

HB

465

Memorandum

To: Rep. Davidson, Chair, House Resources Comm. March 5, 1992

From: Rep. Fran Ulmer

Re: CS for HB 465

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The following changes have been made in HB 465 to address the concerns discussed in the comm. hearing of 3-3-92.

- * The substitute eliminates reference to hazardous waste. This will help reduce costs to DEC while conforming to EPA requirements.
- * The substitute clarifies the wording to limit the plans and goals to only state agencies.
- * The procurement goals for recycled paper products has been made consistent with current procurement standards under existing statute.
- * The Dept. of Admin. shall be responsible for defining the standards for "recycled product" as applied to paper products.
- * The effective dates for the reports has been moved back to July 1, 1993, to accommodate agency concerns the previous time line was too onerous.
- * The DOTPF has been included in Sec. 5, directing them to develop their own purchasing goals.

March 5, 1992

SECTIONAL ANALYSIS - CSHB 465 - PROCUREMENT OF RECYCLABLES

* Section 1. Legislative Findings and Purposes.

Subsection (a) That unrelated countries around the world are forging cooperative agreements to increase the economic competitiveness of their economies, and that five Northwest states and two Canadian provinces, the Pacific Northwest Economic Region (PNWER), can adopt purchasing standards for recyclable products which will increase the marketability of these products.

Subsection (b) To substantially increase the purchase of recycled products which will increase the market potential for those products and substantially affect the states waste management problems, and develop standards that are compatible with the other members of PNWER.

* Section 2. Amends AS 36.30 to add a new section (36.30.075)

Subsection (a) requires the Department of Transportation and Public Facilities to develop for itself, and the Department of Administration for all state agencies except for DOTPF, a plan to increase the purchase of certain recycled products.

Subsection (b) requires the plan to have minimum purchase goals, expressed as a percentage of the total dollar amount of purchases by state agencies.

Subsection (c) requires that the plan for purchasing recycled paper products be consistent with AS 36.30.095

Subsection (d) defines the standards for the purchase of motor oil products.

Subsection (e) defines the standards for the purchase of retread tires, and provides for the exception of certain emergency vehicles.

Subsection (f) requires that the plan include efforts to eliminate the purchase of paper products that cannot be recycled.

Subsection (g) defines the terms "plan", "recycled product", and "retread tire."

* Section 3. Amends AS 46.06 to add a new section (AS 46.06.025)

Subsection (a) requires the Dept. of Environmental Conservation to develop a statewide plan to manage solid waste generated by state agencies, and to consult with the affected state agencies. The plan must be consistent with AS 46.06.021.

Subsection (b) requires the plan to identify the characteristics of recyclable materials in the waste stream and their present destination.

Subsection (c) requires the plan to include an evaluation of those recyclable materials that can be used for trade in the state and in the PNWER.

Subsection (d) requires the plan to be updated every two years.

Subsection (e) requires the director of the court system to adopt a solid waste management plan, consistent with (a) - (d) of this section.

Subsection (f) requires the legislative council to adopt a solid waste management plan, consistent with (a) - (d) of this section.

Subsection (g) defines "plan" and "state agency."

* Section 4. Market Development Report.

Subsection (a) directs the Department of Commerce and Economic Development to submit a report to the legislature by January 1, 1993 on ways the state can encourage development of markets for recycled products.

Subsection (b) requires the report to have an analysis on the role procurement preferences can play in the development of recycled markets.

Subsection (c) requires the Commissioner of C&ED to consult with the Dept. of Admin. and Dept. of Environmental Conservation when preparing this report.

* Section 5. requires the Department of Administration and the Department of Transportation and Public Facilities to adopt minimum purchasing requirements required by AS 36.30.075(b), section 2 of this Act, by January 1, 1993.

CANADIAN ENVIRONMENTAL CHOICE GUIDELINES

In 1988, Environment Canada, the national environmental agency, developed the Environmental Choice Program. This program is completely voluntary and is targeted to manufacturers and consumers. Products that meet the guidelines of the program are identified by the manufacturer through the use of an "ecologo symbol," and consumers may choose to buy products marked by this logo. Products must meet or exceed all Canadian governmental and industrial safety and performance standards, and all steps in the transport, manufacture and waste disposal during production of the product must meet the requirements of the Canadian Environmental Protection Act as well as the requirements of all other applicable regulations and policies.

Guidelines for at least 15 product categories have been finalized. Those guidelines relevant to recycled product procurement include:

1. Re-refined lubricating oil: 50 percent by volume re-refined oil in the base stock and less than 5ppm of chlorinated compounds and less than 25ppm metals.
2. Construction materials made from wood-based cellulose fiber: 100 percent of the fiber content of thermal insulation material must be post-consumer fiber.
3. Recycled plastic products: Construction materials must be 60 percent post-consumer plastic by weight. All other categories must be comprised of at least 90 percent post-consumer plastic by weight.
4. Fine paper made with recycled fiber: At least 50 percent by weight of recycled paper, of which at least five percent must be post-consumer fiber.
5. Miscellaneous products made from recycled paper: At least 50 percent by weight of recycled paper, of which at least five percent must be post-consumer fiber. This category currently includes only hobby and craft forms (e.g. components in handicraft work), but other sub-categories are expected to be added in the future.
6. Newsprint from recycled paper: Over 40 percent by weight of recycled paper, a minimum 25 percent of which must be old newspaper.

The Guidelines also cover cloth diapers, heat recovery ventilators, water based paints, solvent based paint, zinc air batteries, ethanol-blended gasoline, composting containers, diaper services, and reusable shopping bags.

Under review or awaiting final approval are energy efficient major appliances and lamps, sanitary paper made from recycled paper, detergents, non-rechargeable batteries, water-conserving products, and compost.

Copies of the guidelines can be obtained from:

Jack Poon or Ahmad Hussein
Canadian Standards Association
178 Rexdale Blvd.
Rexdale, Ontario, M9W 1R3
416-747-4000

FEDERAL PROCUREMENT POLICIES FOR THE UNITED STATES

U.S. Environmental Protection Agency *Procurement Guidelines for Government Agencies* (EPA/530-SW-011, December 1990).

The following five guidelines apply to all federal, state, and local procuring agencies using appropriated federal funds, as well as to the contractors of these agencies. The guidelines apply only if the agency or contractor purchases more than \$10,000 worth of the specified item.

1. Paper and Paper Products (40 CFR part 250, 53 FR 23546 June 22, 1988):

<u>Product Type</u>	<u>Minimum Content Standard</u>
Newsprint	40% Post-consumer (pcn) recovered materials
Most types of high grade bleached printing & writing paper*	50% waste paper
Toilet tissue	20% pcn recovered materials
Paper Towels	40% pcn recovered materials
Paper napkins	30% pcn recovered materials
Facial tissue	5% pcn recovered materials
Doilies	40% pcn recovered materials
Corrugated boxes	35% pcn recovered materials
Fiber boxes	35% pcn recovered materials
Brown papers (e.g. bags)	5% pcn recovered materials
Recycled paperboard products	80% pcn recovered materials
Pad backing	90% pcn recovered materials

*Does not include paper for high speed copiers, form bond, or cotton fiber papers.

2. Lubricating Oils Containing Refined Oil (40 CFR Part 252, 53 FR 24699, June 30, 1988): Procuring agencies must "require the use of re-refined oils to the maximum extent possible without jeopardizing the intended end use of these items." Specific types of lubricating oils, hydraulic fluids, and gear oils are recommended.

3. Retread Tires (40 CFR Part 253, 53 FR 46558): Requires that agencies use retread tires to the maximum extent possible, and that agencies eliminate requirements that tires be manufactured from virgin materials.

4. Building Insulation Products Containing Recovered Materials (40 CFR Part 248, 54 FR 7328, February 17, 1989): Paper fibers can be used in cellulose loose-fill and spray-on insulation, as well as in perlite composite board. Mixed color waste-glass can be used in producing fiberglass insulation. Plastic rigid foams can reuse glass cullet as well as post-consumer PET. Some rock wool manufacturers use aluminum potliners as a fuel substitute and fluoride source.

<u>Material Type</u>	<u>Percent by Weight</u>
Cellulose loose fill & spray on	75% pcn recovered paper
Perlite composite board	23% pcn recovered paper
Plastic ridge foams:	
Polysocyanurate/polyurethane:	
Rigid foam	9% recovered material
Foam-in-place	6% recovered material
Glass fiber reinforced	6% recovered material
Phenolic rigid foam	5% recovered material
Rock wool	50% recovered material

5. Cement and Concrete Containing Fly Ash (40 CFR Part 249, 48 FR 4230, January 28, 1983): Allows agencies flexibility in developing their own policies, but encourages fly ash to be used as an ingredient in concrete and cement.

SHB 1671 (Waste Not Washington), April 18, 1989

Section 53. Encourages city, county, local and other government offices to purchase recycled products. Requires state agencies to set an example by increasing purchase of recycled paper products by 50% by July 1993. (This simply means that if a department were purchasing recycled paper as 10 percent of its total paper purchases, by 1993 recycled paper would have to comprise 15 percent of the department's total paper purchases)

This same act allows state agencies to pay more for recycled products, at a limit specified by the Director of General Administration.

Contact: Lee Mitchell
Washington State Department of Ecology,
Division of Waste Reduction, Recycling, and Litter Control
206-438-7773

Administrative Rule: Price Preference: In December of 1990, the Department of General Administration ruled that state agencies and institutions could give up to a 10% price preference to products with recycled content. The amount of preference varies according to how the product contents meet EPA guidelines. If no guidelines exist for a specific product, then the state agency sets a percentage of recycled content when asking for bids, and that percentage can be no less than 15 percent.

Contact: Don Johnsen
Procurement Officer, Department of General Administration
206-753-6473

Other Regional Efforts

FOURTEEN STATE PAPER-BUYING COALITION

In an effort funded by the EPA, the purchasing divisions from 14 Western states, including Alaska, Idaho, Montana, Oregon, and Washington, plan to combine purchasing of recycled paper products to help stimulate demand for the products. The second meeting of the coalition will be in late January, to discuss specifications and further details.

Contact: Kay Hawley
Washington Office of State Procurement
206-753-0540

ORS 279.735. Department of General Services rules for recycling: The Department of General Services shall adopt rules that establish procedures for the separation of solid waste generated by state agencies that can be recycled or reused, and establish a system for the collection of that waste. All state agencies shall comply with these procedures and systems.

ORS 297.737. Encouragement of paper conservation: The Department of General Services shall encourage paper conservation by providing guidelines to state agencies and state contractors on the availability of recycled paper and paper products, including the sources of supply and the potential uses of various grades of recycled paper.

ORS 279.739. Preference for Purchase of Recycled Materials: Any public agency charged with the purchase of materials and supplies may, in its discretion, give a price preference of up to five percent to the purchase of materials and supplies manufactured from recycled materials. For these purposes, recycled material means any material that would otherwise be a useless, unwanted or discarded material except that it still has useful physical or chemical properties after serving a specific purpose and can, therefore, be reused or recycled.

ORS 468.967-969. Restrictions on non-recyclable, non-biodegradable food service products: State agencies and their subcontractors may not use food service products made out of plastic, polystyrene or other materials if those materials are non-biodegradable or non-recyclable. Exceptions are permitted only if the state's Department of Environmental Quality certifies that a viable recycling program exists or that there is no recyclable substitute available.

In addition, Administrative Order 125-30-030 requires agencies to purchase recycled paper if it falls within the five percent recycled product preference.

Contact: Byron Thompson
Purchasing Analyst
503-373-1467

WASHINGTON

Washington law contains the following provisions dealing with recycling and procurement of recycled materials:

RCW 43.19.538. Agency Procurement of Recycled Products: The Director of General Administration is required to develop specifications and adopt rules for buying recycled products based on recycled content information. Bidders must certify a range of recycled material content, which may be stated in 15% increments.

Directory of Recycled Product Vendors: A directory shall be developed by the Director of General Administration.

Preferential Purchases of Recycled Products: Nothing in state law shall preclude other levels of government (e.g. cities, counties) from allowing the preferential purchase of recycled or reused products.

RCW 43.19.1911. Life Cycle Costing: The "lowest responsible bidder" can be qualified by using "life cycle costing" if it results in the lowest total cost to the state and complies with specifications. "Life cycle cost" means the total cost of an item to the state over its estimated useful life, including operation, maintenance, and disposal, as far as these costs can be reasonably determined.

MONTANA

In early 1990, the Governor of Montana designated June 1990 as Montana Recycling Month and launched a one-year recycling pilot program for used paper. Under the direction of the Montana Department of Natural Resources and Conservation (DNRC), the program will collect used computer paper, photocopy paper, and white bond throughout the state capitol complex. The pilot program will build on successful recycling efforts already in place within individual agencies.

The DNRC will develop, implement and evaluate the pilot program using existing staff and financial resources. At the conclusion of the test period, DNRC will recommend whether to continue paper recycling on a permanent basis, and will consider other recycling possibilities within state government operations.

Contact: Peggy Nelson (paper recycling project only)
Energy Education Specialist, DNRC
406-444-6697

OREGON

Oregon law contains the following provisions dealing with recycling and procurement of recycled products:

ORS 279.729. Standards for paper used by state agencies: The Department of General Services shall establish specifications for paper used by state agencies requiring the highest percentage possible of the total paper purchased by the department in any fiscal year to be recycled paper or paper in the same grade most nearly meeting the definition of recycled paper. The department shall also make available, through its purchasing procedure, in all grades where it can be obtained, recycled paper or paper in the same grade most nearly meeting the definition of recycled paper.

ORS 279.731. Definition of recycled paper: As used in related Oregon laws, recycled paper means a paper product with not less than 1) 50 percent of its total weight consisting of secondary waste materials; or 2) 25 percent of its total weight consisting of post-consumer waste.

ORS 279.733. State agencies' duties regarding purchase and use of recycled material: All state agencies purchasing supplies, materials, equipment or personal services shall, wherever economically feasible:

1. review their procurement specifications to eliminate discrimination against the procurement of recycled materials.
2. provide incentives in all procurement specifications for the maximum possible use of recycled materials.
3. develop purchasing practices which assure purchase of materials which are recycled or may be recycled when discarded.
4. establish management practices which minimize the volume of solid waste generated by limiting the amount of materials consumed and discarded.
5. use, and require persons with whom they contract to use, recycled paper.

have direct access to the manufacturer without going through the usual requisition channels. This makes it easier for ministries to acquire the approved recycled products at previously negotiated prices.

The Purchasing Commission has set a target that 60 percent of the paper used in B.C. government will be comprised of 40 percent post-consumer waste by 1998. 20 percent of the Province's 1,000 car vehicle fleet uses re-refined oil. Additionally, in accordance with Canada's National Packaging Protocol, British Columbia informs bidders that "The Province of British Columbia is anxious to identify opportunities to utilize recyclable or reusable packaging as a means to reduce the impact upon the environment, and will consider this aspect in its bid evaluations."

Contact: Noel Reeves
Purchasing Commission, British Columbia
604-389-3384

IDAHO

In March of 1990, the Idaho Legislature adopted House Concurrent Resolution No. 36, encouraging the initiation of a solid waste reduction program within state government and throughout the state. The goal of the program is to reduce the amount of solid waste consigned to landfills by 25 percent within five years. The resolution recommends the following steps:

1. The State Board of Health and Welfare is encouraged to develop an educational program for the public schools to show the need for reductions in solid waste generation.
2. The Idaho Water Resources Board is encouraged to develop programs to utilize solid waste in energy production.
3. The Department of Administration is encouraged to develop programs for implementation through all of the state agencies to recycle as much solid waste generated by those agencies as is economically feasible.
4. Political subdivisions of Idaho are encouraged to implement local solid waste management programs, including solid waste recycling.
5. The State of Idaho, its agencies and its political subdivisions are encouraged to use recycled products and materials in the delivery of state and local government services to the greatest extent possible.
6. State agencies shall report their progress in reducing solid waste to the Governor and Legislature for three years.

Contact: Coleen Grant
Administrator, Division of Purchasing
208-327-7465

5. require agency staff to become familiar with pertinent waste reduction and recycling practices and to identify opportunities to implement them at their job locations.

Contact: Bob Link
Director, Division of General Services
907-465-2253

ALBERTA

The Province's purchasing standards and specifications are currently being revised to reflect the interest in stimulating recycled products markets. As of yet, however, Alberta has no formal procurement policy concerning recycled goods. The province recently established an Environmentally Responsible Products and Practices Committee, and is expecting to do more "green product" procurement under a proposed waste-minimization and recycling program. Details of the program are not yet available.

The Public Works, Supply and Services Department and Alberta Environment buy only recycled paper products, while the other provincial agencies are encouraged to choose recycled product alternatives. Recycled paper, as outlined in Canada's "Environmental Choice Guidelines," is constituted by a minimum of 50 percent post-consumer and post-commercial waste, at least five percent of which must be post-consumer waste paper. The following products are, or will soon be, purchased for government departments as alternatives to non-recycled products:

- o general purpose paper for bond and photocopy purposes.
- o business cards, envelopes (16 types), letterhead paper, file folders, paper pads, single-part forms, paper towels.
- o retreaded and recapped tires for trucks and equipment.
- o re-refined oil for automobile fleets.
- o recharged toner printer changes for desktop laser printers.

In addition, departments are encouraged to purchase reusable coffee cups, organic industrial oil absorbent, plain paper fax machines, and double-sided photocopiers.

Contact: Ray Keroack
Alberta Public Works, Supply, and Services Department
403-427-0681

BRITISH COLUMBIA

British Columbia's Purchasing Commission Act was amended in June of 1990 and now commits the commission to increasing the supply of and demand for recycled products and encouraging economic growth and development in recycling and related industries. The B.C. Purchasing Commission chairs Canada's National Ministers of Procurement Committee on Environmentally Sound Purchasing. This committee has drafted a set of common principles of environmentally sound procurement, but has not specified procurement guidelines.

The province's purchasing commission is currently developing Master Standing Offers (MSO's) for products containing recycled material. Once a specific product has been added to the MSO, ministries

**PACIFIC NORTHWEST STATE AND PROVINCIAL
RECYCLING AND PROCUREMENT POLICIES**

ALASKA

Alaska law contains the following provisions dealing with recycling and procurement of recycled materials:

AS 36.30 (as amended June 21, 1990). Agency Procurement of Paper: When a state agency purchases paper, at least 15 percent of the quantity purchased must be recycled paper. As of July 1, 1994, the percentage will increase to 25 percent. Exceptions are permitted when recycled paper is not available for the purchase or, after application of a five percent recycling preference, the recycled paper is more expensive than non-recycled paper.

Procurement Preference for Recycled Products: In the evaluation of a bid or proposal for an agency procurement of products, the agency shall decrease the bid or proposal by five percent if the products to be purchased are recycled products. (For procurement of recycled paper products under this section, minimum content standards are those recommended by the EPA).

AS 44.68 (as amended June 21, 1990). Disposition of Obsolete or Surplus State Property: The State Department of Administration shall take possession of obsolete or surplus state property that is recyclable, and shall also take possession of recyclable property remaining in control of a commission or board of the state government after the commission or board stops functioning. The Department of Administration shall sell, lease, license, or dispose of the property on the terms it considers in the best interests of the state. Recyclable property means property that cannot be used for its intended purpose in its present form, but that can be used to create new property.

AS 44.99 (as amended June 21, 1990). Use of Paper: State agencies shall use both sides of paper when feasible.

Waste Reduction and Recycling Task Force: A Waste Reduction and Recycling Task Force is created within the Office of the Governor to 1) identify opportunities in state government to reduce waste, increase the reuse or recycling of materials, and promote the purchase of materials that are made of materials that have been recycled, and 2) design plans to implement those opportunities. The task force shall report those opportunities and plans to the state legislature in April 1991 and April 1992, at which point the task force is terminated.

In addition, Administrative Order #119, issued by the Governor of Alaska in early 1990, directs state agencies to explore opportunities and implement plans to reduce, recycle, and reuse their wastes, and purchase materials made from recycled products. Specifically, departments and agencies were directed to:

1. appoint an individual to serve as the department's waste reduction and recycling liaison.
2. encourage and authorize the purchase and substitution of products or processes that reduce the amount of toxicity or waste produced.
3. encourage and authorize the purchase of equipment to recycle or beneficially use wastes.
4. encourage and authorize the purchase of products made from recycled materials, particularly paper products.

ANALYSIS - HB 465

The funds requested will be used to create a new full time Environmental Specialist III position in the Solid and Hazardous Waste Management Section. The new employee will work with all State agencies to plan for solid and hazardous waste management and implement the plans. Additional funding for contractual services is also requested. The selected contractors will collect technical information about the waste generation rates and composition of solid and hazardous waste generated by State agencies. Contractual services funds requested for future fiscal years are to provide plan updates as required by the bill.

Comments on the bill:

1. Our comments and fiscal note reflect only Section 46.06.025. The Procurement Recycling Plan would appear to be the responsibility of the Department of Administration.
2. Page 4, lines 10 and 16 imply that the plan applies to all wastes, not just those that are generated by State agencies. Our fiscal note assumes that we are preparing a management plan just for State agency generated wastes.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 465

Revision Date: 2/12/92 Department Affected: Environmental
 Title: Relating to Recycling and the Conservation
Management of solid waste BRU: Environmental Quality
 Sponsor: Ulmer, Davis Component: Solid and Hazardous Waste section
 Requestor: _____

COMPONENT SERIAL NO.

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	60.00	63.00	66.00	69.00	72.00	75.00
TRAVEL	5.00	5.00	5.00	5.00	5.00	5.00
CONTRACTUAL	208.00	8.00	58.00	8.00	58.00	8.00
SUPPLIES	1.00	1.00	1.00	1.00	1.00	1.00
EQUIPMENT	5.00	5.00	5.00	5.00	5.00	5.00
LAND&STRUCTURES						
GRANTS,CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	279.00	82.00	135.00	88.00	141.00	94.00

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	279.00	82.00	135.00	88.00	141.00	94.00
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	279.00	82.00	135.00	88.00	141.00	94.00

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

Estimate of current year impact:

ANALYSIS: (Attach a separate page if necessary.) <p style="text-align: center;">See Attached</p>

Prepared by: Glenn Miller
 Division: Solid and Hazardous Waste

Phone: 465-5150
 Date: 2/28/92

Approved by Commissioner: *Janet J. Miller*
 Agency: Environmental Conservation

Date: 2/28/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

7-LS1560G ✓
Bannister
3/4/92

CS FOR HOUSE BILL NO. 465 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES ULMER, B.Davis, Brown, Koponen, Finkelstein

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to recycling and the management of solid waste by state agencies."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. LEGISLATIVE FINDINGS AND PURPOSES. (a) The legislature finds that

4 (1) a global economy is emerging in which otherwise unrelated countries and other
5 governmental entities that are located in the same geographic region are forging cooperative
6 arrangements that benefit their individual and common well-being;

7 (2) these cooperative arrangements are increasing the economic competitiveness of the
8 participants, which increases the economic benefits and the overall quality of life for the citizens of the
9 individual participants;

10 (3) the states of Alaska, Idaho, Montana, Oregon, and Washington, and the Canadian
11 provinces of Alberta and British Columbia are in a strategic position to cooperate in adopting standards
12 for the procurement of recycled products, and this cooperation would increase the overall market effect
13 of the standards each state or province adopts.

14 (b) The purposes of this Act are to

1 (1) substantially increase the procurement of recycled products by state governmental
2 agencies and to provide a model to encourage a comparable commitment by individual citizens and
3 businesses of the state;

4 (2) direct government procurement policies and goals toward the procurement of those
5 recycled products for which markets can be developed or that substantially affect the state's waste
6 management problems; and

7 (3) establish recycled product procurement standards that can be used in procurement
8 programs by all state government agencies and that are consistent with those of other states and
9 provinces in the Pacific Northwest economic region of the United States and Canada.

10 * Sec. 2. AS 36.30 is amended by adding a new section to read:

11 Sec. 36.30.075. PROCUREMENT RECYCLING PLANS. (a) The Department of
12 Transportation and Public Facilities shall establish for itself, and the department shall establish
13 for all state agencies other than the Department of Transportation and Public Facilities, a plan
14 to increase the procurement of recycled products when an agency procures plastic products, motor
15 vehicle lubricants, tires, latex paints, paper products, and compost products.

16 (b) The plans must include minimum procurement goals for procuring recycled products
17 when procuring plastic products, motor vehicle lubricants, and latex paints. The goals must be
18 expressed as a percentage of the annual total dollar amount expended by an agency to procure
19 the particular product.

20 (c) The goals of the plans for the procurement of recycled products for paper products
21 must be consistent with AS 36.30.095.

22 (d) The plans may not require the use of a recycled product for a motor vehicle lubricant
23 if the recycled product

24 (1) is not available within a reasonable period of time or in quantities necessary
25 to meet the needs of the procuring agency;

26 (2) does not meet the performance standards recommended by the manufacturer
27 of the equipment or vehicle for which it will be used or the warranty requirements for the motor
28 vehicle;

29 (3) is only available at a cost that is more than five percent greater than the cost
30 of a comparable lubricant that is not a recycled product.

31 (e) When feasible, the plans must include a requirement that an agency shall use retread

1 tires for the nonsteering wheels of agency vehicles, except for emergency vehicles, including fire
2 suppression and emergency assistance vehicles.

3 (f) The plans must include a requirement that agencies use reasonable efforts to eliminate
4 the purchase of paper products that cannot be recycled.

5 (g) In this section,

6 (1) "plan" means a recycling plan established under (a) of this section;

7 (2) "recycled product," except for paper and tires, means a product in which at
8 least 50 percent of the total weight consists of secondary waste materials and post-consumer
9 waste materials and at least 10 percent of the total weight consists of post-consumer waste
10 materials; "recycled product" as applied to paper has the meaning established by the Department
11 of Administration; "recycled product" as applied to tires means retread tires; "recycled product,"
12 except for paper and tires, includes a product that has completed its life cycle as a consumer
13 item, but otherwise is refurbished for reuse without substantial alteration of the product's form;
14 in this paragraph,

15 (A) "post-consumer waste materials" means finished materials that would
16 normally be disposed of as solid waste, having completed their life cycles as consumer
17 items;

18 (B) "secondary waste materials" means product fragments and finished
19 products that have completed their life cycle as a consumer item and that are normally
20 disposed of as solid waste; "secondary waste material" does not include excess virgin
21 resources remaining after a manufacturing process;

22 (3) "retread tire" means a tire that uses an existing casing for the purpose of
23 vulcanizing new tread to the casing, that meets the testing program of the United States General
24 Services Administration, and that is listed on the Qualified Products List issued by the General
25 Services Administration.

26 * Sec. 3. AS 46.06 is amended by adding a new section to read:

27 Sec. 46.06.025. SOLID WASTE MANAGEMENT PLAN. (a) The department shall
28 develop a statewide plan to manage the solid waste generated by state agencies. The plan must
29 be consistent with AS 46.06.021. The initial plan must cover at least a 10-year period. When
30 preparing the plan, the department shall consult with affected state agencies, local governments,
31 and other appropriate entities.

1 (b) The plan must include an identification of the characteristics of the waste stream of
2 recyclable materials generated by state agencies, including the nature, type, amount, use, and
3 present destination of the recyclable materials. In this subsection, "recyclable materials" means
4 materials that would otherwise be useless, unwanted, or discarded materials, except that the
5 materials still have useful physical or chemical properties after serving a specific purpose and can
6 be reused or recycled.

7 (c) The plan must include an evaluation of the nature, type, quality, and quantity of
8 secondary waste materials generated by state agencies that can be used for trade in the state, in
9 the northwestern states of the United States, and in the western provinces of Canada. In this
10 subsection, "secondary waste materials" means product fragments and finished products that have
11 completed their life cycle as a consumer item and that are normally disposed of as solid waste;
12 "secondary waste material" does not include excess virgin resources remaining after a
13 manufacturing process.

14 (d) The department shall update the plan every two years.

15 (e) The administrative director of the court system shall adopt a statewide solid waste
16 management plan to be used by the court system. The plan must be consistent with (a) - (d) of
17 this section.

18 (f) The legislative council shall adopt a statewide solid waste management plan to be
19 used by the legislative branch. The plan must be consistent with (a) - (d) of this section.

20 (g) In this section,

21 (1) "plan" means a statewide solid waste management plan;

22 (2) "state agency" means a department, institution, board, commission, division,
23 authority, public corporation, or other administrative unit of the executive branch of state
24 government, but does not include the University of Alaska, the Alaska State Housing Authority,
25 the Alaska Railroad Corporation, the Alaska Housing Finance Corporation, or the Alaska
26 Aerospace Development Corporation.

27 * Sec. 4. MARKET DEVELOPMENT REPORT. (a) On or before January 1, 1993, the
28 commissioner of commerce and economic development shall submit a report to the legislature addressing
29 what the state can do to encourage the development of in-state and out-of-state markets for recycled
30 products.

31 (b) The report must include an analysis of the role procurement preferences can play in

1 encouraging recycling and expanding in-state and out-of-state markets for recycled products.

2 (c) The commissioner of commerce and economic development shall consult with the
3 Department of Administration and the Department of Environmental Conservation when preparing the
4 report.

5 * Sec. 5. The Department of Administration and the Department of Transportation and Public
6 Facilities shall adopt the initial minimum purchasing goals required by AS 36.30.075(b), enacted by sec.
7 2 of this Act, on or before July 1, 1993.

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: MICHAEL PALANVK
TITLE: UAA STUDENT/WRITER
ADDRESS: BOX 190971
CITY: ANC

ZIP: 99519

PHONE: 345-1968
BILL NO: HB 465

SUBJECT: RECYCLING/SOLID WASTE MANAGEMENT PLANS
MESSAGE: PLEASE SUPPORT THIS BILL PARTICULARLY THE SECTION IN SUPPORT OF MARKET
RESEARCH. RECYCLING IN ALASKA IS MARGINALLY EFFICIENT BECAUSE OF OUR DISTANCE
FROM RECYCLING PLANTS. WE NEED TO CONCENTRATE ON USING RECYCLED PRODUCTS AND
FINDING NEW MARKETS FOR THE REUSEABLE RESOURCES CONSUMED BY STATE AGENCIES.

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All Dressed Up And Nowhere to Go

The collection programs are in place, the recyclables have been separated. Now what?

By Nicole Achs, Assistant Editor

They sat amidst discarded styrofoam containers, old mattresses and yesterday's lunch, monuments to the great gods of supply and demand. Row upon row of neatly bagged glass containers, separated, washed and sorted for recycling, had been relegated to Tucson's municipal landfill, dashing the hopes of citizens who had responded to a city-wide recycling drive and collected glass from schools and residences.

The recyclers had been so zealous that they collected too much glass for the plant to process. "We had a really heartening response, but we couldn't absorb it," says Karen Heidel, Tucson's director of energy and environment.

Unfortunately, Tucson is not alone. Collected recyclables across the country have met similar fates as processors reject material because it fails to meet specifications, does not generate adequate revenue or is just too abundant in the marketplace.

Successful recycling requires a complex equation involving collection, processing and end-use, and many localities are finding that these factors are not balancing out. Strategies to address this imbalance have run the gamut from enhanced education campaigns and "buy recycled" programs to more heavy-handed approaches like bottle bills and mandates requiring materials

such as paper, glass and plastic to contain a certain percentage of recycled material.

Actions which deliberately force a balance between supply and demand could have untold costs.

Now the big question is, will these measures work?

As with any equation, when something is added to one part, something has to be taken away. Tinker with the laws of supply and demand, some say, and there will be a price to pay down the line.

Any kind of action which tries deliberately to force a balance between supply and demand, "will have untold costs," says Charlotte Frola, a solid waste management consultant. "If you tweak one part of the system, you'll have large reverberations somewhere else."

On the other hand, landfills are filling up, and nobody is particularly anxious to open a new one in the neighborhood. Raw materials such as timber are being consumed more quickly than they can be replaced. Consequently, it would seem recycling has to be made to work, even if it means imposing regulations to force the issue.

When the idea of recycling first took off, it was envisioned as a revenue-generating system. While the long-term economic and environmental costs of recycling may indeed be less than landfilling, localities have found it is more expensive than expected to make one man's treasure from another man's trash.

"It is easier to go out and collect a bunch of newspapers than it is to build a plant to process it that costs \$1 to \$3 million and can take three years to build," says Michael Kehs of the Aseptic Packaging Council. Paper processing plants "are the size of several football fields," he says. "You can't build them overnight."

"No one is going to build the equipment to process (recyclable material) if they are not sure where to sell it," says Harvey Gershman, president of GBB Consultants, Falls Church, Va., and a member of the Solid Waste Association of North America (SWANA).

Some industries, like steel and aluminum, greatly favor recycled over virgin

material because the latter is so expensive to produce. With glass, paper and plastic, on the other hand, the cost of collecting and processing recyclable material is equal to or greater than the cost of producing raw materials. In such cases, there is no guarantee industry will use recycled material.

Many local governments have embraced recycled content mandates as a way to add stability to the thus-far capricious marketplace. "The newspaper industry went from zero percent to 40 to 50 percent recycled content in a decade," says Bob Schaeffer of Conserva-tree, a San Francisco-based recycled paper manufacturer. "That happened because courageous state governments and municipalities initiated legislation requiring the use of recycled paper."

Industry, however, has tended to oppose the idea of such mandates. Bailey Condrey with the Council for Solid Waste Solutions, Washington, D.C., says government is "trying to force the hand of the manufacturer."

"They may think that is necessary," he says. "But two of the biggest manufacturers (of plastics), Lever Brothers and Proctor & Gamble, are using recycled-content bottles. They did that without anybody saying, 'you have to have this much recycled material in your plastic.'"

Newspaper producers point to the fact that in numerous states, newspapers have agreed on their own to use certain percentages of recycled material. But is this because the industry is committed to recycling or because it is afraid of having local- or state-imposed mandates thrust upon it?

"Several states passed laws saying all the newspapers had to include a certain percent of recycled paper. Then all of a sudden news groups conceded and voluntarily agreed to do that all over the country," says Gershman.

"Newspaper recycling was happening slowly," he says. "Mandates greatly accelerated that process."

Now that threats of imposed mandates exist, however, cities and counties may have more leverage in negotiating voluntary agreements with industry, ensuring recycled-content goals are met without alienating the companies using the material.

Producers fear imposed requirements could be overambitious. "We are afraid in some cases, areas will think it's such a great idea they will all compete with each other to raise the percentages higher and higher, and before you know it, we are at levels that are technically impossible to meet," says Dave Miller, executive director of the Southeast Glass Recycling Program.

Producers warn if they are forced to meet recycled-content levels prematurely, products could come out flawed, and the use of recycled goods as raw



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with industry.*

materials could fall into disrepute. Miller recommends that mandated levels be reasonable and allow sufficient time for upgrading of infrastructure.

Priming The Pump

Until market prices justify the costs of collecting, processing and transporting recyclables to markets, government dollars may have to be used to "prime the pump."

But with education, crumbling roads and bridges and a myriad of other needs competing for city and county dollars, localities are hesitant to launch expensive recycling programs. Some help may be available from the states, several of which offer grants to localities with programs that will stimulate the devel-

opment of markets or recycling infrastructure

New York, for example, offers capital assistance grants for cities with comprehensive recycling programs. The state will pay 50 percent (up to \$2 million) of the cost of a recycling program's facilities and equipment.

The state's legislature also has considered developing an environmental infrastructure fund. However, these efforts have stalled because of disagreements over financing.

Minnesota has a grant program dedicated specifically to local efforts to develop markets. "In Minnesota, (government) is definitely subsidizing recycling," says Kevin Johnson. "If we were to rely on market prices, communities probably wouldn't be collecting."

Some states also offer grants, low-interest loans and technical assistance for private companies that will provide markets or processing for recyclables, and localities can take advantage of the programs to lure such companies to their areas.

New York awards grants and low-interest loans for businesses with under 100 employees. "We really feel that (small companies) have a need because they might have a great idea, but they are often underfinanced to begin with," says Jan Foley, spokesperson for the state office of economic development. She says the grant and loan program is an attempt to "foster progress in ways that have a lot of potential for use down the line."

New York City and the borough of Brooklyn recently took advantage of the program to lure a company making traffic-safety products from recycled plastics. The company, Utility Plastics, decided to locate in the economically-disadvantaged "enterprise zone" of East New York and received tax incentives in addition to \$900,000 in low-interest loans.

Johnson says Minnesota's technical assistance program has been a good way to bring markets to an area without having to offer actual monetary incentives. The program involves putting any company interested in recycling ventures in touch with city and county agencies interested in using its services or buying their products.

"A de-tinning company we didn't give any money to, but provided with lots of assistance, decided to locate in St. Paul," says Johnson. "Now we have an in-state market for tin cans."

But even such seemingly sound programs as economic incentives have their detractors. Frola warns that "grants tend to skew the marketplace. If you give a company a \$100,000 gift," she says, "that is \$100,000 the company doesn't have to be responsible for in its profits. The whole system becomes based upon an unsound economic

premise."

"You have to take a careful look at what economic incentives mean and who is going to pay for them," says SWANA spokesperson Gil Buch. "Unfortunately, it all boils down to money again."

Cooperative Marketing

After the fiasco that landed Tucson's collected glass in a landfill, the city realized its recycling difficulties were not unique to the region. The wide-open countryside of the Southwest means recyclables often have to travel a long way to market, and transportation costs can be prohibitive.

Local representatives at a two-day regional recycling conference in January 1991 agreed that bringing markets to the area would require massive cooperative effort. Twenty cities from six different states formed the Southwest Public Recycling Association (SPRA).

The cities plan to implement similar collection programs, as well as uniform purchasing policies favoring the procurement of recycled goods. With 20 cities offering a consistent recycled material supply and promising to buy it back when it is remade into consumer goods, the association hopes to attract recycling industries to the region.

The organization has attracted funding from the United States Environ-

mental Protection Agency and other groups, including Public Technologies Inc. (PTI), Washington, D.C., a non-profit corporation dedicated to further-

In Rhode Island, a propane tank from someone's backyard grill made its way to a metal recycling station and blew up during processing.

ing local government enterprises. PTI's funds will be directed towards "developing a marketing strategy for the southwest that hopefully is transferrable to other parts of the country," says Gary Olson, executive director of SPRA.

Other areas of the country also are

choosing to co-op the sale of their recyclable waste. Two of the recipients of the Minnesota county grant program were nine-county and 15-county partnerships.

"A lot of counties will protect their own turf and not get involved with another county," says Mark Bauman, manager of the Olmsted County recycling center. For Olmsted and the other eight counties in the Southeast Minnesota Recyclers Exchange, this attitude would have been a severe impediment.

"If you get all those little loads (of recyclables) together, you can make one big load, and that allows you to leverage more selling power, get better prices and get a better handle on the quality and consistency of the material," says Susan Schmidt, who helped coordinate the alliance.

"A paper company may be looking at 30 different locations in one area that are selling newspapers. Now, instead, you have one person communicating with the buyers and making market arrangements," she says. "The company might say, 'Hey, you guys are serious about this. We're going to give you 50 cents more a ton.'"

Meeting Specs

Even when the infrastructure and markets are in place, cities and counties are sending significant amounts of col-

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PLASTIC	Shredded, pelletized, melted for reuse	<ul style="list-style-type: none"> plastic container manufacturers fiber markets 	<ul style="list-style-type: none"> contaminants sorting cost of transporting 	<ul style="list-style-type: none"> Council For Solid Waste Solutions Washington, D.C. (202) 371-5200 Plastics Recycling Foundation Washington, D.C. (202) 371-5200
GLASS	crushed, cleaned, melted	manufacturers of: <ul style="list-style-type: none"> bottles "glassphalt" 	<ul style="list-style-type: none"> contaminants oversupply of brown/green glass 	<ul style="list-style-type: none"> Glass Packaging Institute Washington, D.C. (202) 887-4850
PAPER	de-inked, mixed with water, reduced to pulp	manufacturers of: <ul style="list-style-type: none"> newspaper writing paper tissue paper towels 	<ul style="list-style-type: none"> cost of de-inking oversupply 	<ul style="list-style-type: none"> American Paper Institute Washington, D.C. (202) 463-2420 Aseptic Packaging Council Washington, D.C. (800) 277-8088
ALUMINUM	shredded, melted, rolled into sheets	<ul style="list-style-type: none"> scrap dealers can manufacturers producers of semi-fabricated aluminum 	<ul style="list-style-type: none"> cost of de-inking oversupply 	<ul style="list-style-type: none"> Aluminum Association Washington, D.C. (800) 277-8088

lected recyclables to landfills because they are not in useable condition. In Dade County, Fla., one of every two glass bottles collected between July 1990 and June 1991 wound up in the dump.

After being placed curbside by Dade residents, the bottles were picked up by the collection company, Community Recycling. About 50 percent of the glass collected throughout the year shattered while in transit to the processing center and was landfilled.

Experiences like Dade's are due in part to the fact that, with so much more material than there is a demand for, processors can afford to be picky. But cities and counties do collect a lot of materials that, if used, could greatly damage processing equipment.

Workers at a sorting center in Newark, N.J., have extracted everything from tennis balls and binoculars to a desk-top Nativity scene. So much "drag" — unwanted material — was extracted and piled outside the facility that the center was cited for violating disposal laws.

In Rhode Island, a propane tank from someone's backyard grill made its way to a metal recycling station and blew up during processing. Fortunately, no one was injured.

The possibility of such contamination and the cost of trying to find it reduces the value of a community's recyclables.



One possible solution, says Pat Franklin of the National Container Recycling Association, is to collect certain items through deposit refunds rather than curbside collection.

According to Franklin, while prices for curbside PET drop, manufacturers are increasing what they will pay for deposit-collected recyclables. Wellman, Shrewsbury, N.J., a major plastics manufacturer, gets about 90 percent of its recycled plastic from collection centers, she says.

Many local officials worry about how removing certain goods from curbside programs would affect their potential for profit. Franklin says there is a need to "dispel the myth that glass and plas-

tic are revenue-generating. They simply aren't. They cost much more to collect than they reap in revenues," she says.

But again, there is a tradeoff. Surveys have indicated that people are more inclined to put recyclables out by the curb than they are to drive to a collection center. "If it gets too inconvenient, people lose interest," says Dave Miller.

The best laid plans of local officials will not work if consumers do not purchase recycled goods. And in an environment where recycling is still a fairly costly endeavor, goods made from recyclables may not be the cheapest on the market.

But local governments favor purchase of goods made from recycled material, even if the latter are more costly. Most will allow paying 5, 10 or 15 percent more for these goods. Newark, for instance, requires the purchase of recycled paper if it is available.

Additionally, localities are encouraging citizens to buy recycled goods. "Recycling is more than just putting a bottle into a bin," says Buch. "What citizens should know is that they have to buy recycled products to make the supply/demand equation equal out."

Recycled Content Myths

Consumer interest in recycled goods, however, has spurred a rash of dubious "recycled content" claims on paper and packaging. One of the most contested labeling systems is that of recycled paper.

"Responding to pressure from the paper industry, EPA has said you can call paper recycled if you use scrappings from the mill called dry mill broke," says Conservatree's Bob Schaffer. "Historically, this has *always* been used in the paper making process," he says. Hence, a fairly high percentage of recycled paper does not eliminate one shred of paper from the waste stream.

A Conservatree newsletter stated the American Paper Institute's "40 percent recycling plan" would reduce the amount of paper waste generated in the United States by less than two percent. "That is hardly progress," the report says.

The company feels that "recycled paper" should be graded according to the amount of paper it actually removes from the waste stream and is pushing for language to that effect in the Resource Conservation and Recovery Act (RCRA) legislation.

"Once there was a grading system, there would be greater incentive for mills to install de-inking equipment and build state-of-the-art machines," Schaeffer says.

With an endeavor as complex and large in scope as recycling, it may be a long time before anybody discovers the perfect formula to make the system

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work smoothly. For the time being, localities will have to accept the fact that recycling doesn't come cheap. "We don't sell our garbage, we pay somebody to take it away," says Chas Miller, manager of recycling programs for the National Solid Wastes Management Association (NSWMA). "But in the long run, for those materials that are easily recyclable, recycling will be the least expensive way to manage solid waste."

Americans' interest in recycling has been piqued. People are separating their recyclables and putting them on the curb or taking them to collection centers at an unprecedented rate. Now local officials must find a place for the recyclables to go. □

Guide To Local Recycling Available

Setting up a local recycling program can be a costly proposition, but the "Recycling Handbook for Local Governments and Organizations," published by the National Recycling Coalition, takes off the guesswork and shows the process step-by-step.

Chapter 1 discusses the program's goals and objectives, a program's organization, financing, and how to get started. Chapter 2 includes industry information, studies and cost estimates.

Strategies discussed include mandatory participation, provision of services to residents, collection methods, and trash collection.

The book is available from the National Recycling Coalition, 16645 Dempsey Avenue, San Diego, CA 92161. For more information, call (619) 591-1111.

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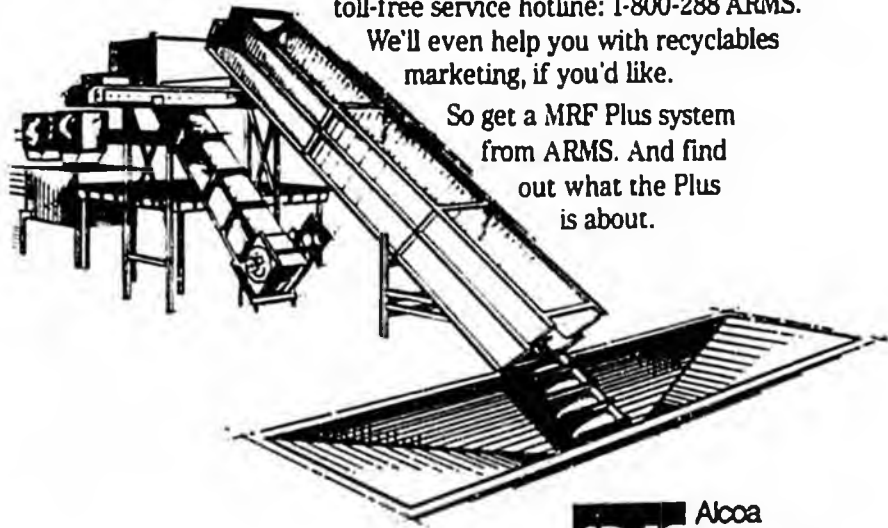
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Minimum Content Standards:

State and National Actions to Build Recycling Markets
through Mandating the Use of Secondary Materials

by

Karen Armstrong-Cummings, Director
and
Corey G. Miller, research assistant
Center for the Environment
Council of State Governments

October 28, 1991

FOREWORD

The purpose of this paper is to provide a brief overview of states activities in legislating specific minimum content standards for recycled materials of various commodities. The paper was prepared as background material for a presentation to the Western States Recycling Coalition during September 1991. This update includes additional information on recent activities in Congress to address minimum content standards during national reauthorization discussions of the Resource Conservation and Recovery Act. The authors wish to thank William Hull, from the Council of State Governments Western Regional Staff, for allowing Karen Armstrong-Cummings to share this information to the Western States Recycling Coalition during their meeting.

OVERVIEW

During recent years, states have enacted various laws and implemented administrative policies to mandate or encourage manufacturers to use recycled products. These efforts all further a major policy emphasis on increasing states recycling activities, reducing use of virgin materials in manufacturing, and diverting the amount of products disposed at landfills and burned in incinerators.

At present, no national legislation mandates the amount of recycled content which paper, plastics or other commodities must contain. Seven states, as of Spring 1991, had established their own minimum recycled content standards for newsprint and some other commodities, while several regional and national coalitions of states have begun to work together toward voluntary standards. Congress, in the reauthorization of the Resource Conservation and Recovery Act, has entered into the discussion on minimum content standards. Congressional proposals, most recently by Representative Al Swift, for recycled-content standards present national approaches for manufacturing goals on ways to reduce waste and promote recycling markets for various products including glass, aluminum, paper and newsprint.

The present patchwork of state laws, regulations, policies and initiatives presents an unwieldy morass for manufacturers, many of who are beginning to call for federal intervention from Congress as well. Spurred by tough state initiatives, these national debates on recycling, methods to encourage use of recycled products, and the role of material content standards will proceed throughout discussion on the Resource Conservation and Recovery Act as Congressional action progresses during the 102nd Congress.

INTRODUCTION

Much of the discussion on minimum content standards covers three general areas:

- Which states mandate standards and what do they mandate;
- What efforts are underway to coordinate standards nationally and in multi-state regions, and;
- Where is all this heading - what trends can we observe on the issue of minimum content standards?

An initial overview of state actions on minimum content standards indicates action in several areas such as legislation, executive orders or administrative mandates, and voluntary initiatives.

According to the National Solid Wastes Management Association, seven states require manufacturers to use recycled materials. These include: Arizona, California, Connecticut, Illinois, Maryland, Missouri, and Wisconsin, all of which require newspaper publishers to use varying amounts of recycled newsprint. California also requires recycled content in plastic trash bags and glass food and beverage containers. Wisconsin requires recycled content in some plastic containers and Connecticut requires phone books to be printed on recycled stock. Connecticut and California were first to pass such laws. Since the National Solid Waste Management Association produced their summary report early in 1991, three additional states have enacted standards - North Carolina, Washington and Oregon.

The following summary examines each of the seven states specifically, discussing each state's requirements for recycled-content of newsprint, reporting requirements and enforcement mechanisms to implement the law, and any follow-up requirements, for those failing to meet the specified standards.

ARIZONA

Specific Requirements: Article eight of Arizona's Laws Relating to Environmental Quality entitled "Arizona Recycling Program", requires newspaper publishers to use at least 25% recycled-content newsprint in their publications by July 1, 1991, if the following conditions applied:

- Recycled content newsprint is available at a comparable prices to that of newsprint from virgin material;
- Recycled-content newsprint meets quality standards established by the Director of the Department of Environmental Quality, including:
 - (1) The director is to publish standards based on the average numerical standards of printing opacity, brightness level and cross machine tear strength available from all producers selling recycled-content newsprint in Arizona in quantities of at least 5,000 metri tons/year.
 - (2) The director is to review these standards once every two years and determine needed adjustments or changes, and;
- Recycled-content newsprint must be available within a reasonable period of time.

Arizona defines recycled-content newsprint to be newsprint in which not less than forty percent of its fiber consists of post-consumer wastepaper. Arizona requires the percentage of newsprint used to be made from recycled-content newsprint to be calculated in tons/year, increasing to 30% by 1/1/94; 35% by 1/1/96; 40% by 1/1/98 and 50% by 1/1/2000. Newsprint purchased before 1/1/90 is exempt.

Reporting Requirements and Enforcement Mechanisms: Consumers of newsprint must certify to Arizona's Department of Environmental Quality (DEQ) the number of tons of newsprint used and the number of tons of recycled-content newsprint used during the calendar year.

DEQ may conduct audits of the information; companies which supply newsprint to consumers (publishers) must certify the amounts of shipments. Publishers unable to obtain recycled-content newsprint must conduct a certification process, indicating who was contacted and why newsprint was not available.

CALIFORNIA

Specific Requirements: Chapter fifteen of California Senate Bill number 937 passed in March 1990 entitled "newsprint" requires that after 1/1/91, every consumer of newsprint in California must ensure that at least 25% of all newsprint used by that consumer is made from recycled-content newsprint, given several conditions. These conditions are almost exactly the same as in Arizona.

The recycled-content newsprint must:

- Be available at a price comparable to that of newsprint made from virgin material;
- Meet the quality standards established by the Board;
- Be available within a reasonable period of time.

California requires that the percentage of newsprint used, made from recycled-content newsprint, to be calculated in tons per year, increasing to 30% by 1/1/94; 35% by 1/1/96; 40% by 1/1/98 and 50% by 1/1/2000, and exempts papers purchased prior to 1/1/90.

California's Integrated Waste Management Board must set newsprint quality standards for each grade of newsprint and review their standards every two years. The Board began promulgating its regulations for these standards in May of this year, then modified the proposal in August, ending the comment period on September 11,

1991. The public comments and Board responses are not yet cleared for distribution by the Board, but California plans to soon have their standards in place.

In the Board's proposal for standards, California indicated that the Board will survey newsprint manufacturers, in July of each year, who sell more than 5000 metric tons of recycled-content annually for use in California. The Board will conduct testing and establish standards based on the results of the testing, following specifications using specified methods for sampling procedures, brightness, printing opacity and cross-machine tear strength. The Board will make available comparable quality standards by November 30 of each year.

Comparable prices, according to the proposal, will be the price comparable to each specific grade. A reasonable delivery time for recycled-content newsprint for a commercial publisher was proposed to be 45 days and for a commercial printer, 3 days.

Reporting Requirements and Enforcement Mechanisms: California, just as Arizona, requires a certification from newsprint consumers to certify to the California Board the number of tons of newsprint used during the preceding calendar year. Anyone who is found to have made false or misleading claims about the certification can be fined, but not more than one thousand dollars.

CONNECTICUT

Specific Requirements: In their state Substitute House Bill No. 5812, titled "An act concerning the recommendations of the Newsprint Recycling Task Force", Connecticut mandated that their newspaper publishers must work together to use a certain amount of recycled content in their newspapers. Connecticut set out the goals for materials content, that by:

- 12/31/91, 11% or more of the newsprint would contain recycled content;

- 1993, 16% or more;
- 1994, 20% or more;
- 1995, 23% or more;
- 1997, 40% or more;
- 1998, 45% or more and
- 1999, 50% or more and 50% for each year thereafter.

Unlike California and Arizona, Connecticut did not define recycled newsprint based on the 40% standard. Instead, Connecticut defined "recycled fiber" to mean the fiber derived from post-consumer waste paper or waste paper resulting from printing operations.

Reporting Requirements and Enforcement Mechanisms: If the newspaper publishers do not achieve these percentages as a group, each publisher individually must meet it for the remaining years. Beginning in the year following this failure to meet the standard, the newspapers face a fine of \$5 per ton for amounts not recycled, and can be fined no less than \$2500.

Newspaper publishers must report information to the Commissioner of Connecticut's environmental program, indicating the percentage of recycled fiber used in the preceding calendar year, along with any information regarding compliance provisions. Connecticut provides for certain exemptions, relating to availability of recycled fiber, and other issues.

ILLINOIS

Specific Requirements: In article two of state House Bill number 3183 cited as "The Recycled Newsprint Use Act", Illinois requires that newsprint used in the state shall have an annual average recycled fiber usage consistent with the goals established as follows:

- 22% beginning January 1, 1991;

- 25% beginning January 1, 1992;
- 28% beginning January 1, 1993.

Illinois defines recycled fiber to mean fiber of old newspaper or postconsumer waste paper dissolved into pulp and deinked and used to create recycled content newsprint. Illinois also defines old newspaper and postconsumer waste paper, and includes printing plant waste paper and old magazine print. Illinois does not set a percentage content in the law for present consumption, but does require that if goals of aggregate average usage of recycled fiber are not met, then everyone must ensure recycled fiber use of at least 28% in 1994. Certain exemptions do apply, related to availability of recycled fiber.

Reporting Requirements and Enforcement Mechanisms: Each newsprint consumer must submit a certification to the Illinois Department of Energy and Natural Resources, specifying the amount in tons of every type of newsprint used, and the percentage of recycled fibers present in each type of newsprint. The Department of Energy and Natural Resources can audit these reports and persons making false or misleading certifications are turned over to the Attorney General for prosecution for fraud.

MARYLAND

Specific Requirements: In state House Bill number 131 titled as "Newsprint Recycling", Maryland lists standards requiring 12% recycled content by 1992; 12% by 1993; 20% by 1994; 25% by 1995; 30% by 1996; 35% by 1997 and 40% by 1998 and all subsequent calendar years. The percentage attained applies, by weight, for all newspapers distributed in the state, whether or not the newsprint is produced in the state of Maryland.

A Newsprint Recycling Board was established, with representatives from various sectors involved in recycling and

newspaper publishing. The Board's duties include: to review reports filed by publishers, review required reports, to analyze availability and utilization of newsprint containing recycled material, to comment on the appropriateness of the recycled content percentage requirements, to comment on the need for the continuation of the program, and to work with local governments and other collectors of old newspapers to develop reliable systems of providing stable and quality supplies of old newspapers for recycling.

Reporting Requirements and Enforcement Mechanisms: Newspaper publishers are required to file a quarterly report with the state, indicating the total weight of newsprint used by the publisher and the weight of recycled material contained in that newsprint. These reports are reviewed by the Board described above. Maryland's law also establishes a newsprint recycling incentive fee of \$10 per ton of a publisher's recycled content deficiency for the year.

The "recycled content deficiency" is calculated as the total tons of newsprint used by the publisher for the year, multiplied by the required percentage for that year, and finally subtracted from the actual tonnage of recycled material contained in the newsprint used by the publisher for the year. The proceeds of these fees are credited to a state recycling trust fund, to be used for providing grants to counties for recycling plans and to fund the Office of Recycling.

Newspaper publishers may elect to be exempt from the recycling requirements. If they choose this option, however, then Maryland's Sales and Use Tax Exemption for the Printing and Sale of Newspapers [S 11-215(c)] do not apply to that publishers newspapers.

Maryland, in May 1991, enacted a laws which imposes recycled content percentage requirements on the publishers of telephone directories. The law requires publishers of those directories distributed in the state to satisfy a specified recycled content percentage requirement, or pay a fee of \$10 per ton.

MISSOURI

Specific Requirements: In section 260.255 of state Senate Bill number 530, Missouri requires recycled content standards of 10% recycled content by 1993, 20% by 1994, 30% by 1995, 40% by 1996 and 50% by the year 2000, with reporting requirements similar to those of other states. Missouri enacted its legislation in 1990.

Missouri also operates an aggressive state procurement program, spending \$2.1 million on products made from recycled material in 1990, after spending only \$323,000 in 1989. Missouri also mandates that at least 15% of the oil used in state vehicles be a re-refined product.

WISCONSIN

Specific Requirements: In section 159.31 of Wisconsin State Act 335, Wisconsin enacted targets for the use of recycled newsprint in the publication of newspapers and created a newspaper recycling fee to be paid annually by the publisher of a newspaper that fails to meet those targets. Recycled content is defined as the proportion of fiber in a newspaper which is derived from postconsumer waste. Targets for recycled content are: 10% by 1992; 25% by 1994; and 45% by 2001 and subsequent years.

Reporting Requirements and Enforcement Mechanisms: The amount of the newspaper recycling fee imposed on a publisher in any calendar year is 1% of the total cost of the newsprint used to print the newspaper during the year times the "recycling status." The "recycling status" is the target recycled content minus the average of the recycled content of all newsprint used by that publisher to print the publisher's newspaper during the year.

In addition to newsprint, Wisconsin requires that plastic containers used for products sold at retail, after 1/1/95, must consist of at least 10% recycled or remanufactured material. This

requirement applies to rigid plastic bottles, jars and cartons, but not for containers for food, beverages or drugs unless the FDA has approved the specific use of recycled material.

OTHER STATE INITIATIVES

While the seven states mentioned above have laws in place, other states have been active as well. Oregon recently passed laws setting recycled content for newsprint and mandated content for telephone directories. North Carolina also enacted a mandatory program for newsprint users, emphasizing standards for newsprint.

Some states have taken other types of actions to encourage the use of recycled materials in manufacturing. These types of measures include actions by executive order of the Governor, legislative task force discussions, or through regional, multi-state initiatives involving voluntary agreements. Many states, such as Indiana, have legislative task forces or committees examining the issue of paper content standards. At least 15 states have municipal solid waste task forces or councils looking at market development, recycling, packaging taxes, advance disposal fees or other aspects of recycling content such as minimum content standards.

Several states have achieved goals through actions of the Governor's Executive Orders and Policies, and through working in voluntary programs with other states. As of 1990, seven states (New York, Pennsylvania, Massachusetts, Michigan, Vermont, Iowa and Connecticut) had developed and negotiated voluntary practices. In these states, newsprint industries have negotiated voluntary purchase and use standards for recycled newsprint in lieu of mandatory laws.

These actions regarding legislating recycled content, and other initiatives, indicate the general trend to mandate certain actions for manufacturers. Whether or not this is achieving the overall goal of increasing recycling is difficult to measure, due

to the lack of national standards.

REGIONAL AND NATIONAL COORDINATION INITIATIVES

Several national activities are underway to coordinate minimum content standards, such as the National Association of State Purchasing Officials' (NASPO) project to establish nationwide standards on recycled paper and the Recycling Advisory Council's (RAC) actions on paper and other commodities. In addition, the U.S. Environmental Protection Agency has issued several procurement guidelines. These are regulations that require government agencies to buy products made of recycled materials.

The NASPO project, staffed by the Council of State Governments, includes representatives from NASPO meeting with paper and paper product producers, together with the American Standards and Testing Materials Society (ASTM) standards development subcommittee on recycled paper. The ASTM standards are voluntary standards approved by a consensus process¹. The actual voting is unbiased in that the producers can have no greater total of votes than the user plus the consumer plus general interest. This precludes the effected industry from developing standards by outnumbering the user, consumer or general interest parties.

Individual Task Groups are responsible for developing the proposed standards or specifications. Five Task Groups were formed to address specific areas: Terminology, Printing/Writing Paper, Tissue Paper, Newsprint and Packaging Paper and Board. After development, the proposed standards are forwarded to the Technical Subcommittee for balloting. The Technical Subcommittee votes by letter ballot on the proposed standards. The results must be sixty six and two-thirds percent affirmative based on a sixty percent return rate from the Subcommittee before the proposed standards are referred to the Main Society for approval.

At the Main Society level, the voting process must result in ninety percent affirmative ballots before a standard is accepted. A negative vote must contain technical reasons. At this point the

Main Society may return it to the Subcommittee and/or the Task Group for review and modification.

During NASPO's process of setting definitions, the issues causing considerable disagreement was the separation of pre and post consumer. The ASTM Recycled Paper Terminology Task Group, chaired by William Warstler of Michigan, agreed in June of this year to move away from defining "pre" and "post-consumer" and establish recycled paper definitions that are in line with the content standards proposed by the Recycling Advisory Council (RAC)².

The Recycling Advisory Council is a panel of experts selected by the National Recycling Coalition's Board, committed to establishing sound recycling and resource management policies. The RAC consists of 16 members representing industrial, environmental, business, government and community organizations. The Recycling Advisory Council's Recycled Paper Committee, in April, 1991, proposed recycled paper standards for government purchases of paper products which are based on two criteria, both of which must be met. These standards would be expressed as a percentage and measure "total recycled content" and "processed secondary fiber content"³. Content percentages would be calculated by fiber weight.

The ASTM Task Group took action to formally notify the ASTM that they accepted the criteria established by the RAC, but not the suggested standards. The Task Group submitted several additional terms for ballot, including processed secondary fiber, deinking, flotation, and washing processes. In relation to the RAC's proposed criteria, it is important to note that current EPA standards, as required by RCRA, measure only post consumer waste. A change in the statutory language of the law would be necessary to provide for a "total recycled content" component and to expand the definition of "post consumer recovered material" to include the "processed secondary fiber" element of the proposed standards⁴.

The most well known and highly successful regional initiative in this area is the Northeast Recycling Council (NERC). NERC

actually initiated discussions on minimum content standards, working with states in the Northeast, including Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island and Vermont. In all the states except Delaware, there were existing laws or executive orders favoring the purchase of recycled products.

NERC facilitated working sessions between NERC state officials and newspaper publishers (The American Newspaper Publishers Association and New England Newspaper Publishers Association) to explore opportunities for accelerating demand for products containing secondary materials. As a result, a majority of the NERC member states have reached agreements with their newspaper publishers to increase consumption of recycled fibers from current levels of approximately seven percent to 40 - 50 percent by the year 2000⁵. NERC is currently working on a cooperative regional market development project.

FEDERAL LEGISLATION

Because of the intensity of state activity, and the wide variety of approaches, several groups have argued that Congress should establish national standards in RCRA. In June of this year, a coalition of public interest and environmental groups testified before Congress, calling for establishing rates for the use of post-consumer materials in the manufacturing and packaging of consumer goods. These groups set out specific proposals for standards for paper, plastics, glass, steel and aluminum.

One federal bill which addresses minimum content standards is H.R. 1201, the Recycled Paper Procurement Act of 1991, sponsored by Representative John Porter, and others. This bill sets a goal of 50 percent of paper purchased by federal agencies shall be recycled paper, by 1993, and sets out several grades of recycled paper, based on a definition using the terms "post-mill material" and "deinked material."

Representative Al Swift, a member of the House committee on

Energy and Commerce, recently began circulating a draft recycling proposal to amend RCRA. The proposal sets forth specific minimum content standards for aluminum, glass, newsprint, paper and paperboard packaging, plastic packaging and steel packaging⁶. Swift's proposal sets specific goals for attaining minimum recycled content standards in these commodities by 1995 and by the year 2000.

TRENDS AND IMPLICATIONS

With all the emphasis on recycling and setting content standards, what trends prevail and what implications are indicated? If the 1990 trends continue, several factors are assured:

- States and local governments will continue to emphasize and encourage recycling as an alternative to landfilling and in some cases, incineration;
- Businesses will be held increasingly responsible for reducing the impact of their products and services on waste management systems;
- States will continue to emphasize the need for manufacturers to use secondary materials, either through voluntary market development programs or actual mandates for manufacturers' products;
- Manufacturers, faced with increasingly different demands from various states, will press for national consistency from legislation or other areas.

Is the emphasis on recycling and mandatory recycled-content standards reducing waste and increasing recycling? The relative successfulness of different states' recycling laws has been difficult to measure due to inconsistency in how recycling has been counted.

Additionally, some experts stress that the amount and type of

material reclaimed will be far more important to market development than the recycling percentages reported, which also underscores some legislative support to ensure consistency in the materials reclaimed and reused. The fast growing numbers and types of standards, together with the timing of national solid waste legislation, tend toward a policy emphasizing more regional and national standards for recycled content in manufactured goods, that if not mandatory, will at least bring about greater agreements on voluntary standards.

FOR IMMEDIATE RELEASE

February 10, 1992
Contact: Caleb Stewart
465-4947

ULMER SPONSORS "RECYCLABLE PRODUCTS PROCUREMENT" BILL

Juneau - Rep. Fran Ulmer today introduced legislation to promote procurement of recycled products by state agencies. HB 465 authorizes the Depts. of Administration, Commerce & Economic Development, and Environmental Conservation to identify products that can be made from recycled material and promote the development of markets which produce and distribute those products.

"By encouraging the state to purchase more products made from recycled materials, Alaska can join with a number of other Northwest states in helping to develop a sustainable industry in recycled products," said Ulmer.

HB 465 would direct DEC to identify the origin and destination of recyclable wastes generated by government in Alaska. The Dept. of Commerce would be directed to examine ways to develop markets for recycled products in the Northwest. The Dept. of Administration would establish a procurement plan increasing purchases of recycled products by state agencies.

Ulmer said recycled products that may be suitable for purchase by the state include plastics, tires, paints, and motor oil. The state already purchases a sizable quantity of recycled paper products, and is experimenting with the purchase of retread tires.

The idea of encouraging development of regional markets for recycled goods grew out of Rep. Ulmer's participation in the Pacific NorthWest Economic Region (PNWER), a regional cooperative

effort aimed at increasing the competitive position of Alaska, Alberta, British Columbia, Idaho, Montana, Oregon, and Washington. "By increasing the demand for recycled products, we support the development of a regionally based industry manufacturing goods made from recycled materials," said Ulmer.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 465

Revision Date: _____
Title: An Act relating to recycling and the management
of solid and hazardous . . .
Sponsor: Representative Ulmer
Requestor: _____

Department Affected: Administration
BRU: General Services
Component: Purchasing

COMPONENT SERIAL NO.

		6	0
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	3.4	0	0	0	5.1	5.1
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	3.4	0	0	0	5.1	5.1

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:


FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None.

ANALYSIS: (Attach a separate page if necessary.)
See attached.

Prepared by: Duqan Petty 
Division: General Services

Phone: 465-2250
Date: February 27, 1992

Approved by Commissioner: Nancy Bear Usara 
Agency: Administration

Date: 3/2/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 465

This bill requires the department to prepare a procurement recycling plan which would set goals for purchases of various recycled products.

The plan can be prepared by the division with no fiscal impact. The monitoring and accounting of agency expenditures for recycled products must be tracked by the agencies.

Agency fiscal impacts result mostly from the additional costs of recycled paper. These costs are estimated to be minimal and would amount to a potential additional cost of \$3,425 in FY 93 and \$5,100 in FY 97 and FY 98. The following analysis for recycled paper procurement fiscal impacts demonstrates the assumptions and basis to support these costs.

The remaining recycled products which could have potential impact are not possible to assess at this time. Recycled latex paint has no known source in-state at this time. Recycled plastics are finding new applications on an almost daily basis. Many of these products are replacing products made of other material at a comparable price or at a savings.

Vehicle lubricants, recycled tires, and compost products are bought almost exclusively by and for the Department of Transportation and Public Facilities and are not addressed in this fiscal note.

Recycled Paper Procurement Fiscal Analysis

1. Estimated annual paper expenditure: \$1,900,000.
2. The greatest cost differential for recycled paper is with bond and Xerographic and computer paper. We estimate approximately \$685,000 per year is spent on these papers.
3. We have been advised by paper suppliers that recycled bond and Xerographic paper currently costs about 15 percent more than comparable virgin paper. We are assuming bids will result in a 10 percent cost differential for FY 93 over virgin paper. We project the differential will decrease down to 5 percent by FY 97 because of the increased supply and production capabilities.

4.	AS 36.30.095 State Minimum Percentage Expended for Recycled Paper	HB 465 Plan Minimum Percentage Expended or Recycled Paper	Difference
	FY 93 15%	25%	10%
	FY 94-96 25%	25%	0
	FY 97-98 25%	40%	15%

Cost Impacts
 FY [A x B] x C = D

FY 93 [342,500 x 10%] x 10% = \$3,425

FY 94-96 [685,000 x 0%] x 15% = \$0

FY 97 [685,000 x 15%] x 5% = \$5,100

FY 98 [685,000 x 15%] x 5% = \$5,100

Where: A is estimated annual paper expenditures for bond and Xerographic type paper.

B is the difference in minimum percentage expended for recycled paper between the current law and HB 465.

C is estimated percentage cost increase for recycled paper.

D is fiscal impact for the year.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 465

Revision Date: 2/26/92

Department Affected: Commerce & Econ. Dev.

Title: Solid and Hazardous Waste Management

BRU: Economic Development

Component: General Business

Sponsor: F. Ulmer

Requestor: F. Ulmer

COMPONENT SERIAL NO.

0	8	0	1
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	108.9	114.3	120.1	126.1	132.4	138.9
TRAVEL	15.0	17.5	20.0	20.0	20.0	20.0
CONTRACTUAL	80.0	5.0	5.0	5.0	100.0	5.0
SUPPLIES	5.0	2.5	2.5	2.5	2.5	2.5
EQUIPMENT	15.0	5.0	5.0	5.0	5.0	5.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	223.9	144.3	152.6	158.6	259.9	171.4

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND RESOURCE:						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	223.9	144.3	152.6	158.6	259.9	171.4
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL						

POSITIONS:

FULL-TIME	2.0	1.0	2.0	2.0	2.0	2.0
PART-TIME	1.0					
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS (Attach a separate page if necessary.)

Prepared By: W. G. Paulick, Development Specialist Phone: 465-2017

Division: Economic Development Date: 2/26/92

Approved by Commissioner: Glenn A. Olds *[Signature]*

Agency: Department of Commerce & Economic Development Date: 2-28-91

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., and Impacted Agency(ies).

February 24, 1992

SECTIONAL ANALYSIS - HB 465 - PROCUREMENT OF RECYCLABLES

* Section 1. Legislative Findings and Purposes.

Subsection (a) That unrelated countries around the world are forging cooperative agreements to increase the economic competitiveness of their economies, and that five Northwest states and two Canadian provinces, the Pacific Northwest Economic Region (PNWER), can adopt purchasing standards for recyclable products which will increase the marketability of these products.

Subsection (b) To substantially increase the purchase of recycled products which will increase the market potential for those products and substantially affect the states waste management problems, and develop standards that are compatible with the other members of PNWER.

* Section 2. Amends AS 36.30 to add a new section (36.30.075)

Subsection (a) requires the Dept. of Admin. to develop a plan to increase the purchase of certain recycled products.

Subsection (b) requires the plan to have minimum purchase goals, expressed as a percentage of the total dollar amount of purchases by state agencies.

Subsection (c) requires goals for the purchase of recycled paper and compost products to increase on a total dollar basis to 60 percent by 1999.

Subsection (d) defines the standards for the purchase of motor oil products.

Subsection (e) defines the standards for the purchase of retread tires, and provides for the exception of certain emergency vehicles.

Subsection (f) requires that the plan include effort to eliminate the purchase of paper products that cannot be recycled.

Subsection (g) defines the terms "plan", "recycled product", and "retread tire."

* Section 3. Amends AS 46.06 to add a w section (AS 46.06.025)

Subsection (a) requires the Dept. of Environmental Conservation to develop a statewide plan to manage solid and hazardous

waste generated by state agencies, and to consult with the affected state agencies.

Subsection (b) requires the plan to identify the characteristics of recyclable materials in the waste stream and their present destination.

Subsection (c) requires the plan to include an evaluation of those recyclable materials that can be used for trade in the state and in the PNWER.

Subsection (d) requires the plan to be updated every two years.

Subsection (e) requires the director of the court system to adopt a solid and hazardous waste management plan, consistent with (a) - (d) of this section.

Subsection (f) requires the legislative council to adopt a solid and hazardous waste management plan, consistent with (a) - (d) of this section.

Subsection (g) defines "plan" and "state agency."

* Section 4. Market Development Report.

Subsection (a) directs the Dept. of C&ED to submit a report to the legislature by January 1, 1993 on ways the state can encourage development of markets for recycled products.

Subsection (b) requires the report to have an analysis on the role procurement preferences can play in the development of recycled markets.

Subsection (c) requires the commissioner of C&ED to consult with the Dept. of Admin. and Dept. of Environmental Conservation when preparing this report.

* Section 5. requires the Dept. of Admin. to adopt the minimum purchasing requirements required by AS 36.30.075(b), section 2 of this Act, by January 1, 1993.



Pacific NorthWest Economic Region

February 25, 1992

Representative Fran Ulmer
Alaska State Legislature
District 4B - Juneau
P.O. Box V
Juneau, Alaska 99811-3100

Dear Representative Ulmer:

On behalf of the Pacific NorthWest Economic Region, I am writing to express our support for House Bill No. 465 to establish procurement policies throughout the State of Alaska. This legislation is the starting block to build a united coalition between the five northwestern states and the two provinces in Canada to develop minimum content standards for recycling.

The Northwest has traditionally held recycling as a key environmental issue. Northwest legislators now have the opportunity to enact legislation to provide a government model to encourage comparable commitment by its citizens and businesses in their purchasing practices. By encouraging the development of markets for recycled products, northwest legislators can strengthen the region's economy and also gain the full waste-reduction benefits from existing recycling efforts.

The Pacific NorthWest Economic Region consists of the states of Alaska, Idaho, Montana, Oregon, Washington, and the two provinces of Alberta and British Columbia. As a region, we are in a strategic position to act together in setting recycled procurement standards and therefore increasing the overall market effect of such standards.

We applaud Alaska's proposed recycling legislation which targets government procurement policies. The Pacific NorthWest Economic Region fully supports solutions to the region's waste management problems and commends you in pursuing a regional strategy to this critical issue.

Sincerely,

Alan Bluechel, President
Pacific NorthWest Economic Region
Vice-President Pro Tem
Washington State Senate

AB:bf:swm



Alaskans for Litter Prevention and Recycling

Keeping Alaska Beautiful

February 21, 1992

Representative Fran Ulmer
Room #421
State Capitol Building
Juneau, Alaska 99801

Dear Representative Ulmer,

On behalf of Alaskans for Litter Prevention and Recycling, I want to express my congratulations and support for House Bill Number 465.

As you know, a major dilemma confronting the practice of recycling is the lack of markets for recyclables. I believe that by increasing the procurement of recycled products by state governmental agencies your bill will help to develop those markets and to send a clear message to private business and individual citizens by government's example: that using recycled products is a vital part of the recycling process.

Requiring a statewide solid waste plan to manage waste generated by state agencies as indicated in the Bill is an obvious complement to the procurement requirement that will be an important step towards recycling overall waste. This evaluation will also fulfill another of ALPAR's key goals of truly recognizing the cost related to land fills in Alaska.

I applaud your efforts. If I can be of any assistance whatsoever in helping to achieve passage of this Bill, please don't hesitate to contact me,

Sincerely,

Roger Briley
President
Alaskans for Litter Prevention and Recycling

P O Box 231231
Anchorage, Alaska 99523

3514 Vassar Drive
Anchorage, Alaska 99508

(907) 272-9326
FAX (907) 272-2425

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*Past Presidents

Pacific Northwest Economic Region



total population
14,858,485

