



**Summit for Recycling  
&  
Rocky Mountain Composting Symposium**

**The New Colorado Producer Responsibility Law:  
We did it! So now what?  
What is the role of Recycle Colorado in implementation?**

**August 23 - 24, 2022 Aurora, Colorado**



# Today's Goals:

- Provide information on the Colorado Producer Responsibility Act - what's in it?
- Outline the process for implementation
- Solicit ideas on what should be included in the needs assessment
- Solicit ideas for who should be on the Advisory Board
- Answer questions
- Determine next steps

### Agenda:

- Welcome/Introductions
- What's in the Act
- Implementation Timeline
- The Needs Assessment & What Data Do We Already Have?
- What Do You Want to See Addressed in the Needs Assessment?
- The Advisory Board
- Who Should Be on the Advisory Board?
- Final Q & A and Next Steps

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# HB22-1355

Through a Producer Responsibility policy for containers, packaging, and printed paper, Colorado can:

**INCREASE RECYCLING, REDUCE  
UNNECESSARY PACKAGING, &  
STRENGTHEN SUPPLY CHAINS**



**Kate Bailey, Policy Director, Eco-Cycle**

[www.recyclingforallcoloradans.org](http://www.recyclingforallcoloradans.org)

# What CO EPR law will do



Develop a convenient, cost-effective statewide recycling system with free recycling to all residents



Be funded and managed by producers who sell packaging and paper in and into the state



Set up an industry-run program with appropriate government oversight and advisory board of key stakeholders

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Increase our recycling rate and reduce climate pollution.



Make it easy for all residents and businesses to recycle, including at apartments and in rural areas.



Develop a clear common list of what can be recycled statewide.



Save local governments money by reimbursing their costs to run recycling programs.



Support Colorado businesses by creating a more resilient domestic supply of raw materials to make new products.



Create financial incentives for companies to reduce unnecessary packaging and use greener, more recyclable materials.


## Why this policy matters

# How EPR will work

Companies selling packaging and paper join  
Producer Responsibility Organization (PRO)



Producers pay dues to the non-profit PRO or  
submit their own individual plan.



PRO develops plan to improve recycling statewide.



Advisory board reviews plan; CDPHE approves  
program and enforces participation



PRO contracts with service providers to provide convenient  
recycling at no charge to all residents.

# Producer Responsibility Organization (PRO)

## STRUCTURE

- 100% industry-funded and operated nonprofit PRO
- One single PRO will manage the program to start
- Additional PRO may be approved in 2029 as needed
- Option for individual companies to submit their own plan

## ROLES

- Responsible for funding and managing a coordinated statewide recycling system
- Collects dues from members
- Pays out to haulers and recyclers to provide recycling



# Who receives recycling services



- **All single-family and multi-family residents in Colorado**
- Recycling is as convenient as trash service
- Recycling provided at no cost
- May expand to schools, small businesses, government buildings, public spaces after 2028

## What packaging and paper is included

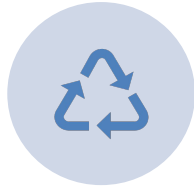
- All consumer-facing packaging: bottles, containers, cardboard
- Printed paper (magazines, junk mail)
- Food service packaging
- All products pay into the system even if not recyclable



# PRO reimburses for 100% of recycling costs



COLLECTION &  
TRANSPORTATION



PROCESSING



EDUCATION



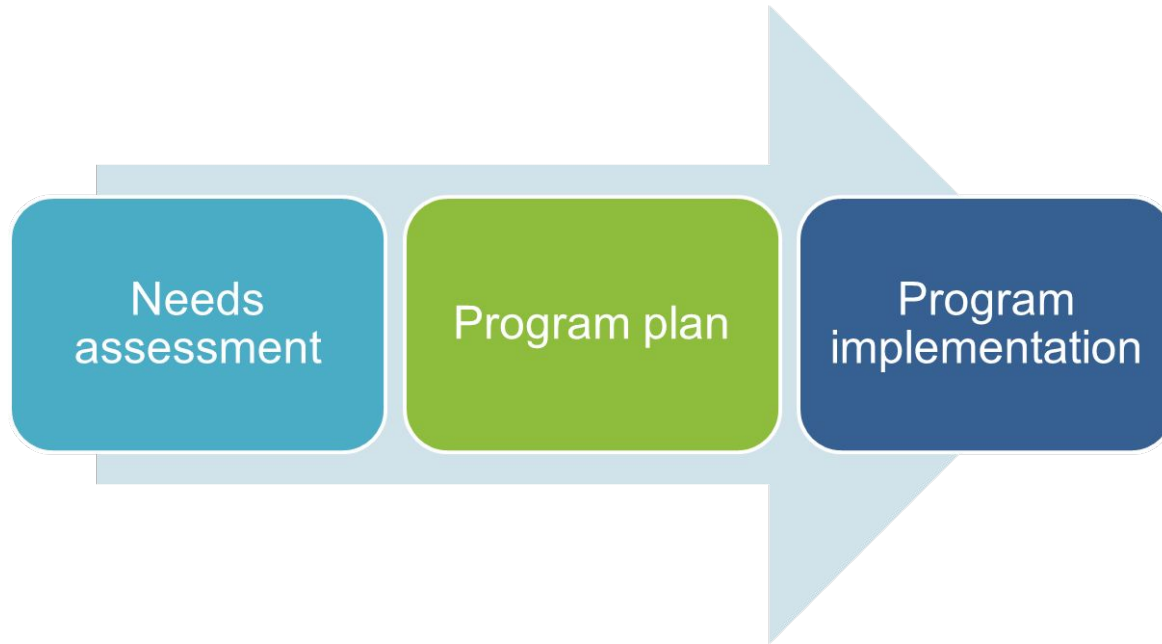
INFRASTRUCTURE  
INVESTMENTS

## Building upon existing recycling system

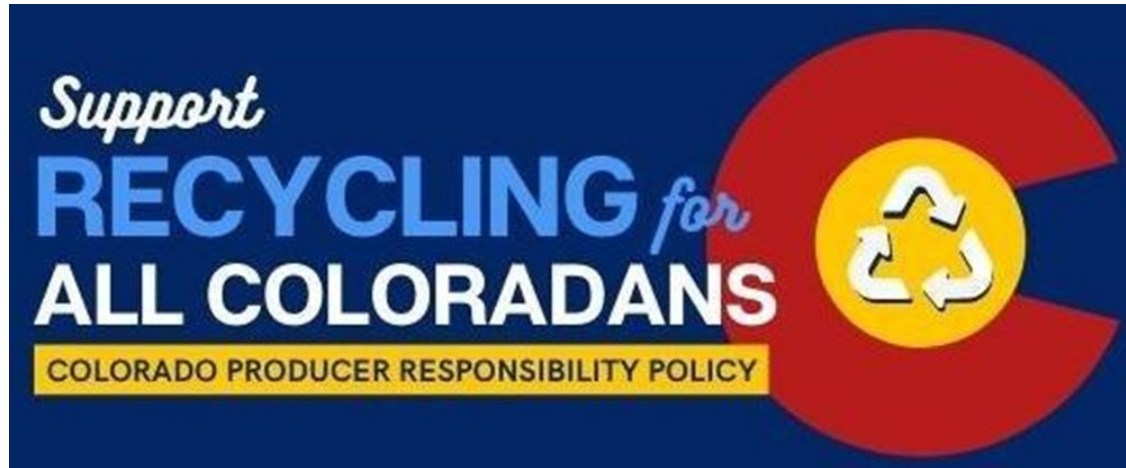
- PRO contracts with private and public service providers
- Utilize and expand existing businesses
- No requirement for local governments to be service providers but can do so if they want



## Moving forward



Learn more



[www.recyclingforallcoloradans.org/](http://www.recyclingforallcoloradans.org/)



A map of Colorado with county names labeled: Grand Junction, Delta, Montrose, Norwood, Gunnison, Salida, Aspen, Leadville, Eagle, Grand, Fraser, Fort Morgan, Sterling, Wray, Limon, Hugo, Cheyenne Wells, Haswell, Eads, and Cañon City. Colored dots (red, purple, blue, pink) are scattered across the map, representing data points. A horizontal white line is drawn across the middle of the map.

# Needs assessment: What data we need and what we know



# GOALS OF NEEDS ASSESSMENT

1

THREE SCENARIOS TO INCREASE RECYCLING RATE BY 2030 AND 2035

2

OPERATING AND CAPITAL COSTS NEEDED TO REACH EACH PROJECTED SCENARIO.

3

UTILIZE DATA TO INFORM PRO PLAN

4

ESTABLISH LIST OF RECYCLABLE MATERIALS

5

“BE INCLUSIVE OF AND ADDRESS THE NEEDS OF ALL GEOGRAPHIC AREAS OF THE STATE”

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# NEEDS ASSESSMENT PROCESS

- PRO hires independent third party approved by CDPHE.
- Assessment by September 1, 2023
- PRO consults with Advisory Board on scope and throughout assessment process
- PRO reports findings to Advisory Board & CDPHE by January 30, 2024.
- CDPHE posts findings for public comment
- CDPHE presents findings and recommends preferred recycling goals to the Joint Budget Committee by March 15, 2024
- Needs Assessment repeated every 5 years.

# CATEGORIES OF DATA NEEDS

## Recycling

- Residential
- Costs & Prices
- Nonresidential

## Compostable packaging

## Reuse/refill

## Infrastructure

## Education

## Markets

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What data  
do we  
already  
have?

## CDPHE State Data Sources

Annual recycling total data

2016 waste composition of municipal solid waste

Waste Diversion Data Study (2020)

Compost & recycling access assessments for the Front Range (2021) & Greater Colorado (2022)

2016 Integrated Solid Waste & Materials Management Plan

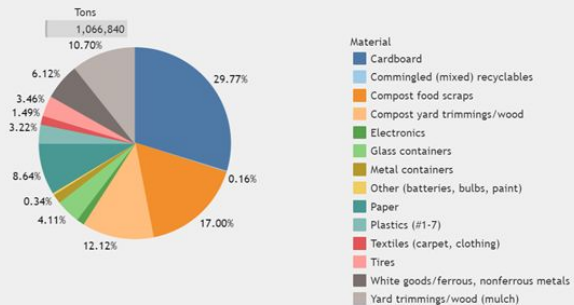
NextCycle Colorado content library – resources for businesses using recyclables

CDPHE list of registered recyclers

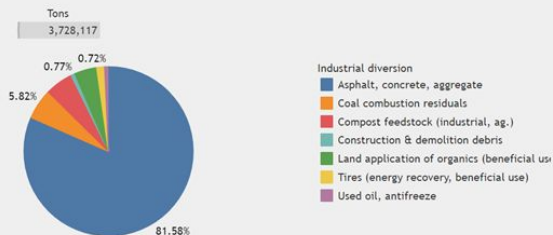
Organics Management Plan data to be released fall 2022

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## MSW materials diversion: 2020 composition



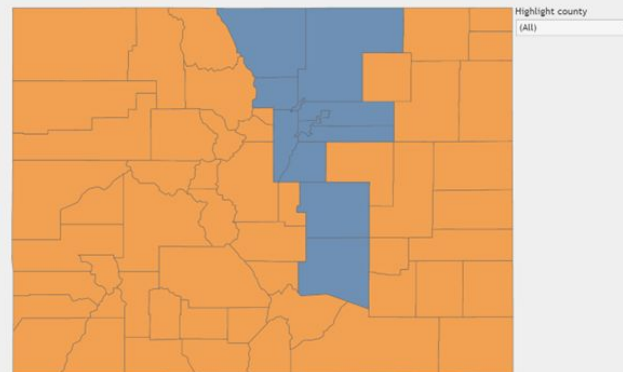
## Industrial materials diversion: 2020 composition



## Regional diversion rates

Region	2020 rate	2021 goals	MSW Disposal	MSW diversion	Recycling (tons)	Composting (tons)
Front Range Region	16.20%	32.0%	5,088,440	980,787	703,040	277,747
Greater Colorado Region	10.60%	10.0%	823,803	97,645	64,707	32,937
Statewide	15.30%	28.0%	5,912,243	1,066,840	756,154	310,686

## Regions and diversion/disposal in tons



# Annual Statewide Recycling Data

<https://cdphe.colorado.gov/colorado-recycling-totals>





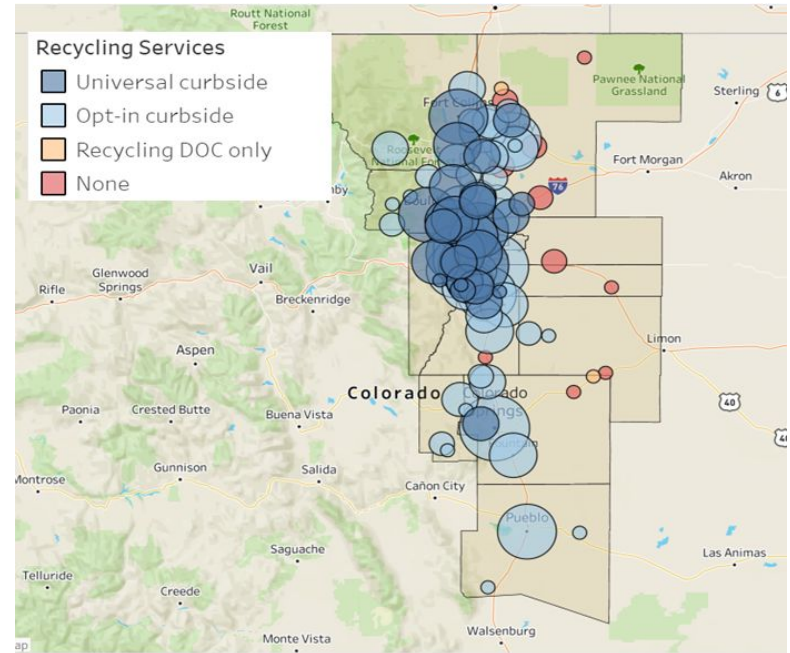
## RESIDENTIAL RECYCLING

- “The service availability, capacity, performance, and gaps in recycling services provided to residential covered entities throughout the state and the prices paid for recycling services”

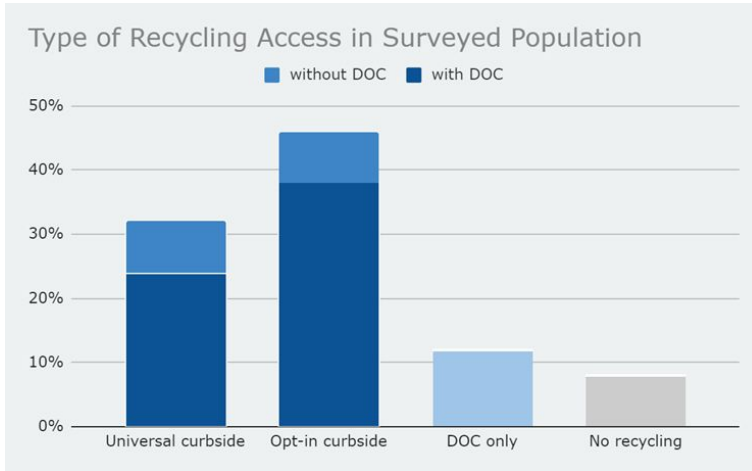


# Front Range Access Assessment:

- Survey covered 80 Municipalities & 13 Counties
- **99.7% of single-family residents have access to curbside recycling, largely subscription**
- **Only 40% have guaranteed curbside recycling**
  
- **Need:**
  - Participation rates in subscription markets and HOAs
  - Data on MFUs
  - Unincorporated areas



# Greater Colorado Access Assessment:



- Captured data on 60 Municipalities & 51 Counties (~40% of GC pop.)
- Recycling access for single family and MFU <8 units in surveyed municipalities:
  - **80% of pop. have curbside access**
  - 32% of pop. guaranteed access via contract or municipal hauler
  - 78% of population has access to a recycling drop off center
- **Need:**
  - Data on municipalities under 5k pop., unincorporated areas, MFUs
  - Need data on how recycling services compare to trash services
  - Data on costs and participation



# RECYCLING COSTS AND PRICES

- “Costs incurred by private and public to provide residential recycling services”
- “Variables like demographic factors must be considered in provider reimbursement rates”

Need: Data on costs, very little data has been compiled on these costs in Colorado.



# NONRESIDENTIAL RECYCLING

- The service availability, gaps, and costs for providing recycling services to nonresidential covered entities
- With particular attention to small businesses
- Which types and locations of nonresidential locations could be provided with recycling services that would increase statewide collection and recycling rates in a cost-effective manner
- Have: Very limited data on nonresidential recycling in the FR and GC Access Assessments
- Need: A more research into nonresidential services and recyclable material generation



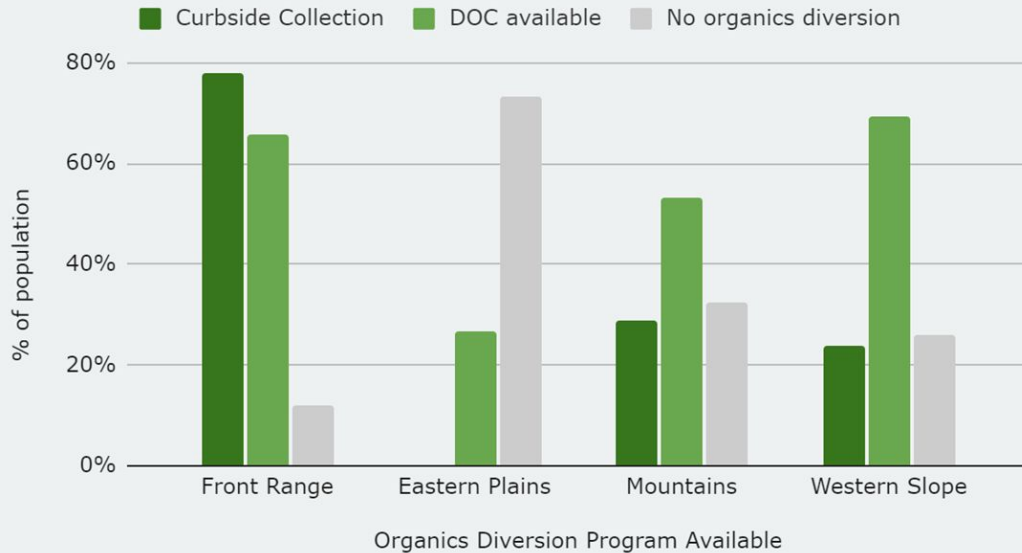
## COMPOSTABLE PACKAGING

“Compost facilities capacity, costs and gaps for to process and recover covered material”  
(compostable packaging)

- does not apply to food scraps, yard debris or other organic materials

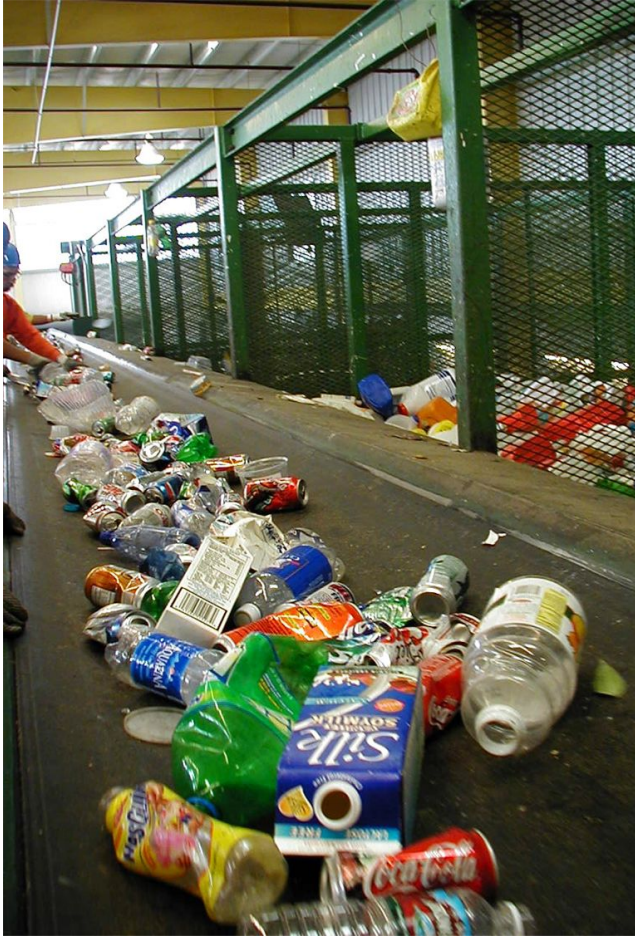
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### Access to Organics Diversion by Population



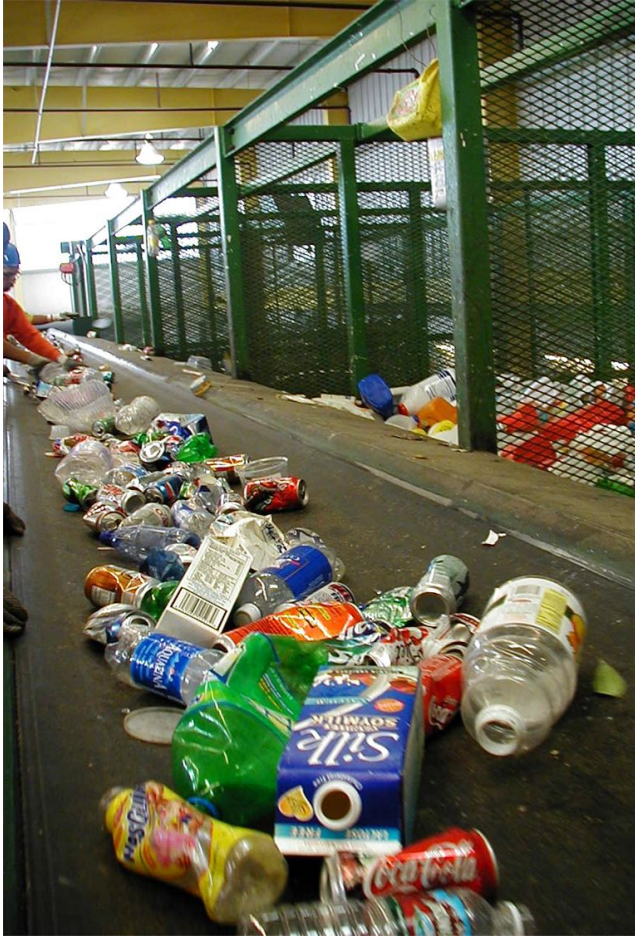
## Organics Diversion

- 40 Colorado municipalities have access to **food scrap** diversion programs
  - 27 in Front Range
  - 13 in Greater CO
- **Need: Data on which programs accept compostable packaging**
- Organics Management Plan data may provide additional data.



# INFRASTRUCTURE

- **“Processing capacity of existing infrastructure and needs to meet/exceed convenience standards, reduce contamination and increase quality of recyclable materials”**
  - **Need: research, no known data.**
  
- **Evaluation of costs/opportunities for different service methods to increase recycling for specific materials**
  - **Need: research, no known data.**



## INFRASTRUCTURE cont'd

- **Contamination levels and impacts at MRFs and compost facilities (which process compostable products)**
  - Data: some facility-level information, no aggregate source
  - **Need: more extensive research**
- **Opportunities for the use of innovative new technologies for the recycling and reuse of covered materials**
  - **Need: extensive research, no known data**



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Save & Post!

## RECYCLE

**NEW!** **PLASTIC ITEMS** **ARTICULOS PLÁSTICOS**

berry containers and other plastic clamshell containers  
(no foam/polyethylene, remove liner)  
recipientes de frutos rojos y otros recipientes  
de plástico (cellos de almendra) (no espuma, retire el revestimiento)

empty vació

take-out containers  
recipientes para llevar  
no food  
no alimentos

plastic tub lids  
tapas de recipientes  
plásticos

**NEW!** **RIGID PLASTICS** **PLÁSTICOS RIGIDOS**

hard plastic four-  
and six-pack holders  
porta bebidas de  
cuatro y seis unidades  
de plástico duro

plastic lawn toys  
juguetes de plástico para el patio  
removes metal spikes,  
all material **MUST** fit inside cart  
remover los pines de metal, todo el  
material **DEBE** caber dentro del carro

plastic crates  
cajas plásticas

buckets, handles OK  
baldeos, se pueden dejar  
las manijas

**NO**

food  
comida

liquid  
líquidos

foam / polystyrene  
espuma / poliestireno

plastic cups  
vasos plásticos

plastic-coated paper  
papel recubierto de una película  
de plástico

lotion / toothpaste tubes  
tubos de crema / pasta dental

plastic bags / film  
bolsas / protectores  
plásticos

soft six-pack rings  
anillos de plástico suave  
de seis unidades

frozen food boxes  
cajas de comida congelada

latex gloves  
guantes de látex

drinking glasses, ceramics  
vasos de vidrio / cerámica

shredded paper  
papel triturado

scrap metal  
restos de metal

sharp, medical waste  
objetos punzantes /  
residuos médicos

explosive / hazardous materials  
materiales explosivos / peligrosos

Eco-Cycle HOTLINE: 303.444.6634 • [www.ecocycle.org](http://www.ecocycle.org) • [recycle@ecocycle.org](mailto:recycle@ecocycle.org)

## EDUCATION

- “Education needs in the state to increase the recycling and reuse of covered materials and reduce contamination”
- Must coordinate with existing recycling education and materials and services provided throughout the state
- Existing data: Erase the Waste campaign, individual community & organization data
- Needs: compiling and analyzing existing data and researching areas with gaps



## REUSE & REFILL

- “Availability and scope of any reuse or refill systems in the state affecting the use of covered materials”
- Need: extensive research, no known data



# MARKETS

- “The market conditions and opportunities for the use of recycled covered materials in the state and in different geographic areas of the state”
- Data: some data from the Waste Diversion Data Study
- Need: extensive research – will happen through the forthcoming end market development center study

# SUMMARY OF DATA

Recycling access	• Partial
Residential	• Partial
Costs & Prices	• Some community level
Nonresidential	• Limited to none
Compostable packaging	• Partial from organics plan, statewide data
Reuse/refill	• Unknown
Infrastructure	• Partial
Education	• Partial
Markets	• Partial from end market study

## Guiding Question #1:

What are the most critical issues/challenges you are facing as it relates to recycling services and infrastructure?

## Guiding Question #2:

Are there existing data sources that were not listed? Are there other gaps?

## Guiding Question #3:

Is there additional data we have that we want to make sure the needs assessment utilizes?

## Guiding Question #4:

What do you see as Recycle Colorado's role in the needs assessment?

Does RC play a role in the facilitation of gathering information/data? E.g. Do we survey businesses to assess the need to expand to small businesses? Do we educate different sectors about what is going on?



## Guiding Question #5:

Are there groups that need to be contacted for the needs assessment who aren't here today?

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### Producer Responsibility Program for Statewide Recycling Advisory Board

- Applications for the advisory board seats will be available in early fall
- CDPHE must appoint the advisory board by December 31, 2022

#### 13 voting members representing:

- Municipality (or city and county)
- County
- Non-front range local government
- Materials recovery facility
- Recyclable materials hauler
- Compost facility
- Environmental or community based non-profit
- Packaging supplier (not a producer)
- Manufacturer of recycled paper products (not a producer)
- Trade association /chamber of commerce
- Retailers association
- Environmental justice group,
- Solid waste landfill with recycling

#### 2 non-voting members representing:

- CDPHE
- Producer Responsibility Organization

## Advisory Board Role:

*The advisory board shall...*

- Advise the PRO throughout the needs assessment process
- Review the needs assessment
- Review the plan proposal
- Consult with the PRO on amendments to the plan proposal and amended plan proposal
- Recommend CDPHE approve or reject the plan proposal or amended plan
- Review annual reports
- Consult on the minimum recyclable list
- May recommend amendments to the final plan for the annual report

# Questions and Answers





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# Next Steps

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