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SUBJECT: Comments in support of HB796

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GAIA (Global Alliance for Incinerator Alternatives) is a global network of more than 1000 grassroots organizations around the world, and more than 100 in the US, catalyzing a global shift towards a zero waste strategy by strengthening grassroots social movements that advance solutions to waste and pollution. We envision a just, zero waste world built on respect for ecological limits and community rights, where people are free from the burden of toxic pollution, and resources are sustainably conserved, not burned or dumped.

GAIA submits these comments to strongly support HB796 and its ban on so-called “chemical recycling.” This is an important piece of legislation to protect the people and the environment of Maryland, as well as the climate globally. Many companies, and professional associations like the American Chemistry Council (ACC), are engaged in robust and deceptive greenwashing campaigns designed to mislead consumers into believing that unrecyclable materials such as flexible plastic packaging are recyclable. Further, many companies promote falsely-named “chemical recycling” toxic plastic breakdown methods and then label products as recyclable or containing recycled content. Industry has also spent many years and even more dollars working at the federal and state level to pass laws deregulating so-called “chemical recycling”—also sometimes called “advanced,” or “molecular” recycling—which would allow these incredibly dangerous, polluting, climate harming set of technologies to avoid being regulated by the protections of the Clean Air Act.¹

Chief among these technologies is pyrolysis,²—and rarely other technologies including gasification and solvolysis—which industry touts as the answer to the problems of end of life plastic treatment. However, the few so-called “chemical recycling” facilities that actually operate are mostly converting plastic into pyrolysis oil, which is so toxic that it must be refined numerous times and combined with large quantities of virgin plastic to create a new product: “[I]n all cases over 99.9 % of the steam cracker input will need to be virgin fossil-based petroleum naphtha. . . . “[O]nly a small amount of pyrolysis oil is technically able to be fed through plastic production facilities (called steam crackers). . . the technical maximum [recycled content] that can be produced in the real

¹https://www.no-burn.org/wp-content/uploads/2022/08/Plastics-Burning-Legislative-Alert_Final_August182022.pdf tracking the 20 states that had passed pro-“chemical recycling” bills by 2022. There are currently 25 state laws incentivizing and deregulating so-called “chemical recycling.”

²MORE RECYCLING LIES: WHAT THE PLASTICS INDUSTRY ISN'T TELLING YOU ABOUT “CHEMICAL RECYCLING”
https://www.nrdc.org/sites/default/files/2025-03/More_Recycling_Lies_IB_25-02-A_07_locked.pdf

world is 2% due to inherent additive contamination in the plastic itself.³ Also making the economic and environmental metrics of pyrolysis and gasification 10–100 times higher than virgin polymers.

Not only does so-called “chemical recycling” fail to deliver on industry’s promises to safely handle the impossible-to-mechanically-recycle plastics, including sachets made of multiple types of plastics and other materials, or dirty/contaminated plastics, but it uses vast amounts of energy—and money—to produce multiple toxics, particulate matter, greenhouse gases, and still leaves toxic end products that must be disposed of. Pyrolysis, as the name suggests, is a form of incineration. The Environmental Protection Agency (EPA) made this clear through the Clean Air Act, section 129, which regulates solid waste combustion, including pyrolysis, and reaffirmed that classification in June 2023. Gasification, a far less common method, is also covered under section 129. These forms of toxic plastic breakdown release “particulate matter, carbon monoxide, dioxins/furans, sulfur dioxide, nitrogen oxides, hydrogen chloride, lead, mercury, and cadmium,”⁴ all regulated under section 129, and, in fact, by using restricted temperatures and limited oxygen is incomplete combustion; this emits nine times more greenhouses than mechanical recycling and creates significantly more dioxins and furans. These byproducts are detrimental to human and environmental health and include carcinogens and other toxics that affect multiple systems in the human body including, but not limited to, the endocrine, vascular, pulmonological, cerebral, respiratory, and reproductive systems.

Further, industry usually locates these so-called “chemical recycling” facilities in environmental justice communities—Black, Brown, Indigenous, and low wealth communities already disproportionately impacted by other dangerous, polluting infrastructure.⁵ Communities that cannot and should not have to be burdened with toxics for industry’s prophet.

For these and many other reasons,⁶ GAIA strongly supports HB796 and urges you to pass this important bill. Thank you.

³ Zero Waste Europe, [Leaky Loop Recycling](https://zerowasteurope.eu/wp-content/uploads/2023/10/Executive-Summary-Leaky-Loop-Recycling_-_A-Technical-Correction-on-the-Quality-of-Pyrolysis-Oil-made-from-Plastic-Waste.pdf), October 26, 2023)

https://zerowasteurope.eu/wp-content/uploads/2023/10/Executive-Summary-Leaky-Loop-Recycling_-_A-Technical-Correction-on-the-Quality-of-Pyrolysis-Oil-made-from-Plastic-Waste.pdf

⁴<https://www.epa.gov/stationary-sources-air-pollution/commercial-and-industrial-solid-waste-incineration-units-ciswi-new>

⁵ <https://www.nrdc.org/sites/default/files/chemical-recycling-greenwashing-incineration-ib.pdf>

⁶ <https://www.beyondplastics.org/publications/chemical-recycling> - detailing how so-called “chemical recycling” is failing while threatening the climate, the environment, environmental justice, and human health,