

BUSINESS MEETING

MEETING OF THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS UNITED STATES SENATE ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

APRIL 26, 2023

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COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

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SHELLEY MOORE CAPITO, West Virginia, *Ranking Member*

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C O N T E N T S

APRIL 26, 2023

Page

OPENING STATEMENTS

Carper, Hon. Thomas R., U.S. Senator from the State of Delaware	1
Capito, Hon. Shelley Moore, U.S. Senator from the State of West Virginia	2

ADDITIONAL MATERIAL

Letter to Senator Carper, Senator Capito and Senator Boozman from the Institute of Scrap Industries, Inc.	6
Letter to Senator Carper, Senator Capito and Senator Boozman from Amer- ican Chemistry Council	8
Letter to Senator Carper and Senator Capito from American Cleaning Insti- tute	10
Letter to Senator Carper, Senator Capito and Senator Boozman from: American Beverage	11
Ameripen	12
AMP Robotics	16
Letter to Senator Carper, Senator Capito, Senator Rodgers, and Senator Pallone from several undersigned organizations who would like to work to improve and pass the Recycling and Composting Accountability Act (RCAA) and the Recycling Infrastructure and Accessibility Act	19
Letter to Senator Carper and Senator Capito from Consumer Brands Associa- tion	20
Letter to Senator Carper from: Glass Packaging Institute	21
World Wildlife Fund	24
Letter to Senator Carper and Senator Capito from Ball Corporation	25
Letter to Senator Carper, Senator Capito and Senator Boozman from Na- tional Association of Manufacturers	27
Letter to Senator Carper and Senator Boozman from Novelis, Inc.	28
Article from The National Waste & Recycling Association: NWRA Applauds Reintroduction of Bipartisan Recycling and Composting Bills	29
Letter to Senator Capito from Novelis, Inc.	30
Letter to Senator Carper, Senator Capito and Senator Boozman from the Paper Recycling Coalition	31
Article from Plastics Industry Association: Plastics Industry Association Sup- ports Bipartisan Legislation to Improve America's Recycling Infrastructure .	33
Letter to Senator Carper, Senator Capito and Senator Boozman from the Aluminum Association	35
Letter to Senator Carper and Senator Capito from Recycling Infrastructure Now	37
Article from Sustainable Food Policy Alliance: SFPA Statement on the Re- introduction of Bipartisan Recycling Legislation	39
Letter to Senator Carper from Tetra Pak	41

BUSINESS MEETING

WEDNESDAY, APRIL 26, 2023

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, DC.

The committee, met, pursuant to notice, at 9:47 a.m. in room 406, Dirksen Senate Office Building, Hon. Thomas R. Carper (chairman of the committee) presiding.

Present: Senators Carper, Capito, Cardin, Sanders, Whitehouse, Merkley, Markey, Stabenow, Kelly, Padilla, Fetterman, Boozman, Ricketts.

OPENING STATEMENT OF HON. THOMAS R. CARPER, U.S. SENATOR FROM THE STATE OF DELAWARE

Senator CARPER. Good morning, everyone. I call this business meeting to order. I thank all of you for joining us today as we consider two of President Biden's nominees to important leadership posts at the Environmental Protection Agency (EPA), as well as bipartisan recycling legislation that Senator Capito and myself and a number of us here have worked on.

First, we are going to vote when we have the right number of people here. I think we are pretty close. We are going to vote on Joe Goffman, President Biden's nominee to be the Assistant Administrator for the Office of Air and Radiation at EPA.

Throughout his career, Mr. Goffman has demonstrated dedication to public service and a deep sense of integrity. He has implemented the law in a way that provides cleaner air and a safer climate for all, while also giving industry predictability and certainty. I have long supported his nomination, and I look forward to advancing him today.

Next, we are going to be voting on David Uhlmann, President Biden's nominee to be Assistant Administrator of the Office of Enforcement and Compliance Assurance at EPA.

As a distinguished public servant with 17 years of experience as a Department of Justice prosecutor, including 7 years as Chief of the Environmental Crime Section, Mr. Uhlmann is exceptionally qualified to lead EPA's critical enforcement functions. I will vote yes to advance both these nominees, and I urge our colleagues to do the same.

In addition, we will be considering the Recycling Infrastructure and Accessibility Act and the Recycling and Composting Accountability Act. These two bipartisan bills would help address our Nation's recycling and composting challenges by improving recycling access and data collection. If they look familiar, they should, be-

cause we voted and reported them out of here, and the Senate has supported them in a previous Senate.

I thank Senator Capito, and I want to thank Senator Boozman for their very thoughtful collaboration with me and our staffs on developing this legislation. I urge our colleagues to join us in voting yes on both of these bills.

With that, let me turn it over to Senator Capito for her statement, and then we will have some votes. Thank you.

**OPENING STATEMENT OF HON. SHELLEY MOORE CAPITO,
U.S. SENATOR FROM THE STATE OF WEST VIRGINIA**

Senator CAPITO. Thank you, Mr. Chairman, and thanks for calling the business meeting.

Today, as you said, we are considering two recycling bills that you and I have worked on since the last Congress. We are voting on your and Senator Boozman's bill that I am pleased to cosponsor, the Recycling and Composting Accountability Act, as well as my bill, the Recycling Infrastructure and Accessibility Act. I have heard a lot about this from folks that are really excited on the outside to really jumpstart a better recycling regime. Thank you for that.

The full Senate understood the value of our efforts, and both bills passed by unanimous consent last year. We are passionate about recycling, including improving access to it in rural communities, and we will continue to push for enactment of these sensible pieces of legislation.

I expect we will report out David Uhlmann's nomination by voice vote. Mr. Uhlmann has been nominated to lead the EPA's Office of Enforcement and Compliance Assurance. Last Congress, when we considered this nomination, I could not support him because of the agency's failure to be responsive to my oversight request. I have observed a considerable improvement in the EPA's responsiveness and communication with me and members of my staff, so I am comfortable in reporting Mr. Uhlmann's nomination today.

However, I do remain firm in my opposition to the nomination of Joe Goffman to serve as the Assistant Administrator of EPA's Office of Air and Radiation. I cannot support Mr. Goffman's nomination because of the misguided policy he has developed and shepherded over years, both for the Obama administration and during the Biden Administration.

My opposition to his nomination is no secret, but I do want to highlight some of the recent policies out of EPA that have deepened my opposition. In the last 5 months, the EPA has inflicted considerable additional damage on our economy through overreaching air regulations and announced plans to issue even more.

The agency imposed a Federal implementation plan on States across the Country, an action I have dubbed the Headwind Rule because of the economic headwinds it imposes on electricity prices, the energy sector, and other critical industries in this Country. The rule imposes \$14 billion in additional costs, all as inflation and energy prices remain high.

This rule is a particular headscratcher, because it will not actually help any areas that have elevated pollution to meet their air

quality standards. The Headwind Rule is now being followed by a stream of additional regulations, all targeting the power sector.

This month, the EPA proposed to tighten emissions standards on power plants under Section 112 of the Clean Air Act, even though current standards already protect public health with an ample margin of safety. As major newspapers are reporting, we will soon see an EPA proposal to establish punishing carbon dioxide emissions standards as the Biden Administration attempts to replace the illegal Clean Power Plan. This onslaught of regulations on power plants has one clear goal: drive a stake in the coal industry and squeeze natural gas use.

As soon as he got to office, President Biden made an international pledge that reasonable people knew he could not keep, which was to drive down greenhouse gas emissions at impossible rates, 50 to 52 percent below year 2005 levels by year 2030. Recent reports from academics and analysts have concluded that the only way to get close to that pledge and for the Biden Administration to save face on this botched promise is to throw down the regulatory hammer on the electricity sector. Even the bloated, reckless spending from the Democrats' Inflation Act cannot get the economy there.

So the EPA under Mr. Goffman's leadership is furiously developing regulations to try to get close to that misguided pledge. I oppose Mr. Goffman because of the policies he has developed and is developing at unjustifiable cost and ignoring legal limits. These policies will hurt workers, businesses, families, and the communities that I represent.

With that, I yield back to you, Chairman Carper.

Senator CARPER. Thanks very much.

I think we are going to go ahead. Senator Boozman, do you want to say anything about the recycling bills? Thanks so much for your work on them.

Senator BOOZMAN. No, the only thing I would say is, we appreciate you and Senator Capito being such leaders in this effort. This is something we can all be very proud of. We just need to work hard and get it passed totally.

Senator CARPER. Thanks for being the wind beneath our wings. You really have been, too.

Senator BOOZMAN. I will take that.

Senator CARPER. Yes, there you go. It is one of the nicer things you have been called, I am sure.

[Laughter.]

Senator CARPER. Next, we are going to call up the nomination of Joseph Goffman, Number 119, of Pennsylvania to be Assistant Administrator for the Office of Air and Radiation of the Environmental Protection Agency.

I move to approve and report the nomination favorably to the Senate. Is there a second?

Senator CARDIN. Second.

Senator CARPER. Thanks for the second.

The CLERK will call the role.

The CLERK. Mr. Boozman.

Senator BOOZMAN. No.

The CLERK. Ms. Capito.

Senator CAPITO. No.
 The CLERK. Mr. Cardin.
 Senator CARDIN. Aye.
 The CLERK. Mr. Cramer.
 Senator CAPITO. No, by proxy.
 The CLERK. Mr. Fetterman.
 Senator CARPER. Yes, by proxy.
 The CLERK. Mr. Graham.
 Senator CAPITO. No, by proxy.
 The CLERK. Mr. Kelly.
 Senator KELLY. Aye.
 The CLERK. Ms. Lummis.
 Senator CAPITO. No, by proxy.
 The CLERK. Mr. Markey.
 Senator MARKEY. Aye.
 The CLERK. Mr. Merkley.
 Senator MERKLEY. Aye.
 The CLERK. Mr. Mullin.
 Senator CAPITO. No, by proxy.
 The CLERK. Mr. Padilla.
 Senator PADILLA. Aye.
 The CLERK. Mr. Ricketts.
 Senator RICKETTS. No.
 The CLERK. Mr. Sanders.
 Senator SANDERS. Aye.
 The CLERK. Ms. Stabenow.
 Senator STABENOW. Aye.
 The CLERK. Mr. Sullivan.
 Senator CAPITO. No, by proxy.
 The CLERK. Mr. Whitehouse.
 Senator WHITEHOUSE. Aye.
 The CLERK. Mr. Wicker.
 Senator CAPITO. No, by proxy.
 The CLERK. Mr. Chairman.
 Senator CARPER. Aye.
 The CLERK. Mr. Chairman, the yeas are ten, the nays are nine.
 Senator CARPER. The nomination is favorably reported.

Next, I call up the Presidential Nomination Number 118 of David Uhlmann of Michigan to be the Assistant Administrator for the Office of Enforcement Compliance Assurance of the Environmental Protection Agency.

We will consider this nomination by voice vote. I understand there may be several members on the committee who would like, after we have done a voice vote, to be recorded as no. If you would like to do that, just let us know, and we will make sure that happens.

I move to report this nomination favorably. Is there a second?

Senator CARDIN. Second.

Senator CARPER. It has been moved and seconded. All in favor, say aye.

[Chorus of ayes.]

Senator CARPER. Opposed, say nay.

[No audible response.]

Senator CARPER. The ayes have it. In the opinion of the chair, the ayes have it. The nomination will be favorably reported.

I note for the record that a voting quorum of the committee is present.

Next, I want to call up Senate Bill 1189, the Recycling Infrastructure and Accessibility Act of 2023 and S. 1194, the Recycling and Composting Accountability Act. We will consider these two bills en bloc by voice vote.

I move to report these items favorably. Is there a second?

Senator CARDIN. Second.

Senator CARPER. It has been moved and seconded. All in favor, say aye.

[Chorus of ayes.]

Senator CARPER. Opposed, say nay.

[No audible response.]

Senator CARPER. In the opinion of the chair, the ayes have it. The two bills will be favorably reported. I note for the record, the voting quorum of the committee is present.

This concludes the committee's votes as part of the business meeting today. I really want to thank everybody for making time to be here this morning and taking care of business.

With that, Senator Capito, anything else that you would like to say before we jump into the hearing part?

Senator CAPITO. No, I am ready to go.

Senator CARPER. OK. Anybody want to say anything before we jump into the hearing before us today?

With that, the business meeting is adjourned. Again, our thanks to everybody for making time to join us today.

[Whereupon, at 9:56 a.m., the committee proceeded to other business.]



ISRI is the voice of the recycling industry, promoting safe, economically sustainable and environmentally responsible recycling through networking, advocacy and education.



April 26, 2023

The Honorable Tom R. Carper
United States Senate
513 Hart Senate Office Building
Washington, DC 20510

The Honorable Shelley Moore Capito
United States Senate
172 Russell Senate Office Building
Washington, DC 20510

The Honorable John N. Boozman
United States Senate
141 Hart Senate Office Building
Washington, DC 20510

Re: The Recycling and Composting Accountability Act and the Recycling Infrastructure and Accessibility Act

Dear Chairman Carper, Ranking Member Capito, and Ranking Member Boozman:

The Institute of Scrap Recycling Industries, Inc. (ISRI) strongly supports the re-introduction of the Recycling and Composting Accountability Act (RCAA) and the Recycling Infrastructure and Accessibility Act (RIAA).

Recycling is one of the most important activities that all of us can do every day to help protect our environment, conserve natural materials, reduce energy use, and help combat climate change because recycled materials are important building blocks in the global manufacturing chain. For example, using recycled aluminum saves 95% of the energy needed to make virgin aluminum.

Over the past several years, there have been anecdotal claims that our nation's residential recycling streams are broken. These claims are simply not based on data nor are the proposed solutions data driven. Only accurate recycling data will enable the public and policymakers to understand the markets for recycled materials and make informed decisions towards improving our nation's recycling programs.

Accordingly, the RCAA would establish baseline data on recycling and composting in the United States and collect data on the amounts of materials that are being diverted to landfills or incineration. This data is essential to fill the existing data gaps and provide policymakers with a better understanding of our nation's recycling programs as we discuss policy prescriptions.



1250 H St NW Suite 400, Washington, DC 20005 | (202) 662-8500 | isri@isri.org | ISRI.org

Moreover, the RCAA will provide the necessary data to illustrate the strengths and weaknesses in our nation's residential recycling systems and facilitate data driven public policy conversations resulting in substantial and durable improvements.

Additionally, the Recycling Infrastructure and Accessibility Act would address barriers to rural and economically depressed communities face in accessing residential and municipal recycling programs as well as the challenges municipal recycling facilities face in providing these important services.

It is important to note that effective recycling requires long-term, reliable, and sustainable markets for these materials. Having the proper infrastructure to collect, sort and separate are vital towards these goals. Americans overwhelmingly want to recycle their household items but often do not have the necessary infrastructure to easily recycle. We hope that this legislation will help develop improve residential recycling by developing pilot projects through awarding grants on a competitive basis to eligible entities to improve accessibility to recycling systems for underserved communities and serve as a model for recycling infrastructure development.

ISRI supports your efforts and welcomes the opportunities working with you as this important legislation advances towards enactment.

Sincerely,



William H. Johnson

Chief Lobbyist

Chris Jahn
President & CEO



April 26, 2023

The Honorable Thomas Carper
United States Senate
Washington, DC 20510

The Honorable Shelley Moore Capito
United States Senate
Washington, DC 20510

The Honorable John Boozman
United States Senate
Washington, DC 20510

Dear Senators Carper, Capito and Boozman:

The American Chemistry Council (ACC) supports S. 1189, the "Recycling Infrastructure and Accessibility Act," and S. 1194, the "Recycling and Composting Accountability Act." S. 1189 and S. 1194 highlight the critical importance of recycling and the need to improve and increase the collection and recycling of materials. Americans deserve better than the status quo – we can and must do better.

S. 1189 and S. 1194 promote necessary improvements in recycling accessibility, collection, sortation, research, and federal policy – all critical areas necessary to enhance and expand recycling and contribute to a circular economy in which materials remain in productive use. ACC also commends your forward-thinking efforts to explore opportunities for implementing a national composting strategy.

Improving and expanding domestic recycling requires an "all-of-the-above" strategy that leverages many of the ideas and policies included in these two important legislative proposals. As the 118th Congress continues to address and debate federal recycling priorities, important alignment continues to be driven between various stakeholders and their goals. For example, access to recycling, particularly in rural areas, must be improved. Materials-neutral collection and sortation technology must be improved. Education and research must be improved. The continued growth and scaling of advanced technologies that address hard-to-recycle and mixed plastics must be improved if we are to achieve national recycling targets.

Indeed, we believe increasing recycling access and rates and collecting reliable data is a bipartisan issue, and America's plastic makers are helping to provide sustainable solutions.

From reducing food waste through efficient, lightweight packaging to enabling wind and solar energy technologies, plastics are an essential material for achieving a lower carbon future. We



will continue to work with Congress and all stakeholders to expand recycling and build on the sustainability of plastics.

We applaud the great work that you have done to contribute positively to a greater understanding of what can be recycled, how collection can be improved, how the government can help fund and grow markets for valuable recyclable materials, and how we all can contribute to greater recycling rates that can create cleaner communities for future generations. We look forward to continuing to work with you, other Members of Congress, and all stakeholders to advance recycling and sustainability in our communities.

Sincerely,

A handwritten signature in blue ink, appearing to read 'CJahn', with a stylized flourish extending to the right.

Chris Jahn
President and CEO



May 18, 2023

The Honorable Tom Carper
Chairman
Committee on Environment & Public Works
U.S. Senate
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Shelley Moore Capito
Ranking Member
Committee on Environment & Public Works
U.S. Senate
410 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Carper and Ranking Member Capito:

Thank you for introducing and advancing S. 1189, the Recycling Infrastructure and Accessibility Act, and S. 1194, the Recycling and Composting Accountability Act. The American Cleaning Institute® (ACI)¹ supports these bipartisan bills that look to address shortcomings in our nation's recycling system. Increasing data collection and funding pilot programs to expand access to recycling will help us achieve our shared goals.

ACI recognizes the need to mitigate the impacts associated with the creation, use, and disposal of our product packaging. Cleaning product packaging is designed to protect the health and safety of consumers and their families, while also ensuring safe transport, storage and use of cleaning products during all stages of a product's lifecycle.

The optimization of ACI member company product packaging is a priority to deliver the performance of the products ACI members produce. It is for this reason that we have established guiding principles that help us ensure our products, which provide hygiene and cleanliness, do so in a manner that is environmentally sound, socially responsible and economically viable. Our members have collaborated on guidelines to help direct design and manufacturing, and to aid in the development and use of recyclable packaging. We have also charted a roadmap aiming to achieve 100 percent collection and reuse, recycling or composting of cleaning product packaging waste by 2040.²

ACI remains committed to working with Congress on finding recycling solutions that evolve and advance our nation's materials reclamation systems. We appreciate your work in this area and look forward to working with you on the continued advancement of S. 1189 and S. 1194.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas M. Troutman".

Douglas M. Troutman
General Counsel, Corporate Secretary & SVP, Government Affairs

¹ ACI represents the \$60 billion U.S. cleaning product supply chain. ACI members include the manufacturers and formulators of soaps, detergents, and general cleaning products used in household, commercial, industrial and institutional settings; companies that supply ingredients and finished packaging for these products; and chemical distributors. ACI serves the growth and innovation of the U.S. cleaning products industry by advancing the health and quality of life of people and protecting our planet. ACI achieves this through a continuous commitment to sound science and being a credible voice for the cleaning products industry.

² https://media.acihq.org/gsp/es/mediaobjects/docs/Sustainability/ACI_circularpackaging.pdf



April 26, 2023

The Honorable Tom Carper
Chairman, Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Shelley Moore Capito
Ranking Member, Senate Committee on Environment and Public Works
172 Russell Senate Office Building
Washington, DC 20510

The Honorable John Boozman
Member, Senate Committee on Environment and Public Works
555 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Carper, Ranking Member Capito, and Sen. Boozman:

On behalf of the American Beverage Association, which represents the unified voice of America's non-alcoholic beverage industry, I thank you for your leadership in holding today's legislative hearing on "Opportunities to Improve Project Reviews for a Cleaner and Stronger Economy."

One of our industry's highest priorities is creating a circular economy for our valuable, 100 percent recyclable bottles and cans. We are taking action at every stage of the life cycle of our plastic bottles to help them make their way back and be remade into new bottles as intended, not wasted in landfills or ending up in nature. We are encouraged that today's hearing will bring together many voices to advance the shared goal of improving our nation's recycling infrastructure and composting systems. Your leadership is essential to the pursuit of pragmatic and impactful solutions to this complex issue.

The *Recycling and Composting Accountability Act* and the *Recycling Infrastructure and Accessibility Act of 2023* represent positive steps toward achieving a circular economy for recyclable materials. We support both bipartisan measures and look forward to continuing our work with the Committee on Environment and Public Works to build effective policies that achieve circularity for our beverage containers.

Sincerely,

Kevin W. Keane
Interim President & CEO



1350 Main Street • Suite 1100 • Springfield, Massachusetts 01103
Phone: +1 413-686-9198

April 25, 2023

The Honorable Shelly Moore Capito
United States Senate
172 Russell Senate Office Building
Washington, DC 20510

The Honorable Tom Carper
United States Senate
513 Hart Senate Office Building
Washington, DC 20510

The Honorable John Boozman
United States Senate
141 Hart Senate Office Building
Washington, DC 20510

RE: Support for the Recycling Infrastructure and Accessibility Act of 2023

Dear Senator Capito, Senator Carper and Senator Boozman,

AMERIPEN – the American Institute for Packaging and the Environment – is writing to support the Recycling Infrastructure and Accessibility Act of 2023 that would provide grants for projects to make recycling programs more accessible to rural and disadvantaged communities. This type of federal funding will play a critical role in increasing recycling access and rates as the U.S. Environmental Protection Agency (EPA) seeks to increase the national recycling rate to 50 percent by 2030 under their National Recycling Goal.

AMERIPEN is a coalition of stakeholders dedicated to improving packaging and the environment. We are the only material neutral packaging association in the United States representing the entire packaging supply chain, including materials suppliers, packaging producers, consumer packaged goods companies and end-of-life materials managers. We focus on science and data to define and support our public policy positions and our comments are based on this rigorous research rooted in our commitment to achieve sustainable packaging, and effective and efficient recycling policies. The packaging industry supports nearly 1.7 million jobs and accounts for nearly \$538 billion in total economic output in the United States.

The Recycling Infrastructure and Accessibility Act of 2023 would establish the pilot Recycling Infrastructure and Accessibility Program at the EPA. This pilot program would award grants, on a competitive basis and up to \$15 million each, to eligible entities to improve recycling accessibility in a community or communities within the same geographic area. The goal of the program is to fund eligible projects that will significantly improve accessibility to recycling systems in rural and underserved communities through a hub-and-spoke model for recycling infrastructure development.



1350 Main Street • Suite 1100 • Springfield, Massachusetts 01103
Phone: +1 413-686-9198

Support for the Recycling Infrastructure and Accessibility Act of 2023
April 25, 2023
Page 2 of 2

Previously, AMERIPEN supported the RECYCLE Act and Save our Seas 2.0 Act Post Consumer Materials Management Grants program that was included in the final version of the Infrastructure Investment and Jobs Act of 2021 (H.R.3684). Similarly, the grant funding mechanism in the Recycling Infrastructure and Accessibility Act of 2023 will go a longways towards jump-starting increased packaging recycling and recovery in the U.S. that has been negatively impacted by shifting recyclables markets over the past few years and further exacerbated by COVID-19 over the past three years. We are at a critical juncture to provide additional funding to local governments, states, Native American tribes and public-private partnerships to improve accessibility to recycling systems. We must improve material recycling and recovery systems, including in rural and underserved communities, so we can reuse more materials and achieve a more circular economy. Enacting the Recycling Infrastructure and Accessibility Act of 2023 is another critical bi-partisan step Congress can take now to improve recycling in the U.S.

Once again, **AMERIPEN supports the Recycling Infrastructure and Accessibility Act of 2023**, and we hope that this legislation can move forward this year to support the improvement of recycling in the United States. We look forward to being part of the discussion on this key initiative and hope that the Environment and Public Works Committee, and the whole Senate, will make this proposal a key priority this year. Please feel free to contact me or Andy Hackman, with Serlin Haley, LLP (ahackman@serlinhaley.com) with any question on our support or other issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan P. Felton", is written over a light blue horizontal line.

Dan Felton
Executive Director



AMERIPEN.org



1350 Main Street • Suite 1100 • Springfield, Massachusetts 01103
Phone: +1 413-686-9198

April 25, 2023

The Honorable Tom Carper
United States Senate
513 Hart Senate Office Building
Washington, DC 20510

The Honorable Shelly Moore Capito
United States Senate
172 Russell Senate Office Building
Washington, DC 20510

The Honorable John Boozman
United States Senate
141 Hart Senate Office Building
Washington, DC 20510

RE: Support for the Recycling and Composting Accountability Act of 2023

Dear Senator Carper, Senator Capito and Senator Boozman,

AMERIPEN – the American Institute for Packaging and the Environment – is writing to support the Recycling and Composting Accountability Act of 2023 that would require the U.S. Environmental Protection Agency (EPA), among other things, to collect, maintain and publish data on recycling and composting rates across the country. We applaud your efforts to improve transparency for recycling and composting and believe this baseline data is critical to help boost these rates and reduce waste in the U.S.

AMERIPEN is a coalition of stakeholders dedicated to improving packaging and the environment. We are the only material neutral packaging association in the United States representing the entire packaging supply chain, including materials suppliers, packaging producers, consumer packaged goods companies and end-of-life materials managers. We focus on science and data to define and support our public policy positions and our comments are based on this rigorous research rooted in our commitment to achieve sustainable packaging, and effective and efficient recycling policies. The packaging industry supports nearly 1.7 million jobs and accounts for nearly \$538 billion in total economic output in the United States.

The Recycling and Composting Accountability Act of 2023 will provide an accurate reflection of recycling and composting performance nationally and at the state level – information that will be critical to improving existing recycling and composting programs and evaluating future recycling policies. The Act will also explore the potential of a national residential composting strategy – something AMERIPEN believes is critical to identifying barriers to composting and help compostable packaging become even more successful in the U.S.



1350 Main Street • Suite 1100 • Springfield, Massachusetts 01103
Phone: +1 413-686-9198

Support for Recycling and Composting Accountability Act of 2023
April 25, 2023
Page 2 of 2

As noted in the EPA's *National Recycling Strategy: Part One of a Series on Building a Circular Economy for All*, increased data accessibility, aggregation, collection, consistency, standardization, analyses, reporting, and transparency is critical and necessary for increasing recycling and recyclable materials in the U.S. and will likely go a longways to helping to achieve the EPA's National Recycling Goal to increase the national recycling rate to 50 percent by 2030. We believe this keen focus will also improve the accessibility of better baseline data for packaging and product designers and procurement decision makers as they look to better understand how materials are being collected, sorted, processed and are then available for incorporation into new packaging and products following their prior life. AMERIPEN has been an avid supporter of and actively involved in the EPA's America Recycles Network since its inception and is looking forward to the possibility of leading or supporting various aspects of the implementation of EPA's National Recycling Strategy.

AMERIPEN also appreciates that the Recycling and Composting Accountability Act of 2023 includes language to require EPA to provide an update on the Save Our Seas 2.0 Act report on recyclable material end market sales from material recovery facilities that process recyclable materials collected from households and publicly available recyclable materials drop-off centers, and prepare a report on the end-market sale of compost from all compostable materials collected from households and publicly available compost drop-off centers. AMERIPEN is passionate about end market development, as evidenced by our State Market Development Task Force made up of state recycling market development professionals from across the U.S., and we are pleased to see this legislation supporting related efforts. Related, you may be interested in our [report, Best Practices for State Market Development Centers](#), released in October 2021 that we developed in collaboration with Resource Recycling Systems (RRS) to assist state governments and related stakeholders in establishing or improving local recycling market development centers.

Once again, **AMERIPEN supports the Recycling and Composting Accountability Act of 2023**, and we hope that this legislation can move forward this year to support the improvement of recycling and composting in the United States. We look forward to being part of the discussion on this key initiative and hope that the Environment and Public Works Committee, and the whole Senate, will make this proposal a key priority this year. Please feel free to contact me or Andy Hackman, with Serlin Haley, LLP (ahackman@serlinhaley.com) with any question on our support or other issues.

Sincerely,

Dan Felton
Executive Director

AMERIPEN.org



April 25, 2023

The Honorable Tom Carper
513 Hart Senate Office Building
Washington, DC 20510

The Honorable John Boozman
141 Hart Senate Office Building
Washington, DC 20510

The Honorable Shelley Moore Capito
172 Russell Senate Office Building
Washington, DC 20510

Dear Senators Carper, Boozman, and Capito,

AMP Robotics would like to thank Chairman Carper, Senator Boozman, and Senator Capito for sponsoring the "Recycling and Composting Accountability Act" and to express support for this bipartisan and innovative legislation.

AMP Robotics fully subscribes to one of the principal goals of this legislation: improving the reporting of data collected at materials recovery facilities (MRF). We believe the standardization of this data and the ability to provide accurate and verifiable reports to the appropriate regulatory authorities is a critical step in creating a mechanism to improve the purity of the recycling stream in the United States.

Located in Louisville, Colorado, AMP Robotics is a market leader in supplying the recycling industry with advanced sortation equipment that uses the power of artificial intelligence to drive the accurate sortation of materials. We have field tested the application of artificial intelligence and robotics under every conceivable MRF configuration, weather condition and operating environment imaginable. With over 240 robots installed in over 102 locations in the U.S. and worldwide, we have successfully proven the application of artificial intelligence in the recycling industry.

We believe that leveraging innovative technology such as artificial intelligence can significantly improve the ability for municipal recovery facilities to identify, sort and process the materials that come into the facility. The technology provides a revolutionary solution for MRF operators who can now capture key data on the types and amounts of materials that are being processed.

Traditionally, MRFs must employ hand-sorting methods to capture data through periodic manual bale audits that take time and are less accurate. These manual waste audits are useful but only evaluate small samples of the overall waste stream. Audits are expensive to undertake frequently enough to be statistically relevant. Constant sampling requires MRFs to dedicate space, time, labor, equipment, and other resources which drive up operational costs. Additionally, increased sampling exposes workers to safety risks, is cumbersome and time consuming, and is becoming outdated compared to the pace of market changes.

Automated, anonymous, and consistent real time monitoring of material flowing through the MRF can give an exact and accurate picture of the types of materials that are being recycled. This process will provide the data needed to ensure the program is working as designed, while eliminating the use of manual audit thereby reducing the MRFs overall operational costs.

AMP Robotics has developed vision systems powered by artificial intelligence that can provide real-time data collection. AMP Neuron™ is our core AI platform which applies the latest computer vision technology to visually recognize materials for recovery by 'seeing' different colors, textures, shapes, sizes, patterns, and even brand labels to identify the materials coming down a belt. When paired with AMP Clarity™, a web-based data portal that provides real-time material characterization and performance measurement, MRFs have the tools they need to not only characterize the materials flowing across their conveyors, but the ability to analyze and process that data to make key decisions on the operation of their facility.

At AMP Robotics, we stand ready to help advance the goals of the "Recycling and Composting Accountability Act, and believe technology that provides anonymous, consistent, real-time data is critical to the legislation's mission.

Thank you once again for your leadership and vision and we look forward to discussing further how technology and artificial intelligence can provide the recycling solutions of the future.

Sincerely,

A handwritten signature in cursive script that reads "Christopher Wirth".

Chris Wirth
Vice President
Corporate Affairs

Hi Annie, Hanna, and Jake,

I hope you are having a great start to the week and I know things are busy on your end. Per your requests, below you find quotes in support of both bills, for Chairman Carper and Ranking Member Capito's respective "what they're saying" press releases.

The Recycling and Composting, and Accountability Act

"With our nation's recycling rate at only 32 percent, we must do more to strengthen recycling and composting infrastructure, protect the environment, and grow the circular economy. Data collection is critical to achieving these goals, which is why BASF supports Senators Carper, Capito, and Boozman's bipartisan legislation that seeks to fill much needed information gaps. Only when we have the full picture of our communities' capabilities can we work to effectively strengthen recycling and composting infrastructure, help our communities thrive, and sustainably protect the environment." – **Catherine Trinkle, Vice President and Deputy General Counsel, Regulatory, Environmental & Government Affairs**

The Recycling Infrastructure and Accessibility Act

"Recycling accessibility is a key component to strengthening our nation's waste management system and BASF applauds this bipartisan effort to expand recycling access to underserved communities. Ensuring materials are recoverable through curbside recycling programs or local materials recovery facilities is vital to strengthening communities, protecting the environment, and growing a circular economy. We look forward to working with Senators Capito, Carper, and Boozman on this bill to help build robust recycling infrastructure nationwide." – **Catherine Trinkle, Vice President and Deputy General Counsel, Regulatory, Environmental & Government Affairs**

If you could let me know when you intend to issue press releases that would be helpful, as I want to flag this for folks on my team and in our communications department. Please let me know if you have any questions or would like to discuss further.

Thanks so much!

April 19, 2023

The Honorable Tom Carper
Chairman
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

The Honorable Cathy McMorris Rodgers
Chair
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Shelley Moore Capito
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairs Carper and McMorris Rodgers and Ranking Members Capito and Pallone:

The undersigned organizations would like to work together with you to improve and pass the Recycling and Composting Accountability Act (RCAA) and the Recycling Infrastructure and Accessibility Act.

Knowing there are concerns with some provisions of the RCAA, we look forward to collaborating with you and all stakeholders to address such challenges and advance this legislation and other policies that prioritize materials neutral, circular approaches to recycling.

The Senate passed these bipartisan bills by unanimous consent in 2022, representing consensus support for meaningful incremental progress on this important issue. Both the Senate and House of Representatives now have the opportunity to advance these bills to promote policies to catalyze the circular economy, and which build on the recycling provisions contained in the Infrastructure Investment and Jobs Act, and EPA's National Recycling Strategy.

Moreover, the data and public-private partnerships resulting from these bills will help improve the accessibility of recycling infrastructure and collection of solid waste in underserved communities across the United States, ultimately reducing waste, fostering economic growth, and protecting the environment.

Please feel free to contact Chuck Chaitovitz, Vice President, Environmental Affairs and Sustainability, U.S. Chamber of Commerce at cchaitovitz@uschamber.com should you require additional information.

Sincerely,

American Chemistry Council
American Forest & Paper Association
Consumer Brands Association
Corn Refiners Association
Glass Packaging Institute
National Waste and Recycling Association

Plant Based Products Council
Plastics Industry Association
The Aluminum Association
U.S. Chamber of Commerce
United States Composting Council



April 20, 2023

The Honorable Tom Carper
Chairman
U.S. Senate Committee on Environment
& Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Shelley Moore Capito
Ranking Member
U.S. Senate Committee on Environment
& Public Works
456 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Carper and Ranking Member Capito:

The Consumer Brands Association commends you on the reintroduction of two important pieces of legislation: the *Recycling and Composting Accountability Act* and the *Recycling Infrastructure and Accessibility Act*. Together the bills will expand rural access to recycling infrastructure and improve recycling composting data gathering. Both bills passed the Senate by unanimous consent in 2022 and we look forward to seeing their swift passage in this Congress.

Consumer Brands is the trade association for manufacturers of consumer packaged goods, representing nearly 2,000 brands that make the food, beverage, cleaning and personal care products that American consumers depend on every day. A core focus of our organization is promoting thoughtful federal solutions that will reduce waste and fix the broken recycling system. These bills are solid examples of such policies and reflect a bipartisan, bicameral commitment to addressing our nation's recycling challenges.

The *Recycling and Composting Accountability Act* will address a critical problem with the U.S. recycling system: a nationwide lack of reliable, accessible data on recycling and composting. This bill will fill information gaps and provide the data businesses need to spur recycling and composting innovation.

Additionally, the *Recycling Infrastructure and Accessibility Act* will support rural communities around the country in their efforts to build out the infrastructure required to expand recycling access and foster circular economies. These investments will enable underserved communities to realize the economic and environmental benefits recycling provides. The grant program will also help bolster the nation's abysmal recycling rate, which lingers at less than 35 percent.

Thank you for your continued leadership on recycling and waste policy. Consumer Brands believes these two proposals will help to bolster U.S. recycling rates and promote a circular economy. We look forward to continuing our work with the committee as it seeks to advance these sensible and timely bills.

Sincerely,

John Hewitt
Vice President, Packaging Sustainability
Consumer Brands Association

CC: Members of the Senate Committee on Environment & Public Works

Consumer Brands Association
1001 19th Street North, 7th Floor
Arlington, VA 22209

Powering every day.



April 26, 2023

The Honorable Tom Carper
Chairman
U.S. Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510

Comments in Support of the S. 1189, the *Recycling Infrastructure and Accessibility Act of 2023* and S. 1194, the *Recycling and Composting Accountability Act*

Dear Chairman Carper and Members of the Committee,

On behalf of the Glass Packaging Institute (GPI), I am pleased to provide comments in support of **S. 1189, the *Recycling Infrastructure and Accessibility Act of 2023*** and **S. 1194, the *Recycling Infrastructure and Accessibility Act***.

Together, this legislation addresses key recycling data, infrastructure, investment opportunities and challenges facing the glass container and other recycling-focused manufacturing industries. We appreciate your, Sen. Capito's and Senator Boozman's long-time dedication and attention to recycling issues, and identification of areas for improvement that can be made across the board.

Background

GPI is the North American trade association for the glass food and beverage container manufacturing companies, glass recyclers, as well as suppliers of raw materials and equipment to the industry. The industry works throughout the country on issues surrounding sustainability, recycling, energy and greenhouse gas emissions reduction efforts.

Glass has long been recognized as a core, and one of the original, recyclable packaging materials. It is a circular and sustainable package format that can be reused, and infinitely recycled back into containers with no loss of quality.

Glass Container Recycling – Improving Energy Efficiency & Air Quality

Recycled glass use is an integral component of the manufacturing process. The domestic glass container industry purchases 2.3 million tons of recycled glass each year. This reduces plant GHG emissions over 800,000 tons (equivalent to taking greater than 90,000 cars off the road for a year) and negates the need for over 2.6 million tons of virgin materials use, saving natural resources.

The average glass container manufactured in the US is made with over 25% post-consumer recycled glass content. For every 10% of recycled glass re-melted to produce new bottles and jars, manufacturing energy use can be reduced 2-3%. For every three tons of recycled glass used, carbon dioxide emissions are reduced by one ton. This is because recycled glass melts at lower temperatures than raw materials alone.

S. 1189, the Recycling Infrastructure and Accessibility Act of 2023

GPI supports the centerpiece of S. 1189, which would create the *Recycling Infrastructure and Accessibility Program*, providing federal funds via competitive grants to underserved communities, in support of spoke and hub recycling infrastructure and investments. As we have stated in testimony to the US Congress and state legislatures across the country, there is both a need and a role for policymakers to include direct funding to improve the collection and processing in recycling streams.

GPI and its members are engaged in ongoing discussions with local and state policymakers to examine how glass can be collected in underserved and remote areas (those with one or fewer materials recovery facilities within 75 miles, as defined in the legislation).

The geographic distance provides an excellent opportunity for local governments and communities to model and develop drop-off or separated collection for glass bottles and jars, and to leverage funding for aggregation (collection) sites, to ensure the quality of the glass remains clean. Supporting funding could be leveraged for this effort under the draft's *collecting and transporting recyclable materials in underserved communities* eligibility provision.

Keeping glass (and other recyclables) separate from one another provides the best chance for any recyclable to come back as a new product. The more remote areas outlined in the draft lend itself nicely for glass recycling collection efforts that will result in higher quality of the recycled glass collected, providing an easier path to container manufacturing end markets.

S. 1194, the Recycling and Composting Accountability Act

GPI also supports **S. 1194 Recycling and Composting Accountability Act**, which would provide a comprehensive review of recycling program effectiveness.

Section 5 of the bill is critically important to understanding glass recycling from the manufacturing end. It directs the EPA to review and report on how glass, and other recyclables are prevented from remaining in a "circular economy".

This review, and subsequent Report to Congress and accompanying recommendations for recycling program improvements is welcomed by the glass container industry.

Many of the recycling and hauling companies also operate landfill operations, where much of the collected glass is ultimately sent to for disposal. The EPA should also review under **Section 7** the economics of landfill disposal for glass and other recyclables, and how they may be improved to provide a greater incentive to recycle what has been collected.

To this point, we continue to recommend to all policymakers that disposal of glass in landfills (for use as alternative daily cover, ADC), should not count towards recycling or recovery rates for municipalities.

A thorough review of the recycling process will provide insight as to the effectiveness of various recycling programs and will likely highlight the challenges glass faces in many of the single-streams programs as currently structured.

We look forward to working with the EPA and other stakeholders on **Section 7** to ensure the Report and recommendations remained focused on quality improvements, and cleaner streams of materials for glass and other circular economy products.

Section 6

GPI very much appreciates that glass is now included among the list of materials required to be studied as part of the materials recovery facility (MRF) data collection. It remains important for the federal government to undertake the proposed assessment for MRFs in this section; their capabilities, contamination levels, materials accepted, alongside other data on quality inputs and outputs.

Due to the lack of glass sorting equipment, and how glass is treated at the majority of single stream recycling MRFs, contamination rates found in glass commodity piles are among the highest of any recyclable materials, artificially deflating the true value of recycled glass, and increasing the costs for communities to continue providing glass recycling as an option for their residents.

Thank you for your consideration of our comments on both bills. We look forward to continuing our work with the Committee on all recycling related issues in the future.

Please contact me with any questions you may have.

Sincerely,



Scott DeFife
President

World Wildlife Fund

1250 24th Street, NW | Washington, DC 20037 | 202 293 4800 | 202 293 9211 fax

worldwildlife.org

Senator Tom Carper, Chair
 Senator Shelley Moore Capito, Ranking Member
 Committee on Environment and Public Works
 United States Senate
 Washington, DC

April 26th, 2023

Dear Chairman Carper, Ranking Member Capito, and Members of the Committee on Environment and Public Works,

World Wildlife Fund (WWF) would like to express our support for the Recycling and Composting Accountability Act (S.1194) and the Recycling Infrastructure and Accessibility Act (S.1189). These important pieces of legislation will expand accessibility to recycling infrastructure and solid waste collection and help us to better understand recycling and composting activities across the United States. With a more complete understanding of consumer access and infrastructure needs, we can ensure that no one gets left behind in our transition to a circular economy, especially in rural and underserved areas.

With millions of tons of trash entering the natural environment every year, we need to do more to protect communities from waste and give consumers the tools they need to do more with less. At WWF we are committed to ensuring no plastic enters nature by 2030. This involves an approach that looks at the entire picture – from materials sourcing and production, to use, reuse, recycling and disposal.

Over 80% of Americans agree that our recycling system needs improvement.¹ This overwhelming support for investing in and improving our recycling system showcases how important it is that S.1196 and S.1189 become law, and that we work beyond these bills to make our recycling system work. That begins with an accurate understanding of the systems we have, and includes expanding producer responsibility nationwide, protecting our communities from harm and advocating for an ambitious, effective global treaty on plastic pollution.

We appreciate Senator Carper and Senator Capito's leadership in expanding America's domestic recycling infrastructure and waste management capabilities. We look forward to working to advance this legislation and other policies that will help the United States transition to a circular economy, where no plastic longer enters nature.

Sincerely,

Alejandro Pérez
 Senior Vice President, Policy and Government Affairs
 World Wildlife Fund

¹ [Public Opinion Surrounding Plastic Consumption and Waste Management of Consumer Packaging, WWF](#)



Ball Corporation
2111 Wilson Blvd., Suite 900
Arlington, VA 22201

April 25, 2023

Chairman Tom Carper
Environment and Public Works Committee
410 Dirksen Senate Office Building
Washington, DC 20510

Ranking Member Shelley Moore Capito
Environment and Public Works Committee
172 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Carper and Ranking Member Capito,

I am writing on behalf of Ball Corporation in support of S. 1189, the Recycling Infrastructure and Accessibility Act of 2023.

Ball Corporation, headquartered in Westminster, Colorado, is the world's largest manufacturer of aluminum beverage cans and employs 21,000 people worldwide. Founded in 1880, Ball supplies sustainable aluminum packaging for beverage and personal care containers, as well as for aerospace applications and other technologies.

Ball supports the Recycling Infrastructure Accessibility Act of 2023. The bill will be instrumental in addressing limited access to recycling faced by underserved communities. The proposed grant funding allowing communities to establish a hub-and-spoke recycling model will increase access to recycling and help keep recyclable material out of landfills.

An estimated \$1 billion worth of recyclable aluminum beverage cans are thrown into landfills each year. Increasing access to recycling will keep aluminum cans in the circular economy and provide a much needed alternative to simply throwing valuable cans into landfills.

Thank you introducing the Recycling Infrastructure and Accessibility Act of 2023 and for your continued leadership on recycling issues.

Sincerely,

A handwritten signature in blue ink, appearing to read "John D. Campbell".

John Campbell
Vice President of Government Relations
Ball Corporation

Tracey Campbell, Executive Vice President, Sustainability and Corporate Affairs, LyondellBasell:

LyondellBasell is excited to see efforts from Congress to reduce the mismanagement of plastic waste, improve recycling accessibility and data, and increase recycling rates in the United States. Reintroduction of the Recycling Infrastructure and Accessibility Act and the Recycling and Composting Accountability Act are great examples of the growing support we see from governments, industry and society to end plastic waste in the environment. We look forward to working with Congress towards building a circular economy.



Brandon Farris
VP
Energy & Resources Policy

April 19, 2023

The Honorable Tom Carper
Chairman
Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

The Honorable Shelley Moore Capito
Ranking Member
Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

The Honorable John Boozman
Ranking Member
Committee on Agriculture, Nutrition
and Forestry
United States Senate
Washington, DC 20510

Dear Chairman Carper, Ranking Member Capito and Ranking Member Boozman:

As the nation's largest manufacturing association, the NAM represents nearly 14,000 small, medium and large manufacturers in every industrial sector and in all 50 states. Manufacturers in the U.S. are committed to the communities in which they live and serve, and are dedicated to protecting the health, safety, and vibrancy of those communities.

The NAM commends you on reintroducing two bipartisan bills, the Recycling and Composting Accountability Act (RCAA) and the Recycling Infrastructure and Accessibility Act of 2023. These bills are important to achieve a better understanding of current recycling rates, accessibility of recycling infrastructure and solid waste collection in disadvantaged communities. Additionally, these proposals are helpful tools that can bolster the circular economy and increase recycling in communities across the United States.

These bipartisan bills passed the Senate via unanimous consent in 2022, the NAM looks forward to working with you to advance this legislation again and other policies that prioritize materials neutral, circular approaches.

Sincerely,

Brandon Farris
VP, Energy & Resources Policy

Leading Innovation. Creating Opportunity. Pursuing Progress.

733 10th Street, NW • Suite 700 • Washington, DC 20001 • P 202.637.3173 • F 202.637.3182 • www.nam.org



April 20, 2023

The Honorable Tom Carper
Chairman
Senate Environment and Public Works
Committee
410 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable John Boozman
U.S. Senator
555 Dirksen Senate Office
Washington, D.C. 20510

Dear Chairman Carper and Senator Boozman:

Thank you for your strong commitment to assess the needs and capabilities of America's recycling infrastructure, including improved data reporting and transparency, through the reintroduction of the Recycling and Composting Accountability Act (RCAA), alongside the Recycling Infrastructure and Accessibility, with Senator Shelley Moore Capito. Novelis is supportive of this bipartisan legislation. We believe it will help ensure a strong recycling infrastructure, increase recycling rates, and serve as a catalyst for additional policies that will advance American recycling and expand the circular economy.

Novelis is the world's largest aluminum recycler and a leading manufacturer of flat-rolled aluminum products. Through recycling, we preserve the value of aluminum to maximize their economic and environmental benefits. Our aluminum is used to make passenger and commercial vehicles, beverage cans, buildings and many other sustainable products. We proudly employ approximately 5,200 Americans across the country at our R&D, recycling and manufacturing facilities.

There is tremendous opportunity to improve recycling rates in the U.S. For example, around half of aluminum beverage cans that should be recovered and recycled to make new cans are buried in landfills. Not only is this outcome detrimental to the environment, but it is also bad for business. The Aluminum Association estimates that \$800 million worth of cans are lost each year to landfills. These cans, which are infinitely recyclable, are a key input for new can production at a time when demand for sustainable beverage packaging is increasing.

We believe the RCAA is a crucial step in the right direction for recycling. It will enable informed decision-making on recycling programs that improve consumer recycling rates, create jobs and support sustainable aluminum manufacturing.

Thank you for your leadership on this important policy matter. We look forward to working with you and your staff as the bill moves through the legislative process.

Sincerely,

Christopher A. Cerone

Christopher A. Cerone
VP, Public Affairs and Communications
Novelis, Inc.

Novelis Inc.
3550 Peachtree Rd, Suite 1100, Atlanta, GA 30326
T: +1 404-760-4000 | W: www.novelis.com

NWRA Applauds Reintroduction of Bipartisan Recycling and Composting Bills

Arlington, VA – The National Waste & Recycling Association (NWRA) thanks Senate Environment & Public Works Committee Chairman Tom Carper (D-DE), Ranking Member Shelley Moore Capito (R-WV) and Sen. John Boozman (R-AR) for reintroducing [The Recycling and Composting Accountability Act](#) and [The Recycling Infrastructure and Accessibility Act of 2023](#), two pieces of bipartisan legislation focused on improving recycling and composting systems in the U.S. These bills were first introduced last year and passed in the Senate by unanimous consent. While companion legislation was introduced in the House and a hearing was held on the bills in the House Committee on Energy and Commerce’s Subcommittee on Environment and Climate Change in June 2022, the tight election-year legislative calendar did not permit sufficient time for their passage.

“NWRA applauds Sens. Carper, Capito and Boozman for reintroducing these bipartisan bills to improve rural recycling accessibility and data collection for recycling and composting,” stated NWRA President and CEO Darrell Smith. “The Recycling and Composting Accountability Act and the Recycling Infrastructure and Accessibility Act are both integral to advancing America’s domestic recycling infrastructure and capabilities. We look forward to supporting this legislation again.”

NWRA has been working with congressional leaders and their staffs on these bills for over a year and a half, providing information, data and feedback on them prior to their original introduction in 2022 as well as testimony from NWRA’s then-Chairman Ben Harvey before the Senate Environment & Public Works Committee. NWRA has continued holding Capitol Hill meetings on these bills since the start of the 118th Congress in January.



April 20, 2023

The Honorable Shelley Moore Capito
Ranking Member
Senate Environment and Public Works Committee
410 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Ranking Member Capito:

Thank you for demonstrating your strong commitment to improving access to recycling for all Americans through the reintroduction of the bipartisan Recycling Infrastructure and Accessibility Act (RIAA) of 2023, alongside the Recycling and Composting Accountability Act, with Chairman Tom Carper and Senator John Boozman. Novelis is supportive of this bipartisan legislation. We believe it will spur unique public-private partnerships and serve as a catalyst for additional policies that will advance American recycling and expand the circular economy.

Novelis is the world's largest aluminum recycler and a leading manufacturer of flat-rolled aluminum products. Through recycling, we preserve the value of aluminum to maximize their economic and environmental benefits. Our aluminum is used to make passenger and commercial vehicles, beverage cans, buildings and many other sustainable products. We proudly employ approximately 250 West Virginians at our Buckhannon and Fairmont manufacturing plants.

We applaud your continued focus on underserved recycling communities in RIAA. According to The Recycling Partnership, only half of Americans have equitable access to curbside recycling. Recycling is not currently a convenient nor realistic option for many rural communities. As a result, far too many aluminum beverage cans, which are infinitely recyclable, are buried in landfills instead. Not only is this outcome detrimental to the environment, but it is also bad for business. The Aluminum Association estimates that \$800 million worth of cans are lost each year to landfills. These cans are a key input for new can production at a time when demand for sustainable beverage packaging is increasing.

Novelis supports the market-oriented approach of RIAA, especially the numerous ways grant funding can be used, e.g., increasing the number of transfer stations, expanding curbside recycling access, and leveraging public-private partnerships to support recycling infrastructure. We believe this policy direction is an essential step toward improving consumer recycling rates, creating jobs and supporting sustainable aluminum manufacturing.

Thank you for your leadership on this important policy matter. We look forward to working with you and your staff as the bill moves through the legislative process.

Sincerely,

Christopher A. Cerone

Christopher A. Cerone
VP, Public Affairs and Communications
Novelis, Inc.

Novelis Inc.
3550 Peachtree Road, Suite 1100, Atlanta, GA 30326
T: +1 404-760-4000 | W: www.novelis.com



April 24, 2023

The Honorable Tom R. Carper
United States Senate
513 Hart Senate Office Building
Washington, DC 20510

The Honorable Shelley Moore Capito
United States Senate
172 Russell Senate Office Building
Washington, DC 20510

The Honorable John N. Boozman
United States Senate
141 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Carper, Ranking Member Capito, and Ranking Member Boozman:

On behalf of the Paper Recycling Coalition (PRC) – an organization of eight domestic manufacturers of 100% recycled paper packaging products – we write in support of S. 1194, the “Recycling and Composting Accountability Act” (RCAA) and S. 1189, the “Recycling Infrastructure and Accessibility Act.” These bills would, among other things, establish essential baseline data on recycling in the United States, study the amount of recyclable material that is being diverted to incinerators and landfills, and provide funding to communities to improve recycling access.

From cereal boxes to beverage containers to e-commerce shipping, 100 percent recycled paperboard and containerboard products are a ubiquitous and integral component of the nation’s economy and the daily lives of all Americans. Indeed, paper recycling is an American success story with significant environmental benefits. We can recycle fiber up to seven times, putting it to work in our economy, providing good paying jobs, and adding value to the material each step of the way until it is turned into new paper products. We are proud of the fact that in 2021, over 68 percent of all paper consumed by Americans was recovered to be recycled into new products.

The PRC believes the RCAA will fill an important gap that is currently lacking in federal recycling policy discussions: data, especially as it relates to recycling rates, material recovery facilities (MRFs), federal recycled product procurement, and the diversion of recyclable materials to energy uses. Similarly, the PRC supports the RIAA’s objective of expanding access to recycling in communities that historically have had limited access to recycling collection programs.

There are several proposed legislative “solutions” circulating in Congress to “fix” the state of recycling in the United States. However, these bills are not based on factual data, mainly because there is insufficient information on the recycling landscape to inform these policy choices. The RCAA, in particular, would provide an important step to filling this data gap and providing important baseline data by which narrowly tailored, workable policy solutions may be developed in the future, if necessary.

We applaud and support your efforts on the RCAA and RIAA and look forward to continuing our work on these bills as they move through the Committee process.

Thank you for your vision and leadership.

Sincerely,



Brian McPheely
Chairman, Paper Recycling Coalition, Inc.
Global CEO, Pratt Industries



Michael P. Doss
Vice Chairman, Paper Recycling Coalition, Inc.
President/CEO, Graphic Packaging Int'l, LLC



Terese Colling
President, Paper Recycling Coalition, Inc.



FOR IMMEDIATE RELEASE

April 20, 2023

Contact: Camille Gallo cgallo@plasticsindustry.org

Plastics Industry Association Supports Bipartisan Legislation to Improve America's Recycling Infrastructure

Washington D.C.— The Plastics Industry Association (PLASTICS) applauds the reintroduction of two bipartisan pieces of legislation focused on improving America's recycling infrastructure. The Recycling and Composting Accountability Act and the Recycling Infrastructure and Accessibility Act of 2023 were reintroduced by Senators Shelley Moore Capito (R-WV), Tom Carper (D-DE) and John Boozman (R-AR).

"We need to recycle more, period, and these bipartisan bills will help us achieve that goal," said Matt Seaholm, President and CEO of the Plastics Industry Association. "Improving the country's recycling infrastructure is paramount to increasing our recycling rates for all materials and ensures we keep waste in the circular economy and out of landfills."

The Recycling and Composting Accountability Act would improve data collection on our nation's recycling systems and explore the potential of a national composting strategy. The Recycling Infrastructure and Accessibility Act would establish a pilot recycling program at the EPA. This program would award grants, on a competitive basis, to eligible entities for improving recycling accessibility in a community or communities within the same geographic area.

The [Plastics Industry Association \(PLASTICS\)](https://plasticsindustry.org/) is the only organization that supports the entire plastics supply chain, including Equipment Suppliers, Material Suppliers, Processors and Recyclers, representing over one million workers in our \$468 billion U.S. industry. PLASTICS

advances the priorities of our members who are dedicated to investing in technologies that improve capabilities and advances in recycling and sustainability and providing essential products that allow for the protection and safety of our lives. Since 1937, PLASTICS has been working to make its members, and the sixth largest U.S. manufacturing industry, more globally competitive while supporting circularity through educational initiatives, industry-leading insights and events, convening opportunities and policy advocacy, including the largest plastics trade show in the Americas, [NPE2024: The Plastics Show](#)

###



703.358.2960
1400 Crystal Drive, Suite 430
Arlington, Virginia 22202

April 25, 2023

The Honorable Tom Carper
United States Senate
513 Hart Senate Office Building
Washington, DC 20510

The Honorable Shelly Moore Capito
United States Senate
172 Russell Senate Office Building
Washington, DC 20510

The Honorable John Boozman
United States Senate
555 Dirksen Senate Office Building
Washington, DC 20510

Dear Senators Carper, Capito, and Boozman,

On behalf of the Aluminum Association and its member companies, I am writing to express our support for the recently introduced *Recycling and Composting Accountability Act*.

The Aluminum Association represents the U.S. aluminum industry across the entire value chain. Recycling, or secondary production, is a critical part of that value chain with 80% of U.S. production today coming from recycled aluminum. Aluminum is the most profitable item in the recycling bin and often makes the collection of less-valuable materials possible. While aluminum cans are recycled at far higher rates than glass or plastic, these rates have fallen below 50% in recent years. In industrial markets, aluminum recycling rates remain over 90%.

The *Recycling and Composting Accountability Act* will provide a comprehensive and uniform dataset on material recovery facilities that will allow for the targeting of future investments in our nation's recycling system. Having more information about the facilities, what type of aluminum products they accept, and material diversion from the circular economy can often make the difference in saving our critical feedstock from landfills.

We appreciate the leadership you and your staff have shown in considering this bipartisan legislation and welcome the opportunity to assist you in advancing these priorities.

Respectfully submitted,

Virginia Gum Hamisevicz
Vice President Government Relations & International Programs
The Aluminum Association



703.358.2960
1400 Crystal Drive, Suite 430
Arlington, Virginia 22202

April 25, 2023

The Honorable Shelly Moore Capito
United States Senate
172 Russell Senate Office Building
Washington, DC 20510

The Honorable Tom Carper
United States Senate
513 Hart Senate Office Building
Washington, DC 20510

The Honorable John Boozman
United States Senate
555 Dirksen Senate Office Building
Washington, DC 20510

Dear Senators Capito, Carper, and Boozman,

On behalf of the Aluminum Association and its member companies, I am writing to express our support for the recently introduced *Recycling Infrastructure and Accessibility Act*.

The Aluminum Association represents the U.S. aluminum industry across the entire value chain. Recycling, or secondary production, is a critical part of that value chain with 80% of U.S. production today coming from recycled aluminum. Aluminum is the most profitable item in the recycling bin and often makes the collection of less-valuable materials possible. While aluminum cans are recycled at far higher rates than glass or plastic, these rates have fallen below 50% in recent years. In industrial markets, aluminum recycling rates remain over 90%.

The *Recycling Infrastructure and Accessibility Act* will make crucial recycling infrastructure investments in communities that have long been underserved. About 75% of all aluminum ever produced is still in use today – but more work must be done. In order to reduce our energy use, improve our environment, and reduce the over \$800 million of aluminum sent to landfills each year, we must utilize innovative policy solutions like those put forward in this bill to drive a true circular economy for aluminum.

We appreciate the leadership you and your staff have shown in considering this bipartisan legislation and welcome the opportunity to assist you in advancing these priorities.

Respectfully submitted,

Virginia Gum Hamisevicz
Vice President Government Relations & International Programs
The Aluminum Association



April 21, 2023

The Honorable Tom Carper
Chairman
U.S. Senate Committee on Environment and Public Works
Washington, DC 20510

The Honorable Shelley Moore Capito
Ranking Member
U.S. Senate Committee on Environment and Public Works
Washington, DC 20510

CC: Members of the Senate Committee on Environment and Public Works

Dear Chairman Carper and Ranking Member Capito:

As members of the Recycling Infrastructure Now (RIN) Coalition, we write to offer our strong support for the reintroduction of the following legislative proposals to expand and improve domestic recycling and composting programs:

- The *Recycling and Composting Accountability Act*, S. 1194, which would improve data collection by requiring the EPA to collect, and make publicly available, data on recycling and composting rates across the country.
- The *Recycling Infrastructure and Accessibility Act*, S. 1189, which would establish a pilot rural recycling program at the Environmental Protection Agency (EPA) to award competitive grants to eligible entities that improve recycling accessibility in underserved communities.

RIN supported the passage of both bills last year, and we were highly encouraged to see the Senate pass both measures by unanimous consent. These bills will help ensure that underserved rural communities have access to recycling infrastructure, and will help generate

critical data needed to expand recycling where it is needed most. We also appreciate the bills' targeted changes, which will help gain bipartisan support in the House, and hopefully ease the bills' path to enactment in the 118th Congress.

The RIN Coalition is actively working to serve as a catalyst for government, industry, environmental groups, and consumers to coalesce around innovative ideas to ensure discarded materials are collected and recycled into new, environmentally friendly products. The complementary bills you have introduced with bipartisan support are important steps in reaching our mutual goal of creating a more circular domestic economy. We look forward to their swift passage in Congress and stand ready to support your efforts to advance them.

Thank you again for your leadership in advancing policies that will improve recycling rates in all communities across the United States.

Sincerely,

FMI - The Food Industry Association

American Beverage

The Aluminum Association

International Bottled Water Association

Glass Packaging Institute

Closed Loop Partners

The Recycling Partnership

Retail Industry Leaders Association

Yum! Brands

Sazerac Company

Restaurant Brands International

National Restaurant Association

Foodservice Packaging Institute

Consumer Brands Association



04.26.23

SFPA Statement on the Reintroduction of Bipartisan Recycling Legislation



Washington, April 26, 2023 – The Sustainable Food Policy Alliance made the following statement regarding the introduction of S. 1194, the Recycling and Composting Accountability Act of 2023 and S. 1189, the Recycling Infrastructure and Accessibility Act of 2023:

“The Recycling and Composting Accountability Act and the Recycling Infrastructure and Accessibility Act sponsored by Senators Tom Carper (D-DE), Shelly Moore Capito (R-WV), and John Boozman (R-AR) represent a bipartisan approach to improving American recycling infrastructure. Both bills stand to make a measurable difference in our recycling system through activities like increasing and improving recycling data collection and authorizing a new pilot program at the Environmental Protection Agency to boost recycling services in underserved areas.”

“While the Sustainable Food Policy Alliance supports and advocates for broader transformational change to our recycling system, like national extended producer responsibility, this legislation represents a good starting point. Everyday our members are investing in improving recycling systems around the world, innovating our packaging design, and collaborating with suppliers, local communities, and retail customers to advance forward-looking solutions that help our consumers make a difference and impact the planet. SFPA is grateful to these Members for their leadership on circular economy



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About the Sustainable Food Policy Alliance

The Sustainable Food Policy Alliance seeks to accelerate the pace of change in the food industry through individual company leadership and collective support for public policies that raise the bar and inspire further action in this critical journey. As some of the world's best-known food companies, founding members Danone North America, Mars, Incorporated, Nestlé USA, and Unilever United States recognize our responsibility to drive positive change for the people who use our products, the people who supply them, and the planet on which we all rely. To learn more about the Sustainable Food Policy Alliance, visit www.foodpolicyalliance.org.

[Home](#) [About Us](#) [Issues We Work On](#) [News](#)





April 25, 2022

The Honorable Tom Carper
Chairman
Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Carper:

I am writing to follow up on the comments Tetra Pak U.S. and Canada submitted in January of 2022 in support of the *Recycling Infrastructure and Accessibility Act (S1189)* and the *Recycling and Composting Accountability Act (S1149)*.

We at Tetra Pak understand the necessity to create federal standards for recycling, provide federal investment in recycling infrastructure, and incentivize domestic end markets for recycled material. Both bills are primarily aligned with what is necessary to realize these three objectives, and for that reason, we are pleased to offer our support. We can only recycle what is collected in our communities.

Tetra Pak also works closely with the Carton Council in the United States, which allows us to collaborate with other carton manufacturers as we seek ways to improve the recycling system in the U.S.

We encourage continued consideration of these bills and all efforts to support and encourage carton recycling as the bills proceed through the process. We stand ready to serve as an additional resource and support as you continue your important work.

Sincerely,

Eric Harris
Director of Government Relations and Public Affairs for the United States and Canada

“The National Waste and Recycling Association applauds Senators Carper, Capito and Boozman for reintroducing these bipartisan bills to improve rural recycling accessibility and data collection for recycling and composting,” **stated the National Waste and Recycling Association President and CEO Darrell Smith.** “The Recycling and Composting Accountability Act and the Recycling Infrastructure and Accessibility Act are both integral to advancing America’s domestic recycling infrastructure and capabilities. We look forward to supporting this legislation again.”

“Once again we are glad to see a bipartisan bill around federal planning and data collection for composting and recycling. We have to know where we are to be most effective in planning where we’re going, and this bill can get us there,” **said Frank Franciosi, Executive Director of the US Composting Council.**

A coalition of businesses, led by the U.S. Chamber of Commerce said “The Senate passed these bipartisan bills by unanimous consent in 2022, representing consensus support for meaningful incremental progress on this important issue. Both the Senate and House of Representatives now have the opportunity to advance these bills to promote policies to catalyze the circular economy, and which build on the recycling provisions contained in the Infrastructure Investment and Jobs Act, and EPA’s National Recycling Strategy.”

“These bills would, among other things, establish essential baseline data on recycling in the United States, study the amount of recyclable material that is being diverted to incinerators and landfills, and provide funding to communities to improve recycling access,” **said the Paper Recycling Coalition (PRC).** “The PRC believes the RCAA will fill an important gap that is currently lacking in federal recycling policy discussions: data, especially as it relates to recycling rates, material recovery facilities (MRFs), federal recycled product procurement, and the diversion of recyclable materials to energy uses.”

“The Recycling Infrastructure Now (RIN) Coalition strongly supports these important measures that will help ensure underserved rural communities have access to critical recycling infrastructure. They will also help generate critical data needed to expand recycling where it is needed most. The RIN Coalition strongly supported these measures in the previous Congress and will work with our stakeholders to help advance them in the 118th Congress.”

“The Recycling and Composting Accountability Act and the Recycling Infrastructure and Accessibility Act will expand access to recycling infrastructure and help us better understand recycling and composting activities across the United States. Congress should advance these bills as important steps toward achieving a future where plastic no longer enters nature.” **Alejandro Pérez, Senior Vice President, Policy and Government Affairs World Wildlife Fund**

“We need to recycle more, period, and these bipartisan bills will help us achieve that goal,” **said Matt Seaholm, President and CEO of the Plastics Industry Association.** “Improving the country’s recycling infrastructure is paramount to increasing our recycling rates for all materials and ensures we keep waste in the circular economy and out of landfills.”

“We believe the Recycling and Composting Accountability Act is a crucial step in the right direction for recycling,” **said Novelis, the world’s largest aluminum recycler.** “[The bill] will enable informed

decision-making on recycling programs that improve consumer recycling rates, create jobs and support sustainable aluminum manufacturing.”

“**The National Association of Manufacturers** commends you on reintroducing two bipartisan bills, the Recycling and Composting Accountability Act (RCAA) and the Recycling Infrastructure and Accessibility Act of 2023. These bills are important to achieve a better understanding of current recycling rates, accessibility of recycling infrastructure and solid waste collection in disadvantaged communities. Additionally, these proposals are helpful tools that can bolster the circular economy and increase recycling in communities across the United States.”

“Consumer Brands appreciates the strong, bipartisan effort in Congress to tackle the glaring issues within America’s fragmented recycling system that are keeping us from reaching our potential. Sen. Carper and Capito’s recycling bills considered by the committee today incorporate the key provisions that previously received strong support as well as critical changes that will boost their potential movement through both chambers as we continue pushing for their ultimate signature into law. These bills make crucial investments and add the tools and resources needed to improve our current recycling systems and evaluate future recycling policies, while improving access to recycling systems in underserved communities,” **said the Consumer Brands Association.**

“AF&PA applauds the leadership of Senators Carper, Capito and Boozman on reintroducing the Recycling and Composting Accountability Act and the Recycling Infrastructure and Accessibility Act,” **said the American Forest and Paper Association.** “We look forward to working with Congress to address any concerns and move this legislation to improve recycling data and accessibility forward.”

“The Recycling and Composting Accountability Act of 2023 will provide an accurate reflection of recycling and composting performance nationally and at the state level – information that will be critical to improving existing recycling and composting programs and evaluating future recycling policies,” **said AMERIPEN – the American Institute for Packaging and the Environment.** “The Act will also explore the potential of a national residential composting strategy – something AMERIPEN believes is critical to identifying barriers to composting and help compostable packaging become even more successful in the U.S.”

“The **Can Manufacturers Institute (CMI)** applauds Sens. Carper, Capito and Boozman for introducing these two bipartisan recycling bills. These bills will help the metal can industry with data to understand where the gaps are in metal can collection and recycling, so we can assess where investments should be made in better collection and sorting. These recycling bills are a good first step in helping the metal can industry achieve its goal of higher national recycling rates for metal cans through better data, consumer incentives and education. However, more action is needed if the United States is to achieve a higher national recycling rate, including a national recycling refund for beverage containers.” **Mike Smaha, CMI’s Vice President of Government Relations**

“The data is clear: Americans want to recycle more. As the voice of plastic recycling, the Association of Plastic Recyclers believes that these bills are important next steps in a continuing series of federal initiatives and actions to make recycling easier and more convenient for all Americans. With more recycling, we can reduce greenhouse gas emissions, limit plastic waste, and build a more resilient,

domestic supply chain for products made from recycled materials. When we recycle more, we can all use less.” - **Kate Bailey, Chief Policy Officer, Association of Plastic Recyclers (APR)**

“Increasing recycling is one of the simplest ways to reduce manufacturing carbon emissions while growing the economy and shoring up supply chain security. Recycling aluminum is around 95% less carbon and energy intensive than making new aluminum. Both of these bills will help ensure that less aluminum ends up in landfills each year by improving recycling data quality, infrastructure, and access. With genuinely transformative investment underway for the U.S. aluminum industry, now is time to bring more of this material back into the economy.” – **Charles Johnson, President & CEO, The Aluminum Association**

“Americans deserve the same level of access to compost as they do trash, which is why the RCAA is so necessary. BPI supports the Act because it provides the tools and information we need to understand existing gaps in compost access, collection and processing infrastructure. Without it, we won't be able to reduce the millions of tons of landfill GHG emissions generated from our food and other organic waste in landfills and divert them to be repurposed as a valuable soil amendment.” – **Biodegradable Products Institute**

“We at **Tetra Pak** understand the necessity to create federal standards for recycling, provide federal investment in recycling infrastructure, and incentivize domestic end markets for recycled material. Both bills are primarily aligned with what is necessary to realize these three objectives, and for that reason, we are pleased to offer our support. We can only recycle what is collected in our communities.” - **Eric Harris, Director of Government Relations and Public Affairs for the United States and Canada**

“**AMP Robotics** would like to thank Chairman Carper, Senator Boozman, and Senator Capito for sponsoring the “Recycling and Composting Accountability Act” and to express support for this bipartisan and innovative legislation. AMP Robotics fully subscribes to one of the principal goals of this legislation: improving the reporting of data collected at materials recovery facilities (MRF). We believe the standardization of this data and the ability to provide accurate and verifiable reports to the appropriate regulatory authorities is a critical step in creating a mechanism to improve the purity of the recycling stream in the United States.”- **Chris Wirth, Vice President, Corporate Affairs**

“With our nation’s recycling rate at only 32 percent, we must do more to strengthen recycling and composting infrastructure, protect the environment, and grow the circular economy. Data collection is critical to achieving these goals, which is why **BASF** supports Senators Carper, Capito, and Boozman’s bipartisan legislation that seeks to fill much needed information gaps. Only when we have the full picture of our communities’ capabilities can we work to effectively strengthen recycling and composting infrastructure, help our communities thrive, and sustainably protect the environment.” – **Catherine Trinkle, Vice President and Deputy General Counsel, Regulatory, Environmental & Government Affairs**

“**LyondellBasell** is excited to see efforts from Congress to reduce the mismanagement of plastic waste, improve recycling accessibility and data, and increase recycling rates in the United States. Reintroduction of the Recycling Infrastructure and Accessibility Act and the Recycling and Composting Accountability Act are great examples of the growing support we see from governments, industry and society to end plastic waste in the environment. We look forward to working with Congress towards building a circular economy.” **Tracey Campbell, Executive Vice President, Sustainability and Corporate Affairs**

“The American Chemistry Council commends the sponsors’ ongoing dedication to necessary improvements in recycling and advancing policies that promote circularity. Improving data collection across the nation is a critical and necessary step to measure progress, identify gaps in the recycling system, and promote collaborations to recycle more material. America’s plastic makers will continue to work with Congress and all stakeholders to expand recycling and build on the sustainability of plastics.”

– Joshua Baca, Vice President, Plastics at the American Chemistry Council