**5022-S2 AMS RIVE S1616.1 - NOT FOR FLOOR USE**

**2SSB 5022** - S AMD **193**

By Senator Rivers

**WITHDRAWN 03/02/2021**

On page 1, after line 20, insert the following:

"(3) The legislature intends that by January 1, 2030, all plastic packaging sold in the state of Washington be either recyclable or compostable."

On page 2, line 21, after "(4)" insert ""Brand" means a name, symbol, word, or mark that identifies a product, rather than its components, and attributes a covered product that is packaging utilized by the product to the brand holder of the product as the producer.

(5) "Brand holder" means a person who owns or licenses a brand or who otherwise has rights to market a product under the brand, whether or not the brand trademark is registered.

(6) "Compostable" means a covered product that is capable of undergoing aerobic biological decomposition in a system meeting the requirements of chapters 70A.205 and 70A.455 RCW, that results in the material broken down primarily into carbon dioxide, water, inorganic compounds, and biomass.

(7)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 2, line 26, after "designates milk" insert ", as defined in RCW 15.36.012,"

On page 3, line 10, after "(10)" insert ""Infant formula" means any liquid food described or sold as an alternative for human milk for the feeding of infants.

(11)(a) "Medical food" means a food or beverage that is formulated to be consumed, or administered enterally under the supervision of a physician, and that is intended for specific dietary management of diseases or health conditions for which distinctive nutritional requirements, based on recognized scientific principles, are established by medical evaluation.

(b) "Medical food" includes a specially formulated and processed product, for the partial or exclusive feeding of a patient by means of oral intake or enteral feeding by tube, and is not a naturally occurring foodstuff used in its natural state.

(c) "Medical food" includes any product that meets the definition of "medical food" in the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 360ee(b)(3).

(12)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 3, line 25, after "(11)" insert "(a) "Plastic packaging" means the portion of packaging made from plastic, whether alone or in combination with another material, including packaging that bonds plastic with other materials together, such as metal lids bonded to plastic bottles, blister packs combining plastic and paperboard, but excluding plastic-coated paper packaging and aseptic containers, and is: (i) Used to protect, contain, or transport a commodity or product at any point from manufacture to its place of use; or (ii) attached to a commodity or product or its container for the purpose of marketing or communicating information about the commodity or product, and which is capable of being removed and discarded when the product is put in use without adverse effect on the quality or performance of the product.

(b) "Plastic packaging" includes packaging that is filled or unfilled and packaging that is intended to be sold as a product to customers.

(12)(a)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 3, after line 30, insert the following:

"(b) "Postconsumer recycled content" also means the percentage of recycled plastic contained in or attributed to the plastic packaging that is made of recycled materials derived specifically from postconsumer plastic sources and processed using either mechanical or advanced recycling technologies including, but not limited to, depolymerization, gasification, pyrolysis, or solvolysis.

(c) For the purposes of this subsection, "attributed" means a methodology by which a producer using mass balance allocates an equivalent of its input feedstocks that were derived from advanced recycling processes across one or more of its products manufactured using such feedstocks.

(13)(a) "Producer" means one of the following, in descending order:

(i) The person who uses the plastic packaging under such person's own name or brand and who sells or offers for sale the covered material or product in the state;

(ii) The person who imports the plastic packaging as the owner or licensee of a trademark or brand under which the covered material or product is sold or distributed in the state;

(iii) The person that offers for sale, sells, or distributes the plastic packaging or product in the state; or

(iv) A person who elects to assume the responsibility and register in lieu of a producer as defined under (a)(i) through (iii) of this subsection.

(b) The statutory responsibility of a person higher in the hierarchy shall relieve the responsibility of a person lower in the hierarchy from the compliance requirements of this chapter.

(c) "Producer" does not include:

(i) Government agencies, municipalities, or other political subdivisions of the state;

(ii) Registered 501(c)(3) charitable organizations and 501(c)(4) social welfare organizations;

(iii) A health care facility or a health care provider as defined in RCW 70.02.010; or

(iv) A private label distributor or retailer that sells the product under the retailer's store label if the manufacturer of the product is identified on the package or for which a manufacturer of the product has undertaken responsibility under this chapter."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 4, after line 6, insert the following:

"NEW SECTION. **Sec.**  (1) Each year, a producer of plastic packaging must meet the following minimum postconsumer recycled content on average across a producer's entire product line subject to compliance requirements under this section for the total amount of plastic packaging sold, offered for sale, or distributed in Washington effective:

(a) For rigid packaging comprised primarily of resins numbers 3, 4, 6, and 7 as identified in RCW 70A.220.020:

(i) July 1, 2023, through December 31, 2030: No less than 15 percent postconsumer recycled plastic;

(ii) January 1, 2031, through December 31, 2035: No less than 25 percent postconsumer recycled plastic;

(iii) On and after January 1, 2036: No less than 50 percent postconsumer recycled plastic; and

(b) For food service plastic packaging comprised primarily of resins numbers 3, 4, 6, and 7 as identified in RCW 70A.220.020:

(i) July 1, 2023, through December 31, 2028: No less than five percent postconsumer recycled plastic;

(ii) January 1, 2029, through December 31, 2035: No less than 20 percent postconsumer recycled plastic;

(iii) On and after January 1, 2036: No less than 30 percent postconsumer recycled plastic.

(c) "Food service plastic packaging" for purposes of this section, means "food contact substance" as defined in section 409(h)(6) of the federal food, drug, and cosmetic act effective on January 1, 2022, as "any substance intended for use as a component of materials used in manufacturing, packing, packaging, transporting, or holding food if such use is not intended to have any technical effect in such food."

(i) "Food service plastic packaging" also means a plastic product used for serving or transporting prepared food including, but not limited to, plates, cups, bowls, trays, and hinged or lidded containers. "Food service plastic packaging" does not include beverage or bottle containers or single-use disposable items, such as straws, cup lids, plastic bags, and utensils, or single-use disposable packaging for unprepared foods.

(ii) "Prepared food" means a food or beverage prepared for consumption on or off a food service facility's premises, using any cooking or food preparation technique. "Prepared food" does not include prepackaged, sealed food that is mass produced by a third party off the premises of the food service facility.

(2)(a) Beginning in 2024, and every other year thereafter, or at the petition of a producer or the plastic packaging industry but not more than annually, the department shall consider whether the minimum postconsumer recycled content requirements established under subsection (1) of this section should be reduced. The department must consider a petition from the plastic packaging industry within 60 days of receipt and must issue a written response. A denial in part or whole of the petition must be accompanied by a written explanation and findings to each of the petition's claims. The department may consider all petitions received as part of the same agency action or proceeding.

(b) If the department determines that a minimum postconsumer recycled content requirement should be adjusted, the adjusted rate must be in effect until a new determination is made or upon the expiration of the minimum postconsumer recycled content requirement's effective period, whichever occurs first. The department may not adjust the minimum postconsumer recycled content requirements above the applicable minimum postconsumer recycled content percentage for the applicable compliance period, as established in subsection (1) of this section. The department may not adjust the minimum postconsumer recycled content requirements below the lowest applicable material compliance level set in subsection (1) of this section. In making a determination to adjust the minimum postconsumer recycled content requirements, the department must at least consider the following:

(i) Changes in market conditions, including supply and demand for postconsumer recycled plastics, collection rates, and bale availability;

(ii) Recycling rates;

(iii) The availability of recycled plastic suitable to meet the minimum postconsumer recycled content requirements;

(iv) The capacity of recycling or processing infrastructure;

(v) The progress made by plastic packaging manufacturers in meeting the requirements of this section; and

(vi) The carbon footprint of the recycled resin.

(3) A producer, the plastic packaging industry, or a plastic packaging manufacturer may appeal adjustments to the requirement for minimum postconsumer recycled content as determined under subsections (1) and (2) of this section to the pollution control hearings board within 30 days of the department's determination.

(4) A producer that does not meet the minimum postconsumer recycled content requirements established in subsection (1) of this section is subject to a fee established in section 5 of this act.

(5) The department may grant a reduction in fees to a producer of plastic packaging. In determining whether to grant the reduction, the department shall consider, at a minimum, all of the following factors:

(a) Anomalous market conditions;

(b) Disruption in, or lack of supply of, recycled plastics;

(c) Other factors that have prevented a producer from meeting the requirements; and

(d) Other factors that have prevented a producer from meeting the requirement including, but not limited to, state or federal laws, rules, or regulations.

(6)(a) In order to receive a reduction of the fee, a producer shall submit to the department a corrective action plan detailing the reasons why the producer will fail to meet or has failed to meet the minimum postconsumer recycled content standard and the steps the producer will take to comply with the minimum postconsumer recycled content standard within the next reporting year. The department may approve the corrective action plan and must reduce fees on a producer once it approves the corrective action plan and the producer implements the plan.

(b) The department must provide a written explanation for a decision to approve or deny a corrective action plan, including:

(i) Factors or standards used by the department in reviewing a corrective action plan;

(ii) An explanation of how the department applied standards or factors under (b)(i) of this subsection to the corrective action plan;

(iii) An explanation of actions a producer can take in a future corrective action plan to reduce fees or other compliance requirements; and

(iv) An explanation of the methodology used by the department to determine the fee.

(c) The department shall provide technical assistance and an opportunity for a plastic packaging producer to update a corrective action plan before issuing fees.

(d) Fees accrue from the point of noncompliance with the minimum postconsumer recycled content standard if the department disapproves the corrective action plan or if the producer fails to implement the plan.

NEW SECTION. **Sec.**  (1)(a) By March 1, 2022, and annually thereafter, a producer must report to the department, in pounds and by resin type, the amount of virgin plastic and postconsumer recycled plastic used for plastic packaging subject to postconsumer recycled content requirements under section 3 of this act that is sold, offered for sale, or distributed in Washington state in the previous calendar year.

(b) The department must post aggregated information for all producers reported under this subsection on its website.

(c) A producer may submit national data allocated on a per capita basis for Washington to approximate the information required in this subsection if the producer demonstrates to the department that state level data is not available or feasible to generate.

(2) The department may: (a) Conduct audits and investigations for the purpose of ensuring compliance with this section based on the information reported under subsection (1) of this section; and (b) adopt rules to implement, administer, and enforce the requirements of this chapter.

(3) The department shall keep confidential all business trade secrets and proprietary information about manufacturing processes and equipment that the department gathers or becomes aware of through the course of conducting audits or investigations pursuant to this chapter.

NEW SECTION. **Sec.**  (1) Beginning July 1, 2023, a producer that does not meet the minimum postconsumer recycled content requirements across a producer's entire product line for plastic packaging sold, offered for sale, or distributed in Washington as established under section 3 of this act, based upon the amount in pounds and in the aggregate, is subject to an annual fee.

(2) Beginning July 1, 2023, the department may assess fees for violations.

(3)(a)(i) The annual administrative fee amount assessed to a producer must equal the product of both of the following: The total pounds of plastic used multiplied by the relevant minimum postconsumer recycled plastic target percentage, less the pounds of total plastic multiplied by the percent of postconsumer recycled plastic used; multiplied by 20 cents.

(ii) Example: [(Total pounds of plastic used x minimum postconsumer recycled plastic target percentage) – (Total pounds of plastic used x postconsumer recycled plastic percentage used)] x 20 cents.

(iii) The department may structure fees to result in lower fees for producers that achieve partial compliance or as prescribed under section 3 (5) or (6) of this act.

(b) The fee structure implemented must be estimated to raise no less than $5,000,000 per biennium and no more than $10,000,000 per biennium.

(c) If the department estimates that fee revenue will fall below the range established in (b) of this subsection, the department must implement a base fee of 20 cents per pound and publish an estimate of revenue expected to be raised by the fee in the report required by subsection (4) of this section. The department may lower fees for individual producers under section 3 (5) or (6) of this act.

(4) Beginning January 1, 2023, the department must publish an annual report containing an annual estimate of the revenue estimated to be raised by the fee, the amounts and quantities of plastic packaging subject to the fee, and the number of producers currently and expected to be in compliance with section 3 of this act.

(5) A producer must:

(a) Pay to the department assessed fees in quarterly installments; or

(b) Arrange an alternative payment schedule subject to the approval of the department.

(6) A producer may appeal fees assessed under this section to the pollution control hearings board within 30 days of assessment.

(7) A producer shall pay the fees assessed pursuant to this section, as applicable, based on the information reported to the department as required under section 4 of this act in the form and manner prescribed by the department.

(8) The department shall not spend more than 10 percent of the collected fees on administration or enforcement of this chapter.

NEW SECTION. **Sec.**  (1) The recycling improvement account is created in the state treasury. All receipts from the fee imposed on plastic packaging in section 5 of this act must be deposited in the account. However, until June 30, 2024, $1,000,000 from the fee imposed on plastic packaging in section 5 of this act must be deposited in the waste reduction, recycling, and litter control account created in RCW 70A.200.140, with the remainder deposited in the recycling improvement account. Moneys in the account may be spent only after appropriation.

(2)(a) One hundred percent of the expenditures from the account must be used for distributions by the department to cities and counties that are eligible for financial assistance under RCW 70A.205.080 for the purposes specified in (b) of this subsection, and for the department's administration of this chapter.

(b)(i) Cities and counties must use all funds received under this section for the development and implementation of:

(A) Actions or investments to improve recycling infrastructure and the recyclability of plastic packaging through curbside recycling programs;

(B) Depots or collection points for plastics not effectively collected or processed through curbside programs; and

(C) Solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70A.205 RCW.

(ii) In adopting rules governing the distribution of funds under this subsection, the department may incorporate the fund prioritization criteria and process adopted by the department under RCW 70A.205.080. The rules adopted by the department must distribute funds to counties based on the population of the county, after distributing a set minimum amount to each county.

(iii) The department shall develop rules governing the distribution of funds under this section in conjunction with an advisory committee convened by the department that includes five members appointed by the Washington association of county solid waste managers and five members appointed by the Washington state association of local public health officials. These rules must include a requirement that local governments annually report to the department on how the funds are used to improve plastics recycling infrastructure and the recyclability of plastic packaging. These reports must be posted on the department's public website.

NEW SECTION. **Sec.**  (1) Until January 1, 2032, the department shall exempt the following plastic packaging from the provisions of sections 3 through 5 and 12 through 14 of this act:

(a) Plastic packaging and food serviceware provided for the purpose of serving prepared food: (i) Via a drive through; (ii) in a packaged form for takeout or takeaway; or (iii) from food trucks, stands, delis, or kiosks that may or may not provide shelter or seating for consumers;

(b) Plastic bags subject to postconsumer recycled content requirements under chapter 70A.530 RCW;

(c) Compostable packaging determined by the department to meet the requirements of chapter 70A.455 RCW;

(d) Any material that is used in the packaging of a product that is regulated as a drug, medical device, or dietary supplement by the United States food and drug administration under the federal food, drug, and cosmetic act (21 U.S.C. Sec. 321 et seq.) as well as drugs used for veterinary medicine, including parasiticide products for animals. This includes plastic packaging that contains:

(i) Dairy milk, medical food, or infant formula;

(ii) Wine, or wine from which alcohol has been removed, in whole or in part, whether or not sparkling or carbonated;

(iii) Distilled spirits;

(iv) One hundred percent fruit juice in containers that are 46 ounces or more in volume; and

(v) One hundred percent vegetable juice in containers of 16 ounces or more in volume;

(e) Plastic packaging containers that contain products regulated by the federal insecticide, fungicide, and rodenticide act (7 U.S.C. Sec. 136 et seq.);

(f) Plastic packaging containers that are manufactured for use in the shipment of hazardous materials and are prohibited from being manufactured with used material by federal packaging material specifications and testing standards set forth in 49 C.F.R. Secs. 178.509 and 178.522, or are subject to testing standards set forth in 49 C.F.R. Secs. 178.600 through 178.609, inclusive, or to which recommendations of the United Nations on the transport of dangerous goods are applicable;

(g) Architectural paint defined in and included in a stewardship plan under chapter 70A.515 RCW;

(h) Products regulated under 49 C.F.R. Sec. 178.33b;

(i) Three and five gallon water cooler containers that are part of a water cooler system;

(j) Packaging not intended to be discarded but instead used for the long-term or permanent storage or protection of a durable product and that is intended to transport, protect, or store the product on an ongoing basis, such as an included reusable carrying case for the product; and

(k) Blister packs comprised primarily of paper but bonded with foil and plastic, such as pharmaceutical blister packaging for pills.

(2) After the adoption of initial rules to implement this chapter, the department must periodically reengage the stakeholder work group under this section to review the exemptions, exceptions, or alternative compliance requirements adopted by rule under this section.

(3) By January 1, 2030, the department shall convene a stakeholder work group that includes representation from all relevant stakeholders to reevaluate exemptions included in this section. The work group shall make recommendations and the department may adopt exemptions by rule.

NEW SECTION. **Sec.**  (1) A city, town, county, or municipal corporation may not implement local recycled content requirements for plastic packaging that are inconsistent with minimum postconsumer recycled content as required under section 3 of this act.

(2) Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of this chapter, may not be enacted and are preempted.

NEW SECTION. **Sec.**  A new section is added to chapter 42.56 RCW to read as follows:

Information submitted to the department of ecology under chapter 70A.--- RCW (the new chapter created in section 24 of this act), that contains business trade secrets or proprietary information about manufacturing processes and equipment, is exempt from disclosure under this chapter.

NEW SECTION. **Sec.**  (1) Prior to use of any advanced technology for conversion of postuse plastic polymers for the purpose of producing recycled material to be counted toward compliance obligations under sections 3 through 5 of this act, a producer or the plastics packaging industry must provide the department with a third-party assessment prepared to examine the impact of the advanced technology on the following:

(a) Air and water pollution and release or creation of any hazardous pollutants; and

(b) The greenhouse gas emissions resulting from processes of the advanced technology facility, taking into account the full life cycle.

(2) For purposes of this section, advanced technology includes, but is not limited to, depolymerization, gasification, pyrolysis, or solvolysis.

**Sec.**  RCW 70A.200.140 and 2020 c 20 s 1076 are each amended to read as follows:

(1) There is hereby created an account within the state treasury to be known as the waste reduction, recycling, and litter control account. Moneys in the account may be spent only after appropriation. Expenditures from the waste reduction, recycling, and litter control account shall be used as follows:

(a) Forty percent to the department of ecology, primarily for use by the departments of ecology, natural resources, revenue, transportation, and corrections, and the parks and recreation commission, for litter collection programs under RCW 70A.200.170. The amount to the department of ecology shall also be used for a central coordination function for litter control efforts statewide; to support employment of youth in litter cleanup as intended in RCW 70A.200.020, and for litter pick up using other authorized agencies; and for statewide public awareness programs under RCW 70A.200.150(7). The amount to the department shall also be used to defray the costs of administering the funding, coordination, and oversight of local government programs for waste reduction, litter control, recycling, and composting so that local governments can apply one hundred percent of their funding to achieving program goals. The amount to the department of revenue shall be used to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

(b)(i) Twenty percent to the department for local government funding programs for waste reduction, litter control, recycling activities, and composting activities by cities and counties under RCW 70A.200.190, to be administered by the department of ecology; (ii) any unspent funds under (b)(i) of this subsection may be used to create and pay for a matching fund competitive grant program to be used by local governments for the development and implementation of contamination reduction and outreach plans for inclusion in comprehensive solid waste management plans or by local governments and nonprofit organizations for local or statewide education programs designed to help the public with litter control, waste reduction, recycling, and composting of primarily the products taxed under chapter 82.19 RCW. Recipients under this subsection include programs to reduce wasted food and food waste that are designed to achieve the goals established in RCW 70A.205.715(1) and that are consistent with the plan developed in RCW 70A.205.715(3). Grants must adhere to the following requirements: (A) No grant may exceed sixty thousand dollars; (B) grant recipients shall match the grant funding allocated by the department by an amount equal to twenty-five percent of eligible expenses. A local government's share of these costs may be met by cash or contributed services; (C) the obligation of the department to make grant payments is contingent upon the availability of the amount of money appropriated for this subsection (1)(b); and (D) grants are managed under the guidelines for existing grant programs; ((~~and~~))

(c) ((~~Forty~~)) Beginning June 30, 2021, until June 30, 2022:

(i) Four percent to the department of ecology to implement and enforce chapter 70A.--- RCW (the new chapter created in section 24 of this act);

(ii) Thirty-six percent to the department of ecology to: ((~~(i)~~)) (A) Implement activities under RCW 70A.200.150 for waste reduction, recycling, and composting efforts; ((~~(ii)~~)) (B) provide technical assistance to local governments and commercial businesses to increase recycling markets and recycling and composting programs primarily for the products taxed under chapter 82.19 RCW designed to educate citizens about waste reduction, litter control, and recyclable and compostable products and programs; ((~~(iii)~~)) (C) increase access to waste reduction, composting, and recycling programs, particularly for food packaging and plastic bags and appropriate composting techniques; and ((~~(iv)~~)) (D) for programs to reduce wasted food and food waste that are designed to achieve the goals established in RCW 70A.205.715(1) and that are consistent with the plan developed in RCW 70A.205.715(3); and

(d) After June 30, 2022, 40 percent to the department of ecology: (i) To implement activities under RCW 70A.200.150 for waste reduction, recycling, and composting efforts; (ii) to provide technical assistance to local governments and commercial businesses to increase recycling markets and recycling and composting programs primarily for the products taxed under chapter 82.19 RCW designed to educate citizens about waste reduction, litter control, and recyclable and compostable products and programs; (iii) to increase access to waste reduction, composting, and recycling programs, particularly for food packaging and plastic bags and appropriate composting techniques; and (iv) for programs to reduce wasted food and food waste that are designed to achieve the goals established in RCW 70A.205.715(1) and that are consistent with the plan developed in RCW 70A.205.715(3).

(2) All taxes imposed in RCW 82.19.010 and fines and bail forfeitures collected or received pursuant to this chapter shall be deposited in the waste reduction, recycling, and litter control account and used for the programs under subsection (1) of this section.

(3) Not less than five percent and no more than ten percent of the amount appropriated into the waste reduction, recycling, and litter control account every biennium shall be reserved for capital needs, including the purchase of vehicles for transporting crews and for collecting litter and solid waste. Capital funds shall be distributed among state agencies and local governments according to the same criteria provided in RCW 70A.200.170 for the remainder of the funds, so that the most effective waste reduction, litter control, recycling, and composting programs receive the most funding. The intent of this subsection is to provide funds for the purchase of equipment that will enable the department to account for the greatest return on investment in terms of reaching a zero litter goal.

(4) Funds in the waste reduction, recycling, and litter control account, collected under chapter 82.19 RCW, must be prioritized for the products identified under RCW 82.19.020 solely for the purposes of recycling, composting, and litter collection, reduction, and control programs."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 14, line 36, after "act," insert "to set minimum postconsumer recycled content for plastic packaging and to assess fees, and sections 12 through 14 of this act,"

On page 16, after line 30, insert the following:

"NEW SECTION. **Sec.**  Nothing in this chapter changes or limits the authority of the Washington utilities and transportation commission to regulate collection of solid waste, including curbside collection of residential recyclable materials, nor does this chapter change or limit the authority of a city or town to provide the service itself or by contract under RCW 81.77.020."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 16, line 31, after "through" strike "11" and insert "8, 10, 12 through 20, and 23"

**2SSB 5022** - S AMD **193**

By Senator Rivers

**WITHDRAWN 03/02/2021**

On page 1, line 4 of the title, after "containers;" strike all material through "penalties" on line 6 and insert "amending RCW 70A.200.140 and 43.21B.300; reenacting and amending RCW 43.21B.110; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 70A RCW; creating a new section; and prescribing penalties"

EFFECT: Adds minimum recycled content requirements for rigid plastic packaging and food service plastic packaging comprised primarily of resins numbers 3, 4, 6, and 7, with separate implementation dates for food service plastic packaging. Establishes a fee for producers unable to meet the requirements at a rate of 20 cents per pound of plastic short of the requirements. Directs the fees go towards cities and counties to develop and implement recycling infrastructure improvements, collection points for plastics, and solid waste management, regulation, technical assistance, and public education. Provides several exemptions for types of plastic packaging to expire in 2032, with a stakeholder work group to be formed by 2030 to reevaluate exemptions. Preempts local governments from implementing local recycled content requirements for plastic packaging that are inconsistent with the act's requirements. Directs that until June 30, 2022, 4 percent of the Waste, Reduction, Recycling, and Litter Control (WRRLC) Account be used by Ecology to implement and enforce minimum recycled content requirements. Until June 30, 2024, directs $1 million of the fees on plastic packaging producers unable to meet the minimum recycled content requirements be deposited in the WRRLC account. Prior to use of advanced technology for conversion of postuse plastic polymers for the purpose of producing the recycled material, directs a producer or the plastics packaging industry to provide to Ecology a third-party assessment examining the impact of the technology on air and water pollution and greenhouse gas emissions resulting from the processes of the facility.