

# Container and Packaging Recycling UPDATE

Volume XIII No. 1

Summer/Fall 2003

## Influential Supporters of Hawaii's Bottle Bill Honored with Prestigious EPA Award

HONOLULU — Four local individuals who played key roles in ensuring passage of a statewide beverage container deposit law in 2002 were recognized by the U.S. Environmental Protection Agency's Region 9 in June 2003. The four Hawaii recipients of the Pacific Southwest Region Environmental Awards were among 44 awardees selected from more than 150 nominations from California, Arizona, Nevada, Hawaii, the Pacific Islands, and tribal lands.

Wayne Nastri, EPA Region 9 Administrator, presented the awards at EPA's 22<sup>nd</sup> Annual Pacific Island Environment Conference. The program read, "Rep. Hermina Morita (D-Hanalei), Suzanne Jones (Honolulu Department of Environmental Services), Gretchen Ammerman (Hawaii Department of Health) and Jeff Mikulina (Director of the Sierra Club, Hawaii Chapter) are the main reasons why Hawaii became the 11<sup>th</sup> state to pass a container deposit law or 'bottle bill,' and the first state to pass a bottle bill in 16 years. The new law will help to conserve Hawaii's limited resources and make beverage producers responsible for their packaging waste."

Hawaii's bottle bill, signed into law by former Governor Cayetano in June 2003, will be implemented January 1, 2005. The law will place a refundable nickel deposit on all glass, plastic and aluminum beverage containers. The nickels will be returned when consumers bring the empty containers back for recycling.

"It's an honor to be receiving recognition from the U.S. EPA for our grass-



From left: Wayne Nastri (USEPA Pacific Southwest Regional Administrator), Suzanne Jones (Honolulu Department of Environmental Services), Gretchen Ammerman (Hawaii Department of Health), Rep. Hermina Morita (D-Hanalei), Jeff Mikulina (Director of the Sierra Club, Hawaii Chapter).

roots efforts on the bottle bill," said Mikulina. "The bottle bill enjoyed support from the majority of the public, all four counties, community groups, and recycling companies. Now, the Bush Administration is recognizing the benefits of a bottle law. All we are missing is Governor Lingle's support."

Lingle sought to repeal the bottle bill through legislation in 2003, but her proposals did not receive hearings. A bill that would have clarified some portions of the bottle bill passed the legislature this year, but was vetoed by the governor just one week prior to the EPA award.

"It is unfortunate that Governor

Lingle vetoed HB 1456, a measure which would have made a good law even better," said Rep. Hermina Morita. "Her veto message read like the National Soft

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## Letter from the Executive Director



Last year thirsty Americans drained an estimated 11 billion single-serving water bottles—four times more than in 1997 (see graph on p. 12). Most of those bottles—about 90% -- were trashed.

A campaign launched by the California Department of Conservation in late May brought national attention to the growing problem of plastic water bottle waste. Dozens of newspaper, radio and television outlets covered the story this summer, including CNN, CBS and National Public Radio.

Most of the media coverage focused on only one aspect of the problem—the fact that billions of these PET plastic water bottles end up in landfills each year.

Yes, it is disturbing that 9 out of 10 water bottles—more than 30 million a day—end up in the trash when they could have been recycled. But even if all the PET bottles sold were recycled to make other products—such as T-shirts, carpets and jackets—a more serious problem remains: the growing national consumption of single-serve water bottles has become an increasingly wasteful use of resources.

The amount of recycled PET that goes into making new water bottles is negligible—probably under 2%. Coke, (which markets Dasani water) has committed to using recycled content in 10% of their plastic beverage bottles by 2005. Pepsi (which markets Aquafina) hasn't even committed to a goal that high. Other bottled water producers are silent on the issue of recycled content.

Making PET bottles from virgin materials consumes energy; pollutes the air, land and water; and contributes to global warming. Data from the U.S. Environmental Protection Agency suggest that the energy used to replace wasted single-serve water bottles with new ones could provide electricity to 3.5 million American households for a year.

Wouldn't it be nice if we could "hydrate," and protect the environment

too? We could, in fact, greatly reduce the environmental impact of these and other plastic beverage bottles by reusing them. It's done in Europe and other parts of the world where bottled water companies sell their water in reusable, plastic PET bottles that are returned by consumers, sterilized, refilled and sold again. For every plastic bottle that's refilled ten times, nine new plastic bottles don't have to be made, saving resources, reducing energy consumption, and reducing pollution.

Since bottled water manufacturers are not likely to voluntarily offer their product in refillable, returnable bottles here in the United States, consumers should consider using a "reusable" camping-style water bottles like the one pictured here.



The next best thing to reuse is recycling, and, while readers of this newsletter are undoubtedly dyed-in-the-wool recyclers, most people need a financial incentive to recycle their bottles and cans, especially when they're consumed away from home.

If all consumers had to pay a 5-cent refundable deposit on water bottles, the recycling rate would jump from the current 12% to about 70%, similar to the recycling rate for beer and soda bottles in the 9 states that require a nickel deposit. With a dime deposit, as they have in Michigan, the rate would exceed 90%.

Sadly, bottled water producers including Perrier, Poland Springs, Coke (Dasani), Pepsi (Aquafina), and their trade group, the International Bottled Water Association, are lobbying hard to make sure no other states follow in the footsteps of California and Maine, where deposits are required on bottled water. Their high-powered lobbyists succeeded in blocking bills in Massachusetts, Connecticut and New York this year that would have extended the 5-cent deposit to water bottles and

other non-carbonated beverages.

These companies want to enjoy huge profit margins from the sale of bottled water, but they don't want to take responsibility for the waste they create.

A bill that will be introduced again this year by Sen. Jim Jeffords of Vermont would create an opportunity for producers of bottled water, and other beverages, to create their own system for recovering and recycling beverage containers. His bill has only two major requirements: all beverage containers sold must have a refund value of 10-cents and they must be recycled at a rate of 80%.

Plastic water bottle waste is a national problem. Without a national system of deposits, or at least additional new and expanded deposit laws, we can look forward to a growing mountain of plastic bottle waste and all of the resulting environmental consequences. Refundable deposits are a proven solution. We can reverse the wasting trend by supporting Sen. Jeffords' bill and asking our U.S. Senators to co-sponsor Sen. Jeffords' National Beverage Producer Responsibility Act of 2003.

Pat Franklin  
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CRI is a non-profit, 501(c)(3) organization dedicated to reducing container and packaging waste, thereby reducing pollution and energy consumption, conserving resources and supporting sustainable communities.

[www.container-recycling.org](http://www.container-recycling.org)  
[www.bottlebill.org](http://www.bottlebill.org)

## State Update

Supporters Honored with EPA Award  
(Continued from page 1)

Drink Association's 'how to kill a bottle bill' playbook. The passage of Hawaii's bottle law is a significant triumph for Hawaii's citizens who all care about our quality of life and future generations. This is a policy that works to increase waste stream diversion, increase recycling, and reduce litter."

"We throw out 75,000 bottles and cans every hour in Hawaii," said Mikulina. "By enacting a bottle bill, we will shrink our landfills, create recycling jobs, and vastly reduce bottle and can litter on our beaches and roadways."

All of the main Hawaiian Islands are currently facing a landfill crisis. "With shrinking landfill space and an economy that is dependent on a clean environment, the bottle bill makes sense for Hawaii," added Mikulina.

Save time! Save paper! Save a stamp!  
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"ONLINE"! Simply go to

[www.container-recycling.org](http://www.container-recycling.org) or  
[www.bottlebill.org](http://www.bottlebill.org)

click on the "Donate Now" button  
on the left hand side and  
follow the directions.

## Oregon: At 31, State Bottle Bill In Need of a Little Botox

SALEM — A bill introduced this year by Rep. Vicki Berger (R-Salem) would have created a one-year study to evaluate the issue of unredeemed deposits. The bill was voted out of the house unanimously, but died in the senate without a hearing. Berger, the daughter of Richard Chambers, who wrote the nation's first bottle bill, is supportive of updating Oregon's bottle bill to include non-carbonated beverages.

"After 30 years the Bottle Bill could use a little Botox to get the wrinkles out", said Berger. I was hoping to find a funding source for this upgrade in the money left behind from the unredeemed bottles and cans. We will get there! Orego-

## Maine: Amendment Expected to Increase Efficiency of State's Bottle Bill

AUGUSTA — A recent amendment to Maine's 27-year old bottle bill changes the playing field and allows for operational efficiencies in the recovery of deposit containers.

First, as in most deposit laws, Maine's current law requires distributors to collect their products from retailers and redemption centers. Amendment LD 985, sponsored by Sen. John Martin (D-Aroostook County), and signed into law on June 25, 2003 by Gov. John Elias Baldacci, provides a mechanism by which two or more deposit initiators (manufacturers and distributors) can enter into "commingling agreements" that would allow all containers of the same material, size, and product group, i.e., 12-ounce aluminum beer cans or 20-ounce plastic soda bottles, to be "commingled" either manually, or through the use of reverse vending machines (RVM)s.

Further, this amendment updates the 27-year old law to include language that refers to the now "mainstreamed" RVMs. In the past, distributors approved the return system; now, retailers and redemption centers are able to choose between manual redemption or RVMs based on their needs. The abil-

ity for businesses to make this choice will help to further reduce overall system costs.

"This amendment should lead to a much more cost-efficient pick-up process, particularly from redemption centers," said Hal Prince, Inspection Program Manager for the Department of Agriculture.

But some stakeholders in the recycling industry fear that contamination will increase because the amendment does not require plastics to be separated by resin type, nor does it require glass to be separated by color. Mr. Prince expects these problems to be resolved during the rules process.

The amendment provides various incentives and disincentives to encourage deposit initiators to enter into commingling agreements. For example, the amendment increases the handling fee (paid by initiators of the deposit to dealers and redemption centers) from 3¢ to 3.5¢; but it reduces the handling fee by 0.5¢ per container if the container is commingled by size, beverage type and material. Parties can agree to amend their "commingling agreements" to further include containers of other beverage types, provided that they are composed of the same material.

Another change in the law requires deposit initiators who do not enter into a "commingling agreement" to turn over all unredeemed deposits to the state's general fund. Under the current law, the unredeemed deposits remain the property of the deposit initiators. Exceptions to the escheat provision apply for small-scale brewers and water bottlers.

A draft of the administrative rules accompanying the amendment will be available for public comment at the end of September 2003. After a public comment period of 120 days, the rules must be approved by the legislature.

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nian's support their Bottle Bill".

Another bill, introduced at the request of the beer and wine distributors, would have allowed processors of glass containers collected from curbside programs and from the bottle bill to landfill the glass they collect. That bill was withdrawn due to a groundswell of opposition.

Alex Cuyler, Chair of the Association of Oregon Recyclers said, "It's like the canary in the coal mine. The public will wonder about the entire recycling system, if something as recyclable as glass is allowed to go to landfills."

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### California: Increase in Refund Value Needed to Boost Sagging Recycling Rates

SACRAMENTO — California's beverage container recycling program has recycled more than 9 million tons of aluminum, glass and plastic beverage containers since its implementation in 1986. But despite tremendous successes, recycling levels have stagnated over the last three years.

In 2002, roughly 40% of beverage containers sold were not recycled, leaving more than 634,500 tons of container material to be landfilled, incinerated, or littered. The cost to public agencies and ratepayers for managing this waste exceeds \$88 million annually.

A UC Berkeley analysis of the California Refund Value (CRV) and recycling rates suggests that increasing the CRV to 5 cents will increase recycling levels from the 2001 level of 60% to 82%, resulting in the recycling of an additional 390,000 tons of beverage container material (see page 9).

"It is against this backdrop that local governments, curbside recycling pro-

grams, non-profit and private recyclers and environmental organizations have called on policy makers to upgrade the CRV from the current 2.5 cents per container to 5 cents, and 10 cents on containers 24 ounces and larger," said Mark Murray, Executive Director for Californians Against Waste.

The language in Assemblyman Byron Sher's bill, (SB 23), which would have increased the CRV, was stripped from the bill in June, but an Assembly Natural Resources Committee Analysis suggested reinstating the language. The vehicle continues to move through the assembly and proponents of the increase are hopeful that it will be put back in the bill. "If the final bill passes with the CRV increase," said Murray, "any increased revenue to the state should not be siphoned off for the general fund."

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### New York: "Bigger, Better Bottle Bill" Campaign Heats Up

ALBANY — A broad-based effort to update New York's 20-year-old bottle law made significant progress this year. Legislation was introduced that would expand New York's deposit system to include non-carbonated beverage containers and to require that unclaimed deposits be sent to the state Environmental Protection Fund to support local recycling and waste prevention programs. CRI estimates that this proposal would capture up to 2.5 billion additional containers annually, and could generate up to \$172 million in new revenue.

Advocates for the "Bigger Better Bottle Bill" (A.3922-A/S.1696-A), sponsored by Assemblyman Thomas DiNapoli and Senator Kenneth LaValle, organized two lobby days, held numerous media events, generated thousands of constituent letters, conducted several litter surveys (see p. 10), secured municipal resolutions in favor of expansion, and testified at hearings in Albany and New

York City in support of the bill. CRI staff was present at all of these events, and played a crucial role in generating fact sheets and media packets for the campaign.

The bill advanced through two committees in the Assembly: Environment (19-8 vote) and Codes (unanimous vote), and had nearly 50 Assembly cosponsors before the State Legislature adjourned for the year. NYPIRG's Laura Haight coordinated the campaign effort, a highlight of which was a two-week, statewide media tour with a 20-foot inflatable Snaple bottle. NYPIRG canvassers plan to knock on a million doors across the state this summer, and one of the messages will be "New York needs a Bigger Better Bottle Bill".

"With an energized group of supporters, and endorsements from more than 250 community groups across the state, two dozen municipalities, and 17

### Michigan: Revving up to Expand Popular Bottle Bill

LANSING — Senate Majority Leader Ken Sikkema, a strong supporter of the bottle bill 25 years ago, appointed an all-republican task force earlier this year to consider bottle bill expansion and other recycling issues. He believes that expanding the deposit law to include water, juice, tea, and sports drinks—now about 25% of the beverage market—will reduce litter in Michigan, increase recycling rates, save energy, and reduce pollution.

Sikkema is banking on the bottle bill being good politics, too. It is considered the state's most effective and popular law. The unique 10¢ deposit garners a 95% redemption rate: the highest in the country, and the public is acutely aware of the law's impact on litter reduction. Opinion polls consistently show public support for the law, and every industry effort to roll it back has failed.

The task force report is expected this fall, and any hope of legislation expanding the bottle bill depends on the republican-controlled legislature. Leading environmental organizations, including the state's biggest sportsmen's group, the Michigan United Conservation Clubs, are already preparing for a petition drive for a 2004 citizen initiative, in case the state GOP doesn't come through.

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editorial boards (including six mentions in *New York Times* editorials), the campaign is off to a roaring start for the 2004 legislative session," said Haight.

Dereh Glance, of Citizens Campaign for the Environment, another active member of the coalition, said the proposed bill gained momentum this session that will help next year. "It's going to happen," Glance said. "It's not a question of *if* it's going to happen. It's a matter of *when*."

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### Vermont: State's Bottle Bill Turns 30!

MONTPELIER — The nation's second oldest bottle bill celebrated the 30<sup>th</sup> anniversary of its enactment in July 2003. "Vermonters have many reasons to be proud of their bottle bill," said Paul Burns, Executive Director of Vermont Public Interest Group, "including an estimated 80 percent drop in beverage container litter the first year after implementation, the creation of 350-450 jobs, and an overall bottle redemption rate of 90 percent."

Repeated public opinion surveys have shown that 70-95% of Vermonters support their state's bottle bill.

Vermont was the first state to include a handling fee for retailers, which helped to establish many redemption centers across the state where consumers can return containers. The distributor-paid handling fee was raised from 1 to 3 cents in 1990.

In 1991, the bottle bill was amended to add liquor to the beverages covered by the deposit. Vermont is one of only three deposit states that requires deposits on liquor bottles. Of the three, only Vermont and Maine have a higher deposit (15-cents) on liquor containers.

"The original purpose of the Vermont bottle bill was to reduce litter, increase recycling, reduce waste disposal costs, create local jobs, and save energy," said U.S. Senator Jim Jeffords. "Looking back after 30 years, it is clear that the bottle bill attained its goals and continues to be a popular and effective environmental policy for the State of Vermont."

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### Massachusetts: Committee Puts Expansion Bill to "Study"

BOSTON — Bottle bill supporters got a boost this year when Governor Mitt Romney introduced a budget amendment to expand the state's 20-year-old deposit law to include non-carbonated beverages. The amendment did not survive the budget process, but at the request of CRI's Research Director Jenny Gitlitz, a Dalton, Massachusetts resident and constituent, Sen. Andrea F. Nuciforo Jr. (D-Pittsfield) introduced his own Senate budget amendment to expand the bottle bill. When it failed in a voice vote, he introduced it as a bill. His bill also included a handling fee increase, and a distributor reimbursement incentive of .04 cents for each container redeemed.

"Right now, taxpayers are footing the bill to deal with these non-carbonated containers—whether through curbside collection or litter clean-up," said Nuciforo.

The Boston Globe lent editorial support to the expansion effort on March 11<sup>th</sup>, writing, "The bottle bill began as an anti-litter measure but became a hallmark of the recycling revolution. Expanding it now makes good environmental and fiscal sense."

But the Joint Energy Committee voted to maintain the status quo. After listening to four hours of testimony on June 24<sup>th</sup>, the Committee voted to table Nuciforo's expansion bill. Also put

to "study" (i.e. killed) were several other bills that variously would have:

- increased the handling fee to 3¢,
- allowed crushed aluminum cans to be accepted at redemption centers,
- exempted small retailers if a redemption center were located nearby,
- required the Clean Environment

Fund to be used for recycling only, and

- repealed the bottle bill and replaced it with a piecemeal array of recycling initiatives to be funded by industry for one year.

Among those testifying in favor of the expansion bill were CRI's Jenny Gitlitz, Iris Vincencio-Garaygay of MassPIRG, who coordinated the whirlwind pro-expansion lobbying campaign; Russ Cohen of Mass Riverways, who documented the presence of non-deposit containers in several important litter studies this year; and Greg Cooper of the Executive Office of Environmental Affairs, who voiced Governor Romney's official support for the bottle bill expansion. In a show of solidarity, Rep. Doug Petersen (D-Marblehead) testified in favor of Sen. Nuciforo's bill, as well as his own expansion bill.

A host of industry lobbyists testified that an expansion would hurt if not "kill" their businesses in Massachusetts, including the Mass. Food Association, the Beer Distributors Association, the Mass. Soft Drink Association, the International Bottled Water Association, VeryFine, Ocean Spray, Welch's and Polar Beverages, among others.

The Energy Committee reported favorably on another proposal: H 336, a bill mandating that new reverse vending machines (RVMs) incorporate scanning technology to reject containers without deposit markings. If passed, this bill would require expensive retrofits on over 2,000 existing RVMs in Massachusetts, according to RVM manufacturers. CRI testified against this bill because it only addresses one type of fraud, and because it might restrict consumers' redemption options.

CRI will continue to support activists and policymakers working to expand the Mass. bottle bill, and to promote a broad range of redemption options.

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To download a PDF copy of the CRI testimony, please visit our website:  
<http://www.bottlebill.info/Campaigns/ny/documents/TestimonyMass03-Final.pdf>

**2003: A Special  
Anniversary Year**  
**Enactment Anniversaries**  
**CT & IA (25 yrs)**  
**Implementation Anniversaries**  
**VT (30 yrs)**  
**ME & MI (25 yrs)**  
**DE, MA, & NY (20 yrs)**

### Non-deposit States Update

New bottle bills were introduced in at least eight states this year. The fact that most never even got a hearing before a legislative committee is a testament to the beverage industry's political clout. Despite this reality, interest in deposits as a method to keep beverage containers out of the waste stream and the litter stream continues to grow.

None of the three bills filed by Tennessee's Rep. Russell Johnson (R) were heard in committee, but all will be still be alive in 2004. The National Soft Drink Association, the Malt Beverage Association and the Grocer's Association all focused on the impact of a deposit law on an existing industry-imposed, tax (which a bottle bill would repeal). The tax currently funds Keep Tennessee Beautiful, an affiliate of the anti-bottle bill front group Keep America Beautiful. Johnson plans to continue pushing the legislation in the next session and has the firm support of groups such as the Tennessee League of Conservation Voters.

Deposit legislation was introduced in both branches of the Arkansas legislature, but the House bill was withdrawn. The Senate bill, sponsored by Senator Sue Madison (D-Fayetteville), was assigned to the interim Study Committee on Public Health, where it will likely be reviewed this summer, with the possibility of a hearing.

The bill would impose a 5-cent deposit on a broad range of container types and calls for at least one public recycling center per county. The Arkansas Municipal League has taken a lead in supporting the legislation, and while the schedule is uncertain, supporters expect to continue the drive into the next session.

Offended by surmounting waste and litter and inspired by the success in Hawaii, a group of students at the Skyview High School in Idaho organized GUARD Idaho (Get United About the Recycling Decision) and began research on a bottle bill. "A lot of people are for recycling, most people just need a reason to do it," said senior and GUARD President Nicole Riggs. They conducted a litter pick up and held a rally at the state house.

The bill, sponsored by House Speaker Bill Deal, would have put a 5-cent deposit on glass, aluminum and plastic beverage containers, excluding liquor containers. "They are young citizens who think our environment is worth protecting" Deal said. There was a hearing before the House Environmental Affairs Committee, but the bill was shelved. Opponents claimed that rural communities do not have the infrastructure to implement the bill.

Two bills were introduced in the West Virginia legislative session, one a traditional bill and the other patterned after Senator Jeffords' National Beverage Producer Responsibility Act of 2002. Neither received much attention in the flurry of other pressing issues, although there is a possibility of interim studies being conducted between

sessions. West Virginia Citizens Action (WVCA) spearheaded the effort with support from the Farm Bureau, and they garnered 7 cosponsors in the House and 3 in the Senate.

Supporters have been quietly gathering signatures on a statewide petition and seeking passage of supporting resolutions from local jurisdictions. Some lawmakers were attracted to the bill since unclaimed deposits would go to the State Department of Natural Resources to help set up local redemption centers and education programs.

"Localities see this as helping to reduce the problem of illegal waste dumping," said Linda Mallet of WVCA. "We fully intend to keep working with our allies and pursue the issue into 2004".

### Connecticut: Repeal Effort Scuttled by Bottle Bill Supporters

HARTFORD — In February, recycling activists were taken by surprise when a bill to repeal the state's 25-year old bottle bill was introduced by Rep. Patricia Widlitz, Co-Chair of the General Assembly's Environment Committee. In March, Representative Widlitz convened a public hearing to listen to arguments for and against the proposed repeal legislation, which was couched in the language of "comprehensive recycling." The only anti-bottle bill witnesses at the hearing were hand-picked by industry to propose an advanced disposal fee (ADF), or "litter tax," as a replacement to the bottle bill. They included two New Jersey consultants under the employ of the Connecticut Food Association, and Kevin Dietley representing The National Soft Drink Association.

During the 6-hour hearing, bottle bill opponents were far outnumbered by supporters, including CRI, state environmental advocates, the Teamsters — whose members turned out in force — redemption centers, reverse vending machine companies, children's groups and legislators. The highlight of the

hearing came when John Hollis of the Teamsters Union reminded the legislators that during the original bottle bill fight 25 years earlier, he had helped circle the Capitol with beer trucks to oppose the bottle bill. Turning to Rep. Mary Mushinsky, an original bottle bill advocate, Mr. Hollis said, "Mary, you were right, I was wrong." He went on to say about the bottle bill, "It works."

In the aftermath of the hearing, Rep. Widlitz said she would not push the repeal effort.

Later in the spring, pro-bottle bill legislators forced a floor debate on their proposal to turn over unclaimed deposits to the state. (They are currently kept by bottlers and distributors.) State representative Jim O'Rourke noted that this marked the first time in 20 years that deposit supporters had succeeded in getting a floor debate on improving the bottle bill. Advocates expect that legislation to expand the bottle bill to include non-carbonated beverages will be introduced during the 2004 legislative session.

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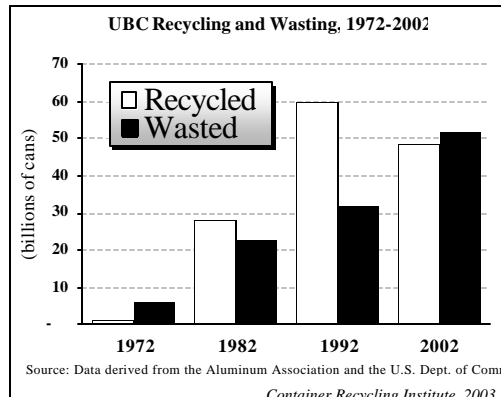
Contact: Chris Phelps, ConnPIRG, [cphelps@connpirg.org](mailto:cphelps@connpirg.org) and visit our website at <http://www.bottlebill.org/Campaigns/ny/CTCamp.shtml>

## Container Recycling Rates

### More Aluminum Cans Trashed Last Year Than Recycled

Last year, 51.6 billion used aluminum beverage cans (UBCs) were land-filled or littered (140 million every day), and the recycling rate for cans sunk to its lowest point since 1980. In April, the Aluminum Association, a Washington-based industry trade group, announced that the year 2002 UBC recycling rate was 53.4%. However, when the data are adjusted for the 5.3 billion imported scrap cans that were not originally sold in the United States, the actual domestic UBC recycling rate was 48.4%—lower than the 2001 rate of 49.2%.

Whether one adheres to the Aluminum Association's method or that of the Container Recycling Institute (CRI) and the U.S. EPA, there is no disputing that the UBC recycling rate has declined for five years running. According to CRI research director Jenny Gitlitz, 39% more aluminum is being tossed out than a decade ago. "We wasted 763,000 tons of cans last year," Gitlitz said, "up from 550,000 tons wasted in 1992. Replacing these wasted cans with new cans made from virgin materials will squander the energy equivalent of 16.2 million barrels of crude oil, and will produce over 3 mil-



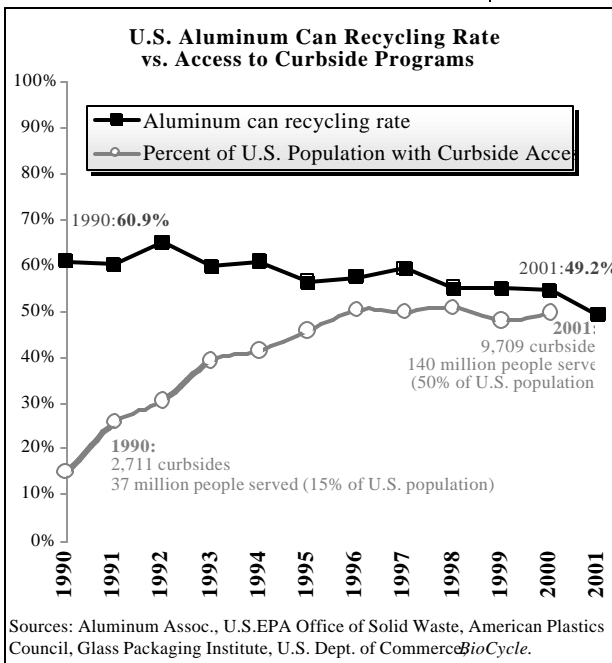
lion tons of greenhouse gasses."

"The irony is that while Americans are trashing almost three quarters of a million tons of cans a year," Gitlitz said, "the major aluminum companies are forging ahead with plans to build new aluminum smelters—and hydroelectric dams for power—in environmentally-sensitive areas including Brazil, Iceland, Malaysia and Mozambique."

According to Gitlitz, the dam in Iceland will supply Alcoa's new 322,000-ton smelter, and will submerge 22 square miles of tundra, including habitat for reindeer and the pink-footed goose, up to 60 waterfalls, and what

has been called the Icelandic equivalent of the Grand Canyon.

CRI executive director Pat Franklin said, "The aluminum industry's efforts to reverse the declining recycling rate have failed. A tripling in curbside programs in the last decade has done nothing to increase recovery of aluminum cans, due to the away-from-home consumption trend. Without more beverage container deposit laws that provide a financial incentive to recycle, and without increasing the deposit value in existing deposit states, aluminum can recycling rates will continue to decline."



### No "Can" Do A CRI Commentary

Move over aluminum, there's a new can on the block. The newly developed plastic can is being advertised as a package with "the body of a traditional can, and the soul of a PET bottle" (the soul of a PET bottle? Are they kidding?)

Soulful or not, the designers at Owens-Illinois clearly have no heart for recycling. In creating a container with a PET plastic body and an aluminum lid, they are opening the door for more non-recyclable trash. While both parts of the hybrid can are recyclable in theory, in practice they are almost impossible to separate—even for the most dedicated recyclers. We can add this container to the growing list of recycling nightmares: from the painted-on Corona label to tinted and multi-layer, plastic bottles.

No one seems to know which beverage companies are considering packaging their drinks in the new "see-through can," but surely there will be some takers. In an effort to get the consumer's attention and gain market share, beverage companies will latch on to any rainbow-colored, multi-layered, eye-catching, gee-whiz can or bottle available -- recycling be damned!



The Northern California Recycling Association has launched a Consumer Action Campaign encouraging consumers to write Owens Illinois to express concern about the plastic can. You can visit their site and take action at: <http://www.ncrarecycles.org/action.html>.

For background information on the plastic can go to <http://www.bevnet.com/news/2002/10-24-2002-oi.asp>.



### Still the Real Thing in Winona

By Allison Kaplan

An old-time baby Coke bottle, made of glass thicker than the nerdiest bifocals, sells for \$12.50 at the R.D. Cone Co. antiques shop on Second Street in Winona. Three blocks over, at the Coca-Cola Bottling Co. of Winona, the original 6.5-ounce contoured Coke bottles are still meant for quenching a thirst, not collecting.

"To me, it's the right size for a drink," says Clint L. Kuhlmann, the 75-year-old owner of one of the last two bottling plants in the country to refill the coveted bottles. Now, they're a collector's item. Once they were the only way to buy a soda. Kuhlmann sells a 24-bottle case for \$5. Plus a 10-cent deposit per bottle.

He never planned on being the relic of a nearly obsolete business. Coke just tastes better in a cool glass bottle, Kuhlmann insists. So as long as he can maintain a stash of bottles - the refillable ones, thick enough to withstand repeated use, that haven't been manufactured in ages - he'll keep filling them, just like his dad did for more than 70 years.

First they're sanitized, then filled with two gulps of soda pop, capped and dropped into a rickety, wooden "Drink Coca-Cola" crate.

#### FEW BOTTLERS REMAIN

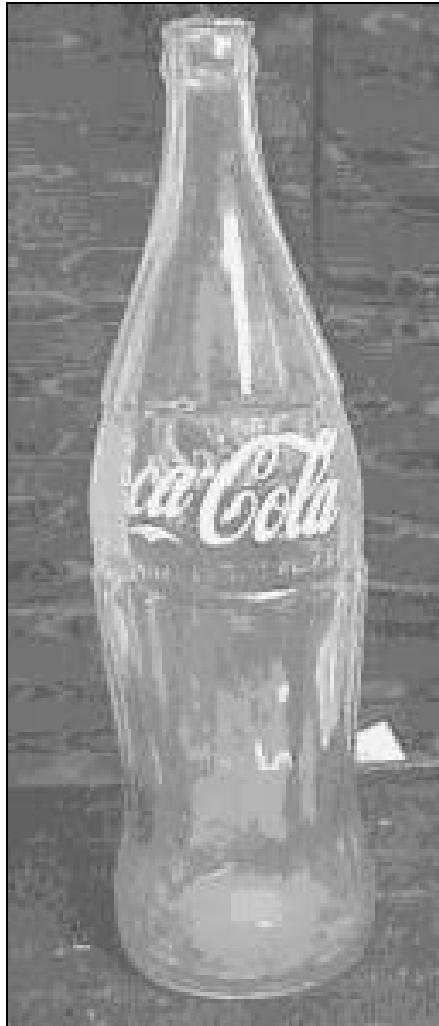
Kuhlmann's dad, Clinton A. Kuhlmann, started out washing pop bottles 11 hours a day, for \$10 a week in 1921. He soon bought into the local bottling company, and in 1933, he and his partners became official bottlers for Coca-Cola. The senior Kuhlmann bought out his partners and worked at the plant, side by side with his son, until his early 90s. He died in October at 96.

Minnesota had more than 50 Coca-Cola bottlers back in the days before aluminum cans. The number peaked in the 1930s, when there were 1,225 Coke bottlers nationwide. Today, just four of

the small, family-run businesses remain.

#### NOSTALGIC TASTE

Kuhlmann's son-in-law, LeRoy Telstad, who helps run the bottling company, envisions a Coke museum in



*Refillable Coke Bottle*

Winona one day. But for now, he's focused on filling bottles until at least 2005, when the company will celebrate its 100th anniversary.

The above is a shortened version of an article that originally appeared in its entirety in The St. Paul Pioneer Press on January 3/02. Reprinted by permission. Allison Kaplan can be reached at [akaplan@pioneerpress.com](mailto:akaplan@pioneerpress.com) or (651) 228-5116.

## Germany Continues to Struggle with Deposit System Implementation

Since January 1, 2003, German distributors and retailers have struggled to develop a system to comply with a new law that requires a 25 cent to 50 cent deposit on beer, soft drink and non-carbonated beverages sold in disposable cans and bottles. The deposit on one-way beverage containers went into effect after the market share for refillables fell below 72%, a national goal since 1991.

The beverage industry had ample time to prepare for the deposit law, according to supporters, but chose to fight the law in the courts rather than making the required capital investments in a return system. As a result, when Jan. 1 arrived, there was no national return system in place for the disposable containers, as there is for refillable packaging.

Many German retailers have simply refused to sell drinks in one-way packaging, finding it easier to sell only refillables than to comply with a new law with a poorly-established return system.

Juergen Tritten, Minister of Environment, granted some temporary leeway to the beverage industry by allowing retailers to initiate the deposit, and to issue refunds only if the consumer purchased the containers from that retailer. Some retailers are requiring proof of purchase, by using special stick-on labels or by deposit tokens in one form or another.

The beverage industry and the retail trade have until October 1, 2003 to establish the nationwide return system. That is the deadline for full compliance with the law. Lekkerland, the largest distributor to convenience stores in Germany, and Spar have announced they will be ready with a manual redemption system.

Because the law requires only that retailers accept empty containers of the same material, volume and form as the containers they sell, uniquely shaped one-way bottles are expected to be introduced on the market. This move is expected to hurt producers of cans who have already been hit hard by the deposit system on one-way packaging.



## Reports

### California: UC Berkeley Study Recommends Increasing CRV to a Nickel

SACRAMENTO — A study commissioned by the Department of Conservation recommends one major change to the California Beverage Container Recycling Program that requires small deposits on most carbonated and non-carbonated beverages (including soft drinks, beer, water, coffee and teas, sport drinks, and many fruit and vegetable juices): the California Refund Value (CRV) should be doubled to 5 cents for containers under 24 ounces and 10 cents for larger containers. The analyses suggest this would raise the overall recycling rate for CRV containers from 60 percent in 2001 to 82 percent.

The University of California at Berkeley (UCB) completed the *California Beverage Container Recycling and Litter Reduction Study* in April 2003, under conditions directed by the Legislature when it expanded the Program in 2000. Other findings include:

- Recycling of HDPE containers in the Program jumped from 18 per cent at the time the law was expanded, to 38 per cent two years later.
- Recycling of "new" PET containers (bottled water, sport drinks, coffee and tea drinks, juice blends, and 100% fruit juice in containers less than 46 ounces) increased from 12% in 1999 (before their inclusion in the Program) to 17% in 2000 (after expansion).
- Net benefits (scrap value plus Program payments, minus recycling costs) of the Program to curbside recycling programs were \$243 per ton of redeemable material. Supermarket-based recycling centers had a net cost of \$35 per ton.
- Net benefit of the Program (excluding environmental benefits) to the California economy is a gain of \$42 million in personal income.

The UCB study may be found at: <http://www.consrv.ca.gov/DOR/UC%20Study%2041603.pdf>.

Contributed by Jim Hill, California Department of Conservation, [jhill@consrv.ca.gov](mailto:jhill@consrv.ca.gov)

**Please let us know what YOU would like to see in our next newsletter!**

### **! ACTION ALERT ! NATIONAL BEVERAGE PRODUCER RESPONSIBILITYACT OF 2003**

Senator Jim Jeffords (I-VT) will introduce his National Beverage Producer Responsibility Act when Congress reconvenes after the August recess. The bill, which will be assigned a number after it is introduced, is virtually identical to last year's bill. Sen. Jeffords' bill:

1. Sets a performance standard for beverage producers of 80 percent recycling for their beverage containers;
2. Allows beverage producers to develop any system they choose to recover their containers; and
3. Requires that beverage producers collect a 10-cent refundable deposit to ensure a high return rate.

**Call and write or email your Senators today and ask them to co-sponsor the National Beverage Producer Responsibility Act. The following senators, who have co-sponsored national bottle bills in past sessions of Congress, are prime candidates for sponsorship:**

- ★ Olympia Snowe (ME) • (202) 224-5344 • [olympia@snowe.senate.gov](mailto:olympia@snowe.senate.gov)
- ★ Carl Levin\* (MI) • (202) 224-6221 • [senate.gov/contact.htm](http://senate.gov/contact.htm)
- ★ Barbara Boxer (CA) • (202) 224-3553 • [boxer.senate.gov/contact](http://boxer.senate.gov/contact)
- ★ Dianne Feinstein (CA) • (202) 224-3841 • [feinstein.senate.gov/email.html](http://feinstein.senate.gov/email.html)
- ★ Tom Harkin (IA) • (202) 224-3254 • [harkin.senate.gov/contact/contact.cfm](http://harkin.senate.gov/contact/contact.cfm)
- ★ Edward Kennedy (MA) • (202) 224-4543 • [senator@kennedy.senate.gov](mailto:senator@kennedy.senate.gov)
- ★ John Kerry (MA) • (202) 224-2742 • [kerry.senate.gov/low/contact\\_email.html](http://kerry.senate.gov/low/contact_email.html)
- ★ Patrick Leahy (VT) • (202) 224-4242 • [senator\\_leahy@leahy.senate.gov](mailto:senator_leahy@leahy.senate.gov)
- ★ Joseph Lieberman (CT) • (202) 224-4041 • [lieberman.senate.gov/newsite/contact.cfm](http://lieberman.senate.gov/newsite/contact.cfm)
- ★ Christopher Dodd (CT) • (202) 224-2823 • [dodd.senate.gov/webmail/](http://dodd.senate.gov/webmail/)
- ★ Charles Schumer (NY) • (202) 224-6542 • [schumer.senate.gov/webform.html](http://schumer.senate.gov/webform.html)
- ★ Ron Wyden (OR) • (202) 224-5244 • [wyden.senate.gov/contact.html](http://wyden.senate.gov/contact.html)
- ★ \* Senator Levin was a Representative when he last sponsored a bottle bill.
- ★ Other prospective sponsors include the senators representing bottle bill states who may not have co-sponsored a national bottle bill in the past:
- ★ Gordon Smith (OR) • (202) 224-3753 • [gsmith.senate.gov/webform.htm](http://gsmith.senate.gov/webform.htm)
- ★ Susan Collins (ME) • (202) 224-2523 • [collins.senate.gov/low/contactemail.htm](http://collins.senate.gov/low/contactemail.htm)
- ★ Debbie Stabenow (MI) • (202) 224-4822 • [stabenow.senate.gov/email.htm](http://stabenow.senate.gov/email.htm)
- ★ Chuck Grassley (IA) • (202) 224-3744 • [grassley.senate.gov/webform.htm](http://grassley.senate.gov/webform.htm)
- ★ Joseph Biden (DE) • (202) 224-5042 • [senator@biden.senate.gov](mailto:senator@biden.senate.gov)
- ★ Thomas Carper (DE) • (202) 224-2441 • [carper.senate.gov/email-form.html](http://carper.senate.gov/email-form.html)
- ★ Hillary Clinton (NY) • (202) 224-4451 • [clinton.senate.gov/email\\_form.html](http://clinton.senate.gov/email_form.html)
- ★ Daniel Akaka (HI) • (202) 224-6361 • [senator@akaka.senate.gov](mailto:senator@akaka.senate.gov)
- ★ Daniel Inouye (HI) • (202) 224-3934 • [inouye.senate.gov/webform.html](http://inouye.senate.gov/webform.html)

\*\* Please thank the following senators for co-sponsoring Sen. Jeffords' bill: \*\*

- ★ John Kerry (MA) • (202) 224-2742 • [kerry.senate.gov/low/contact\\_email.html](http://kerry.senate.gov/low/contact_email.html)
- ★ Patrick Leahy (VT) • (202) 224-4242 • [senator\\_leahy@leahy.senate.gov](mailto:senator_leahy@leahy.senate.gov)

You can view a synopsis of last year's bill, the National Beverage Producer Responsibility Act of 2002, at <http://www.bottlebill.info/Campaigns/bpr/BPRCamp.shtml>.

## Litter Update

### River and Beach Cleanups Show Value of Container Deposits

Non-deposit Beverage Containers 5 to 14 Times More Likely to Become Litter Than 5¢ Deposit Containers

By Roger Diedrich

A series of litter cleanups in the Northeast over the past 15 months show that a non-deposit beverage container is 5 to 14 times more likely to become permanent litter than a beverage container with a 5-cent deposit value. In each of four major litter cleanup projects, a portion of the litter was categorized, including segregation into deposit and non-deposit containers, to permit a comparison.

Scenic Hudson's annual Great River Sweep, involving over 5,000 volunteers at 176 planned cleanups in 98 Hudson Valley communities, was held in April of 2002 in coordination with Earth Day. Volunteers separated beverage containers from other debris and counted the number of New York State returnable containers with a 5-cent deposit value (beer, wine coolers, and carbonated soft drinks) and non-returnable containers (bottled water, fruit juices and drinks, sports drinks, teas, milk, wine and liquor).

The group's findings indicate that New York State non-returnable beverage containers make up 61% of beverage container litter in Hudson Valley Communities, despite accounting for only 23.5% of the beverage container market.

The American Littoral Society (ALS) Northeast Region conducted a similar survey during the Ocean Conservancy's International Coastal Cleanup (ICC) that takes place the third weekend of September all across the US and in over 70 foreign countries. A unique component of the ICC is data gathering by the volunteers upon collection of the debris from beaches and waterways. ALS coordinates the beach cleanup in New York State.

The 2002 cleanup provided an opportunity to carry the data gathering one step further. Having joined the statewide Coalition for a Bigger Better Bottle Bill in August, the American Littoral Society wanted to determine how many of the littered beverage containers would be covered under legislation introduced in Albany that would expand the bottle bill.

Sixty-seven of the 250 beach captains in New York State separated out the non-carbonated, non-deposit beverage containers. Of the 16,915 containers that were picked up, 38% were deposit containers and 62% were non-carbonated beverages not currently covered by the state's 5-cent deposit law. Cleanup findings are even more dramatic when the respective market shares for deposit and non-deposit containers are factored in. "If we put a deposit value on non-carbonated beverages," said Barbara Toborg, ALS Conservation Coordinator, "we can get most of the non-carbonated beverage containers out of the litter stream and the waste stream, and back into the hands of those responsible for them – the bottlers and distributors."

This spring, Russ Cohen, Rivers Advocate with the Massachusetts Riverways Program, part of the Mass Department of Fisheries and Environmental Law Enforcement, conducted two similar surveys as part of Earth Day cleanups along the Charles River and in Worcester. At the Charles River cleanup, participants sorted the beverage containers from a random sample of trash bags that were returned by cleanup volunteers. They found that non-returnable (non-deposit) beverage containers exceeded the number of redeemable

(deposit) beverage containers by a 4.5 to 1 ratio. The Worcester event yielded a similar ratio of 4.2 to 1 (see photo below).

According to the Mass. Department of Environmental Protection, the market share of beverage containers sold in 2000 was as follows: beer and carbonated soft drink containers covered by the current "Bottle Bill" law – 76.5 %, and wine, liquor and non-carbonated beverages – 23.5%. In other words, over three deposit containers are sold in Massachusetts for every one non-deposit container sold.

Russ Cohen explained, "By combining these two ratios (4.5:1 x 3.2:1), the cleanup tallies show that it is about fourteen times more likely that a non-deposit beverage container sold in Massachusetts will end up littering our waterways and landscapes than will a deposit container."



"These litter surveys provide ample evidence of the value of placing a deposit on beverage containers in discouraging their improper disposal," said Cohen. "It makes a strong argument in favor of expanding state bottle deposit laws to cover bottled water, juice, sports drinks and the like, so that people see value in redeeming their empties."



Members of Mass. Community Water Watch participating in a beverage container cleanup. The pile on the left is the non-redeemable (non-deposit) containers, and the pile on the right is the redeemable (deposit) containers.

# CRI Publications

**The Ten-Cent Incentive  
to Recycle**



Container Recycling Institute  
1911 North Fort Myer Drive, Suite 702  
Arlington, Virginia 22209  
Tel. (703) 276-9900 • Fax (703) 276-9587  
www.container-recycling.org  
www.bottlebill.org

*The Ten-Cent Incentive to Recycle* has been revised. All of the facts, figures, charts and graphs have been updated with the most current data available. This 20-page “bottle bill primer” sets the record straight on the environmental and economic impacts of beverage container deposit systems (bottle bills), and uses documented evidence to rebut the arguments made by the anti-bottle bill, beverage industry lobby. REVISED AUGUST 2003

**Download a FREE copy of the *Ten Cent Incentive to Recycle* from our websites:  
[www.container-recycling.org](http://www.container-recycling.org) or  
[www.bottlebill.org](http://www.bottlebill.org)**

*Beverage Container Deposit Systems in the United States* outlines the provisions of existing state deposit laws and amendments being considered as of 2003. Included in the report is information on beverage container return rates, public approval of bottle bills, and the impact of deposit systems on curbside recycling, solid waste and litter reduction. Also included are government and public interest contacts for each deposit state, information on unclaimed deposits, and a report on bottle bill expansion. REVISED AUGUST 2003.

**Beverage Container Deposit Systems  
in the United States**

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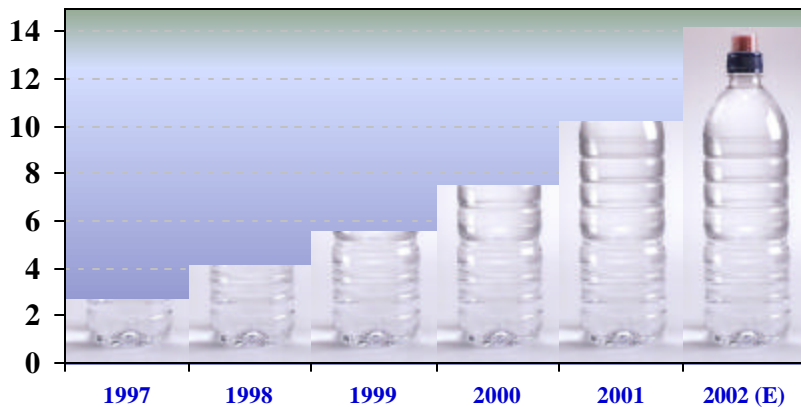
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**PET Bottled Water Sales in the U.S.\***  
(billions of units)



Source: Beverage Marketing Corporation.

\* Notes: Data refers to domestic and imported non-sparkling water in PET plastic bottles  $\leq$  1 liter. CRI estimated 2002 sales based on growth in 2000 and 2001. CRI estimated 1997 and 1998 imports based on growth in 1999 and 2000.

See "Letter from the Executive Director" on p. 2 which addresses the issue of the dramatic growth in PET bottled water sales and the subsequent increase in PET water bottle waste.

**CRI Welcomes two new Directors**

We are pleased to announce two recent additions to the CRI Board of Directors:

**Ron Schweitzer**, now retired and living in Long Beach, CA, is founder of Mobile Recycling, a recycling company in southern California. Ron has years of experience in all aspects of recycling and is very familiar with California's bottle bill.

**Scott Trundle** is publisher of the Standard-Examiner, a daily and Sunday newspaper based in Ogden, Utah. Scott has followed CRI's work for several years, and takes a special interest in the impact of single-stream recycling on the quality of recycled newsprint.

Welcome a-Board Ron and Scott!



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