



Michael J. Smaha
Vice President, State Government
Relations
The Homer Building
Industrious, 12th Floor
601 13th Street, NW
Washington, DC 20005
Cell: (202) 876-4347

August 19, 2026

Mr. Dan Weston
The Washington Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503
VIA Online Comment Portal

RE: Comments on Preliminary Statewide Collection Lists under the Recycling Reform Act

Dear Mr. Weston:

Thank you for the opportunity to provide follow-up comments on the preliminary statewide collection lists developed under chapter 70A.208 RCW. The Can Manufacturers Institute (CMI) appreciates Ecology's consideration of the information previously submitted in response to the Department's Request for Information to Develop Statewide Recycling Lists and Needs Assessments.

In prior feedback dated May 8, 2026, CMI emphasized the strong [recyclability of aluminum and steel packaging](#), the importance of material-specific performance data to inform fee-setting, and the need for recycling system investments that strengthen existing collection, sorting, and end-market conditions.

Aerosol Recycling Initiative

CMI with its partners at Household and Commercial Products Association (HCPA) appreciates Ecology's attention to empty metal aerosol containers and their role in the recycling system. As part of the joint-led Aerosol Recycling Initiative¹ CMI and HCPA have been researching the recyclability of aerosol containers, the environmental and economic benefits of recycling more aerosols, the real and perceived risks of accepting them for recycling, and actions the industry can take to move forward.

The Aerosol Recycling Initiative White Paper, published in May 2024, contains data and insights on the accessibility, understanding, and safety of recycling aerosols; highlighting that some recycling programs do not accept aerosols, primarily because material recovery facility (MRF) operators perceive aerosols as a fire risk. However, it is actually very rare for aerosol products to be identified as the cause of a MRF fire².

¹ <https://www.thehcpa.org/aerosol-recycling-initiative/>

In 2022, CMI with its partners at HCPA launched the Aerosol Recycling Initiative in 2022 with the support of nearly 20 companies throughout the aerosol value chain with two goals for the U.S. market: increasing access to aerosol recycling (85% by 2030) and improving aerosol labeling to include instructions on how to recycle these products (90% by 2030).

² Refer to page 3, 13, and 33 of the [Aerosol-White-Paper-FINAL](#)

Despite mixed formal acceptance policies, empty steel and aluminum aerosol cans are still being collected and sorted with existing MRF equipment (e.g. eddy separators), they have established end markets and can provide value to recycling programs³. When a recycling program is silent regarding its acceptance of aerosols, consumers are left confused on how to empty the leftover product or how to dispose of the can⁴.

The initiative aims to ensure safe aerosol acceptance while increasing recycling through clear acceptance policies and consumer education. With practical implementation experience, the joint-led initiative aims to support Ecology and respective producer responsibility organizations (PRO) including Circular Action Alliance (CAA).

Dive Deeper into Oregon Aerosol Recycling

CAA has expressed support for aerosol recycling and, as part of Oregon's EPR implementation, is helping evaluate collected aerosol residue following the "Press It. Shake It. Recycle It!" campaign⁵. While residue testing results from work completed with the aerosol recycler, Recycle Aerosols, are still pending, early results are promising.

Oregon's RecycleOn campaign shows that curbside acceptance policies and education can help residents understand that only empty aerosol cans belong in recycling, while products with remaining contents should be managed separately. CMI and HCPA would welcome the opportunity to share results and lessons from Oregon, with Ecology and how engagement with CAA, MRFs, and local governments have improved consumer behavior to drive safe aerosol recycling.

CMI and HCPA will continue to work with partners to advance consumer education and outreach about how to recycle empty aerosol cans safely but remain concerned that the proposed collection list in WA does not support consumers with consistent and convenient options to properly dispose of their aerosol cans⁶.

CMI requests that Ecology recognize empty steel and aluminum aerosol containers as recyclable metal packaging when properly managed and supported by resident education. Clarifying the treatment of covered metal packaging without residential access will help ensure the statewide collection lists are practical, transparent, and implementable.

³ According to RRS research conducted in 2021, aerosols are recovered and sorted into steel recycling streams, with magnetic recovery and no downstream market penalties reported. [surveying state of MRF and end market barriers to recycling STEEL AND ALUMINUM AEROSOLS and pet food cans and identification of solutions](#)

⁴ Refer to MRF Playbook: <https://www.thehcpa.org/wp-content/uploads/2026/02/HCPA-Aerosol-Recycling-MRF-Playbook-FINAL.pdf>

⁵ <https://recycleon.org/oregon/aerosols/>

⁶ Consumer behaviour change studies show engagement combined with consistent, convenient and visible options. Recent report from Closed Loop publishes insights after decade of market testing: <https://www.closedloopcenter.com/reports/scaling-citywide-behavior-change-across-cities>

Collection of Covered Materials

Steel and aluminum are among the most recyclable materials. CMI encourages Washington Ecology to take a consistent approach to evaluating metal packaging including aerosols and other small formats. Materials should not be categorized as "challenging" or excluded from curbside because of incomplete access data when evidence demonstrates recyclability and collection opportunities.

CMI requests for metal packaging to be classified consistently to support recycling, reduce consumer confusion, and maximize material recovery. Our concerns over limited access and confusing messages to the public are most directly reflected in aerosol containers and other in the metal packaging formats listed below.

Additionally, CMI requests clarification about the source information to inform Ecology's evaluation of metal packaging, but specifically the "internal data" provided by RRS related to ferrous aerosols. According to data provided by The Recycling Partnership (TRP), a leading source of state-level residential recycling access data⁷, both steel and aluminum aerosol containers exceed 37% in Washington, with beverage cans and steel cans above 96% access in Washington.

Covered material status but does not consistently provide curbside or residential collection access:

- Aluminum aerosol cans
- Ferrous aerosol containers
- Other ferrous packaging (e.g. cookie tins)
- Small format metal packaging

Please note that compressed gas cylinders present distinct product, safety, and collection considerations and should not be grouped with aerosol containers without clear justification and handling guidance.

Mixed Handling and Multi-mode Collection

Where covered materials are listed as "Alternative (Not Residential) or Multi-mode Collection" or "Not Listed for Collection," Ecology should clearly define the intended access pathway, including eligible collection methods, access expectations, responsible parties, performance assumptions, and the role of resident education.

This is especially important for materials such as empty aerosol containers, which can be recycled more effectively when properly emptied, collected, sorted, and supported by clear instructions. CMI encourages Ecology to consider curbside access, where feasible, because it is more convenient for residents and better aligned with recycling programs in states such as California and Colorado.

Nearly 4 billion aerosol cans are produced annually in the United States, representing approximately 300,000 tons of recoverable steel and aluminum. CMI and HCPA are keen to help Ecology recover these materials to support Washington's EPR goals and help retain valuable metal feedstock in productive use.

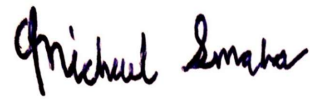
⁷ <https://recyclingpartnership.org/resources/>

Commented [MS1]: Yes, Independent Can Co.

Commented [MS2]: [Rosanne Shari](#) We do make lids and tabs. Includes small detachable metal component, small format metal packaging
Examples: pull tab from food can, can lids, small components <2"

Please let me know if you have any questions.

Best regards,

A handwritten signature in black ink that reads "Michael Smaha". The signature is written in a cursive, slightly slanted style.

Michael Smaha
Vice President, State Government Relations