



November 12, 2019

Chairman Jared Huffman
United States Congress
1527 Longworth House Office Building
Washington, DC 20515

Ranking Member Tom McClintock
United States Congress
2312 Rayburn House Office Building
Washington, DC 20515

RE: Written Testimony for October 29, 2019 Hearing from Kathleen Pitre, Chief Sustainability Officer at Ball Corporation

Chairman Huffman, Ranking Member McClintock, and members of the Committee:

I write on behalf of Ball Corporation, the world's largest aluminum beverage and aerosol can maker, to provide testimony for your October 29, 2019 hearing, *"A Sea of Problems: Impacts of Plastic Pollution on Oceans and Wildlife."*

Founded in 1880, Ball Corporation is the leading manufacturer of innovative sustainable packaging solutions to customers around the globe. In addition to our packaging solutions business, Ball also provides sensors and satellites to the federal government through our subsidiary Ball Aerospace. We employ 18,300 people in 90 manufacturing locations with operations in North and Central America, South America, Europe, Asia, the Middle East and Africa.

Sustainability is one of our top priorities at Ball and is supported by global policies, quantitative targets, and tools for performance monitoring. We strive to put the right people, processes and partners in place to help us create long-term shared value for our company and our stakeholders.

Ball is very concerned about the increasing amount of plastic that pollutes our waterways and oceans and believe fundamental change is required. If we want to mitigate, and even reverse, the plastic pollution crisis, government as well as business need to take action.

Sustainable Packaging

Packaging is critical to delivering consumer products safely, conveniently and in good condition, and it preserves and protects beverage, aerosol, and other products as they move through supply chains.

Relative to glass, plastic and other substrates, aluminum cans exemplify a circular economy. They are infinitely recyclable, easily collected and sorted, and are by far the package with the highest economic value in the recycling stream. Currently, the US recycles 50% of its aluminum cans, Europe recycles 75% and Brazil recycles 97%, given the right policy, aluminum is capable of getting close to a 100% recycling rate in the U.S, too.

By contrast, plastic is the least recycled substrate with only an estimated 5% of plastics being effectively recycled around the world, while 40% are deposited in landfills and another third end up in ecosystems such as our world's oceans and rivers. It is estimated that 8 million tons of plastic leaks into the ocean every year. This is the equivalent of dumping the contents of one garbage truck into the ocean every minute, and it's only getting worse. If nothing changes, the rate of pollution is expected to increase at the equivalent of two garbage truck's worth per minute by 2030 and four per minute by 2050. By then, there could be more plastic in the ocean than fish.¹

Government Response

The "take, make, waste" paradigm has created products that are extremely cheap to produce yet very expensive to be recycled. For many products, technical capabilities are insufficient to fully close the material loop and significant losses persist in material quality and quantity from established recycling processes. Simply put, these materials cannot be kept in the material loop; they are hard to recycle adequately and will eventually become trash. It is just cheaper to continue using the primary materials instead of recycled ones.

Since these products do not reflect the true cost of the environmental degradation they cause, both consumers and manufacturers have no incentive to change their habits, further exacerbating the plastic crisis. Communities everywhere are struggling to take in the sheer amount of plastic waste that enters the waste stream, and now that countries like China no longer accept our trash, this waste is increasingly landfilled or, worse yet, finds its way into our oceans and waterways. We need proactive government leaders to step in and instigate change.

In the absence of federal legislation, states across the nation have taken the initiative and begun to introduce measures to mitigate the growing environmental and human health crisis. These bills offer a range of solutions to plastic pollution, including recycling content minimums, extended producer responsibility programs, taxes, and even outright bans. While some of these might not be politically feasible at the federal level now, Congress has the responsibility to, at the very least, provide these states with the guidance, expertise and resources necessary to inform sensible policy.

Possible Solutions

A circular economy strives to create favorable conditions for economically viable recycling, rather than developing lowest cost products that are not recycled and require expensive recycling technologies to

¹ Ball Sustainability Report, p. 5

be recovered. Instead of trying to develop end-of-the-pipe solutions, businesses must invest in creating truly circular products with the end goal of preventing waste in the first place.

While there are a variety of policy tools Congress could use catalyze change, we believe there are three areas where legislators can start:

- **Define Recyclability:** Currently, there is no single yardstick for measuring “recycling” and, as a result, businesses have inappropriately twisted this word to give the façade that their products are recyclable. Recyclability claims suggest that it is a great achievement when a product is recyclable. The truth is that recyclability is only an achievement when a product can be consistently and infinitely recycled, and the material can be kept in the loop without loss in material quality. Congress should clearly define “recycling” so that it reflects the goals of circularity rather than another marketing ploy.
- **Promote Smart Packaging Design:** Many products today are made of multiple materials and consist of different pieces that vastly complicate sorting and processing. Congress should incentivize industry and business to use homogenous products - those made of only one material or designed for easy disassembly - that do not require complex processing in order to be reused or recycled.
- **Offer Technical Assistance:** As states like California, Massachusetts, Washington and many others begin considering legislation regarding plastic, the federal government and its agencies, at the very least, should act as a resource for technical assistance. Many of these bills propose sweeping changes to the states’ waste management industries specifically, and to the economy more broadly. The federal government should be a resource for every state, no matter their policy preferences.

Establishing the right policy is a key component to achieve a truly circular economy. Opening an honest discussion about how we design and recycle packaging materials is the place to start. We cannot recycle our way out of this problem. Rather, we need to develop packaging solutions with circularity in mind from the beginning. This is the only way we will begin to stem the tide of plastic in our oceans.

We commend you for scheduling this hearing and thank you for your work on this important national matter.