

118TH CONGRESS
2D SESSION

H. R. 9676

To direct the Administrator of the Environmental Protection Agency to establish National Plastics Recycling Standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2024

Mr. BUCSHON (for himself and Mr. DAVIS of North Carolina) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Administrator of the Environmental Protection Agency to establish National Plastics Recycling Standards, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Accelerating a Circular Economy for Plastics and Recy-
6 cling Innovation Act of 2024”.

7 (b) TABLE OF CONTENTS.—The table of contents of
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings; purpose.
- Sec. 3. Definitions.

TITLE I—NATIONAL PLASTICS RECYCLING STANDARDS

- Sec. 101. National Plastics Recycling Standards Advisory Committee.
- Sec. 102. National plastic recycling standards.
- Sec. 103. Comparative study on carbon impact of raw materials.

TITLE II—MINIMUM MANDATE FOR RECYCLED PLASTIC

- Sec. 201. Definitions.
- Sec. 202. Minimum mandate for recycled plastic in plastics packaging portfolio.
- Sec. 203. Labeling compliance and enforcement.
- Sec. 204. General provisions.

1 SEC. 2. FINDINGS; PURPOSE.

2 (a) FINDINGS.—Congress finds the following:

3 (1) The Environmental Protection Agency has
4 recognized that reusing and recycling materials con-
5 serves natural resources, reduces waste sent to land-
6 fills and incinerators, prevents pollution, conserves
7 natural resources, reduces greenhouse gases contrib-
8 uting to climate change, and helps create jobs and
9 tax revenue.

10 (2) Given these benefits, the Environmental
11 Protection Agency set a National Recycling Goal in
12 2020 to increase the national recycling rate for all
13 materials to 50 percent by 2030.

14 (3) As a parallel effort, the Environmental Pro-
15 tection Agency developed a “National Recycling
16 Strategy” that identifies objectives and actions to
17 create a stronger, more resilient recycling system.

18 (4) Collectively, these efforts intend to increase
19 the amount of materials that can be recycled, make
20 the processing system more efficient, ensure the in-

1 industry can keep pace with today's diverse and
2 changing waste system, and strengthen the economic
3 markets for recycling materials.

4 (5) These measures are also intended to help
5 manufacturers make more products using recycled
6 materials, increase competition, and encourage de-
7 mand for more products made using recycled mate-
8 rials.

9 (6) There is an unprecedented public and pri-
10 vate momentum and investment to innovate, im-
11 prove, and expand the existing recycling system to
12 develop a circular economy for plastics.

13 (7) A circular economy for plastic products and
14 materials, whether derived from oil, gas, or organics,
15 benefits businesses, society, and the environment.

16 (8) To meet the National Recycling Goal and
17 support domestic interests and competitiveness with-
18 in international markets, it will be necessary for the
19 recycling market in the United States to expand its
20 deployment of advanced recycling technologies.

21 (9) These innovative manufacturing processes
22 fundamentally transform the chemical structure of
23 post-use polymer products, many of which are tradi-
24 tionally hard to recycle by mechanical recycling tech-

1 niques, back to their basic chemical or molecular
2 components.

3 (b) PURPOSE.—The purposes of this Act are to—

4 (1) grow the circular economy for plastics prod-
5 ucts and materials to—

6 (A) meet the National Recycling Goal;

7 (B) protect the global environment;

8 (C) reduce plastic waste;

9 (D) support the standardization of the re-
10 cycling infrastructure capacity in the United
11 States; and

12 (E) bolster competition, technological inno-
13 vation, and robust global and national markets
14 around circular products;

15 (2) create national plastics recycling standards
16 to encourage the modernization of the recycling in-
17 frastructure of the United States;

18 (3) foster competition and consistency in mar-
19 keting recycled plastics in plastics packaging;

20 (4) recognize advanced recycling technologies as
21 a critical component of the international market for
22 recycled products and the National Recycling Strat-
23 egy;

24 (5) recognize advanced recycling as a manufac-
25 turing process to be regulated under applicable Fed-

1 eral, State, and local environmental statutes, rules,
2 and regulations, including the Clean Air Act (42
3 U.S.C. 7401 et seq.); and

4 (6) promote international movement towards
5 the use of advanced recycling technologies and the
6 utilization of recycled plastics in the manufacturing
7 of plastics packaging to support the global economy.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

10 (1) ADMINISTRATOR.—The term “Adminis-
11 trator” means the Administrator of the Environ-
12 mental Protection Agency.

13 (2) ADVANCED RECYCLING; ADVANCED PLAS-
14 TICS RECYCLING.—The term “advanced recycling”
15 or “advanced plastics recycling” means a manufac-
16 turing process for the conversion of post-use poly-
17 mers and recovered feedstocks into recycled products
18 that include basic raw materials, feedstocks, chemi-
19 cals, and other products through processes that in-
20 clude pyrolysis, gasification, depolymerization, cata-
21 lytic cracking, solvolysis, chemolysis, and other simi-
22 lar technologies. The recycled products produced at
23 advanced recycling or advanced plastics recycling fa-
24 cilities include, but are not limited to, monomers,
25 oligomers, plastics, plastic and chemical feedstocks,

1 basic and unfinished chemicals, waxes, lubricants,
2 coatings, and adhesives. Advanced recycling shall not
3 be considered incineration of plastics or municipal
4 waste combustion, and products sold as fuel are not
5 recycled products. Advanced recycling shall not be
6 considered “solid waste management”, “solid waste
7 processing”, “solid waste recovery”, “incineration”,
8 “treatment”, “thermal destruction”, “municipal
9 waste combustion”, “waste-to-energy”, or similar
10 designations that would prevent the process from
11 being considered a recycling process and the prod-
12 ucts from such process being considered recycled
13 products. Advanced recycling shall be regulated as a
14 manufacturing process under any potentially appli-
15 cable Federal, State, or local environmental laws,
16 rules, and regulations, including, but not limited to,
17 the Clean Air Act (42 U.S.C. 7401 et seq.), the
18 Clean Water Act (33 U.S.C. 1251 et seq.), and the
19 Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

20 (3) ADVANCED RECYCLING FACILITY; AD-
21 VANCED PLASTICS RECYCLING FACILITY.—The term
22 “advanced recycling facility” or “advanced plastics
23 recycling facility” means a manufacturing facility
24 that receives, stores, and converts post-use polymers
25 and advanced recycling plastic feedstocks it receives

1 using advanced recycling. Advanced recycling or ad-
2 vanced plastics recycling facilities shall not be con-
3 sidered “solid waste facilities”, “solid waste disposal
4 facilities”, “solid waste management facilities”, “re-
5 source recovery facilities”, “materials recovery facili-
6 ties”, “thermal destruction facilities”, “inciner-
7 ators”, “municipal waste combustors”, “combustion
8 facilities”, “treatment facilities”, “reclamation facili-
9 ties”, “recycling facilities”, or “recycling centers”,
10 as defined herein or in under definitions in the Solid
11 Waste Disposal Act (42 U.S.C. 6901 et seq.), the
12 Clean Air Act (42 U.S.C. 7401 et seq.), or any other
13 potentially applicable Federal, State, or local envi-
14 ronmental laws, rules, and regulations. Advanced re-
15 cycling or advanced plastics recycling facilities shall
16 be regulated as manufacturing facilities under any
17 potentially applicable Federal, State, or local envi-
18 ronmental laws, rules, and regulations, including,
19 but not limited to, the Clean Air Act (42 U.S.C.
20 7401 et seq.) and the Clean Water Act (33 U.S.C.
21 1251 et seq.).

22 (4) APPROVED CERTIFICATION SYSTEM.—The
23 term “approved certification system” shall have the
24 meaning ascribed to that term in section 202(c)(2)
25 of this Act.

1 (5) AUDITABLE.—The term “auditable” means
2 a system for verifying the chain of custody between
3 advanced recycling plastic feedstocks, advanced recycling
4 products, and the plastics produced from advanced recycling
5 products through attribution using
6 mass balance.

7 (6) CERTIFIED COMPOSTABLE PRODUCT.—The
8 term “certified compostable product” means a product
9 that is certified by a recognized third-party independent
10 verification body as meeting the international standard
11 specification ASTM D6400 (relating to standard specification
12 for labeling of plastics designed to be aerobically composted
13 in municipal or industrial facilities) or ASTM D6868 (relating
14 to standard specifications for labeling of end items that
15 incorporate plastics and polymers as coatings or additives
16 with paper and other substrates designed to be aerobically
17 or anaerobically composted in homes or municipal or industrial
18 facilities).

19 (7) CERTIFIED RECYCLED.—The term “certified
20 recycled” shall have the same meaning as recycled
21 plastics.

22 (8) CHAIN OF CUSTODY.—The term “chain of
23 custody” means a system to document and verify the
24 path taken through means, including but not limited
25

1 to, physical methods or mass balance attribution
2 during the production of products.

3 (9) CIRCULAR ECONOMY.—The term “circular
4 economy” shall have the meaning provided in section
5 2 of the Save Our Seas 2.0 Act (33 U.S.C. 4201).

6 (10) COMMITTEE.—The term “Committee”
7 means the National Plastic Recycling Standards Ad-
8 visory Committee established under section 101.

9 (11) DISPOSAL.—The term “disposal” has the
10 meaning given such term under section 1004 of the
11 Solid Waste Disposal Act (42 U.S.C. 6903).

12 (12) GASIFICATION.—The term “gasification”
13 means a manufacturing process through which post-
14 use polymers or recovered feedstocks are heated in
15 an oxygen-controlled atmosphere and converted to
16 syngas (carbon monoxide and hydrogen), followed by
17 conversion into valuable raw, intermediate, and final
18 products.

19 (13) HAZARDOUS WASTE.—The term “haz-
20 arduous waste” has the meaning given such term in
21 section 1004 of the Solid Waste Disposal Act (42
22 U.S.C. 6903).

23 (14) MASS BALANCE CERTIFICATION.—The
24 term “mass balance certification” means an
25 auditable chain of custody accounting methodology

1 with rules defined by a third-party certification sys-
2 tem that enables the attribution of the mass of ad-
3 vanced recycling plastic feedstocks to one or more
4 advanced recycling products.

5 (15) MARKETER.—The term “marketer” means
6 a person who—

7 (A) manufactures or purchases manufac-
8 tured consumer commodities, food, and bev-
9 erages; and

10 (B) encloses, contains, stores, protects,
11 preserves, or identifies such consumer commod-
12 ities, food, and beverages in plastic packaging
13 for the purpose of selling, importing, or distrib-
14 uting in the United States.

15 (16) MECHANICAL RECYCLING.—The term
16 “mechanical recycling” means a recycling process
17 that recycles material, including plastic through a
18 physical process, including grinding, washing, sepa-
19 rating, drying, regranulating, and compounding.

20 (17) MINIMUM MANDATE.—The term “min-
21 imum mandate” means the minimum mandate es-
22 tablished under section 201(3).

23 (18) MUNICIPAL SOLID WASTE.—The term
24 “municipal solid waste” means garbage, refuse, in-
25 dustrial lunchroom, or office waste, and other mate-

1 rial, including solid, liquid, semisolid, or contained
2 gaseous material resulting from operation of residen-
3 tial, municipal, commercial, or institutional estab-
4 lishments and from community activities, generated
5 by a household, collected and disposed of at munic-
6 ipal solid waste facilities, and any sludge not meet-
7 ing the definition of residual or hazardous waste
8 hereunder from a municipal, commercial, or institu-
9 tional water supply treatment plant, waste water
10 treatment plant, or air pollution control facility. The
11 term does not include advanced recycling feedstocks
12 that are collected, sorted, transported, stored, or
13 processed for conversion to advanced recycling prod-
14 ucts through advanced recycling. Municipal solid
15 waste can be used as advanced recycling feedstocks
16 upon physical separation or sorting.

17 (19) NATIONAL PLASTIC RECYCLING STAND-
18 ARDS.—The term “national plastic recycling stand-
19 ards” means the standards established under section
20 102.

21 (20) NATIONAL RECYCLING GOAL.—The term
22 “National Recycling Goal” means the goal set forth
23 by the Environmental Protection Agency during the
24 2020 America Recycles Summit to increase the na-
25 tional recycling rate to 50 percent by 2030.

1 (21) NATIONAL RECYCLING STRATEGY.—The
2 term “National Recycling Strategy” or the “Strat-
3 egy” means the National Recycling Strategy final-
4 ized by the Environmental Protection Agency in No-
5 vember 2021.

6 (22) PLASTIC.—The term “plastic” or “plas-
7 tics” means any material made of polymeric organic
8 compounds derived from monomers and additives
9 that can be shaped by flow.

10 (23) PLASTICS PACKAGING.—The term “plas-
11 tics packaging” means any immediate container or
12 wrapping in which the principal structural element is
13 composed of plastic that is used to enclose, contain,
14 store, protect, preserve, transport, or identify con-
15 sumer commodities, food, or beverages for use in the
16 sale of such consumer commodities, food, or bev-
17 erages.

18 (24) PLASTICS RECYCLING ACCOUNTING AND
19 LABELING PROGRAM.—The term “Plastics Recycling
20 Accounting and Labeling Program” means the ac-
21 counting and labeling program established under
22 section 203(a) of this Act.

23 (25) POST-USE PLASTIC.—The term “post-use
24 plastic” means a pre-consumer recovered material or
25 a post-consumer recovered material that—

1 (A) contains plastic derived from a resi-
2 dential, municipal, industrial, community, or
3 commercial source;

4 (B) is not mixed with hazardous waste ex-
5 cept to the extent allowed by the national plas-
6 tic recycling standards; and

7 (C) is in a form acceptable for mechanical
8 recycling and advanced recycling.

9 (26) POST-USE PLASTIC PRODUCT.—The term
10 “post-use plastic product” means material made
11 wholly or in part of post-use plastics.

12 (27) POST-USE POLYMER.—The term “post-use
13 polymer” means a plastic to which all of the fol-
14 lowing apply:

15 (A) The plastic is derived from any indus-
16 trial, commercial, agricultural, or domestic ac-
17 tivities, and includes pre-consumer recovered
18 materials and post-consumer materials.

19 (B) The plastic has been sorted from solid
20 waste and other regulated waste but may con-
21 tain residual amounts of waste such as organic
22 material and incidental contaminants or impuri-
23 ties (e.g., paper labels and metal rings).

1 (C) It is not mixed with solid waste or haz-
2 arduous waste onsite or during processing at the
3 advanced recycling facility.

4 (D) The plastic's use or intended use is as
5 a feedstock for the manufacturing of feedstocks,
6 raw materials, or other intermediate products
7 or final products using advanced recycling.

8 (E) The plastic is processed at an ad-
9 vanced recycling facility or held at such facility
10 prior to processing.

11 (28) PRE-CONSUMER RECOVERED PLASTIC MA-
12 TERIAL.—The term “pre-consumer plastic recovered
13 material” means material that has never reached the
14 end user, having been diverted from the waste
15 stream during a manufacturing process. The term
16 does not include material generated in a process and
17 capable of being reused or reutilized as a substitute
18 for a raw material without being modified in any
19 way. Pre-consumer recovered plastic material col-
20 lected, sorted, transported, stored, or processed for
21 use in mechanical or advanced recycling shall not be
22 considered solid waste under the Solid Waste Dis-
23 posal Act (42 U.S.C. 6901 et seq.) or its imple-
24 menting regulations.

1 (29) PROCESSING.—The term “processing”
2 means any method or technology used for the pur-
3 pose of reducing the volume or bulk of municipal or
4 residual solid waste for disposal. The term does not
5 include any method or technology used to convert
6 part or all of such materials for on-site reuse in ad-
7 vanced recycling.

8 (30) PYROLYSIS.—The term “pyrolysis” means
9 a manufacturing process through which post-use
10 polymers or recovered feedstocks are heated in the
11 absence of oxygen until melted and thermally decom-
12 posed (non-catalytically or catalytically) and are
13 then cooled, condensed, and converted into valuable
14 raw materials and intermediate and final products,
15 including but not limited to, plastic monomers,
16 chemicals, naphtha, waxes, plastic, and chemical
17 feedstocks that are returned to economic utility in
18 the form of raw materials and products.

19 (31) RECOVERED FEEDSTOCK.—The term “re-
20 covered feedstock” means one or more of the fol-
21 lowing materials that has been processed so that it
22 may be used as feedstock in an advanced recycling
23 facility post-use polymers or materials for which the
24 Environmental Protection Agency has made a non-
25 waste determination or has otherwise determined are

1 feedstocks and not solid waste. Recovered feedstock
2 does not include unprocessed municipal waste. Re-
3 covered feedstock is not mixed with solid waste or
4 hazardous waste on-site or during processing at an
5 advanced recycling facility.

6 (32) RECYCLED PLASTIC.—The term “recycled
7 plastic” means products that are produced from me-
8 chanical recycling of pre-consumer recovered feed-
9 stocks or plastics, and post-consumer plastics or
10 from the advanced recycling of pre-consumer recov-
11 ered feedstocks or plastics, and post-consumer plas-
12 tics via mass balance attribution under a third-party
13 certification system. The terms “recycled content”
14 and “certified recycled” shall have the same mean-
15 ing as “recycled plastic”.

16 (33) RECYCLING RATE.—The term “recycling
17 rate” means the percentage of post-use materials re-
18 cycled from the total post-use materials generated,
19 as it is measured by the Environmental Protection
20 Agency. Products marketed or sold as fuels or en-
21 ergy are not recycled materials for purposes of cal-
22 culating the recycling rate.

23 (34) SOLID WASTE.—The term “solid waste”
24 has the meaning given such term in section 1004 of
25 the Solid Waste Disposal Act (42 U.S.C. 6903).

1 Post-use plastics and recovered feedstocks that are
2 collected, sorted, transported, stored, or processed
3 for use in an advanced recycling facility using ad-
4 vanced recycling technologies or held at an advanced
5 recycling facility prior to processing are not solid
6 waste.

7 (35) THIRD-PARTY CERTIFICATION SYSTEM.—
8 The term “third-party certification system” means
9 an international and multi-national third-party cer-
10 tification system, which consists of a set of rules for
11 the implementation of mass balance attribution ap-
12 proaches for advanced recycling of materials.

13 **TITLE I—NATIONAL PLASTICS** 14 **RECYCLING STANDARDS**

15 **SEC. 101. NATIONAL PLASTICS RECYCLING STANDARDS AD-** 16 **VISORY COMMITTEE.**

17 (a) ESTABLISHMENT.—Not later than 90 days after
18 the date of enactment of this Act, the Administrator shall
19 establish the National Plastics Recycling Standards Advi-
20 sory Committee for a period of not less than 4 years, upon
21 which the Administrator may renew the charter of the
22 Committee pursuant to section 1013 of title 5, United
23 States Code.

24 (b) COMPOSITION.—

1 (1) IN GENERAL.—The Committee shall be
2 composed of 14 members who shall be appointed as
3 follows:

4 (A) 2 members appointed by the Adminis-
5 trator.

6 (B) 3 members appointed by the Chairman
7 of the Committee on Environment and Public
8 Works of the Senate.

9 (C) 3 members appointed by the ranking
10 minority member of the Committee on Environ-
11 ment and Public Works of the Senate.

12 (D) 3 members appointed by the Chairman
13 of the Committee on Energy and Commerce of
14 the House of Representatives.

15 (E) 3 members appointed by the ranking
16 minority member of the Committee on Energy
17 and Commerce of the House of Representatives.

18 (2) FAIR BALANCE OF MEMBERSHIP.—Not
19 later than 60 days after finalization of the Com-
20 mittee roster, the Advisory Committee Management
21 Officer, designated pursuant to section 1007 of title
22 5, United States Code, and the designated officer or
23 employee of the Federal Government, designated
24 pursuant to section 1009 of title 5, United States
25 Code, shall prepare and submit a report to the Ad-

1 administrator confirming that the members appointed
2 under paragraph (1) represents a fair balance be-
3 tween the points of views from each of the following:

4 (A) Companies that haul or manage mu-
5 nicipal solid waste.

6 (B) Companies that manufacture plastic
7 resin.

8 (C) Companies directly involved in the de-
9 sign, production, use, and recycling of plastic
10 materials.

11 (D) Consumer brands and retail companies
12 that sell end products utilizing plastic pack-
13 aging directly to consumers.

14 (E) Municipalities that administer residen-
15 tial waste and recycling programs.

16 (F) Companies engaged in the advanced
17 recycling of plastic packaging.

18 (G) Companies engaged in the mechanical
19 recycling of plastic packaging.

20 (3) TERM.—

21 (A) IN GENERAL.—Except as provided in
22 subparagraph (B), each member shall serve a
23 term of 4 years.

1 (B) INITIAL STAGGERING.—The initial ap-
2 pointments made by the Administrator under
3 paragraph (1) shall be for a term of 2 years.

4 (c) DUTIES.—

5 (1) STUDY TO DEVELOP NATIONAL PLASTIC RE-
6 CYCLING STANDARDS.—

7 (A) IN GENERAL.—Not later than 1 year
8 after its formation, the Committee shall begin
9 conducting a study for the purpose of advising
10 the Administrator in the establishment and im-
11 plementation of the national plastic recycling
12 standards.

13 (B) SOLICITATION.—In conducting the
14 study under subparagraph (A), the Committee
15 shall solicit information from relevant stake-
16 holders, including—

17 (i) local government officials; and
18 (ii) representatives from the plastic,
19 recycling, waste haulers, and advanced re-
20 cycling industries.

21 (C) STUDY TOPICS.—The study conducted
22 under subparagraph (A) shall evaluate and pro-
23 vide recommendations on the following topics:

24 (i) The elements to be included in the
25 national plastic recycling standards.

1 (ii) Ways that the national plastic re-
2 cycling standards may be better har-
3 monized with international, multinational
4 and State efforts, regulations, and chain of
5 custody and certified mass balance meth-
6 odologies to increase the efficiency and im-
7 pact of the national plastic recycling stand-
8 ards.

9 (iii) The best practices and strategies
10 developed by community recycling pro-
11 grams, including consumer outreach and
12 education, and how and to what extent
13 such practices and strategies can and
14 should be—

15 (I) incorporated into the National
16 Recycling Strategy;

17 (II) incorporated into the activi-
18 ties of Federal agencies to increase
19 the national recycling rate; or

20 (III) potential strategies to en-
21 courage the development and imple-
22 mentation of efficient waste collection,
23 sortation, pre-processing, and mechan-
24 ical and advanced recycling tech-

1 nologies with respect to plastic mate-
2 rials.

3 (iv) Ways that the National Plastics
4 Recycling Standards for sorted or partially
5 sorted mixed materials containing post-use
6 plastic may best support the increased use
7 of advanced recycling technologies to cre-
8 ate feedstocks for the production of cir-
9 cular plastics and be harmonized with, or
10 exempted from, other Federal, State, and
11 local laws to increase advanced recycling
12 capacity.

13 (v) Ways in which the national plastic
14 recycling standards may increase the sup-
15 ply of materials entering recycling systems
16 and minimizing the incineration,
17 landfilling, and improper disposal of mate-
18 rials in the environment.

19 (vi) Potential strategies to address
20 materials that enter the recycling collection
21 system that are not composed of post-use
22 plastics that significantly and adversely im-
23 pact the advancement of mechanical and
24 advanced recycling processes from achiev-

1 ing annual mandates for recycled plastics
2 in plastics packaging.

3 (vii) Any additional authorities or fi-
4 nancial resources necessary for the Admin-
5 istrator to improve data collection and the
6 standardization of reporting with regard to
7 the total supply of plastic packaging to en-
8 able the analysis of reuse and recycling
9 performance and trends.

10 (viii) The potential incorporation of
11 advanced recycling and advanced recycling
12 products into the National Recycling Strat-
13 egy.

14 (ix) Ways that the National Recycling
15 Strategy and other national recycling ef-
16 forts may be better harmonized with multi-
17 national, international, State, and local
18 regulations, programs, and certification
19 programs.

20 (x) The potential expansion of the Na-
21 tional Recycling Strategy to—

22 (I) improve and standardize col-
23 lection and metrics;

- 1 (II) prioritize innovation in prod-
2 uct design, post-use collecting, sort-
3 ing, and processing;
- 4 (III) expand public space recy-
5 cling;
- 6 (IV) improve existing recycling
7 systems and capacities;
- 8 (V) enhance reporting for recy-
9 cling, reuse, and compositing bio-
10 based plastics; and
- 11 (VI) incorporate mass balance
12 certification.
- 13 (xi) The benefits of innovative mate-
14 rials on durable goods and infrastructure,
15 such as long-term pavement performance,
16 emissions, plant and construction oper-
17 ations, infrastructure resiliency, and re-
18 recyclability.
- 19 (xii) The environmental, social, and fi-
20 nancial benefits of annual mandates for re-
21 cycled plastics in plastics packaging and
22 the benefits of third-party certification sys-
23 tems for mechanical and advanced recy-
24 cling.

1 (xiii) Potential ways that the National
2 Recycling Strategy may improve and opti-
3 mize the use of certified compostable prod-
4 ucts.

5 (xiv) Appropriate financial incentives,
6 increased tipping fees, and other mecha-
7 nisms, such as packaging fees, to encour-
8 age increased collection, avoid wasteful dis-
9 positions of post-use plastic products and
10 encourage the development and implemen-
11 tation of waste collection, sortation, pre-
12 processing, and mechanical and advanced
13 recycling technologies.

14 (xv) The impact of the use of the
15 American Society for Testing and Mate-
16 rials Resin Identification Codes symbol on
17 plastic products on the rate of recycling in
18 the United States, and whether Federal
19 standards for use of the symbol in con-
20 sumer outreach and education would help
21 achieve the plastic recycling goal set by the
22 Administrator under the National Recy-
23 cling Strategy.

24 (2) REPORT.—Not later than 15 months after
25 the date on which the Advisory Committee Manage-

1 ment Officer deems a fair balance of Committee
2 membership under section 101(b)(2)(a), the Com-
3 mittee shall complete the study and submit to the
4 Administrator a report on the study conducted
5 under paragraph (1), including—

6 (A) the findings of the Committee; and

7 (B) the recommendations of the Com-
8 mittee.

9 (3) ADVISE ADMINISTRATOR.—In consultation
10 with the Committee, the Administrator shall—

11 (A) establish training for awareness and
12 implementation of the National Plastics Recy-
13 cling Standards for employees of the Environ-
14 mental Protection Agency; and

15 (B) develop educational materials and im-
16 plement a nationwide campaign targeted toward
17 helping residential, commercial, and industrial
18 consumers understand the role of such con-
19 sumers in implementing the National Plastics
20 Recycling Standards.

21 (d) FUNDING.—There is authorized to be appro-
22 priated such sums as are necessary to carry out this sec-
23 tion.

1 **SEC. 102. NATIONAL PLASTIC RECYCLING STANDARDS.**

2 (a) ESTABLISHMENT.—Not later than 18 months
3 after the date on which the Committee issues a report
4 under section 101(c), the Administrator, in consultation
5 with the relevant heads of Federal agencies and taking
6 into consideration such report, shall establish the national
7 plastic recycling standards for the purpose of supporting
8 achievement of the National Recycling Strategy.

9 (b) REQUIREMENTS.—The national plastic recycling
10 standards established under subsection (a) shall contain
11 the following:

12 (1) Specifications required for advanced recy-
13 cling feedstocks to support conversion back to new
14 chemicals, plastics, and other useful products.

15 (2) Minimum standards for municipal systems
16 in which residents are charged for waste collection
17 based on the amount of waste they throw away
18 (Pay-As-You-Throw systems), infrastructure capac-
19 ity to ensure jurisdictions are able to handle com-
20 mon materials and adjust to new waste streams, and
21 household access to optimize the ability of all Ameri-
22 cans to recycle, including the development of Federal
23 grant programs to assist with the equitable access
24 for all communities, including exurban, multi-family,
25 and rural communities, to meet the minimum access
26 standards.

1 (3) Minimum processing requirements to in-
2 crease the recycling of post-use plastics.

3 (4) Systems, measures, and metrics to be used
4 to analyze the effectiveness of the national plastic
5 recycling standards, including recordkeeping and re-
6 porting requirements.

7 (5) Standards and guidelines for the testing,
8 design, manufacture, use, performance, and re-
9 recyclability of innovative material to be used in con-
10 struction, preservation, rehabilitation, or reconstruc-
11 tion of infrastructure and long-term pavement, and
12 including Federal grant programs for projects prone
13 to flooding due to severe storms, storm surges, or
14 projected sea level rise during the projected lifetime
15 of the project.

16 (6) Educational programs to promote compli-
17 ance with and support for the national plastic recy-
18 cling standards, and awareness of plastics recycling
19 with respect to different geographic, rural, and
20 urban needs.

21 (7) Standards and data collection procedures to
22 determine the annual supply of post-use plastics
23 available for advanced recycling feedstocks.

24 (8) Standards for Federal, State, and municipal
25 government and industry data collection, metrics,

1 and reporting for reuse, recycling, composting, re-
2 covery, and disposal for the Environmental Protec-
3 tion Agency to measure the national recycling rate
4 and report against the National Recycling Goal.

5 (c) EFFECTIVE DATE.—

6 (1) IN GENERAL.—The Administrator shall es-
7 tablish a date, no later than 3 years following pro-
8 mulgation of the National Recycling Standards, for
9 the standards to go into effect.

10 (2) CONSIDERATIONS.—In establishing the ef-
11 fective date under paragraph (1), the Administrator
12 shall take into consideration—

13 (A) the cost of achieving a circular econ-
14 omy for plastics;

15 (B) the feasibility of implementing the na-
16 tional plastic recycling standards, including the
17 time needed to—

18 (i) obtain necessary permit approvals;

19 (ii) procure, install, and test control
20 equipment; and

21 (iii) procure funding to implement in-
22 frastructure and access improvements, in-
23 cluding the development and disbursement
24 of Federal financial incentives;

1 (C) the availability of equipment, supplies,
2 and labor;

3 (D) the potential reduction of solid waste
4 in landfills, oceans, and the natural environ-
5 ment; and

6 (E) the potential net employment impacts.

7 **SEC. 103. COMPARATIVE STUDY ON CARBON IMPACT OF**
8 **RAW MATERIALS.**

9 (a) STUDY.—Not later than 90 days after the date
10 of enactment of this Act, the Administrator shall seek to
11 enter into appropriate arrangements with the National
12 Academies of Sciences, Engineering, and Medicine (in this
13 section referred to as the “National Academies”) under
14 which the National Academies shall conduct a study that
15 compares the resource use, resource efficiency, and carbon
16 impact of products made of raw materials (including plas-
17 tic, bio-based plastic, steel, aluminum, glass, textiles,
18 wood, and paper) across the life cycle, including the pro-
19 duction, transportation, packaging use, and any method
20 of recovery, of such products.

21 (b) REPORT.—Not later than 2 years after the date
22 of the enactment of this Act, the National Academies shall
23 submit to Congress, the Administrator, the Secretary of
24 Energy, and the Secretary of Commerce a report on the
25 study conducted under subsection (a) that includes—

- 1 (1) the findings of such study; and
- 2 (2) recommendations based on such findings—
- 3 (A) that address concerns associated with
- 4 climate change, including life cycle greenhouse
- 5 gas emissions of products made with raw mate-
- 6 rials;
- 7 (B) with respect to any knowledge gaps
- 8 that may require further scientific inquiry and
- 9 studies; and
- 10 (C) on potential educational efforts to help
- 11 residential, commercial, and industrial con-
- 12 sumers understand the climate carbon footprint
- 13 of such residential, commercial, and industrial
- 14 consumers.

15 **TITLE II—MINIMUM MANDATE**

16 **FOR RECYCLED PLASTIC**

17 **SEC. 201. DEFINITIONS.**

18 In this title:

- 19 (1) COMPLIANCE DEFICIT PERCENTAGE.—The
- 20 term “compliance deficit percentage” means the
- 21 amount of the mandate shortfall divided by the man-
- 22 dated quantity of recycled plastics as determined by
- 23 Administrator.
- 24 (2) MANDATE SHORTFALL.—The term “man-
- 25 date shortfall” means, in pounds, the sum of—

1 (A) the total pounds of plastics used in an
2 annual plastics packaging portfolio of a mar-
3 keter multiplied by the applicable mandate for
4 recycled plastics, less

5 (B) the pounds of recycled plastics actually
6 used, as determined by the Administrator, in
7 such annual plastics packaging portfolio.

8 (3) MINIMUM MANDATE.—The term “minimum
9 mandate” means the requirement of having a min-
10 imum percentage of a plastics packaging portfolio of
11 a marketer that is made of recycled plastics under
12 section 202(a).

13 (4) MINIMUM PERCENTAGE.—The term “min-
14 imum percentage” means the percentage that is de-
15 termined by the Administrator under section
16 202(b)(2).

17 (5) PLASTICS PACKAGING PORTFOLIO.—The
18 term “plastics packaging portfolio” means a market-
19 er’s total annual portfolio of plastics packaging, in-
20 cluding packaging made from virgin and recycled
21 resins sold, marketed, and distributed in the United
22 States.

1 **SEC. 202. MINIMUM MANDATE FOR RECYCLED PLASTIC IN**
2 **PLASTICS PACKAGING PORTFOLIO.**

3 (a) **MINIMUM MANDATE.**—Not later than 180 days
4 after the date of enactment of this Act, and for each cal-
5 endar year thereafter subject to paragraph (2), if applica-
6 ble, the Administrator shall set regulations requiring a
7 minimum percentage of a plastics packaging portfolio of
8 a marketer containing plastics packaging that includes re-
9 cycled plastics in accordance with this section.

10 (b) **MINIMUM PERCENTAGE.**—

11 (1) **30 BY 30.**—In carrying out the minimum
12 mandate under subsection (a), the Administrator
13 shall increase the minimum percentage pursuant to
14 paragraph (2) to a maximum of 30 percent by 2030.

15 (2) **EVALUATION PROCESS.**—

16 (A) **ESTABLISHMENT.**—Not later than 1
17 year after the date of enactment of this Act, the
18 Administrator shall establish an evaluation
19 process under which the Administrator shall
20 evaluate the minimum percentage that is in ef-
21 fect at the time of beginning the evaluation
22 process to determine whether such minimum
23 percentage should be adjusted based on—

24 (i) the supply of on-specification recy-
25 cled post-use plastics feedstocks available
26 for mechanical or advanced recycling, cal-

1 culated based on the data the Adminis-
2 trator shall require States to annually sub-
3 mit regarding the amount of available in-
4 coming recycled feedstocks by categories of
5 post-use plastics, and shall take into con-
6 sideration the proximity of the available re-
7 cycled feedstocks to the available recycling
8 infrastructure, including either mechanical
9 or advanced recycling facilities;

10 (ii) the annual data collected by the
11 Administrator pursuant to reporting re-
12 quirements developed pursuant to section
13 203 to evaluate the Nation's advanced re-
14 cycling capacity;

15 (iii) changes in market conditions, in-
16 cluding supply and demand for recycled
17 post-use plastics feedstocks, collection
18 rates, and post-use plastic availability both
19 domestically and globally;

20 (iv) the capacity of advanced and me-
21 chanical recycling infrastructure;

22 (v) the supply of on-specification recy-
23 cled feedstocks available for mechanical or
24 advanced recycling to be used in plastics
25 packaging that contains drugs, medical de-

1 vices, cosmetics, medical food, or infant
2 formula (as such terms are defined in the
3 Federal Food, Drug, and Cosmetic Act (21
4 U.S.C. 301 et seq.)) or any other product
5 packages with health and safety related re-
6 cycled plastics restrictions;

7 (vi) any consultations with the Na-
8 tional Plastics Recycling Standards Com-
9 mittee or experts from the scientific, proc-
10 ess engineering, economic development,
11 plastics, recycling, waste haulers, and recy-
12 cling industries; and

13 (vii) whether there has been imple-
14 mentation of policies to support or help fi-
15 nance the development of collection and
16 sorting infrastructure for post-use plastic.

17 (B) EVALUATION.—Not later than 1 year
18 after the date on which the Administrator es-
19 tablishes the evaluation process under subpara-
20 graph (A), and every two years thereafter, the
21 Administrator shall evaluate the minimum per-
22 centage that is in effect at the time of the eval-
23 uation using the process established under such
24 subparagraph and determine whether such min-
25 imum percentage that is in effect should in-

1 crease, decrease, or stay the same for the fol-
2 lowing calendar year.

3 (C) ACCELERATED SCHEDULE.—Upon re-
4 ceipt of a petition signed by at least 55 percent
5 of all marketers subject to this section, the Ad-
6 ministrator may initiate an evaluation on the
7 date that is at least 1 year after the date on
8 which the Administrator conducted the previous
9 evaluation.

10 (c) THIRD-PARTY CERTIFICATION.—

11 (1) IN GENERAL.—The Administrator shall
12 identify international standards of third party cer-
13 tification bodies including, but not limited to, as de-
14 termined under paragraph (2) that certify the per-
15 centage of recycled plastics in a plastics packaging
16 portfolio for the purpose of enforcing the minimum
17 mandate under section 203, in accordance with this
18 paragraph.

19 (2) APPROVED CERTIFICATION SYSTEMS
20 LIST.—Not later than 180 days after the enactment
21 of this Act, the Administrator shall issue a list that
22 contains certification systems that:

23 (A) Apply chain of custody, attribution,
24 mass balance, and certified mass balance attri-

1 bution for identifying the percentage of recycled
2 plastics in a plastics packaging portfolio.

3 (B) Are approved by the Administrator to
4 certify the percentage of recycled plastics in a
5 plastics packaging portfolio of a marketer.
6 These systems include those run by the fol-
7 lowing organizations:

8 (i) International Sustainability and
9 Carbon Certification.

10 (ii) Underwriter Laboratories.

11 (iii) SCS Global Services.

12 (iv) Roundtable on Sustainable Bio-
13 materials.

14 (v) Ecocycle.

15 (vi) REDcert.

16 (3) ANNUAL UPDATE.—Not later than 1 year
17 after the date on which the Administrator issues the
18 approved certification systems list under subpara-
19 graph (B), and annually thereafter, the Adminis-
20 trator shall update the approved certification sys-
21 tems list to incorporate new certification systems
22 satisfying the requirements in section 202(c)(2)(A).

23 (d) TIMELINE.—Not later than 180 days after the
24 date of enactment of this Act, the Administrator shall es-
25 tablish a timeline and reporting procedures by which—

1 (1) a marketer submits documents prepared by
2 an approved third-party certification body as identi-
3 fied under section 202(c) that details the percentage
4 of recycled plastics used within the plastics pack-
5 aging portfolio of the marketer;

6 (2) the Administrator makes a determination
7 on such documents; and

8 (3) a marketer, upon certification, may begin to
9 label under section 203 of this Act.

10 (e) APPLICABILITY.—

11 (1) IN GENERAL.—The minimum mandate shall
12 apply to the total annual plastics packaging portfolio
13 of a marketer excluding plastics packaging that is—

14 (A) manufactured from certified
15 compostable products; and

16 (B) subject to electrostatic discharge re-
17 strictions.

18 (2) VOLUNTARY INCLUSION.—For any mar-
19 keter that has plastic packaging that is excluded
20 under paragraph (1), such marketer may voluntarily
21 include such excluded plastic packaging for the pur-
22 pose of determining the total annual plastics pack-
23 aging portfolio under paragraph (1).

1 **SEC. 203. LABELING COMPLIANCE AND ENFORCEMENT.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, the Administrator shall es-
4 tablish a plastics recycling accounting and labeling pro-
5 gram (in this section referred to as the “Program”) to
6 increase the use and reliability of recycled plastics for plas-
7 tics packaging.

8 (b) DUTIES OF ADMINISTRATOR.—Under the Pro-
9 gram, the Administrator shall:

10 (1) Outline the Administrator’s oversight au-
11 thority over marketers in the plastics recycling ac-
12 counting and labeling programing, including the fol-
13 lowing:

14 (A) The certification process, including the
15 Administrator’s procedures for confirmation
16 that a marketer has met the mandates for recy-
17 cled plastics in plastics packaging by satisfying
18 the annual requirements of an approved certifi-
19 cation system. The certification process shall in-
20 clude a one-page final determination from the
21 Administrator confirming the marketer met the
22 mandates for recycled plastics in plastics pack-
23 aging through an approved certification system,
24 which shall be automatically and electronically
25 conveyed to the Federal Trade Commission and
26 the marketer.

1 (B) The Administrator’s obligation to pub-
2 lish basic information about each marketer’s ef-
3 forts to meet the minimum mandates, including
4 the marketer’s name and the percent of recy-
5 cled plastics achieved during past certifications,
6 while simultaneously protecting all financial,
7 production, or sales data from each marketer
8 that is claimed to confidential business informa-
9 tion.

10 (C) Enforcement procedures and penalties
11 for prohibited acts performed by marketers with
12 respect to the certification process developed
13 pursuant to section 202(d).

14 (i) The plastics recycling accounting
15 and labeling program’s definition of “pro-
16 hibited acts” shall include violations of
17 record keeping requirements, knowing mis-
18 representations by marketers in the certifi-
19 cation process, and knowing distribution in
20 commerce of any plastics packaging with
21 the label developed pursuant to paragraph
22 (3).

23 (ii) If the Administrator has reason to
24 believe a marketer has undertaken a pro-
25 hibited act, the Administrator shall issue a

1 notice of noncompliance that may be cor-
2 rected within 30 days. The Administrator
3 may issue a civil penalty for knowing viola-
4 tions. The civil penalties shall not exceed
5 the sum of \$25,000 for every day of such
6 violation. Any violation with respect to a
7 regulation prescribed pursuant to the plas-
8 tics recycling accounting and labeling pro-
9 gram which establishes a regulatory stand-
10 ard based upon a multiday averaging pe-
11 riod shall constitute a separate day of vio-
12 lation for each and every day in the aver-
13 aging period.

14 (D) Procedures for the Administrator to
15 notify the Federal Trade Commission when
16 products produced by marketers are identified
17 in retail without proper labeling, as they shall
18 be developed pursuant paragraph (3) or with la-
19 beling based on misrepresentations or any pro-
20 hibited acts.

21 (2) Develop recordkeeping requirements and
22 procedures for marketers involving the transfer of
23 products between parties that is synthesized with,
24 but not duplicative of the requirements of the ap-
25 proved certification system, and is auditable by the

1 Administrator. For purposes of this section, the
2 term “transfer of product between parties” means
3 the transfer of credits assigned to a post-use plastic
4 product through an approved certification system to
5 another approved certification system through a
6 “like-for-like product exchange” without requiring
7 the physical movement of the post-use plastic prod-
8 uct between the systems, subject to the following
9 limitations:

10 (A) The exchanged products to which the
11 post-use plastic product has been attributed
12 must be equivalent.

13 (B) The mass balance of the two systems
14 and the transfer must be independently
15 verifiable. Transfer of credits has the benefit of
16 maximizing the market opportunities for recy-
17 cled material without driving increased costs
18 and related greenhouse gas emissions to trans-
19 port the same material between two locations.

20 (3) Develop a label that shall include the lan-
21 guage “_____ % EPA Certified Balanced Recy-
22 cled Plastics” that can be placed on plastics pack-
23 aging by marketers satisfying the annual certifi-
24 cation process set forth in section 202 to create
25 wide-scale public awareness of products satisfying

1 the plastics recycling accounting and labeling pro-
2 gram and assisting with the Nation's efforts to
3 achieve the National Recycling Goal.

4 (4) Develop procedures for placement of the
5 label on a variety of plastics packaging produced by
6 marketers, taking into consideration alternative la-
7 beling processes for various types of plastics pack-
8 aging.

9 (5) Develop public education and awareness ini-
10 tiatives of the label, including providing special out-
11 reach to small businesses, and the interconnection
12 between the National Recycling Goal and consumers
13 purchasing products containing recycled plastics
14 from marketers.

15 (c) ENFORCEMENT.—Beginning on January 1, 2030,
16 the Administrator shall enforce the minimum mandate by
17 conducting audits and assessing administrative penalties
18 against marketers that are not in compliance with this
19 title or in accordance with this section. Beginning March
20 1, 2030, and annually thereafter, the Administrator shall
21 invoice any assessed administrative penalties for the pre-
22 vious calendar year based on the mandate for recycled
23 plastics of the previous calendar year. The Administrator
24 shall calculate the amount of the penalty based upon the
25 amount in pounds in the aggregate of virgin and recycled

1 plastics material used by the marketer in its plastics pack-
2 aging portfolio sold or offered for sale in the United
3 States. A marketer that has exceeded the mandate for re-
4 cycled plastics may indicate the actual percentage of recy-
5 cled plastics it achieved in its annual plastics packaging
6 portfolio on the label developed pursuant to section 203
7 of this Act.

8 (d) REQUIREMENTS.—Not later than January 1,
9 2030, the Administrator shall, by rulemaking, establish a
10 process that—

11 (1) reviews information provided by a marketer;

12 (2) determines the mandate shortfall and the
13 compliance deficit percentage for each marketer; and

14 (3) beginning on March 1, 2030, invoicing ad-
15 ministrative penalties to marketers that are not in
16 compliance.

17 (e) ADMINISTRATIVE PENALTY.—

18 (1) IN GENERAL.—A marketer that has a man-
19 date shortfall greater than zero shall be, as deter-
20 mined by the Administrator, not in compliance with
21 the minimum mandate and subject to an administra-
22 tive penalty to be collected annually.

23 (2) PENALTY FUND.—Penalties received under
24 this subsection shall be deposited in a special fund,
25 established by the Administrator, to be used for en-

1 hancing educational and infrastructure grants pro-
2 vided available to municipalities pursuant to section
3 102 to promote compliance with the National Plas-
4 tics Recycling Standards.

5 (3) PENALTY PAYMENT SCHEDULE.—A mar-
6 keter that is assessed a penalty pursuant to this
7 subsection shall be permitted to pay those penalties
8 to the Administrator in quarterly installments or ar-
9 range an alternative payment schedule subject to the
10 approval of the Administrator.

11 (4) PENALTY AMOUNT.—

12 (A) IN GENERAL.—In assessing an admin-
13 istrative penalty against a noncompliant mar-
14 keter, the Administrator shall calculate such
15 penalty in the following manner:

16 (i) For a penalty assessed in 2030,
17 the penalty shall be 5 cents per pound of
18 the mandate shortfall.

19 (ii) For a penalty assessed in subse-
20 quent years, if a noncompliant marketer—

21 (I) has a compliance deficit per-
22 centage of 25 percent or less, the pen-
23 alty shall be 5 cents per pound of the
24 mandate shortfall;

1 (II) has a compliance deficit per-
2 centage of 50 percent or less, but
3 greater than 25 percent, the penalty
4 shall be 10 cents per pound of the
5 mandate shortfall;

6 (III) has a compliance deficit
7 percentage of 75 percent or less, but
8 greater than 50 percent, the penalty
9 shall be 15 cents per pound of the
10 mandate shortfall; and

11 (IV) has a compliance deficit per-
12 centage that is greater than 75 per-
13 cent, the penalty shall be 20 cents per
14 pound of the mandate shortfall.

15 (B) PRORATED PENALTIES.—For penalties
16 assessed under subparagraph (A)(i)(II), a pen-
17 alty that is 10 cents or higher per pound of the
18 mandate shortfall may be lowered by the Ad-
19 ministrator by 5 cents per pound each time a
20 noncompliant marketer for which the penalty
21 was assessed makes payments that decreases
22 the compliance deficit percentage to the next
23 percentage bracket.

24 (5) ADJUSTMENTS.—Not later than after the
25 date on which the Administrator begins to enforce

1 the minimum mandate, the Administrator shall
2 evaluate the penalties assessed for the year prior to
3 determine if the penalty amounts under paragraph
4 (4) requires adjustment to prevent penalty amounts
5 that are—

6 (A) too low, such that marketers would
7 have a financial incentive to pay the fines in-
8 stead of attempting to meet the minimum man-
9 date; or

10 (B) too high, which may prevent marketers
11 from meeting the minimum mandate despite
12 sincere efforts.

13 (f) AUDITS.—

14 (1) The Administrator may conduct audits and
15 investigations and take an enforcement action
16 against a marketer for the purpose of ensuring com-
17 pliance with the mandates for recycled plastics. The
18 Administrator may take an enforcement action
19 against a marketer that fails to pay or underpays
20 the assessed or audited administrative penalty only
21 after notice and hearing terms developed by the Ad-
22 ministrator.

23 (2) The Administrator shall keep confidential
24 all business trade secrets and proprietary informa-
25 tion about manufacturing processes and equipment

1 that the Administrator gathers or becomes aware of
2 through the course of conducting audits or investiga-
3 tions pursuant to subsection (f)(1). Business trade
4 secrets and proprietary information obtained pursu-
5 ant to this subdivision shall not be subject to the
6 Freedom of Information Act.

7 (3) A marketer may obtain a copy of the Ad-
8 ministrator's audit of that marketer conducted pur-
9 suant to subsection (f)(1).

10 **SEC. 204. GENERAL PROVISIONS.**

11 The provisions of this Act shall supersede any and
12 all laws of any State or political subdivision of a State
13 insofar as they may now or hereafter relate to any man-
14 dates for recycled plastics or recycled content, or restric-
15 tions on the use of advanced recycling, mass balance, la-
16 beling programs (as related to recycled plastics or recycled
17 content). No State or political subdivision thereof shall es-
18 tablish or enforce any recycling mandates or recycling
19 standards that are lesser, conflicting, or inconsistent with
20 the mandates or standards established under this Act.

○