



BENNINGTON COLLEGE

May 12, 2025

MEMORANDUM OF OPPOSITION

Senate Bill 6205 (Representative Bennett)

Dear Chair Bennett and the Honorable members of the committee:

Beyond Plastics is working in states across the country to establish strong plastic packaging reduction and recycling programs, also known as extended producer responsibility (EPR), a policy tool making producers legally and financially responsible for mitigating the environmental impacts of their products and packaging. As national experts on this policy, we have established a [set of ten criteria essential for effective EPR bills](#). Unfortunately, this bill fails to meet several of these criteria, therefore **Beyond Plastics strongly opposes H.6205 and we urge you to oppose its passage.**

Chemical, fossil fuel, plastics and packaging companies once opposed all efforts to adopt packaging reduction and recycling programs, but it now finds it difficult to hold that position when an overwhelming majority of Rhode Islanders say that they are [concerned with plastic pollution in our communities, waters, and coastlines and that our recycling system is not working](#). Now, the packaging industry is pushing states to adopt weak EPR bills that allow them to appear supportive of EPR goals while at the same time opposing the strong packaging waste reduction, reuse, and recycling requirements that make it effective. This is one such bill that contains many flaws, including:

It does not actually mandate waste reduction.

The bill does not require any packaging to be actually reduced and it does not include requirements or incentives for reuse/refill systems in the statutory language. Strong EPR bills set packaging reduction, recycling, and reuse/refill requirements and milestones in the statutory language as well as a process to incentivize packaging innovation and reduction through an eco-modulated fee structure for producers..

It puts companies that sell packaged products firmly in charge of regulating themselves.

Instead of establishing strong packaging reduction and recycling standards, H.6205 allows the packaging companies to set their own performance targets and milestones in the program implementation plan. This is a massive loophole that effectively gives the plastic packaging industry regulatory control over itself.

It does not prohibit chemical recycling.

While H.6205 excludes fuel and energy generation from being considered recycling in the law, it does not prohibit other chemical, or “advanced,” recycling processes. This is a giant, intentional loophole that could allow for future chemical recycling to count as real recycling, which it is not.

It does not protect human health because it fails to eliminate the most toxic substances from packaging.

Many substances found in plastic packaging such as PFAS, heavy metals, halogenated flame retardants, and bisphenols are toxic and are linked to health problems like endocrine disruption, heart disease, infertility, and cancer. Strong bills prohibit many of these substances from being used, whether intentionally or incidentally, in covered materials. S.0969 does not contain one single provision designed to protect human health from the risks associated with plastic packaging.

It does not require universal access to recycling services.

H.6205 requires producers to ensure collection and recycling services are available to all single and multifamily residences, but makes no such requirement for commercial buildings. Commercial waste comprises up to 50% of the waste stream in some communities, and despite Rhode Island having a mandate for commercial recycling, it is rarely enforced, this means a huge amount of single-use packaging will continue to end up in landfills or the environment.

It exempts many businesses from having to participate in the program and therefore deprives local governments of much needed funds.

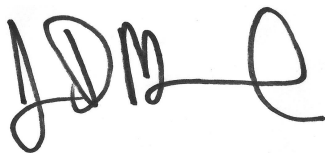
Other states' EPR laws contain modest exemptions so that smaller businesses are not required to join the producer responsibility organization — generally, those that generate 1 ton of covered material introduced annually in the state OR less make than \$2 million in global gross annual revenue. In H.6205, that financial exemption is much larger: \$5 million or less in gross revenue.

It relies heavily on composting of bioplastics.

There are no federal guidelines for bioplastics and no statutory definitions for “compostable” and “biodegradable.” Bioplastics often are made using the same process and contain similar toxic substances as those in fossil fuel-derived plastics. They can only be composted in some (but not all) commercial composting facilities, and many facilities do not accept bioplastics due to concerns about chemical contamination. Critically, they typically do not decompose like compostable organic material in the environment but instead break up into microplastics. Finally, most bioplastics cannot be recycled and can contaminate recycling loads.

If Rhode Island truly wants to address the waste management, plastic pollution, and public health problems presented by the deluge of plastic packaging we face in our state, the only policy solution is a strong plastic packaging and recycling bill that comprehensively addresses these issues and holds the packaging industry accountable for their products. This bill contains numerous flaws and will not allow us to meet either of these goals. Therefore, we oppose and urge you to do the same.

Best,

A handwritten signature in black ink, appearing to read 'JDB', followed by a long horizontal flourish.

Johnathan Berard
Policy Director, Beyond Plastics