

MANDATORY COMMERCIAL RECYCLING AND DISPOSAL BANS



March 31, 2020

ANTITRUST STATEMENT

RILA believes strongly in competition. Our antitrust laws are the rules under which our competitive system operates. It is RILA's policy to comply with both the letter and the spirit of antitrust laws. This Antitrust Statement has been adopted to avoid even the appearance of impropriety under the antitrust laws.

At any association meeting, participants must avoid any discussion of the following subjects in order to avoid even an appearance of impropriety:

- Do not discuss current or future prices, price quotations or bids, pricing policies, discounts, rebates, or credit terms.
- Do not discuss cost information such as production costs, operating costs, or wage and labor rates.
- Do not discuss profits or profit margins, including what is a "fair" profit margin.
- Do not discuss allocating markets, territories, or customers.
- Do not discuss current or future production or purchasing plans, including plans to take facility downtime, production quotas, or limits on output.
- Do not discuss refusing to deal with any suppliers, customers, or competitors (or any class or type of suppliers or customers).
- Do not require or pressure any supplier, customer, or competitor to adopt any particular actions or policies.
- Never agree on any aspect of future pricing or output.

Do not engage in prohibited discussions before a meeting or after a meeting is over. These antitrust guidelines apply not only in formal RILA meetings, but also in hallways, casual conversations, phone calls, emails, text messages, cocktail parties, golf outings, or any other setting that is related in any way to the RILA. If you have questions or concerns, or if you are uncertain about the propriety of any subject of discussion or proposed activity, you should stop the discussion immediately and bring the issue to the attention of RILA staff, or consult your company's general counsel.

HOUSEKEEPING NOTES



Phones are to stay muted during the webinar.



Raise your hand to speak or ask questions.



Use the “Q&A” to ask questions.

MARISA ADLER

- Senior consultant at Resource Recycling Systems (RRS)
- 14 years' experience in the waste and recycling industry with a focus on developing scalable system-wide solutions for material recovery
- Marisa is also a Waste 360 40 Under 40 award recipient.



TODAY'S AGENDA

AGENDA

1. Housekeeping and Introductions by RILA
2. RRS Introduction
3. Research Overview
4. Mandatory Recycling Legislation and Material Bans
5. Discussion Q&A
6. Upcoming Webinars and Resources
7. Closing

TIMING

- 30-45 min presentation
- 15+ min Q&A



Managing change
in a resource-
constrained world.



ORGANICS
MANAGEMENT



WASTE
RECOVERY



GLOBAL CORPORATE
SUSTAINABILITY

since 1986

WHO WE ARE

30+ years in recycling and managing resources

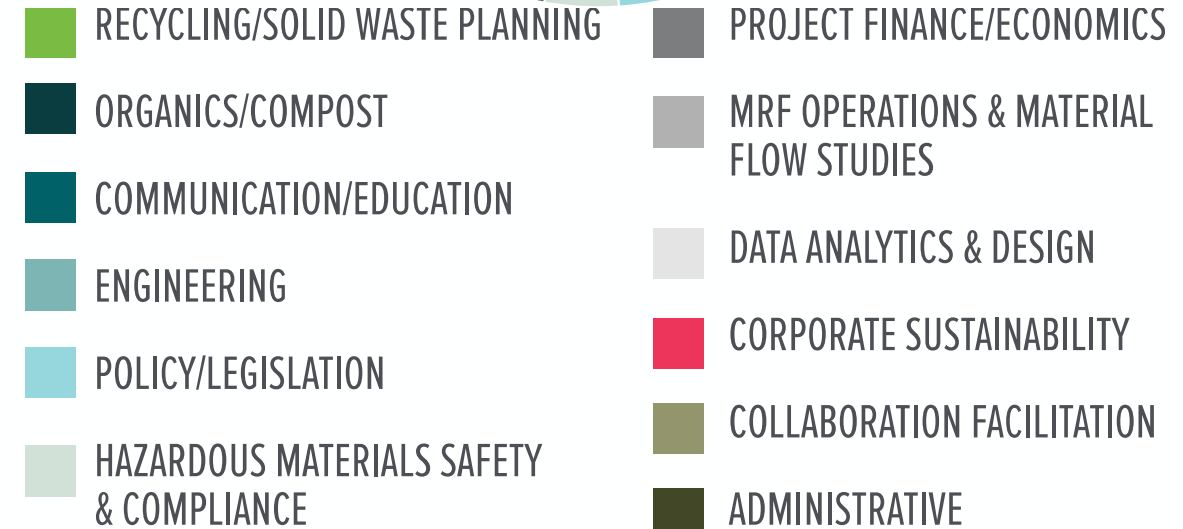
50 employees in 4 countries

660 years combined field experience

1,000 projects across 9 markets



OUR SKILLS



WHO WE SERVE



PUBLIC AGENCIES



MANUFACTURERS/
COMMERCIAL BUSINESS



PARTNERSHIPS



RECOVERY INFRASTRUCTURE



TRADE GROUPS



RETAIL



UNIVERSITIES



HEALTHCARE



FUNDERS/INVESTORS

RESEARCH ON MANDATORY COMMERCIAL RECYCLING LEGISLATION

PRIMARY RESEARCH FOCUS

- State level regulations
- Commonly recycled items

For information on product formats not covered in this exercise:

- Plastic bags – See the [RCC Consumer Bag Legislation matrix](#)
- Organic waste – See the [RCC Mandatory Organics Recycling Regulations Fact Sheet](#)
- eWaste – See the [RCC's eWaste Matrix](#)
- Single use plastics legislation – To come
- Plastic bag ban preemptions – To come

WHERE TO FIND THE FACT SHEET



<https://www.rila.org/retail-compliance-center/mandatory-recycling-and-disposal-bans>

BACKGROUND

- Laws vary place to place
- Laws vary commercial versus residential
- No federal legislation



INTENT OF RECYCLING REGULATIONS

- Drive a higher recycling rate
- Increase the capture of recyclables
- Promote markets
- Promote economic development
- Support environmental goals
- Influence the commercial sector



BENEFITS OF LEGISLATED RECYCLING

- Level playing field
- Provide at home/at work consistency
- Reduce litter
- Reach critical volumes
- Generate recycled content feedstock

COMPONENTS OF MANDATORY RECYCLING AND DISPOSAL BANS

COMMERCIAL RECYCLING MANDATES & DISPOSAL BANS



COVERED ENTITIES

Generators / haulers /
local governments

Generator size

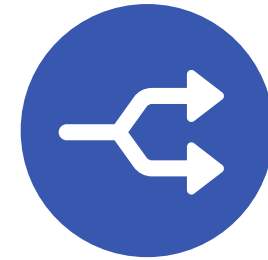
Owner vs. Occupant



MATERIALS COVERED

Mandatory recycling / disposal
bans

Material types

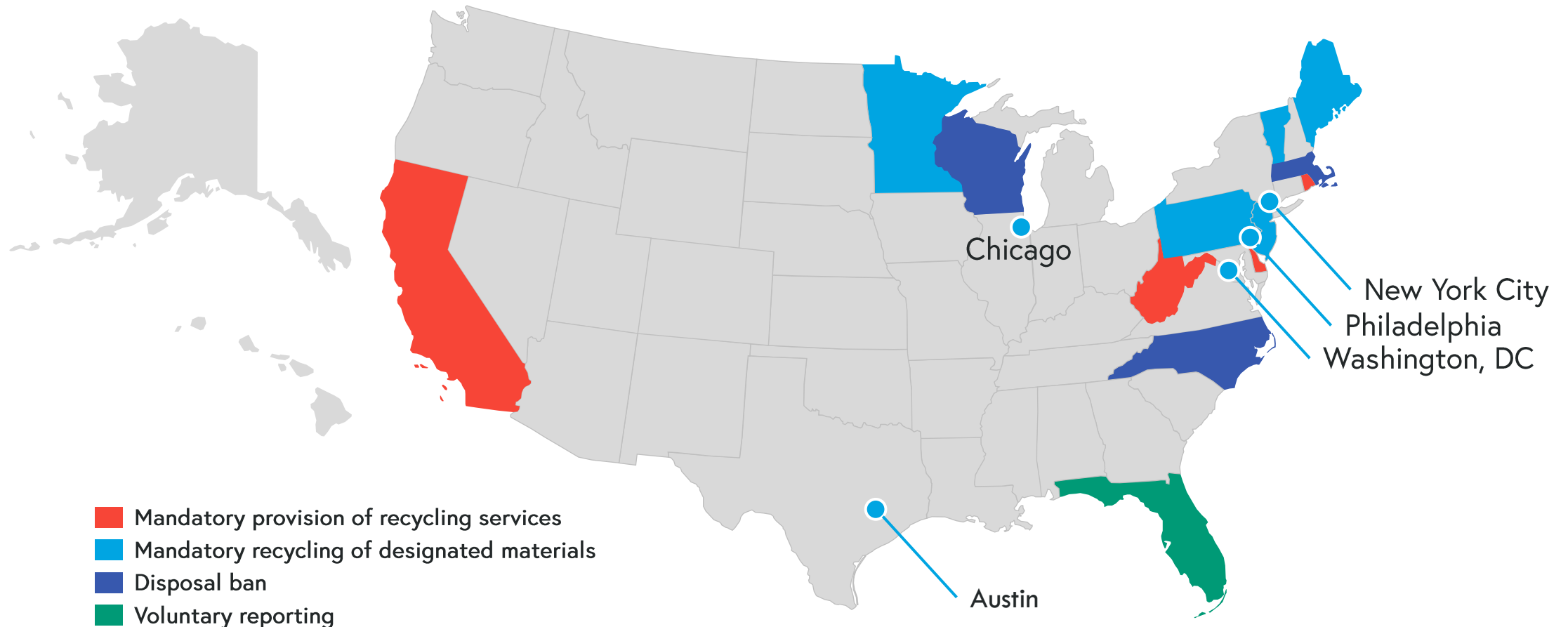


WASTE HANDLING

Source separation

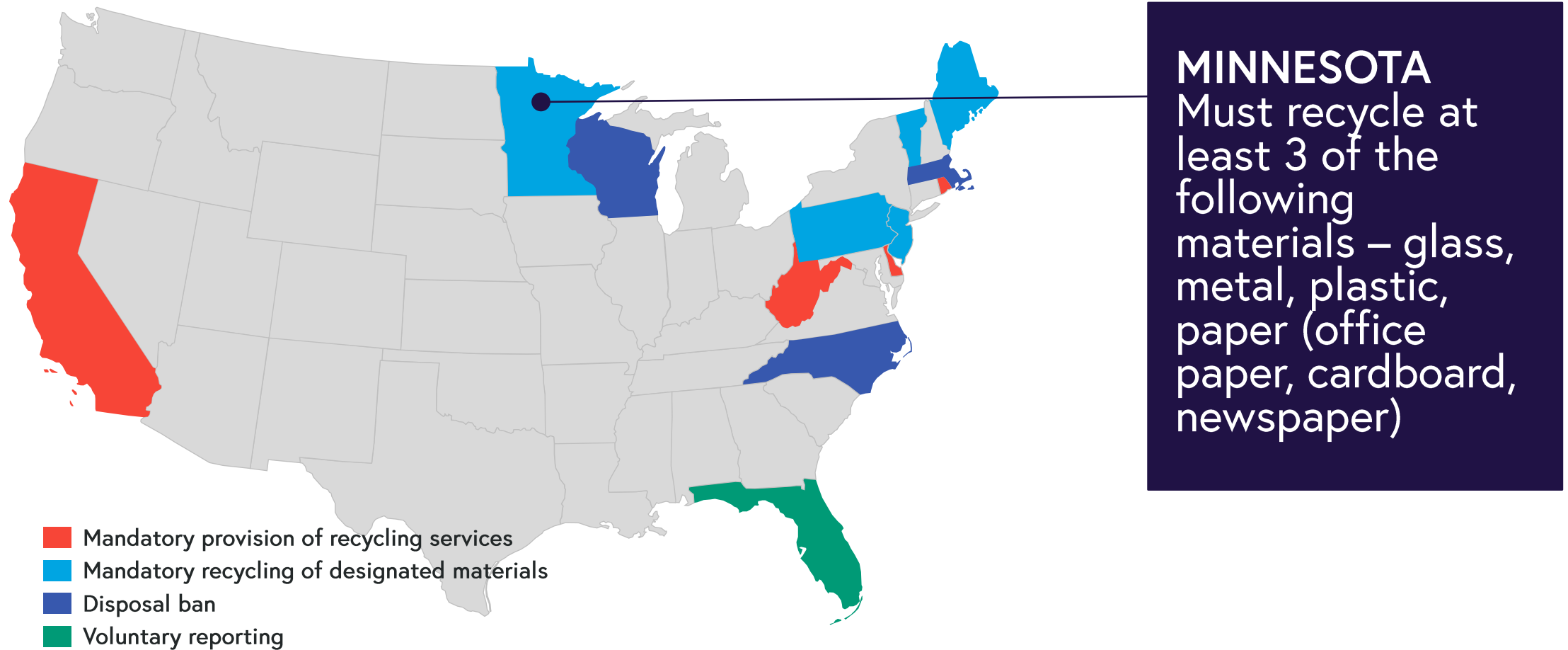
Single-stream / dual-stream

LOCATIONS WITH COMMERCIAL RECYCLING REQUIREMENTS

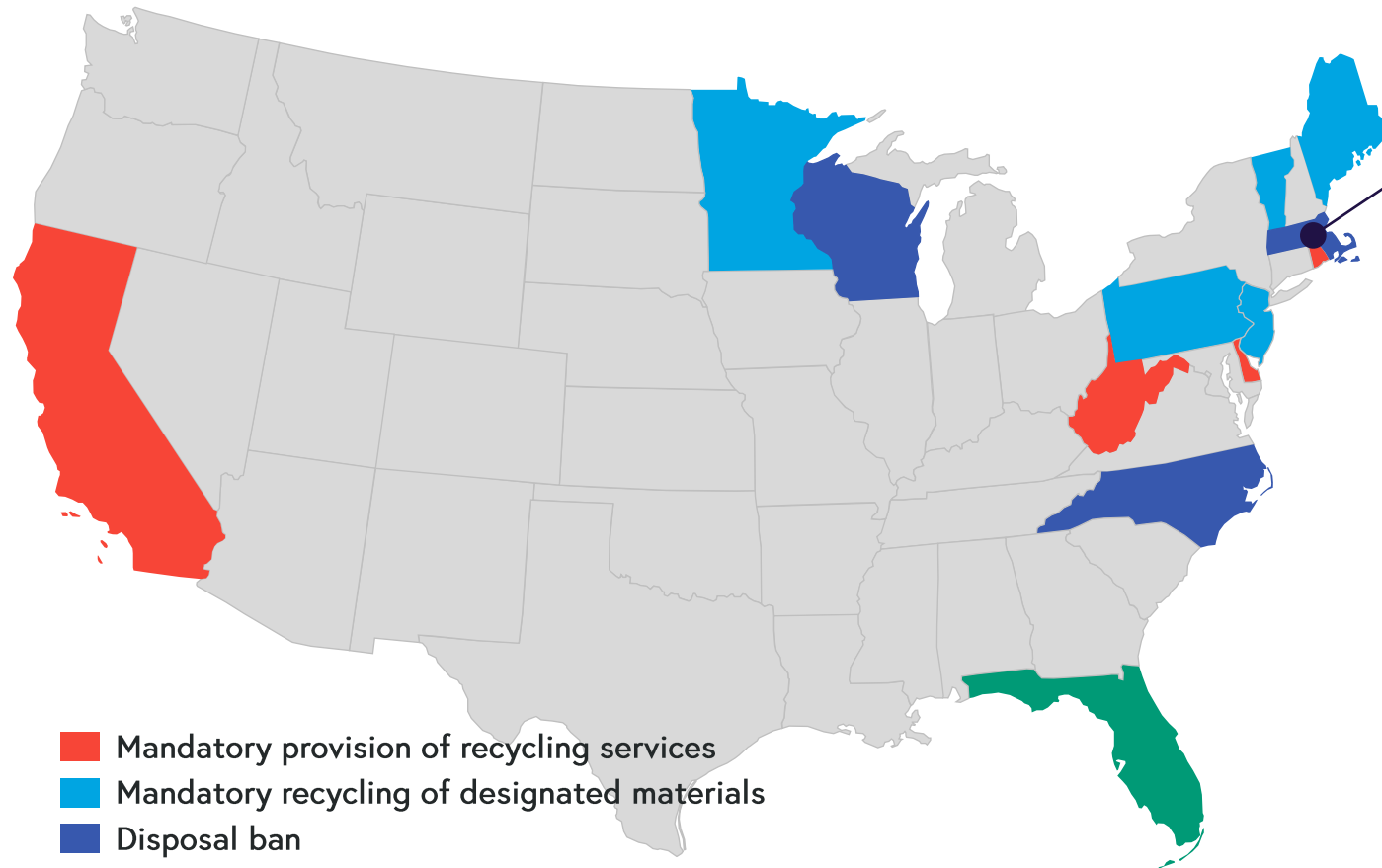


Disclaimer: Map may not be complete representation of existing state and local level policy. Last updated 12/2019.

EXAMPLE: MINNESOTA'S PICK 3 LAW

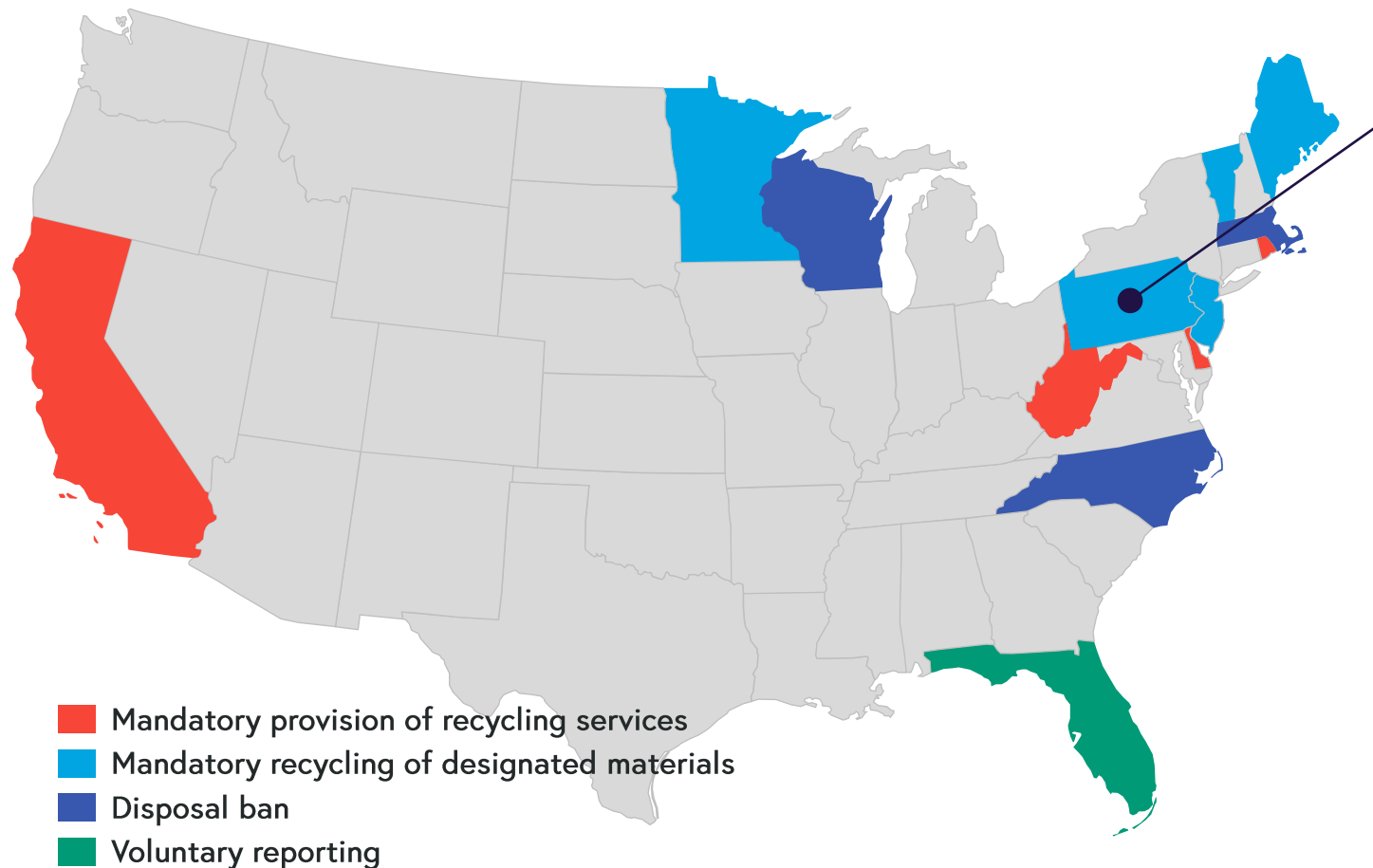


EXAMPLE: MASSACHUSETTS' DISPOSAL BAN



MASSACHUSETTS
Disposal ban on ferrous and non-ferrous metals, glass containers, metal containers, recyclable paper cardboard and paperboard, single-resin narrow-necked plastic containers, and white goods

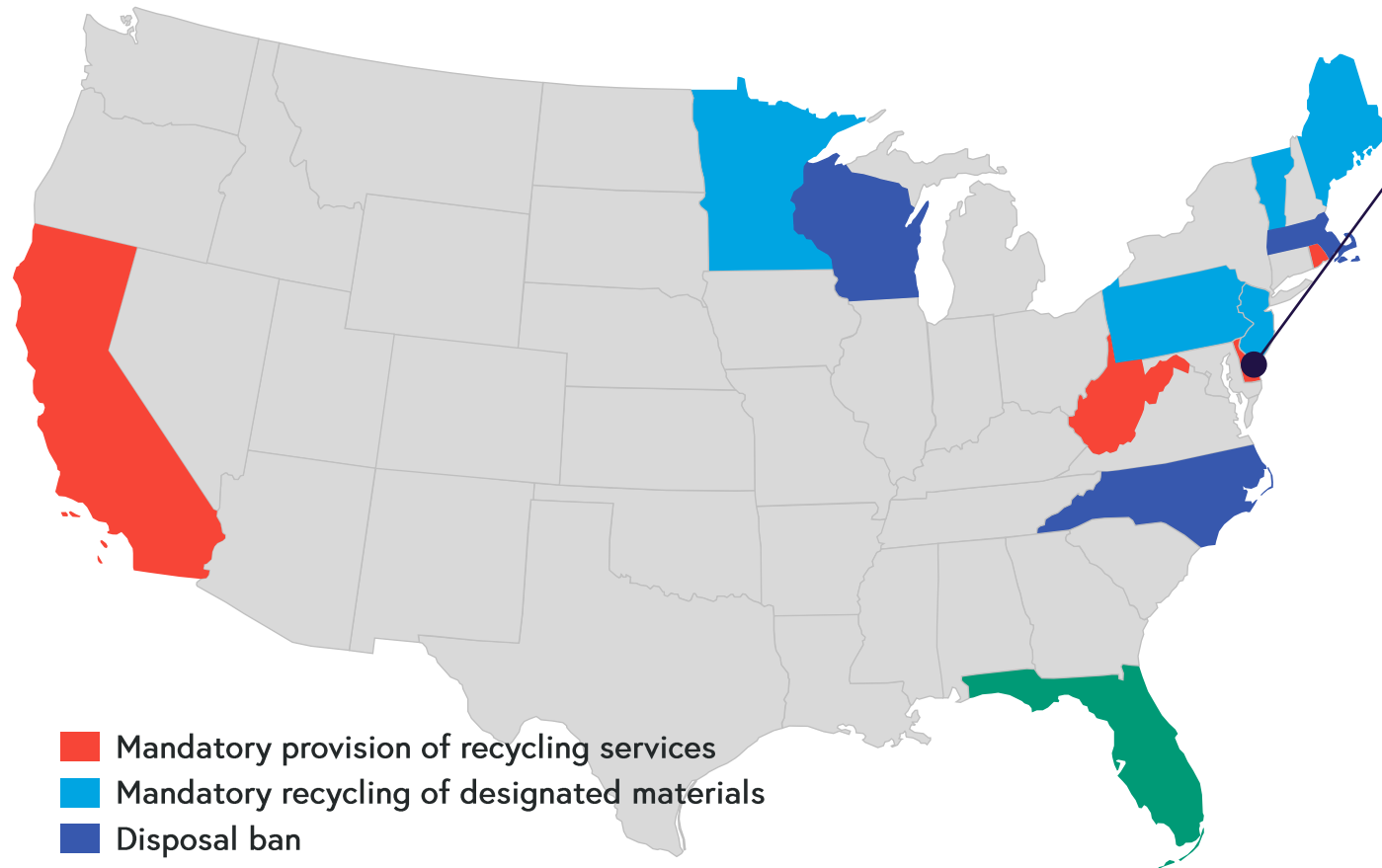
EXAMPLE: PENNSYLVANIA'S JURISDICTIONAL REQUIREMENT



PENNSYLVANIA

Municipalities with populations >10,000 and municipalities with populations of >5,000 and a population density >300 people/sq. mile must implement ordinances that require commercial establishments to recycle high grade office paper, aluminum, and corrugated paper. Municipalities may require additional materials to be recycled.

EXAMPLE: DELAWARE'S UNIVERSAL RECYCLING LAW



- Mandatory provision of recycling services
- Mandatory recycling of designated materials
- Disposal ban
- Voluntary reporting

DELAWARE

1. Waste haulers are prohibited from comingling refuse and recycling.
2. Businesses, schools, not-for-profit, and government services are required to participate in a comprehensive recycling program.
3. Property managers must ensure that recycling services are available for tenants.
4. Commercial customers must conduct annual reviews of their waste stream.

RETAIL IMPACTS

- Retail operations
 - Onsite waste handling practices
 - Hauler contracts
 - Backhauling logistics and material aggregation practices
- Products used, bought, and sold

COMMON CHALLENGES FACED BY RETAILERS



Lack of harmonization



Implementation hurdles



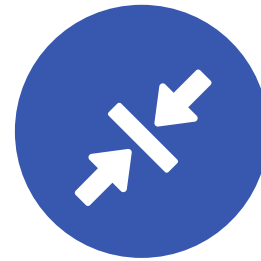
Customer participation



Contamination



Landlord situations



Space constraints



Lack of data

LIVE POLL #1

WHAT DO YOU SEE AS THE MOST CHALLENGING ASPECT OF MANDATORY RECYCLING?

- Company-wide buy-in
- Lack of harmonization across jurisdictions
- Costs (e.g., equipment, staff training, and hauling)
- Hauler negotiations and/or finding a hauler that accepts all mandated materials
- Other

LIVE POLL #2

WHAT SOLUTIONS HAS YOUR ORGANIZATION PURSUED?

- Seeking implementation support/resources from municipal recycling departments
- Collaborating with joint industry initiatives
- Auditing retail waste to understand recyclables available for diversion
- Backhauling and consolidation of recyclables
- Marketing recyclables directly to end markets
- Incentivizing stores to recycling (through performance or other means)
- Modifying product/packaging/supplies purchasing practices to eliminate or minimize waste
- Other

How are retailers overcoming challenges?

OPEN DISCUSSION



MARISA ADLER

Senior Consultant

914.714.3673

MADLER@RECYCLE.COM

UPCOMING RCC RESOURCES



WEBINAR

[Retail Donation Programs](#)

April 29th at 3 PM



FACT SHEET

Bans on Single-use Plastics

DATE TBD



BLOG POST

Pre-emption Status of Plastic Bag
Legislation

DATE TBD



[Tell Us What You Need](#)

THANK YOU