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NO TIME TO WASTE:

SOLUTIONS FOR AMERICA'S BROKEN RECYCLING SYSTEM

THURSDAY, JULY 30, 2022

House of Representatives,

Subcommittee on Environment and Climate Change,

Committee on Energy and Commerce,

Washington, D.C.

The subcommittee met, pursuant to call, at 11:33 a.m. via Webex, Hon. Paul Tonko [chairman of the subcommittee], presiding.

Present: Representatives Tonko, Schakowsky, Clarke, Peters, Dingell, McEachin, Soto, O'Halleran, Pallone (ex-officio); McKinley, Johnson, Carter, Palmer, Curtis, Crenshaw, and Rodgers (ex-officio).

Also present: Representatives Fletcher and Joyce.

Staff Present: Waverly Gordon, Deputy Staff Director and General Counsel; Tiffany Guarascio, Deputy Staff Director; Anthony Gutierrez, Professional Staff Member;

Caitlin Haberman, Senior Professional Staff Member; Perry Hamilton, Clerk; Zach Kahan, Deputy Director Outreach and Member Service; Rick Kessler, Senior Advisor and Staff Director, Energy and Environment; Mackenzie Kuhl, Digital Assistant; Brendan Larkin, Policy Coordinator; Kaitlyn Peel, Digital Director; Greg Pugh, Staff Assistant; Chloe Rodriguez, Clerk; Kylea Rogers, Policy Analyst; Rebecca Tomilchik, Junior Professional Staff Member; Caroline Wood, Research Assistant; Michael Cameron, Minority Policy Analyst, CPC, Energy, Environment; Jerry Couri, Minority Deputy Chief Counsel for Environment; Emily King, Minority Member Services Director; and Mary Martin, Minority Chief Counsel, Energy & Environment.

*Mr. Tonko. The Subcommittee on Environment and Climate Change will now come to order.

Today the subcommittee is holding a hearing entitled, "No Time to Waste: Solutions for America's Broken Recycling System.''

Due to the COVID-19 public health emergency, today's hearing is being held remotely. All members and witnesses will be participating via video conferencing.

As part of our hearing, microphones will be set on mute for the purpose of eliminating inadvertent background noise. Members and witnesses, you will need to unmute your microphone each time you wish to speak.

Since members are participating from different locations at today's hearing, all recognition of members, such as for questions, will be in the order of subcommittee seniority.

Documents for the record can be sent to Kylea Rogers at the email address we have provided to staff. All documents will be entered into the record at the conclusion of the hearing.

The chair now recognizes himself for five minutes for an opening statement.

To give our digital team some notice, it is important to share with them that, you know, others' comments will be accepted, and will be entered into the record.

Earlier this morning the Supreme Court limited EPA's

authority to protect public health and the environment in the face of congressional intent for a rule that is no longer on the books, and never went into effect. I am completely dismayed by this decision, and I do know in the days ahead this subcommittee will study the decision and examine all options, while urging EPA to take renewed action, however possible, to reduce greenhouse gas pollution.

But back at -- to the topic of the hearing, today is an opportunity to examine four proposals to address our nation's waste and recycling challenges. The American public likes recycling, but many people have concerns that what they put out to the curb often does not end up being recycled. These concerns are not unfounded. Far too many recyclable products end up in our landfills, and plastic waste, in particular, is ending up in our environment and our oceans.

This subcommittee held an oversight hearing in 2020 to better understand these issues. We learned that in recent years our nation's recyclers have been under financial pressure. The closure of the Chinese export market has had major impacts on the United States's recycling system, causing municipalities to scale back once profitable programs, many of which are now actually costing local governments money.

These changing market conditions expose deficiencies in domestic markets, education, and infrastructure that had been

long overlooked as long as China was willing to accept our waste. In order to get us back on track, in last year's Bipartisan Infrastructure Law Congress recognized the struggling conditions of municipal recycling systems, and included a $275 million appropriation for recycling and waste infrastructure grants, and $75 million for education and outreach grants. I believe these investments will be complementary to the proposals that will be discussed today, which seek to address many of those challenges previously identified.

H.R. 8059, a bipartisan bill from Representatives Neguse, Burchett, and Foster, seeks to improve recycling data collection, harmonization, and reporting to allow us to better understand the state of our nation's recycling and composting systems.

H.R. 8183, a bipartisan bill from Ranking Member McKinley and Representative Sherrill, would authorize a pilot program at EPA to provide assistance to improve recycling accessibility, with the majority of funds going toward under-served communities.

Subtitles A through D of title 9 of the Clean Future Act propose a suite of policies to reduce waste and improve recycling. This includes grants for community-led zero-waste initiatives, funding for greater consumer education and outreach, requirements for manufacturers to design products

to reduce environmental and health impacts, requirements for EPA to standardize labeling guidelines, and the establishment of a national bottle deposit program, and a task force to recommend design criteria for a national Extended Producer Responsibility program.

Similarly, H.R. 2238, the Break Free from Plastic Pollution Act from Representative Lowenthal, offers a comprehensive set of policy solutions to reduce the production and use of plastic products. Today the amount of plastic products actually being recycled is pitiful, and yet we are relying more and more on plastics for packaging and other single use products. Many of these products are used for only a few minutes before being sent to a landfill, where, under the best case scenario, they will sit for many lifetimes, but all too often will find a way into our environment and even our food supply.

Both the Clean Future Act and the Break Free bill would move us in the direction of requiring the companies that produce this future waste to have greater responsibility for its proper recycling or disposal. Several states and foreign countries are establishing Extended Producer Responsibility programs, and I believe it would be wise for us to do the same.

But ultimately, no single policy or program will fix our recycling system. It is going to take many complementary

efforts, examples of which we will be discussing today.

I look forward to hearing from our witnesses about the most effective steps that Congress and EPA can take to improve our nation's recycling and waste management systems.

[The prepared statement of Mr. Tonko follows:]

**********COMMITTEE INSERT**********

*Mr. Tonko. With that, I will now recognize Representative McKinley, our ranking member of the Subcommittee on Environment and Climate Change, for five minutes for his opening statement, please.

Representative McKinley?

*Mr. McKinley. Thank you, Mr. Chairman, and thank you for conducting this hearing. Again, this -- it has been two years since we had this hearing on recycling, so it is good to get back to it. We know it is a problem.

But let me also thank our panelists that are participating here today. We have six panelists.

I think, Mr. Chairman, I think we have to underscore we know solid waste and plastics are a problem. We have known that for decades, whether it is newspapers, automobile tires, plastics, batteries -- I could go on and on and on -- that are filling up our landfills and becoming a problem for us. So it is not new. None of this is new.

If you remember, both you and I, back in the sixties, when the recycling really began under the government-led program, we all had to separate bins outside of our curb. We were to put our papers in one, are plastics in another, glass in another, and our garbage in another. They were trying -- the government was trying to change human behavior. They were trying to impose a change. And quite frankly, I think you all know it didn't work out real well. In fact, after 60

years, 60 years of government intrusion, they are trying to regulate and change human behavior. You just mentioned it, Mr. Chairman. We only recycle in America about 23 percent, just over 20 percent of all the consumable products that we use. So we know we have a problem.

But once again, it looks like Democrats just want big government to step in one more time with two of these four pieces of legislation. They want to ban plastics. For example, of this two of the four, they call for a moratorium on any environmental permits for plastics facilities. That is just another name for banning the product, ultimately.

So, Mr. Chairman, why aren't we letting the free market run its course on recyclables? We know it has worked for paper, oil, gas, and even steel, where we are recycling steel. Why are we -- why is Congress trying to treat plastics differently?

We also know, Mr. Chairman, there are problems with recycling plastics like the cost, the separation of the plastics. You have to separate them by their different colors, and that is done by hand. You have to worry about the chemistry of the plastic, the polymers that are being used. Some don't mix well with that. Different temperatures are necessary with it. And then thirdly, another issue with recycling plastic is the lack of recyclable facilities in rural America.

So just two years ago, when the committee had this hearing, a witness discussed that there were maybe -- and I think it came from Colorado State, Mr. Chairman. If we go back over our notes on it, I think it was Colorado State. They were making some advancements on biodegradable plastics, rather than recycling, find things -- the material would break down. So I am hoping today that our witnesses will provide us with an update on these advancements in biodegradable components and other innovations in recycling. That way we can tackle this issue, rather than banning a product that is so part of our nature.

But let's look at this big picture, Mr. Chairman. Not everyone lives in Los Angeles, New York, or Chicago, or -- for you, even Albany. So cities with robust -- these are all cities with robust recycling programs. What about these small, rural communities like in Hazard, Kentucky or Petersburg, Indiana, or Kermit, West Virginia? These are all small towns that don't have active recycling facilities with it. And what we are doing is we would be forcing, under some of these legislation, increase in their cost of living. So we are already facing high inflation and higher energy costs. Why are we trying to change their cost of living?

So Mr. Chairman, I could just say, in the time I have left, only in Washington do we think that we can legislate changes in human behavior. Recycling is certainly an issue

we need to deal with, and it has been around for 100 years or more, and trying to -- but the free market, the -- using innovation, we will find another solution that does not require banning plastics. That has been something the consumer has wanted. It is cheap, it is easy to use, and it is easy to manufacture. So we have got to find another way to deal with it. Banning them is not the solution.

[The prepared statement of Mr. McKinley follows:]

**********COMMITTEE INSERT**********

*Mr. McKinley. So thank you, Mr. Chairman, and I yield back the balance of my time.

*Mr. Tonko. Thank you. The gentleman yields back. The chair now recognizes Representative Pallone, chair of the full committee, who has been kept very busy over the last several weeks and months.

So we recognize you, Chairman Pallone, for five minutes for your opening statement.

*The Chairman. Thank you, Chairman Tonko.

Today the committee is continuing its work on important environmental and climate issues by discussing legislative solutions to our nation's broken recycling system. Every day Americans are doing their part by sorting their waste and tossing their used recyclable materials into a bin. But with a national recycling and composting rate of only 32 percent, it is clear that there are major gaps in our recycling infrastructure that we need to address.

I am actually the co-chair of the House Recycling Caucus, very proud of it. And this topic is especially important to me. Recycling is a critical tool in our toolbox to reduce pollution in our communities, boost our local economies, address climate change, and strengthen domestic supply chain. But the system is not working as well as it should. And the system itself was upended in 2018, when China banned most plastic waste and mixed paper material

imports, and this action prevented us from shipping recyclables overseas, and it required American communities to rely on other options.

But this also begs the question of where recyclable material goes. It should be recycled, not sent to landfills or incinerated. And I would like to know today what is being done to reduce the amount of waste that actually goes to landfills or is incinerated.

And I think all this requires more funding, as well. And as with many programs, our recycling system is severely under-funded.

Municipalities across the nation, especially small and rural towns, struggle to manage their recycling programs, forcing scale-backs or complete cancellations of curbside pickups. And this is bad news for both the recycling and the reuse side of the waste equation. Without adequate infrastructure to collect recyclable materials like metal, plastic, paper, cardboard, glass, our domestic manufacturers won't be able to reuse these materials in new products, and we will continue to look overseas for input materials.

So fortunately, this Congress made a significant downpayment in this area by passing the Bipartisan Infrastructure Law last November, which included $350 million for recycling infrastructure and education and outreach grants. And this funding was a critical first step to

addressing recycling infrastructure challenges, and will improve recycling efforts across the nation. But Congress's work must not end there.

Today the subcommittee will examine four bills which provide different solutions to our recycling challenges.

One, H.R. 1512, the Clean Future Act, which I introduced with Chairmen Tonko and Rush, is a comprehensive approach to combating the climate crisis, and includes a title on waste reduction. The Clean Future Act includes measures to reduce the generation of waste, including a temporary pause on permitting of new or expanded plastic production facilities. It modernizes our nation's recycling system by establishing post-consumer recycled content standards, implementing a national bottle deposit program, and standardizing labeling and collection of recyclable goods.

The Clean Future Act also establishes grant programs to invest in community-level zero-waste initiatives, reduce the amount of landfilled waste, and improve education and outreach. And many of these provisions align with the objectives outlined in the President's National Recycling Strategy, which was released last November.

Then we have H.R. 2238, the Break Free from Plastic Pollution Act that includes a variety of recycling and waste reduction policies to address the pollution from increased plastic production and disposal. This pollution is often

concentrated in environmental justice communities, and I thank Representative Lowenthal for introducing this bill.

And we have H.R. 8058, the bipartisan Recycling and Compost Accountability Act, led by Representatives Neguse, Burchett, and Foster. And this works to address data gaps on recycling and composting practices across the U.S. This data will be critical to informing policy decisions to improve material recovery and boost circularity.

And we have H.R. 8183, the Recycling Infrastructure and Accessibility Act, again, a bipartisan bill led by our Ranking Member McKinley and Representative Sherrill.

And I want to thank you, Mr. McKinley, for working across the aisle on this issue.

This bill establishes a pilot program to increase access to recycling services in under-served communities struggling to keep up with increasing waste management demands.

So we have a lot of bills to look at.

But I just wanted to say I heard what Mr. McKinley said. Look, this is a problem in many ways, right? In other words, it is the towns that don't have the money. They want to get more people to recycle. It is a problem because we have no place to ship stuff. But ultimately, what I would like to see -- and I keep stressing it -- we have to get a situation where we put less in landfills, we incinerate less, and we actually recycle more. And I am afraid that we are getting

away from that. And so that -- I am hoping that we can get some answers to that part of the equation today.

[The prepared statement of The Chairman follows:]

**********COMMITTEE INSERT**********

*The Chairman. And I thank you again, Chairman Tonko.

*Mr. Tonko. The gentleman yields back. The chair now recognizes Representative Rodgers, our ranking member of the full committee.

Representative Rodgers, you are recognized for five minutes for your opening statement, please.

*Mrs. Rodgers. Thank you, Mr. Chairman. Good morning, everyone.

First, I want to highlight the Supreme Court decision today that confirmed EPA has been acting outside its statutory authority when issuing over-reaching rules on the nation's power sector. This decision is a victory for article 1 legislative authority on behalf of the people and representative government. It is Congress's clear constitutional authority, it is our responsibility to debate and make the law, the public policy, not unelected bureaucrats in the executive branch who often abuse their power by issuing regulations that place harsh burdens on our economy and people's livelihoods. I am pleased to see this decision.

We are facing an inflation and energy crisis, with gas prices at all-times [sic] high. Trips to the grocery store busting the budgets of American families. Like, for example, Andy Juris, he is with the Washington Association of Wheat Growers. He is a fourth generation wheat grower. And he

told us at a recent forum that rising gas, diesel, and natural gas prices are crippling farmers, from their equipment to fertilizer. Unfortunately, instead of working with Republicans who are calling for the Biden Administration to flip the switch on American energy production, lower the cost of food and consumer goods, and help farmers like Andy, we see the Democrats again turning to a radical climate agenda.

We can and we should join in better conservation policies to promote recycling. And I share the chairman's goal to reduce the amount of product that goes to landfills, or is incinerated, and recycle more. However, the two Democrat-only-led bills today seek to ban new plastic manufacturing and certain single use plastic products. This is an approach that will cost American jobs, it will worsen the supply chain crisis, and hurt economic development across the country.

The approaches that are proposed in these bills banning plastics will deprive us of lifesaving technologies like PPE, syringes, vaccine production equipment, medical gowns, insulated packaging for transporting vaccines. These plastic-based products have been critical in responding to the pandemic. Plastics are essential, and they are essential in clean energy and emission-reducing technologies like insulation for homes, lightweighting vehicles, wind turbines,

and solar panels. Innovation has given us so much with these plastic-based technologies that make our lives better.

The Clean Future Act and the Break Free from Plastics Pollution Act will reduce our quality of life, hurt economic competitiveness, and make us more dependent upon China. We have seen this playbook before by the majority on this committee and, you know, their campaign for blanket bans on new and innovative chemicals -- kind of the similar approach that are essential to the manufacturing of critical goods.

Whether we are promoting recycling or discouraging waste, legislation should not lead to de-industrializing the United States, and not strengthening our domestic supply chains. These bills ignore that America has some of the highest environmental standards for manufacturing in the world. We do it cleaner, more efficiently, while also leading the world in reducing emissions.

The other two bills today, H.R. 8059 and 8183, address more traditional recycling and composting policies. Conserving our resources is good policy, especially if it is based on innovation and free market investments in infrastructure.

H.R. 8183 prioritizes rural areas for new -- a new EPA pilot program for infrastructure grants. Rural areas are often shortchanged. So this rightly focuses on our infrastructure needs to enhance recycling. And I would like

to better understand whether a new program with additional dollars are needed, especially when we consider there was 375 million of taxpayer dollars just funded in the Bipartisan Infrastructure Law for recycling grants.

The other bipartisan bill, H.R. 8059, the Recycling and Composting Accountability Act, seeks more data on recycling and composting in the U.S. And in -- but of concern to me is that -- just the increasing Federal Government's influence on both of these -- in both of these bills. I have concerns when the Federal Government goes from supplying seed money and technical aid to actually regulating or directing curbside collection or residential recycling of solid waste.

Finally, I just want to note the EPA is not here again. This is the second week where we have not heard from the Administration on these legislative proposals. I think it is important that we do. I welcome the witnesses. I look forward to the testimony, and believe we need to hear from the Administration, too.

[The prepared statement of Mrs. Rodgers follows:]

**********COMMITTEE INSERT**********

*Mrs. Rodgers. With that I yield back, Mr. Chairman.

*Mr. Tonko. The gentlelady yields back.

The chair would like to remind members that, pursuant to committee rules, all members' written opening statements shall be made part of the record.

I now introduce the witnesses for today's hearing.

First we have Mr. David Allaway, senior policy analyst of the Department of Environmental Quality from the State of Oregon.

Ms. Lynn Hoffman, co-president of Eureka Recycling, national coordinator of the Alliance of Mission Based Recyclers.

Next we have Ms. Stephanie Erwin, director of circular economy policy at the American Sustainable Business Network.

Next we have Director Yvette Arellano, founder and executive director of Fenceline Watch.

Mr. William Johnson, chief lobbyist of the Institute of Scrap Recycling Industries, Inc.

And then finally, Mr. Matt Seaholm, chief executive officer of Plastics Industry Association.

At this time the chair will recognize each witness for five minutes to provide an opening statement. I recognize Mr. Allaway for five minutes to provide an opening statement.

You are set to go there, sir.

STATEMENT OF DAVID ALLAWAY, SENIOR POLICY ANALYST, DEPARTMENT OF ENVIRONMENTAL QUALITY, STATE OF OREGON; LYNN HOFFMAN, CO-PRESIDENT OF EUREKA RECYCLING, NATIONAL COORDINATOR OF THE ALLIANCE OF MISSION BASED RECYCLERS; STEPHANIE ERWIN, DIRECTOR OF CIRCULAR ECONOMY, AMERICAN SUSTAINABLE BUSINESS NETWORK; YVETTE ARELLANO, FOUNDER AND EXECUTIVE DIRECTOR, FENCELINE WATCH; WILLIAM JOHNSON, CHIEF LOBBYIST, INSTITUTE OF SCRAP RECYCLING INDUSTRIES, INC.; AND MATT SEAHOLM, CHIEF EXECUTIVE OFFICER, PLASTICS INDUSTRY ASSOCIATION

STATEMENT OF DAVID ALLAWAY

*Mr. Allaway. Thank you, Chairman Pallone, Ranking Member McMorris Rodgers, Chairman Tonko, and Ranking Member McKinley. Thank you for the invitation to present in today's hearing. For the record, my name is David Allaway, and I am a senior policy analyst at the Oregon Department of Environmental Quality.

Our state recently conducted a deep examination of the recycling system, and today I will summarize some of our key learnings from that research. Additional details are provided in my written testimony.

In 2017 China abruptly closed its doors to shipments of waste paper and plastics from other countries. The resulting disruptions exposed numerous problems with recycling here in

Oregon. In response, the state convened a recycling steering committee. Sixteen diverse stakeholders from the public and private sectors were charged with recommending changes to Oregon's recycling systems. I co-chaired that committee, which held close to 100 meetings over a 29-month period. The committee and department undertook significant research and spoke with hundreds of players in the recycling system. From our research, a few key findings stand out as perhaps most important.

First, recycling offers the potential for real, yet modest environmental benefits. The use of recycled feedstocks in product manufacturing almost always allows those products to be produced with less energy, and often times with a reduction in water and air pollution, including greenhouse gases. Waste prevention, the reduce-reuse part of reduce, reuse, recycle, has even greater potential for environmental benefit.

Second, one of the greatest challenges facing recycling is the problem of contamination: materials placed into recycling bins and carts that do not belong there. Removing this contamination is necessary, but expensive. Failure to remove it threatens the willingness of end markets, such as domestic paper mills, to use recycled feedstocks. Exports of contaminated bales can harm people and result in significant quantities of plastics in the world's oceans, as my written

testimony details.

One leading cause of this contamination is a deeply confused public, and a leading cause of that confusion is misleading labels and claims of recyclabilities on products and packages. Given how consumer goods are distributed in this country, fixing the problems of labeling might best be done at the Federal level.

Finally, I would highlight that the economics of recycling are challenging, in part because market prices fail to account for social costs. Waste prevention and recycling can and do reduce cost to society. For example, by reducing air and water pollution, recycling can reduce health care and other costs associated with illness, disease, disability, and death. These are very real economic benefits, but they are not reflected in the market prices that drive day-to-day decisions by producers, waste managers, or local governments. The fact that many such costs are not reflected in those market prices results in an under-investment in the recycling system, and an over-investment in virgin resource production and use.

Drawing on a consensus recommendation from the state's recycling steering committee, Oregon's legislature last year adopted the Plastic Pollution and Recycling Modernization Act, which was signed into law last summer. The act maintains existing elements of Oregon's recycling system that

work well, and mandates or incentivizes improvements to elements that do not, including rural recycling. It does this without banning materials.

The organizing principle of the act is one of shared responsibility, with obligations shared across all players of the system, including the producers of packaged goods and printing and writing paper. This last element is part of a growing trend to require producers to share in the responsibility for a modernized, effective, and responsible recycling system for the packaging that they put into the marketplace.

While producer responsibility for packaging and printed paper is new to this country, it is common in other nations. Oregon and other U.S. states already implement more than 100 similar laws, addressing a wide variety of other materials, such as electronic and pharmaceutical waste.

In the last year, there has been a significant increase in industry support for some form of legislated producer responsibility for packaging. And I believe that this stems from a recognition that America's recycling system has reached both a crisis and a crossroads, that decades of voluntary solutions by industry have been helpful but insufficient, and that producers can and should play a role in solving the problems and realizing the full benefits of recycling.

Thank you very much.

[The prepared statement of Mr. Allaway follows:]

**********COMMITTEE INSERT**********

*Mr. Tonko. Thank you, sir.

We will now recognize Ms. Hoffman.

You are recognized for five minutes, please, for your opening statement.

STATEMENT OF LYNN HOFFMAN

*Ms. Hoffman. Thank you, Chairman Tonko, Ranking Member McKinley, members of the subcommittee. Thank you for your time and attention on this very important issue. My name is Lynn Hoffman. I am one of the co-presidents of Eureka Recycling and the national coordinator for AMBR, the Alliance of Mission Based Recyclers.

Eureka is a social enterprise recycler. We are based in Minneapolis, Minnesota. Our mission is to demonstrate that waste is preventable. We employ 120 amazing people with living wage jobs who collect, sort, and market 110,000 tons of residential recycling every year. We hold a clear and bold vision for a world without waste, while we wrestle with the day-to-day challenges that are facing recycling today.

Recycling is not just a critical tool for reducing waste. It has the potential to help stabilize the climate, preserve critical ecosystems, protect human health, mitigate the inequitable impacts of waste and extraction on over-burdened communities, and support resilient regional economies and good, green jobs. However, to realize these benefits, we have to be clear-eyed about how recycling works, what its limitations are, and how effective policy can enhance its impact.

First and foremost, recyclers are manufacturers. We

take a specific set of products that are designed to be recycled. We sort them into high-quality, consistent, valuable, global commodities, and we feed those into the supply chain to be made into new products.

We are seeing unprecedented disruptions in global supply chains and increasing demand for recycled materials. Improving recycling improves the resilience and the stability of the U.S. economy, and the following three core actions are needed to get us there.

First, Congress must support recycling with policy solutions. Investments in recycling through the Infrastructure Investment and Jobs Act will be so much more effective if they are supported by essential and complementary policy, including recycled content mandates, thoughtfully-designed national container deposit system, labeling and design standards for packaging, incentives and targets for re-use and reduction, and bans on the most problematic and unnecessary materials.

Another key provision in two of the bills under your consideration is a national Extended Producer Responsibility, or EPR system.

Eureka is just one of over 350 recycling facilities across the country that must make frequent multi-million-dollar upgrades, just to keep up with the ever-changing composition of packaging and product [inaudible]. This

further increases the cost of recycling programs for communities.

As it stands today, producers have no skin in the game when it comes to the end of life of the products and packaging they create. A strong EPR system could transform the way we fund and improve recycling across this country, and shift the burden away from taxpayers by requiring producers to design their products to fit into existing systems, and financially support the necessary infrastructure. We work with stakeholders across the supply chain, from the U.S. Plastics Pact to community advocates to consumer brands and packaging companies. And there is widespread agreement that it is time for EPR.

Second, Congress should support policies that move beyond recycling towards reduction and reuse. Recycling is only a solution for products and packaging that are designed to be recyclable. Take, number one, PET plastic bottles. These are only one of the few plastic packaging types that are easy to sort, have strong markets, and yet less than 30 percent are captured for recycling. This is low hanging fruit, and we should invest in capturing the millions of tons of wasted material that are already recyclable and are in high demand as domestic feedstock.

For the myriad of other, non-recyclable single-use packaging, recycling is not a viable or effective solution.

Reduction, re-design, and reuse are the most effective strategies for these wasteful products.

Finally, Congress needs to focus on effective innovation, not distractions. Technology innovations are needed in recycling to improve quality, safety, and transparency. However, companies want to sell so-called chemical recycling, or advanced recycling schemes as new solutions for low-value, toxic, problematic, and unnecessary plastics. These have been pitched for 40 years, and have never been proven economically, logistically, or technologically feasible as recycling solutions.

Turning plastic into fuel is not recycling. Please be wary of these green-washed versions of linear consumption which have no place in a circular economy.

As the U.S. steps into a lead negotiating role to develop a global plastics treaty, Congress should not miss this opportunity to pass the Break Free from Plastic Pollution Act as a model blueprint for national action, and a game-changing transformation of recycling without massive Federal spending. It is time for policy incentives and solutions to help secure a more stable, equitable, and resilient future.

Thank you.

[The prepared statement of Ms. Hoffman follows:]

**********COMMITTEE INSERT**********

*Mr. Tonko. And thank you.

And Ms. Erwin, you are now recognized for five minutes for your opening statement, please.

STATEMENT OF STEPHANIE ERWIN

*Ms. Erwin. Thank you. Greetings, Chairman Tonko, Ranking Member McKinley, Chairman Pallone, and Ranking Member Rodgers. Thank you for convening this hearing and for giving me the opportunity to testify today. My name is Stephanie Erwin. I am the director of circular economy policy for the American Sustainable Business Network.

We are a multi-issue national organization comprised of businesses, business associations, and investors, which collectively represent over 250,000 businesses spanning different sectors, and regions, sizes across the U.S. We are united in our shared vision of a vibrant, stakeholder-driven, equitable, circular, and sustainable economy.

We are asking for a future where businesses use, reuse, and remanufacture materials in perpetuity. This will save money, foster innovation, and create a million new jobs, all without contributing to devastating impacts on our health, communities, ecosystems, and economy. But we cannot get there without urgent and decisive legislative action.

It is true that plastic has played a critical role in our economy. However, despite the practical applications that some of these plastics have brought, it is clear that the use of plastic, particularly the use of consumer single use products and virgin plastic, comes with significant cost

to our current and future economic well-being. With 95 percent of plastic going to landfills and incinerators every year, we are writing off an annual loss of $7 billion in commercial value from our collective balance sheet.

Our plastic-driven economy, in combination with our fragmented and inadequate recycling infrastructure, also precludes the U.S. from billion-dollar market opportunities, as consumers demand more sustainable and plastic-neutral products, as businesses seek to scale innovative models of consumption and production, and as firms look to invest in companies that have consistently out-performed the markets by proactively addressing climate and waste issues.

But simply addressing recycling is not enough. To tackle the broken recycling system, solutions must address challenges at each stage in the product lifecycle, from R&D and design to extraction, production, distribution, use, and end of life. Effective solutions must also be material specific and sector specific, taking into account the unique properties of each material and how it is used by industry and consumers alike.

The good news is businesses are ready to be a part of the solution. With 2025 and 2030 targets in place, our businesses, alongside Fortune 500 companies, are actively investing in circular supply chains to reduce or eliminate single use and virgin plastic products; to increase the

post-consumer recycled content of products; to scale, reuse, and refill models; and to switch to functionally compostable products. An EPR policy like Break Free from Plastic Pollution Act would help pool and direct those funds towards greater impact and transformational change.

Of the bills in front of the committee today, the Break Free Act offers several strategic advantages as a solution. It accelerates the timeline for innovation and action by putting an EPR system in place immediately. This would also set the U.S. up to lead negotiations for the upcoming UN Plastic -- the Global Classics Treaty.

It creates a national recycling blueprint and a model for enhanced public private partnerships, where stakeholders across the supply chain can freely share and exchange knowledge and adopt industry-wide standards that build upon proven local and state policies -- a model, I might add, that does not rely solely upon taxpayer dollars.

It helps frontline communities, workers, and natural ecosystems directly impacted by plastic pollution, avoiding years of inaction and costly litigation, as well as health and clean up costs.

The bill also includes a temporary pause on permits for new and expanded virgin plastic production facilities, which allows governments, industry, and businesses time to update compliance standards for health and safety, and to develop

long-term strategies to invest in plastic recycling, reuse, and remanufacturing capacity, also to expand job creation and training in recycling and recycling adjacent industries.

Ultimately, investing in technologies to keep the bathtub from overflowing will never be as effective as turning the faucet off, even temporarily.

In line with our circular economy principles, the Break Free Act focuses on technologies and innovations that would aim to recycle materials at their highest value and purity, which means it ensures that toxic and hazardous chemicals are designed out of plastic in order to be safely recycled. And it excludes waste-to-energy technologies that incinerate and downcycle end-market materials. These waste-to-energy technologies should not be qualified either as circular or renewable, as currently written in the Clean Futures Act.

From the perspective of the American Sustainable Business Network, the Break Free from Plastic Pollution Act offers a comprehensive, innovative, and proactive solution that takes advantage of all these strategic opportunities currently available for business, industry, and markets, all to grow a stronger and healthier economy.

[The prepared statement of Ms. Erwin follows:]

**********COMMITTEE INSERT**********

*Mr. Tonko. Thank you. The chair now recognizes Director Arellano.

You are recognized, please, for five minutes.

STATEMENT OF YVETTE ARELLANO

*Ms. Arellano. Chairman Tonko and members of the subcommittee, thank you for the invitation to speak. For the record, my name is Yvette Arellano, and I am the founder and executive director of Fenceline Watch, an environmental justice organization dedicated to the eradication of toxic, multi-generational harm on fenceline communities, communities living next to oil, gas, and petrochemical industries.

My statement is composed of two key issues: the human health impact of plastic production and its incineration.

Ninety-nine percent of plastic is derived from fossil fuels, and Houston is home to the largest petrochemical complex in our country, along a 52-mile stretch called the Houston Ship Channel. Chemical plants and refineries share tracts of land with elementary schools, playgrounds, churches, and homes.

Houston also lacks zoning. There are no setbacks, no buffer zones. Our communities share experiences of smells, flares, and disasters with workers, many of which are temporary contractors at these facilities. When disaster hits, they evacuate to our local parks.

Houston leads resin exports, and holds 59 percent of the market shares of all resins from the U.S. From 2017 to 2018, plastic resin out of Houston grew an astounding 38 percent,

with polyethylene and other plastic export increasing 62 percent. Currently, the Houston Ship Channel is home to over 90 plastics facilities, with 184 coming down the pipeline.

These plastic industries currently make up a fourth of industrial pollution in the Houston area. Our lack of zoning disproportionately affects over-burdened communities of color. We face daily threats of toxic exposure, potential disasters, and irreversible health impacts.

Four densely high, dangerous pollutants that come from plastics production and plague communities like Manchester include 1, 3-Butadiene, Benzyne, Styrene, Toluene. All three products produce odors that range from super sweet to gasoline-like. Reporting these odors is an arduous task left to those of us who are going to wait over an hour bouncing between jurisdictions and departments.

My predominantly Hispanic community is also limited-English proficient, and in efforts we try to address language barriers for those who don't have ease of access to current reporting systems and public input opportunities. Break Free addresses these language barriers.

The short-term toxic exposure includes irritation to the eyes, nose, and throat, headaches, fatigue, tremors, decreased blood pressure, memory loss, central nervous system damage. The long-term impacts span from reproductive -- from the reproductive system to developmental problems, slowed

reaction times, a difficulty with balance, irregular menstrual periods, and leukemia. Children in utero are affected before their first breath, causing low birth weights, a significant factor in child mortality.

With difficulty, I testify as one of many who suffer from irregular periods, sterility, and skin lesions. Break Free would temporarily pause new and expanding facilities, and give agencies and Congress the time needed to investigate cumulative impacts and ensure facilities integrate the latest technology to prevent further pollution.

The University of Texas School of Public Health found that children living within a 5-mile radius of the Houston Ship Channel have a 56 percent increased risk of contracting acute leukemia compared to those living outside of 10 miles. Those living in the area with emissions of 1, 3-Butadiene, also generated in incineration, have an increased risk of developing 3 forms of leukemia. Ann Coker, a primary investigator for the UT study, remarked that 1, 3-Butadiene is strictly produced for 3 primary industries, the primary one being plastic.

Recycling schemes of chemical recycling and energy recovery don't even qualify for international recycling standards because they rely on burning plastic. EPA data on one Pyrolysis plant, Agilyx, reveals similar releases of toxics from Styrene, Benzyne, and Toluene.

People purchase goods. We don't purchase packaging they come in. Break Free includes extended producer responsibilities, so the producers pay the bill for the infrastructure for a robust recycling system and minimum recycling content for beverage containers, so that plastic products with recycled content have a fair shot compared to those of virgin plastic counterparts.

The externalized cost on our communities is unaccounted for and often ignored, with most -- with the most vulnerable, left to shoulder the industry's human health cost and environmental cost for generations to come. We support the Break Free Act, and hope you will help us in protecting communities and turning off the tap to the global plastic crisis. Thank you.

[The prepared statement of Ms. Arellano follows:]

**********COMMITTEE INSERT**********

*Mr. Tonko. Thank you.

Now we will recognize Mr. Johnson.

You are recognized, sir, for five minutes, please.

STATEMENT OF WILLIAM JOHNSON

*Mr. Johnson. Thank you very much. Good morning, Chairman Tonko and Chairman Pallone. And thank you, Mr. Pallone, for your long-time commitment to the recycling caucus. It is great to see you and Ranking Members McMorris Rodgers and Mr. McKinley. And thank you, Mr. McKinley, for your sponsorship of a great bill.

My name is Billy Johnson, and I am the chief lobbyist for the Institute of Scrap Recycling Industries. And it is always an honor to be before you today to discuss the important role of recycling to our economy, and especially to our environment. And thank you for inviting the recycling industry, the industry that is responsible for collecting and processing the recyclables into specification grade commodities, and to provide our thoughts and -- about the different pieces of legislation today.

Recycling is an essential solution to responsibly supply our domestic and global manufacturing supply chains with sustainable raw materials that help combat climate change, conserve our natural resources, and save energy. Further, the recycling industry directly employs more than 164,000 people in every congressional district in America. And it also generates over $117 billion in annual economic activities. These numbers do tell the story of a strong and

vibrant U.S. recycling industry.

But first, let me correct a misperception. Recycling does work, although it is not certainly without its challenges. In any given year, our country's recycling infrastructure processes more than 130 million metric tons of recyclables that otherwise might go to, well, landfills. However, residential recycling represents only about 20 percent of the material that works its way through the nation's recycling infrastructure. The other 80 percent comes from the recycling of commercial and industrial materials, and that material tends to be cleaner.

Second, there is no one singular solution to the challenges we are experiencing in the residential recycling infrastructure. There is -- the residential recycling chain and associated infrastructure in the U.S. is a complex system, which is driven by market demand, but is also saddled with a supply chain that can be inconsistent, contain high levels of contamination, and is generally not linked to current market conditions.

To understand these challenges within the residential and municipal recycling streams it is important, first, to understand what makes for successful recycling.

First, successful recycling requires market demand. If there is no end market to utilize the recyclable materials that are collected, they will not be recycled and used again

in manufacturing, regardless of the volume of material collected. And collection without market consumption is not recycling.

Second, successful recycling requires minimal contamination, as recyclables are sold by specification grade with their corresponding value and marketability directly related to the quality.

Third, products must be designed to be recycled at the beginning, to take care of its useful end of life for successful recycling to take place. Whether the product is an electronic device, a consumer product packaging, an appliance, or a vehicle, it is imperative that the product and its packaging be designed for recycling. By doing so, recycling is more productive, which means more materials recycled and less material goes to landfills or to incineration.

What makes the residential recycling stream so different is that, while it is subject to the same demand-driven end markets as commercial and industrial recycling, it is saddled with an ever-changing mix of materials on the supply side, and that material flows into the stream, whether there is a market for it or not. This sets the residential recycling infrastructure apart from commercial and industrial recycling in the United States, and that is why it demands a unique approach.

Because of the visibility of the challenges being experienced in the residential recycling infrastructure, we have seen a growing loss of confidence in recycling on the part of the general public, which is a great concern to all of us in the recycling and manufacturing industries. It is imperative that we address these challenges with effective solutions to create a truly circular economy.

In the -- I will go ahead and just talk about the legislation during questions and answers at that point. But at ISRI we believe that all the stakeholders must come together to develop a common understanding of the weaknesses affecting the residential stream, and then work together to develop the menu of solutions needed to be put in place.

Thank you for this opportunity to explain the complexities of the recycling systems, and I look forward to taking your questions. Thank you.

[The prepared statement of Mr. Johnson follows:]

**********COMMITTEE INSERT**********

*Mr. Tonko. Thank you, sir.

And we next have Mr. Seaholm.

You are recognized, sir, for five minutes, please.

STATEMENT OF MATT SEAHOLM

*Mr. Seaholm. Thank you. Good afternoon, Chairman Tonko, Ranking Member McKinley, Chairman Pallone, Ranking Member Rodgers, and honorable members of the committee. Thank you for giving me the opportunity to appear before you today. My name is Matt Seaholm, and I am the president and CEO of the Plastics Industry Association.

Originally founded in 1937 as the Society of the Plastics Industry, we strive to represent the entire supply chain of the plastics industry in which nearly one million Americans are employed. Our membership includes materials suppliers, equipment manufacturers, processors, and recyclers.

Let me first say I very much appreciate the commitment of this committee to pursue solutions that will increase recycling rates and reduce waste. There is a saying in our industry: "We love plastic, we hate plastic waste.'' The way we see it, any molecule of plastic material that leaves the economy is a waste. We need to collect, sort, and ultimately reprocess more material, plain and simple. And that goes for all substrates, not just plastic.

For too long, too much of the recyclable material that was collected for recycling was shipped overseas. While countries like China were building their recycling

infrastructure, America was asleep at the wheel. We weren't significantly investing in modernization or expansion of material recovery facilities or the necessary capabilities to keep up with the incredible innovation that has transpired in plastic products over the past 20 years. So now America must play catch-up.

The plastics industry is investing billions of dollars in recycling technologies, and will continue to do so with billions more announced. But this is a shared effort, and one that requires partnerships at every level of government. For Congress, I would suggest a number of ways that together we can improve recycling rates in our country.

First, I would say increase investments in critical recycling infrastructure to ensure collection, sortation, and processing can keep up with the complexities of all materials in the marketplace. The EPA has started their process for granting resources included in the Infrastructure Investment and Jobs Act that stem from the Save our Seas 2.0 legislation passed in the last Congress. It is a great start, but certainly more is needed.

Second, promote end market development for the variety of plastic resins on the market to ensure that demand remains for recycled materials. Reasonable and attainable recycled content requirements can help spur investment and guarantee markets for recyclable material.

Third, encourage innovations in recycling technologies to ensure the variety of materials that cannot economically be recovered through traditional methods are included, moving towards a more circular economy. But perhaps more importantly, I urge the Committee and Congress to not stifle innovation in promising new technologies that are needed to get where we need to go.

And fourth, develop national standards and definitions related to recycling bringing greater efficiency to the collection, sorting, and recycling materials, not suggesting a one-size-fits-all approach to recycling, but a consistent set of terms and guidance that will avoid unnecessary complexities that only make it harder to achieve our shared goals.

I would add that our association and our members support H.R. 8059, the Recycling and Composting Accountability Act, as well as H.R. 8183, the Recycling Infrastructure and Accessibility Act, both of which are good steps in the right direction. But unfortunately, we are very much opposed to title 9 of H.R. 15, the Clean Future Act, and H.R. 2238, the Break Free from Plastic Pollution Act.

In my time remaining I would like to highlight the most concerning component of both bills: proposed moratoriums on permits for new or expanded plastics manufacturing facilities would be devastating to our industry, the nearly one million

workers we employ in the United States, and the supply chains we support. By ceasing permits, these proposed bills would push plastics production to other countries, ones with much less stringent environmental records.

This will also greatly increase the carbon footprint of its transport by requiring greater journeys for it to reach the American marketplace. Because the vast majority of plastic manufactured here comes from a byproduct of the natural gas refining process, the feedstock is plentiful and certainly cleaner than oil-based derivatives used elsewhere in the world.

Reshoring our manufacturing supply chains is a priority that crosses party lines. Plastic is essential for the production of everything from microchips to medical devices to electric vehicles. That is right. It will be impossible for America to reach its climate goals without plastic.

Is too little plastic recycled? Yes. Can we build the necessary infrastructure to greatly increase our recycling rates? Again, the answer is absolutely yes. Our industry will continue to invest, but we would welcome the partnership of leaders like yourselves to get America's recycling system where it needs to be.

Thank you again for the opportunity to appear before you today, and I look forward to answering your questions.

[The prepared statement of Mr. Seaholm follows:]

**********COMMITTEE INSERT**********

*Mr. Tonko. Thank you very much, Mr. Seaholm. And now we will move to member questions. I will start by recognizing myself for five minutes.

As lawmakers, having access to the best and most recent data available is absolutely critical to making informed decisions on any policy matter. This extends to recycling, for certain. H.R. 8059, the Recycling and Composting Accountability Act, includes several provisions that focus on collecting data on recycling and composting programs.

Mr. Allaway, how will access to more data on recycling help states and localities with their programing?

*Mr. Allaway. Chairman Tonko, thank you for the question. I would like to reflect on the experience here in Oregon, which is recognized as having perhaps one of the best existing data sets on recycling in the nation.

We have found that data can be very helpful. Our data-driven approach is what helped Oregon to avoid some false solutions that have been proposed in some other states, and to really evaluate and recognize the -- both the potential -- the costs of our existing programs and the potential cost and benefits of a variety of different potential policy solutions. So we were able to conduct a much more robust and transparent evaluation of the pros and cons of different policy solutions because we had a very good set of data to draw on.

More data can be very helpful. There is certainly no harm in data, but I would caution against a sort of a data-only approach, as we have seen in our own experience and some other places that the business of collecting and evaluating data can become in itself its own weather system that consumes all the bandwidth, and prevents anything else from ever being done. Data does not solve problems. Data needs to be accompanied with policy solutions. Thank you.

*Mr. Tonko. Thank you.

And Mr. Johnson, why is data collection an important component of improving our recycling system?

*Mr. Johnson. Well, thank you. I completely agree that if -- without the data, you are basically driving blind. You need to know how much you are collecting now, and what the -- what you are trying to achieve. And without that, I don't really understand how you can make an accurate policy decision. So you absolutely need the data to be able to make good decisions at the Federal, state, and local levels.

*Mr. Tonko. Thank you. And I agree that comprehensive data will assist communities across the nation by improving and maintaining their recycling programs. Beyond assisting communities with their efforts, data also helps businesses.

So, Ms. Erwin, how will addressing information gaps in the recycling landscape assist businesses with their efforts to participate in what we call that circular economy?

*Ms. Erwin. Thank you for the question, Chair Tonko.

So on the business end, circular economy has had a lot of criticism, mainly because it lacks data and the ability to understand how to use these data points, how can we track progress. And so I think that data points and, you know, collecting more reporting, and standardizing what data points are collected would inform better decision-making for businesses, and also help them understand where the best opportunities are to invest in infrastructure and new technologies.

*Mr. Tonko. I thank you for that. By filing critical -- or filling those critical information gaps, policymakers at all levels will be equipped with the right tools to make much-needed improvements to our nation's recycling infrastructure. And businesses, then, I believe will be able to make informed investments.

During this hearing I am sure we will hear claims about the need for single use plastics. The Break Free from Plastic Pollution Act recognizes that there are certain applications where plastics are appropriate, and it does not seek to prohibit or limit their use. This includes medical and public health products, personal protective equipment, and personal hygiene products. I think it is important to make these distinctions amongst the specific uses.

Ms. Erwin, do the businesses that care about

sustainability believe these sorts of exclusions are appropriate, while still seeking to limit single use plastic consumer products that could be more easily replaced or reduced?

*Ms. Erwin. Yes. Businesses have shown commitments across the board in different sectors, especially consumer-facing sectors. They are interested in setting up these systems, these new circular value chains, to meet customer demand. It is expected that, you know, the use of plastic will double in the next 20 years, and consumers largely want to switch to alternatives, I think 90 percent at this point. And so they don't want to see this waste in their communities, and they want their reusable and sustainable packaging alternatives.

*Mr. Tonko. Well, I thank you for those responses, and I see that my time is nearly expired. So we will move to recognize Representative McKinley, our subcommittee ranking member, for five minutes of questioning.

*Mr. McKinley. Thank you, Mr. Chairman, again. I would like to direct my question first to Matt Seaholm, because I thought that chairman-in-waiting, Cathy McMorris Rodgers, raised some good points because of the problem we should have learned through COVID, that we need more plastics, not less.

So, Matt, on these questions, there are -- two of the bills impose a three-year moratorium on permits for plastic

facilities, and that is to allow the EPA to develop the environmental air quality standards. Now, we fully respect, after three years of developing this -- and we know it will take three years to develop those -- then they are going to go through a series of litigation, they always have. And then, after the litigation is resolved, then we are going to move -- go over to where actually these plastic manufacturers will have to have -- design and construct those facilities. So we could have a prolonged period of time.

So my question is, how long do you think this pause could actually last?

*Mr. Seaholm. Well, thank you for the question. That is certainly our biggest concern, is it is considered a temporary pause, but because of the way it is written, there is no, you know, for-certain end date for that pause.

In the meantime, you know, we have got members who have to apply for permits every five years, and any expansion or new component of their facilities could trigger this temporary pause, and ultimately result in, potentially, shutdowns or simply moving production to a different place. And that was one of the points that I made, is that the moratorium is more likely to push production elsewhere than it is to actually stop the production of plastic.

*Mr. McKinley. Thank you. Now, the other is that I am told that at least 60 to 70 percent of the rules that were

promulgated by the EPA under Obama have been overturned in the courts. And just this morning the Supreme Court just did it again, said that the overreach under the Obama Administration with the Clean Air Act needed to be revisited and turned back the Clean Power Plan.

So Matt, by imposing this de facto ban, is this just another example of the EPA overreach?

*Mr. Seaholm. Well, I will let you make that determination. But once again, our concern here is the incredible number of jobs that it does threaten, but most importantly the supply chains.

The point I made about shifting these supply chains elsewhere I think has been exposed in recent months, in particular as we have identified the need to have supply chains that are domestic. If you take this plastic production and put it elsewhere, and you put it in a place where we don't have easy access to it, it will send ripples through the entire system. And I think, at this point, we can recognize that the vast majority of manufactured products do use plastic in some way, shape, or form.

*Mr. McKinley. Thank you.

Now, Mr. Johnson, let me -- I have got two questions for you. Maybe it is just a yes or no. And do you think we can legislate human change, human behavior, and how they handle recycling?

*Mr. Johnson. Well, I think that the Recycle Act that was passed within the large infrastructure bill provides great education to the American people to understand what to put in the bin and what not to put into the bin. So, in that regard, I think it provides a necessary education for them to recycle efficiently to keep the contamination out of the recycling stream to begin with.

*Mr. McKinley. I appreciate your answer. I think what you are -- you are not -- my question really was -- I am afraid we are trying to -- once again, trying to change human behavior by legislation. And that is what I think a lot of it, the recycling -- I think there needs to be more, I think, free market based change.

But let's go back to rural communities that don't have these facilities, looking at one of -- the legislation that I have co-sponsored. Is it -- will this -- if we don't have these facilities, are we -- and yet we impose more stringent recycling, is it going to raise the cost of living for people in rural areas around this country?

*Mr. Johnson. Well, I think the bill that you have sponsored is a great bill to try out different approaches in different areas, because one size does not fit all in the United States. So I commend you for the bill.

Some of the ideas or concepts like the Extended Producer Responsibility would increase the costs to the American

consumer.

*Mr. McKinley. Okay, and let me just, in closing -- I have run out of my time, Mr. Chairman, but I do hope that Mr. Seaholm will get back to us, because I would like to know from his members what advances have been made in biodegradable plastics, because we talked about that two years ago.

If someone could, give us an update on the progress we are making on that. Thank you, and I yield back the -- any time.

*Mr. Tonko. Okay. The gentleman yields back. The chair now recognizes Representative Pallone, full committee chair, for five minutes to ask questions, please.

*The Chairman. Thank you, Chairman Tonko.

The various challenges to recycling discussed today have sparked innovative policy solutions at the local and state levels, and these solutions, like Extended Producer Responsibility and container deposit programs, can be scaled up and replicated across the country. So the Bipartisan Infrastructure Law -- it was mentioned -- provided $350 million that can fund improvements to recycling infrastructure.

So I wanted to start with Mr. Allaway.

From your perspective, how can Federal funding for recycling programs support improvements already underway at

the state and local level?

*Mr. Allaway. Thank you, Chair Pallone. The financial needs of the recycling system at the local and state level are at least an order of magnitude, and possibly two orders of magnitude more than the funds provided in the Federal Infrastructure Act. So it is very helpful, and I would hope that Congress would view that with the understanding that, because of the generally unfavorable economics of recycling, which is a consequence of market prices failing to account for social costs, the economic needs of the recycling system are much larger than what was provided in the grants program.

As some of the other speakers have said, and I would agree, the needs of the recycling system across the country vary from community to community. Recycling is very different in different communities. There are, however, some commonalities. There is generally a lack of collection opportunity for many households, as well as businesses in this country. So there are opportunities to improve access to collection. Very importantly, the processing facilities which sort out the commingled recyclables -- excuse me -- are generally under-invested and under-capitalized, and there are important gains that can be realized by improving those processing facilities.

I would also mention that EPA and many states have adopted a waste management hierarchy that prioritizes

prevention and reuse over recycling, because of the superior environmental benefits. And there is significant environmental potential that can be realized through simple prevention techniques, such as providing infrastructure that allows people to drink tap water, as opposed to relying on single use disposable bottles. Thank you.

*The Chairman. All right. I wanted to ask you another question, because in my Clean Future Act we have a language that creates a variety of incentives for recycled material, like post-consumer recycled content standards and Extended Producer Responsibility program. And I think these policies would help expand markets for recycled materials by making it more economical for manufacturers to use recycled content, compared to new or virgin materials.

So let me ask you briefly, because I have another question -- your testimony echoes a similar message, but briefly, what kind of Federal policies would be most effective and impactful to provide incentives for recycled material?

*Mr. Allaway. Chairman, I would agree that both Extended Producer Responsibility and post-consumer recycled mandates, if carefully and thoughtfully designed, would create incentives to provide an increase in markets for recycled materials.

*The Chairman. All right, thanks. And then let me ask

last Ms. Erwin.

In your testimony you highlight the business case for investing in alternatives to single use and virgin plastics. How can Federal policy complement and accelerate this type of market shift, if you will?

*Ms. Erwin. Thank you for the question, Chairman Pallone.

So right now, most businesses have voluntarily pledged to do this work, and that accounts for only about 20 percent of consumer markets at this time. We need policy to put everyone in the room, to come to solutions together, and put these -- put this funding and these objectives together so they can, you know, adopt these standards and circulate innovation across the value chain and across the industry.

*The Chairman. All right. Thanks so much.

I see my friend, Billy Johnson. I didn't have a question for you, but I do want to thank you for being here today, and to -- all you do, you know, to promote the industry.

I really think, as I said, I chair the Recycling Caucus, and I don't chair too many things other than this committee, but I do it because it is very important, I think, for us to continue to try to promote recycling, and do it in a bipartisan way. I know there are some disagreements that, obviously, we can see today, but I definitely think this is

something where Democrats and Republicans can work together to make a difference in something that, you know, brings people to actually participate in ways to improve the environment. So let's just continue to work together, and see what -- you know, how we can move forward in a positive way.

Thank you, Mr. Chairman.

*Mr. Johnson. Thank you, Mr. Pallone.

*Mr. Tonko. The gentleman yields back. You are most welcome. The chair now recognizes Mrs. Rodgers, Representative Rodgers, full committee ranking member, for five minutes, please, to ask questions.

*Mrs. Rodgers. Thank you, Mr. Chairman. And I appreciate the chairman's comments about working together on bipartisan solutions that will encourage innovation. I believe that there are ways that we can work together to develop new ways to conserve our resources and recycle materials. I think my biggest concern is around threatening our standard of living and our economic competitiveness, which I think we also need to consider.

Mr. Seaholm, I wanted to ask just a series of questions, just to help me better understand, because the Break Free from Plastic Pollution Act and title 9 of the Clean Future Act reflect this drive to ban plastics from the United States economy. And I just wanted to ask some questions to better

understand.

When people think of a single use plastic, they focus on straws and lunch baggies. Would you -- would these bills only affect these items?

*Mr. Seaholm. Certainly not. You are absolutely right. The term plastic is a very, very broad one, but often times gets, you know, perhaps wrongly applied. And in this case, especially when we are looking at the moratorium on new plastics manufacturing facility, it would cover every type of plastic imaginable. And there is really about six polymers, six categories of polymers, but there are hundreds, if not thousands, of different types of plastics out there. So it would cover them all.

*Mrs. Rodgers. Would you consider the most important kinds of single use plastics like for health care, or safety applications, or plastics that help us lower carbon emissions? Would that be included?

*Mr. Seaholm. Well, that is sort of like asking someone to choose their favorite child. But we do represent the entire plastics industry.

I would say all single use plastics have a purpose. And whether that is to protect food, and keep from -- keep food from spoiling, or -- certainly medical devices and PPE are things that we became acutely aware of, and the value of plastic, over the last couple of years.

So once again, this -- these pieces of legislation would cover everything from food packaging to even automotive parts when it comes to the production of plastic.

*Mrs. Rodgers. So if we were to implement a ban, are there equally effective and affordable alternatives?

And what would eliminating or significantly limiting the use of plastic materials mean for our economy and our way of life?

*Mr. Seaholm. Yes, every product, every business that is manufacturing a product chooses the material they do for a reason. And that is why plastic often times is the choice. Whether it is performance properties, whether it is hygienic reasons, whether it is, you know, availability and safety components of it, at the end of the day, that is -- those are the choices being made. And simply saying we are going to stop using plastic doesn't get rid of the demand for the product that is in question. That is where you get a movement to other materials.

And at the end of the day, when you look at life cycle assessments, plastic almost always wins when compared to other products for the applications that it is used for.

*Mrs. Rodgers. Thank you, I appreciate those insights.

Mr. Johnson, no doubt recycling has a lot of benefits, and we want to figure out how to do this, and do it effectively. Does a one-size-fits-all approach make sense

for recycling?

And would you speak to the role of the Federal Government or states and local governments in charge of residential and curbside collection efforts?

*Mr. Johnson. Thank you, it is great to see you, Mrs. McMorris Rodgers.

No, one size fits all doesn't work. I mean, I would say recycling in Spokane doesn't work the same as in Albany as it does in Little Rock. It is all -- recycling is really -- especially -- and I would -- let me caveat that. The residential recycling is a local issue that is better handled at the local level, and the -- more of the industrial and commercial, where the vast majority of recycling happens, that is a little bit more -- it does have some regional issues, but it is a little closer to a -- that one size fits all.

But certainly not at the residential level, where you just get a different mix of materials that are coming in to the recycling stream. And the residential recycling systems have -- really don't have a choice of what they get to accept, other than through the -- you and me, the citizens sorting that material before it goes into that system.

*Mrs. Rodgers. I have one more question I just wanted to ask on Mr. McKinley's bill, really focusing on a pilot project for rural areas. How long should this pilot last,

and do you have a sense of how much funding it would need to be authorized to make it meaningful?

*Mr. Johnson. I am not a good guess at money on that for you. You know, you would be better -- you know, the CBO and such would be better at that.

But I think you definitely do need a period of time, at least five years or more, to see whether it works. I mean, it is -- it takes a while to get people accustomed to recycling, to recognize that it is a beneficial -- and to understand how to do it, and how to do it right. And as they -- at the beginning, as they sort of throw too much stuff into the mix, and they get, I guess, better educated about what they are putting in there, they will start to reduce the contamination, and it will get better. And I think five years might be a good timeframe.

*Mrs. Rodgers. Thank you.

Thank you, Mr. Chairman. I yield back.

*Mr. Tonko. The gentlelady yields back. The chair now recognizes the gentlelady from Illinois, Representative Schakowsky, who also serves as subcommittee chair for Consumer Protection and Commerce.

Welcome, Representative Schakowsky.

*Ms. Schakowsky. Thank you, Mr. Chairman. You know, I am old enough to remember the 1960s movie, "The Graduate.'' Dustin Hoffman was the graduate. And I remember, at his

graduation party, a businessman looked him very seriously in the eye and -- to give him advice, and he said, "Plastics, plastics, that is the future.'' Well, I actually think that certainly the screenwriter was right in predicting that. But I also think that there have been some very devastating consequences.

In 2018, about 36 million tons of plastics were generated in the United States, yet less than 10 percent of the plastics were actually recycled. Instead, we find them in our landfills, in our bodies, in our water, and even in animals' bodies. In the Midwest, nearly 22 million pounds of plastics entered the Great Lakes -- enter the Great Lakes each year. More than half of that comes into Lake Michigan, which is in my district. And scientists estimate that, pound for pound, that there will be more plastic than fish in the oceans in 2050 if we don't do anything about it.

So Mr. Allaway, would -- will recycling alone solve the plastic waste crisis that I believe now exists in the United States today?

And let me ask -- I am going to ask two more questions about that, and you can answer all of them at once.

So which common plastic products were -- in the stream are the most harmful?

And finally, are there legitimate alternatives on the horizon to replace these plastics?

*Mr. Allaway. Thank you, Representative.

To your first question, will recycling alone solve the problem, the answer is no, it cannot. That is impossible. Recycling can make a modest contribution towards reducing these impacts.

There are other solutions, including waste prevention. For example, we evaluated the environmental impacts of drinking water out of a single-use PET bottle and recycling it, versus drinking tap water in a reusable container and washing it. And even when the impacts of the dishwasher were taken into account, the reusable option was found to be a far superior environment, a -- have far lower environmental impacts.

So recycling can be beneficial. However, to be beneficial, it has to be done well. I would point out a recent study in the Journal of Science Advances, which estimates that the U.S. recycling system itself may be one of this country's largest vectors for contributing plastics into the world's oceans, and that is because of the lack of regulation and accountability at processing facilities, and our exports of contaminated bales of materials to other countries that mistreat them.

So recycling can help, but it has to be done well in order to help reduce this problem.

To your other questions, which types of plastics are

most impactful, and are there legitimate alternatives, there are thousands of different types of plastics, and I am afraid I don't feel qualified at the moment to identify which of those thousands are the most harmful. That is a little bit out of my wheelhouse. I apologize.

Are there legitimate alternatives? Yes, all materials have alternatives, but I would like to find some common ground with our -- with Matt Seaholm, and point out that there are instances -- there are materials where plastics offer the superior environmental choice, so long as the impacts of the plastic waste is managed appropriately, and does not end up in oceans or peoples' bodies.

And that, to me, seems like the primary challenge here: How do we realize the benefits that plastics can provide, while avoiding the negative impacts of plastic production and improper disposal?

Thank you.

*Ms. Schakowsky. Thank you so much for that answer. How -- I wanted to turn to Ms. -- is it Erwin?

How -- let's see, hold on a second. I guess I just wanted to ask -- just -- 20 companies right now are responsible for most of the production. I wondered if you could suggest -- how can we ensure that businesses steer away from single use and virgin plastic production?

*Ms. Erwin. Great question. Thank you, Congresswoman.

So the first thing is the pricing signals. So right now it is much cheaper to source and use virgin plastic, as opposed to recycled plastic and other alternatives and other substitutes. That is a large component of the issue.

*Ms. Schakowsky. I appreciate this. It is an issue that we really have to deal with, and I think there is an urgency about it.

I thank you, and I yield back.

*Mr. Tonko. The gentlelady yields back. The chair now recognizes the gentleman from Ohio.

Representative Johnson, you are recognized for five minutes for questions.

*Mr. Johnson. Thank you. Thank you, Mr. Chairman.

You know, inflation is hitting my constituents in eastern and southeastern Ohio really hard. They are struggling more than ever to fill up their tanks, to buy personal care products, clothe their children, and even afford food. So what do my colleagues and the majority propose to ease this inflationary burden on Americans who are struggling so hard to get by to buy groceries? Their idea is to heavily regulate and shut down the manufacturing of much of the plastic packaging that the foods that they buy actually come in.

I mean, can you believe that? How will this possibly ease inflation?

The timing of these radical proposals could not be worse. Plastics, quite literally, make our modern life possible. Most of our food packaging, health products, automobiles, electronics, and everything in between would not exist without plastics. And so moratoriums on the manufacturing of such a widely used and important material is, by definition, highly inflationary, and would only serve to make us more vulnerable to precarious global supply chains by killing thousands of good-paying American jobs here at home.

So, Mr. Seaholm, you mentioned that much of America's plastic feedstock is derived from the refining of natural gas, which my region happens to be blessed with an abundance of. For instance, we have the massive multi-billion-dollar Shell ethane cracker plant in Monaca, Pennsylvania coming online this summer. If title 9 of the Clean Future Act or the Break Free Act went into law, how would beneficial projects like these and ancillary manufacturing industries be affected?

*Mr. Seaholm. Well, I think, you know, the timing of that facility, I am not sure where they are in their permitting process, but I think you have identified that --

*Mr. Johnson. Well, their permits are already done. They are coming on -- they are supposed to come online this summer.

*Mr. Seaholm. Okay. Well, in that case, then the next time that they come up for a renewal is probably the first time that they are going to end up with a question mark.

But I would say that that facility in particular is a very interesting one, and I would say it is strategic for our national supply chains. It is the first one, really, in the Midwest that has been built. And because of that, it takes away the over-reliance on the Houston area in particular, or the Gulf Coast, where one hurricane can significantly disrupt the supply chains.

In addition, you had the deep freeze last February that we saw significant impacts. So if you find yourself in a place where you are building a facility, and you can't get a permit, there are other concerns, not just about the, you know, supply chains in the -- you know, nearby. It is national.

*Mr. Johnson. Okay. Well, continuing with you, Mr. Seaholm, with plastic products being so prominent in our everyday lives, if the government were to severely curtail their production, would this add, in your opinion, to the shortages and supply chain disruptions that are causing crippling inflation for so many of not only my constituents, but the constituents -- but Americans across the country? And if so, how so?

*Mr. Seaholm. I think the simple answer to that is yes.

It would increase costs, it would reduce supply, while demand wouldn't go down. In fact, demand is, as we have heard today, going up significantly. And any time that happens, now you have got inflationary pressures.

Even if you push the production elsewhere, it is going to increase the cost of transport it. Put it all together, all of that packaging, all of those plastic products that are used go to a grocery store, everything. You know, it may not seem like much, but you add a penny to every single one of those packages, and it adds up when you go to the checkout counter.

*Mr. Johnson. Well, and it is also going to make us very much more dependent on foreign sources for the things that we need in our everyday lives. Would you agree?

*Mr. Seaholm. I absolutely would. And that is one of our biggest concerns.

*Mr. Johnson. Yes. Okay.

Well, Mr. Chairman, thanks for the time. I am going to yield you back a whole 30 seconds.

*Mr. Tonko. Well, thank you, sir, for the 30 seconds. We appreciate your questions. And next we will recognize -- the gentleman yields back. The chair now recognizes the gentlelady from New York, Representative Clarke, for five minutes, please.

*Ms. Clarke. Thank you, Mr. Chairman. And thank you

for holding this important hearing and bringing this crucial legislation, the Clean Futures Act, to the forefront of our discussion.

Addressing the issues of our recycling system is an important step towards a more sustainable and equitable future. And as such, I would like to better understand some of the environmental justice concerns with proposals related to the management of plastic pollution termed "chemical'' or "advanced recycling.''

I am concerned that chemical recycling is a false solution that does not contribute to the circular economy, and increases dangerous emissions at a time when we should be finding ways to bring environmental justice to the frontline and fenceline communities.

So to Director Arellano, first of all, I love your first name. But thank you for your work on behalf of the fenceline communities. Can you elaborate on some of the environmental and health harms that advanced recycling can cause for EJ communities?

*Ms. Arellano. Thank you, Representative Clarke. And the impacts we see in incineration communities and pyrolysis plants are similar to those that we see in plastic production. That is why the entire plastic lifecycle harms communities of color.

And so, like I said in my statement, the releases

include Benzyne, Styrene, and Toluene. That will disproportionately affect our communities that are largely uninsured. This means everything from reproductive system -- harms on the reproductive system, the developmental system, slowed reaction times for children and adults. We have seen numerous studies that link incineration and production with elevated cancer in our communities. Specifically, the closer you are.

And we know that communities closer to incinerations, landfills, and production sites tend to be lower-income communities. It is --

*Ms. Clarke. Yes, we all know too well what happens when communities are exposed to air pollutants, and how that can affect their long-term health and prosperity.

As a long-term resident of areas near oil and gas facilities, can you talk about the similarities to those facilities that burn plastic in the name of recycling?

In your experience with more traditional energy facilities, what long-term generational impact can this type of air pollution have on nearby communities?

*Ms. Arellano. Taking toxics like Benzyne, people assume that they will leave the system as soon as they are -- the chemical disaster is over, right? When in reality, if there is a chemical disaster or a fire at a -- an incineration plant or at a plastic production facility, we

don't get any alarms. We don't get any news. We aren't told what kind of chemicals are burning or coming out of the flue stacks. Neither are first responders and firefighters who are then exposed to these kinds of conditions.

We have seen countless lawsuits from workers, temporary workers, even police departments for not having accurate information from these facilities shielded by confidential business information and homeland security. So we get no transparency. The information we get is too late, and we also get no resources to even go to toxicologists.

We had a fire back in 2018, and we were told, "Go get your blood checked.'' One single blood test for Benzyne, Toluene, or Styrene ranks around 300 to $400. Multiply that by four. That is the cost our communities is picking up.

*Ms. Clarke. Thank you, I appreciate that.

Ms. Hoffman, as the operator of a Materials Recovery Facility, or an RMF -- MRF, do you consider the practices currently used for advanced and chemical recycling to be true to the definition of recycling?

*Ms. Hoffman. Thank you for that question. The short answer is no. They are not in with the definition of recycling because they are linear consumption. Anything that has been proven to date has been, you know, creating fuel from plastics, which is then burned. This isn't circular. It doesn't keep those resources at play, and it requires that

we go back and continue to extract more for any continued production.

*Ms. Clarke. Thank you, Ms. Hoffman.

Mr. Allaway, Oregon's new recycling law does not exclude the use of chemical recycling, but has environmental safeguards in place. Should that technology be chosen, can you elaborate on those safeguards and why they are important to protect communities?

*Mr. Allaway. Thank you, Representative. Yes. Oregon's new policy framework allows producer responsibility organizations to send materials to a chemical recycling pathway as long as three conditions are met.

First, the impacts of that pathway have to be fully evaluated and disclosed and compared against alternative pathways such as mechanical recycling, or landfilling.

Second, the chemical recycling process needs to be performed responsibly.

And finally, this pathway is not allowed if there is an alternative pathway, such as mechanical recycling, that delivers a superior environmental outcome. Where chemical recycling --

*Ms. Clarke. Thank you, Mr. Allaway. I -- my -- unfortunately, my time is elapsed.

Mr. Chairman, I yield back.

But thank you for your response. Thank you to all of

our panelists today.

I yield back.

*Mr. Tonko. The gentlelady yields back. The chair now recognizes the gentleman from the State of Georgia.

Representative Carter, welcome for five minutes.

*Mr. Carter. Thank you, Mr. Chairman. And thank all of our witnesses for being here today.

You know, listening to this today, to this hearing today, it just appears like it is just the disagreement over fossil fuels all over again. I mean, it is as if my colleagues on the other side of the aisle already pre-determined a policy with an outcome in mind that doesn't really take into account real life issues and real life implications.

You know, if we want to reduce emissions, and -- we have got a lot of options that are at our disposal to make so -- to make sure that we do that. But instead, it seems like the rhetoric has been that we can't have a future at all with reliable fossil fuels, even though the fossil fuel industry has done a great job of decreasing emissions.

And, you know, even if they were to go to a net negative or a net zero, I am not sure that some of my colleagues would accept it at all. It just seems to be a war on fossil fuels, you know?

In today's case we have got two bills that we are

talking about, and two of them basically just eliminate plastics. In fact, one of them is called breaking free from plastic. So it just bothers me.

You know, I am a pharmacist by trade, and I know the importance of plastic in PPE, personal protective equipment, but also in pharmaceutical manufacturing. It is extremely important.

And to say that it can't be done, I disagree. I have to wholeheartedly disagree. I have got two examples here in Georgia. Nexus Circular, right now, they are doing innovative advanced recycling. They are taking four types of used plastics that represent about 60 percent of the global plastic waste, and including in very difficult kinds of plastics like films, and breaking it down into base materials that then are used for new virgin-quality circular plastics. That is -- and this can be done in a circular fashion. They are doing it. They are doing it in this company.

Even Coca-Cola, another Georgia company, has set a goal for at least 50 percent of recycled content in their packaging by 2030, which is not that far from now. So advanced recycling is how we can achieve this and how we should achieve this.

There are other exciting things that are going on. There is a pilot project right now that is going on to create bioplastic caps and cups, bioplastic cups at 28 McDonald's in

my district, bioplastic cups. That is the kind of innovation that we need. I have always said, you know, it is going to take innovation to do this.

I want to ask you, Mr. Seaholm, do you agree with Ms. Hoffman's characterization of advanced recycling?

And what are your thoughts on this kind of truly advanced recycling like I described?

*Mr. Seaholm. Well, we are wholeheartedly supportive of advanced recycling.

First and foremost, you know, much of the discussion today has been focused on what we can't recycle, and what is difficult to recycle, and how we haven't kept up with the modernization of packaging. Flexibles, in particular, is something that you just mentioned.

And, you know, one stat that is very impressive is 60 percent of flexible plastic goes into food or beverage applications. So the primary purpose of that flexible plastic is to prevent food waste, which, if it was a country in and of itself, would actually be the third largest emitter of greenhouse gases behind both China and the United States. That is a value for climate purpose. We need to figure out ways in which we can recycle it, and advanced recycling presents the best option at this point to take some of those hard-to-recycle -- especially the multilayer films -- and keep them in the economy, rather than saying one and done.

So we absolutely support advanced recycling as one part of the puzzle.

*Mr. Carter. Mr. Seaholm, what can the Federal Government do to encourage this and to facilitate it?

*Mr. Seaholm. Yes. I think what I indicated earlier was, first, don't stifle it. That is most importantly. There is a lot of innovation that is already happening. Let it continue to develop.

I would say encouragement also helps, and I think there are a number of things being done. The Department of Energy, in particular, has done some studies and also promotion of this.

But at the end of the day, this is billions of dollars of research and development that is going into it, and it is producing things like this. This is an advanced recycled product. Not to make this into a show and tell, but that is what we have got, and, you know, and it shows that it is possible.

*Mr. Carter. Well, thank you. And thank you again to all the members of -- the witnesses here for this hearing.

And thank you, Madam [sic] Chair, and I yield back.

*Mr. Tonko. So the gentleman yields back. The chair now recognizes the gentleman from California.

Representative Peters, you are recognized for five minutes, please.

*Mr. Peters. Thanks, Mr. Chairman, and thanks for holding this hearing.

Although recycling rates have increased across the country for the past several years, our statewide recycling rate in California has primarily been below 50 percent since 2014. States are still facing challenges that are hampering improvements to recycling, and market-driven solutions are going to be an integral piece of the puzzle when it comes to finding long-term, sustainable solutions to our recycling crisis.

Mr. Allaway, as someone who dealt with the repercussions of the national -- of [inaudible] from your position at the Oregon Department of Environmental Quality, can you explain the benefits of building domestic markets for materials that were previously exported to China?

*Mr. Allaway. Thank you, Representative. Yes. The primary benefit of domestic markets, really, is increasing the adaptive -- adaptability of the recycling system. The more end markets you have, the better. And also that, generally speaking, domestic end markets will manage materials, manage recyclables in a more responsible way, resulting in less pollution and more -- better management of incoming contamination than some export markets will in some countries.

*Mr. Peters. Okay. Ms. Erwin, in your testimony you

say that businesses are ready to be part of the solution. And I think we are all happy to hear that, since we all know that private-sector solutions will be critical to improving our nation's recycling system and working towards a sustainable, more circular economy.

Using alternatives to virgin and single use plastics can improve circularity, but we need to enable the market conditions to make that possible. Ms. Erwin, what are some of the challenges to scaling virgin and single use plastic alternatives?

*Ms. Erwin. Great. Thank you, Congressman.

So I would say that, first of all, you know, there is no incentives to change design at this time from the beginning of product design. So things like the color of the plastic, the shape of the material to be more like an aluminum can that, you know, everyone uses that same design. So that is a big part of it.

I think that there is also not a lot of knowledge exchange happening between all the stakeholders in the value chain. So a policy like Break Free from Plastic puts all these people in the room to come together to form a solution for a very complex challenge.

*Mr. Peters. Are there specific policy -- Federal policies that you think could address the challenges you mentioned? Should we be issuing standards, for instance?

*Ms. Erwin. Yes, I think there are some standards that are being adopted by states and by companies in reuse and also in labeling that could be quick wins for the government to adopt and, you know, get industry agreement, because they are already using it.

*Mr. Peters. Ms. Erwin, do you have any specific state examples that you would recommend to us that we look at, or that we even adopt?

*Ms. Erwin. Yes. In reuse there is a standard called PR3 that has been piloted in Seattle to great success, and also the Recycle Across America, RAA, labeling standard which has also been adopted in national parks and other businesses across the United States.

*Mr. Peters. Well, I appreciate that very much. It is clear that we need a -- you know, we are going to need Federal policy to incentivize robust markets for recycled materials. I am glad the committee is working on solutions.

I am not as willing to close out anything -- I am not willing to close out any solution that is possible to see what we can do to recycle these materials.

And I appreciate the hearing, again, and the witnesses, and I yield back.

*Mr. Tonko. The gentleman yields back. The chair now recognizes the gentleman from Alabama.

Representative Palmer, welcome, and you are recognized

for five minutes, please.

*Mr. Palmer. Thank you, Mr. Chairman, and I thank my Democratic colleagues for holding this hearing.

I just think that there needs to be more thought into eliminating plastics and this effort that is being undertaken to do that, especially when you consider that there is more than 50 tons of plastic in the blades of a 5-megawatt wind turbine. I just wonder how we are going to go to renewables if we are eliminating plastics, including the plastics that are used in solar panels, and those aren't recyclable. I brought this up many times in the hearing about the fact that turbine blades are being buried in enormous landfills in Wyoming. It is estimated there would be 43 million tons of blade waste, including plastics, that will be accumulated by 2050.

And if we are going to eliminate all plastics, that means we will have to eliminate the plastics that are necessary for building batteries for electric vehicles. You can't separate the cells and make them operate effectively without plastics.

So -- and I just wonder, Mr. Seaholm, if that has been taken into account by folks that are making this attempt to eliminate all plastics.

*Mr. Seaholm. Well, I guess I would say probably not in this case. And it is unfortunate, because, I mean, plastic

is an absolute miracle material. It just is.

Do we need to recycle more of it? Yes. Do we need to, you know, use less material in general? I would also say yes. So at the end of the day, I think we have a lot of shared goals. It is really the approaches to which we use to get to those goals.

But I think you highlighted a couple of important applications for plastic that goes directly towards, you know, climate priorities.

*Mr. Palmer. Well, if you replaced the plastics in turbine blades, for instance, you will have to build the blades with other materials that will make them much less efficient and much more expensive, which will just add to the cost of living for everybody. And it is particularly going to be hard on low-income families and families on fixed incomes.

And not only on the energy side, it is also going to impact on the food side. There is a Wall Street Journal article that recently highlighted the issues that they are facing in the United Kingdom in grocery stores that were trying to completely eliminate all plastics. And it was everything from food waste to shoplifting to using more expensive paper packaging. And again, these are policies that -- I am not sure people have thought about the unintended consequences of eliminating plastics.

Is that what you are seeing, as well?

*Mr. Seaholm. Yes. Typically, in all of the policies that are really meant to be punitive, whether it is towards the industry or the consumer, it results in unintended consequences. I mean, that is --

*Mr. Palmer. Yes.

*Mr. Seaholm. That is what we see, first and foremost. It is not the intention of the legislation to cause those, but that really does become the cause, and that is where we see costs increase, we see environmental impacts that weren't expected. Put it all together, and that is where, typically, bipartisan bills like two of those before us today are a much better approach.

*Mr. Palmer. Well, I think there needs to be a deep dive into what the cost would be of eliminating plastics, whether it is cost of energy, the cost of groceries. I just don't think families should have to decide between filling up their gas tank or filling up their grocery cart.

The last point that I want to make is in regard to the Supreme Court's decision ruling that the EPA doesn't have the authority to regulate greenhouse gases. I introduced legislation in 2017 to that effect that would stop the EPA's overreach in that regard. It would have brought that back to Congress, so that we are the ones who make those decisions. And so I am grateful for the Supreme Court's actions

yesterday, and it validates something that former chairman of this committee said, Congressman John Dingell, who said -- that -- who was one of the authors of the Clean Air Act, said it was never the intent of Congress for the EPA to regulate greenhouse gases. And that is just another example of where we, as Members of Congress, need to take responsibility.

Thank you, Mr. Chairman. I yield back.

*Mr. Tonko. The gentleman yields back. The chair now welcomes the representative from Virginia, the gentleman from Virginia.

Mr. McEachin, you are recognized for five minutes, please.

*Mr. McEachin. Thank you, Mr. Chairman. It cannot be disputed that plastic pollution disproportionately affects marginalized and under-represented communities, not only in my district, but across this nation. While we must find ways to reduce pollution and increase reuse, we must do so in a responsible and equitable manner.

Mr. Allaway, in your testimony you state that, during Oregon's research on recycling, you discovered that recycling "distributes burdens and benefits inequitably.'' Could you speak to those inequities?

And how does Oregon, in their program, seek to mitigate those inequities?

*Mr. Allaway. Thank you, Representative. There is a

number of different ways in which the recycling system, at least in our state, and I presume the rest of the country, distributes benefits and burdens inequitably.

In Oregon it is residents of single family homes and communities that are closer in geographic proximity to infrastructure that have better access to recycling opportunities and at lower cost. Residents of rural communities do not have as good access.

The transition from commingled collection -- excuse me, the transition to commingled collection has shifted impacts, occupational hazards and health and safety impacts, from collection workers to frontline processing facility workers, the individuals who are sorting these recyclables at these processing facilities, often times people of color. Inadequate processing and unregulated exports result in health impacts and environmental harm to vulnerable populations in Asia and elsewhere.

So our act addresses this in a variety of ways. It requires changes, including collection service improvements, special support for rural recycling, and specifically to address the challenges of transportation, a living wage requirement for processing facility workers. Our act regulates processing facilities, and requires a responsible and markets requirement, specifically with regard to where these recyclables are going, cost internalization versus

producer responsibility. It rebalances the misalignment between benefits and burdens. And our act also requires a periodic evaluation of social equity considerations throughout the state's recycling system, with a periodic report to our state legislature. Thank you.

*Mr. McEachin. Thank you for that. You know, in your testimony you also mentioned seeking out the perspectives of workers in recycling facilities and residents in rural areas, as well as residents in multi-family housing. What did you all learn from that outreach?

*Mr. Allaway. Thank you. We learned that everyone, you know, regardless of geographic location or skin color, wants the recycling system to succeed. They want to be able to recycle. They want the recycling system to operate responsibly. And they want to share equitably in the benefits and burdens of the recycling system.

*Mr. McEachin. Thank you for that.

Director -- and please forgive me if I am mispronouncing your name -- Arellano, could you elaborate on the disproportionate short and long-term health impacts of plastic pollution on fenceline and EJ communities?

*Ms. Arellano. Okay. Thank you, Representative McEachin, and all the work that you did on EJ for All.

I would like to start with the fact that we have 184 plastics plants and expansions coming our way. Like I said

earlier, in Houston we don't have zoning, and we are not the only city, but we are the largest city that has that.

So when we are talking about new plastics plants, we are talking about putting an elementary school, a daycare, a senior center, an entire community next to a plastic-producing facility. What you are saying is that our communities are disposable for an extra ketchup packet, for another straw, for another grocery bag when this bill straight-up tackles and says let's improve the recycling system, let's say no to these extra plastics that nobody even asked for. Nobody asked for 20 ketchup packets in their fast food bag. So why is it that this is even a debate?

What I am trying to get at is that environmental justice communities, not only do we have to deal with a lack of transparency, a lack of information over the chemicals that we live right next to, no evacuation plans, no alert systems, now we are being told by the Supreme Court that we can't rely on the Environmental Protection Agency to protect environmental justice communities. And we have to rely on you all here.

And so, when I am talking about all of the harms, this also includes multi-generational impacts, mutations to the human population living closest and worst harmed by plastic production.

*Mr. McEachin. Let me thank you for your work, and your

testimony, and the passion that you bring to this issue.

Mr. Chairman, I yield back.

*Mr. Tonko. The gentleman yields back. The chair now recognizes the gentleman from Utah.

Representative Curtis, you are recognized for five minutes, and welcome.

*Mr. Curtis. Thank you, Mr. Chairman, Mr. Ranking Member. Hello from Utah to everyone. Thanks to our witnesses, and the great questions we have had today.

You know, as I have listened to this hearing, there have been two themes almost shouting out at me, and I would like to address those just quickly.

The first is the obvious parallels between this debate about plastic and the energy. And let me point out some of those parallels that I think are problematic for this discussion.

The first is this concept that somehow it is okay to close our eyes and push this overseas, and prohibit it here in the United States, where we always do it better. We control emissions, safety, human rights. And this idea that somehow it is okay to ban it here, and allow it to go on overseas, I think, is a huge problem.

The second parallel is this concept of jumping ahead of solutions, banning plastics for things that are in critical use in medical applications and other applications reminds me

of the idea of closing down nuclear plants without any replacement for that energy source. And it seems to me just to be a perfect parallel in this energy debate.

Another parallel is what I call the shaming, or it is never enough. So in the energy world -- listen, I represent coal country, oil and gas country. And I have seen this shaming in its full glory. And we are trying to do the same things to this plastic industry. And the next thing that follows is demonization of the people involved in this.

And I think all of these are harmful to this discussion, and I hope we will keep these parallels in mind.

The second thing that is kind of obvious to me -- and this was kind of fun, and I am sure many of you will agree with me -- is my time as mayor really helped me see close up some of these issues. We started, as mayor, with no recycling at all in our city. We eventually moved to an opt-in, what we call blue can, which is a blue can out at the curb. That has been transferred, we moved from that to an opt-out. And it -- as we have had these conversations today about changing human behavior, it really makes me wonder if we shouldn't pull all our mayors together from cities, both Republicans and Democrats around the country. And I suspect they could give us a lot of answers on how to do this.

And along those lines -- and now I would like to direct a question to Mr. Johnson as it relates to this.

You mentioned a loss of confidence. I think David Allaway mentioned confusion. When we talk about individual consumers and trying to get them motivated and interested in recycling, tell me how much these two factors, this loss of confidence and confusion, plays into it. And what can we be doing, not just here at a Federal level, but all levels of government to change that, and get consumers more engaged?

*Mr. Johnson. Thank you, Mr. Curtis. It has been a pleasure to work with your staff on a number of these issues.

I think the first thing I -- you know, I will go back to a time when we had posters in World War II, and my mother reminds me of those, of turning in all your, you know, metal and other products for the recycling for the war effort. You know, I think of recycling as such a thing. It is a -- it is like a war effort. We want to do this. We want -- the American people want to recycle. It conserves our resource, our natural resources, for future generations. It protects our environment for everyone.

And I think making people aware that you don't just throw things away, you recycle them, and to make it easier for them to do it, and to make them more aware of the importance of recycling for the energy savings, for the environmental protection, and I think that is why Mr. McKinley's bill is a really wonderful start with that, because, especially in -- you know, if we live in certain

areas like Washington, D.C., there is a lot of recycling around, but it is not everywhere.

And I think making -- trying to get out to under-served communities, be it rural, urban, or where have you, is terribly important, and making people aware of how important it is, from all the things that I said. But people want to recycle. They don't want to live, you know, in an area, you know, with trash around them. So --

*Mr. Curtis. I am going to lose my time, and I would like to make another couple of quick points.

If you go from community to community here in Utah, you will find different rules about what can go into recycling. If I talk to my kids, they don't -- they are confused, and I think we could do a much better job.

The last one I haven't really heard us discuss today is glass, and the extreme complications from a mayor's standpoint of glass. But we are out of time, so I am just going to introduce that as problematic, and yield my time, Mr. Chairman.

*Mr. Johnson. Thank you.

[Pause.]

*Mr. Tonko. I just unmuted, so let me repeat that. We welcome the gentleman from Florida.

Representative Soto, you are recognized for five minutes, and thank you for joining us.

*Mr. Soto. Thank you, Chairman.

Climate change is real. It is human-caused, and it is leading to intensifying weather, rising seas, and more extreme heat days in Florida and in many other areas of the country.

What is our Republican colleagues' plan to combat climate change? Do nothing. What is the Supreme Court's plan to combat climate change? To do nothing. Today's Clean Air Act ruling is another roadblock in President Biden's ability to combat carbon emissions. The Supreme Court has made it clear: guns deserve more constitutional protections than women or the planet.

We in this committee must fight back, and we will fight back. We have no other choice in order for us to help save the future of our nation or end our world. At least today we see some modest bipartisan recycling reforms for the hearing, like the Recycling and Composting Accountability Act that empowers EPA to assess recycling, improve efficiency, and develop best practices for states, local governments, and tribes.

Members, regardless of which side of the aisle you are on, we can do this. Let's continue to work together on that.

And then the Recycling Infrastructure and Accessibility Act, it directs EPA to create a pilot program to award grants, between a half a million to $15 million to states,

local governments, Indian tribes, and public-private partnerships. Seventy percent is set aside for under-served communities. Also bipartisan. Last year my hometown of Kissimmee, Florida had to eliminate glass recycling, "due to the high costs associated with processing.'' These grants will be a game changer for communities like ours.

Mr. Allaway, small towns across America often have cost barriers to reach full recycling. Would the half-a-million to 15 million grants under the proposed Recycling Infrastructure and Accessibility Act help overcome these barriers? And if so, how?

*Mr. Allaway. Representative, thank you. Certainly, any improvement to infrastructure will help to improve the economics of the recycling system. But I would caution members of the committee from expecting that infrastructure improvements alone will solve the problem.

The majority of the costs of the recycling system are associated with operating costs, not capital or infrastructure. So long as transportation is required and transportation is expensive, it is going to be a challenge -- and markets are distant -- it will be a challenge, an economic challenge, to move materials to market.

*Mr. Soto. So this helps out, but there is more we have to do to invest in infrastructure, which also is dealt with in the Recycling and Composting Accountability Act. Is that

moving us in the right direction with EPA and some of these infrastructure needs, and our assessments we need to make?

*Mr. Allaway. Representative, generally speaking, yes. Improvements and investments in infrastructure are helpful. As my written testimony details, I would also propose improvements in infrastructure by themselves at their current scope are inadequate to make a meaningful and sustained improvement in the nation's recycling system. Thank you.

*Mr. Soto. Absolutely. I agree. We invested over $240 million in the recent new infrastructure law, but there is more that we have to do.

Ms. Arellano, currently out in the Pacific there is a floating garbage island that is more than double the size of your home state of Texas. It is nearly three million metric tons, and filled to the brim with plastics and other waste. I want to give my constituents at home an idea. What is the cost of inaction if we do not reform our recycling system, plastics, and recycling both to the world and to local communities like yours?

*Ms. Arellano. Aside from the irreversible health damage and costs on our communities that community members and low-resource communities of color and poor communities alike can't afford, part of it is also our municipal waste systems that are over-consumed by microfibers. And in fact, a piece of the break free study includes a microfiber study

to get at the heart of how much damage this is causing local municipalities and districts.

So what we are saying here is how about let's look at synthetic fibers, right, where states in the south, like Mississippi, have an overwhelming economy based on cotton, over 553 million in the South. Instead, we are relying on foreign companies to supply us with cheap fabric and goods.

So the multi-generational costs are everything from jobs to our health. We see an ever-increasing automation inside of ExxonMobil, implementing robots by Boston Robotics that include 75,000 for a base model; 30,000 for a camera; 25,000 for maintenance. That is 130,000 to replace an entire person, and potentially 2 positions. So to claim that this is a jobs issue is false, as we see, just like in any other industry, a move and push towards automation.

*Mr. Soto. Thank you, and I yield back.

*Mr. Tonko. The gentleman yields back. The chair now recognizes the gentleman from Texas.

Representative Crenshaw, you are now offered the five minutes for questioning, and welcome.

*Mr. Crenshaw. Thank you. Thank you to the chair and ranking member for holding this hearing.

I do think there is a lot of bipartisan desire to improve our recycling infrastructure. I think it is quite necessary.

I think there is a difference between radical environmentalism that has drastic costs, perhaps intended, perhaps unintended, and second and third-order consequences. There is a difference between that and rational environmentalism. And I think there is a lot of radical environmentalism being talked about here that would have significant costs, and stymie advances in recycling, disrupt supply chains, and halt refinery productions.

And I think these bills are even too radical for the current EPA. And that is saying a lot, because the current EPA is using their regulatory agenda against the oil and gas industry, the agricultural industry, the medical industry, you name it. The EPA is making -- taking action to make it harder. But even this EPA Administrator Regan admonished the Clean Future Act when he was here at our committee last year, and even just a few months ago, said that he was not considering any bans on new plastic production. And I have to wonder if that is why the EPA declined to testify at this hearing.

A couple of concerns I have -- and I will direct this question to Mr. Seaholm. Both the Break Free from Plastic and the Clean Future Act require the EPA to institute a pause on all new and renewed plastic permits and all new or renewed plastic feedstock permits, such as ethylene and propylene. So those two products are actually byproducts of the main

refined product, which is gasoline, diesel, or jet fuel. So refinery operations are created, of course, around what their main product is, maybe gasoline, but also the byproduct, which in this case is often used and sold as plastic feedstock.

So if you are shutting down the byproduct, you are, in effect, shutting down the refinery operation. Are we reading that correctly? Is that a plausible outcome or unintended outcome of this, at a time when we need our refineries the most? Look at gas prices.

*Mr. Seaholm. Yes, I think there are two ways to look at that. One is simply the value of the byproduct is part of the economics that make those facilities work. So simply taking that away certainly changes the dynamics of just the viability of the facility itself.

In addition, there could be a situation where you have collocation, where you have got plastics manufacturing facilities collocated with refining operations, and you could find yourself in a spot where the operating permit could be denied based on the language in these bills.

*Mr. Crenshaw. And a re-permitting, too. People forget the refiners have to re-permit every five years. So the counter-argument that, oh, well, I mean, current refiners will be fine, that is just not true, because they have to re-permit.

We also heard earlier -- and maybe I heard it wrong, but a colleague on the other side asked one of the witnesses if the EPA could distinguish between the plastics they like and they don't like during these bans, you know, a single use bottle versus a medical device. But how would that actually work?

Because if you are banning plastic production and the feedstock for that production, how can any EPA regulator actually predict where that plastic feedstock pellet might be sent for manufacturing? Is that really reasonable?

*Mr. Seaholm. It is not. If you simply say "plastic,'' it means all polymers that are defined in the bill. So there really wouldn't be an ability to differentiate at that point. I think other parts of the bill could allow for some differentiation, but certainly not on the production side.

*Mr. Crenshaw. Okay, I appreciate that. Again, second and third-order consequences that I don't think these bills take into account.

Last I want to go to Director Arellano.

You cited a lot of chemicals, perhaps dangerous. One of them was 1, 3-Butadiene, which is rubber for tires, and something that we produce in the -- near the Houston Ship Channel. You cited a study, though, that I want to clarify, because you said that this particular chemical, 1, 3-Butadiene, is associated with risk of cancer in children.

However, the study that you provided us actually says the opposite. It says there is no statistically significant link between 1, 3-Butadiene and childhood cancer.

Now, there is a Benzyne, which has long been established by many studies and the CDC. But the CDC pinpoints that to secondhand smoke as really the cause of childhood cancer. So is there a different study that you want to submit for the record to clarify this?

*Ms. Arellano. Yes, there is actually two studies. So the UT study and Coker in the Houston Chronicle said that there are three industries: plastic, synthetic rubber, and one other chemical that needs 1, 3-Butadiene. But the primary use of 1, 3-Butadiene is plastic.

So yes. And then there is an East Harris County cancer study where part of your district, Representative Crenshaw, is actually listed as having elevated levels of childhood leukemia -- not only childhood leukemia, but cervical cancer. So I can definitely submit those studies.

*Mr. Crenshaw. Right. But the question, of course, is does that study -- it is a pretty big question, it is -- because it is a serious accusation. You say this particular type of production causes cancer. You have got to really be able to back that up. And the one study you did submit said the opposite. That is why I am asking.

So please -- I am out of time, but please do submit the

other studies for our consideration. Those are important to know. And I appreciate it.

*Mr. Tonko. The gentleman yields back. The chair now recognizes -- well, I believe that completes all of the members of the subcommittee. And so now we are going to go to those who chose to waive on. We are happy to have waiving on a active member of the committee, Representative Fletcher.

The gentlelady from Texas is recognized for five minutes, and welcome.

*Mrs. Fletcher. Thank you, Chairman Tonko. Thank you so much for holding this hearing today, and for allowing me to participate in your subcommittee's hearing.

Thank you to all of the witnesses for your testimony today. I am really glad to hear from all of you about the issues before us, including my fellow Houstonian, Director Arellano. I am really grateful for all of your perspectives. And, of course, with five minutes, I just have a couple of things that I want to follow up on that we have heard a little bit about already today.

But I asked to waive on and I am here today because I am a longtime proponent for recycling, and I am interested in and appreciate the discussion of the challenges that we face in our country on these issues right now. And like many of my colleagues have noted, I am really disappointed about how much of our waste is not recycled, including items that we

think we are recycling, but we are learning instead are going to landfills, or winding up in the ocean when people, as several witnesses have noted, want to participate, want to recycle.

And so, you know, it is my view that we really need to invest in our recycling infrastructure, as well as find new and innovative ways of reducing and recycling our waste in this country.

Now, last November, the EPA published its National Recycling Strategy report, and it stated that all options, including chemical recycling, should be discussed when considering methods for sustainably managing materials. And I know that there are a lot of thoughts about the merits of chemical or advanced recycling. We have heard some of those perspectives today in the testimony.

But I do want to focus a little bit on how chemical recycling might play a role in recycling certain products, certain materials that currently have no substitutions, like plastics that are used in health care that often get thrown away because of contamination issues. And this is especially important, because we saw during COVID the uptick in single use plastic like masks and gloves and PPE, and it doesn't look like that is changing any time soon.

A global analysis by the World Health Organization found that, between March 2020 and November 2021, approximately

87,000 tons of PPE was sent to countries as part of the COVID-19 response, and is expected to have ended up as waste. And additionally, more than 8 billion vaccine doses have been given worldwide, producing 114,000 tons of waste.

So Mr. Seaholm, in your testimony you discussed that Congress should encourage the development of new recycling technologies -- it is another theme we have heard today -- for materials that can't be recovered through traditional means. Do you think that chemical recycling could help address the immense amount of medical waste that is being produced?

*Mr. Seaholm. Yes, I think the -- one of the best things about advanced recycling, chemical recycling, molecular recycling, however you want to phrase it, is a purification process. Because it is breaking the polymer back down to the monomer, through that process you have to get rid of impurities in order to re-polymerize that molecule.

So in that process, that purity that you get from the end product of it, is ultimately much more safer than perhaps some of the other mechanical processes that can't get to that same level of purity.

*Mrs. Fletcher. Thank you. I also want to follow up with the time I have with Mr. Allaway.

You raised in your testimony and Representative Curtis

also asked about, I think, an issue that is really important, which is the public confusion around recycling. And, you know, as many have noted, there is a great deal of confusion, but there is also widespread support for recycling. And so could you talk a little bit about what we in the Congress can do to simplify the recycling process for consumers, and whether it would be beneficial to have a national recycling framework?

You know, we have kind of talked about the fact that so much of this is local, and there are benefits. People have more access and less access, depending on where they live. So would it be beneficial to have some kind of national framework to address those issues?

Is that something that we should be talking about, or are there ideas beyond the bills that we are discussing today that you think we should be looking at in Congress to kind of address that consumer confusion?

*Mr. Allaway. Thank you, Representative. While it is true that people are confused because they might live in one community and work in a different community and are subject to different recycling standards in those communities, I believe that a much larger source of confusion involves labeling of products.

Within the Portland metropolitan area and the 26 local governments there who offer a uniform recycling service

across all 26 cities, 90 percent of residents here believe they can recycle materials which that program does not accept, and that is in spite of millions of dollars spent trying to educate them. While local government education might touch a resident a couple of times a month, residents and households have hundreds of interactions with product labels every week, and many labels make claims of recyclability, which are inconsistent with the local programs. Thirty-six states require manufacturers to put labels on plastic packaging for materials that are not recyclable, but they are required to put the recycling logo, and that is a major source of confusion, I believe.

*Mrs. Fletcher. Well, thank you for that. That is really helpful.

And Chairman Tonko, I see I have gone over my time, so I want to thank you for letting me waive on. If any of the other witnesses have additional insights there that they could share with us, perhaps in writing, I would appreciate that.

And I also appreciate the testimony from Ms. Erwin about bringing everyone to the table. I think that is what you have done in this hearing today. I appreciate that, and I look forward to working with all of you on developing these solutions, and addressing the very real concerns that all of our witnesses have addressed together.

Thank you so much, and I yield back.

*Mr. Tonko. You are most welcome. And we thank you for joining us, and the gentlelady yields back. And now we move to the gentleman from Ohio who has also been waived on for today's subcommittee hearing.

And Dr. Joyce, we welcome you and recognize you for five minutes for questions, please.

*Dr. Joyce. First I want to thank you, Chairman Tonko and Ranking Member McKinley, for allowing me to waive on to this subcommittee hearing. And thanks to the witnesses for appearing today.

Let me be clear. Recycling is important, and we should strive to make these efforts as effective and efficient as possible at the state and local levels. That said, I have grave concerns about the economic costs of several of these bills. At a time when Americans are facing skyrocketing energy prices, we [inaudible] ways to provide relief to our constituents. [Inaudible] creating policies like extended producer liability will only add costs that will get passed down to the consumers.

[Inaudible] that has come from the shale revolution in Pennsylvania are the auxiliary industries that have risen because of it. Plastics manufacturing is a great example of how utilizing the resources beneath the [inaudible] has brought manufacturing opportunities back to the state of

Pennsylvania.

Shell's Pennsylvania Petrochemicals complex is the model for the type of long-term development that is propelling our region's economic growth. It has brought 7,500 construction jobs and 600 permanent family-sustaining jobs to the area. As we have learned from the pandemic and continued disruption of the global supply chain, it is [inaudible] to have domestic manufacturing for goods that are vital to our nation.

As a doctor, I have personally used plastic devices every day in my medical practice. Not only are they used in common medical tools like surgical gloves, syringes, and IV tubing, but they have replaced metals and ceramics in devices such as artificial hips and heart valves. Medical instruments made from bacterial resistant propylene are used to prevent life-threatening infections in hospitals. Much of our modern medical system is heavily dependent on the benefits the plastics have provided to my patients and to consumers.

My first question is for Mr. Seaholm.

Mr. Seaholm, medical innovation is always on the forefront of my mind, and currently the United States leads the world in this sector. This is so important during this pandemic. By attacking the plastic industry, do we [inaudible] that we have created by developing new and

dynamic medical devices?

*Mr. Seaholm. Yes, it is certainly possible. Any time that the supply chains get moved elsewhere, it is likely that the products that use those supplies are going to be manufactured elsewhere, and ultimately just shipped here.

And I think, you know, as I mentioned earlier, there is a bipartisan, you know, effort underway to bring back manufacturing supply chains. And I think the Pennsylvania Shell facility is a perfect example of a manufacturing capacity that is right in your backyard.

*Dr. Joyce. My next question is for Mr. Johnson.

Mr. Johnson, several years ago a senior official from the Environmental Protection Agency testified that mandating [inaudible] rates is a tricky proposition because it is tied to the state of the economy of people and economic wills, and the ability of individuals to part with their goods. Does support mandatory Federal recycling rates -- does IRSI support mandatory Federal recycling rates, and why?

*Mr. Johnson. Thank you, Mr. Joyce. No, ISRI does not support a Federal mandate. We believe in voluntary ways to achieve that.

And one of the -- I think one of the reasons why he said it was kind of tricky is that, as you look at paper, some of the mandates are, you know, at -- we were originally at 30 percent, while it -- currently today the paper recycling is

at -- has about a 95 percent. It is a much higher content, and it is largely driven because they want that material back into their mills. Steel, on the -- as well. Seventy percent of American steel comes from completely recycled material, and is probably going to increase as we go on.

So, you know, the -- I am not sure how you can a -- you know, with 70 -- when I mean 70 percent, it has -- the 70 percent has 100 percent recycled material. So I don't know how you -- much higher you can get than 100 percent. So, you know, as you look at the private sector, as they look to reduce costs and to make themselves more energy efficient, and to build in the circular economy, they are going to drive those rates as high as they can technically get.

But giving a -- just for -- and no disrespect -- if you threw out a number of, say, "I want you to be at 60 percent by 2025,'' it may not be technically possible. On the other hand, I may have already exceeded 65 percent. So each one of the materials is very different from the other, so it is tricky to do. And you also sometimes disincentivize innovation.

*Dr. Joyce. And that is the concern, the disincentivization of what American ingenuity brings to the table.

I see my time has expired. Thank you again, Chairman Tonko and Ranking Member McKinley, for allowing me to waive

on to this important subcommittee hearing, and I yield.

*Mr. Tonko. The gentleman yields back, and you are most welcome. It was our pleasure to have both of our colleagues waive on today.

I believe that concludes the list of individuals, our colleagues who wanted to ask questions of our witnesses. I thank you all for joining us for today's hearing.

However, before we conclude business, there have been several documents that have been presented during the course of the hearing, and they have been asked to be entered into the record. So I will move to offer a request for unanimous consent to enter the following documents into the record.

We have a statement from Representative Alan Lowenthal of California; a letter from the Can Manufacturers Institute; a letter from the National Waste and Recycling Association; a letter from the American Cleaning Institute; a statement from the American Forest and Paper Association; an article from the Alliance of Mission Based Recyclers entitled, "Chemical Recycling Will Not Save Our Plastics Problem'‘; a report from the Alliance of Mission Based Recyclers entitled, "The False Promise of Plastics to Fuel Technologies: Guidance for Legislators, Investors, and Municipalities'‘; a letter from the American Institute for Packaging and the Environment; an issue brief from the Natural Resources Defense Council; a fact sheet from Oceana entitled, "Choked, Strangled, Drowned:

The Plastics Crisis Unfolding in our Oceans'‘; a fact sheet from Oceana entitled, "Companies are Wasting Time With Inadequate Solutions to the Plastics Crisis'‘; a statement from Representative Joseph Neguse of Colorado; a letter from the Consumer Brands Association; a report from the Global Alliance for Incinerator Alternatives entitled, "All Talk and No Recycling: an Investigation of the U.S. Chemical Recycling Industry'‘; a report from the International Pollutants Elimination Network and the International Pellet Watch entitled, "Plastic Waste Management Hazards: Waste to Energy, Chemical Recycling, and Plastic Fuels'‘; a letter from AMP Robotics; a letter from U.S. PERC and Environment America; a letter from Novellus; a memorandum from Oceana regarding a nationwide poll; a letter from Recycle Across America and the International Waste Platform; a fact sheet from Oceana entitled, "Plastic is a Growing Threat to Our Future'‘; a statement from the Paper Recycling Coalition; an advocacy brief from the Global Alliance for Incinerator Alternatives entitled, "Plastics'‘ -- "Plastic to Fuel a Losing Proposition'‘; a letter from the U.S. Composting Council; a letter from the Sustainable Food Policy Alliance; a letter from the Solid Waste Association of North America; a letter from the Aluminum Association in support of H.R. 8059; a letter from the Aluminum Association in support of H.R. 8183; a letter from Tetra Pak; a letter from the RealReal; a

statement from the Recycling Partnership; a letter from Cramston Wrather; a letter from Plant Based Products Council; a letter from the Recycling Partnership; a statement from EPA; a letter from Ball Corporation; a letter from the American Chemistry Council; a fact sheet from the American Chemistry Council entitled, "New Investments in Advanced Recycling in the U.S.'`; a fact sheet from the American Chemistry Council entitled, "The Break Free Act:  a Step Backward for Climate Change'`; a fact sheet from the American Chemistry Council entitled, "Break Free Act'` -- "The Break Free Act would cripple U.S. Manufacturing, Jobs, Resilience'`; an article from Chemical and Engineering News entitled, "Chemical Recycling of Plastic Gets a Boost in 18 U.S. States, but Environmentalists Question Whether it Really is Recycling'`; a policy brief from the Government Accountability Office entitled, "Science and Tech Spotlight Advanced Plastic Recycling'`; a report from McKinsey and Company entitled, "Advanced Recycling Opportunities for Growth'`; a report from the National Waste and Recycling Association entitled, "Extended Producer Responsibility for Packaging'`; a presentation from Resource Cycling Systems entitled, "Economic Impact of Beverage Container Deposits on Municipal Recycling Processing Costs'`; an article from S&P Global entitled, "ExxonMobil, Lyondell Collaborate to Make Houston a Recycling Circularity Hub'`; a Wall Street Journal

article entitled, "Russian Gas Cuts Threaten World's Largest Chemicals Hub'‘; and a letter from American Fuel and Petrochemical Manufacturers.

Without objection, so ordered.

[The information follows:]

**********COMMITTEE INSERT**********

*Mr. Tonko. And with that, again, I thank our witnesses for joining us for today's hearing.

I remind members that, pursuant to committee rules, they have 10 business days by which to submit additional questions for the record to be answered by our witnesses. I ask that, if our witnesses would please, respond promptly to any such questions that you may receive.

And at this time, the subcommittee is adjourned.

[Whereupon, at 1:58 p.m., the subcommittee was adjourned.]