



March 7, 2022

Electronic Delivery

The Honorable Kumar P. Barve
Chair of the Environment and Transportation Committee
251 Taylor House Office Building, 6 Bladen Street
Annapolis, MD 21401

RE: Public Testimony Opposing House Bill 1239, relating to: creating minimum recycled content requirements for certain plastic and glass products and packaging

Dear Chair Barve and Members,

We **oppose** this legislation in its current form because we are concerned it may lead to negative environmental impacts. Instead, we urge the committee to support solutions that increase recycled content supply such as infrastructure investments. We hold that infrastructure will help transition Maryland to a circular economy.

We fully support the pursuit of a more circular economy. A circular economy prioritizes resource conservation and efficiency, design innovations that enable longer product lifespans, and reuse, recycling and recovery technologies that allow us to capture the greatest value from materials that have traditionally been discarded.

Recycled content is a critical part of a circular economy. To meet the demand for additional recycled content for plastic will require an additional 13 billion pounds according to the Independent Commodity Intelligence Service (ICIS). This is significantly more than the amount of plastic currently collected. To bridge this gap, significantly more infrastructure is required.

Statutory minimum requirements could lead to greater environmental impacts. We fully support increasing recycling and greater use of recycled content. However, without infrastructure, statutory mandates could lead to deselection – even with waivers. Deselection could lead to greater environmental impacts, not less. For example, the light weight of plastics reduces transportation costs, which reduces carbon emissions, and the strength of plastics relative

to its to weight allows for minimum material usage in packaging design.¹ Alternative materials, often have higher environmental costs, which is why improving recycling infrastructure is a better solution.²

Enhancing infrastructure is a better solution. We believe that enhancing infrastructure will better allow us to meet the recycled content demand. Minimum standards for infrastructure capacity to ensure jurisdictions are able to handle common materials and adjust to new waste streams, as well as programs to facilitate equitable access for all communities.

Please contact Josh Young at Josh_Young@AmericanChemistry.com so that we may respond to questions you may have.

¹ Anthony L. Andrady and Mike A. Neal, “Applications and Societal Benefits of Plastics,” *Philosophical Transactions of the Royal Society B: Biological Sciences* 364, no. 1526 (July 27, 2009): 1977–84, <https://doi.org/10.1098/rstb.2008.0304>.

² Richard Lord, “Plastics and Sustainability: A Valuation of Environmental Benefits, Costs, and Opportunities for Continuous Improvement” (American Chemistry Council, July 2016), <https://perma.cc/6PX6-MPUW>; Jinghan Di et al., “United States Plastics: Large Flows, Short Lifetimes, and Negligible Recycling,” *Resources, Conservation and Recycling* 167 (April 2021): 105440, <https://doi.org/10.1016/j.resconrec.2021.105440>.