

News From NJ Senate Democrats
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SMITH BILL TO APPLY RECYCLING STANDARD GIVEN COMMITTEE
HEARING

TRENTON - A bill sponsored by Senator Bob Smith which would require a higher recycling standard for plastic packaging sold in New Jersey to promote recycling and preserve landfill space was given a hearing by the Senate Environment Committee today, with a vote scheduled at a later date.

"New Jersey really needs to push the use of recycled plastics by our State's manufacturers and retailers to avoid increasing the number of landfills in the State," said Senator Smith, D-Middlesex, the Chairman of the Senate Environment Committee. "In the Garden State, where we have the distinction of being the most densely populated state in the nation, we cannot afford to give up more of our precious open space to be transformed into a dump. Increasing our reliance on recycled plastics and promoting recycling over dumping will make for a cleaner, greener tomorrow."

The bill, S-2578, known as the "Preservation of Landfill Space Act," would require that every rigid container manufactured, sold, or offered for sale in New Jersey be composed of at least 50% recycled plastic by January 1, 2006. Additionally, every rigid plastic packaging container bearing a product that is sold or offered for sale in New Jersey must be composed of at least 50% recycled plastic by that same deadline. A violation of this act would be subject to a civil administrative penalty of not more than \$10,000 for the first offense, not more than \$20,000 for the second offense, and not more than \$50,000 for the third and subsequent offenses.

The bill offers an exemption for packaging containers associated with the sale of food, drugs or cosmetics, where virgin plastics are considered preferable to recycled plastics in packaging. Other states, such as Oregon, California and Wisconsin, have laws on the books requiring a recycled content standard for plastic packaging containers, but none are as high as the proposed standard in Senator Smith's bill.

"We aren't reinventing the wheel with today's legislation, but we are being innovative in pushing for the highest recycled content standard in the nation," said Senator Smith. "New Jersey's disappearing open space and other unique environmental factors to the State fully warrant stricter standards. As the old adage goes, desperate times call for desperate measures."

Senator Smith also noted that many of the nation's largest manufacturers already require increasing levels of recycled plastic be used in their packaging, indicating that the technology is available and cost-effective enough to produce recycled plastic packaging. However, some manufacturers still rely on unrecycled plastics, and rigid plastic

packaging containers represent a significant component of the solid waste stream in this State.

"We do not want to move beyond the State's current landfill capacity, but increasing levels of solid waste are forcing us to consider larger dumps or ways to cut down on waste," said Senator Smith. "Recycling has long been touted as an environmentally-friendly way of dealing with solid waste issues, because it allows us to conserve on resources and avoid the dumping of materials that can be broken down and reused. While some large manufacturers have demonstrated a willingness to work with us as partners in protecting our environment, we need to push noncompliant manufacturers to do the same."

The bill is pending approval from the Senate Environment Committee, before it can be considered by the full Senate.