



# RETAIL INDUSTRY LEADERS ASSOCIATION

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*Via e-mail: [ORCRMMeasurement@epa.gov](mailto:ORCRMMeasurement@epa.gov)*

ATTN: Swarupa Ganguli, Lead Environmental Protection Specialist,  
Office of Resource Conservation and Recovery  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue NW,  
Washington, D.C. 20460-0001

**Re: Potential Measures for Developing National Recycling Rate, *EPA-HQ-OLEM-2020-0443*  
(Jan 7, 2021)**

Dear Ms. Ganguli:

The Retail Industry Leaders Association (RILA) appreciates the opportunity to submit comments on the U.S. Environmental Protection Agency's (EPA's or Agency's) Potential Measures for Developing a National Recycling Rate (hereinafter "Potential Recycling Rate Measures").

By way of background, RILA's members include the largest and most innovative retailers. The retail industry employs over 42 million Americans and accounts for \$1.5 trillion in annual sales. RILA and its member companies strongly support the mission and goals of the EPA to protect human health and the environment, including the Agency's efforts to increase the U.S. recycling rate to 50% by 2030. Retailers are at the forefront of innovation around waste reduction and promoting circular economy principles. Reflecting the retail industry's commitment to these issues, RILA is a proud signatory to the America Recycles pledge.

EPA's Potential Recycling Rate Measures are a good first step in identifying key data points to consider when calculating the national recycling rate. However, more context and background information are necessary to provide well-rounded recommendations on potential measurement categories. For example, EPA should provide more background on how it decided upon the goal of increasing the recycling rate to 50% by 2030.

RILA appreciates the opportunity to review the Potential Recycling Rate Measures that the EPA has outlined. RILA's preliminary input on the Potential Key Measurement Scoping Categories along with additional recommendations for the EPA to consider are detailed below.

## 1. RILA Comments on Potential Key Measurement Scoping Categories

### a. Potential Measurement Category I – Sources of Recyclable Material

RILA supports inclusion of all recyclable material sources listed in EPA's Potential Recycling Rate Measures proposal (e.g., residential homes, commercial establishments, industrial materials, etc.) in the calculation of the recycling rate. At this time, RILA has no further recommendations on additional sources of recyclable material that EPA should include.

### b. Potential Measurement Category II – Material Streams

Similarly, RILA supports inclusion of all material stream sources listed in the Potential Recycling Rate Measures proposal (e.g., appliances, batteries, e-waste, food/organics, etc.) in the calculation of the recycling rate. At this time, RILA has no further suggestions on additional material streams that EPA should include.

### c. Potential Measurement Category III – Material Management Pathways

RILA has several recommendations regarding EPA's inclusion of additional material management pathways in its Potential Recycling Rate Measures for calculating the National Recycling Rate.

- **Recycling vs. Landfill Diversion:** While the management pathways EPA has outlined in its Potential Recycling Rate Measures (e.g., composting, land application, donation, etc.) all support landfill diversion, it may be inaccurate to also include them in calculating a recycling rate since the definition of recycling refers to a commonly understood process. To avoid confusion, RILA recommends that EPA separately track a recycling rate and landfill diversion rate (the latter could include the recycling rate as well as the materials management pathways that EPA includes in its Potential Recycling Rate Measures).
- **Rate Sub-Categories:** EPA should focus first on collecting and publishing quality data for well-defined, high level recycling and landfill diversion rate sub-categories where possible, which, for example, could include reuse (e.g., repair, resale, donation, refurbishment, remanufacturing) and reapplication (e.g., composting, anaerobic digestion, bio-based materials, animal feed, land application) among others. Similarly, EPA should also publish all data collected around individual material streams' recycling and diversion rates.

## 2. Additional Recommendations

In addition to the recommendations regarding specific recycling measurement categories discussed above, RILA has the following additional recommendations we ask the EPA to consider when finalizing its Potential Recycling Measures.

First, RILA recommends that EPA consider recycling in combination with waste avoidance, reduction, and full waste management systems to enable a more circular economy. When

determining a national recycling rate, it is important for EPA to keep in mind that the recycling rates will fluctuate due to factors like recycled material commodity market prices and demand variation. Therefore, designing an item for recyclability can be a moving target for manufacturers. As a supplement to the recycling rate goal, RILA recommends developing long-term circularity research and goals for commodities so that manufacturers may focus upstream on material types for their future designs to enable circularity, which would include recyclability considerations.

Second, EPA should not place responsibility solely on retailers and manufacturers to increase recycling rates. For this effort to truly succeed, collaboration and responsibility to drive up the recycling rates must be shared across all stakeholders, including waste generating businesses and consumers, waste haulers and recyclers.

Third, to the degree possible, the recycling rate research process should provide transparency into the entirety of the recycling supply chain including collection rates, sorting effectiveness, pre-processing success rates, and ultimate rate of return into useful commodities. This transparency will help better identify, for example, whether poor recycling rates for a material are caused primarily by inadequate end user recycling participation, recycling drop off/pick up infrastructure, sorting or reprocessing technology and/or availability of end markets.

Fourth, regarding the information accompanying the rate, its methodology, how to interpret it and other important contextual information, EPA should publish all available information about how to assess the most environmentally beneficial diversion pathway for specific materials. The Agency's Food Recovery Hierarchy is one example of how the Agency has provided useful waste management information to stakeholders. This information could include the citation of available life cycle assessment analyses and accompany other research clarifying how the hierarchy can vary by region and infrastructure availability, including identifying research gaps.

## Closing

RILA appreciates the opportunity to provide these brief preliminary comments on key measurement categories for EPA's National Recycling Rate. RILA and its members look forward to playing an active and ongoing role in the dialogue as the Agency moves forward with establishing and implementing its National Recycling Strategy.

If you have any questions or need any additional information, please contact us at [susan.kirsch@rila.org](mailto:susan.kirsch@rila.org) / (202) 866-7477 or [kathleen.mcguigan@rila.org](mailto:kathleen.mcguigan@rila.org) / (202) 869 0106.

Sincerely,



Susan Kirsch  
Senior Director, Regulatory Affairs & Compliance



Kathleen McGuigan  
EVP & Deputy General Counsel