



Submitted via electronic [public comment form](#)

September 2, 2026

**RE: Comments related to Washington's Recycling Reform Act Draft Rule Language Comment Period #2**

On behalf of the American Forest & Paper Association (AF&PA), thank you for the opportunity to comment on the second draft rule language to support implementation of Washington's Recycling Reform Act.

AF&PA serves to advance public policies that foster economic growth, job creation, and global competitiveness for a vital sector that makes the essential paper and packaging products Americans use every day. The U.S. forest products industry employs more than 925,000 people, largely in rural America, and is among the top 10 manufacturing sector employers in 44 states. Our industry accounts for approximately 4.7% of the total U.S. manufacturing GDP, manufacturing more than \$435 billion in products annually. AF&PA member companies are committed to making sustainable products for a sustainable future through the industry's decades-long initiative — [Better Practices, Better Planet 2030](#). In Washington, the industry employs more than 27,000 individuals in 139 facilities, contributes \$140 million in state and local taxes, and manufactures more than \$13.1 billion in products annually.

**Paper Recycling Works**

Paper recycling is central to our industry's sustainability efforts and our goal to advance a circular value chain. Today, paper is one of the most highly recycled materials in the United States, and the paper industry is working to capture even more paper from the waste stream for recycling. Every day, recycled paper is transformed into new, essential products Americans rely on, supporting U.S. manufacturing while extending the life of a renewable resource. Paper recycling's success reflects decades of industry investment, innovation and partnership, as well as the efforts of millions of Americans who recycle paper every day. In 2025, we recycled approximately 45 million tons of paper, resulting in an overall paper recycling rate of 61%-65%. These results demonstrate that paper recycling continues to deliver measurable environmental and economic benefits.

Paper recycling is a vital part of the nation's manufacturing, our supply chain and recycling infrastructure. AF&PA member companies own and operate approximately 100 materials recovery facilities across the country, helping sort and prepare recyclable materials for manufacturing. In addition, roughly 80% of U.S. paper mills use recycled paper to make new products. This direct involvement gives our industry firsthand experience with the recycling system and reinforces our commitment to improving its performance.

Our industry's commitment to paper recycling spans more than 30 years. In the early 1990s, the paper industry voluntarily established recycling goals and continued to raise them as progress was made. Today, we recycle 60% more paper than we did 35 years ago. AF&PA members continue to build on that success through investments that strengthen recycling markets, increase recycled paper utilization, and advance manufacturing innovation. Companies built new mills, upgraded old ones, and modernized

equipment. In 2019-2025, our industry invested in projects at paper mills that will use over 4.5 million additional tons of recycled paper. Our members are also developing recyclable paper versions of products such as mailers, transparent paper bags, can collars and canisters.

As regulators consider policies to further improve recycling outcomes, it is important to recognize that the paper recycling system has delivered measurable environmental and economic benefits through decades of industry investment, innovation and continuous improvement, providing a strong foundation for future recycling policy.

Please find below comments focused on areas of the draft rule language that the paper and fiber-based packaging industry would like to see improved for greater clarity in implementing the Recycling Reform Act (RRA).

## **Comments**

### **Selected Definitions**

#### *Covered Material*

We support the simplification of the “covered material” definition in 173-950-030(13)(a).

#### *Paper Products*

We support the definition of “paper products” in 173-950-030(26). The inclusion of “for personal, noncommercial use” will help ensure that the RRA is implementable, enforceable, and able to meet its goal “to make curbside recycling available and affordable for most people in the state.” We encourage Ecology to explicitly state which products meet the exemption for “paper that could reasonably be anticipated to become unsafe or unsanitary to handle” under RCW 70A.208.020(26). The exemption should apply to all paper products that, through the normal and intended course of use, become unsafe or unsanitary. Fiber-based tissue, towels, napkins, cleaning wipes, facial/body wipes and similar absorbent products are routinely used in ways that result in contact with bodily fluid, food residues, cleaning agents, and other contaminants. Once used, these products are not suitable for recycling or composting and are routinely rejected by material recovery facilities and composting facilities due to safety, sanitation, and quality concerns. Explicitly ensuring that such products fall within the exemption will help prevent their inadvertent inclusion in the program and avoid compromising the quality of recovered fiber streams.

Additionally, we encourage Ecology to explicitly state in regulation that greeting cards should be considered within the scope of archival-grade paper products exempted under RCW 70A.208.020(26). The proposed classification of greeting cards as low-grade paper products in the [Candidate Material List Draft](#) is not accurate as there are many differences between the intended use and waste profiles of low-grade paper and greeting cards. Greeting cards are functionally equivalent to archival-grade products that are exempted under the law because they are designed with the intention to be retained and preserved.

The state should provide further definition or require, as part of its assessments, that composting and recycling facilities specifically list items that they reject and why they reject them (i.e., hygiene issues, antimicrobials, interference with current recycling streams due to material, moisture, etc.). This will help producers clearly identify and understand which paper-based items are accepted for recycling and composting in Washington. Consistent reporting of rejection criteria would likely improve producer

compliance, increase transparency, reduce disputes regarding material classifications, and help ensure that covered material determinations reflect actual end-market conditions, which is an Ecology goal.

### *Producer*

We support the publisher being the first obligated entity in the producer hierarchy for paper products in 173-950-030(29)(a)(iv). However, it is important to note that many of the publishers are unaware of EPR and their obligation to pay for the paper products they introduce into the marketplace, resulting in high levels of free riders. Ecology should work closely with the PRO and industry associations to identify and bring into compliance those free riders.

### **Producer Duties**

The requirement for producers to “maintain all documents and records necessary to ensure compliance for seven years” in 173-950-110(1)(b) is longer than normal record retention policies. We suggest that this be shortened to 3 years. The requirement to provide all documents and records necessary to ensure compliance within 15 business days in 173-950-110(1)(c) is not enough time. Resolution needs to take place as soon as practicable. We recommend extending this timeline to 60 days as it cannot be completed within 15 days. Large national producers often require coordination across multiple business units, legal departments, consultants, and third-party reporting systems. Producing complete and accurate records within 15 business days may not be feasible, particularly for complex information requests.

### **Reuse Financial Assistance Program**

There needs to be criteria for comparing relative environmental performance of “reusable” materials against single-use but recyclable materials. Without these criteria, there may be an unfair competitive environment that could result in unintended outcomes, including regrettable substitutions for single-use recyclable materials with a superior overall sustainability profile than “reusable” options. Regulations should strive to avoid overtly picking winners and losers among materials.

### **Conclusion**

Thank you for your consideration of our comments. We appreciate the ongoing collaboration between AF&PA and the Washington Department of Ecology to advance a sustainable recycling system. We remain available to discuss the feedback herein in greater detail and look forward to your response. Please contact Shoshana Micon, Manager, Recycling and Packaging Sustainability, at [Shoshana\\_Micon@afandpa.org](mailto:Shoshana_Micon@afandpa.org) or Nate Pelczar, Senior Manager, Government Affairs, at [Nate\\_Pelczar@afandpa.org](mailto:Nate_Pelczar@afandpa.org) if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Pitts", with a horizontal line underneath.

Mark Pitts  
Vice President, Industry Affairs  
American Forest & Paper Association