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The Northeast Recycling Council kicked off their Spring Virtual Conference yesterday with a keynote panel on “Understanding and Choosing the Right EPR Model: The Canadian Experience” moderated by Josh Kelly, Materials Management Section Chief at the Vermont Agency of Natural Resources. Panelists included Peter Hargreave, President of Policy Integrity Inc., Sara-Emmanuelle Dubois, President and Founder of NovAxia Inc. and Pierre Benabidès, Senior Consultant at Lichens Recyclability.

Hargreave discussed lessons learned from the EPR programs that are in place in Canada, including the fact that high enforceable targets are necessary to drive outcomes (especially in collection to ensure materials are properly disposed of and recycling targets for value creation). He expressed that we too often focus on collection targets, which is why we have the problem with end markets. There are three main things they have seen during this process: if you set target too low, it undermines the need for new investments and new infrastructure as well as perpetuates the status quo system. If targets are set too broadly, you place the burden on a certain set of materials—those with markets. Finally, targets need to be properly overseen and enforced otherwise it undermines the entire system. He stressed that producer responsibility is not a silver bullet, but it is one tool of many that can be used with other methods like recycled content mandates, source separation requirements, etc. that help to advance the overall outcomes.

Currently, Ontario is moving to full EPR model similar to British Columbia (BC). With lessons learned from BC, they require a plan to reach the target within the administration and approve the plan. For example, discuss the outcomes producers need to meet and what is the best way to meet them. In BC, there is more government involvement, with the oversight provided by minister of environment. In Ontario, they are moving to an independent oversight organization that is dealing with EPR. In Alberta, they are talking about a hybrid between Ontario and BC, so Hargreave expects to see some sort of oversight agency like Ontario – delegated administrative authority and an established plan.

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He pointed out that everything we do in waste is trying to produce social norms (education, collection, etc.). We're finding different ways to engage with people or change behaviors. Producer responsibility is a platform for producers to incentivize customers to change their behaviors. In some areas, a depot makes a lot of sense, however, in other areas only curbside is going to work. Producers have to figure that out. Beverage makers have been good at looking at what is going to bring more material back. They are figuring out what solution in each particular jurisdiction is going to work best.

Dubois discussed the need for efficient tracking and reporting. Producers have the means to decide how they are going to meet the target, allowing for an increase in revenues and efficiency for new and sustainable markets. Producer responsibility must be seen as a strong and rigorous solution to the circular economy. She said she sees it more as a trigger for new processes like auditing, reporting, labeling. While producers should take responsibility, measuring the impact of product in their recycling circuit, measuring and auditing should be handled by a third party. It is also important to reinvent solutions based on what we've learned and look at what we can do better for the future.

She stressed to get involved early in the process when the system parameters are being defined. In Quebec, once the general rules were

been set, then the parameters were established by groups of different planners from different areas (municipalities, MRFs, etc.). Define best practices and how to effectively implement them with the new systems. Haulers and/or MRFs operators should get their hands in early in the process.

Benabidès talked about defining the performance of the system by how much material is collected and how much of it is effectively recycled and reused. In policy designs, even measurements carry from one policy to another. In Ontario, performance is measured by a single performance for all material based on what is marketed and what is being sent to a recycling facility. In Quebec, it is measured on specific materials based on what is collected. Most EPR programs in Canada do not include packaging sold as products and yet those materials are in curbside programs. We need to influence policy design, as well as roles of producers and their responsibility. A shared responsibility model has led to problems, providing fewer opportunities to producers to influence costs in any substantial way. Because of operational decisions made by municipalities and service providers, this has led to debates over who is responsible for cost increases—recycling facility operators blame producers over packaging choices, while producers blame facility operators for running inefficient systems. This can lead to ongoing legal battles. There needs to be a lot of emphasis on having good targets and needing to have good competition in EPR model—this is what drives innovation.

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Next, the discussion turned to “Setting Post-consumer Recycled Content Requirements: Resources for Policy Makers” moderated by Steve Alexander, the Executive Director, The Association of Plastic Recyclers (APR), who introduced the speakers. First up was Dan Felton, Executive Director at Ameripen who spoke on recycled content supply and demand. Ameripen, the American Institute for Packaging and the Environment, is an advocacy organization looking at the entire value chain for packaging materials. Part of the organization is the State Market Development Task Force made up of non-members with representation from regional organizations like NERC. The Task Force

looks at rate market development and identifies recycled content goals that have been stated by organizations on packaging manufacturing – goals vs. supply available – that would help strategies and goal settings. Currently, most companies' goals are 25 to 30% recycling goals by 2025, but these goals are flexible. Plastics End Market Insight showed that packaging makes up less than 50% of domestic end market demand for PCR plastic resins and we need to recognize that packaging may have different needs than other materials. They also took a look at Usage vs Capacity—demand per goal, current usage, capacity (consumer packaging market) and discovered that the demand far exceeds capacity for PET and HDPE. This is indicative of trends that should be a starting point as to how we can close demand vs. supply.

Felton also reviewed California's Assembly bill 793, which was signed into law in August 2020. This law establishes recycled content standards for plastic beverage containers subject to the California Refund Value. The law requires a postconsumer plastic recycled content standard of 15 percent beginning January 1, 2022, increasing to 25 percent on 2025 and 50 percent on 2030. Felton said in order to meet packaging goals for plastic PCR, we must increase collection capacity and quality. Collection strategies include consumer education (simplified recycling messaging but also value of recycling messaging); Capacity Strategies include financing programs (EPR, closed loop, industry initiatives like Carton Council, etc.), chemical recycling and market development; Quality strategies include financing, consumer education, chemical recycling, plastic hierarchy.

Elizabeth Balkan, Director of Reloop North America, an international NGO that brings together stakeholders under a common vision of a system where resources remain resources, spoke next. Reloop connects, informs and inspires governments, industry and society on issues related to the circular economy. She talked about today's packaging and waste policy set in a hive atmosphere that included EPR, landfills bans, etc. In the Market Segment, there is a need to stimulate investment in efficient and environmental optimal technology; Resilience provides economic incentive to increase effective recycling locally, allowing for more sustainable growth; and Environmental

achieves GHG emissions savings and other environmental benefits from avoided resource use. ReLoop has experience in building a multi-stakeholder coalition to drive minimum recycled content requirements for PET bottles in Europe, EC Single-Sue Plastics Directive Article 6(5), which says that each Member State shall ensure that: From 2025, which are manufactured from polyethylene terephthalate as the major component (PET bottles) contain at least 25% recycled plastic and from 2030 contain at least 30% recycled plastic.

Balkan continued the discussion by look at policy recommendations, such as establishing clear definitions and scope (what is included and what is not) – this includes defining terms using credible and objective sources as well as clearly delineating included and excluded material (plastic, aluminum, glass, paper, etc.). Next, the objective is to set appropriate targets (what are the results you hope to achieve). This includes assessing technical feasibility, using the right-sized approach and setting milestone targets that can help ensure appropriate action and investment. The third step is to develop robust standards (how do you measure performance). She stressed that you must include clear guidance and careful oversight on what is and what is not considered recycled content, what is required of producers as well as cover environmentally appropriate exclusions and allowances. Next was considering product design and safety where one should evaluate what supporting mechanisms can increase recyclability and reduce harmful outcomes. Finally, it is important to follow the Zero Waste Hierarchy, looking at where are we now and where do we want to be.

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The final speaker during this section of the conference was Heidi Sanborn, Executive Director, of the National Stewardship Action Council (NSAC), who covered California's experiences and lessons learned. The NSAC is a network of governments, non-government organizations, businesses and consumers who advocate that producers share responsibility in a circular economy. During Sanborn's discussion, she covered Market Development and Recycled Content Laws in California, including:

1. *State Agency Buy-Recycled Campaign*: A joint effort between CalRecycle and Department of General Services, it requires state agencies and the Legislature to purchase recycled-content products (RCP) and track those purchases through annual reporting. Assembly Member, Steve Bennett, has introduced AB 661 in order to provide updates in the program with clarifications and revisions as well as provide more enforcement tools and clarify the definition of compost.
2. *Rigid Plastic Packaging Container Program*: Requires that product manufacturers that sell products held in the program meet one of the compliance options, such as that the product must be made from at least 25% post-consumer material. CalRecycle has developed two self-determination tools for product manufacturers (Quick checklist and Expanded Self-Determination Checklist). The problem with this program is that it is complicated – too many ways to comply and it relies on producers to self-verify. Enforcement must be stronger with third party verification.
3. *Recycled Newsprint Law*: California law mandates the use of a specific amount of recycled content newsprint (RCN – comprised of at least 40% postconsumer waste-paper fiber by weight) by printers and publishers located in California. CalRecycle implements the program and tracks the use. There are opportunities for improvement such as third party verification, ban sale in California for non-compliance and the need for state enforcement.
4. *Plastic Trash Bag Program*: Requires plastic bag manufacturers to use a minimum of 10% of Actual Postconsumer Material to produce the trash bags sold. In Oregon it is 30% across the entire plastic product line sold. Opportunities for improvement include requiring producers to pay for CalRecycle oversight and enforcement including auditing and that penalties should be increased.
5. *Glass*: California manufacturers of new glass containers must use at least 35% postconsumer recycled glass, or 25% if the

cullet is mixed color. Fiberglass insulation manufacturers must use at least 30% postconsumer recycled glass. Working well but tried to increase postconsumer number to 50% and failed.

6. *Reusable Plastic Bag Law (Bag Ban)*: Prohibits that distribution of single-use plastic grocery bags and requires that all paper and reusable bags meet specific requirements.
7. *SA 2020: AB 793*: Signed into law last year as the world's toughest plastic bottle PCRC law. Sanborn said she is proud it passed because we really do need end markets. It requires plastic beverage containers subject to the Bottle Bill to contain specific percentages of postconsumer recycled plastic annually (from January 2022 – December 2024, no less than 15%; from January 2025 – December 2029, no less than 25%)
8. *CA Carpet Product Stewardship (does not address recycled content)*: AB 729, sponsored by the NSAC, replaces the existing assessment with differential assessments that take into account the financial burden that a particular carpet material has on the stewardship program, and the amount of postconsumer recycled content contained in a particular carpet.
9. Coming up *AB 478 Theroforms PCRC 30% by 2030*. She expressed that we need more of this type of bill. This is big deal because it rules that theroform plastic containers sold by a producer in the state shall contain no less than 10% (2024-2026), 20% (2027-2029) and 30% (by 2030).

Sanborn stressed that the biggest problem we have right now is we all need to be on the same page and change the conversation by communicating in a constructive way. We need to encourage and understand each other. By talking together, we will get the best outcome.

The last section of the day went over recycling markets opportunities and challenges. Moderated by Palace Stepps, President and General Manager of Sonoco, the discussion featured Alasdair K. Carmichael, Program Director, NAPCOR, Kim Holmes, Owner and Principal

Consultant of 4R Sustainability; and Scott Farling, VP of Business Development and Research at Titus MRF Services.

Carmichael kicked off the discussion covering Recycled PET Markets. NAPCOR is the trade association for the PET packaging industry in the US, Canada, and Mexico. Objectives include stemming the anti-plastic and specifically anti-PET sentiment, putting pro-PET advocacy strategies in motion, building consumer confidence and an appreciation for PET-based products, packaging and brands, driving brands to embrace PET as the best choice for business and the environment, and creating a strong common voice for the PET industry. He went on to give an overview of the organization's annual survey, which included stats and figures on the PET Bottle Recycling Rate in the U.S. (27.9% vs. 2018 rate at 28.9%), PET material flows in the U.S. RPET End Markets (in the U.S. and Canada), overall RPET consumption (up 3.5% including imports, consumption in bottles increased by 7%, sheet/film down 8%), U.S. Consumption of RPET in Fibers in 2019 (domestic production of RPET staple fiber = 316 million lbs.; domestic production of RPET filament 434 million lbs.). The End Use Prospectus concluded that PET is the most recyclable of all plastics with major markets in fibers. In addition, Recycled PET is in strong demand and will increase as RPET content in bottle is either mandated or a voluntary commitment. Carmichael also talked about the oil impact on pricing of VPET and RPET (as oil prices dropped in Q1 2020, virgin PET prices also fell) as well as brand commitments from Coca-Cola, PepsiCo, Nestle and Keurig Dr Pepper.

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Kim Holmes, Owner and Principal Consultant of 4R Sustainability; and Scott Farling, VP of Business Development and Research for Titus MRF Services wrapped up the day with a talk on the potential for secondary sorting. Holmes started by talking about how the recycling industry has had its ups and downs but now is the time to invest in recycling to keep valuable materials in the stream and out of landfills.

Some of the new investments in recycling, include rPlanet Earth and Green Impact Plastics partnering to build a PET thermoforming recycling plant in CA, ACI Plastics partnering with PreZero to build 3-7 plastics

processing plant in SC, which became operational in Q4 2020, PureCycle Technologies building a 107 mmlbs/y PP precycling plant in OH which will be operational by 2022, and others. She stressed that the challenges are that MRFs in the U.S. are still receiving a wide range of mixed containers but lack the economies of scale to economically sort those into commodity streams. While outlets for mixed plastic bales are growing in the US, there is more value to be realized in segregated commodity streams. In addition, as new recycling capacity comes online, we must find a way to separate commodities to feed new investments.

Holmes used two examples of secondary sorting as a solution. First, a full scale demonstration project in Portland, OR in 2019 where an estimated 50,000 tons per year of additional recyclable materials could be recovered at a regional secondary MRF servicing Oregon and Washington. There was opportunity for future program materials to be collected, expanding on what could be put in the bin with secondary sorting (bulky rigid materials, plastic red cups, etc.). In addition, there was a secondary study in the Northeast where samples were collected from six to eight MRFs and sent to Titus for analysis. It gave insight into whether a full blown demonstration project needed in the Northeast. Holmes expressed that if you would like to participate, reach out to her or Scott Farling—they are looking for a wide range of MRFs, including public and privately owned, to participate in the study. Participating MRFs will be given their individual data, including what additional value exists in your container line and how much could be realized when secondarily recovered.

Finally, Farling shared what type of services Titus MRF Services provides to MRFs, including design/build, fabrication facilities, maintenance services, and secondary MRFs. He talked about examples of MRFs Titus has worked on, how they created new markets for recovered material, worked on recycling stakeholder connections, and how they are reducing the landfilling of valuable resources, the generation of greenhouse gases, and the pollution of our oceans. Titus MRF Services' mission is to create pathway for closing the loop for all materials. He stressed that with secondary MRFs as a solution, there is opportunity to optimize and maximize

material recovery on a regional scale, provide operational flexibility to existing MRFS.

The first day of the NERC conference was filled with great informational sessions and discussions on important issues affecting the recycling industry. We look forward to hearing the topics and speakers today!

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