

January 25, 2022

The Honorable Michael J. Webert

SUBJECT: HB 647 and HB 918 – OPPOSE

Dear Delegate Webert:

On behalf of the 20,000 Virginians who are employed by the plastics industry, I am writing to respectfully express our concerns with HB 647 and HB 918. The Plastics Industry Association (PLASTICS) is the only trade association that represents the entire supply chain of manufacturers of all plastic products and packaging. We are firmly committed to manufacturing products that meet the environmental, social, and business needs of consumers. While PLASTICS supports well-crafted extended producer responsibility (EPR) programs, HB 647 and HB 918 contain several elements that would make it overly burdensome and ineffective.

PLASTICS members have long been committed to recycling as an important part of our industry's sustainability goals. Our members continue to grow recycling through:

- Making materials and products more recyclable.
- Demonstrating viable business models for collecting and recycling different types of plastic materials from locations like offices, hospitals, and other areas.
- Finding ways to eliminate waste and increase recycling throughout the process of manufacture, distribution, and use.
- Promoting the use of recycled plastics in new products.
- Investing in programs to measure the amount of wasted recyclable plastic material and ways to collect it.

In order to modernize, improve, and expand the recycling infrastructure in the United States, the members of PLASTICS believe in the following principles.

- We must not only keep recycling operating in America, we must invest in its growth. Recycling is an essential public service and consumers are demanding products with more recycled content.
- As long as funding is lacking for the adequate amount of recycling infrastructure needed to meet consumer demands and sustainability goals, we believe the plastics industry has an important part to play in developing the funding structure of recycling programs in respective states across America.
- We believe any funding mechanism should be fair and equitable across materials and consider the impact of the full lifecycle of recyclable products.
- Any fee that may be levied against a material or specific product should go into a non - profit organization, controlled by a board of diverse stakeholders representing all affected industries, that dedicates the entirety of its funding to recycling infrastructure and organizational administration.
- Any plan to fund recycling infrastructure should prioritize sorting and processing improvements to ensure collected material is able to be recycled economically.
- In order to protect the stream of recyclable materials, legislation that is adopted to create a recycling infrastructure funding mechanism must also permit fair and open market access for all participating materials.
- Funds collected and applied towards improving recycling infrastructure should be made available to public and private enterprises. Recycling expansion and improvement will be achieved through the work and innovation of both public and private entities.

The legislation these bills are modeled on is not an effective EPR program. Under HB 647 and HB 918 there would be no substantive rulemaking to allow stakeholder engagement. These bills would create a

new quasi-governmental authority that would place a significant burden on the Department of Environmental Quality. Funding collected from these programs could not be used for advanced recycling, despite Legislature support for this technology. Additionally, the funding would not stay within the system to improve recycling access, collection, sorting, and outreach.

PLASTICS and our coalition partners are pursuing other more meaningful avenues to improve the recycling of plastics in the Commonwealth. These include additional funding of a market development center and prioritizing the purchase of recycled content materials and products by Commonwealth agencies. These solutions will have much more meaningful impacts than the schemes set out in HB 647 and 918.

America has a responsibility to modernize and expand its recycling infrastructure and the plastics industry stands ready to do its part to support and implement fair and reasonable funding mechanisms. However, this bill contains many provisions that would harm the expansion of recycling in the state. These provisions must be addressed before this bill will be impactful.

We appreciate the opportunity to comment on this legislation. We are still reviewing these bills and will continue to provide substantive comments on our concerns with HB 647 and 918 throughout the committee process.

If you have any questions, please do not hesitate to contact me at [scrawford@plasticsindustry.org](mailto:scrawford@plasticsindustry.org).

Sincerely,

A handwritten signature in black ink, appearing to read 'Shannon Crawford', written in a cursive style.

Shannon Crawford  
Director, State Government Affairs  
Plastics Industry Association