

117TH CONGRESS
2D SESSION

S. _____

To establish a pilot grant program to improve recycling accessibility, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To establish a pilot grant program to improve recycling
accessibility, 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.**

4 This Act may be cited as the “Recycling Infrastruc-
5 ture and Accessibility Act of 2022”.

6 **SEC. 2. RECYCLING INFRASTRUCTURE AND ACCESSIBILITY**

7 **PROGRAM.**

8 (a) **DEFINITIONS.**—In this section:

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

4 (2) CURBSIDE RECYCLING.—The term
5 “curbside recycling” means the process by which
6 residential recyclable materials are picked up
7 curbside.

8 (3) ELIGIBLE ENTITY.—The term “eligible enti-
9 ty” means—

10 (A) a State (as defined in section 1004 of
11 the Solid Waste Disposal Act (42 U.S.C.
12 6903));

13 (B) a unit of local government;

14 (C) an Indian Tribe; and

15 (D) a public-private partnership.

16 (4) INDIAN TRIBE.—The term “Indian Tribe”
17 has the meaning given the term in section 4 of the
18 Indian Self-Determination and Education Assistance
19 Act (25 U.S.C. 5304).

20 (5) MATERIALS RECOVERY FACILITY.—

21 (A) IN GENERAL.—The term “materials
22 recovery facility” means a recycling facility
23 where primarily residential recyclables, which
24 are diverted from disposal by a generator and
25 collected separately from municipal solid waste,

1 are mechanically or manually sorted into com-
2 modities for further processing into specifica-
3 tion-grade commodities for sale to end users.

4 (B) EXCLUSION.—The term “materials re-
5 covery facility” does not include a solid waste
6 management facility that may process munic-
7 ipal solid waste to remove recyclable materials.

8 (6) PILOT GRANT PROGRAM.—The term “pilot
9 grant program” means the Recycling Infrastructure
10 and Accessibility Program established under sub-
11 section (b).

12 (7) RECYCLABLE MATERIAL.—The term “recy-
13 clable material” means obsolete, previously used, off-
14 specification, surplus, or incidentally produced mate-
15 rial for processing into a specification-grade com-
16 modity for which a market exists.

17 (8) TRANSFER STATION.—The term “transfer
18 station” means a facility that—

19 (A) receives and consolidates recyclable
20 material from curbside recycling or drop-off fa-
21 cilities; and

22 (B) loads the recyclable material onto trac-
23 tor trailers, railcars, or barges for transport to
24 a distant materials recovery facility or another
25 recycling-related facility.

1 (9) **UNDERSERVED COMMUNITY.**—The term
2 “underserved community” means a community with-
3 out access to full recycling services because—

4 (A) the community is too geographically
5 remote to receive services from the nearest ma-
6 terials recovery facility; or

7 (B) the processing capacity of an existing
8 materials recovery facility is insufficient to
9 manage the volume of recyclable materials pro-
10 duced by that community.

11 (b) **ESTABLISHMENT.**—Not later than 18 months
12 after the date of enactment of this Act, the Administrator
13 shall establish a pilot grant program, to be known as the
14 “Recycling Infrastructure and Accessibility Program”, to
15 award grants, on a competitive basis, to eligible entities
16 to improve recycling accessibility in a community or com-
17 munities within the same geographic area.

18 (c) **GOAL.**—The goal of the pilot grant program is
19 to fund eligible projects that will significantly improve ac-
20 cessibility to recycling systems through investments in in-
21 frastructure in underserved communities through the use
22 of a hub-and-spoke model for recycling infrastructure de-
23 velopment.

24 (d) **APPLICATIONS.**—To be eligible to receive a grant
25 under the pilot grant program, an eligible entity shall sub-

1 mit to the Administrator an application at such time, in
2 such manner, and containing such information as the Ad-
3 ministrator may require.

4 (e) CONSIDERATIONS.—In selecting eligible entities
5 to receive a grant under the pilot grant program, the Ad-
6 ministrator shall consider—

7 (1) whether the community or communities in
8 which the eligible entity is seeking to carry out a
9 proposed project has curbside recycling;

10 (2) whether the proposed project of the eligible
11 entity will improve accessibility to recycling services
12 in a single underserved community or multiple un-
13 derserved communities; and

14 (3) if the eligible entity is a public-private part-
15 nership, the financial health of the private entity
16 seeking to enter into that public-private partnership.

17 (f) PRIORITY.—In selecting eligible entities to receive
18 a grant under the pilot grant program, the Administrator
19 shall give priority to eligible entities seeking to carry out
20 a proposed project in a community in which there is not
21 more than 1 materials recovery facility within a 150-mile
22 radius of that community.

23 (g) USE OF FUNDS.—An eligible entity awarded a
24 grant under the pilot grant program may use the grant

1 funds for projects to improve recycling accessibility in
2 communities, including in underserved communities, by—

3 (1) increasing the number of transfer stations;

4 (2) expanding curbside recycling collection pro-
5 grams where appropriate; and

6 (3) leveraging public-private partnerships to re-
7 duce the costs associated with collecting and trans-
8 porting recyclable materials in underserved commu-
9 nities.

10 (h) PROHIBITION ON USE OF FUNDS.—An eligible
11 entity awarded a grant under the pilot grant program may
12 not use the grant funds for projects relating to recycling
13 education programs.

14 (i) MINIMUM AND MAXIMUM GRANT AMOUNT.—A
15 grant awarded to an eligible entity under the pilot grant
16 program shall be in an amount—

17 (1) not less than \$1,000,000; and

18 (2) not more than \$15,000,000.

19 (j) SET-ASIDE.—The Administrator shall set aside
20 not less than 70 percent of the amounts made available
21 to carry out the pilot grant program for each fiscal year
22 to award grants to eligible entities to carry out a proposed
23 project or program in a single underserved community or
24 multiple underserved communities.

25 (k) FEDERAL SHARE.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 the Federal share of the cost of a project or pro-
3 gram carried out by an eligible entity using grant
4 funds shall be not more than 90 percent.

5 (2) WAIVER.—The Administrator may waive
6 the Federal share requirement under paragraph (1)
7 if the Administrator determines that an eligible enti-
8 ty would experience significant financial hardship as
9 a result of that requirement.

10 (l) REPORT.—Not later than 2 years after the date
11 on which the first grant is awarded under the pilot grant
12 program, the Administrator shall submit to Congress a re-
13 port describing the implementation of the pilot grant pro-
14 gram, which shall include—

15 (1) a list of eligible entities that have received
16 a grant under the pilot grant program; and

17 (2) the actions taken by each eligible entity that
18 received a grant under the pilot grant program to
19 improve recycling accessibility with grant funds.

20 (m) AUTHORIZATION OF APPROPRIATIONS.—

21 (1) IN GENERAL.—There are authorized to be
22 appropriated to the Administrator to carry out the
23 pilot grant program such sums as may be necessary
24 for each of fiscal years 2023 through 2027, to re-
25 main available until expended.

1 (2) ADMINISTRATIVE COSTS AND TECHNICAL
2 ASSISTANCE.—Of the amounts made available under
3 paragraph (1), the Administrator may use up to 5
4 percent—

5 (A) for administrative costs relating to car-
6 rying out the pilot grant program; and

7 (B) to provide technical assistance to eligi-
8 ble entities applying for a grant under the pilot
9 grant program.