

Aug 1, 2024 2:00 PM MDT | 📅 Policy Committee Meeting

Attendees: randy@ecocycle.org bmoe@republicservices.com
rachel@highcountryconservation.org Amelia Kovacs shutchin@wm.com
jfreeman@constellationstrategies.net executive.director@recyclecolorado.org
ally@recyclecolorado.org Alexis Marsh, Alicia Archibald, Angela (GJ), Bob Hunt, Brandy Moe, Caroline Mitchell, Celene Peck-Andreano, Clinton Sander, (Cut the Plastic), Darla Arians, David Fridland, Dylan Brown, Michael Hatchett, Hrtiayden van Anandel, Jace Driver, Jame Blanchard-Poling, Jonathan Levy, Joshua Kirschner, Julie Mach, Kelsie DeFrancia, Laci Byers, Mellik Gorton, Michael Wasserman, Neil Noble, Nicolas Wilson, Pauline Herrera, Rachel Roussel-Diamon, Rachel Setzke, Rebecca Thomas, Ryan Call, Scott DeFife, Shelley Fuller, Suzanna Jones, Tom Dodd, Wolf Kray

Agenda for August 1st Policy Committee, 2pm-3:30pm

1. Introductions of new Policy Committee Leadership Team

Policy Committee Chair: Randy Moorman, Eco-Cycle

Co-Chairs: Brandy Moe (Republic Services) and Rachel Zerowin, High Country Conservation Center (HC3)

Recorder: Amelia Kovacs, Walking Mountains

Lobby Day Director: Jenifer Freeman

Policy Retreat Director: Scott Hutchings (Hutch), WM

Recycle Colorado Staff: Liz Chapman (Executive Director) and Ally Byzewski (Operations Coordinator)

Recycle Colorado Board Liaison: Alicia Archibald

2. Rural Policy Subcommittee Report

During the 2024 Summit for Recycling, members met to discuss the merger of Recycle Colorado's Rural Policy Committee and Western Slope Council. The group voted to combine the two to create a single, more inclusive, Greater Colorado Council. This will allow the group to expand membership, add new perspectives, and tackle projects and problems together.

We have identified the first Wednesday of every month from 1:30-2:30pm to be the best time for us to all meet. The first Greater Colorado Council Meeting is on August 7th at 1:30pm.

If you are interested in joining the Greater Colorado Council, RSVP on the [councils/committees page](#) on the Recycle Colorado website.

3. EPR Implementation Updates/Consultation meetings/Communications with RC membership

Randy: The Leadership Team met and would like to ensure everyone is informed of the EPR consultation meetings.

- a) Liz w/ an update on CAA Consultation Meetings: So far, there have been two consultation meetings: Minimum Recyclable List, Minimum Collection Targets, and Recycling Rates and Education & Outreach.
 - i) Meetings are not recorded. You can find past slide decks [online](#) at <https://circularactionalliance.org/co-consultation>. If you'd like to attend future meetings, please individually RSVP for each meeting you'd like to attend at <https://circularactionalliance.org/co-consultation>.
 - ii) Surveys are sent out after each meeting to provide feedback and solicit questions. Recycle CO will send out links to past/future meetings along with appropriate surveys.
 - (1) Jonathan Levy - Would Recycle CO be interested in collating RC members' answers to send to CAA?
 - (a) Liz: Yes, feel free to contact Liz at executive.director@recyclecolorado.org with any feedback. This feedback can be anonymous if that is a value to you.
 - iii) Most sessions are informational with around 15 min of discussion.

4. EPR implementation – RC Feedback sessions to Consultation meetings

Liz: The open market municipalities have requested an opportunity to meet and provide feedback. Other members/sectors are invited to reach out to Liz and request a meeting as well.

5. **2025 Legislative Session Proposals** - Please review one-pagers that will be sent out in advance: 1) [Batteries/HHW EPR proposal](#), 2) [Organics proposal](#), 3) [Bottle Return proposal](#). Each working group will get 10 minutes to present, followed by 15 minutes of discussion.

[Batteries/HHW EPR proposal](#), presented by Rachel Setzke

Initial Questions:

- Meghan Ibach: Why not EV batteries?
 - Rachel: There are very different stakeholders who manage the recycling of EV batteries.
- Jonathan Levy: In support of this policy proposal.

- Brian Loma: *Retracking to the first question about EV batteries* Can you clarify why not EV batteries?
 - Rachel Setzke: With national momentum and federal research on the recycling of EV batteries, we were advised to hold off on prioritizing this as a policy focus for Recycle CO.
 - Liz Chapman: We were advised EV battery recycling is a different legislative process. Loose batteries are a huge focus in CO right now.
- Meghan Ibach: Are we considering education and outreach along this legislation?
 - Shelley: Although EV Battery recycling isn't the focus of this proposal, it doesn't mean that any EV Battery recycling policies are off the table for the future.
- Caroline Mitchell: In support of this policy proposal. As for potential hurdles, at the Fort Collins recycling center, they are having a difficult time finding language for their signage on how to properly dispose of batteries. We should prepare proper language and FAQs.
 - Rachel Setzke : Legislation typically requires the PRO to educate collectors on safe collection and handling.
- Brian Loma: Vape batteries got collected into HHW by definition.
 - Shelley: We should include vape take-back. Tackling this under the HHW umbrella could be beneficial for the state and all communities. HHW storage requirements will change in 2025.

(1) What are the Pros of running legislation in 2025?

- Decreasing fires at MRFs: Addressing the urgency of the matter. Battery-caused fires at our MRFs are impacting many members (haulers/recyclers) of Recycle Colorado.
- Following the momentum of other states (WA, OR, etc).
- We can move on 2030 effective dates that roll in with the other PRO activity

(2) What are the challenges to running legislation in 2025?

- The HHW/EPR bill could be too big of a bite, instead of just solely focusing on battery recycling.
 - Diversifying our policy proposals could be less effective

(3) What questions do we need answered to determine if we are going to run legislation in 2025?

-Should we instead run a loose battery-focused bill or a larger HHW/Batteries/EPR bill?

-(*Pulled from report*) Scope and timing of the bill(s) - HHW - all materials under the state definition or just some? There is some overlap between Paintcare and packaging EPR, so we'll need to write the bill in a comprehensive way, but not double-impacting producers. Are there ways to create an EPR program for HHW materials that might benefit our existing EPR programs? (Batteries - just loose, small, and medium format batteries or embedded batteries too?)

-(Pulled from report) Do we need to look at e-waste EPR to capture embedded batteries or can we follow the model of other states and create a PRO-funded study to determine how to handle embedded batteries?

-(Pulled from report) Do we need to draw special consideration for single-use vapes that are both embedded battery devices and HHW?

-(Pulled from report) Do we look at multiple bills, maybe throughout multiple legislative sessions? (Hopefully the interested legislators will help strategize this.)

-(Pulled from report) What stakeholders still need to be engaged? (Retailers, HHW vendors and existing PROs)

Organics proposal, presented by Meghan Ibach

Initial Questions:

- Rachel Setzke : This can be a huge opportunity with RC councils with smaller organics projects across greater Colorado.
- ryan@ecocycle.org : Can you explain more about what you meant by “enabling” landfills to start composting?
 - Rachel Setzke : This can help address any barriers for landfills across the state to offer composting.
 - Neil Noble: landfills are regulated by their operating permits by the county so there is no mechanism to "enable" them to compost
 - Meghan: The original wording was “require”. Enable was a friendlier word throughout this discussion.
- Caroline Mitchell: Would we be able to create a list of which steps are the highest priority at our future meeting?
- Julie Mach: Rural communities have difficulties encouraging and operating composting at our local facilities, so we should include the County in these discussions.

(1) What are the Pros of running legislation in 2025?

- Increasing infrastructure across the state to inch closer to an organics ban.
- Addressing *expensive* low-hanging fruit: Getting landfills infrastructure for grinding/mulching yard waste material.
- Supporting Municipalities
- Economic/landfill space benefits: Composting costs more than burying organics so any plan needs to be economically driven. Strong end markets could drive this. (Neil Noble)

(2) What are the Challenges to running legislation in 2025?

- Landfill owner assistance: What kind of assistance will our landfill owners/operators need to make this happen?
- Limited space: Most facilities have limited space for new operations/ composting facilities at most of the current landfills. Possibly acquiring new land, and then opening up an existing solid waste permit is time-consuming, risky, and capital-intensive. I am all for

helping new organics processing facilities come about, but It is a long and bumpy road. So yes more support through C3E would be nice. Siting new land is hard for solid waste is hard and expensive. (Nicolas Wilson)

- Budgetary constraints
- Unfunded mandates
- Privately owned landfills and associated land

(3) What questions do we need answered to make a determination if we are going to run legislation in 2025?

- Cost and impact potential: What is the total cost of introducing composting infrastructure across the state? Can we complete an analysis of our environmental impact + diversion aligning with the % of funds we will receive?
- Can we engage with rural, public and private landfill operators to better understand the barriers to separating organics- specifically grinding and mulching yard debris. How can we overcome these challenges?

Bottle Return proposal, presented by Ryan Call

Initial Questions

- Brian Loma: How will this impact bars and restaurants? How is the bottle return bill advantageous for our bars and restaurants? Will green teams/restaurants really make money off a bottle bill if there is a deposit?
 - Scott DeFife: In Oregon, many social programs are funded by bottle bills since they make money on collected material. The deposit acts as an incentive to recycle the bottle through the return mechanism.
 - Timing is everything and a science for introducing this. Introducing a bottle bill along with EPR is new, but that doesn't mean it won't work.
- Rachel Setzke: Is there a general rule of thumb of what we have the capacity for when prioritizing bills of focus?
 - Liz Chapman: In the past, Recycle Colorado was able to participate in stakeholder meetings.
 - The rule of thumb is it's a starting-from-scratch bill, that should be the sole bill of Recycle Colorado's focus. However, if it is an amendment, we may have additional capacity on how we support and move forward as an organization.

(1) What are the Pros of running legislation in 2025?

- Timing is everything and a science for introducing this. Introducing a bottle bill along with EPR is new, but that doesn't mean it won't work
- *(Pulled from report)* Provides incentives via a refund (in the RR program) and the collection network to enable scaling reuse and refill programs for beverages and other packaging.

- *(Pulled from report)* Supports the development of shared infrastructure funded by the Producer Responsibility Organization (PRO) to achieve reuse targets.
- *(Pulled from report)* Recycling Refund systems have enabled reuse and refill systems in Canada and along the West Coast by scaling drop-off infrastructure and funding wash/refill pilots. EPR and RR programs can coordinate to maximize efficiencies and cost savings, by co-locating infrastructure and identifying synergies. For example, RR sites can serve as drop-offs for EPR or other hard-to-recycle materials or all forms of reusable packaging formats.

(2) What are the Challenges to running legislation in 2025?

The working group stated they do not want to run legislation in 2025.

(3) What questions do we need answered to make a determination if we are going to run legislation in 2025?

The working group is requesting the policy committee support their work to continue researching and developing a proposal for the future after the 2025 session.

6. Next meeting – September 5 – Voting for 2025 legislative proposals to be recommended to the Board of Directors