



May 8, 2026

Submitted via email: recyclingreform@ecy.wa.gov

Washington Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

RE: Request for Information to Develop Statewide Recycling Lists and Needs Assessments – Comments

Dear Washington Department of Ecology,

AMERIPEN – the American Institute for Packaging and the Environment – appreciates the opportunity provided by the Washington Department of Ecology (“the Department” or “Ecology”) to submit written feedback regarding publication number ECY 26-07-021, the Request for Information (RFI) to Develop Statewide Recycling Lists and Needs Assessments. AMERIPEN respectfully submits this feedback letter for the Department’s consideration as it develops the statewide recycling lists and needs assessment under the Recycling Reform Act (RRA).

AMERIPEN is a trade association that represents the entire packaging value chain, advocating for responsible packaging policies that drive meaningful progress in packaging sustainability while supporting industry growth and consumer needs. As the leading voice for packaging policy in the United States, AMERIPEN collaborates with legislators, regulators, and stakeholders to develop science-based, data-driven solutions that enhance the role of packaging in product protection and circularity. We have several member companies with a significant presence in Washington, as well as many more that import packaging materials and products into the state.

The written feedback below from AMERIPEN addresses ECY 26-07-021 as released on April 1, 2026, and is organized by section of the RFI.

SECTION A. REQUEST FOR INFORMATION FOR WASHINGTON'S STATEWIDE COLLECTION LISTS

Subsection A4: Packaging Design Characteristics and Material Flow Information.

In response to the bullet in subsection A4 referring to “Data on recyclability / compostability of covered materials including information on collection access and compatibility with sorting and processing infrastructure or technologies, particularly for compostable packaging, AMERIPEN recommends Ecology consult a 2024 report from the Composting Consortium regarding compost



contamination.¹ The report provides preliminary evidence that contamination in composting streams is not significantly correlated to material acceptance at a given facility. Specifically, it found that a facility that did not accept compostable packaging “did not have significantly less contamination compared to the other nine facilities that do accept compostable packaging.” While the sample size is limited, this helps support the suitability of compostable packaging for Washington’s forthcoming collection list. The study also points to upstream contamination and collection quality control measures as necessary to protect compost values.

In 2025, AMERIPEN prepared a report entitled, “U.S. Packaging Recycled Content Goals Analysis,”² which examined post-consumer recycled (PCR) content goals, supply and demand, and progress across various material types. The report relied mostly on national data. It can be used to inform the needs assessment, particularly for the bullet in subsection A4 seeking “Total amount and types of covered materials utilizing post-consumer recycled content.” This information can help with assessing whether capacity to generate PCR material is sufficient among distinct types of materials and resins. For instance, among other things, the report finds that there is a need to expand capacity to supply plastic PCR and a need to improve collection of used packaging to make use of unused PCR production capacity.³

Subsection A5: End-Market Viability and Responsible Market Conditions.

AMERIPEN also recommends consulting its 2025 “U.S. Packaging Recycled Content Goals Analysis” to help inform subsection A5. Among other things, the report contains information that the RFI seeks related to recycling yield and market constraints. It also includes discussion of challenges and data gaps related to food packaging for PCR.

To assist with the first two bullets in subsection A5, AMERIPEN suggests Ecology review the data in the United States Environmental Protection Agency Recycling Infrastructure and Market Opportunities Map.⁴ This resource provides a robust list of potential end markets categorized by material type across the United States, including Washington. However, AMERIPEN cautions that the end markets sites in the map require validation to ensure they are in operation and accepting recycled materials. Moreover, this resource is limited to end markets in the United States so Ecology should be sure to look for end markets in Canada, given its proximity to the state.

¹ Center for the Circular Economy at Closed Loop Partners, *Don’t Spoil the Soil: The Challenge of Contamination at Composting Sites* (New York: Closed Loop Partners, 2024), https://www.closedlooppartners.com/wp-content/uploads/2024/03/Dont_Spoil_the_Soil_CLP_CompostingConsortium.pdf.

² AMERIPEN. (2025). *U.S. Packaging Recycled Content Goals Analysis*. <https://www.ameripen.org/us-packaging-recycled-content-goals-analysis/>.

³ Note that conditions in recycling markets are constantly changing, and increased investment in packaging markets in the next few years (due to extended producer responsibility policies and industry initiatives) are anticipated to increase PCR demand and supply alike.

⁴ U.S. Environmental Protection Agency. (n.d.). Recycling infrastructure and market opportunities map. <https://www.epa.gov/circulareconomy/recycling-infrastructure-and-market-opportunities-map>.

SECTION B. REQUESTS FOR INFORMATION FOR WASHINGTON’S NEEDS ASSESSMENTS

Subsection B1: Survey Data Collection Scope and Planned Data Collection Efforts.

On page 8 of the RFI, Ecology asks, “What other supplemental data collection would strengthen the needs assessments?” AMERIPEN has several suggestions for additional sources of information that will better inform the needs assessments and the implementation of the RRA. In turn, this information can help guide the producer responsibility organization in determining where actions and investments are needed to facilitate more recycling.

1. Use Material Recovery Facility Residue Audits

AMERIPEN recommends usage of any available material recovery facility-specific residue audits (which can be used in an aggregated or anonymized format). The RFI does acknowledge that the needs assessment requires high-level material recovery facility (MRF) information, such as capacity and site count. However, this information provides only limited insight into the capability and needs of MRFs. Ecology should supplement this information by seeking residue rates for the various packaging formats. This data is necessary to inform and validate recycling rates, inform recyclability determinations, and measure recycling infrastructure and end market performance.

There may be a few useful sources of facility-specific residue audits. One potential source is the service provider registration data reported to Ecology. Under the RRA, service providers are required to annually report “[m]ethods of managing contaminants and residue to avoid negative impacts on other waste streams or facilities” and “[r]esiduals, including residue rate, composition, and disposal location.”⁵ Another source is Ecology’s 2022-2023 Washington Statewide Recycling & Organics Characterization Study⁶, including the underlying facility data that informed it to which Ecology may have access. The 2022 Material Recovery Facility (MRF) Assessment - Waste Monitoring and Surveys - King County Solid Waste Division⁷ provides a county-specific subset of this data, which also can be useful for comparisons and informing modeling for other parts of Washington. Additionally, such data may be requested (and treated as confidential business information) as part of the forthcoming facility survey for the needs assessments.

2. Consult MRF Sortation Yield Loss Data

AMERIPEN recommends Ecology obtain sortation yield loss data from MRFs. This information is valuable for understanding several components of throughout the system for recycling packaging. For

⁵ Revised Code of Washington (RCW) 70A.208.070(2)(a)(v) and (vi).

⁶ Washington Department of Ecology. (2024, June). 2022-2023 Washington Statewide Recycling & Organics Characterization Study. <https://apps.ecology.wa.gov/publications/documents/2407007.pdf>.

⁷ Cascadia Consulting Group. (2024, September). 2022 Material Recovery Facility (MRF) Assessment - Waste Monitoring and Surveys - King County Solid Waste Division. <https://your.kingcounty.gov/dnrp/library/solid-waste/Solid-waste-planning-monitoring/Solid-waste-monitoring/MRF-assessment-2022.pdf>.



one, by detailing how much material is lost, it gives direct insight into the efficiency of MRF equipment and processes. This, in turn, can be useful for identifying what facilities require investments and upgrades. Also, when providing details about what packaging material types certain equipment handles, this information helps with understanding how those different materials fare once they are collected and sent for recycling. This is a critical data point that will guide producers in packaging redesign and inform related actions under the RRA. Again, this data should be aggregated and anonymized when reported. Ecology may also have pre-existing access from data it collects from facilities and can supplement it via the needs assessment survey.

3. Seek Bale Specification Information

AMERIPEN recommends seeking out particular information that relates to the quality and acceptability of processing outputs. Specifically, Ecology should seek information related to bale specification compliance failures, processor rejections or downgrades of bales, and contamination volatility trends. To the extent it exists, such data is unlikely to be reported publicly. Therefore, Ecology should seek it via the needs assessment survey from both MRFs and end markets while ensuring this data will be protected as confidential business information. This data is critical for understanding the interaction between MRFs and end markets. It provides visibility into what end markets are seeking, and the extent of quality and contamination issues they face, which can then be applied to MRF investment decisions.

4. Representative Sampling of Contract Data

AMERIPEN urges Ecology to ensure the contracts it collects and uses for assessment provide a representative sample of the entirety of the state. This pertains to the “Assessment of recycling and composting collection or processing contracts, including average term length, and contract cost structures” category. The contract sampling should include consideration of population size and density, geography, and relevant demographics. This is critical for informing covered cost and reimbursement figures accurately.

5. Inclusive Consideration of Drop-off Sites

AMERIPEN recommends that Ecology uses an inclusive approach when it initially identifies sites for the “Drop-off sites” bullet. Potential sites should not be restricted to those directly affiliated with, or operated by, waste haulers. Instead, all types of locations and operators that collect covered materials should be considered, including retail stores and third-party subscription services. AMERIPEN similarly recommends use of directories for specific types of materials to help inform the available network of sites statewide. Ecology should also consider opportunities to partner with existing nonprofits and other entities that currently operate drop-off sites or similar services, as is being pursued under the Oregon EPR program.



6. *Use the Needs Assessment Survey*

Finally, AMERIPEN recommends using the needs assessment survey to help fill gaps and obtain state- and end market-specific data to build off AMERIPEN's "U.S. Packaging Recycled Content Goals Analysis" report. The survey should gather information that will help with understanding variations among markets by material, grade, and resin type. It also can help identify where there is excess capacity to produce PCR material and where more investment is needed to produce PCR material.

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AMERIPEN strives to offer a good-faith and proactive approach to crafting packaging policies. We continue to focus on initiatives that develop and/or strengthen policies to advance the "reduce, reuse, recycle" strategies, while also underscoring the value of packaging. Our members are driving innovation, designing new packaging to be recycled, composted, or reused, and creating a more circular economy for all packaging. In our efforts to reduce environmental impact by increasing packaging circularity, our members continue to recognize the value of collaboration and the importance of working across the packaging value chain.

AMERIPEN thanks Ecology for this opportunity to provide written feedback regarding ECY 26-07-021. AMERIPEN also appreciates the consideration of Ecology staff during this process. Please contact me by email (daniellew@ameripen.org), or Gregory Melkonian by email (gmelkonian@serlinhaley.com) or by phone (617-778-1200), with any questions on the information AMERIPEN provided in this letter.

Sincerely,

A handwritten signature in black ink that reads "Danielle F. Waterfield".

Danielle F. Waterfield, Esq.
Policy Director and General Counsel