

119TH CONGRESS
1ST SESSION

S. 351

To establish a pilot grant program to improve recycling accessibility, to require the Administrator of the Environmental Protection Agency to carry out certain activities to collect and disseminate data on recycling and composting programs in the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2025

Mrs. CAPITO (for herself, Mr. WHITEHOUSE, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish a pilot grant program to improve recycling accessibility, to require the Administrator of the Environmental Protection Agency to carry out certain activities to collect and disseminate data on recycling and composting programs in the United States, 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 “Strategies To Eliminate Waste and Accelerate Recycling Development Act of
5
6 2025” or the “STEWARD Act of 2025”.

1 **SEC. 2. RECYCLING INFRASTRUCTURE AND ACCESSIBILITY**
2 **IMPROVEMENTS.**

3 (a) DEFINITIONS.—In this section:

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

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

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

13 (A) a State (as defined in section 1004 of
14 the Solid Waste Disposal Act (42 U.S.C.
15 6903));

16 (B) a unit of local government;

17 (C) an Indian Tribe; and

18 (D) a public-private partnership or entities
19 seeking to establish a public-private partner-
20 ship.

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

25 (5) MATERIALS RECOVERY FACILITY.—

1 (A) IN GENERAL.—The term “materials
 2 recovery facility” means a dedicated facility
 3 where primarily residential recyclable materials,
 4 which are diverted from disposal by a generator
 5 and collected separately from municipal solid
 6 waste, are mechanically or manually sorted into
 7 commodities for further processing into speci-
 8 fication-grade commodities for sale to end
 9 users.

10 (B) EXCLUSION.—The term “materials re-
 11 covery facility” does not include a solid waste
 12 management facility that may process munic-
 13 ipal solid waste to remove recyclable materials.

14 (6) PILOT GRANT PROGRAM.—The term “pilot
 15 grant program” means the Recycling Infrastructure
 16 and Accessibility Program established under sub-
 17 section (b).

18 (7) RECYCLABLE MATERIAL.—The term “recy-
 19 clable material” means a material that is obsolete,
 20 previously used, off-specification, surplus, or inciden-
 21 tally produced for processing into a specification-
 22 grade commodity for which a reuse market currently
 23 exists or is being developed.

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

1 (A) receives and consolidates recyclable
 2 material from curbside recycling or drop-off fa-
 3 cilities; and

4 (B) loads the recyclable material onto trac-
 5 tor trailers, railcars, or barges for transport to
 6 a distant materials recovery facility or another
 7 recycling-related facility.

8 (9) UNDERSERVED COMMUNITY.—The term
 9 “underserved community” means a community, in-
 10 cluding an unincorporated area, without access to
 11 full recycling services because—

12 (A) transportation, distance, or other rea-
 13 sons render utilization of available processing
 14 capacity at an existing materials recovery facil-
 15 ity cost prohibitive; or

16 (B) the processing capacity of an existing
 17 materials recovery facility is insufficient to
 18 manage the volume of recyclable materials pro-
 19 duced by that community.

20 (b) ESTABLISHMENT.—Not later than 18 months
 21 after the date of enactment of this Act, the Administrator
 22 shall establish a pilot grant program, to be known as the
 23 “Recycling Infrastructure and Accessibility Program”, to
 24 award grants, on a competitive basis, to eligible entities

1 to improve recycling accessibility in a community or com-
2 munities within the same geographic area.

3 (c) GOAL.—The goal of the pilot grant program is
4 to fund eligible projects that will significantly improve ac-
5 cessibility to recycling systems through investments in in-
6 frastructure in underserved communities through the use
7 of a hub-and-spoke model for recycling infrastructure de-
8 velopment.

9 (d) APPLICATIONS.—To be eligible to receive a grant
10 under the pilot grant program, an eligible entity shall sub-
11 mit to the Administrator an application at such time, in
12 such manner, and containing such information as the Ad-
13 ministrator may require.

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

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

20 (2) whether the proposed project of the eligible
21 entity will improve accessibility to recycling services
22 in a single underserved community or multiple un-
23 derserved communities; and

24 (3)(A) if the eligible entity is a public-private
25 partnership, the financial health of the private entity

1 seeking to enter into that public-private partnership;
 2 or

3 (B) if the eligible entity is seeking to establish
 4 a public-private partnership, the financial health of
 5 the private entities that would participate in the
 6 public-private partnership.

7 (f) PRIORITY.—In selecting eligible entities to receive
 8 a grant under the pilot grant program, the Administrator
 9 shall give priority to eligible entities seeking to carry out
 10 a proposed project in a community in which there is not
 11 more than 1 materials recovery facility within a 75-mile
 12 radius of that community.

13 (g) USE OF FUNDS.—An eligible entity awarded a
 14 grant under the pilot grant program may use the grant
 15 funds for projects to improve recycling accessibility in
 16 communities, including in underserved communities, by—

17 (1) increasing the number of transfer stations;

18 (2) expanding curbside recycling collection pro-
 19 grams where appropriate; and

20 (3) leveraging public-private partnerships to re-
 21 duce the costs associated with collecting and trans-
 22 porting recyclable materials in underserved commu-
 23 nities.

24 (h) PROHIBITION ON USE OF FUNDS.—An eligible
 25 entity awarded a grant under the pilot grant program may

1 not use the grant funds for projects relating to recycling
2 education programs.

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

6 (1) not less than \$500,000; and

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

8 (j) SET-ASIDE.—The Administrator shall set aside
9 not less than 70 percent of the amounts made available
10 to carry out the pilot grant program for each fiscal year
11 to award grants to eligible entities to carry out a proposed
12 project or program in a single underserved community or
13 multiple underserved communities.

14 (k) FEDERAL SHARE.—The Federal share of the cost
15 of a project or program carried out by an eligible entity
16 using grant funds shall be not more than 95 percent.

17 (l) REPORT.—Not later than 2 years after the date
18 on which the first grant is awarded under the pilot grant
19 program, the Administrator shall submit to Congress a re-
20 port describing the implementation of the pilot grant pro-
21 gram, which shall include—

22 (1) a list of eligible entities that have received
23 a grant under the pilot grant program;

1 (2) the actions taken by each eligible entity that
 2 received a grant under the pilot grant program to
 3 improve recycling accessibility with grant funds; and

4 (3) to the extent information is available, a de-
 5 scription of how grant funds received under the pilot
 6 grant program improved recycling rates in each com-
 7 munity in which a project or program was carried
 8 out under the pilot grant program.

9 (m) AUTHORIZATION OF APPROPRIATIONS.—

10 (1) IN GENERAL.—There is authorized to be
 11 appropriated to the Administrator to carry out the
 12 pilot grant program \$30,000,000 for each of fiscal
 13 years 2025 through 2029, to remain available until
 14 expended.

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

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

21 (B) to provide technical assistance to eligi-
 22 ble entities applying for a grant under the pilot
 23 grant program.

24 **SEC. 3. RECYCLING AND COMPOSTING DATA COLLECTION.**

25 (a) DEFINITIONS.—

1 (1) IN GENERAL.—In this section:

2 (A) ADMINISTRATOR.—The term “Admin-
3 istrator” means the Administrator of the Envi-
4 ronmental Protection Agency.

5 (B) COMPOST.—The term “compost”
6 means a product that—

7 (i) is manufactured through the con-
8 trolled aerobic, biological decomposition of
9 biodegradable materials;

10 (ii) has been subjected to medium and
11 high temperature organisms, which—

12 (I) significantly reduce the viabil-
13 ity of pathogens and weed seeds; and

14 (II) stabilize carbon in the prod-
15 uct such that the product is beneficial
16 to plant growth; and

17 (iii) is typically used as a soil amend-
18 ment, but may also contribute plant nutri-
19 ents.

20 (C) COMPOSTABLE MATERIAL.—The term
21 “compostable material” means material that is
22 a feedstock for creating compost, including—

23 (i) wood;

24 (ii) agricultural crops;

- 1 (iii) paper, such as cardboard and
- 2 other paper products;
- 3 (iv) certified compostable products as-
- 4 sociated with organic waste;
- 5 (v) other organic plant material;
- 6 (vi) organic waste, including food
- 7 waste and yard waste; and
- 8 (vii) such other material that is com-
- 9 posed of biomass that can be continually
- 10 replenished or renewed, as determined by
- 11 the Administrator.

12 (D) INDIAN TRIBE.—The term “Indian

13 Tribe” has the meaning given the term in sec-

14 tion 4 of the Indian Self-Determination and

15 Education Assistance Act (25 U.S.C. 5304).

16 (E) RECYCLABLE MATERIAL.—The term

17 “recyclable material” means a material that is

18 obsolete, previously used, off-specification, sur-

19 plus, or incidentally produced for processing

20 into a specification-grade commodity for which

21 a reuse market currently exists or is being de-

22 veloped.

23 (F) RECYCLING.—The term “recycling”

24 means the series of activities—

1 (i) during which recyclable materials
 2 are processed into specification-grade com-
 3 modities and consumed as raw-material
 4 feedstock, in lieu of virgin materials, in the
 5 manufacturing of new products;

6 (ii) that may, with regard to recycla-
 7 ble materials and prior to the activities de-
 8 scribed in clause (i), include sorting, collec-
 9 tion, processing, and brokering; and

10 (iii) that result, subsequent to proc-
 11 essing described in clause (i), in consump-
 12 tion by a materials manufacturer, includ-
 13 ing for the manufacturing of new products.

14 (G) STATE.—The term “State” has the
 15 meaning given the term in section 1004 of the
 16 Solid Waste Disposal Act (42 U.S.C. 6903).

17 (2) DEFINITION OF PROCESSING.—In subpara-
 18 graphs (E) and (F) of paragraph (1), the term
 19 “processing” means any mechanical, manual, or
 20 other method that—

21 (A) transforms a recyclable material into a
 22 specification-grade commodity; and

23 (B) may occur in multiple steps, with dif-
 24 ferent phases, including sorting, occurring at
 25 different locations.

1 (b) REPORTS ON COMPOSTING AND RECYCLING IN-
 2 FRASTRUCTURE CAPABILITIES.—

3 (1) IN GENERAL.—Subtitle D of the Solid
 4 Waste Disposal Act (42 U.S.C. 6941 et seq.) is
 5 amended by adding at the end the following:

6 **“SEC. 4011. REPORTS ON COMPOSTING AND RECYCLING IN-**
 7 **FRASTRUCTURE CAPABILITIES.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) INCORPORATION OF CERTAIN TERMS.—
 10 The terms ‘compost’, ‘compostable material’, ‘recy-
 11 clable material’, and ‘recycling’ have the meanings
 12 given the terms in section 3(a) of the Strategies To
 13 Eliminate Waste and Accelerate Recycling Develop-
 14 ment Act of 2025.

15 “(2) COMPOSTING FACILITY.—The term
 16 ‘composting facility’ means a location, structure, or
 17 device that transforms compostable materials into
 18 compost.

19 “(3) INDIAN TRIBE.—The term ‘Indian Tribe’
 20 has the meaning given the term in section 4 of the
 21 Indian Self-Determination and Education Assistance
 22 Act (25 U.S.C. 5304).

23 “(4) MATERIALS RECOVERY FACILITY.—

24 “(A) IN GENERAL.—The term ‘materials
 25 recovery facility’ means a dedicated facility

1 where primarily residential recyclable materials,
 2 which are diverted from disposal by the gener-
 3 ator and collected separately from municipal
 4 solid waste, are mechanically or manually sort-
 5 ed into commodities for further processing into
 6 specification-grade commodities for sale to end
 7 users.

8 “(B) EXCLUSION.—The term ‘materials
 9 recovery facility’ does not include a solid waste
 10 management facility that may process munic-
 11 ipal solid waste to remove recyclable materials.

12 “(C) DEFINITION OF PROCESSING.—For
 13 purposes of this paragraph, the term ‘proc-
 14 essing’ has the meaning given the term in sec-
 15 tion 3(a)(2) of the Strategies To Eliminate
 16 Waste and Accelerate Recycling Development
 17 Act of 2025.

18 “(b) REPORT.—

19 “(1) IN GENERAL.—The Administrator shall re-
 20 quest information and data from, collaborate with,
 21 or contract with, as necessary and appropriate,
 22 States, units of local government, and Indian Tribes,
 23 for the provision, preparation, and publication of a
 24 report, or to expand work under the National Recy-
 25 cling Strategy to include information and data, on

1 compostable materials and efforts to reduce contami-
 2 nation rates for recycling, including—

3 “(A) an evaluation of existing Federal,
 4 State, and local laws that may present barriers
 5 to implementation of composting strategies;

6 “(B) a description and evaluation of
 7 composting infrastructure and programs within
 8 States, units of local government, and Indian
 9 Tribes;

10 “(C) an estimate of the costs and approxi-
 11 mate land needed to expand composting pro-
 12 grams; and

13 “(D) a review of the practices of manufac-
 14 turers and companies that are moving to using
 15 compostable packaging and food service ware
 16 for the purpose of making the composting proc-
 17 ess the end-of-life use of those products.

18 “(2) SUBMISSION.—Not later than 2 years
 19 after the date of enactment of this section, the Ad-
 20 ministrator shall submit to Congress the report pre-
 21 pared under paragraph (1).

22 “(c) INVENTORY OF MATERIALS RECOVERY FACILI-
 23 TIES.—Not later than 3 years after the date of enactment
 24 of this section, and every 4 years thereafter, the Adminis-
 25 trator, in consultation with relevant Federal agencies and

1 States, units of local government, and Indian Tribes,
2 shall—

3 “(1) prepare an inventory or estimate of mate-
4 rials recovery facilities in the United States, includ-
5 ing—

6 “(A) the number of materials recovery fa-
7 cilities in each State; and

8 “(B) a general description of the materials
9 that each of those materials recovery facilities
10 can process, including—

11 “(i) in the case of plastic, a descrip-
12 tion of—

13 “(I) the types of accepted resin,
14 if applicable; and

15 “(II) the packaging or product
16 format, such as a jug, a carton, or
17 film;

18 “(ii) food packaging and service ware,
19 such as a bottle, cutlery, or a cup;

20 “(iii) paper;

21 “(iv) aluminum, such as an aluminum
22 beverage can, food can, aerosol can, or foil;

23 “(v) steel, such as a steel food or aer-
24 osol can;

25 “(vi) other scrap metal;

1 “(vii) glass; or

2 “(viii) any other material not de-
3 scribed in any of clauses (i) through (vii)
4 that a materials recovery facility processes;
5 and

6 “(2) submit to Congress the inventory or esti-
7 mate prepared under paragraph (1).

8 “(d) INFORMATION ON RECYCLING AND COMPOSTING
9 SYSTEMS.—The Administrator shall, as necessary and ap-
10 propriate, collaborate or contract with States, units of
11 local government, and Indian Tribes to estimate, with re-
12 spect to the United States—

13 “(1) the number and types of recycling and
14 composting programs;

15 “(2) the types and forms of materials accepted
16 by recycling or composting programs;

17 “(3) the number of individuals—

18 “(A) with access to recycling and
19 composting services to at least the extent of ac-
20 cess to disposal services; and

21 “(B) who use, on a percentage basis, the
22 recycling and composting services described in
23 subparagraph (A);

24 “(4) the number of individuals with barriers to
25 accessing recycling and composting services similar

1 to their access to disposal services and the types of
 2 those barriers experienced;

3 “(5) the inbound contamination and capture
 4 rates of recycling and composting programs;

5 “(6) if applicable, other available recycling or
 6 composting programs; and

7 “(7) the average costs and benefits to States,
 8 units of local government, and Indian Tribes of recy-
 9 cling and composting programs.

10 “(e) RECYCLING REPORTING RATES.—

11 “(1) COLLECTION OF DATA; DEVELOPMENT OF
 12 RATES.—The Administrator may use amounts made
 13 available under section 3(e) of the Strategies To
 14 Eliminate Waste and Accelerate Recycling Develop-
 15 ment Act of 2025—

16 “(A) to biannually collect, in collaboration
 17 with States, to the extent practicable, informa-
 18 tion supplied on a voluntary basis to develop
 19 the estimated rates described in subparagraphs
 20 (B) and (C);

21 “(B) to develop a standardized estimated
 22 rate of recyclable materials in States that pro-
 23 vide information under subparagraph (A) that
 24 have been successfully diverted from the waste

1 stream and brought to a materials recovery fa-
 2 cility or composting facility; and

3 “(C) to develop an estimated national recy-
 4 cling rate based on the information described in
 5 subparagraphs (A) and (B).

6 “(2) USE.—Using amounts made available
 7 under section 3(e) of the Strategies To Eliminate
 8 Waste and Accelerate Recycling Development Act of
 9 2025, the Administrator may use the information
 10 collected and rates developed under paragraph (1) to
 11 provide requesting States, units of local government,
 12 and Indian Tribes data and technical assistance—

13 “(A) to reduce the overall waste produced
 14 by the States, units of local government, and
 15 Indian Tribes;

16 “(B) to assist the States, units of local
 17 government, and Indian Tribes in under-
 18 standing the nuances of the information col-
 19 lected relating to diversion activities; and

20 “(C) to increase recycling and composting
 21 rates of the States, units of local government,
 22 and Indian Tribes.

23 “(f) REPORT ON END MARKETS.—The Adminis-
 24 trator, in collaboration or contract with, as necessary and

1 appropriate, relevant Federal agencies, States, units of
 2 local government, or Indian Tribes, shall—

3 “(1) provide an update to the report submitted
 4 under section 306 of the Save Our Seas 2.0 Act
 5 (Public Law 116–224; 134 Stat. 1096) to include an
 6 addendum on the end-market sale of all recyclable
 7 materials from materials recovery facilities that
 8 process recyclable materials, including, to the extent
 9 practicable—

10 “(A) the total, in dollars per ton, domestic
 11 sales of bales of recyclable materials; and

12 “(B) the total, in dollars per ton, inter-
 13 national sales of bales of recyclable materials;

14 “(2) prepare a report on the end-market sale of
 15 compost from, to the extent practicable, compostable
 16 materials, including the total, in dollars per ton, of
 17 domestic sales of compostable materials; and

18 “(3) not later than 3 years after the date of en-
 19 actment of this section, submit to Congress the up-
 20 date to the report prepared under paragraph (1) and
 21 the report prepared under paragraph (2).

22 “(g) PRIVILEGED OR CONFIDENTIAL INFORMA-
 23 TION.—

24 “(1) IN GENERAL.—Information collected under
 25 subsection (e)(1) or paragraph (1) or (2) of sub-

1 section (f) shall not include any privileged or con-
 2 fidential information described in section 552(b)(4)
 3 of title 5, United States Code.

4 “(2) NONDISCLOSURE.—Information collected
 5 to carry out this section shall not be made public if
 6 the information meets the requirements of section
 7 552(b) of title 5, United States Code.”.

8 (2) CLERICAL AMENDMENT.—The table of con-
 9 tents in section 1001 of the Solid Waste Disposal
 10 Act (Public Law 89–272; 90 Stat. 2795; 98 Stat.
 11 3268) is amended by inserting after the item relat-
 12 ing to section 4010 the following:

“Sec. 4011. Report on composting and recycling infrastructure capabilities.”.

13 (c) FEDERAL AGENCY ACTIVITIES RELATED TO RE-
 14 CYCLING.—Not later than 2 years after the date of enact-
 15 ment of this Act, and every 2 years thereafter until 2033,
 16 the Comptroller General of the United States shall make
 17 publicly available a report—

18 (1) detailing or, to the extent practicable, pro-
 19 viding an estimate of—

20 (A) the total annual recycling and
 21 composting rates reported by all Federal agen-
 22 cies; and

23 (B) the total annual percentage of prod-
 24 ucts containing recyclable material, compostable

material, or recovered materials purchased by
all Federal agencies, including—

(i) the total quantity of procured
products containing recyclable material or
recovered materials listed in the com-
prehensive procurement guidelines pub-
lished under section 6002(e) of the Solid
Waste Disposal Act (42 U.S.C. 6962(e));
and

(ii) the total quantity of compostable
material purchased by all Federal agencies;

(2) identifying the activities of each Federal
agency that promote recycling or composting; and

(3) identifying activities that Federal agencies
could carry out to further promote recycling or
composting.

(d) STUDY ON THE DIVERSION OF RECYCLABLE MA-
TERIALS FROM A CIRCULAR MARKET.—

(1) IN GENERAL.—Not later than 1 year after
the date of enactment of this Act, the Administrator
shall develop a metric for determining the proportion
of recyclable materials in commercial and municipal
waste streams that are being diverted from a cir-
cular market.

1 (2) STUDY; REPORT.—Not later than 1 year
2 after the development of a metric under paragraph
3 (1), the Administrator shall conduct a study of, and
4 submit to Congress a report on, the proportion of re-
5 cyclable materials in commercial and municipal
6 waste streams that, during each of the 10 calendar
7 years preceding the year of submission of the report,
8 were diverted from a circular market.

9 (3) DATA.—The report under paragraph (2)
10 shall provide data on specific recyclable materials,
11 including aluminum, plastics, paper and paperboard,
12 textiles, and glass, that were prevented from remain-
13 ing in a circular market through disposal or elimi-
14 nation, and to what use those specific recyclable ma-
15 terials were lost.

16 (4) EVALUATION.—The report under paragraph
17 (2) shall include an evaluation of whether the estab-
18 lishment or improvement of recycling programs
19 would—

20 (A) improve recycling rates;

21 (B) reduce the quantity of recyclable mate-
22 rials being unutilized in a circular market; and

23 (C) affect prices paid by consumers for
24 products using materials recycled in the circular
25 market.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to the Administrator to
3 carry out this section and the amendments made by this
4 section \$4,000,000 for each of fiscal years 2025 through
5 2029.

6 (f) ADMINISTRATION.—

7 (1) UNFUNDED MANDATES.—The Adminis-
8 trator or the Secretary of Commerce may not exer-
9 cise any authority under this section or any amend-
10 ment made by this section if exercising that author-
11 ity would require a State, a unit of local govern-
12 ment, or an Indian Tribe to carry out a mandate for
13 which funding is not available.

14 (2) NONDISCLOSURE.—Any information col-
15 lected to carry out this section shall not be made
16 public if the information meets the requirements of
17 section 552(b) of title 5, United States Code.

○