



NEWMOA & NERC Updated Joint Strategic Action Plan Fiscal Years 2020 – 2022

Working Together on Sustainable Materials Management

Approved by the NEWMOA Board of Directors on September 20, 2019

Approved by the NERC Board of Directors on October 30, 2019

Connecticut | Maine | Maryland | Massachusetts | Delaware | New Hampshire | New Jersey | New York
Pennsylvania | Rhode Island | Vermont

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Background

The Northeast Waste Management Officials' Association (NEWMOA) and the Northeast Recycling Council (NERC) are non-profit organizations, each with extensive expertise and several decades of taking action on materials management. At times various entities have asked about “the distinctions between the organizations” and “opportunities to collaborate”. This Updated Joint Strategic Action Plan, an expansion of the Plan entered into in 2017, sets out to address both of these important questions, as well as to articulate a future vision of success in fulfilling our missions built upon collaboration and expertise sharing. The goal of the Plan is to further each of our missions and strengthen each organization through collaboration.

NERC's mission is to: minimize waste, conserve natural resources, and advance a sustainable economy through facilitated collaboration and action.

NEWMOA provides a strategic forum for effectively solving environmental problems through collaborative regional initiatives that advance pollution prevention and sustainability, promote safer alternatives to toxic materials in products, identify and assess emerging contaminants, facilitate adaptation to climate change, mitigate greenhouse gas sources, promote reuse and recycling of wastes and diversion of organics, support proper management of hazardous and solid wastes, and facilitate clean-up of contaminant releases to the environment.

Overlapping Areas of Interest & Activity

NEWMOA and NERC operate in similar geographic regions¹ and involve many of the same state agencies. Both organizations help state programs and others in the Northeast, as well as nationally, to develop and implement sustainable materials management and pollution prevention (P2) strategies, including source reduction, reuse, diversion of organics/food for composting or anaerobic digestion, recycling, environmentally preferable purchasing, reducing toxics in products, and decreasing the toxicity of the solid waste stream. For example, both groups provide technical assistance and training for local, state, and regional programs and the private sector on various waste and prevention-related topics; support national listservs; and hold webinars workshops, conferences, and meetings that are of interest to each other's members. Both organizations also focus on supporting implementation of product stewardship/extended producer responsibility programs and food waste/organics diversion.

What Makes Each Organization Unique

Differences between the organizations include geographic area, Board membership, and membership base. NERC serves a slightly larger geographic area and includes private sector members within its governing Board. NEWMOA's Board includes the directors of the members' states waste and pollution prevention programs. NERC's Board includes managers of state sustainable materials management programs as well as Ex Officio board members that are not affiliated with state programs.

¹ NERC's member states are: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. NEWMOA's member states are: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

Other differences include the topics that are covered and strategies that are pursued. NEWMOA's focus includes industrial and commercial hazardous waste management, Brownfields, and contaminated site clean-up in addition to the topics outlined above. NERC has a focus on capacity enhancement: recycling markets, the broader recycling industry, and the supply of materials for recycling. NERC coordinates with the recycling and related industries. NERC generally focuses on supporting voluntary programs although it provides services that support state programs in their implementation of several producer responsibility laws. NEWMOA supports state implementation of waste policies and laws and regulatory and enforcement programs as well as voluntary programs. NEWMOA facilitates interaction and communication between state environmental agencies and the EPA. NERC facilitates public-private partnerships and engagement.

NEWMOA's Unique Strengths

- Supports the states' enforcement, regulatory, and policy interests and coordinates development of harmonized policy initiatives.
- Collects and analyzes data and facilitates discussion about measuring the impacts of sustainable materials management.
- Prepares comments on federal rules and policy proposals.
- Facilitates the Northeast Pollution Prevention Roundtable.
- Manages the Interstate Mercury Education & Reduction Clearinghouse (IMERC).
- Manages the Interstate Chemicals Clearinghouse (IC2).
- Supports regional Workgroups to address a wide variety of waste, toxics, and prevention issues.
- Develops and manages online reporting systems to support compliance with multiple states' requirements.

NERC's Unique Strengths

- Focuses on strategies in support of sustainable materials management, green procurement, and recycling market development.
- Promotes regional and national multi-stakeholder dialogues and initiatives.
- Manages the Toxics in Packaging Clearinghouse (TPCH).
- Manages the Electronics Recycling Coordination Clearinghouse (ERCC).
- Hosts the State Electronics Challenge (SEC).
- Supports subcommittees on glass markets and regional recycling market development.
- Holds semi-annual regional conferences.
- Offers consulting services for public and private sector groups.

Priorities for Both Organizations

Materials management encompasses a wide spectrum of commodities; while NERC and NEWMOA monitor this wide range of products, there are times when certain one's demand focused attention, often due to the changing demands of the market, emerging environmental challenges, or technological advances. As a result, the NERC and NEWMOA Boards regularly identify priorities upon which the respective organizations decide to take action.

Joint NEWMOA – NERC Priorities 2020 - 2022

Emerging Contaminants in the Solid Waste Stream; Toxics in Packaging & Products; Increasing the Use of Recycled Content in Products; Wasted Food Reduction, Recovery, & Management; Recyclables – Improving Quality & End-Markets; Product Stewardship/Extended Producer Responsibility; Relationship between Climate Change & Sustainable Materials Management; Construction & Demolition Materials (C&D); & Tires

Strategy for Moving Forward Together

In order to better serve and further their missions and given the opportunities for action presented by the synergies between NERC and NEWMOA's interests, memberships, and activities, this updated Strategic Action Plan describes joint initiatives proposed for the next two years that seek to enhance the effectiveness of both organizations, as well as provide value to their members.

Collaboration between NERC and NEWMOA may be accomplished by:

- Promoting each other's events and activities and co-sponsoring such events, where appropriate
- Looking for joint funding opportunities in support of new initiatives
- Sharing reports and other information resources, including providing links to each other's websites
- Collaborating on committees and workgroups, webinars, and workshops

NERC and NEWMOA agree to collaborate in their efforts to address the following materials management issues. These efforts will include all 11 of the NERC-states so that the benefit of this joint initiative impacts the wider region. Implementation by each organization of the actions outlined below are contingent upon success in attracting funding.

Emerging Contaminants in the Solid Waste Stream

Increasingly, states and municipalities in the northeast are finding poly- and perfluoroalkyl substances (PFAS) in their drinking water supplies. PFAS are a large class of chemicals that have been used in numerous consumer products and industrial processes due to their oil and water-resistant properties and their exceptional stability. Products include carpet and fabric protection, food packaging, and aqueous film-forming foams (AFFF) used for firefighting. The same properties that make PFAS so useful in consumer products and for firefighting make them challenging to remove from soil and water, including drinking water supplies. These compounds are being released to the environment in a number of ways, including by solid waste disposal

facilities. Due to the seriousness of this issue, NERC and NEWMOA have elevated this as a priority area of concern.

NEWMOA and NERC commit to the following joint actions to promote education and action around PFAS contamination associated with the solid waste stream:

- Collaborate in the development and implementation of a regional science conference on PFAS that NEWMOA is organizing for spring 2020.
- Support promotion of webinars hosted by the NEWMOA PFAS Workgroup.
- Participate in sessions for NERC's conferences on emerging contaminants, such as PFAS in products and packaging.
- Facilitate discussions and information sharing between NERC's Toxics in Packaging Clearinghouse (TPCH) and NEWMOA's Interstate Chemicals Clearinghouse (IC2) and collaborate on initiatives when both groups agree to a strategy.

NEWMOA will be the lead organization.

Increasing the Use of Recycled Content in Products

With the value of most commodities coming out of MRFs being seriously depressed, the importance of "buying recycled" becomes more critical than in the past.

NEWMOA and NERC commit to highlighting the importance of recycled content, providing resources to do this will be emphasized through the following joint initiatives:

- Hold a workshop on use of recycled content, including compost, glass, asphalt shingles, tires, and plastic in roadway projects in one or more locations in the region.
- Assist the tire manufacturers with holding a technical workshop on opportunities for using more recycled tire content in roadway projects.
- Hold webinars on the use of compost, glass, tires, and plastic components in roadway projects.
- Develop a program to promote success stories about the use of recycled content in products in the region.

NERC will be the lead organization.

Food Scraps Reduction, Recovery & Management

According to recent EPA and Department of Agriculture (USDA) studies, 40 percent of the food produced in the U.S. is not eaten. There are numerous untapped opportunities to recover this food to feed people and animals. EPA estimates that about 15 percent of the municipal solid waste stream is food waste². Under the EPA "Food Recovery Hierarchy", priority for use of unwanted food should first be to feed people, then feed animals, and then directed to anaerobic digestion facilities or composting; and the last management priority is combustion/landfilling. When food waste is landfilled, it contributes to the production of methane, a potent greenhouse gas (GHG). Landfills are a significant contributor of anthropogenic GHGs. By contrast, food waste that is captured before it is discarded can feed those in need or be transformed into value-added products. After it is discarded, food waste can produce nutrient rich soil through composting, or energy when diverted to an anaerobic digester (AD).

² www3.epa.gov/epawaste/nonhaz/municipal/

The EPA and USDA have established a national goal to reduce food waste by 50 percent by 2030. NEWMOA and NERC support actions in the Northeast to help achieve this objective. The organizations commit to the following joint actions, with a focus on maximizing food donation, where feasible, and waste diversion to composting and anaerobic digestion:

- Convene four conference calls of the Joint NEWMOA – NERC Food Waste Workgroup per year to oversee the other tasks and to continue to facilitate regional information sharing.
- Hold two - three webinars on topics identified by the Workgroup.
- Sponsor at least one tour of a de-packaging facility.
- Develop an educational resource that details best practices for de-packaging packaged foods, including the financial impacts and return on investment, and promote the results.
- Continue discussions about approaches and policies for reducing contamination of compost.

NEWMOA will be the lead organization.

Recyclables – Improving Quality & End-Markets

In the past year, the impacts of the “China Fence” has grown from direct impacts on Materials Recovery Facilities (MRFs) and end-markets, to increased costs for municipal programs, along with program changes – or in extreme cases – programs closing. In particular, mixed paper and plastics 3 – 7 end-markets have been impacted.

NEWMOA and NERC commit to the following joint actions to help states and private sector entities implement effective recycling programs:

- Through the joint Regional Recycling Markets Committee, identify, promote, and implement strategies to support recycling markets for mixed paper and plastics 3 - 7.
- Conduct a regional MRF blended value survey on a quarterly basis and publicize results.
- Track and publicize investments in recycling infrastructure.
- Identify communities that are doing a good job with residential recycling and highlight their strategies and results.
- Collaborate with the Recycling Partnership, deliver educational events and resources about improving the quality of materials collected in residential recycling programs.
- Support conversations among our members about a common regional definition of what materials are contaminants in the residential recycling stream.
- Share state-specific programs and messaging to promote “how to recycle right”, including two to three multi-state calls for information sharing.
- Have occasional calls of state officials who are involved with the implementation of bottle bills and initiatives to share challenges and effective strategies.
- Organize a joint webinar to discuss the results of the MRF blended value surveys being conducted by NERC and the ASTSWMO survey about how states are responding to China’s national sword.
- Support information sharing about product bans, particularly those focused on plastics, adopted and under development in the region.
- Develop and implement more systematic and positive communications about recycling and the recycling industry.

NERC will be the lead organization.

Product Stewardship/Extended Producer Responsibility

NEWMOA and NERC support product stewardship as a strategy for improving the management of certain waste streams, increasing recycling, and creating greater economic value. Both organizations have adopted a definition of product stewardship as “the act of minimizing health, safety, environmental, and social impacts, and maximizing economic benefits of a product and its packaging throughout all lifecycle stages. The producer of the product has the greatest ability to minimize adverse impacts, but other stakeholders, such as suppliers, retailers, government, and consumers, may also play a role.” Both groups believe product stewardship can be implemented through either voluntary programs or legal requirements. Extended Producer Responsibility (EPR) is defined as a mandatory type of product stewardship that includes, at a minimum, the requirement that the producer’s responsibility for its product extends to post consumer management of that product. There are two related features of product stewardship and extended producer responsibility: (1) shifting financial and management responsibility, with government oversight, upstream to the producer and away from the public sector; and (2) providing incentives to producers to incorporate environmental considerations in the design of their products. Several commodities have the focus of attention in the region, and continue to be of interest to the states. These include: carpets, packaging, paint, pharmaceuticals, mercury-containing devices, textiles, e-scrap, mattresses, and sharps.

NEWMOA and NERC commit to the following joint actions to help states and private sector entities implement product stewardship / EPR programs:

- Hold regular conference calls of the Regional EPR Network Committee as well as State-only calls.
- Write a white paper for state agencies about EPR packaging, options for implementation, and potential impacts. This will be accompanied by a brief executive summary.
- Expand the white paper into a companion document for the general public.
- Explore opportunities for coordination and harmonization among product stewardship/EPR programs.

NEWMOA will be the lead organization.

Relationship between Climate Change & Sustainable Materials Management

Municipal solid waste (MSW) and construction and demolition (C&D) debris facilities, including landfills, combustors, transfer stations, material recycling facilities (MRFs), materials recyclers, and others may be vulnerable to the impacts of rising sea levels and frequent and more powerful storms. This infrastructure is essential during and after climate-related adverse weather events to handle the large quantities of disaster debris that are generated. State and local governments must prepare and plan for these situations to ensure the safe and proper handling of this material and to maximize as much recycling of it as feasible.

EPA’s evaluation of the full lifecycle greenhouse gas impacts of products and materials generated and consumed in the U.S. estimated that approximately 35 – 46 percent of the GHG emissions in the country can be attributed to the manufacturing, use, and disposal of goods and materials. NEWMOA, NERC, and many others have long advocated for a significant role for materials management in efforts to mitigate climate change³, as well as recognition of the value of these contributions. Most of the states in the Northeast have included strategies to promote waste reduction and increase reuse and recycling in their climate action plans, and state-wide solid waste management plans address mitigation of GHG emissions. The agencies’ efforts to

³ See www.newmoa.org/publications/NEWMOAClimate-WasteActionPlan.pdf

implement these plans benefit from regional information sharing, networking, and development of new metrics and analysis.

In order to broaden the conversation and understanding of the relationship between materials management and climate change, NEWMOA and NERC commit to engage in conversations with other regional organizations, such as the Northeast Committee on the Environment (NECOE), Northeast States for Coordinated Air Use Management (NESCAUM), New England Interstate Water Pollution Control Commission (NEIWPPC), and the West Coast Forum on Materials Management and Climate Change on this topic and to pursue the following joint actions:

- Hold three – four conference calls of the regional Materials and Climate Workgroup to oversee the other tasks.
- Collaborate with the West Coast Climate and Materials Management Forum and share information and tools.
- Organize and hold regional webinars on climate and materials management.
- Seek opportunities to explain the connection between materials management and climate change to such audiences as the Regional Greenhouse Gas Initiative (RGGI), Council of State Governments, the Northeast Committee on the Environment (NECOE), Coalition of Northeast Governors (CONEG), and other groups in order to inform their understanding of the role of sustainable materials management and to expand the opportunities for NERC and NEWMOA to become actively involved in related regional climate change initiatives.
- Develop fact sheets, PowerPoint and other presentations, and / or blogs that make the case for incorporating materials management strategies into climate mitigation efforts and disseminate widely.
- Explore opportunities for addressing climate resiliency in the recycling and related infrastructure.

NEWMOA will be the lead organization.

Construction & Demolition (C&D) Materials

C&D debris associated with construction and demolition of buildings is usually disposed of in landfills. But available landfill space is becoming increasingly limited in most of the northeast, and public opposition has severely limited the siting of new landfills. NEWMOA's 2009 report estimated that approximately 10 percent of architectural C & D generation was recovered for an end use outside of a landfill in 2006.⁴ Metal was the only C&D material recovered at a significant percentage of estimated generation. There is significant potential to increase recovery and reuse of most C&D materials.

NEWMOA and NERC commit to the following joint action to help increasing reuse and recycling of architectural C&D materials:

- Workshop described above under increasing recycled content, will include these materials.
- Regional meeting of state programs and gypsum wallboard processors to discuss improving recycling capacity in the region and addressing the problems associated with managing potentially contaminated gypsum from demolition projects.

NEWMOA will be the lead organization.

⁴ See www.newmoa.org/solidwaste/CDReport2006DataFinalJune302009.pdf; the report analyzes and presents 2006 data provided by NEWMOA's members.

Tires

According to the latest assessment of the U.S. scrap tire markets by the U.S. Tire Manufacturers Association (USTMA), scrap tire stockpiles have steadily declined throughout the past few decades. The association's "2017 U.S. Scrap Tire Management Summary" report found that about 60 million tires are left in stockpiles. In the early 1990s, there were over 1 billion scrap tires in stockpiles.

More tires are being recycled and used by various end markets. According to USTMA's latest report, tire-derived fuel (TDF) continues to be the largest end market for recycled scrap tires. USTMA reports that about 43 percent of scrap tires were recycled for TDF use in 2017, while ground rubber serves as the second largest end market (25 percent). 16 percent of scrap tires generated in 2017 were landfilled. Although TDF serves as the largest end market for scrap tires, TDF demand has been steadily declining in recent years.

Until 2013, many of the tires generated in southern New England were incinerated as TDF in a plant in Sterling, Connecticut that burned about 10 million tires per year. That plant suspended operations in the fall of 2013. Since the closure of the Sterling facility, there has been increased interest in the region in expanding recycling of waste tires.

NEWMOA and NERC commit to the following joint action to help increase recycling of tires:

- Convene at least two webinars to encourage the use of crumb rubber and shredded asphalt tiles in roadbed construction and for erosion control.
- Develop a report on the status of tire end-markets in the region.
- Develop a summary of state tire management fees and use of those funds.
- Explore strategies for improving end-markets and encouraging appropriate end-of-life management.
- See workshop and webinars planned under Increasing Use of Recycled Content in Products, above.

NERC and NEWMOA share equal responsibility for this topic.

Implementation

NEWMOA and NERC agree to undertake the following measures to implement this Action Plan:

- Prepare an annual report for the Boards about progress in the previous fiscal year.
- Seek funding individually and jointly to support the actions outline in this Plan.
- Annually review the Strategic Action Plan with each organization's Board of Directors to ensure its accuracy and appropriateness given changing circumstances.
- Hold five to six conference calls a year between the Executive Directors of both organizations to review the actions undertaken to implement the Plan and develop recommendations for consideration by their respective Boards, as well as one - two joint calls of the Boards.
- Provide regular reports to their Boards on the progress toward implementing the Plan and seek recommendations and feedback on interim actions and strategies.