

The purpose of this Memorandum of Understanding (MOU) is to encourage collaboration between the U.S. Environmental Protection Agency (EPA), the Flexible Film Recycling Group (FFRG) of the American Chemistry Council (ACC) and the Sustainable Packaging Coalition (SPC), an initiative of the Green Blue Institute (GBI). This collaboration shall occur through initiatives of mutual interest that promote the reduction, reuse, recycling, and recovery of plastics. The Parties share the following common goals:

- To double polyethylene film recycling to two billion pounds by 2020, double participation in film recycling, reduce film contamination in material recovery facilities by half, and expand recycling access for small generators of commercial film.
- To enhance the recycling of polyethylene (PE) film (specifically, high-density PE (HDPE) and low-density PE (LDPE)).
- To enhance the recovery and recycling of all plastics.

The specific purpose of this Memorandum of Understanding (MOU) is to expand the Wrap Recycling Action Program (WRAP). WRAP is a public-private partnership which has a goal of increasing the volume of plastic wrap, film and bags recycled through effective public education and outreach to consumers and businesses on what PE film can be recycled and how best to collect PE film for recycling by end-use markets. WRAP has been shown to reduce the amount of unwanted film in existing curbside recycling programs through collaborative efforts involving government, retailers and industry using a multi-pronged approach and educational initiatives. This MOU will establish a framework and understanding that will enable the Parties to work together constructively and collaboratively to share existing resources and information where appropriate, and to improve the effectiveness and reach of EPA and municipal recycling programs for PE film to the greatest synergy and effect.

WRAP is a public awareness initiative, led in part by FFRG, designed to empower motivated stakeholders to contribute to a common goal: to make plastic film packaging a commonly recycled material with a strong and ever-growing recycling rate. SPC is an active WRAP partner. With EPA support of a WRAP partnership, ACC will work with EPA to develop and implement a strategy for expanding the awareness of the robust WRAP return-to-retail postconsumer film recycling program.

Statutory Authority

The statutory authority to enter into this MOU is section 8001(a) of the Solid Waste Disposal Act, 42 U.S.C. 6981(a).

Joint Activities

The Parties intend to work toward their goal of increasing PE film recycling and waste reduction by collaborating on the following Activities, among others:

- 1. Developing a Steering Committee and Standard Operating Procedure for New WRAP Partners** – Working to establish a steering committee that will influence the growth of WRAP through avenues including:
 - Developing WRAP communication materials,

- Identifying and evaluating progress towards the overall goals of WRAP, as appropriate, and
 - Shaping the future direction of WRAP implementation in order to achieve its goals.
- 2. Building Local Support and Infrastructure for Plastic Film Recycling** – Facilitating local government support for the recycling of plastic wraps and other film packaging through return-to-retail programs. This would include outreach to state and local governments, and local groups with shared interests, to:
- Share educational materials, resources, and best practices to enhance their outreach efforts to residents and businesses on what can be recycled and how to recycle films.
 - Support reuse and waste reduction.
 - Support implementation of WRAP public education and outreach campaigns to increase the awareness and involvement of consumers in recycling postconsumer PE films.
 - Help maintain and expand access to return-to-retail collection programs (e.g., facilitating work with retailers in using proper educational signage and placement of store collection bins; updating the “plasticfilmrecycling.org” directory of local store drop-offs for film) through existing and expanded communications.
 - Identify existing and develop new retail distribution systems and value chains to expand collection opportunities and participation, and to further leverage partner communication and education efforts.
 - Identify opportunities for continuous improvement through feedback from partners and allies.
- 3. Engaging Stakeholders**
- **Municipal** – Encouraging states, counties and municipalities to become WRAP Partners and Champions. Champions support film recycling by sharing resources and information with residents and businesses on what can be recycled and how to recycle films, and helping establish and enhance film collection programs. This also could involve offering incentives for local government users of measurement tracking systems.
 - **Business** – Identifying and encouraging major retailers and businesses to support WRAP campaigns and programs.
 - **Collective** – Identifying opportunities to engage with state/local governments and businesses on reuse, reduction, recycling, and recovery, as well as associated measurement initiatives.
- Engagement may include, but is not limited to, WRAP and/or EPA-led dialogues and workshops on key packaging source reduction and waste topics.
- 4. Program Leveraging** – Identify opportunities to increase reduction, reuse, recycling, and/or recovery of plastic packaging by incorporating WRAP into existing EPA, ACC, and SPC programs (e.g., EPA’s food waste recovery and Trash-Free Waters programs).
- 5. Expanding the Labeling of Recyclable Plastic Packaging** – Providing recognition and appropriate incentives to encourage more retailers and brand companies to use clear “Store Drop-off” labels for recycling bags, wraps, and other film packaging.
- 6. Generating Promotional Opportunities** – Develop messages and communication strategies to promote plastic film recycling, including but not limited to messaging and communications that the Parties could use during Keep America Beautiful’s “America Recycles Day.”

7. **Other Activities** – EPA, ACC, and SPC may identify additional activities during the tenure of this agreement that seek to advance the goals of reducing life cycle environmental impacts of plastic packaging waste.

Responsibilities

The Parties' responsibilities include the following:

EPA intends to participate in these activities by:

- Using its communications channels (e.g., website, regional newsletters, social media) to support promotion of WRAP and provide relevant information to help raise awareness about film recycling.
- Working with appropriate officials and community leaders to support and promote WRAP outreach activities/resources.
- Assisting in the identification of potential focus areas and partners for pilot projects.
- Where feasible, identifying grants and other funding sources to provide educational materials and support on film recycling.

ACC's FFRG intend to participate in these activities by:

- Convening an annual meeting (or more frequently, if desired by the Parties) of WRAP partners including EPA, SPC, ACC, the Association of Plastic Recyclers (APR), and State and Local government partners to provide direction and agree on communications and other plans for the next year.
- Providing WRAP educational tools and resources (e.g., bin signage, digital badges, tip cards, how-to-guides for establishing programs, case studies, and best practices) for municipal outreach on film recycling.
- Providing in-kind resources for and coordinating implementation of a select number of WRAP campaigns as agreed upon and in collaboration with EPA and SPC. This would include limited campaign collateral (e.g., tips cards, magnets, grocery list pads) and technical support for consumer awareness campaigns.
- Providing media and other communications support through its various communications channels to help EPA and its regional offices promote their WRAP initiatives as agreed upon and in collaboration with relevant Program partners.

SPC intends to participate in these activities by:

- Assisting with outreach to retailers, brand companies, and communities in support of using the How2Recycle Store Drop-off label.
- Providing support in enlisting retailers and/or retail associations to support use of posters/signage or other WRAP materials for consumer outreach and education.

Forms of Cooperation

Cooperation pursuant to this MOU may take the following forms, consistent with each Participant's organizational Bylaws, corporate charter or other governance mandates:

- **Educational Forums** – Host or facilitate regional workshops /webinars/symposia for localities on how to establish or expand film recycling programs.

- **Tools & Resources** – Distribution (e.g., websites; resource libraries; etc.) and/or development of informational materials.
- **Foundation for Additional Cooperative Opportunities** -- These areas of cooperation are not intended to be an exhaustive list and should not be interpreted to exclude or replace other areas of cooperation between the Participants on other issues of common interest. It is the Parties' intent to use this MOU as a foundation for consideration of other areas of common interest, and where appropriate, work in conjunction to achieve successful outcomes and progress on environmental issues. Consistent with this intent, EPA and ACC hereby expand their partnership and agree to work in a cooperative manner on Sustainable Materials Management (SMM) issues as separately set forth in **Attachment A**.

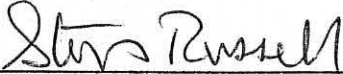
Miscellaneous

- All commitments made by EPA in this MOU are subject to the availability of appropriated funds. Nothing in this MOU, in and of itself, obligates EPA to expend appropriations or to enter into any contract, assistance agreement, interagency agreement, or incur other financial obligations that would be inconsistent with Agency budget priorities. The Parties agree not to submit a claim for compensation for services rendered to EPA in connection with any activities carried out in furtherance of this MOU. This MOU does not exempt the Parties from EPA policies governing competition for assistance agreements. Any transaction involving reimbursement or contribution of funds between the Parties to this MOU will be handled in accordance with applicable laws, regulations, and procedures under separate written agreements.
- **Use of EPA's Official Seal and Identifier (Logo)** – EPA's seal or identifier may be displayed on brochures and other materials relating to Joint Activities occurring under this MOU as a factual matter. Any such display may not be used to imply that EPA or its employees endorse the activities, products or services of the non-federal Parties.
- **No Private Right of Action** – This MOU does not create any right or benefit, substantive or procedural, enforceable by law or equity, by persons who are not party to this agreement, against ACC, SPC or EPA, their officers or employees, or any other person. This MOU does not apply to any person outside of ACC, SPC and EPA.
- **Endorsements** – Pursuant to Federal ethics rules, EPA employees may not, with limited exceptions, endorse or promote products or services offered by or provided by any non-federal entity. Nothing in this MOU constitutes an endorsement by any Party, including any products or services, or any fundraising activity or promotion. ACC and SPC agree not to make statements to the public at workshops and meetings, through promotional literature, on their websites or through any other media that imply that EPA or any of its employees endorses ACC, SPC or any service or product offered by ACC and/or SPC. In addition, ACC and SPC agree not to make statements that imply that EPA supports ACC and/or SPC's efforts to raise public or private funds. Any statements or promotional materials prepared by ACC and/or SPC that describe this MOU must be approved in advance by EPA.
- **Effective Date and Signatures** -- This MOU will take effect upon the date of the last signature, and can be signed in multiple counterparts.

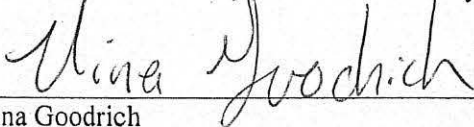
- **Duration** -- The term of this MOU shall be from the date of execution until December 31, 2019 subject, however, to the right of any Party to terminate this Agreement at any time by providing thirty (30) days written notice of cancellation to the other Parties.
- **Amendment** -- The MOU may be extended or modified at any time through the mutual written consent of all Parties.

Signatures/Approvals


This MOU is approved on November 15, 2016 by:



Steve Russell
Vice President Plastics, American Chemistry Council



Nina Goodrich
Executive Director, Greenblue and Director Sustainable Packaging Coalition



Barnes Johnson
Director, Office of Resource Conservation and Recovery, U.S. Environmental Protection Agency

**ATTACHMENT A—Environmental Protection Agency and American Chemistry Council
Partnership to Promote Sustainable Materials Management**

EPA and ACC share many common goals inherent to sustainable materials management (SMM) beyond the recycling of plastic film, including the following objectives:

- **Decreasing disposal rates** - Tracking and reducing the overall amount of materials disposed, which encompasses activities targeting *source reduction, reuse, recycling* and *prevention*.
- **Reducing environmental impacts of materials** - Reducing the environmental impacts of materials across their life cycles, including greenhouse gas emissions, and water and energy use.
- **Increasing socio-economic benefits** - Tracking and reporting material impacts on the economy, as well as social aspects.
- **Increasing the capacity of key stakeholders to adopt and implement SMM policies, practices and incentives** – Increasing the number of states and communities where SMM capacity has been expanded as a result of EPA’s technical assistance and support, and raising the per capita quantity and/or quality of recyclables recovered for collection and recycling.

EPA and ACC intend to therefore partner on the following activities through December 31, 2019:

- Promote SMM policies
- Continue to measure the generation and recycling of plastic bottles, non-bottle rigid plastics and polyethylene film in support of EPA’s “Advancing Sustainable Materials Management: Facts and Figures” report
- Increase access to plastics recycling by working with other organizations, such as the Recycling Partnership and Keep America Beautiful
- Increase recognition of recycling benefits through campaigns, such as “I Want to be Recycled” and America Recycles Day activities
- Increase informative labeling of plastic packaging for recycling through increased adoption of recycling labels
- Evaluate methods to increase the recyclability of plastic film and multilayer plastic packaging through the Material Recovery for the Future and potential research and development opportunities with EPA’s Office of Research and Development (ORD) and the National Network of Manufacturing Institutes
- Evaluate and measure food waste reduction and promote practices such as improved packaging that reduces food waste
- Conduct partnerships to reduce trash in waterways
- Evaluate new opportunities to enhance the use of common plastics recycling terminology and educate states and local communities on the importance of common terms
- Evaluate and measure the lifecycle environmental benefits of converting plastics to energy, fuels and chemical feedstocks and include this information in educational materials, as appropriate
- Evaluate other opportunities to collaborate to advance SMM