

Comments on Washington Preliminary Statewide Collection Lists

Expanded Polystyrene Transport and Protective Packaging

The Expanded Polystyrene Industry Alliance (EPS-IA) appreciates the opportunity to comment on the Washington Department of Ecology's preliminary statewide collection lists and supporting evaluation of covered materials under the Recycling Reform Act.

EPS-IA respectfully requests two related revisions concerning expanded polystyrene (EPS) transport and protective packaging:

1. **Create a separate material category for expanded polystyrene (EPS) transport and protective packaging in the Materials Evaluated list**, distinct from food-service EPS, loose-fill packaging, and other EPS applications; and
2. **Include EPS transport and protective packaging on the Alternative Collection List**, recognizing that the material is mechanically recyclable through source-separated collection, consolidation, densification, and delivery to established recycling end markets.

These changes would more accurately reflect the physical characteristics, collection requirements, processing methods, contamination profile, and established recycling pathway of clean molded EPS transport and protective packaging.

They would also allow Ecology to apply its evaluation criteria to the material itself rather than to a heterogeneous category combining products with materially different recycling characteristics.

I. EPS Transport and Protective Packaging Should Be Evaluated Separately

The current Materials Evaluated list places transport and protective EPS within the broad category “#6 EPS Non-food Packaging,” which includes products such as loose-fill packing peanuts, which are frequently not EPS.

That grouping conflates materially different products.

Clean molded EPS transport and protective packaging commonly includes:

- protective packaging for appliances, electronics, furniture, medical equipment, and other durable products;
- molded end caps, corner protection, blocks, and cushioning forms;
- clean EPS sheets and protective components;
- EPS cold-ship containers for food, aquaculture, seafood, agriculture, biological, and pharmaceutical products; and
- Other qualifying EPS transport containers.

These materials differ from food-service EPS, commonly extruded polystyrene, because they generally do not carry food contamination. They differ from loose-fill packaging because molded blocks and forms can be readily identified, accumulated, consolidated, and densified.

Combining these products into a single “EPS Non-food Packaging” category risks allowing the characteristics of one application to determine the evaluation of another.

EPS-IA therefore recommends creation of a separate category:

#6 EPS Transport and Protective Packaging

A corresponding description could provide:

Clean molded expanded polystyrene packaging used to protect products during transportation, distribution, or storage, including protective packaging for appliances, electronics, furniture, temperature sensitive food, agricultural, and biological materials, medical equipment and similar products; molded EPS blocks, end caps, corner protection, sheets and qualifying transport containers. Excludes direct contact food-service packaging and loose-fill packaging.

Washington law already recognizes that EPS products are not a homogeneous category. Existing state restrictions distinguish particular EPS food-service products, loose-fill packaging, and recreational coolers from other EPS packaging applications. The statewide collection-list evaluation should similarly distinguish products where their recycling characteristics and management pathways differ.

II. EPS Transport Packaging Is Particularly Appropriate for Alternative Collection

Ecology’s evaluation appropriately identifies difficulties associated with putting loose EPS into conventional commingled curbside recycling systems. Low bulk density, fragmentation, and incompatibility with many conventional material recovery facilities are legitimate collection and handling considerations.

Those characteristics, however, identify the **appropriate collection method**. They do not establish that the material is incapable of recycling.

EPS-IA is **not requesting that EPS transport and protective packaging be added to conventional commingled curbside recycling absent collection, sorting, and handling infrastructure capable of managing it appropriately.**

Indeed, introducing EPS into unsuitable commingled systems could increase breakage, contamination, and material escape.

Instead, EPS transport packaging is well suited to a source-separated recycling pathway:

source-separated collection → consolidation → densification → transportation → mechanical recycling → responsible end market.

Ecology's Alternative Collection List provides a mechanism specifically suited to materials for which specialized collection is appropriate because of operational, infrastructure, or technical considerations.

Existing Washington programs already demonstrate that model.

King County directs clean white EPS blocks away from curbside recycling and instead provides dedicated collection at the Bow Lake and Shoreline facilities in partnership with Styro Recycle.

Seattle provides a separately scheduled special-item collection option for EPS blocks and forms rather than instructing residents to place EPS in mixed curbside recyclables.

Most significantly, in May 2026 the City of Tacoma restored EPS recycling after installing a new municipal densifier. Tacoma accepts clean rigid EPS packaging blocks, sheets, and qualifying coolers, processes the material through the densifier, and transports the resulting dense blocks to a recycling facility in Kent for preparation for manufacture into new products.

These programs demonstrate that the collection challenges Ecology identifies are manageable through alternative collection.

The appropriate conclusion is therefore not that EPS transport packaging should be excluded from recycling. The appropriate conclusion is that it should be placed on the **Alternative Collection List**.

III. Existing Washington Recycling Activity Demonstrates More Than Technical Recyclability

Washington possesses actual EPS recycling infrastructure, not merely evidence that EPS can theoretically be recycled.

In 2022, Resource Recycling Systems (RRS), an independent recycling consulting firm, identified **five Washington entities associated with EPS recycling** in research conducted for EPS-IA:

- Albertsons/Safeway;
- City of Tacoma;
- CityMix;
- Styro Recycle, LLC; and
- Total Reclaim.

The list should not be viewed as a comprehensive census, and facility roles and current operations should be evaluated individually. It nevertheless demonstrates that EPS recovery activity in Washington extends beyond a single identified entity.

EPS-IA subsequently sought facility-specific recycling-volume information through its voluntary recycling survey. Only one of these Washington entities, Styro Recycle, provided EPS-IA with 2024 processing-volume information.

Styro Recycle reported processing approximately **510,000 pounds—more than 255 tons—of post-consumer EPS in 2024**, in addition to substantial pre-consumer EPS volume.

This is important evidence.

The reported amount demonstrates that Washington EPS recycling is not merely a technically feasible process demonstrated at pilot scale. At least one Washington operation actually processed more than a quarter-million pounds of post-consumer EPS during a single year.

That amount should be treated as a **documented minimum**, however, rather than an estimate of total Washington EPS recycling.

IV. Absence of Facility Data Is Not Evidence of Absence of Recycling

The limitations encountered in obtaining Washington facility data raise an important methodological issue for Ecology's current evaluation and future implementation of performance requirements.

Independent recyclers are separate commercial entities. Producers, producer associations, and a producer responsibility organization do not necessarily possess

contractual relationships or legal authority enabling them to compel every independent recycler, processor, broker, or downstream manufacturer to disclose proprietary information concerning:

- material throughput;
- source of material;
- processing yield;
- contamination or reject rates;
- customer relationships;
- recycled commodity sales; or
- downstream destinations.

EPS-IA was able to obtain facility-specific 2024 Washington recycling volume from one identified recycler. It was not able to obtain comparable data from the remaining entities identified by RRS.

That distinction is important:

Data not reported is not the same as recycling not occurring.

Accordingly, Ecology should avoid any methodology that treats unavailable third-party information as equivalent to zero recycling, zero recycling capacity, or absence of responsible end markets.

This issue is especially relevant to materials such as EPS transport packaging that developed specialized private-sector recycling networks outside conventional municipal curbside systems and before creation of the producer responsibility framework.

V. The Recycling Reform Act Makes Accurate Treatment of Independent Recycling Activity Important

Washington's Recycling Reform Act defines a recycling rate by reference to material delivered to responsible markets and establishes enforceable performance requirements that include recycling rates.

The statute also anticipates measurement of material at the point it leaves a material recovery facility or other processing facility.

Service providers receiving reimbursement or funding under an approved plan have specific documentation and reporting responsibilities to the producer responsibility organization.

Not every legitimate recycling transaction, however, necessarily originates within a producer responsibility organization's contractual network.

Existing private recycling relationships may involve generators, collectors, processors, brokers, manufacturers, and responsible markets operating independently from the PRO-funded collection system.

That creates an important measurement distinction:

A PRO may be accountable for a statewide performance metric without necessarily controlling every entity that possesses information needed to measure all recycling contributing to that metric.

For purposes of these collection-list comments, EPS-IA does not ask Ecology to resolve all future reporting questions. It does request that Ecology avoid embedding a problematic assumption into the statewide collection-list evaluation: that recycling activity for which comprehensive facility-specific data is unavailable should be treated as nonexistent.

The statewide collection-list process should instead recognize verified infrastructure and documented recycling activity while acknowledging reasonable limitations in third-party data availability.

VI. Ecology Should Preserve the Distinction Between Measurement, Control, and Environmental Performance

The development of enforceable producer responsibility performance targets makes three concepts particularly important.

Measurement

Whether a regulated entity can accurately quantify all material recycled through independent market participants.

Control

Whether a producer or PRO possesses the ability to direct the conduct of independent recyclers, generators, collectors, brokers, consumers, or downstream manufacturers.

Proof

Whether a producer or PRO can obtain evidence sufficient to receive regulatory credit for recycling that actually occurred.

These concepts should not be assumed to be identical.

For example, a material may in fact reach a responsible recycling market even though the producer did not select the recycler, did not finance the transaction, and does not possess contractual authority to obtain proprietary throughput information from the facility.

A regulatory measurement system that counts such recycling only when the producer can produce information controlled by an unrelated third party risks understating actual environmental performance.

That problem could be particularly acute if material-introduction data used as the denominator of a recycling rate is comprehensively available from regulated producers while recycling data used for the numerator depends in part on voluntary information from independent downstream facilities.

Ecology should avoid creating a structural downward bias in measured recycling rates simply because one side of the calculation is more readily subject to regulatory reporting than the other.

VII. Application of Ecology's Evaluation Criteria Supports Alternative Collection

A. Statewide Collection Access

Ecology's evaluation should consider suitability for alternative collection, not simply current acceptance in commingled curbside programs.

Washington already demonstrates several potential alternative collection modes for EPS:

- permanent public drop-off;
- municipal transfer-station collection;
- private recycling drop-off;
- scheduled source-separated residential pickup;
- commercial-generator pickup;
- community collection events; and
- municipal densification.

A producer-funded program could connect and expand these existing models.

B. Compatibility With Sorting and Processing Infrastructure

EPS transport packaging should not be evaluated solely according to its compatibility with conventional mixed-recyclable MRFs.

In an alternative system, the material can bypass mixed-recyclables sorting altogether.

Tacoma provides a particularly clear example: clean rigid EPS is separately delivered, densified on site, and transported as a concentrated material to a specialized processor.

The fact that source-separated collection is preferable therefore supports Alternative Collection List placement.

C. Responsible End Markets

Styro Recycle documents an existing Washington pathway in which collected EPS is processed into dense recycled-polystyrene material for sale into manufacturing applications.

CityMix also presently describes a process using recycled waste EPS as feedstock for a lightweight concrete additive, further demonstrating that recycled EPS may enter applications beyond a single manufacturing pathway.

Regional EPR systems provide additional evidence. Oregon's program planning separately identifies block white EPS, while British Columbia maintains an established depot-based collection system for firm foam cushion packaging, including packaging protecting electronics and appliances.

Ecology should evaluate the actual mechanical recycling pathway for clean EPS transport packaging rather than infer end-market limitations from food-contaminated EPS or from the performance or closure of an individual facility using a different recycling technology.

D. Anticipated Yield Loss

Clean molded transport packaging should be evaluated independently from food-service EPS.

Food contamination, liquid residue, mixed-material attachments, and some of the other factors that can increase processing losses in food-service material are substantially reduced when clean protective packaging is source separated.

EPS-IA recommends that Ecology seek processing-yield information specific to clean transport and protective EPS where available.

Where independent processors do not voluntarily disclose proprietary yield information, Ecology should distinguish absence of available data from evidence of poor yield.

E. Consumer Identification and Preparation

Rigid molded EPS transport packaging is visually distinctive.

Existing programs use straightforward preparation instructions such as:

- clean and dry;
- rigid EPS blocks or forms;
- remove tape and labels;
- remove cardboard and other attached materials; and
- keep separate from conventional curbside recycling.

British Columbia further demonstrates that consumer instructions can expressly identify firm foam packaging used to protect electronics and appliances.

F. Contamination Potential

Ecology is correct that EPS can fragment and interfere with other materials when improperly introduced into a mixed-recyclables stream.

Alternative collection addresses that concern.

Rather than using contamination potential as a reason to exclude EPS transport packaging, Ecology should recognize that keeping the material source separated protects both the EPS commodity and other recyclable materials.

G. Harmonization With Neighboring EPR Programs

Oregon and British Columbia provide particularly relevant regional precedents.

Oregon's EPR planning separately identifies **Block White Expanded Polystyrene (EPS)** and anticipates producer-supported collection infrastructure for the material.

British Columbia designates foam packaging as **depot-only**, including firm foam cushion packaging used to protect electronics and small appliances.

British Columbia therefore provides a mature example of the fundamental policy distinction EPS-IA recommends for Washington:

Not appropriate for commingled curbside collection does not mean not recyclable.

VIII. The Alternative Collection List Provides an Opportunity to Build on Existing Infrastructure

EPS has physical characteristics that make transportation before densification relatively inefficient.

That characteristic is not unique in the recycling system. Different materials require different collection and processing infrastructure.

For EPS, densification directly addresses low bulk density.

Washington already has:

- existing collection programs;
- a specialized EPS processor;
- documented post-consumer processing volume;
- municipal source-separated collection;
- a newly installed municipal densifier;
- private recycled-EPS applications; and
- neighboring EPR jurisdictions operating or developing alternative collection models.

The producer responsibility system can expand that foundation through strategically located collection points, consolidation, densification, consumer education, and connections to responsible markets.

That is a more appropriate application of EPR than requiring EPS to demonstrate compatibility with an infrastructure system designed around different materials.

IX. Requested Revisions

EPS-IA respectfully requests that Ecology:

1. **Create a separate “#6 EPS Transport and Protective Packaging” category** in the Materials Evaluated list;
2. Define the category to include clean molded EPS used to protect products during transportation, distribution, and storage while distinguishing the material from food-service EPS and loose-fill packaging;
3. **Add EPS transport and protective packaging to the Alternative Collection List;**

4. Evaluate the material independently under each applicable criterion using evidence specific to clean, source-separated transport and protective packaging;
5. Recognize community drop-off, transfer-station collection, municipal collection, commercial collection, collection events, consolidation, and densification when evaluating collection access and infrastructure;
6. Recognize documented Washington post-consumer EPS recycling volumes as evidence of actual recycling activity while treating voluntarily reported quantities as documented minimums rather than estimates of total statewide recycling;
7. Avoid interpreting the absence of voluntarily reported facility-specific data as evidence that recycling activity, processing capacity, or responsible markets do not exist;
8. Evaluate mechanical recycling end markets for clean EPS transport packaging independently from food-service EPS and from individual chemical-recycling technologies or facilities;
9. Account for the role of independent collectors, processors, recyclers, brokers, manufacturers, and responsible markets when developing future performance-measurement methodologies; and
10. Ensure that future reporting and performance methodologies do not require producers or the PRO to substantiate independent third-party activity through information they do not possess and have no practical or legal means to compel, without providing a workable mechanism for obtaining that information.

Conclusion

Ecology has correctly identified that EPS presents collection and transportation considerations different from materials commonly handled through commingled curbside recycling.

Those differences support a different **collection pathway**, not a conclusion that clean EPS transport and protective packaging is nonrecyclable.

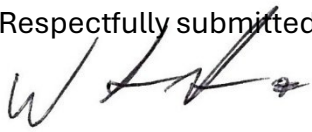
Existing Washington infrastructure demonstrates source-separated collection, municipal densification, specialized processing, substantial documented post-consumer throughput, and downstream manufacturing applications. Oregon and British Columbia further demonstrate that neighboring producer responsibility systems can recognize EPS protective packaging while managing the material separately from conventional curbside recycling.

Separating EPS transport and protective packaging in the Materials Evaluated list and placing it on the Alternative Collection List would therefore recognize both the material's established mechanical recyclability and the operational realities of collecting it responsibly.

It would also help ensure that Washington's producer responsibility framework measures actual recycling performance rather than inadvertently equating limitations in third-party data availability with absence of recycling.

The EPS Industry Alliance welcomes the opportunity to provide additional information and answer any questions regarding expanded polystyrene manufacture, use and recycling.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. A. Reiter, III', with a stylized flourish at the end.

Walter A. Reiter, III
President
EPS Industry Alliance

enc. **Annex EPS Transport and Protective Packaging:
Washington, Pacific Northwest, and British Columbia Collection, Processing,
and End-Market Infrastructure**