August 1, 2013

Caroll Mortensen  
Director  
CalRecycle  
1001 I Street  
Sacramento, CA  95812

Dear Ms. Mortensen:

Thank you for the opportunity to provide comments on CalRecycle’s proposed approach to address AB 341’s amendment to the California Public Resources Code requiring commercial waste generators to subscribe to a recycling service that yields diversion results comparable to source separation. The Container Recycling Institute commends the staff of CalRecycle for their tireless work to improve the recycling rate in California and increase landfill diversion, and for engaging stakeholders in this important process by conducting numerous workshops and opportunities for comments.

CRI would like to comment on the method used for the evaluation of recyclables and residuals at Mixed Waste Processing Facilities (MWPF) seeking certification as well as source-separated facilities. We feel that this method could result in artificially high Aggregate Selected Materials Recovery Rates, allowing facilities producing highly contaminated recyclables to be certified.

For all facilities, CalRecycle’s methodology assumes that the recovered recyclables collected at the ejection points within the MWPF and from source-separated MRFs are completely free of contamination; while many available research reports indicate that this is not true. It has been demonstrated that a high level of contamination routinely exists in post-MRF bales of recyclable materials. This has been documented by CRI and the aluminum, paper, plastics and glass industries. CalRecycle’s methodology doesn’t address this issue by not requiring bale sorts. Under this proposed protocol, MRFs with highly contaminated bales will be treated exactly the same as MRFs with less contamination in their bales, creating an inherently uneven playing field. Municipalities (and business and multi-family customers) will be informed that facilities are similarly certified, but the actual results of the facilities may differ greatly.

Post-consumer material recyclers, such as glass beneficiation facilities, plastics reclaimers, paper mills and aluminum smelters will consistently tell you that collecting recyclables mixed together is problematic. Studies have shown that the percent loss from secondary processing facilities of recyclable bales can range from 2-11% for aluminum to 15% for paper to over 40% for glass\(^1\). On average, CRI research has found that an additional 17% of residuals are cleaned out of recyclables after they leave the MRF. For some MRFs, that number is higher, and for others, it is lower. In some cases, the receiving facilities (those facilities receiving commodities of glass, paper, etc.) are producing regular written reports that are sent to MRFs to inform the MRFs of the levels of contamination in their bales or loads. At a minimum, the protocol could also include a review of written reports from receiving facilities. This not only applies to MWPFs, but to certain “source-separated MRFs”, who would not even be evaluated under this proposed protocol.

\(^1\) Resource Recycling, A Common Theme, February 2012
We hope you will consider our comments as you continue to develop your evaluation and certification approach. Thank you again for the opportunity to participate in this process.

Sincerely,

Susan V. Collins
President