What plastics are and are not included in town recycling programs? These questions are complex as markets are in a constant state of motion, changing at irregular intervals. Our existing method of “designating” materials for recycling is rigid and somewhat inflexible. Can we simplify recycling and develop a strong Statewide campaign with a unified message? Who should lead this charge and how can we fund it?
- **Standardization:** Under New Jersey law counties have historically been empowered with the ability to select what materials are required for recycling. Should this procedure be reconsidered – should more of a unified Statewide set of designated recyclable materials be established?

ANJR believes this is an important issue that should be strongly considered and discussed;

- **Single Use Plastics Bans and Fees:** All across New Jersey, towns are passing bans and fees on plastic bags, straws and polystyrene foam take-out food and beverage containers. ANJR applauds the efforts of Clean Water Action New Jersey in compiling a running list of towns with adopted bag bans and fees, along with towns with pending ordinances or those under serious discussion. The tally as of this writing is 32 towns with some type of ban or fee program in place and 23 more ordinances pending or under consideration. ANJR strongly supports such actions at the municipal level as they both inform the public and change behavior toward more sustainable practices. Getting film plastic out of the recycling stream would have the collateral benefit of helping processing facilities run better as such plastics clog machinery multiple times per day causing unnecessary downtime. Beyond local efforts ANJR encourages enactment of pending bills S2776/A4330 in the coming Fall session in as broadly applicable a form as feasible. While individual municipal efforts are most commendable, a uniform Statewide approach would be preferable, especially in the important work of educating and engaging the entire public of the State;
- **Incentives For Domestic Processing Capacity:** At center stage is the need to resurrect domestic markets. Historically New Jersey was home to a vibrant infrastructure of paper mills, box plants, glass manufacturing facilities like Wheaton Glass, plastic processing plants, etc. Many of these facilities closed due to not being able to compete with low cost international markets. The original recycling tax dating back to 1987 dedicated 35% of all revenue to “business recycling loans” to help jump-start the development of domestic processing facilities. We need to revisit such incentive programs, as well as existing programs administered by the State Economic Development Authority and Board of Public Utilities, without “robbing Peter to pay Paul” by diverting critically needed funds provided to towns and counties under the existing Recycling Enhancement Act;

- **Critical Link to Procurement:** Government spending is a key economic driver. U.S. government spending alone currently represents 21% of our gross domestic product. One of the most important connections at the onset of mandatory recycling in New Jersey was the realization of the importance of government procurement to drive markets. In 1993 Governor Jim Florio signed Executive Order 91 on State Agency Procurement with detailed requirements for purchasing products with recycled material content and for recyclability. This directive was sweeping in covering the purchase of paper and paper products, re-refined motor oil, retreaded and remolded vehicle tires, recycled concrete and asphalt products, glassphalt, plastic lumber, snow fencing and sign posts, and organic products like compost and fertilizers. For most products the Order provided for a 10 – 15% price preference for the purchase of products made from recycled materials. We believe this type of Executive Order approach or a Legislative approach to drive recycling markets through purchasing should be reconsidered and reestablished;
- **Product Specifications:** Along with procurement, government can drive markets by modifying and expanding product specifications. Recyclers in New Jersey and Nationwide have long worked with Departments of Environmental Protection, Transportation, Agriculture and others to identify opportunities to use post-consumer, secondary materials in manufacturing. No better example of this exists than Departments of Transportation that have the opportunity to revise specifications to allow recycled concrete, asphalt, glass, asphalt shingles and organic materials (compost) to be used in road projects and embankments. We believe that such discussions should be revisited in New Jersey under the previously referenced Recycling Market Development Council initiative;
- **Food Waste Recycling:** The single largest material left in the garbage can after 32 year of mandatory recycling in New Jersey is food, standing at roughly 25%. New Jersey is way behind the neighboring states of Connecticut, Massachusetts, New York, Rhode Island and Vermont and the Cities of New York and Philadelphia in terms of food waste recycling.

The New Jersey Legislature should be applauded for the passage of S3027, the Food Waste Reduction Act of 2017. This bill will help drive excess food to the feeding of hungry people as we have established a goal of reducing food waste by 50% by 2030. This past session you, the Legislature, also passed an impressive package of bills signed into law by Governor Murphy in May to fight hunger and reduce the massive quantity of food wasted each year. While it is widely estimated that as much as 30 – 40% of all food produced in the United States goes to waste, an alarming number of New Jersians don't have enough to eat while residing in the State with the second highest median family income in the richest nation in the world. ANJR applauds the enactment of the following ten bills:

- A4702 "Hunger-Free Campus Act" (Wimberly, Jasey, Mukherji/Cunningham, Ruiz) — Requires Secretary of Higher Education to establish grant program to address food insecurity among students enrolled in public institutions of higher education; appropriates \$1 million.
- A4704 (Taliaferro, Murphy, Verrelli/Ruiz, Cunningham) — Directs Department of Agriculture to establish food desert produce pilot program.
- A4708 (Houghtaling, Andrzejczak/Space, Gopal, Kean) — Establishes Farm Liaison in Department of Agriculture.
- A4703 (Lopez, Holley, Kennedy/Beach, Cruz-Perez) — Requires Chief Technology Officer to establish "Anti-Hunger Link" for all State websites, providing information on emergency food services.
- A4705 (Carter, Benson, Mejia/Smith, Codey) — Establishes New Jersey Food Waste Task Force to make recommendations concerning food waste in New Jersey.
- A4707 (Tucker, Downey, Calabrese/Smith, Singleton) — Directs Department of Agriculture to establish public awareness campaign for food waste.
- AJR172 (Downey, Johnson, Holley/Gopal) — Designates Thursday of third week of September of each year as "Food Waste Prevention Day" in New Jersey.

- AJR60 (DeAngelo, Lopez, Chiaravalloti/Ruiz, Cunningham) — Designates November of each year as "Food Pantry Donation Month" in New Jersey.
- AJR174 (Mejia, Benson, Quijano, Lopez/Cryan, Greenstein) — Urges large food retailers in State to reduce food waste.
- AJR175 (Chiaravalloti, Spearman, Mosequra/Diegnan, Singleton) — Urges Chief Innovation Officer to prioritize enhancement of NJOneApp to include all State anti-hunger programs.

Just last week, NJDEP also released its much anticipated “Draft Food Waste Reduction Plan” required under S3027 and will hold three regional public hearings on the Plan in September. ANJR looks forward to participating in these hearings and in ongoing discussions toward implementation of DEP’s Plan. These legislative and administrative measures will go a long way toward food waste “reduction,” the highest level of management in USEPA’s Food Recovery Hierarchy.

To take the next step, New Jersey needs meaningful disposal ban legislation in the form of a modified S1206 to incentivize investment for public and private sector parties to site, design, construct and operate composting and other sustainable management technologies in line with USEPA’s Hierarchy. Despite 6-years of effort by ANJR to advocate for a reasonable disposal ban for food waste, Legislation passed in June 2019 by the Senate and Assembly in the form of S1206 is simply bad public policy. This bill, which now sits on our Governor’s desk for potential signature arguably exempts all 21 counties from a measure which seemingly requires food waste recycling. Worse yet, the inference in the bill is clearly that New Jersey considers the landfilling and incineration of food to be recycling. ANJR opposes S1206 in its current form and has written to Governor Murphy’s office to urge a Conditional Veto which will remove the 21-county exemption provision and put in its place a reasonable ability for counties to opt out of the Statewide disposal ban provided they develop a study that demonstrates the volume of food waste removed from the system will materially adversely affect the ratepayers of the District. Our State has virtually no commercial food waste recycling infrastructure in place. We

desperately need Legislation that will provide food waste feedstock to public or private sector vendors who invest in developing facilities in New Jersey;

- **Recycling Research and Development:** Many jurisdictions across the United States have established goals and objectives toward achieving “sustainable materials management.” ANJR applauds the USEPA’s Sustainable Materials Management Program Strategic Plan: Fiscal Years 2017 – 2022 as a template in this regard for the Nation. It is clear that technology constantly provides new and improved opportunities for sustainable materials management toward established circular economy goals. The problem is often not technological solutions, but rather economics. Recycling research and development to identify new ways in which materials can be used sustainably and economically is critical to future market development. ANJR strongly supports government efforts, such as at the Rutgers EcoComplex in Bordentown and other colleges and universities across the State that serve as incubators to evolving recycling and material reuse technologies;
- **Mandatory Recycling Remains The Law:** As a final note, public messaging must reinforce that mandatory recycling remains fully in force and effect in State Law. While market conditions are challenging, markets for materials designated in County Recycling Master Plans certainly exist, they are just fewer in number due to the disruption in international markets and are more competitive to access. Poor markets are no excuse for the landfilling or incineration of source separated recyclable materials. Companies which collect curbside recyclables must continue to access approved Class A processing facilities. Anyone caught disposing of these materials must be confronted with rigorous enforcement and associated penalties.

In conclusion, we would like leave you with several key considerations. First, ANJR would most sincerely like to thank you for holding this joint hearing today with dedicated discussion of the current state of recycling. It is exactly the type of dialogue we need now and on a consistent basis to work through our current marketing crisis. While we grapple with the

worst markets in recycling history, we most strongly assert that recycling remains an extremely important part of the New Jersey economy and a discipline we must support as a centerpiece of sustainable materials management. In 1987 we drove our then fledgling mandatory programs from infancy to maturity as a thriving industry through multifaceted approaches such as those we have highlighted in our testimony today. We most certainly can do this again. However, we must act now as a unified recycling community to bring back many of the strategies and programs we used successfully in the past. We most certainly do not need to reinvent the wheel. We simply need leadership to bring the right people and expertise together to identify logical approaches to drive market development as we did in the past. ANJR pledges to work in complete cooperation with the NJDEP, other State agencies and the Legislature in this most important endeavor.

Thank you again for the opportunity to testify today and we would be most happy to answer any questions you may have.



August 15, 2019

Senator Bob Smith
Environment and Energy Committee Chair
LMH Room, Toms River Municipal Complex
33 Washington Street
Toms River, NJ 08753

Dear Chair Smith and members of the committee,

Thank you for inviting me to testify today about recycling.

As background, the Surfrider Foundation is dedicated to the protection and enjoyment of the world's ocean, waves and beaches through a powerful activist network. Surfrider's chapters organize around plastic pollution policy through the lens of ocean protection. I lead Surfrider's policy efforts and litigation to reduce plastic pollution at local, state and national levels.

The focus of Surfrider's plastic pollution initiative is on reduction of plastics, but we recognize that recycling is important for plastics that remain in circulation. We are concerned, however, at the greenwashing that often surrounds discussions of plastics recycling. Greenwashing is conveying a false impression that a company or its products are more environmentally sound than they really are.

The Federal Trade Commission (FTC) has recognized that it is deceptive to misrepresent that a product or package is recyclable and developed Green Guides to prevent greenwashing. According to the Green Guides, a product or package should not be marketed as recyclable unless it can be:

- 1) collected, separated, or otherwise recovered from the waste stream through an established recycling program
- 2) reused or manufactured or assembled into another item.

When most people think about recycling, they think about whether a particular item is accepted in their recycling curbside bin, but we need to look at the bigger picture of whether items are recyclable under the FTC's definition. A recycling crisis has emerged in the last few years that has highlighted that much of what we put into our recycling bins isn't recyclable. Much of it isn't reused or manufactured into a new item.

For decades, China bought most of our recycled plastic. Much of this went to small family-owned recycling operations where plastic shipments were cherry-picked for the best materials and what remained was dumped or burned with virtually no laws enforced to protect the health of people or the environment. We exported our plastic waste problem under the guise of

recycling, but now China's economy has improved, and they refuse to accept our low-grade plastics.

The new reality is that now there are a lot more eyes on where our recycling goes, which is a good thing. Much of our recycling is in storage awaiting buyers, sent to landfills or incinerators, or sent abroad to countries in Southeast Asia that are still willing to accept our plastic recyclables. We are learning that recycling is a commodities market where some items are potentially recyclable and some items are absolutely not recyclable.

Items that are absolutely not recyclable include plastic carryout bags, expanded polystyrene foodware, and straws. These items fail both prongs of the FTC's recyclability test. First, these items are all lightweight and difficult to capture at most municipal recycling facilities. Plastic carryout bags are particularly problematic because plastic films tend to get caught in the gears of recycling machinery. Second, these items have no value on the current commodities market. No one wants to buy used straws to be reused or manufactured into another item.

A good first step towards a more effective recycling system is to regulate these items through bans or fees, as proposed in SB 2776.

As a next step I recommend exploring more comprehensive options focused on producer responsibility, for example:

"The California Circular Economy and Plastic Pollution Reduction Act" (SB 54/AB 1080) would require covered entities to source reduce to the maximum extent feasible and require all priority single-use plastic products in the California market be recyclable or compostable by 2030, according to strict regulations promulgated by CalRecycle.

Washington State's proposed Extended Producer Responsibility law (HB 1204) would prohibit covered entities from selling or distributing plastic packaging for use in the state unless they participate in a plastic packaging stewardship plan approved by the state agency.

Each of these producer responsibility laws requires a certain percentage of post-consumer recycled content in plastics products to incentivize domestic demand for recycled plastics.

Thank you for allowing me to testify today and I would be happy to answer any questions.

Sincerely,

Jennie Romer
Legal Associate, Plastic Pollution Initiative
The Surfrider Foundation



For Immediate Release: Thursday, August 14, 2019

Contact: Amy Goldsmith, 732-895-2502, agoldsmith@cleanwater.org

Recycling is Not Enough : Time to Make Less Waste Not Manage It

Toms River, NJ - Clean Water Action State Director, Amy Goldsmith, testified at the joint annual meeting of the Senate Environment and Energy Committee and Assembly Environment and Solid Waste Committee.

This year's hearing focused on the state of recycling in New Jersey.

"Plastic pollution and our reliance on disposables are a growing environmental crisis and the fact that recycling cannot keep up with our production and consumption is an indication that it's time for a new paradigm shift. In order to save recycling and stop plastic pollution, we need the state legislature and corresponding agencies to take action on policies that will incentivize reuse and waste prevention.

This is the one year anniversary since Governor Murphy vetoed a well-intended, but faulty 'fee forever' plastic bag bill that would have made it virtually impossible to significantly reduce plastic pollution. This opened a path for S2776/A4330, a stronger bill banning single-use carryout bags, Styrofoam food containers, and reduce plastic straw use. Despite generating thousands of constituent letters and comments in support of this bill and claims of legislative leadership support, it has not budged beyond the Senate Environment Committee.

Over 50 municipalities throughout the state are not waiting for the state to act. They have either passed or are in the process of drafting local ordinances to ban single use bags (plastic and/or paper), Styrofoam and allow straws only by request. Just this week, Cranford adopted an ordinance that goes a few steps further with "difficult to recycle" items by transitioning from offering stirrers, lids, plastic utensils by request to ban them in moist instances. Clean Water Action urges the NJ legislature to pass the strongest form of S2776/A4330 before year end and support other waste reduction policies and programs that focus on systemic solutions.

While the hearing today is focused on the state of recycling - a form of "after use" waste or materials management, Clean Water Action's award winning program, *ReThink Disposable* (<https://www.cleanwateraction.org/rethink-disposable-nj>) provides practical cost saving measures for local businesses and institutions that prevent waste and the need to manage it before it starts. By creating less waste and fewer recyclables, municipalities and taxpayers can also save hauling and disposable costs.

The plastics industry admits that much (91%) of its packaging including bottles never gets to a recycling facility. Clean Water Action has shown through its *ReThink Disposable* initiative that a 90% reduction in straw use can occur by offering straws only on demand. Restaurants not need to pay for plumbers to unclog their drains of straws. <http://www.rethinkdisposable.org/zero-waste-progress-nj> Other vendors like the staying and branding power of a reusable cup or bag.

-more-

Working at the business and institutional level, Clean Water Action has demonstrated that building reuse and waste reduction into the NJ economy, just like we did with recycling decades ago, is a win-win and can go a long way in changing consumer habits, the packaging industry and the composition of the waste and recycling stream.

Another form of recycling that cannot be ignored is the composting of food products. When food is dumped in a landfill, it generates methane, a global warming agent that is 86 times more potent than CO2. When sent to an incinerator, it is equivalent to burning water. The state was on the right path when it decided to direct food to true composting facilities; but Clean Water Action was disheartened when language was included in A3726 in the final hour that allows food materials to continue to be sent to landfills and incinerators for a long time to come. This is an insult to what we call recycling and composting. We, therefore, along with many others urge the Governor to remove any reference to allowing landfills and incinerators to accept food waste through a conditional veto. Clean Water Action also calls on the legislature to support their original intent to properly compost, not landfilling or incinerate food.

We must use all of our available as well as create new policies, enforcement tools and financial incentives to make less waste first and foremost, reuse what we can, recycle and compost what we must, and avoid burning or burying as much as possible.

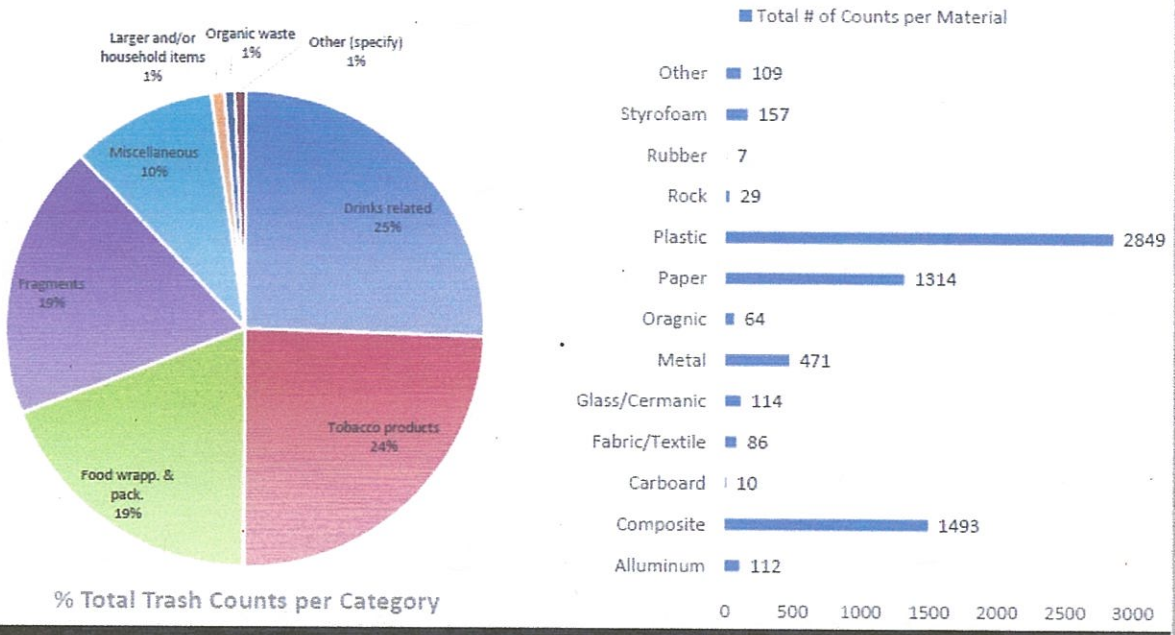
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Clean Water Action has more than 150,000 members statewide in New Jersey and is the nation's largest grassroots group focused on water, energy and environmental health. Since our founding during the campaign to pass the landmark Clean Water Act in 1972, Clean Water Action has worked to win strong health and environmental protections by bringing issue expertise, solution-oriented thinking and people power to the table. We will protect clean water in the face of attacks from a polluter friendly Administration and Congress. www.cleanwater.org/nj

Other video offerings:

Dodge Poetry Festival, Newark, NJ <https://www.youtube.com/watch?v=xtl8a7fNbWU>

Closer Look in the City of Newark



NY-NJ HARBOR & ESTUARY PROGRAM

Stop the Trash Before it Starts, June 2018. Rosanna Da Silva

2018 Dodge Poetry Festival – NJPAC, Newark, NJ

Totals by Material (pounds, lb)

Date	Incinerator/Landfill	Recycling Paper	Compost	Recycling Bottles/Cans	Grand Totals
10/18	86.1	40.1	120.7	42.1	289
10/19	302.7	57.9	236.4	31	628
10/20	124	483.3	136.7	25.3	769.3
10/21	112.3	618.8	390	15.5	1136.6
Total	625.1	1200.1	883.8	113.9	2822.9

Note: Paper volume much larger than normal due the reprinting of the programs in the middle of the event.

2/1x

CLEAN WATER ACTION FACT SHEET

Business Cost Impacts from disposable food service items

The cost breakdown* of disposable food service ware items used for typical to-go meals, based on case studies of *ReThink Disposable* certified food businesses

Café Coffee To-Go meal packaging:	
ITEM	COST
16 oz. Hot Cup	\$0.06
Hot Cup Lid	\$0.04
Sleeve	\$0.03
Lid plug/stirrer	\$0.03
3 Sugar Packets	\$0.03
2 Creamers	\$0.08
TOTAL COST: \$0.27	

Taqueria Meal To-Go meal packaging:	
ITEM	COST
Plastic Bag	\$0.01
Foil	\$0.02
Paper Bag for chips	\$0.02
3 Plastic Sauce Cups for salsa	\$0.06
3 Plastic Sauce Cup Lid	\$0.06
6 Napkins	\$0.01
16 oz. Cold Cup	\$0.05
Cold Cup Lid	\$0.01
Straw	\$0.01
TOTAL COST: \$0.25	

Chinese Food To-Go meal packaging:	
ITEM	COST
Plastic Bag	\$0.01
2 Paper Boxes	\$0.25
2 Large Plastic Clamshells	\$0.38
4 Condiment Packets	\$0.10
6 Napkins	\$0.01
Wooden Chopsticks	\$0.03
Plastic Fork, Knife, Spoon	\$0.03
Sauce Cup	\$0.02
Sauce Cup Lid	\$0.02
TOTAL COST: \$0.85	

Hamburger/Fries To-Go meal packaging:	
ITEM	COST
Plastic/Paper Bag	\$0.01
6 Napkins	\$0.01
5 Condiment Packets	\$0.13
8x8x3 Fiber Clamshell for Hamburger	\$0.23
6x6x3 Fiber Clamshell for Fries	\$0.13
16 oz. Cold Cup	\$0.05
Cold Cup Lid	\$0.01
Straws	\$0.01
TOTAL COST: \$0.58	

Greek Food Meal To-Go meal packaging:	
ITEM	COST
Plastic Bag	\$0.01
6x6x3 Fiber Clamshell	\$0.13
Large Plastic Clamshell	\$0.19
Small Plastic Clamshell	\$0.10
3 Sauce Cups	\$0.06
3 Sauce Cup Lids	\$0.06
6 Napkins	\$0.01
Foil	\$0.02
Food Wrap	\$0.01
16 oz. Cold Cup	\$0.05
Cold Cup Lid	\$0.01
Straw	\$0.01
Fork, Knife, Spoon Packet	\$0.03
TOTAL COST: \$0.69	



*Costs of individual items rounded to the nearest whole cent.

22x

Net Cost Impact* of switching from disposable to reusable food ware items for dine-in

Numbers are based on case studies of *ReThink Disposable* certified food businesses.

J&J Hawaiian invested \$557 to replace:

- Disposable Paper Food Clamshells with Reusable Plates & Bowls
- Disposable Paper Food Trays with Reusable Baskets
- Disposable Plastic Utensils with Silverware
- Disposable Wooden Chopsticks with Reusable Plastic Chopsticks
- Disposable Plastic Water & Paper Soda Cups with Reusable Glasses
- Disposable Plastic Sauce Cups & Lids with Reusable Sauce Cups

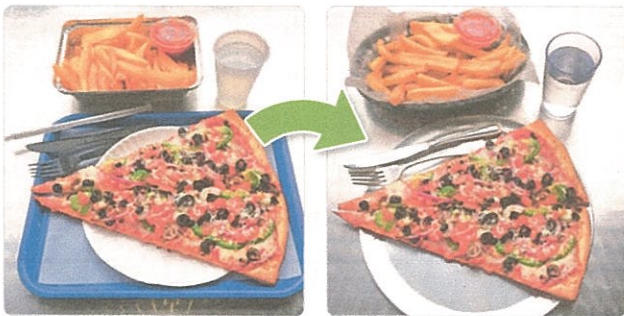
ANNUAL NET COST SAVINGS:
\$20,517



Kirk's Steakburgers invested \$220 to replace:

- Disposable Paper Trays with Reusable Baskets
- Disposable Paper Soda Cups with Reusable Cups
- Disposable Plastic Water Cups with Reusable Cups

ANNUAL NET COST SAVINGS:
\$3,981



New York Pizza invested \$170 to replace:

- Disposable Paper Plates with Reusable Metal Pizza Trays
- Disposable Plastic Utensils with Reusable Silverware
- Disposable Plastic Water Cups with Reusable Glasses

ANNUAL NET COST SAVINGS:
\$3,043

Rene Rose invested \$636 to replace:

- Disposable Plastic Plates with Reusable Plates
- Disposable Plastic Bowls with Reusable Bowls
- Disposable Plastic Sauce Cups & Lids with Reusable Sauce Cups
- Disposable Plastic Water Cups with Reusable Glasses

ANNUAL NET COST SAVINGS:
\$22,122



Shish Grill invested \$80 to replace:

- Disposable Foam Cups for soda and water with Reusable Glasses
- Disposable Plastic Sauce Cups with Reusable Sauce Cups

ANNUAL NET COST SAVINGS:
\$974

*Net Cost Impact takes into account any upfront and ongoing costs associated with the purchase and care of reusable items and capital improvements needed to carry out *ReThink Disposable's* recommendations. Net cost savings are based on avoided disposable foodware purchases.

NOTE: With the exception of Kirk's Steakburgers, the above restaurants had no mechanized dishwashing.



NJ is Ditching Single-Use Plastic, Town by Town!

Bans

Beach Haven
Belmar
Bradley Beach
Brigantine
Harvey Cedars
Jersey City
Point Pleasant Beach
Stafford Township
Ridgewood
Hopewell Borough
Saddle Brook

Hybrids and other single-use plastics

Avalon - ban on plastic bags, polystyrene foam, non-compostable food packaging
Lambertville - ban on plastic bags, single-use plastic straws, and polystyrene foam
Long Beach - ban on plastic bags, fee on paper bags
Hoboken - ban on plastic bags, fee on paper bags
Monmouth Beach - ban on plastic bags, single-use plastic straws, and polystyrene foam
Stone Harbor - ban on single-use plastic bags, plastic utensils, and polystyrene foam
Little Silver - ban on plastic bags, single-use plastic straws
Glen Rock - ban on plastic bags, fee on paper bags
Maplewood - ban on plastic bags, fee on paper bags
Highland Park - ban on plastic bags, fee on paper bags
Asbury Park - ban on plastic bags, fee on paper bags

Fees

Longport - 10 cents on plastic and paper
Somers Point - 5 cent fee on all carry-out bags
Teaneck - 5 cents on plastic, also urges state to pass statewide law
Ventnor - 5 cents on plastic

Leonia - ban on polystyrene foam food service ware
Haworth - ban on polystyrene foam food service ware
Rahway - ban on polystyrene foam food service ware
Bayonne - ban on plastic bags, single-use plastic straws
Ocean Gate - ban on plastic bags, single-use plastic straws, polystyrene foam
Parsippany-Troy Hills - ban on plastic bags, fee on paper bags
South Orange - ban on plastic bags, fee on paper bags
Atlantic Highlands - ban on plastic bags, single-use plastic straws, fee on paper bags
Cranford - ban on plastic bags, single-use plastic straws, and polystyrene foam; stirrers, lids, utensils by request only; requires food containers to be No. 1 or No. 2 recyclable plastic

24x

Pending/ Interested

Edison

Millburn

Long Branch

Montclair

Rumson

Brick

East Brunswick

Lavalette

Little Egg Harbor

Newark

Red Bank

Tinton Falls

Tuckerton

Ocean Township

Livingston

West Windsor

Toms River

Union

Oradell

Paramus

Princeton

Secaucus

New Milford

Other single-use plastics bans

California - ban on plastic bags, fee on paper bags

New York - ban on plastic bags

Hawaii - plastic bags banned in every county

Vermont - ban on plastic bags, fee on paper bags, ban on polystyrene foam, straws only on request

Maine - ban plastic bags and polystyrene foam

Maryland - ban on polystyrene foam

Oregon (pending Governor's approval) - ban on plastic bags, fee on paper bags

Puerto Rico - ban on plastic bags

Connecticut - phase-out fee and ban on plastic bags by 2021

For more information, see our activist toolkit:

<https://www.cleanwateraction.org/plastics-toolkit>



901 New York Ave NW — Suite 300 W • Washington, DC 20001 • T (855) 724-6809 • F (855) 385-2020

Testimony of PaintCare

Support for New Jersey Senate Bill S-2815 and Assembly Bill A-4382

Joint Session of the Senate Environment and Energy Committee and Assembly Environment and Solid Waste Committee

August 15, 2019

Chairs and members of the Committees, thank you for this opportunity to speak in support of Senate Bill 2815 and its companion Assembly Bill 4381. These bills will require manufacturers of architectural paint – which is your typical house paints and stains – to implement a statewide paint stewardship program. In short, the purpose of the program is to ensure that all of those quarter and half-full containers of leftover paint that are stored in garages, basements, and storage lockers across New Jersey can be easily recycled – which fits well with the goal of today's meeting to identify and increase recycling opportunities for New Jersey residents and businesses.

My name is Marjaneh Zarrehparvar. I'm the president of an organization called PaintCare. In the past you've heard testimony from my colleagues at the American Coatings Association (ACA), which is the primary trade association of the paint manufacturing industry. PaintCare was created by the ACA. We are a separate non-profit 501(c)(3) organization set up specially to implement paint stewardship programs brought about by legislation similar to the bills you have introduced here in New Jersey. We currently implement paint stewardship programs in eight states and the District of Columbia – including four in the Northeast. And interest by state legislatures in paint stewardship programs continues to grow. In fact, the state of Washington passed paint stewardship legislation just a few months ago, and a bill similar to

26x

yours is on its way to the Governor's desk in New York – making New York out 11th statewide program.

Because you are already familiar with the paint stewardship legislation and because it has already passed through both of your committees, I will keep my remarks brief today so that I can leave time to answer any questions you may have that can help to move the bills through the legislative process.

Broadly speaking, the purpose of the PaintCare program is for manufacturers of architectural paint to provide for an environmentally sound and cost-effective paint management program by developing and implementing strategies to reduce the generation of leftover house paints; to promote and support programs that reuse leftover house paints; and to provide for the collection, transport, and recycling of leftover house paints.

There is a lot that I would like to share with you about our experience across the nine state programs in the 9 years that we have been operating, but time is limited, so I will instead highlight two important areas of the programs – one is the collection infrastructure that the program sets up for the public to recycle their paint, and the other is the financial relief the program provides to local governments.

Across our nine active PaintCare programs, we have about 1,800 year-round paint drop off locations. Some of these locations – primarily household hazardous waste collection facilities – were in place before the PaintCare programs began. But the large majority are paint retail stores including Sherwin Williams, Benjamin Moore, and independent Ace and True Value retail stores that we recruit to voluntarily serve as paint take-back locations. To give you a sense of the before and after, in Oregon, our first PaintCare program, there were about a half dozen household hazardous waste collection facilities in place before the PaintCare program began. There are now more than 170 drop-off locations made up of paint retailers, reuse stores, and

solid waste transfer stations across Oregon. Another example, in the state of Connecticut, there were no year-round household hazardous waste collection facilities when the PaintCare program was implemented. Instead, Connecticut had four seasonal household hazardous waste facilities and held several dozen one-day collection events. We now have more than 150 year-round drop off sites in Connecticut, again, made up of primarily paint retailers, as well as reuse stores and solid waste transfer stations. In New Jersey, I believe you have a few dozen household hazardous waste collection facilities. We anticipate adding about 300 retail drop-off sites to the paint collection infrastructure where New Jersey residents will be able to drop-off their leftover paint, free of charge, regardless of when they bought it, throughout the week. Specifically, the legislation will require PaintCare to establish a collection site within 15 miles of 90 percent of the state's residents and at least one site for every 30,000 residents of an urban areas.

I think we all know from personal experience that the more convenient a program is, the more likely we are to use it, and the tremendous benefit that paint retailers bring to this program is that they are usually centrally located within a community and are open 6-7 days a week – making it as easy to recycle paint as it is to buy paint. In addition, for residents, businesses and institutions that have large amounts of paint, we also offer a large-volume pickup service, free of charge, directly from the site where the paint is stored.

The second items I want to highlight this morning is the financial relief the PaintCare program provides to local governments. Before working for PaintCare, I worked in local government in California for many years, in fact, operating household hazardous waste collection programs, so I have seen firsthand the cost of managing these waste streams. The program I operated in San Francisco spent more than a half-million dollars a year on just managing leftover paint alone. Aside from electronics, paint is by far the largest and most costly waste stream managed by most municipally operated household hazardous waste programs.

Therefore, the PaintCare program could save New Jersey's household hazardous waste programs hundreds of thousands of dollars or more a year by passing those program expenses to PaintCare. They programs could in turn use those savings to enhance other recycling programs for their community as we have seen other household hazardous waste program do across the country.

In closing, again, there are many other program elements – including our robust outreach and education programs, and the awards and recognitions we've received across the country that I would like to share with you today – but I think it may be better to use the rest of my time to answer any questions you may have to ensure your continued support for this program and bills that passed your committees last year.

One final remark. I'd like extend a special thanks to Chairs Pinkin and Smith, and Assembly member Lopez and Senator Bateman for being sponsors of this important bill. And again, thank you for your time and this opportunity to share the experience we've had with the PaintCare programs across the county.



30 West Lafayette Street
Trenton, NJ 08608
609-392-8899
609-396-6571 Fax
www.njfoodcouncil.com

Date: August 15, 2019

To: Members of the Assembly and Senate Environment Committees

From: Mary Ellen Peppard, Vice President

Re: **NJFC Position on Recycling and Sustainability**

The New Jersey Food Council is a trade association representing food retailers, including supermarkets, independent grocers, convenience stores, and their supplier partners. We appreciate the opportunity to discuss recycling and related environmental issues.

Food Waste Recycling

NJFC members have a long-standing commitment to waste reduction and diversion practices, which include food donation, composting, and effective inventory management. As you may know, NJFC is unable to support the food waste legislation which is currently awaiting action by the Governor because it does not promote food waste recycling. While we support the intent of this legislation, in its current form, this bill will result in significantly increased costs and decreased food waste recycling in New Jersey.

New Jersey does not currently have a robust food waste recycling infrastructure, and this bill does not provide incentives to expand food waste recycling, or the energy and compost markets. NJFC members have been recycling food waste for well over a decade and have expended significant time and resources to make food waste recycling cost effective. They have offset potential operating cost increases with decreased disposal costs and have continued to expand every year without legislative mandates. These members could now experience a ten percent increase in costs as a result of this legislation.

This legislation creates a supply and demand imbalance and allows haulers to charge more. Under the legislation, only eight North Jersey counties would need to recycle their food waste. Six of these counties are within 25 road miles of the only operating industrial scale food waste facility. This will create a monopoly and a supply and demand imbalance that will lead to higher prices for everyone and especially hurt the businesses that have been committed to recycling their food waste over the past decade. When prices increase, participation decreases, as New Jersey and other states are seeing with

their current recycling programs. The experience in markets where mandates raise costs shows that some companies do the bare minimum to comply, as it becomes more effective to throw food waste in landfills. This legislation does not encourage food waste recycling.

We think a better solution would be for the State and industry to work together on a comprehensive food waste recycling plan which would incentivize value added end products which have beneficial uses, such as renewable natural gas and compost. This plan should consider the current infrastructure, and allow enough time for generators of food waste, food waste recyclers, and regulators to prepare for implementation.

Sustainability

In addition to their food waste reduction initiatives, many NJFC members have robust environmental and sustainability programs designed to reduce their overall carbon imprint. They support and partner with various conservation organizations and utilize employee “green teams” to work within their communities. They utilize technologies that reduce their emissions from non-renewable energy sources and seek greener options for lighting and refrigeration. NJFC member retailers provide receptacles for recycling disposable bags and containers, and offer customers reusable bags.

As you are no doubt aware, the current recycling market is very challenging, especially given the policies enacted by China last year which significantly restrict the products that can be sent to China for recycling. Recycling costs have increased, resulting in more items being thrown in landfills. While NJFC members continue to utilize recycling programs, given the market challenges, they are looking for other methods of reducing waste and promoting sustainability.

NJFC is advocating for a uniform statewide policy which phases out disposable plastic and paper bags and encourages the use of reusable bags in New Jersey. We continue to believe that policies governing disposable plastic bags should be applied to disposable paper bags too. Disposable paper bags have a significant environmental impact and are substantially more expensive than plastic. The carbon footprint of paper is arguably more detrimental to the environment than plastic. Paper bags require ten times the amount of trucks to deliver the same quantity of bags, resulting in increased truck traffic and diesel emissions.

Our food retail members in municipalities which have banned disposable plastic bags without addressing disposable paper bags are faced with much higher costs since they have had to purchase additional paper bags. As you may know, food retailers operate on profit margins of approximately one penny on the dollar. Increased costs for paper mean less funds available for jobs and investment in their stores and communities. Additionally, the increased use of paper bags will ultimately end up in municipal recycling programs and in the solid waste stream, which, as previously noted, are facing increased costs. This means municipalities must pay more for recycling and waste removal services, which ultimately increases costs to the municipal taxpayers. Overall, focusing solely on disposable plastic bags results in higher costs for retailers, consumers, and municipalities.

The pending state legislation and some municipal ordinances provide for a ban on polystyrene food containers. We have strong concerns with a complete ban on polystyrene in a short time frame. There are technological impediments with a ban on polystyrene, specifically the fact that there is no commercially available alternative product to polystyrene which is marine biodegradable. Current

alternatives that are not any more environmentally sensitive are upwards of 1,000 times the cost of polystyrene. Additionally, food retailers have high standards for the quality, durability and safety of these containers, and alternative containers must be vigorously tested and proven to be effective for food safety purposes.

It is critically important that legislation governing these issues provide for complete State preemption of all municipal and county ordinances. Dozens of municipalities throughout New Jersey have enacted competing disposable bag bans, bag fees, and polystyrene bans with different requirements, definitions, and effective dates. This has created an onerous and unworkable patchwork of local ordinances for food retailers and is also confusing for customers who shop in different towns. Enacting a uniform piece of legislation would reduce waste statewide.

We look forward to continuing to work together on these important issues and thank you for considering the views of the New Jersey Food Council. Please contact us at 609-392-8899 or mpeppard@njfoodcouncil.com if we can provide additional information about our position.



**SIERRA
CLUB**
FOUNDED 1892

NEW JERSEY CHAPTER

145 West Hanover St., Trenton, NJ 08618
TEL: [609] 656-7612 FAX: [609] 656-7618
www.SierraClub.org/NJ

For Immediate Release

August 15, 2019

Contact: Jeff Tittel, NJ Sierra Club, 609-558-9100

NJ Needs to Move Forward on Recycling and Move Towards Zero Waste

Today the Senate Environment and Energy Committee and the Assembly Environment and Solid Waste Committee will meet to hear testimony on the state of recycling in New Jersey, particularly in light of changing market conditions, and ways to enhance recycling rates, strengthen the State's recycling industry, and stimulate markets for recyclable materials and recycled products. **Jeff Tittel, Director of the New Jersey Sierra Club released the following statement:**

"When it comes to being a leader in recycling, New Jersey is headed in the wrong direction. Since 1990, recycling has dropped dramatically in New Jersey. Our waste problem is getting even worse with what is happening in China. That is why New Jersey needs to reduce, reuse and recycle when it comes to plastic waste, food waste, packaging, and more. There are 25 cities going zero waste like San Francisco, Austin, and Scandinavian countries are heading in that direction. New Jersey should be following their zero waste goals. This will protect natural resources, while reducing GHG's and creating a new economy. We also need to educate the public better on do's and don'ts on recycling, have better enforcement mechanisms, and have proper funding for these critical programs. Our legislature also needs to pass a comprehensive statewide ban on plastics to curb our critical plastic waste problem. New Jersey's plastic waste problem has become an environmental and public health issue, we don't have time to waste, we need action now.

"In the early 1990's we recycled over 50% of municipal and household waste and now we are only recycling only 44% and some counties like Passaic are down to 32%. Recycling rates in our state are dropping but there are a number of steps the Murphy Administration and the Legislature can take to reverse this trend by encouraging more recycling. The Legislature and Governor Murphy can act now to improve recycling and litter by supporting legislation like **S2776(Smith)** and **ACR197(Pinkin)** which places a ban on single use plastics like plastic bags, plastic straws, and polystyrene and establishes a plastic recycling marketplace. This legislation will help keep plastic out of our drinking water, landfills, our beaches, and parks. Every year we pick up 6 million pounds of cans and bottles and other floatables along our roadways. A Bottle Bill is a critical step that provides incentives for people to reduce our bottle waste and increase recycling rates. New Jersey only recycles 50% of cans and bottles while Michigan, with a Bottle Bill, recycles 97%.

"Now with less places accepting our waste, we need to find solutions to reduce, reuse, and recycle. We need to adapt. This includes developing new technologies for getting rid of waste, improving and updating our sorting facilities, and creating new markets for sustainable and biodegradable products to eliminate plastic products. Instead of using plastic silverware, we can transition to paper, wood, or bamboo silverware. We can emulate innovate business concepts like Terracycle's Loop that makes it



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145 West Hanover St., Trenton, NJ 08618
TEL: [609] 656-7612 FAX: [609] 656-7618
www.SierraClub.org/NJ

easier for consumers to use their same daily products in eco-friendly, recyclable, and reusable packing. We can repurpose a product for things like decking material, clothing and more to reduce waste. New Jersey must also expand its electronic waste recycling programs and facilities. The turnover of technology products from computers to cellphones is high therefore there needs to be accessible facilities to recycle them.

"We need to educate the public on the do's and don'ts on recycling. Spoilage and combined waste streams can do serious damage to recycling facilities. People need to know they have to clean out bottles, and make sure boxes are pizza grease free. More importantly, we need to make it simple to recycle. For some people, it's a hurdle to participate in recycling. Cities and counties should provide accessible and convenient recycling facilities for people to take waste if it is not acceptable on their curbs. The education program would focus not only on the environmentally benefits but the tax reductions.

New Jersey needs funding and programs to provide more education and enforcement because this will get more people to recycle. There is very little if any enforcement going on. Many towns have eliminated or closed their recycling facilities while some like Lambertville are open two times a month. We need more recycling facilities and staff to enforce recycling. There should be warnings and penalties. Enforcement can include not picking up garbage for people who are not recycling or even fines. We also need to enforce and prevent illegal dumping and illegal recycling centers. Illegal dumping has been a major problem in New Jersey like in Vernon, Kearny and more.

"Recycling helps to lower property taxes or your garbage bill. Increasing recycling rates could save households as much as \$100 a year as each household produces about 1500 pounds per person of garbage a year. We export 1.8 million tons of waste to other states each year, along with the air pollution from 100,000 trucks. That is tax money sent out of state each year. By increasing the recycling rate our municipalities will be earning money, not spending it to dump waste. This will help stabilize or lower property taxes, while saving the environment.

"It is not just about recycling, it's about reducing greenhouse gases, climate impacts, and getting off fossil fuels. It's all connected. Recycling products like aluminum cans saves nine times the amount of energy compared to a producing a new can. Reducing and eliminating plastic products will cut down on GHG's because plastic is made from fossil fuels. Food waste that is brought to landfills instead of anaerobically digested or composted contributes to global warming and CO2. We are in a climate crisis and our waste is a major contributor. As we move toward getting to zero carbon, we need to move towards getting to zero waste. We will save green by going green. Recycling will save us money while protecting the environment."

**Comments of the
New Jersey Chapter
of the
National Waste
and
Recycling Association**

for the

**Senate Environment and Energy Committee
Assembly Environment and Solid Waste Committee**

**Hearing
on
The State of Recycling**

**Submitted to:
Honorable Robert Smith, Senate Chair
Honorable Nancy Pinkin, Assembly Chair**

August 15, 2019

**By: Steven Changaris
New Jersey Chapter Director
NWRA Northeast Office
schangaris@wasterecycling.org
800 679 6263**

INTRODUCTION

The New Jersey Chapter of NWRA (hereafter the chapter) represents an industry that is dedicated to the environmentally protective, sustainable and economically efficient management of recoverable and recyclable materials, discards and wastes. www.wasterecycling.org

We have a vision of a society that reduces waste, recycles more and recovers value from discards to the maximum extent practicable and properly disposes the wastes that remain. We approach our job as reality-checkers who must negotiate, adapt to, and address the day-to-day and evolving conditions associated with collecting and handling recyclables, recoverable materials, discards and wastes. We are in a unique position to offer well informed perspectives on the realities of how these materials are managed today, and how they can be better managed tomorrow.

We are grateful for this opportunity to provide these comments to the New Jersey Senate Environment and Energy and Assembly Environment and Solid Waste Committees about issues confronting recycling in the state today.

.....

Let's work constructively to make recycling work better in NJ

Municipal and commercial recycling in New Jersey is one of the state's best-ever environmental programs. It protects the environment; slows climate change; and gets people to recycle every day -- thus raising overall environmental awareness. All three of these things are slam dunk winners for the state and all who live and work in NJ.

Recycling though is in a tough spot right now and has been now over the last three plus years. Unfortunately, our best view of the future tells us recycling will be facing strong headwinds for at least several more years to come.

The main problem facing recycling now was brought upon us when China advanced tough new trade and environmental policies that tanked markets for recyclable materials. These are very items we set-out as recyclables at the curb and at the back door of business. My industry collects, processes and delivers these recyclables to domestic and international industries that use them as feedstocks to complete the recycling loop.

China's 25 plus years of consumption of the vast quantities of recyclables we create from NJ (and nationally) led to sustained, strong markets -- which in turn created consistent demand and handsome values for these actively traded and consumed commodities -- domestically and worldwide. When China took its hard pivot away from consuming these commodities -- markets were roiled; demand fell off; and the glut of recyclables coming onto the market daily -- caused by China's change in trading behavior -- only further depressed -- and continues to depress -- recyclable commodity pricing today with no end in sight.

This brings me to why we have been calling for all of us to work together to shore up NJ's recycling system. It is important to know that over time the value of the recyclable commodities – created in large part by China's strong appetite for them – essentially came to subsidize the cost of delivering municipal and business recycling services over the years.

So effectively NJ and its communities, like so many other communities and states around the country, has been hit with the proverbial "one-two" punch. Punch one is that NJ, along with the rest of the country, has lost the robust markets that consume and use the recyclable commodities we generate. Punch two is the loss of recyclable commodity revenues that state and local governments and recyclers all over the country -- and the world for that matter – have used to finance large parts of their operations.

In time we believe marketplace demand for recyclable commodities will rebound. The issue before us is what to do between now and then to best weather this downturn. There are many possible solutions to address our current recycling situation. So, it is only appropriate that we, along with others today, speak up now and ask that we all work together to start to implement both short and long term actions to address current recycling woes.

Thanks for your attention and action on our requests and suggestions. Specific short and long term suggested actions follow.

Short Term Action Suggestions:

- Reduce Recycling Contamination for Recycling System Efficiency
- Reduce "Wishcycling" for Recycling System Efficiency
- Provide Technical Assistance To Recycle Better
- Promote Understanding of Recycling Centers/MRFs/IPFs and Their Limitations
- Promote Statewide Recyclable Items Uniformity
- Increase Recycling Enforcement

Long Term Action Suggestions:

Markets and Market Development -- Minimum Content Legislation -- Close Recycling Loop
New Systems for Economically Sustainable Recycling Collection and Processing Are Advancing
And NJ Needs To Adopt These Changes And Financing Models As Well

Competitively bid trucking; pay for commodity processing; and float recyclable commodity value share and work out local-government hauler revenue split (historically/generally a positive number). This new model is taking hold and working well around the country with our local government and business customers. It protects all stakeholders and keeps recycling sustainable in good and bad times

- Adopt Sustainable Materials Management Protocols – Move Recycling From Tonnage To Environmental Results Basis
- Create Formal NJ Recycling Stakeholder Group



Recycling Program Changes – August 2, 2019

Overview

NWRA members are seeing the impacts of China's policies limiting imported recyclables. Numerous programs across the country are making programmatic changes. Here is a sampling of some of the changes.

Discussion

- **Programmatic and contractual changes.** Communities are focused on improving recycling quality and changing what is acceptable. The industry continues to adjust to the changes in recycling. Many communities are reviewing their recycling contracts and some are beginning to renegotiate them.
 1. Posen, IL will eliminate their recycling program in October.
 2. Mitchell, SD City Council voted 6-1 to approve switching to single-stream with recyclables sent to Millennium Recycling. The \$1M expense for switching is anticipated to partially covered by grants.
 3. Jamestown, NY Board of Public Utilities will implement "single commodity recycling" beginning September 1st meaning that material will no longer be commingled and collection of recyclables will vary with mixed paper, OCC, plastic containers, glass containers and metal containers each being collected on sequential weeks.
 4. Winchester, VA will continue providing recycling at the same rate to \$3 monthly rate to residents and businesses despite losing its processor, Southern Scrap, Inc. which stopped accepting aluminum and all plastic in July 15th and glass and some plastics in January. The city will take plastic and aluminum to a facility in Manassas and pay a \$105/ton tip fee and paper and OCC to a facility in Williamsport, MD that will accept the material at no charge. Glass is still not accepted due to the city's inability to find a facility. The changes will cost the city about \$175k more annually.
 5. Sanford, ME residents will pay more for their PAYT bags, seeing the rates increase from \$10/sleeve to \$13.50/sleeve and businesses will be prohibited from recycling at the transfer station. The town now pays \$65/ton to Ecomaine for recycling when up until the end of June it was at no cost.
 6. Red Wing, MN is switching to single stream and expanding the acceptable materials to include #5 and cartons. The city received grants of \$250k and \$57k to offset the costs of new bins and truck.
 7. Ravalli County, MT Recycling Board will continue to accept aluminum cans but no longer pay for them. In addition, beginning in October, curbside collection will be suspended.

8. Abilene, TX's recycling company, Texas Metals and Recycling Company, will no longer accept plastic or glass.
9. Revere, MA instituted recycling inspection on July 22nd after finding that 100% of containers were contaminated. Carts will be tagged with oops stickers and repeat offenders will not be collected. They pay \$79/ton for recycling but have been hit with contamination surcharges - \$36,224 in January alone because the rate for contaminated tonnage is \$105/ton.
10. Front Royal, VA town council voted to increase recycling costs by \$0.85/hh/month to maintain services with Republic in Manassas. Republic says about 1/3 of the material accepted at the MRF s contaminated.
11. New Britain, CT and nine other communities in the Bristol Resource Recovery Operating Committee Facility began paying \$80/ton for recycling on July 1st, much more than the \$65.50/ton it would cost to dispose of trash. In recent years, towns received \$9/ton for the same recycling. For New Britain, the new rates will add \$335k in expenses.
12. Sacramento, CA residents may experience increased costs phased in over the next few years. If approved, costs for waste and recycling services will increase by \$12.33/hh/month over the next three years, going from current \$36.89/hh/month to \$49.22/hh/month in FY23, a 31% increase.
13. Fort Smith, AR is maintaining its recycling but is now paying \$80/ton for processing. It used to pay \$40/ton for processing and receive revenues for the material.
14. Penn Township, PA will no longer recycle #3-7s or glass beginning in August.
15. Olmos Park, TX will no longer accept glass or metal in the recycling. Cans were dropped due to contamination, glass due to low value. Terrell Hills, TX will send glass, magazine and other glossy paper to the landfill.
16. Greensboro, NC will no longer accept glass, cartons, large plastic, pots and shredded paper in the curbside program beginning in July. Greensboro, NC eliminated twenty of its free drop-off bins due to contamination. It did retain four drop-off locations just for glass.
17. Mecklenburg County, NC is now requesting residents to segregate glass and bring them to drop-off locations. They anticipate this will result in better quality glass. Currently, the county pays \$20-25/ton to clean it up before it can be sold. With clean glass, the county anticipates making money.
18. Aspen, CO will pay up to \$500k to continue single-stream recycling for a year at the Rio Grande Recycling Center.
19. Boston, MA has reached an agreement with Casella for recycling. The 5-year deal which begins in July will include \$125/ton processing cost and 50% revenue share and a maximum "floor price" of \$160/ton. The current processing price is \$70/ton. In contrast, Boston will pay an average of \$92/ton for waste disposal to Wheelabrator and Covanta.
20. Hood River County and the cities of Hood River and Cascade Locks, OR have reached an agreement with Waste Connections to resume recycling in July. The revised agreement will include a 2.61% rate increase and eliminate #3-7s.
21. San Diego, CA approved 7-year contracts with 3-year extensions to Allan Company and EDCO Disposal for curbside recycling. The agreements begin in September and have a

- not-to-exceed cost of \$65M over the 10-year period. The new agreement includes curbside collection of EPS. EPS alone is anticipated to cost \$900k over the seven years.
22. Milwaukee, WI will increase its payment by \$17.89/ton to its contractor, Resource Recovery Systems. The previous rate was \$36/ton. The new contract also changed the split on revenues which were previously 80/20 with the city receiving 80. The new split will be that the contractor retains the first \$20/ton and the city receiving any remaining revenues. This renegotiated contract was originally signed in 2015 for a 10-year term.
 23. Cache County, UT will no longer accept #3-7s in the single stream program.
 24. Denton, TX found out that some of their recyclables were landfilled during March and April from their contractor, Pratt. This includes glass and #3-7s. Pratt recommended segregating glass. The contract with Pratt ends in 2027 with two 10-year extensions built in.
 25. Riverside, CA will increase collections costs increase by \$3.17/hh/month for a total of \$26.85/hh/month beginning in July.
 26. Safford and Thatcher, AZ have suspended their recycling programs. Residents might be able to reinstate recycling by agreeing to pay an additional fee.
 27. Midland, TX will begin paying \$4000 to Butts Recycling in June to take recycling from the Citizens Collection Station. Recycling will be limited to #1&2s, OCC and mixed paper. Other drop-off locations are being removed. Prices will be subject to change based on market conditions.
 28. Pawtucket, RI has paid \$61k in the last nine months due to rejected loads. This includes \$250 fine, and approximately \$282/load for disposal. As a result, the city will begin enforcement action on residents to reduce contamination.
 29. Bow, NH is trashing recyclables while it evaluates costs.
 30. Cole County, MO towns St. Martins, Wardsville, Taos and Russellville have all had Republic Services discontinue recycling.
 31. Jackson, MO will no longer accept #3-7s.
 32. Auburn, ME is considering suspending their recycling program due to costs. The state is recommending for EPR to be passed instead to assist municipalities in recovering costs.
 33. Oak Park, IL will be subject to cart inspections for contamination. A two week warning period will be followed by potential for Waste Management to reject picking up the carts.
 34. Sarasota, FL changed to automated carts from a bin system and increased recycling by 58%.
 35. Sunrise, FL said that the cost for recycling went from \$53/ton to \$96/ton prompting them to send their recyclables to a WTE facility instead. Broward County is exploring the creation of a regional solution to manage recycling.
 36. New Orleans, LA lost its outlet for residential recycling when Republic Services announced that its Metairie facility would no longer accept the material. Clients would be accommodated instead at the Baton Rouge facility. Local contamination rates are in line with national levels at 30%. No local program accepts glass.

Coastal Environmental Services said that this decision has increased their costs from \$127/ton to \$167/ton and they will be seeking an increase of \$0.42/hh/month to bring

their new rates to \$4.38/hh/month. Ramelli Waste stated that they are paying \$50/ton to Commercial Waste Recycling compared to the \$120/ton it would cost at Baton Rouge. Eight years ago, Ramelli was paid \$5-10/ton for their materials.

Despite having single stream, participation levels have been low – ranging from only 5% to nearly 50%.

37. New Orleans, LA also made programmatic changes. It will no longer accept #3-7s. Instead, material will be limited to cans, plastic bottles, mixed paper and OCC.
38. Lexington, KY and a dozen surrounding cities will no longer accept paper in the residential recycling program after a change at the city's LEX-MRF. OCC is still acceptable. The city is evaluating whether to suspend glass and expects to decide next month. It costs \$2.6M for recycling on revenues of \$2.1M. In 2017, the costs were \$2.7M on \$2.6M in revenues.
39. Tucson, AZ will move to every other week recycling to cut costs. They are still reviewing what to do about glass.
40. Santa Rosa County, FL is reviewing a new contract with Emerald Coast Utilities Authority after the authority requested to terminate the existing contract from June 2016. ECUA stated that they are "changing every single recycling contract we have with providers of the materials, simply because we can't continue to process the materials at a loss." The previous contract was \$20/ton for transportation and processing. The new contract will be \$20/ton for processing and will not include transportation. ECUA also said that the country had the highest contamination rate with some loads at 38%.
41. Lumpkin County, GA signed an agreement to send Hall County, GA its recyclables except glass. Lumpkin will receive half the market rate for OCC but not receive anything for paper, plastic or metal.
42. Wellington, KS will limit recyclables to OCC, office paper, and #1&2s.
43. Perryville, MO will end its curbside recycling program. They charge \$1/hh/month but the true amount would need to be \$5-6/hh/month to break even. Residents can use a drop-off location. Scott City, MO eliminated its entire recycling program in June.
44. Bow, NH is sending its recyclables to an incinerator as part of negotiations with Pinard to test how this will impact costs. Currently, Pinard takes recyclables for free but charges \$69.05/ton for trash. The town is encouraging residents to still separate their recyclables.
45. Westfield, NJ will only accept #1 and 2 plastics beginning January 2019. In addition, plastic bags and shredded paper are not acceptable and fiber must be dry. After issuing bids for recycling contracts twice, and both time receiving only a single bid from Giordano, the city negotiated a price that was much higher than in 2018.
46. Morris County, NJ will accept only #1, 2 and 5 plastics beginning January 2019.
47. Washington County, NY will begin charging for recycling in May 2019 at the transfer station. The costs will be \$2.25 for a 13-gallon bag and \$4.50 for a 30-gallon bag.
48. Craven County, NC reversed course after initially voting to eliminate its curbside program with Waste Industries. The program will cost \$56-60/hh/year for monthly pickups. Previously pickups with weekly. Residents will get larger carts.

49. Philadelphia, PA will once again have all their recyclables managed under a newly proposed contract with Waste Management. Processing will be \$90-100/ton with incentives for decreasing contamination. Contamination was 19.2% in 2017.
50. Midland, TX spends \$573k/year on recycling and normally receives rebates for commodities. The mayor has found that the rebate from Butts Recycling has dwindled down to almost nothing. Butts will begin charging \$45/ton for commodities in June 2019 with a minimum monthly charge of \$6500. Prices will be subject to change according to the market. Options under consideration include adding \$3-5/hh/month to continue the program. Fiber will be in separate bins and plastic caps are not acceptable.
51. York County, Williamsburg, and James City County will see their trash and recycling bills increase leading York County to increase residential rates by (to?) \$7/hh/month beginning in May 2019. Tidewater Fibre Corp. will be taking over from County Waste. James City County is also proposing \$7/hh/month increase. Williamsburg's price changed from \$55k/year to \$205k/year. Newport News, VA collects recyclables which are processed by Bay Disposal and Recycling. They have not budgeted an increase over the current \$5.84-7.30/hh/week rate. Hampton provides optional recycling to its residents for a combined rate of \$6.1/hh/week (\$317.2/hh/year) which is less than waste only at \$616.2/hh/year. Hampton uses TFC for processing recyclables. The city manager recommended increasing weekly rates by \$1.15.
52. Amherst County, VA has been notified that their recycler, Sonoco Recycling, will no longer accept glass at the drop-off sites.
53. Arlington County, VA has stopped accepting glass in curbside. They are encouraging residents to use the drop-off program and to buy fewer products in glass containers. The glass at the drop-offs will be turned into sand or gravel by Fairfax County.
54. Dothan, AL is considering a 90-day contract with Repower South for \$40/ton, which is significantly less than the current single-stream price of \$125/ton.
55. Nogales, AZ sends most of its recyclables to the landfill. They are only recycling metal, which is less than 5% of what is collected. OCC used to be \$80/ton, now it's just \$10/ton. Recommunity charges \$190/ton for recycling, whereas the landfill is \$41/ton. Metal can be sorted and sold for \$80/ton.
56. Hayward, CA signed a 10-year agreement with WM that will increase costs 2.611%. Tri-CED community recycling which subcontracts with WM picks up the material. It recently shipped 10 containers to Pakistan. It has also shipped to Vietnam, Indonesia and India. The new contract provides for the option of dumping up to 200 tons of recyclables in the landfill.
57. Monterey, CA is considering an increase of \$3.78/hh/month.
58. Manteca, CA conducted an audit that showed 25% contamination on three tons of material on February 14, 2019. OCC, paperboard, glass and #3-7's are now banned from the cart.
59. Greeley, CO recycling drop-off facility closed.
60. Connecticut cities have experienced significantly increased costs from recycling, swinging from revenues to expenses. Reported swings:
 - a. Bridgeport - \$394,380 in expenses compared to \$130,000 in revenue
 - b. Stamford - \$700,000 in expenses compared to \$95,000 in revenue

- c. Waterbury - \$330,000 in expenses compared to \$15,000 in revenue
 - d. Union - \$3,000 in expenses from \$500 in revenue
 - e. Other cities also reported swings from revenues to expenses including Milford, Wilton and Plymouth
61. Fairfield, CT will pay \$75/ton beginning in July for recycling, more than the cost of WTE.
 62. Ormond Beach, FL's contract with Waste Pro will expire at the end of September and the company has requested \$77.50/ton for processing recyclables which would result in a \$1.54/hh/month increase. The city decided instead to eliminate glass (which is not recycled), will increase the bill by only \$1.24/hh/month.
 - a. New Smyrna Beach, FL is continuing recycling contingent on a six-month evaluation.
 63. Ascension Parish, LA will face higher fees from Waste Pro in its unincorporated areas and Republic Services is discontinuing service.
 64. Kennebunkport, ME's cost for disposal will be \$159/ton in FY20 which is less than for recycling which will be between \$211 and \$276/ton. Last year the town paid only \$138/ton.
 65. Plymouth Township, MI is considering a \$2/hh/month increase requested by their contractor Green for Life Environmental. Without the increase, GFL will begin landfilling the recyclables or take them to the WTE.
 66. Marysville, MI's new recycling contract with Emterra Environmental eliminates ONP, glass, paperboard, and mixed paper. The new contract is limited to #1-7, cans, and OCC.
 67. Westland, MI will send its recyclables to the landfill for \$28/ton instead of paying the \$80/ton now charged by Recommunity in New Boston. The previous rate was \$18/ton.
 68. Wildwood, MO will switch to dual stream beginning April 1, 2019. Glass will no longer be accepted curbside but drop-off locations will be established. Residents will pay \$0.50/hh/month more. The city's contract with Meridian waste expires in August which will require another decision on the next step.
 69. Canterbury, NH residents voted to keep recycling even knowing that there would be a negative financial impact.
 70. Town of Brookhaven, NY is near a settlement of a lawsuit with Green Stream Recycling from the company's decision to back out of its 25-year contract. The company will pay the city \$1.42M over four years.
 71. Lincoln, NC voted to resume recycling in June with Republic Services. The new service will be opt-in and eliminate glass from curbside. Drop-off centers for glass will be provided.
 72. Port Neches, TX will end its drop-off program at the end of March 2019 due to contamination.
 73. Staunton, Waynesboro, and Augusta County, VA's processor Sonoco Recycling in Fishersville will no longer accept plastic or glass beginning in April 2019. As a result, Staunton will continue to collect glass curbside but will use it for beneficial reuse at the landfill but will not accept plastic. Waynesboro has drop-off for glass but will suspend it for plastic. And Augusta County will no longer accept plastic but will take glass for use as cover.

- **Joint Advisory on Recycling Contracts.** NWRA and SWANA developed a joint advisory for recycling contracts along with two addenda. These may be helpful when approaching municipalities about contracts.

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Department of Parks

Jeffrey L. Nash
Freeholder Liaison

Maggie McCann Johns
Director

John C. Sworaski
Division Director



Division of Environmental Affairs

1301 Park Blvd.
Cherry Hill, New Jersey 08002
Phone: (856) 858-5241
Fax: (856) 216-7156

**Assembly Environment and Solid Waste Committee and the Senate Environment and Energy Committee
Meeting
August 15, 2019**

Camden County does not have many facility options for single stream recycling. In fact, Omni and Republic Services process the lion's share of material coming from Camden, Gloucester and Cumberland County. Omni has been increasing tonnage fees over the past year, upwards of \$87 per ton. Unless otherwise under contract, Republic's tip fees are similar. All but three towns in Camden County are currently contracted with Republic, under a cooperative bid. The other 3 towns go to Omni via either direct commodity contracts or within a recycling collection and disposal contract. Under Camden County's cooperative bid we are paying \$5 per ton for recycling till April of 2020, with 2 additional option years at \$5/ton at the County's sole discretion. However, we are currently in litigation with Republic regarding their recently adopted inspection protocol and expenses that were not identified in the original contract. If permitted, these additional expenses have the potential to cause an economic hardship on municipal budgets and operations. With limited options for recycling facilities, if something were to cause Omni or Republic to cease operations or turn customers away, it would be very difficult for municipalities to source a facility to accept their single stream recycling. In today's climate, we need to be prepared for the possibility of this happening.

In the short term, there needs to be a contingency plan should facilities close or turn generators away. What options will municipalities have if there are no recycling facilities available for them to take their material? We are already seeing recycling tip fees in excess of MSW disposal fees and any one of these scenarios will likely cause a disincentive to recycle. These market forces have the ability to threaten all that we have accomplished in the past 32 years.

The State should be interested in finding ways to incentivize the development of more intermediate recycling processing facilities in NJ.

It would be helpful if the State can investigate ways to stimulate the development of mills and commodity end markets for recyclable material. This could provide New Jersey counties and municipalities with some degree of insulation from global trends and the whims of recycling markets affected by a foreign government's environmental policies or perceptions of "Recyclable Trash". If we had markets that either produce an end product or raw material, we would be better equipped to provide sustainable options for our generators. In fact, if New Jersey had more end markets, we would likely see an increase in intermediate processors, therefore creating a competitive environment and likely more favorable tip fees.

For example, there have been discussions regarding Chinese mills developing pulp processing facilities here in the United States to pulp the recycled fiber here and then ship the pulp to China as a raw material. This would eliminate the Chinese government's negative stigma of what they call "paper trash". In fact, some within China believe the government banned mixed paper because it was indexed as "paper trash". They contend, that just by changing the name, China may relax its ban and allow for the importation of these items again. That is believed to be a hot political topic with other forces that drive decisions for which I am unaware. However, if we could incentivize pulping operations to begin here in New Jersey, the end product would be viewed as a more favorable commodity. I'm sure there are people, much smarter than me, that could devise ways to stimulate our recycling infrastructure and enhance the sustainability of recycling markets. We just need to get them to the table, so they understand the stakes.

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My final note;

How is it, that we all know what any given celebrity or media personality is wearing or doing or not doing, on any given day, but we still can't get the word out about plastic bags in the recycling stream?

Maybe the State could try partnering with the likes of Bruce Springsteen or Jon Bon Jovi or any other high-profile New Jersey athlete or celebrity to help with this problem? Where there's a will, there's a way. I'm sure someone could talk someone who has a huge twitter following into helping with this issue. We all have done our own campaigns and website education, but let's face it, we are not reaching the right audience. We are likely only reaching the small percentage of people who already care enough to seek our information to do the right thing. That, unfortunately, is not the majority of the public. If we were to take plastic bags out of our single stream recycling, we would eliminate the single largest contamination problem we all face! What would that do for the viability of our commodities and the facilities that process them?

Brian Costantino

District Coordinator/ Assistant Director of Solid Waste

**OMNI RECYCLING LLC
408 LAMBS ROAD
PITMAN, NJ 08071**

Date: 7/24/2019

To: Municipalities, Townships, and Haulers of Single Stream Material

From: Omni Recycling LLC

Re: Plastic Bag Contamination

In the past we have notified you of the ever-increasing amount of trash emanating from your recycling streams. One of the biggest and most problematic of the contaminants is plastic bags.

Plastic bag contamination in the Single Stream has become a crisis to our recycling facility and can no longer be accepted and or tolerated.

Plastic bags should not be put in your curbside recycling containers. Plastic bags interfere with the mechanical sorting process by wrapping themselves around the shafts that are spinning that are used to sort the recyclable materials. The plastic bags clog the sort system causing improper separation of the materials and create significant downtime to the facility. We have had to increase our staff to be able to remove the plastic bags.

Plastic bags can be recycled, check your local supermarket or big box stores for containers that accept the plastic bags for recycling.

Starting September 1st 2019 Omni Recycling will start charging \$75.00 per truck that has any plastic bags in the load. Our facility is absorbing the majority of these costs and we feel this is a fair price to pay considering what our competition is charging.

We realize the fees are rising to process recyclables and we are doing everything possible to keep them at a minimum for our customer's.

Please feel free to call with any Questions or concerns

Regards,

Kevin Carducci / Omni Recycling
856-491-5740

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Written Testimony by the American Beverage Association

**Before the New Jersey Assembly Environment and Solid Committee and
Senate Environment and Energy Committee**

August 15, 2019

Chairwoman Pinkin and Chairman Smith and members of the Assembly and Senate Committees, thank you for the opportunity to comment on the American Beverage Association's (ABA) commitment to recycling. We commend the committee for addressing this topic as ensuring our 100% recyclable containers stay out of the environment and have a second life is a shared objective.

The ABA is the trade association representing the non-alcoholic beverage industry. ABA represents hundreds of beverage producers, distributors, franchise companies and supporting businesses that employ more than 233,000 people across the country. The beverage industry in New Jersey employs more than 6,000 people and provides over \$524 million in wages.

ABA members offer consumers myriad brands, flavors and packaging choices and a full range of drink options including soft drinks in a wide range of calories, ready-to-drink teas, bottled waters, water beverages, 100 percent juice, juice drinks, sports drinks and energy drinks.

America's leading beverage companies are making 100% recyclable plastic, aluminum, and glass beverage bottles—even the caps can be recycled.

ABA members are carefully designing containers for a simple reason: so our plastic bottles can be used again and again. It's why we want them back. Plastic beverage bottles are unique. Because if our bottle is disposed of, collected and recycled properly, we can turn that bottle into a new bottle. That means we're using less new plastic. Our bottles can also be made into other products like coats, shirts, shoes and furniture. This means less new plastic is being used to make these products too, and it all adds up to making a real difference in reducing the amount of new plastic in the environment.

But, we know there's more work to be done. That's why we are working with governments and local communities to help raise recycling rates and strengthen infrastructure programs. Additionally, through innovation we have already removed millions of pounds of packaging materials from the market.

ABA member companies have set aggressive sustainability commitments including the following:

- Coca-Cola will collect and recycle the equivalent of every bottle or can it sells globally by 2030.
- Keurig Dr Pepper will have 100% recyclable or compostable packaging and use 30% post-consumer recycled content across its portfolio by 2025.
- PepsiCo will make 100% of its packaging recyclable, compostable or biodegradable by 2025.

By working together, we can make sure that every bottle does what we designed it to do: be recycled and made into something new.

Our plastic beverage bottles account for less than 1% of the wastestream yet represent significant value for recyclers.

Using EPA data supplemented with beverage industry information, our bottles are 0.9% of materials generated in the US (Exhibit 1). Plastics as a whole total 13% of the wastestream, and our bottles are only a small part of the plastics.

Many of the plastic products in the market are not recyclable with today's technology. However, high-value plastic bottles remain an important source of revenue for recyclers, even as global market turmoil has rattled the recycling industry. At a time when values are down and markets for low value mixed paper and mixed plastics have all but evaporated, our containers are a relative bright spot for recyclers.

While our industry's plastic, aluminum, and glass containers combined represent only about 2% of the wastestream, they are being recycled and contributing to the sustainability of local recycling programs. It is important that our packages remain in municipal recycling systems and that we put forth every effort to be sure that consumers know they are recyclable and recycle them correctly every time.

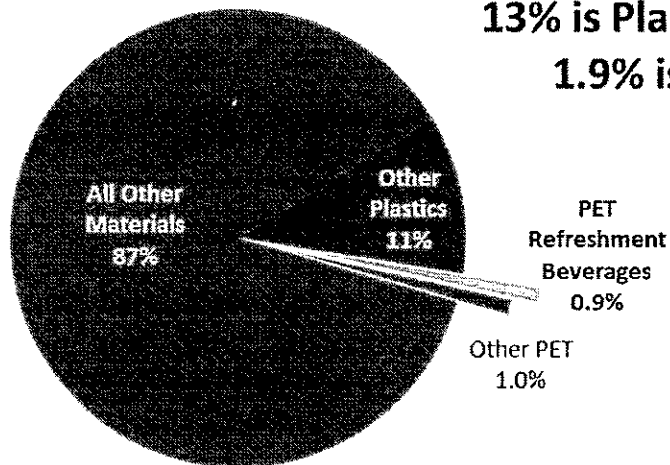
Our industry partners with The Closed Loop Fund, Keep America Beautiful and The Recycling Partnership to donate recycling bins, improve recycling systems and invest in strengthening the recycling infrastructure. The Recycling Partnership is active statewide and locally in New Jersey providing education resources as well as direct support for recycling carts and access.

And we've invested time and money to make it easier to recycle in public spaces like parks, airports, sports venues and festivals because recycling shouldn't stop when you leave home. We will continue to partner with government and local communities to raise recycling rates. Currently, 37% of our aluminum, plastic and glass containers are recycled in the US and 93% of waste from our manufacturing plants is being recycled and diverted from landfills with zero waste as our goal.

The beverage industry supports programs and policies to keep our recycling system strong and to keep our containers out of the environment.

Exhibit 1

EPA 2015 Solid Waste Generation: 13% is Plastics, 1.9% is PET



New Jersey’s state and local recycling programs, infrastructure, and support are among the strongest in the nation. The litter tax, which our industry strongly supported and has continued to advocate for, has provided critical resources for recycling programs and the New Jersey Clean Communities Council program, which does remarkable work in protecting and cleaning up the environment. The beverage industry supports the landfill tip fee surcharge to support recycling and fought for its restoration. We believe that dedicated public funding sources is a best practice for other states and is an important backbone to local, state, and private efforts to support recycling, litter prevention, and litter mitigation.

The Clean Communities litter survey showed significant reductions in litter since the 2004 benchmark study and while we are pleased with the results, we know there is more work to be done. Beverage container litter, in particular, fell by 52%, similar to the rest of the litter stream. This was particularly notable since beverage container sales grew by more than 25% during that period (Exhibit 2).

Exhibit 2

52% Reduction in Beverage Container Litter

(2018 NJCC Visible Litter Survey)



The beverage industry has a long history of investing in local recycling programs in communities across the country to help keep our fully recyclable bottles out of our oceans, rivers, beaches and landfills. As individual companies, as well as working together through ABA, our industry has invested tens of millions of dollars into community recycling programs to help address all recyclables – not just our containers – while making recycling easier for consumers.

Conclusion

America’s beverage companies continue to make commitments including source reduction, packaging innovation, designing products for recyclability, and using more recycled content in packaging. We look forward to working together to make recycling in New Jersey successful and to meet our common goals. We support efforts to study recycling in greater detail and together with our partners we want to be a valuable resource and provide solutions to help New Jersey be a leader in recycling.