

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5283

To establish national goals for the reduction and recycling of municipal solid waste, to address the growing problem of marine debris, to require the Administrator of the Environmental Protection Agency to promulgate regulations to attain those goals, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2014

Mr. HONDA introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To establish national goals for the reduction and recycling of municipal solid waste, to address the growing problem of marine debris, to require the Administrator of the Environmental Protection Agency to promulgate regulations to attain those goals, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Land-Based Marine  
5 Debris Reduction Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds and declares the following:

1           (1) Because the United States has the largest  
2           Exclusive Economic Zone of all nations, it has a dis-  
3           proportionate economic interest in a healthy ocean.

4           (2) The United States has a strategic interest  
5           in healthy fisheries, marine ecosystems, and a strong  
6           ocean economy.

7           (3) Solid waste is littering the Nation's water-  
8           ways, including streams, rivers, and lakes, most no-  
9           tably the Great Lakes, and much of this marine de-  
10          bris is collecting in the oceans.

11          (4) An estimated 80 percent of litter that ends  
12          up in the oceans comes from land-based sources, and  
13          litter in the Nation's waterways has numerous detri-  
14          mental effects.

15          (5) Marine debris injures wildlife, sometimes re-  
16          sulting in death, degrades ecosystems, interferes  
17          with navigation, threatens public health and safety,  
18          and creates additional expenditures for shipping,  
19          fishing, tourism, and coastal communities.

20          (6) Only about 46 percent of the Nation's waste  
21          is recycled or composted, including through waste-to-  
22          energy.

23          (7) Successful solid waste management requires  
24          creative use of the entire hierarchy of solid waste

1 management, waste reduction, recycling, waste-to-  
2 energy operations, and landfilling.

3 (8) Recycling can play a significant role in re-  
4 ducing municipal waste and marine debris.

5 (9) The failure to recycle and reuse materials is  
6 a significant and unnecessary waste of important na-  
7 tional energy and material resources.

8 (10) Comprehensive, multi-material recycling  
9 programs represent the most cost-effective and effi-  
10 cient method of meeting recycling goals and reduc-  
11 ing marine debris.

12 (11) The responsibility to recycle should be  
13 shared by all consumers of recyclable goods includ-  
14 ing individual households, municipalities, and com-  
15 mercial and institutional establishments.

16 **SEC. 3. NATIONAL GOALS FOR WASTE REDUCTION AND RE-**  
17 **CYCLING.**

18 (a) SOURCE REDUCTION.—Congress declares it to be  
19 the national goal of the United States that there shall be  
20 no increase in the generation of solid waste sent to land-  
21 fills above the level of solid waste generated and sent to  
22 landfills in the year of the enactment of this Act (as deter-  
23 mined by the Administrator).

24 (b) WASTE RECYCLING.—Congress declares it to be  
25 the national goal of the United States that at least 50

1 percent of the municipal solid waste stream shall be recycled by the end of 2020, and 65 percent of such waste stream shall be recycled by the end of 2030 (as determined by the Administrator).

5 (c) MARINE DEBRIS REDUCTION.—Congress declares  
6 it to be the national goal of the United States that there  
7 shall be no increase in the flow of marine debris into the  
8 ocean above the level of such flow in the year of the enactment of this Act (as determined by the Administrator).

10 **SEC. 4. ANNUAL REPORT.**

11 (a) REQUIREMENT.—The Administrator shall report  
12 to Congress each year the following:

13 (1) The amount and composition of municipal  
14 solid waste generated in the United States.

15 (2) The amount and composition of municipal  
16 solid waste generated in the United States that enters the ocean.

18 (3) The methods used to manage such waste.

19 (4) The progress made in achieving the source  
20 reduction, recycling, and marine debris reduction  
21 goals of this Act, the impediments to the attainment  
22 of such goals, and recommendations on the regulatory or legislative initiatives necessary to attain  
23 such goals.  
24

1 (b) FIRST REPORT.—The first report under this sec-  
2 tion shall be submitted not later than 18 months after the  
3 date of the enactment of this Act.

4 **SEC. 5. REPORT ON PRIMARY LEAKAGE PATHS OF MARINE**  
5 **DEBRIS INTO THE OCEAN.**

6 Not later than 18 months after the date of enactment  
7 of this Act, the Administrator shall provide to Congress  
8 a report that includes the following:

9 (1) Identification of the pathways through  
10 which marine debris reaches the ocean, such as con-  
11 sumer discards, flawed waste management designs,  
12 and infrastructural leaks, as determined in consulta-  
13 tion with experts, including waste management, con-  
14 sumer goods, and infrastructure experts.

15 (2) Best practices that may be used at the Fed-  
16 eral, State, and local level to reduce or eliminate  
17 such pathways, including methods to address  
18 infrastructural leaks, regulation, or economic incen-  
19 tives.

20 **SEC. 6. PRODUCTS AND PACKAGING REQUIREMENTS.**

21 (a) LIST AND RECYCLING DETERMINATIONS.—

22 (1) Not later than 2 years after the date of the  
23 enactment of this Act, the Administrator, in con-  
24 sultation with the Secretary of Commerce, shall de-  
25 velop a list of categories of commonly used products

1 and packaging which are discarded into the munic-  
2 ipal solid waste stream. With respect to each cat-  
3 egory on the list, the Administrator shall determine  
4 the following:

5 (A) The percentage of recovered materials  
6 used in the manufacture of products or pack-  
7 aging in each category.

8 (B) The source reduction and recovery effi-  
9 ciency of products or packaging in each cat-  
10 egory.

11 (C) The percentage of products or pack-  
12 aging in each category that is recycled upon  
13 discard.

14 (D) The percentage of products or pack-  
15 aging in each category that enters the ocean  
16 upon discard or is otherwise littered.

17 (E) The life cycle environmental effects as-  
18 sociated with the products or packaging in each  
19 category compared to product or packaging al-  
20 ternatives, using standard life cycle assessment  
21 methodologies and categories of environmental  
22 impacts, including climate change, human  
23 health, eutrophication, acidification, water use,  
24 land use, and ecosystems toxicity.

1           (2) Upon completion of the list and determina-  
2           tions required under paragraph (1), the Adminis-  
3           trator shall identify categories of products or pack-  
4           aging that shall be targeted for regulatory action  
5           under subsection (b). The Administrator shall target  
6           a category based upon high overall life cycle impact  
7           of the product or package compared to the alter-  
8           natives, considering categories of environmental im-  
9           pacts, recovered material content, recyclability, and  
10          high volume in the waste stream.

11          (b) REGULATORY ACTION.—With respect to each cat-  
12          egory of product or packaging identified under subsection  
13          (a)(2), the Administrator may take the following actions:

14               (1) The Administrator may promulgate regula-  
15               tions to require the manufacturer of the product or  
16               packaging to use recovered materials of that or an-  
17               other category in the product or packaging. In pro-  
18               mulgating regulations under this paragraph, the Ad-  
19               ministrator shall, to the extent practicable, consider  
20               the potential life cycle impacts of requiring recovered  
21               material content in a product or packaging on in-  
22               creasing greenhouse gases and water usage, current  
23               regulations regarding the use of recovered materials,  
24               and potential market disruptions to recovered mate-  
25               rials.

1           (2) The Administrator may phase in any of the  
2           actions taken under paragraph (1) if the Adminis-  
3           trator determines it to be necessary for economic  
4           reasons.

5 **SEC. 7. PACKAGING STANDARDS.**

6           The Administrator and the Secretary of Commerce,  
7           in consultation with affected industries, experts in package  
8           design and marketing, companies engaged in collecting  
9           and processing products and packages, and environmental  
10          organizations, shall develop a voluntary system of pack-  
11          aging standards with respect to materials contained within  
12          the packaging and the recyclability of the packaging upon  
13          discard, which may include implementation of an existing  
14          labeling standard where appropriate. The standards shall  
15          provide that packaging that meets the standards shall be  
16          eligible to use a label indicating compliance with the stand-  
17          ards for promotion and educational purposes.

18 **SEC. 8. REPORT ON LANDFILL CLOSURES.**

19          Not later than 1 year after the date of the enactment  
20          of this Act, the Administrator shall submit to Congress  
21          a report analyzing the costs and difficulties encountered  
22          by States and local communities in closing landfills. The  
23          report shall include recommendations on the types and lev-  
24          els of Federal assistance (including technical guidance and

1 funds) that should be provided to States and local commu-  
2 nities for such purpose.

3 **SEC. 9. DEFINITIONS.**

4 For purposes of this Act:

5 (1) The term “Administrator” means the Ad-  
6 ministrator of the Environmental Protection Agency.

7 (2) The term “marine debris” is human-created  
8 waste that has been discharged into the coastal or  
9 marine environment, including any anthropogenic,  
10 manufactured, or processed solid material (regard-  
11 less of size) discarded, disposed of, or abandoned in  
12 the environment, including all materials discarded  
13 into the ocean, on the shore, or brought indirectly to  
14 the ocean by rivers, sewage, storm water, waves, or  
15 wind.

16 (3) The term “recovered material” has the  
17 meaning given that term in section 1004 of the Solid  
18 Waste Disposal Act (42 U.S.C. 6903).

19 (4) The term “recycled” means reused, recov-  
20 ered, or reclaimed from solid waste through any  
21 means, including remanufacturing, reprocessing, and  
22 waste-to-energy technologies.

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