

**NEWMOA & NERC Updated Joint Strategic Action Plan
Fiscal Years 2023 – 2024**

Working Together on Sustainable Materials Management



Approved by the NEWMOA Board of Directors on September 16, 2022

Approved by the NERC Board of Directors on August 8, 2022

Connecticut | Maine | Maryland | Massachusetts | Delaware | New Hampshire | New Jersey | New York
Pennsylvania | Rhode Island | Vermont

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Background

The Northeast Waste Management Officials' Association (NEWMOA) and the Northeast Recycling Council (NERC) are non-profit organizations, each with extensive expertise and several decades of taking action on materials management. At times, various entities have asked about “the distinctions between the organizations” and “opportunities to collaborate”. This Updated Joint Strategic Action Plan, an expansion of the Plan entered into in 2017 and again in 2019, sets out to address both of these important questions, as well as to articulate a future vision of success in fulfilling our missions built upon collaboration and expertise sharing. The goal of the Plan is to further each of our missions and strengthen each organization through collaboration.

NERC's mission is to minimize waste, conserve natural resources, and advance a sustainable economy through facilitated collaboration and action.

NEWMOA provides a strategic forum for effectively solving environmental problems through collaborative regional initiatives that advance pollution prevention and sustainability, promote safer alternatives to toxic materials in products, identify and assess emerging contaminants, facilitate adaptation to climate change, mitigate greenhouse gas sources, promote reuse and recycling of wastes and diversion of organics, support proper management of hazardous and solid wastes, and facilitate clean-up of contaminant releases to the environment.

Overlapping Areas of Interest & Activity

NEWMOA and NERC operate in similar geographic regions¹ and involve many of the same state agencies. Both organizations help state programs and others in the Northeast, as well as nationally, to develop and implement sustainable materials management and pollution prevention (P2) strategies, including source reduction, reuse, diversion of organics/food scraps for composting or anaerobic digestion, recycling, environmentally preferable purchasing, reducing toxics in products, and decreasing the toxicity of the solid waste stream. For example, both groups provide technical assistance and training for local, state, and regional programs and the private sector on various waste and prevention-related topics; support national listservs or topical email lists; and hold webinars, workshops, conferences, and meetings that are of interest to each other's members. Both organizations also focus on supporting implementation of product stewardship/extended producer responsibility programs and food waste/organics diversion.

What Makes Each Organization Unique

Differences between the organizations include geographic area, Board membership, and membership base. NERC serves a larger geographic area and includes private sector members within its governing Board. NERC's Board includes managers of state sustainable materials management programs as well as Ex Officio board members that are not affiliated with state programs. NEWMOA's Board includes the directors of the members' states waste, cleanup, and pollution prevention programs.

¹ NERC's member states are Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. NEWMOA's member states are Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

Other differences include the topics that are covered and strategies that are pursued. NEWMOA's focus includes industrial and commercial hazardous waste management, Brownfields, and contaminated site clean-up in addition to the topics outlined above. NERC has a focus on capacity enhancement: recycling markets, the broader recycling industry, and the supply of materials for recycling. NERC coordinates with the recycling and related industries. NERC generally focuses on supporting voluntary programs although it provides services that support state programs in their implementation of electronics producer responsibility laws. NEWMOA supports state implementation of waste policies and laws and regulatory and enforcement programs as well as voluntary programs. NEWMOA facilitates interaction and communication between state environmental agencies and the EPA. NERC facilitates public-private partnerships and engagement.

NEWMOA's Unique Strengths

- Supports the states' enforcement, regulatory, and policy interests and coordinates development of harmonized policy initiatives.
- Collects and analyzes data and facilitates discussion about measuring the impacts of sustainable materials management.
- Prepares comments on federal rules and policy proposals.
- Facilitates the Northeast Pollution Prevention Roundtable.
- Manages the Interstate Mercury Education & Reduction Clearinghouse (IMERC).
- Manages the Interstate Chemicals Clearinghouse (IC2).
- Manages the Clearinghouse for Extended Producer Responsibility Administration (CEPRA).
- Provides fiscal sponsorship for the Toxics in Packaging Clearinghouse (TPCH).

NERC's Unique Strengths

- Focuses on strategies in support of sustainable materials management, green procurement, and recycling market development.
- Promotes regional and national multi-stakeholder dialogues and initiatives.
- Hosts the Electronics Recycling Coordination Clearinghouse (ERCC).
- Hosts the Government Recycling Demand Challenge program.
- Supports subcommittees on bottle bills, diversity equity and inclusion (DE&I), and glass markets.
- Holds semi-annual regional conferences.
- Offers consulting services for public and private sector groups.

Priorities for Both Organizations

Materials management encompasses a wide spectrum of commodities; while NERC and NEWMOA monitor this wide range of products, there are times when the changing demands of the market, emerging environmental challenges, or technological advances focus attention on particular issues. As a result, the NERC and NEWMOA Boards regularly identify priorities upon which the respective organizations act.

Joint NEWMOA – NERC Priorities Fiscal Years 2023 - 2024

Construction & Demolition Materials (C&D)
Emerging Contaminants in the Solid Waste Stream
Environmental Justice
Household Hazardous Waste (HHW)
Improving Quality & End-Markets for Recyclables
Increasing the Use of Recycled Content in Products
Product Stewardship/Extended Producer Responsibility
Climate & Materials
Waste Tires
Wasted Food Reduction, Recovery, & Management

Strategy for Moving Forward Together

To better serve and further their missions and given the opportunities for action presented by the synergies between NERC and NEWMOA's interests, memberships, and activities, this updated Strategic Action Plan describes joint initiatives proposed for Fiscal Years 2023 – 2024 (July 1, 2022 – June 30, 2024) that seek to enhance the effectiveness of both organizations, as well as provide value to their members.

Collaboration between NERC and NEWMOA may be accomplished by:

- Promoting each other's events, publications, and activities and co-sponsoring events, where appropriate
- Looking for joint funding opportunities in support of new initiatives
- Sharing reports and other information resources, including providing links to each other's websites
- Collaborating on committees and workgroups, webinars, and workshops

NERC and NEWMOA agree to collaborate in their efforts to address the following materials management issues. These efforts will include all 11 of the NERC states so that the benefit of this joint initiative impacts the wider region. Implementation by each organization of the actions outlined below are contingent upon success in attracting funding.

Emerging Contaminants in the Solid Waste Stream

Increasingly, states and municipalities in the northeast are finding poly- and perfluoroalkyl substances (PFAS) in their drinking water supplies. PFAS are a large class of chemicals that have been used in numerous consumer products and industrial processes due to their oil and water-resistant properties and their exceptional stability. These products include carpet and fabric protection, food packaging, and aqueous film-forming foams (AFFF) used for firefighting. The same properties that make PFAS so useful in consumer products and for firefighting make them challenging to remove from soil and water, including drinking water

supplies. These compounds are being released to the environment in many ways, including by solid waste disposal facilities. Due to the seriousness of this issue, NERC and NEWMOA have elevated this as a priority area of concern.

NEWMOA and NERC commit to the following joint actions to promote education and action around PFAS contamination associated with the solid waste stream:

- Collaborate in the development and implementation of a regional science conference on PFAS that NEWMOA is organizing for 2024.
- Support promotion of webinars hosted by the NEWMOA PFAS Workgroup.
- Participate in sessions for NERC's conferences on emerging contaminants, such as PFAS in products and packaging.

NEWMOA will be the lead organization.

Increasing the Use of Recycled Content in Products

NEWMOA and NERC are working on model legislation for post-consumer content of plastic packaging and products to encourage a circular economy in plastics. The other benefits of mandating minimum postconsumer recycled content in plastic products and packaging include conservation of resources, reduction in greenhouse gas emissions and other environmental impacts of producing plastics products from petroleum, improvements to domestic markets for plastic recycled materials, and stability to the markets for recycled plastics. Yet, mandates alone are not sufficient to achieve these benefits if plastic is not collected in sufficient quantity and quality to supply the mandated amount of material. NERC/NEWMOA's model legislation is likely to be most effective when accompanied by well-designed policies and programs that promote and fund improved collection.

NEWMOA and NERC commit to highlighting the importance of recycled content, providing resources to do this will be emphasized through the following joint initiatives:

- Publish and promote "Minimum Postconsumer Recycled Content Requirements for Plastic Products and Packaging" that was developed in Fiscal Years 2021 - 2023.
- If requested, continue to support the Recycled Content Legislation Workgroup.
- Promote success stories about the use of recycled content in products in the region.
- Hold webinars on recycled content policies and initiatives identified by NERC and NEWMOA membership.

NERC will be the lead organization.

Food Scraps Reduction, Recovery & Management

According to recent EPA and Department of Agriculture (USDA) studies, 40 percent of the food produced in the U.S. is not eaten. There are numerous untapped opportunities to recover this food to feed people and animals. EPA estimates that about 15 percent of the municipal solid waste stream is food waste². Under the EPA "Food Recovery Hierarchy", priority for use of unwanted food should first be to feed people, then feed animals, and then directed to anaerobic digestion facilities or composting; and the last management priority is combustion/landfilling. When food waste is landfilled, it contributes to the production of methane, a potent

² www3.epa.gov/epawaste/nonhaz/municipal/

greenhouse gas (GHG). Landfills are a significant contributor of anthropogenic GHGs. By contrast, food waste that is captured before it is discarded can feed those in need or be transformed into value-added products. After it is discarded, food waste can produce nutrient rich soil through composting, or energy when diverted to an anaerobic digester (AD).

The EPA and USDA have established a national goal to reduce food waste by 50 percent by 2030. NEWMOA and NERC support actions in the Northeast to help achieve this objective. The organizations commit to the following joint actions, with a focus on maximizing food donation, where feasible, and waste diversion to composting and anaerobic digestion:

- Implement the “Developing Solutions to Regulatory Challenges and Engaging Community Support to Expand Diversion of Food Waste to Anaerobic Digestion in the Northeast” jointly-funded Project, including development of documents and holding training webinars.
- Convene three - four virtual meetings of the Joint NEWMOA – NERC Food Recovery Workgroup per year to oversee the other tasks and to continue to facilitate regional information sharing. Document the results of the meetings.
- Hold two - three webinars on food scrap reduction and recovery topics identified by the Workgroup.
- Continue discussions about approaches and policies for reducing contamination of compost.

NEWMOA will be the lead organization.

Improving Quality & End-Markets for Recyclables

Essential to the sustainability of recycling is viable end-markets for the collected materials. The collected materials must be of an adequate quality that Material Recovery Facilities (MRFs) can effectively process them to maximize the value of the recyclables as commodities. This Committee will focus on strategies for achieving these goals and the status of markets in the U.S.

NEWMOA and NERC commit to the following joint actions to help states and private sector entities implement effective recycling programs:

- Hold monthly virtual meetings of the joint Regional Recycling Markets Committee. Document the results of the meetings.
- Through the joint Regional Recycling Markets Committee, identify, promote, and implement strategies to support recycling markets for mixed paper and plastics 3 - 7.
- Conduct regional MRF blended value surveys on a quarterly basis and publicize results.
- Track and publicize investments in recycling infrastructure.
- Develop and implement more systematic and positive communications about recycling and the recycling industry.
- Facilitate a joint committee to explore the development of policies for chemical recycling.

NERC will be the lead organization.

Product Stewardship/Extended Producer Responsibility

NEWMOA and NERC support product stewardship as a strategy for improving the management of certain waste streams, increasing recycling, and creating greater economic value. Both organizations have adopted a definition of product stewardship as “the act of minimizing health, safety, environmental, and social impacts, and maximizing economic benefits of a product and its packaging throughout all lifecycle stages. The producer of the product has the greatest ability to minimize adverse impacts, but other stakeholders, such as suppliers, retailers, government, and consumers, may also play a role.” Both groups believe product stewardship can be implemented through either voluntary programs or legal requirements. Extended Producer Responsibility (EPR) is defined as a mandatory type of product stewardship that includes, at a minimum, the requirement that the producer’s responsibility for its product extends to post consumer management of that product. There are two related features of product stewardship and extended producer responsibility: (1) shifting financial and management responsibility, with government oversight, upstream to the producer and away from the public sector, and (2) providing incentives to producers to incorporate environmental considerations in the design of their products. Several commodities have the focus of attention in the region and continue to be of interest to the states. These include carpets, electronics, packaging, paint, pharmaceuticals, mercury-containing devices, textiles, gas cylinders, HHW, waste tires, mattresses, and sharps.

NEWMOA and NERC commit to the following joint actions to help states and private sector entities implement product stewardship / EPR programs:

- Hold three - four virtual meetings of the Regional EPR Network per year, as well as State-only meetings upon request. Document the results of the meetings.
- Explore opportunities for coordination and harmonization among product stewardship/EPR programs.
- Organize and hold regional webinars on EPR topics.

NEWMOA will be the lead organization.

Climate Change & Materials

Municipal solid waste (MSW) and construction and demolition (C&D) debris facilities, including landfills, combustors, transfer stations, material recycling facilities (MRFs), materials recyclers, and others may be vulnerable to the impacts of rising sea levels and frequent and more powerful storms. This infrastructure is essential during and after climate-related adverse weather events to handle the large quantities of disaster debris that are generated. State and local governments must prepare and plan for these situations to ensure the safe and proper handling of this material and to maximize as much recycling of it as feasible.

EPA’s evaluation of the full lifecycle greenhouse gas impacts of products and materials generated and consumed in the U.S. estimated that approximately 35 – 46 percent of the GHG emissions in the country can be attributed to the manufacturing, use, and disposal of goods and materials. NEWMOA, NERC, and many others have long advocated for a significant role for materials management in efforts to mitigate climate change³, as well as recognition of the value of these contributions. Most of the states in the Northeast have included strategies to promote waste reduction and increase reuse and recycling in their climate action plans, and state-wide solid waste management plans address mitigation of GHG emissions. The agencies’ efforts to implement these plans benefit from regional information sharing, networking, and development of new metrics and analysis.

³ See www.newmoa.org/publications/NEWMOAClimate-WasteActionPlan.pdf

NEWMOA and NERC commit to the following joint actions to address climate change:

- Hold three - four virtual meetings of the regional Climate and Materials Workgroup to oversee the other tasks. Document the results of the meetings.
- Collaborate with the West Coast Climate and Materials Management Forum and share information and tools.
- Organize and hold regional webinars on climate and materials topics, when requested.
- Conduct a Consumption-Based Emissions Inventory (CBEI) Project in the region.
- Develop fact sheets, PowerPoint, and / or blogs that make the case for incorporating consumption and materials-based strategies into climate mitigation efforts and disseminate widely.

Explore opportunities for addressing climate resiliency in the recycling and related infrastructure.

NEWMOA will be the lead organization.

Construction & Demolition (C&D) Materials

C&D debris associated with construction and demolition of buildings is usually disposed of in landfills. But available landfill space is becoming increasingly limited in most of the northeast, and public opposition has severely limited the siting of new landfills. NEWMOA's 2009 report estimated that approximately 10 percent of architectural C & D generation was recovered for an end use outside of a landfill in 2006.⁴ Metal was the only C&D material recovered at a significant percentage of estimated generation. There is significant potential to increase recovery and reuse of most C&D materials.

NEWMOA and NERC commit to the following joint action to help increasing reuse and recycling of architectural C&D materials:

- Hold three - four virtual meetings of the joint C&D Materials Workgroup. Document the results of the meetings.
- Hold webinars focused on improving collection and recycling of gypsum wallboard waste.
- Hold a regional meeting of state programs and gypsum wallboard processors to discuss improving recycling capacity in the region and addressing the problems associated with managing potentially contaminated gypsum from demolition projects.

NEWMOA will be the lead organization.

Household Hazardous Waste (HHW)

Leftover household products that can catch fire, react, or explode under certain circumstances, or that are corrosive or toxic are household hazardous waste (HHW). Products, such as paints, cleaners, oils, batteries, and pesticides can contain hazardous ingredients and require special care when they are disposed of. Improper disposal of HHW can include pouring them down the drain, on the ground, into storm sewers, or in some cases, putting them out with the regular trash can pollute the environment and pose a threat to human health. Certain types of HHW have the potential to cause physical injury to sanitation workers, contaminate septic tanks, or wastewater treatment systems if poured down drains or toilets. They can also present hazards to children and pets if left around the house. Local HHW Programs are designed to safely collect and manage

⁴ See www.newmoa.org/solidwaste/CDReport2006DataFinalJune302009.pdf; the report analyzes and presents 2006 data provided by NEWMOA's members.

HHW for residents and small businesses. State agencies support and oversee these local HHW programs in a variety of ways.

NEWMOA and NERC commit to the following joint actions to improve management of HHW:

- Hold three - four virtual meetings of the regional HHW Workgroup to share information and resources. Document the results of the meetings.
- Hold webinars focused on HHW topics of interest to the Workgroup.

NEWMOA will be the lead organization.

Environmental Justice

Environmental justice efforts by state agencies are not new but starting in 2020, they began to receive increased attention. State environmental agencies have launched many new environmental justice (EJ) initiatives that affect the ways in which agencies undertake their basic functions, including the solid waste management and recycling programs.

NEWMOA and NERC commit to the following joint actions to promote environmental justice (EJ):

- Hold four virtual meetings of the regional EJ Workgroup to share information and resources. Document the results of the meetings.
- Hold training webinars focused on EJ topics of interest to the Workgroup.

NEWMOA will be the lead organization.

Waste Tires

According to the latest assessment of the U.S. scrap tire markets by the U.S. Tire Manufacturers Association (USTMA), scrap tire stockpiles have steadily declined throughout the past few decades. The association's "2017 U.S. Scrap Tire Management Summary" report found that about 60 million tires are left in stockpiles. In the early 1990s, there were over 1 billion scrap tires in stockpiles.

More tires are being recycled and used by various end markets. According to USTMA, tire-derived fuel (TDF) continues to be the largest end market for recycled scrap tires. USTMA reports that about 43 percent of scrap tires were recycled for TDF use in 2017, while ground rubber serves as the second largest end market (25 percent). 16 percent of scrap tires generated in 2017 were landfilled. Although TDF serves as the largest end market for scrap tires, TDF demand has been steadily declining in recent years.

NEWMOA and NERC commit to the following joint actions to help increase recycling of tires:

- Convene a webinar with the U.S. Tire Manufacturers Association (USTMA) to encourage the use of crumb rubber in roadbed construction.
- Explore strategies for improving end-markets and encouraging appropriate end-of-life management.

NERC and NEWMOA share equal responsibility for this topic.

Implementation

NEWMOA and NERC agree to undertake the following measures to implement this Action Plan:

- Prepare an annual report for their Boards about progress in the previous fiscal year.

- Seek funding individually and jointly to support the actions outlined in this Plan.
- Annually review the Strategic Action Plan with each organization's Board of Directors to ensure its accuracy and appropriateness given changing circumstances.
- Prepare a joint Annual Workplan each year that focuses on the priorities outlined in this Joint Strategic Action Plan.
- Hold five to six meetings a year between the Executive Directors of both organizations to review the actions undertaken to implement the Plan and develop recommendations for consideration by their respective Boards.
- Provide regular reports to their Boards on the progress toward implementing the Plan and seek recommendations and feedback on interim actions and strategies.