116TH CONGRESS
1ST SESSION
S. 2941

To require the Administrator of the Environmental Protection Agency to establish a consumer recycling education and outreach grant program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 21, 2019

Mr. PORTMAN (for himself, Ms. STABENOW, Mr. WYDEN, Ms. COLLINS, and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Administrator of the Environmental Protection Agency to establish a consumer recycling education and outreach grant program, and for other purposes.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Recycling Enhance-
ments to Collection and Yield through Consumer Learning

and Education Act of 2019” or the “RECYCLE Act”.

SEC. 2. DEFINITION OF ADMINISTRATOR.

In this Act, the term “Administrator” means the Ad-

ministrator of the Environmental Protection Agency.
SEC. 3. CONSUMER RECYCLING EDUCATION AND OUT-REACH GRANT PROGRAM.

(a) IN GENERAL.—The Administrator shall establish a program (referred to in this section as the “grant program”) to award competitive grants to eligible entities to improve the effectiveness of residential and community recycling programs through public education and outreach.

(b) CRITERIA.—The Administrator shall award grants under the grant program for projects that, by using one or more eligible activities described in subsection (e)—

(1) inform the public about residential or community recycling programs;

(2) provide information about the recycled materials that are accepted as part of a residential or community recycling program that provides for the separate collection of residential solid waste from recycled material; and

(3) increase collection rates and decrease contamination in residential and community recycling programs.

(c) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—An entity that is eligible to receive a grant under the grant program is—

(A) a State;

(B) a unit of local government;

(C) a Tribal government;
(D) a nonprofit organization; or

(E) a public-private partnership.

(2) COORDINATION OF ACTIVITIES.—Two or more entities described in paragraph (1) may receive a grant under the grant program to coordinate the provision of information to residents that may access two or more residential recycling programs, including programs that accept different recycled materials, to provide to the residents information regarding differences among those residential recycling programs.

(d) REQUIREMENT.—

(1) IN GENERAL.—To receive a grant under the grant program, an eligible entity shall demonstrate to the Administrator that the grant funds will be used to encourage the collection of recycled materials that are sold to an existing or developing market.

(2) BUSINESS PLANS AND FINANCIAL DATA.—

(A) IN GENERAL.—An eligible entity may make a demonstration under paragraph (1) through the submission to the Administrator of appropriate business plans and financial data.

(B) CONFIDENTIALITY.—The Administrator shall treat any business plans or financial
data received under subparagraph (A) as confidential information.

(e) ELIGIBLE ACTIVITIES.—An eligible entity that receives a grant under the grant program may use the grant funds for activities including—

(1) public service announcements;

(2) a door-to-door education and outreach campaign;

(3) social media and digital outreach;

(4) an advertising campaign on recycling awareness;

(5) the development and dissemination of—

(A) a toolkit for a municipal and commercial recycling program;

(B) information on the importance of quality in the recycling stream;

(C) information on the economic and environmental benefits of recycling; and

(D) information on what happens to materials after the materials are placed into a residential or community recycling program;

(6) businesses recycling outreach;

(7) bin, cart, and other receptacle labeling and signs; and
(8) such other activities that the Administrator
determines are appropriate to carry out the purposes
of this section.

(f) PROHIBITION ON USE OF FUNDS.—No funds may
be awarded under the grant program for a residential re-
cycling program that—

(1) does not provide for the separate collection
of residential solid waste (as defined in section
246.101 of title 40, Code of Federal Regulations (as
in effect on the date of enactment of this Act)) from
recycled material (as defined in that section), unless
the funds are used to promote a transition to a sys-
tem that separately collects recycled materials; or

(2) promotes the establishment of, or conver-
sion to, a residential collection system that does not
provide for the separate collection of residential solid
waste from recycled material (as those terms are de-
defined under paragraph (1)).

(g) MODEL RECYCLING PROGRAM TOOLKIT.—

(1) IN GENERAL.—In carrying out the grant
program, the Administrator, in consultation with
other relevant Federal agencies, States, Indian
Tribes, units of local government, nonprofit organi-
zations, and the private sector, shall develop a model
recycling program toolkit for States, Indian Tribes,
and units of local government that includes, at a minimum—

(A) a standardized set of terms and examples that may be used to describe materials that are accepted by a residential recycling program;

(B) information that the Administrator determines can be widely applied across residential recycling programs, taking into consideration the differences in recycled materials accepted by residential recycling programs;

(C) educational principles on best practices for the collection and processing of recycled materials;

(D) a community self-assessment guide to identify gaps in existing recycling programs;

(E) training modules that enable States and nonprofit organizations to provide technical assistance to units of local government;

(F) access to consumer educational materials that States, Indian Tribes, and units of local government can adapt and use in recycling programs; and

(G) a guide to measure the effectiveness of a grant received under the grant program, in-
including standardized measurements for recycling rates and decreases in contamination.

(2) REQUIREMENT.—In developing the standardized set of terms and examples under paragraph (1)(A), the Administrator may not establish any requirements for—

(A) what materials shall be accepted by a residential recycling program; or

(B) the labeling of products.

(h) SCHOOL CURRICULUM.—The Administrator shall provide assistance to the educational community, including nonprofit organizations, such as an organization the science, technology, engineering, and mathematics program of which incorporates recycling, to promote the introduction of recycling principles and best practices into public school curricula.

(i) REPORTS.—

(1) TO THE ADMINISTRATOR.—Not earlier than 180 days, and not later than 2 years, after the date on which a grant under the grant program is awarded to an eligible entity, the eligible entity shall submit to the Administrator a report describing, by using the guide developed under subsection (g)(1)(G)—
(A) the change in volume of recycled material collected through the activities funded with the grant;

(B) the change in participation rate of the recycling program funded with the grant;

(C) the reduction of contamination in the recycling stream as a result of the activities funded with the grant; and

(D) such other information as the Administrator determines to be appropriate.

(2) To Congress.—The Administrator shall submit to Congress an annual report describing—

(A) the effectiveness of residential recycling programs awarded funds under the grant program, including statistics comparing the quantity and quality of recycled materials collected by those programs, as described in the reports submitted to the Administrator under paragraph (1); and

(B) recommendations on additional actions to improve residential recycling.

SEC. 4. FEDERAL PROCUREMENT.

Section 6002 of the Solid Waste Disposal Act (42 U.S.C. 6962) is amended—
(1) in subsection (e), in the matter preceding paragraph (1), by striking “and from time to time, revise” and inserting “review not less frequently than once every 5 years, and, if appropriate, revise, in consultation with recyclers and manufacturers of products containing recycled content, not later than 2 years after the completion of the initial review after the date of enactment of the Recycling Enhancements to Collection and Yield through Consumer Learning and Education Act of 2019 and thereafter, as appropriate”; and

(2) by adding at the end the following:

“(j) Consultation and Provision of Information by Administrator.—The Administrator shall—

“(1) consult with each procuring agency, including contractors of the procuring agency, to clarify the responsibilities of the procuring agency under this section; and

“(2) provide to each procuring agency information on the requirements under this section and the responsibilities of the procuring agency under this section.

“(k) Reports.—The Administrator, in consultation with the Administrator of General Services, shall submit to Congress an annual report describing—
“(1) the quantity of federally procured recycled products listed in the guidelines under subsection (e); and

“(2) with respect to the products described in paragraph (1), the percentage of recycled material in each product.”.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

(a) In General.—There is authorized to be appropriated to the Administrator to carry out this Act and the amendments made by this Act $15,000,000 for each of fiscal years 2020 through 2024.

(b) Requirement.—Of the amount made available under subsection (a) for a fiscal year, not less than 10 percent shall be allocated to low-income communities (as defined in section 45D(e) of the Internal Revenue Code of 1986).