February 6, 2019

The Honorable Joe Fitzgibbon, and Representatives Debra Lekanoff and Matt Shea
House Environment & Energy Committee
243A John L. O'Brien Building
P.O. Box 40600
Olympia, WA 98504-0600
By email: Joe.Fitzgibbon@leg.wa.gov, Debra.Lekanoff@leg.wa.gov, Matt.Shea@leg.wa.gov

RE: In Opposition to House Bill 1795

Dear Chairman Fitzgibbon, Vice Chair Lekanoff, Ranking Minority Member Shea, and Committee,

The Container Recycling Institute (CRI) is a national nonprofit organization and a leading authority on the economic and environmental impacts of beverage container recycling. We write to offer our opposition to HB 1795, “Ensuring the long-term economic and environmental sustainability of the state’s recycling system within the existing regulatory structure.”

We applaud the authors of this bill for emphasizing that diversion in and of itself is not true recycling. We also agree that rates of contamination must be reduced dramatically, and that public education is one method for achieving this aim. Finally, we agree that recycling only makes sense if there are net environmental benefits that can be calculated through life-cycle analyses and other such tools.

That being said, we are concerned that certain features of HB 1795 may in fact be detrimental to recycling and the environmental benefits of recycling in Washington State:

1. **Premise of statewide single-stream collection.** “Commingled” as used throughout HB 1795 is a euphemism for single-stream recycling, wherein all recyclable materials are placed together in a single bin, and later sorted at a materials recovery facility (MRF) into separate materials for sale to end-use markets. Single-stream recycling has repeatedly been shown to produce high levels of contaminants across all materials, despite the best efforts of processors. Plastic bottles end up in paper bales, aluminum cans end up in plastic bales, glass shards end up everywhere, and non-recyclable contaminants introduced by “wishful recyclers,” such as plastic bags or toys, end up in multiple bales and can damage processing equipment.

   Even with strong public education campaigns, such as the ones proposed in this bill, the “throw it all in one bin” approach invites contamination. Nonrecyclable residue rates from a typical single-stream curbside program can range from 22% to 27%.1 While HB 1795 requires contaminant (“incidental waste”) levels to not exceed 5%, merely requiring this by statute will not necessarily make it so, opening the door to more disposal of highly contaminated loads of recyclables, as discussed in #3 below. In contrast, dual-stream or multi-stream recycling—

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wherein two or more bins are provided for different types of recyclables—produces cleaner, more marketable materials.

2. **Glass recycling completely eliminated.** Under Section 3 (2)(d) of this bill, glass is prohibited from commingled curbside collection, and *no other collection systems have been proposed as alternatives.* Rather, the implicit assumption of the bill is that glass is simply not worth recycling at all.

Single-stream recycling programs have indeed struggled to recycle glass. Single stream collection typically uses compaction on collection trucks, which breaks the glass, and small pieces can become mixed into other materials. Similarly, other materials, like paper and plastic, get mixed in with glass, degrading its value, and turning it into a “negative value commodity.” However, giving up on glass recycling altogether is not an environmentally or economically sound solution to this problem.

a) **Environmental costs:** Glass constitutes 20-25% by weight of materials collected at curbside. Based on national averages for non-deposit states, it is likely that *more than 34,000 tons of beverage glass alone* were recycled in Washington State in 2015, with an additional 10,000 tons of non-beverage bottles and jars. Removing all glass containers from curbside collection will merely transfer these large quantities of materials to the garbage stream, at significant environmental cost.

We already know that there is significant environmental value from recycling this glass, based on lifecycle analyses and USEPA studies. Making glass bottles out of cullet (crushed and cleaned used bottles), rather than from sand and other virgin materials, saves more than one ton of natural resources for every ton of cullet used, and yields energy savings of 2-3% for every 10% of cullet used. CRI has calculated that the energy savings from recycling beverage glass alone in Washington State was more than 80 billion BTUs in 2015: an amount of energy equivalent to the total residential energy needs of almost one thousand homes. Recycling glass also reduces greenhouse gas emissions, and other airborne pollutants that contribute to acid rain and smog.

b) **Economic costs:** On the economic end, there are winners and losers from eliminating glass recycling. Losers would be the glass processors, beneficiaries, and end users (bottle making plants and fiberglass manufacturers) who could be using this glass as a value-added industrial input. The large waste companies who own transfer stations and landfills will be the beneficiaries of this glass prohibition, as they are paid for trash on a per ton basis. Since glass is one of the densest materials in the waste stream—10 times denser than plastic—landfill owners profit most from encouraging glass disposal because glass takes up relatively little volume in the landfill in comparison to its revenue-generating weight.

**CRI recommends that Washington implement a container deposit law as well as dual-or multi-stream collection to keep glass separate from other materials.**

3. **Opens the door to landfill collected recyclables and interfere in contracts.** Section 11 (7) allows waste contractors to dispose of contaminated collected recyclables even if a waiver has not been secured from the Department of Ecology. This provision lets haulers off the hook from aggressively seeking alternative ways of reducing contaminants, such as through dual stream collection. **Landfilling large loads of recyclables can harm public confidence in recycling, leading to the collapse of the entire system.** Allowing haulers to

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make these decisions unilaterally would deprive municipalities of their contract rights. Municipalities would be in a position of entering into contracts and paying for services, with no guarantee that the agreed-upon services would be provided. Indeed, this provision would allow recycling haulers to legally NOT perform the services they were contracted for, and still demand full payment.

China’s National Sword policy of prohibiting the import of mixed paper has created significant problems for recycling, but that problem does not affect the glass market in the United States. Glass that is collected for recycling within the United States is processed domestically. The key to effective glass recycling is to use collection methods that produce cleaner, more marketable loads, like container deposit programs, and dual-stream and multi-stream collection.

4. **Multi-stakeholder group lacks sufficient environmental representation.** Section 5 (1) directs the Department of Ecology to convene a stakeholder work group consisting of 10 members “only” from the following sectors: the commission [our understanding is that this means the utilities and transportation commission], the WA Department of Ecology, city and county government, MRF operators, and solid waste collectors and contractors. **There is no representation from non-profit groups, civic organizations, or environmental advocates whose primary interest and expertise is energy and resource conservation.** We are concerned that this panel composition will favor financial expediency for local government and private business at the expense of net energy savings and environmental protection.

**Washington Would Reap Huge Benefits from Implementing a Container Deposit Law**

At the heart of HB 1795 is a desire to have recycling be meaningful: not just a symbolic gesture, but one that actually benefits the environment and the economy. We believe that both purposes are best served by putting consumers’ discarded goods back into industrial production rather than buried in a hole in the ground. The best way to recover beverage containers, from both homes and away-from-home, is to adopt a beverage container deposit law.

In the United States, **71.6%** of beverage containers with a deposit were recycled in 2015, vs. **only 27%** of those lacking a deposit. The contrast for glass is particularly stark, as shown in the table at right.

Container deposit laws exist in 10 U.S. states, 12 Canadian provinces, and more than 30 countries worldwide, and the number is growing.

**Two of Washington’s nearest neighbors have beverage container deposit laws.** Oregon to the south now enjoys a 90% redemption rate thanks to increasing its deposit to a dime in 2017, and British Columbia to the north has a deposit system that recycles 82% of its containers. Neither place is experiencing problems with glass recycling.

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In conclusion, CRI makes the following recommendations:

- **Multi-stream collection for higher material quality.** Set public policy that makes dual- or multi-stream curbside recycling collection the law of the land, with glass kept separate.
- **Adopt container deposits,** as have 10 U.S. states and 12 Canadian provinces.
- **Diversify stakeholder work group** to include environmental and civic groups, and use that group to investigate how dual- or multi-stream recycling and deposit systems could be successfully implemented in Washington State.

Please contact me with any questions you may have.

Sincerely,

Susan Collins
President, Container Recycling Institute