

October 16, 2019

The Honorable Charles Clemons
Chair, Agriculture & Natural Resources Subcommittee
Florida House of Representatives
221, The Capitol
Tallahassee, FL 32399

Dear Representative Clemons:

The undersigned companies and organizations urge you to amend HB 73, Environmental Regulation, to ensure that recycling efforts in Florida are not derailed.

The stated goal of HB 73 is to address contamination of recyclable material. In a recycling context, contamination occurs when non-recyclable materials are placed in recycling bins.

We agree that it is good for Florida to encourage municipalities, collectors and processors to consider contamination when entering into contracts. However, there needs to be a recognition that contracts alone do not address contamination – rather, citizen education and engagement efforts have proven successful in reducing contamination. For example, after a recent citizen education and engagement effort conducted by The Recycling Partnership in Atlanta, contamination levels dropped by 57 percent.

While there has been a much-needed focus on reducing contamination in the past few years since China stopped taking US recyclables, we are unsure of the need for legislation. The free market has addressed these concerns in the contracting process – we are seeing contracts across the country being amended to address contamination concerns.

If the legislature moves forward with mandating the content of contracts, there are two specific provisions that could lead to good recyclable material being landfilled.

First, on page 2, line 44, the bill mandates that contracts between local governments and their recycling collectors and processors define “contaminated recyclable material.” This definition, made on a community-by-community basis, could define commonly recyclable materials as “contamination” or set thresholds that are subjectively determined. For example, a local government and residential recycling collector could define contamination at a 15 percent threshold level. A load containing 16 percent contamination could be dumped in a landfill, with 84 percent of the load being good recyclable material.

Second, on page 3, lines 65-74, the bill gives residential recycling collectors and processors the ability to landfill any load that contains contaminated recyclable material. This could result in a significant increase in the amount of good recyclables ending up in landfills.

As companies with significant sustainability goals and organizations that work with communities across the country to divert recyclable material from landfills, this bill gives us concern.

We have suggested alternative language to the bill sponsor and appreciate his willingness to work with us to address these concerns. With the goal of reaching a 75 percent recycling rate by 2020 fast approaching, we are committed to working with you to move Florida towards a circular economy – one that preserves the value of materials within Florida’s economy instead of burying valuable material in landfills.

Sincerely,

