

117TH CONGRESS
1ST SESSION

S. 923

To require the Administrator of the Environmental Protection Agency to establish a consumer recycling education and outreach grant program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 23, 2021

Mr. PORTMAN (for himself, Ms. STABENOW, Mr. PETERS, Ms. HASSAN, Mr. YOUNG, Ms. WARREN, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Administrator of the Environmental Protection Agency to establish a consumer recycling education and outreach grant program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Recycling Enhance-
5 ments to Collection and Yield through Consumer Learning
6 and Education Act of 2021” or the “RECYCLE Act of
7 2021”.

1 **SEC. 2. DEFINITION OF ADMINISTRATOR.**

2 In this Act, the term “Administrator” means the Ad-
3 ministrator of the Environmental Protection Agency.

4 **SEC. 3. CONSUMER RECYCLING EDUCATION AND OUT-**
5 **REACH GRANT PROGRAM.**

6 (a) IN GENERAL.—The Administrator shall establish
7 a program (referred to in this section as the “grant pro-
8 gram”) to award competitive grants to eligible entities to
9 improve the effectiveness of residential and community re-
10 cycling programs through public education and outreach.

11 (b) CRITERIA.—The Administrator shall award
12 grants under the grant program for projects that, by using
13 one or more eligible activities described in subsection (e)—

14 (1) inform the public about residential or com-
15 munity recycling programs;

16 (2) provide information about the recycled ma-
17 terials that are accepted as part of a residential or
18 community recycling program that provides for the
19 separate collection of residential solid waste from re-
20 cycled material; and

21 (3) increase collection rates and decrease con-
22 tamination in residential and community recycling
23 programs.

24 (c) ELIGIBLE ENTITIES.—

25 (1) IN GENERAL.—An entity that is eligible to
26 receive a grant under the grant program is—

- 1 (A) a State;
- 2 (B) a unit of local government;
- 3 (C) a Tribal government;
- 4 (D) a nonprofit organization; or
- 5 (E) a public-private partnership.

6 (2) COORDINATION OF ACTIVITIES.—Two or
7 more entities described in paragraph (1) may receive
8 a grant under the grant program to coordinate the
9 provision of information to residents that may access
10 two or more residential recycling programs, includ-
11 ing programs that accept different recycled mate-
12 rials, to provide to the residents information regard-
13 ing differences among those residential recycling
14 programs.

15 (d) REQUIREMENT.—

16 (1) IN GENERAL.—To receive a grant under the
17 grant program, an eligible entity shall demonstrate
18 to the Administrator that the grant funds will be
19 used to encourage the collection of recycled materials
20 that are sold to an existing or developing market.

21 (2) BUSINESS PLANS AND FINANCIAL DATA.—

22 (A) IN GENERAL.—An eligible entity may
23 make a demonstration under paragraph (1)
24 through the submission to the Administrator of
25 appropriate business plans and financial data.

1 (B) CONFIDENTIALITY.—The Adminis-
2 trator shall treat any business plans or financial
3 data received under subparagraph (A) as con-
4 fidential information.

5 (e) ELIGIBLE ACTIVITIES.—An eligible entity that re-
6 ceives a grant under the grant program may use the grant
7 funds for activities including—

8 (1) public service announcements;

9 (2) a door-to-door education and outreach cam-
10 paign;

11 (3) social media and digital outreach;

12 (4) an advertising campaign on recycling aware-
13 ness;

14 (5) the development and dissemination of—

15 (A) a toolkit for a municipal and commer-
16 cial recycling program;

17 (B) information on the importance of qual-
18 ity in the recycling stream;

19 (C) information on the economic and envi-
20 ronmental benefits of recycling; and

21 (D) information on what happens to mate-
22 rials after the materials are placed into a resi-
23 dential or community recycling program;

24 (6) businesses recycling outreach;

1 (7) bin, cart, and other receptacle labeling and
2 signs; and

3 (8) such other activities that the Administrator
4 determines are appropriate to carry out the purposes
5 of this section.

6 (f) PROHIBITION ON USE OF FUNDS.—No funds may
7 be awarded under the grant program for a residential re-
8 cycling program that—

9 (1) does not provide for the separate collection
10 of residential solid waste (as defined in section
11 246.101 of title 40, Code of Federal Regulations (as
12 in effect on the date of enactment of this Act)) from
13 recycled material (as defined in that section), unless
14 the funds are used to promote a transition to a sys-
15 tem that separately collects recycled materials; or

16 (2) promotes the establishment of, or conver-
17 sion to, a residential collection system that does not
18 provide for the separate collection of residential solid
19 waste from recycled material (as those terms are de-
20 fined under paragraph (1)).

21 (g) MODEL RECYCLING PROGRAM TOOLKIT.—

22 (1) IN GENERAL.—In carrying out the grant
23 program, the Administrator, in consultation with
24 other relevant Federal agencies, States, Indian
25 Tribes, units of local government, nonprofit organi-

1 zations, and the private sector, shall develop a model
2 recycling program toolkit for States, Indian Tribes,
3 and units of local government that includes, at a
4 minimum—

5 (A) a standardized set of terms and exam-
6 ples that may be used to describe materials that
7 are accepted by a residential recycling program;

8 (B) information that the Administrator de-
9 termines can be widely applied across residen-
10 tial recycling programs, taking into consider-
11 ation the differences in recycled materials ac-
12 cepted by residential recycling programs;

13 (C) educational principles on best practices
14 for the collection and processing of recycled ma-
15 terials;

16 (D) a community self-assessment guide to
17 identify gaps in existing recycling programs;

18 (E) training modules that enable States
19 and nonprofit organizations to provide technical
20 assistance to units of local government;

21 (F) access to consumer educational mate-
22 rials that States, Indian Tribes, and units of
23 local government can adapt and use in recycling
24 programs; and

1 (G) a guide to measure the effectiveness of
2 a grant received under the grant program, in-
3 cluding standardized measurements for recy-
4 cling rates and decreases in contamination.

5 (2) REQUIREMENT.—In developing the stand-
6 ardized set of terms and examples under paragraph
7 (1)(A), the Administrator may not establish any re-
8 quirements for—

9 (A) what materials shall be accepted by a
10 residential recycling program; or

11 (B) the labeling of products.

12 (h) SCHOOL CURRICULUM.—The Administrator shall
13 provide assistance to the educational community, includ-
14 ing nonprofit organizations, such as an organization the
15 science, technology, engineering, and mathematics pro-
16 gram of which incorporates recycling, to promote the in-
17 troduction of recycling principles and best practices into
18 public school curricula.

19 (i) REPORTS.—

20 (1) TO THE ADMINISTRATOR.—Not earlier than
21 180 days, and not later than 2 years, after the date
22 on which a grant under the grant program is award-
23 ed to an eligible entity, the eligible entity shall sub-
24 mit to the Administrator a report describing, by

1 using the guide developed under subsection
2 (g)(1)(G)—

3 (A) the change in volume of recycled mate-
4 rial collected through the activities funded with
5 the grant;

6 (B) the change in participation rate of the
7 recycling program funded with the grant;

8 (C) the reduction of contamination in the
9 recycling stream as a result of the activities
10 funded with the grant; and

11 (D) such other information as the Admin-
12 istrator determines to be appropriate.

13 (2) TO CONGRESS.—The Administrator shall
14 submit to Congress an annual report describing—

15 (A) the effectiveness of residential recy-
16 cling programs awarded funds under the grant
17 program, including statistics comparing the
18 quantity and quality of recycled materials col-
19 lected by those programs, as described in the
20 reports submitted to the Administrator under
21 paragraph (1); and

22 (B) recommendations on additional actions
23 to improve residential recycling.

1 **SEC. 4. FEDERAL PROCUREMENT.**

2 Section 6002 of the Solid Waste Disposal Act (42
3 U.S.C. 6962) is amended—

4 (1) in subsection (e), in the matter preceding
5 paragraph (1), by striking “and from time to time,
6 revise” and inserting “review not less frequently
7 than once every 5 years, and, if appropriate, revise,
8 in consultation with recyclers and manufacturers of
9 products containing recycled content, not later than
10 2 years after the completion of the initial review
11 after the date of enactment of the Recycling En-
12 hancements to Collection and Yield through Con-
13 sumer Learning and Education Act of 2021 and
14 thereafter, as appropriate”; and

15 (2) by adding at the end the following:

16 “(j) CONSULTATION AND PROVISION OF INFORMA-
17 TION BY ADMINISTRATOR.—The Administrator shall—

18 “(1) consult with each procuring agency, in-
19 cluding contractors of the procuring agency, to clar-
20 ify the responsibilities of the procuring agency under
21 this section; and

22 “(2) provide to each procuring agency informa-
23 tion on the requirements under this section and the
24 responsibilities of the procuring agency under this
25 section.

1 “(k) REPORTS.—The Administrator, in consultation
2 with the Administrator of General Services, shall submit
3 to Congress an annual report describing—

4 “(1) the quantity of federally procured recycled
5 products listed in the guidelines under subsection
6 (e); and

7 “(2) with respect to the products described in
8 paragraph (1), the percentage of recycled material in
9 each product.”.

10 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

11 (a) IN GENERAL.—There is authorized to be appro-
12 priated to the Administrator to carry out this Act and the
13 amendments made by this Act \$15,000,000 for each of
14 fiscal years 2022 through 2026.

15 (b) REQUIREMENT.—Of the amount made available
16 under subsection (a) for a fiscal year, not less than 10
17 percent shall be allocated to low-income communities (as
18 defined in section 45D(e) of the Internal Revenue Code
19 of 1986).

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