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AMERIPEN
American Institute for Packaging and the Environment

Testimony in Support of Part 115 Amendments
&
House Bills 5812-5816

Michigan House Natural Resources and Outdoor Recreation Committee
June 16, 2020

Presented by Andrew Hackman, Serlin Haley LLP
On behalf of AMERIPEN

Chairman Howell, Representative Wakeman and Members of the House Natural Resources and Outdoor Recreation Committee,

AMERIPEN – the American Institute for Packaging and the Environment – appreciates the opportunity to comment on House Bills 5812-16. AMERIPEN supports this legislation and its benchmark recycling and materials goals as positive changes that are being made to Part 115 and that were developed through an extensive stakeholder process led by the Michigan Department of Environment, Great Lakes, and Energy (EGLE). This effort follows recommendations from the Solid Waste and Recycling Advisors (SWRA) and the Governor’s Recycling Council (GRC) and ongoing stakeholder meetings. Specifically, AMERIPEN would like to comment on recycling and the benchmark recycling standards and materials utilization goals that are included in HB 5812-16.

AMERIPEN is a coalition of packaging producers, users and end-of-life materials managers dedicated to improving packaging and the environment. We are the only material neutral packaging association in the United States. Our membership represents 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 efficient recycling policies. AMERIPEN has been participating in the EGLE stakeholder discussions since early 2017 and appreciates that EGLE has had an open and transparent process as the development of this legislative language has progressed.

AMERIPEN would like to express its support for the State’s efforts to develop a broader approach to materials management and to increase recycling in the State. AMERIPEN’s comments here are focused on the benchmark recycling standards for counties and the materials utilization goals that have been part of the Part 115 amendment effort and are included in HB 5812-16.

Benchmark Recycling Standards

Goalsetting is a critical activity to achieving and measuring environmental progress. EGLE’s SWRA process and stakeholder meetings have worked diligently to consider input from all parties. HB 5812-16 set aggressive recycling rate goals for Michigan of to “achieve a 45% municipal solid waste recycling rate, and, as an interim step, a 30% municipal solid waste recycling rate by 2025, through the benchmark recycling standards”. These goals will be challenging to achieve but encourages efforts to increase the volume of material recycled in the State.

In addition to recycling rate goals, AMERIPEN supports EGLE’s goal to increase access to recycling and ensure that one or more commonly recycled materials are included in curbside

and drop-off recycling sites in Michigan. Specifically, Section 11502 (6) in the “Benchmark Recycling Standards” requires at least 90% of single-family dwellings have access to curbside recycling in urban areas and greater access to drop-off locations in less urban areas and includes these requirements for county materials management plans (MMPs). Access to recycling is a critical need, despite public perception that recycling is readily available. In The Recycling Partnership’s *2020 State of Curbside Recycling Report*, it is noted that “**Only half of Americans have automatic access to curbside recycling**, some who have access do not participate, and not all who participate do so fully.”¹

These benchmark recycling standards, in their entirety, are therefore a valuable step forward and will help support greater access to recycling throughout the State and should be retained in this legislation, as a requirement of county MMPs, as it moves forward.

Materials Utilization Goals, Planning and Grants

AMERIPEN also supports the development of materials utilization goals and planning and the use of wastes and by-products for recycling or beneficial purposes, as included in House bills 5812-16, and as required for county MMPs. Throughout this process, EGLE has indicated support for a holistic approach through such materials utilization goals and AMERIPEN believes these goals are needed to account for positive environmental gains outside of sheer recycling tonnage targets.

Inclusion of materials utilization goals is critically important because recycling tonnage goals alone overlook the light-weighting shift happening across America that saves resources and reduces the carbon-footprint of products. The packaging industry has made significant strides in reducing the amount of material used over the past decade, but because recycling is commonly measured by tonnage, these efforts are hidden and the raw data suggests recycling may be declining. For this reason, AMERIPEN supports EGLE’s inclusion of materials utilization goals and planning in addition to setting feasible benchmarking recycling standards.

AMERIPEN also continues to support Subpart 8, Section 11550, of the Part 115 amendments that allows for grants for recycling and materials utilization activities for local units of government and development of infrastructure. These funds are critical to improving and creating a solid waste system for the future in Michigan that improves environmental performance.

¹ The Recycling Partnership, *2020 State of Curbside Recycling Report* - https://recyclingpartnership.org/wp-content/uploads/dlm_uploads/2020/02/2020-State-of-Curbside-Recycling.pdf

Conclusion

AMERIPEN appreciates the opportunity to comment on HB 5812-16 and the pending action to revise Part 115 and on the goals of solid waste policy in Michigan. As the State seeks to update its solid waste goals and policy structure, we look forward to working with EGLE and this Committee to increase access and participation in recycling programs and effectively prevent waste and utilize valuable recyclable materials. We also look forward to efforts and investments in the State to support development of new infrastructure that will allow more materials and packages to be economically recycled in Michigan. AMERIPEN, once again, commends EGLE for its work on this proposed legislation and looks forward to improved materials management in Michigan because of these efforts.