



WES-PP-01: STATE RECYCLING GOALS

COMMITTEE RECOMMENDATION: NOT ADOPT; COVERED BY GUIDING PRINCIPLES

PROPOSED POLICY: SUPPORT legislation that sets a new state recycling goal based on landfill diversion and sustainable materials management (SMM) priorities rather than a weight-based measurement.

BACKGROUND: The current state recycling goal was to be met by 2020. Being two years past this date, the state has still not met its goal. It is time to revisit the state's recycling direction and update the old legislation. Legislation has been proposed in the 2021 and 2022 legislative sessions to modify that goal. Neither passed. There is sure to be legislation proposed in 2023 and the counties need a strong voice at the table for how that new goal is going to be set and how subsequently measured.

ANALYSIS: This would have a statewide impact. Counties are charged with implementing and paying for recycling programs in their jurisdictions through sections 403.702(2)(n) and 403.702(2)(p), Florida Statutes. Section 403.706(1), Florida Statutes, reinforces that charge and gives the governing body of a county has the responsibility and power to provide for the operation of solid waste disposal facilities to meet the needs of all incorporated and unincorporated areas of the county. Per the 2021 FDEP recycling report, only 5 counties surpassed or met the 75% goal, and eight counties had a reported recycling percentage of 5% or less.

FISCAL IMPACT: The fiscal impact would vary among the different sized counties. Those with a smaller population and limited tax base may face additional challenges.

FAC STAFF NOTES:

- FAC 2022 Policy Conference
 - The Committee recommended to not adopt WES-PP-01 as it is already covered by FAC Guiding Principles
- Statutes:
 - Section [403.7032](#), F.S., *Recycling*
 - A statewide recycling goal was established by section 95 of [Ch. 2008-227](#), L.O.F.
 - Established a statewide weight-based recycling rate goal of 75% by 2020.
 - Directed the Florida Department of Environmental Protection (DEP) to develop a comprehensive waste reduction and recycling plan to achieve this goal.

- DEP subsequently provided a series of incremental goals: 40% by 2012; 50% by 2014; 60% by 2016; 70% by 2018; and ultimately 75% by 2020.
- While the state at-large met the first two interim goals in 2012 and 2014, it failed to meet the 60% goal in 2016, or any of the subsequent goals.
- Beginning in 2017, the statewide recycling rate began a trend of general decline. A series of external phenomena coincided with this decline:
 - Improved instruments of measurement led to more precise (and accordingly higher) landfill disposal figures, per DEP.
 - Import restrictions and material bans in key Asian markets led to a diminished demand for recycled materials.
- Per [DEP's final report](#) on the topic, the statewide recycling goal in 2020 was 50%—well short of the 75% goal.
- Bills:
 - [SB 1156](#)/HB 935—Comprehensive Waste Reduction and Recycling Plan (2022) by Sen. Stewart/Rep. Morales—Failed
 - Directed DEP to develop a new comprehensive waste reduction and recycling plan, based on their 2020 Final Report regarding the 75% recycling goal.
 - Stipulated that the plan must include a new set of recycling goals based on sustainable materials management and waste diversion.
- Past FAC Statements & Guiding Principles:
 - WES-PP-06 (2021-22): SUPPORT proposed legislation that addresses a new state recycling goal including:
 - Background from the counties' workgroup
 - State grant programs to encourage and incentivize the development of state recycling markets and improvements to local recycling infrastructure
 - Strengthen Section 403.706(2)(c) to ensure that newly developed property including multifamily residential or commercial purposes, provide adequate space and an adequate receptacle for recycling by tenants and owners of the property.
 - Remove Florida's labeling requirements in Section 403.708(7), Florida Statutes, from the chasing arrows symbol to something different and more apparent that it is the resin used in creating the product, and not the product's recyclability.
 - Guiding Principle WES 25. The Florida Association of Counties supports policies that provide appropriate resources and incentives to local governments to achieve statewide recycling goals, and further supports comprehensive recycling initiatives that encourage increased participation of the residential, commercial, and industrial sectors.
 - Guiding Principle WES 26. The Florida Association of Counties supports the modification of the Statewide Recycling Goal in Section 403.7032, Florida Statutes.
 - This guiding principle was modified last year to reflect the ongoing need to update the statewide recycling goal.



- Previous language referenced the 75% threshold and 2020 (year) deadline
- Florida Recycling Workgroup (FRW) Recommendations:
 - A partnership of associations (including FAC), governmental entities, and other stakeholders interested in ensuring that recycling is environmentally and economically sustainable in Florida.
 - Following the lapse of the 75% recycling rate by 2020 initiative, FRW began working to develop and recommend a new set of recycling goals.
 - FRW's most recent recommendations included the following considerations:
 - Weight-based recycling goals, the status quo in Florida, are not an appropriate indicator of program performance, from an environmental and sustainability perspective.
 - The principles of Sustainable Materials Management (SMM) should be applied in any recycling initiative going forward. Per the FRW report, "SMM is a systemic approach to using and reusing materials productively," throughout a product's entire lifecycle.
 - The recommendations included an emphasis on waste diversion, particularly conversion strategies to reclaim materials from landfill waste.

SUBMITTING COUNTY AND CONTACT: Palm Beach (Solid Waste Authority) – Willie Puz
wpuz@swa.org (561) 640-8914

ASSIGNED COMMITTEE: WES

BOARD SUPPORT: Yes

UNFUNDED MANDATE: No

PROTECTIVE OF HOME RULE: N/A