

# The WRAP Act

Senator Christine Rolfes and Representative Liz Berry

## REDUCE WASTEFUL PACKAGING, MODERNIZE RECYCLING & CREATE NEW JOBS



### THE PROBLEM:

With \$104 million in valuable consumer paper and packaging ending up in our landfills each year, Washington is wasting a tremendous opportunity to create jobs, strengthen local supply chains and economies, and modernize the recycling system.

**Valuable materials are being wasted.** Greater than 50% of Washington's consumer paper and packaging ends up in landfills and incinerators, adding up to over \$104 million in value. Modernization of our recycling system would lead to cleaner materials that could then be made into new products!

**Packaging waste and confusion are growing.** Washingtonians want to recycle but are confused because recycling rules vary across cities and counties. Companies produce excessive packaging are not incentivized to reduce it or use packaging that minimizes environmental impacts.

**Recycling costs are increasing.** More packaging entering our homes has made recycling challenging and costly for local governments to operate – and more expensive for residents. Residents' recycling service bills have increased by up to 30% over the past 5 years.

### THE SOLUTION:

#### Modernize Washington's recycling system.

Create a producer responsibility program in which manufacturers and brands come together to reduce unnecessary packaging and paper, fund statewide recycling services, and ensure that materials are actually recycled.

#### Proven solution around the world.

Companies have been complying with producer responsibility programs in many other countries since the 1990's, with great results.

**Other states have passed similar laws.** California, Colorado, Maine, and Oregon have passed producer responsibility programs for packaging and paper and more states are considering similar laws.

### Benefits

- ✓ **Reduce emissions** and improve our environment by increasing our reuse and recycling rates
- ✓ Make it **easy to recycle** by increasing access, including at apartments and in rural areas
- ✓ **Reduce confusion** and contamination by developing a clear common list of what can be recycled statewide
- ✓ **Save local governments and residents money** by covering costs of recycling programs
- ✓ **Support WA's economy** by building local supply chains and recycling businesses and creating new, green jobs
- ✓ Create financial incentives for companies to **reduce unnecessary packaging** and use greener, more recyclable materials

# Washington Recycling and Packaging (WRAP) Act

## Producer Responsibility for Packaging and Paper Products

The WRAP Act establishes a producer responsibility program that requires consumer product producers to fund statewide residential recycling services for packaging and paper products.

- **Applies to companies that supply to consumers packaging and paper products in Washington:**
  1. Brand owners
  2. Manufacturer, if own brand or lacks brand
  3. Retailers with own brand
  4. Licensee of a brand or trademark
  5. Otherwise, importer or distributor
  - For products sold online, the retailer is responsible for the packaging used to ship the product to the consumer
  - Covers packaging and paper products sold or supplied to consumers for personal use
  - Includes food serviceware such as straws and utensils
- **Does not apply to:**
  - Government agencies and municipalities
  - 501(c)(3) charitable organizations
  - 501(c)(4) social welfare organizations
  - *De minimis* – producers that annually:
    - sell less than one ton of covered product
    - have less than \$5 million in global revenue
  - Books, paper towels and napkins
- **Provides funding for:**
  - Residential recycling via curbside collection and dropoff
  - Collection of recyclables from public places
  - Transportation to processing facilities
  - Processing and marketing of materials
  - Education and outreach that is consistent, multi-lingual and culturally accurate
  - Measuring, verification and reporting of materials
  - Reuse and recycling targets study and needs assessment
  - State oversight by Dept. of Ecology
- **Specifies producer responsibilities:**
  - Must join a Producer Responsibility Organization (PRO)
  - Must participate in, implement and fund a PRO plan approved by the WA Dept. of Ecology
  - Fund all activities of residential recycling and existing public space recycling
  - Redesign packaging to be reusable, recyclable or compostable
  - Remove deceptive or misleading claims about a product's recyclability, e.g., chasing arrows symbol
  - Requires recycled content in roll carts and other plastic containers and products
- **Roles and responsibilities under Producer Responsibility**
  - **Producers** fully fund and coordinate the system
  - **Dept. of Ecology** provides oversight, reviews plans and annual reports and enforces the law
  - **An independent Advisory Council** reviews PRO's plan and performance – advises PROs and Ecology
  - **Local governments** maintain authority – they can continue to provide recycling services, outreach and education
  - **Waste management service providers** continue as haulers and processors (MRFs).
  - **Material Recovery Facilities (MRFs)** report the materials received, inbound/outbound quality and contamination, residuals, emissions and labor metrics.
  - **Producer Responsibility Organizations (PROs):**
    - Submit implementation plans and annual reports
    - Propose and meet approved reuse and recycling targets
    - Determine a statewide harmonized list of items designated to be collected for recycling
    - Create and fund consistent, multi-lingual outreach/education
    - Provide convenient recycling services all across the state - *access to curbside recycling is provided wherever curbside garbage service is available.*
    - Reimburse local governments and service providers for recycling services and cover the costs of state oversight
    - Ensure responsible recycling and transparency of end markets
    - Use economic incentives to encourage packaging design that reduce environmental impacts
    - Invest in infrastructure improvements
- **A Deposit Return System (DRS) for beverage containers may be established:**
  - Beverage distributors join a Distributor Responsibility Organization (DRO)
  - DRO runs the beverage container recycling and reuse system, funded by unredeemed refunds and distributors
  - DRO submits plans and annual reports for review and approval, meets the reuse and recycling rates
  - Consumers pay 10 cents deposit on beverage containers and redeem the 10 cents at drop locations, which are credited to an online account for each consumer
- **Minimum post-consumer recycled content requirements:**

Thermoform clamshells



Tubs



Single use cups



Cannabis packaging



Nursery pots



Roll carts

