

[DISCUSSION DRAFT]

112TH CONGRESS
2^D SESSION

H. R. _____

To direct the Environmental Protection Agency, the Department of Energy, and the Department of Commerce to cooperate in the collection and analysis of recycling data; to increase the collection of recyclable materials; to increase the use of recyclable materials in manufacturing processes throughout the United States; and to thereby increase energy efficiency.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Environmental Protection Agency, the Department of Energy, and the Department of Commerce to cooperate in the collection and analysis of recycling data; to increase the collection of recyclable materials; to increase the use of recyclable materials in manufacturing processes throughout the United States; and to thereby increase energy efficiency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Increasing Manufac-
3 turing Competitiveness Through Improved Recycling Act
4 of 2012”.

5 **SEC. 2. FINDINGS.**

6 The Congress finds the following:

7 (1) Energy-intensive manufacturers are essen-
8 tial to American manufacturing competitiveness.

9 (2) The Congress and States can put into place
10 policies that recognize and promote the increased
11 volume of high quality recyclable materials made
12 available to manufacturers and recognize that recy-
13 clable materials are essential commodities, rather
14 than waste.

15 (3) Energy-intensive industries, including iron
16 and steel, aluminum, forest and paper products,
17 metal casting, glass, and plastics manufacturing, in-
18 crease their competitiveness by increasing their en-
19 ergy efficiency.

20 (4) The manufacturing sector can increase its
21 competitiveness, reduce its energy costs and emis-
22 sion levels, and further improve diversion through an
23 increase in the volume of high quality recyclable ma-
24 terials used in its manufacturing processes.

25 (5) Through the use of recycled materials in
26 lieu of raw materials, manufacturers can achieve en-

1 ergy savings of 92 percent for aluminum cans, 84
2 percent for mixed plastics, 63 percent for steel cans,
3 45 percent for recycled newspaper, and 34 percent
4 for recycled glass.

5 (6) In 2010, the United States recycling indus-
6 try collected, processed, and consumed over
7 130,000,000 metric tons of recyclable material.

8 (7) More than 10,000 communities in the
9 United States have residential recycling and drop-off
10 programs that collect a wide variety of recyclable
11 materials, including paper and steel, aluminum, and
12 plastic and glass containers.

13 (8) Use of recyclable materials in manufac-
14 turing processes can reduce energy utilization and
15 associated greenhouse gas emissions, and the cost of
16 producing goods.

17 (9) Increased energy efficiency in the energy-in-
18 tensive manufacturing sector can lead to an increase
19 in domestic employment, including high-paying,
20 highly skilled jobs.

21 (10) Recyclable materials can be used as feed-
22 stock to produce new materials and products in the
23 United States and exported throughout the world.

24 (11) Current Environmental Protection Agency
25 recycling data do not provide adequate information

1 on the uses of recyclable materials after they are col-
2 lected in various municipal collection systems, and
3 thus do not present an adequate picture of the
4 amount of recyclable material available to manufac-
5 turers for reuse in their processes, or the cost and
6 energy savings resulting from the use of recyclable
7 materials in manufacturing processes.

8 (12) Improved data would lead to more in-
9 formed decision-making among policy makers and
10 governmental officials, and would help private sector
11 users of recyclables increase their use of recyclable
12 materials.

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

15 (1) ADMINISTRATOR.—The term “Adminis-
16 trator” means the Administrator of the Environ-
17 mental Protection Agency.

18 (2) MANUFACTURER RECOVERY RATE.—The
19 term “manufacturer recovery rate” means the
20 amount of recyclable material (by weight) that is
21 used by manufacturers, compared to the amount of
22 recyclable material (by weight) that is diverted from
23 the waste stream.

24 (3) MUNICIPAL COLLECTION SYSTEM.—The
25 term “municipal collection system” means any sys-

1 tem that facilitates diversion from municipal solid
2 waste, including dual stream and single stream
3 curbside collection programs, container deposit sys-
4 tems, drop-off collection systems, or any other sys-
5 tem that results in such diversion.

6 (4) DIVERSION.—The terms “diversion” and
7 “divert” mean the collecting of recyclable materials
8 that would otherwise be incinerated or sent to a
9 landfill.

10 (5) RECOVERY BY MANUFACTURERS.—The
11 term “recovery by manufacturers” means the proc-
12 essing and reuse of recyclable materials in a manu-
13 facturing process to produce new consumer and com-
14 mercial goods, and products and packaging, includ-
15 ing use of imported recyclable materials in a manu-
16 facturing process and the export of recyclable mate-
17 rials for use in a manufacturing process, but exclud-
18 ing any recyclable material used for any purpose
19 other than use by a manufacturer, whether or not
20 such uses would in other contexts be considered “re-
21 cycling”, “diversion”, or “recovery”, including incin-
22 eration, or for use in roadbeds, surfacing, and land-
23 fills as alternative daily cover.

1 (6) RECYCLABLE MATERIAL.—The term “recy-
2 clable material” means aluminum, glass, paper, plas-
3 tic, and steel.

4 **SEC. 4. AGENCY REVIEW OF DATA ON THE COLLECTION OF**
5 **RECYCLABLE MATERIALS, RECOVERY RATES,**
6 **DISPOSAL AVOIDED AND RESULTING ENERGY**
7 **SAVINGS.**

8 (a) IN GENERAL.—Not later than 2 years after the
9 date of enactment of this Act, the Administrator, following
10 consultation with the Secretary of Energy and the Sec-
11 retary of Commerce, and, as appropriate, with States, mu-
12 nicipalities, manufacturers, brand owners, environmental
13 organizations, trade associations, processors, recovery fa-
14 cilities, and other relevant stakeholders, shall gather and
15 review information on the collection, handling, processing,
16 and use of recyclable materials diverted by municipal col-
17 lection systems and the recovery by manufacturers of such
18 recyclable materials, and shall submit to the Congress a
19 report that includes the information specified in sub-
20 section (b).

21 (b) REPORT COMPONENTS.—The report under sub-
22 section (a) shall include, to the extent possible—

23 (1) the tonnage of recyclable materials that are
24 diverted by each type of municipal collection system;

1 (2) the tonnage of recyclable materials that are
2 recovered by manufacturers, broken down by the
3 type of material and type of collection system;

4 (3) the manufacturer recovery rate achieved for
5 each type of recyclable material, from each type of
6 municipal collection system;

7 (4) the tonnage of recyclable materials that are
8 disposed of in a landfill directly after use, broken
9 down by type of recyclable material;

10 (5) the tonnage of recyclable materials that are
11 disposed of in a landfill, following diversion, sorting,
12 separation, cleaning, or any beneficiation, broken
13 down by type of recyclable material and type of mu-
14 nicipal collection system;

15 (6) the tonnage of recyclable materials that
16 goes to other identifiable end uses; and

17 (7) the energy consumed and costs incurred to
18 collect and beneficiate recyclable materials, broken
19 down by type of municipal collection system and
20 type of recyclable material.

21 (c) DATA COLLECTION.—

22 (1) The report under subsection (a) shall be
23 based on information provided voluntarily pursuant
24 to an information collection request as well as data

1 published by government entities and trade associa-
2 tions.

3 (2) Information provided voluntarily by private
4 entities pursuant to an information collection re-
5 quest shall be considered confidential business infor-
6 mation.

7 (3) To the extent practicable, information pro-
8 vided voluntarily shall include aggregated informa-
9 tion collected from trade associations.

10 **SEC. 5. LIMITATION.**

11 Nothing in this Act shall be interpreted to provide
12 the Administrator, the Secretary of Energy, or the Sec-
13 retary of Commerce with any authority to regulate recy-
14 cling goals or rates, energy use goals or rates, recycling
15 content, or recycling collection programs, or to set min-
16 imum recycled content requirements.

17 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

18 There is authorized to be appropriated to the Envi-
19 ronmental Protection Agency to carry out this Act
20 \$400,000 for each of fiscal years 2013 through 2015, to
21 remain available until expended.