



Honorable David Bennett
Chair, House Environment and Natural Resources Committee
Rhode Island General Assembly
82 Smith Street
Providence, RI 02903

RE: Oppose RI HB 7357- High Heat Waste Facility Act

February 29, 2024

Dear Chair Bennett and Members of the House Environment and Natural Resources Committee,

The American Chemistry Council (ACC) is a national trade association representing chemicals and plastics manufacturers in the United States, including member companies in Rhode Island. Our members are committed to the safety of their products and to the protection of the public health.

Chemistry provides significant economic benefits in every state including Rhode Island. Thanks to chemistry, our lives are healthier, safer, and more productive than before. Use of plastic products can also help fight climate change and support achievement of sustainability goals.

ACC supports Rhode Island legislators' efforts to protect its communities, environment, and natural resources; however, we respectfully oppose HB 7357 for the following reasons:

This bill includes several broad definitions that would jeopardize Rhode Island's ability to use new advanced recycling technologies that help us recycle and recover more types of post-use plastics.

RI HB 7357 broadly defines facilities using technologies including pyrolysis and gasification and links these technologies to the destruction of waste materials. **Advanced recycling processes that remanufacture post-use plastics back into useful products should remain distinct from other processes that dispose of waste.**

This legislation is contrary to other states that have passed legislation to properly classify advanced recycling facilities as manufacturing operations.

Advanced recycling legislation has passed in **24 states** that include bipartisan legislation that moved forward in Kansas, Michigan, Pennsylvania, and Virginia.

Democratic Governors Laura Kelly (Kansas); J. B. Pritzker (Illinois); Ralph Northam (Virginia); John Bel Edwards (Louisiana); Andy Beshear (Kentucky); and Gretchen Whitmer (Michigan) signed legislation classifying advanced recycling as manufacturing. These states recognize the ways that advanced recycling can contribute significantly to a circular economy wherein plastics are repurposed rather than disposed.

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Advanced recycling enables our ability to remake many “hard-to-recycle” plastics which cannot be recycled through mechanical recycling operations. Advanced recycling helps us decrease plastic waste by taking products that currently do not have strong end markets (e.g. films, pouches, tubes) to be converted back into their basic chemical building blocks.

It supports continued progress toward zero waste and sustainability goals for communities and states. And it enables us to turn more plastics into a wide variety of new products—including highly regulated applications such as food-grade packaging— instead of landfilling them.

Advanced recycling is NOT incineration. Advanced recycling converts post-use plastics into their original building blocks, specialty polymers, feedstocks for new plastics, waxes and other valuable products. This process takes place in the absence of oxygen or very little oxygen. Combustion requires oxygen. Incineration is the combustion or destroying of unsorted municipal solid waste.

Advanced recycling facilities are subject to the federal, state and local regulatory authorities.

Section 23-19.19, the “Findings” section of the bill suggests that the justification for the legislation is concern about the negative impact of emissions. Notably, a [recent report](#) found that averaged-sized advanced recycling facilities have air emissions that typically are on par or lower than common industrial facilities such as food manufacturing and community institutions such as hospitals and universities.

These technologies are not expected to produce dioxins and are strictly regulated and monitored by federal, state, and often even local air emissions authorities. Advanced recycling facilities are subject to the Clean Air Act, the Clean Water Act, and state and local authorities. They also need to obtain operating permits from applicable states and continue to monitor and report various air emissions as they operate. AR facilities would also be subject to potential fines and closure for operational and product safety violations. State environmental officials have the tools they need to properly regulate the facilities.

Advanced recycling allows us to reuse materials that otherwise would go to waste and can also help reduce CO2 emissions during the production process.

Diverting residential and commercial plastics from Rhode Island’s landfill is estimated to displace the need for 68,000 tons of plastics made from virgin natural sources such as oil and natural gas.

A [2022 report](#) by the City College of New York’s Grove School of Engineering found significant environmental benefits of advanced recycling:

- Advanced recycling technologies produce plastic and chemical products with reduced global warming potential compared to products made from virgin resources, and
- Advanced recycling can reduce fossil energy use by up to 97 percent compared to landfilling.

Another [2022 study](#) by the Consumer Goods Forum shows that pyrolysis and related chemical recycling technologies yield lower CO₂ equivalent emissions compared to primary virgin naphtha production in most scenarios.

This legislation would close Rhode Island to the economic opportunities of advanced recycling.

A [2019 report](#) by the Closed Loop Partners, a N.Y.-based investment firm, estimated that there is a \$120 billion-dollar economic opportunity in North America directly connected to the commercialization of advanced recycling technologies.

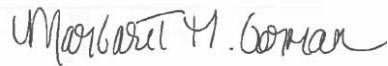
Additionally, since 2017, more than 40 U.S. based advanced recycling projects have been announced, totaling over \$7 billion in announced investments. Once operating at commercial capacity, these projects have the potential to divert over 7 million metric tons (~16 billion pounds) of waste from landfills and the environment.



These new investments have the potential to serve new markets in the coming months and years. If Rhode Island became a hub for advanced recycling technologies and converted just 50% of the currently landfilled plastic feedstock in the State, it could generate nearly \$70 million in economic output each year and create up to 270 manufacturing jobs, according to estimates. The limiting definition in HB 7357 therefore would limit Rhode Island from benefitting from these investments and economic development opportunities.

Thank you for this opportunity to provide comments on HB 7357. If you have questions, please contact me at Margaret_Gorman@americanchemistry.com.

Sincerely,



Margaret M. Gorman
Senior Director, Northeast Region
American Chemistry Council

