



## **PWIA RESPONSE**

### **DEP's White Paper on Act 101 Program Review**

### **March 2022**

For more than three decades following the passage of Act 101, Pennsylvania's private solid waste and recycling industry has been responsibly operating the vast majority of municipal waste landfills and recycling facilities in the state. The industry has developed safe and reliable waste disposal capacity, while fully complying with and often exceeding rigorous regulatory safeguards.

In the area of recycling in recent years alone, **our industry has modernized the collection and management of recyclable materials, investing more than \$66 million** in state-of-the-art recycling facilities, the latest equipment and technology, along with the employees who collect and process recyclables.

**Responsible waste disposal has a lasting economic and environmental impact.** On behalf of PWIA members who have made extraordinary investments in technology to create a renewable energy source by converting landfill-gas-to-energy, there is not only a positive economic effect, but a valuable social and environmental impact from waste that has been responsibly disposed.

#### **PWIA Response to DEP Recommendations**

- Diversion of organic waste from landfills by funding composting and anaerobic digestion projects.

PWIA supports projects that help to fight hunger in Pennsylvania and reduce food waste, but **our members oppose the diversion of organic waste from landfills where the process supports landfill-to-gas recovery.** Pennsylvania ranks third in the nation for the number of operating Landfill Gas to Energy (LFGTE) projects. PA landfills reduce greenhouse gases by 8.14 million metric tons per year, which is the equivalent to the annual greenhouse gas emissions that occur from 1,490,200 passenger cars. Landfill gas to energy projects should be considered as recycling at landfills. Organics destined for disposal at a waste-to-energy facility should be exempt from organic collection requirements.

- Keep recycling funds in the Recycling Fund.

**PWIA supports the use of recycling funds for their intended purpose.**

- Support smaller, dual-stream and commingled waste recycling facilities.

Given the significant investment by the industry in newer recycling technologies and facilities capable of handling single stream loads, **efforts should be made to encourage - not discourage - single stream recycling.** Technology exists to improve sorting at these facilities and reduce

contamination. DEP should recognize that repurposing materials is the equivalent to recycling, such as the use of glass as alternative daily cover at a landfill instead of a virgin material like soil.

- Create Research and Development grants to invest in emerging technologies.

**PWIA is interested in learning more about these grants** and how they can support our industry's continued investment in emerging technologies.

- Fund regional public Material Recovery Facilities (MRFs) to create competition and increase stability in the cost of processing recyclables.

PWIA members support the goal of universal recycling for all Pennsylvanians. It's important to encourage continued private sector investments that have expanded the accessibility of services and helped to develop end-use markets for recycled materials. Instead of funding public Material Recovery Facilities, an Act 101 update should **require all municipal waste collection providers to also offer curbside recycling services**. Requiring all municipal waste collection service providers to offer curbside recycling services would make recycling available to more Pennsylvania residents and relieve locally mandated municipalities from the burden of maintaining inefficient drop off or collection sites.

- Reinststitute a Waste Planning Section to evaluate new technologies, product evaluations and the consumption of recyclable materials in Pennsylvania.

**PWIA defers to the DEP on this issue.**

- Oversee the development of a comprehensive education program to improve the quality of materials collected.

PWIA members agree that **education is a key component to successful recycling**. Our members have invested heavily in consumer education. We communicate actively with our municipal customers and their residents. PWIA is proud of our partnership with the PA Recycling Markets Center, collaborating on the development of new end use markets and overall public education. We regularly host recycling education events at the Pennsylvania State Capitol to tell the story of our industry's innovation, investment, economic growth and environmental stewardship.

- Expand access to recycling through convenience centers. Ensure all Pennsylvanians have convenient access to all recycling options.

As we stated, PWIA members believe that the best approach to ensuring that all Pennsylvanians have access to recycling would be to require all municipal waste collection providers to offer curbside recycling. **Convenience centers offer a viable option until curbside recycling is available to all Pennsylvanians.**

PWIA members **oppose recommendations to require the collection of all eight mandated materials**. It is important to **allow the curbside recycler to restrict the collection of certain types of recyclables that have no market outlet or that adversely impact the recyclability of collected materials**.

**PWIA opposes efforts to increase fees on municipal solid waste collection and disposal.**

Increases raise the cost of waste disposal for Pennsylvania residents and municipal customers. New or increased tipping fees would raise the cost of services provided to Pennsylvania citizens and businesses. They also reduce waste volumes resulting in a loss of revenue to host municipalities. Losses would affect recycling programs at the municipal level and would negatively impact important statewide environmental programs including the Pennsylvania Recycling Fund and the Growing Greener Environmental Stewardship Fund.

- Modify Act 101 to ensure that companies that manufacture or use packing materials such as foam and film plastic are required to assume the financial and management responsibility of the materials.

**PWIA opposes efforts to institute extended producer responsibility (EPR) for packing materials.** DEP's own experience with electronics recycling via the CDRA has shown EPR programs to be ineffective. Packaging manufacturers and retailers do not have the expertise to implement successful collection programs for these materials. Emphasis should instead be placed on improving existing collection and processing infrastructure for these materials.

**ABOUT PWIA**

The Pennsylvania Waste Industries Association represents the private sector companies that collect and process recyclables and collect and dispose of municipal solid waste in Pennsylvania. We work closely with the National Waste & Recycling Association to advance safe practices in waste collection, processing and disposal. For more information, visit [www.pawasteindustries.org](http://www.pawasteindustries.org).