



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

RE: Oppose RI H 5166- High Heat Waste Facility Act

March 12, 2025

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 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 5166 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 more post-use plastics.

RI HB5166 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 **25 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.

Incineration *combusts* waste and produces primarily ash and heat. Combustion requires fuel, heat up to 2700°F, and oxygen. On the other hand, advanced recycling heats plastics to a temperature up to 750°F in the absence of oxygen.

At 750°F, plastics not only melt but are broken down at the molecular level. The resulting vapors are cooled into a circular liquid in a closed system that can be made into new virgin-equivalent plastics. Plastic can repeat this process again and again.

There are two key differences between advanced recycling and incineration:

1. *Incineration requires high heat and oxygen.* Incineration occurs up to 2700°F and must include oxygen. Whereas advanced recycling occurs with little to no oxygen in temperatures up to 750°F.
2. *Incineration primarily produces ash and heat.* However, advanced recycling produces feedstock to create a new virgin-equivalent plastic and other products.

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.

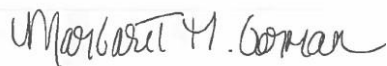
A [2019 report](#) by the Closed Loop Partners, a N.Y.-based investment firm, estimated that there is a \$120 billion-dollar economic opportunity in North America directly connected to the commercialization of advanced recycling technologies.

In just the past three years, more than \$5 billion in private sector investments including advanced recycling has been announced to help modernize the U.S. recycling infrastructure and expand the types of volumes of plastics that can be reused or incorporated into a circular economy.

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 5166 therefore would limit Rhode Island from benefitting from these investments and economic development opportunities.

Thank you for this opportunity to provide comments on HB 5166. If you have questions, please contact me at Margaret_Gorman@americanchemistry.com.

Sincerely,



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

