**AMERIPEN Amendments**

**Part 115 Draft**

1. **Page 3, Line 12, Insert:**

**(4) “ALTERNATIVE RECOVERY RATE” MEANS RECOVERY RATES BASED ON THE RATE OF ENERGY SAVINGS ACHIEVED BY REDUCING AND RECOVERING MATERIALS FROM THE GENERAL SOLID WASTE STREAM GENERATED.**

**Rationale:** In order to provide alternatives to a purely weight-based recycling goal, a definition of “alternative recovery rate” is necessary so that DEQ can consider how energy savings by reducing or recovering solid waste that is generated in the State.

1. **Page 17, starting on line 23, Insert:**

(17) "FOREIGN MATTER" MEANS ORGANIC AND INORGANIC CONSTITUENTS, OTHER THAN STICKS AND STONES, THAT WILL NOT READILY DECOMPOSE DURING COMPOSTING, AND DO NOT AID IN PRODUCING A QUALITY COMPOST, INCLUDING **NON-COMPOSTABLE** PLASTICS, GLASS, TEXTILES, RUBBER, METAL,

**Rationale:** Making a distinction that compostable vs. non-compostable bags is necessary under the definition of “foreign matter” to ensure that compostable bags will not be considered foreign matter.

1. **Page 41, Line 14, Insert:**

**(3) THE DEPARTMENT SHALL CREATE A LIST OF COMMON MATERIALS THAT SHALL BE ACCEPTED FOR STATEWIDE RECYCLING AS PART OF THE BENCHMARKING RECYCLING STANDARDS. THIS LIST SHALL BE THE MINIMUM LIST OF MATERIALS TO BE RECOVERED FOR RECYCLING.**

**Rationale:** The development of a common minimum list of materials that are accepted statewide at curbside and drop-off recycling centers, has been a critical tool in other states to increase recycling participation by citizens. This allows for common messaging and lack of citizen confusion by word of mouth and when someone moves within the state.

**And:**

**(4) THE DEPARTMENT MAY ESTABLISH ALTERNATIVE RECOVERY RATE GOALS FOR MATERIALS IN THE WASTE STREAM, THAT CONSIDER ENERGY SAVINGS, GREENHOUSE GAS REDUCTIONS, ENERGY RECOVERY, AND ENVIRONMENTAL EMISSIONS REDUCTIONS OVER THE LIFE OF THAT MATERIAL OR PRODUCT. THESE GOALS SHALL BE ALTERNATIVE RECOVERY RATE GOALS THAT MAY COUNT TOWARD THE STATE’S 30% MUNICIPAL RECYCLING RATE AND SHALL BE INCLUDED IN THE BENCHMARK RECYCLING STANDARDS.**

**Rationale:** Developing alternative recovery rate goals that consider energy recovery and emissions reductions is a critical element to thinking more sustainably about the lifecycle of materials management and reducing the overall environmental footprint of solid waste materials. These goals could be aggregated to count toward the overall recycling rate as credits toward reduced disposal.

1. **Page 148, Line 9, Make the Following Changes:**

(A) BY JANUARY 1, 2022, AT LEAST 90% OF **residential** ~~SINGLE-FAMILY~~ DWELLINGS **(single  family to 4 unit buildings)** IN URBANIZED AREAS AS IDENTIFIED BY THE MOST RECENT FEDERAL DECENNIAL CENSUS AND, BY JANUARY 1, 2025, AT LEAST 90% OF RESIDENTS IN A COUNTY OR PLANNING AREA LIVING IN **residential** ~~SINGLE-FAMILY~~ DWELLINGS IN COMMUNITIES WITH MORE THAN 5,000 RESIDENTS HAVE ~~ACCESS~~ ~~TO~~ CURBSIDE RECYCLING **automatically provided** THAT MEETS THE FOLLOWING CRITERIA:

**Rationale:** Providing access to recycling is a critical policy and having that service automatically provided, as part of a resident’s utility services is a critical aspect to increasing participation in recycling vs. a system where residents must affirmatively seek this service.

1. **Page 148, Line 22, Insert:**

**(iv) Collection shall be PROVIDED IN wheeled carts WHERE FEASIBLE WITHIN A DWELLING’S SPACE CONSTRAINtS.**

**Rationale:** Providing access to recycling is a critical policy and additionally providing such access in large-volume cart-based containers significantly improves participation and encourages recycling over landfill disposal. Providing cart-based recycling, where feasible, as access to curbside recycling increases according to the benchmarking recycling standards will provide a critical improvement to the participation and quantity of recycling in Michigan.

**And:**

**(v) CURBSIDE AND DROP-OFF RECYCLING COLLECTION WILL BE PROVIDED, AT A MINIMUM, ACCORDING TO THE LIST OF COMMON MATERIALS AS SPECIFIED BY THE DEPARTMENT.**

**Rationale:** Providing recycling uniformly for at least the minimum list of common materials will significantly increase the ease and participation by citizens in recycling across the state.

1. **Page 149, Line 24, Insert:**

**(D) BY JANUARY 1, 2025 THE DEPARTMENT SHALL EVALUATE THE FEASIBILITY OF ESTABLISHING STATEWIDE ALTERNATIVE MATERIALS REDUCTION GOALS FOR SOLID WASTE MATERIALS AS FOLLOWS:**

1. **The GREEENHOUSE GAS emissions REDUCTIONS or energy savings achieved from material REDUCTION, RECYCLING AND COMPOSTING MEASURED FROM material generatED, as opposed to material dispoSED; and/or**
2. **Recovery of energy from waste and conversion of materials to energy/fuel, including methane recovery at landfills and anaerobic digesteRS;**
3. **Reduction of other regulated environmental emissions.**

**Rationale:** Developing alternative recovery rate goals that consider energy recovery and emissions reductions is a critical element to thinking more sustainably about the lifecycle of materials management and reducing the overall environmental footprint of solid waste materials. These goals could be aggregated to count toward the overall recycling rate and benchmarking recycling standards as credits toward reduced disposal.

1. **Page 161, Line 4, Insert:**

(G) RECYCLING, **COMPOSTING** AND WASTE UTILIZATION PROGRAMS.

**Rationale:** Composting should be given equal consideration for grants programs, as organic waste is the largest growing portion of the waste stream.

1. **Page 165, Line 6, Insert:**

(M) RECYCLING **AND COMPOSTING** EDUCATION AND OUTREACH.

(N) RECYCLED MATERIALS **AND COMPOST** MARKET DEVELOPMENT.

(O) ADMINISTRATION OF GRANTS AND LOANS UNDER THIS PART FOR

PLANNING, MARKET DEVELOPMENT AND RECYCLING **AND COMPOSTING** INFRASTRUCTURE,

**Rationale:** Composting should be given equal consideration for grants and programs, as organic waste is the largest growing portion of the waste stream.

1. **Page 166, Line 6, Insert:**

(A) THE UNLOCKING MICHIGAN RECYCLING **AND COMPOSTING** MARKETS PROGRAM. THE

PROGRAM SHALL PROVIDE GRANTS OR LOANS FOR PURCHASING EQUIPMENT,

RESEARCH AND DEVELOPMENT, OR ASSOCIATED ACTIVITIES TO PROVIDE FOR

NEW OR INCREASED USE OF RECYCLED MATERIALS **AND COMPOST** OR TO SUPPORT THE

DEVELOPMENT OF RECYCLING **AND COMPOSTING** MARKETS. LOCAL UNITS OF GOVERNMENT AND

NONPROFIT AND FOR-PROFIT ENTITIES ARE ELIGIBLE FOR FUNDING UNDER

THIS PROGRAM. THIS FUNDING IS NOT LIMITED TO ENTITIES IN COUNTIES

WITH APPROVED MATERIALS MANAGEMENT PLANS.

(B) THE LOCAL RECYCLING **AND COMPOSTING** INNOVATION PROGRAM. THE PROGRAM SHALL

PROVIDE GRANTS OR LOANS FOR DEVELOPING LOCAL RECYCLING **AND COMPOSTING**

INFRASTRUCTURE, FOR RECYCLING **AND COMPOSTING** EDUCATION CAMPAIGNS FOR RESIDENTS AND

BUSINESSES, FOR OTHER ACTIVITIES THAT RESULT IN INCREASING

RECYCLING **AND COMPOSTING** ACCESS AND PARTICIPATION, FOR REDUCING WASTE, AND FOR

SUSTAINABLE MATERIALS MANAGEMENT. [IN THE DEQ DRAFT, WERE WASTE

REDUCTION AND SUSTAINABLE MATERIALS MANAGEMENT INTENDED TO BE

SEPARATE CATEGORIES OF EXPENDITURE OR SUBJECTS OF EDUCATION

CAMPAIGNS?] LOCAL UNITS OF GOVERNMENT AND NONPROFIT AND FOR-PROFIT

ENTITIES ARE ELIGIBLE FOR FUNDING. THIS FUNDING IS NOT LIMITED TO

ENTITIES IN COUNTIES WITH APPROVED MATERIALS MANAGEMENT PLANS.

(C) THE GROWING RECYCLING **AND COMPOSTING** ACCESS AND VOLUNTARY PARTICIPATION

PROGRAM. THE PROGRAM SHALL PROVIDE GRANTS TO ASSIST LOCAL

GOVERNMENTS IN IMPLEMENTING BEST [WASTE UTILIZATION, **COMPOSTING** AND RECYCLING?]

**Rationale:** Composting should be given equal consideration for grants programs, as organic waste is the largest growing portion of the waste stream.

**Page 188, Line 1, Insert:**

BAGS **OR COMPOSTABLE BAGS MEETING ASTM D6400**, IS DEBAGGED BY THE END OF EACH WORKING DAY UNLESS OTHERWISE

**Rationale:** Compostable bags, that meet nationwide standards, should be treated as compostable and not required to be debagged under this section.