
Sent via email to: HouseEnvironmentandNaturalResources@rilegislature.gov

May 13, 2025

To: Representative David Bennett, Chair, House Committee on Environment & Natural Resources

Re: Save The Bay SUPPORT for **House Bill 6207** – Extended Producer Responsibility for Packaging and Paper Act (including a bottle deposit program), and **House Bill 6206**

Save The Bay strongly supports House Bill 6207, which would establish an “extended producer responsibility” (EPR) program for packaging and printed paper, and create a Deposit Return System (DRS, also known as a ‘bottle bill’) for beverage containers. This legislation reflects the recommendations of the *Special Joint Legislative Commissions to Study and Provide Recommendations to Protect our Environment and Natural Resources from Plastic Bottle Waste* which worked for eighteen months to examine the problems of bottle litter, waste and recycling as well as possible policy solutions. This legislation, if passed, would significantly reduce beverage container litter in Rhode Island’s environment, dramatically improve our recycling system and extend the life of our only remaining landfill in the state.

The Problem

Litter and marine debris are persistent and growing problems for Narragansett Bay, the watershed and Rhode Island’s environment, with single-use beverage containers among the most frequently collected items during shoreline and neighborhood cleanups. Walk along any neighborhood street or along any stretch of our coastline and it won’t take you long to find a discarded beverage container. According to the nonprofit Keep America Beautiful’s 2020 National Litter Study, there was roughly 50 million pieces of litter along U.S. roadways and waterways at the time of the study, an average of 152 pieces of litter for every U.S. resident. While the amount of litter along roadways decreased from their 2009 study, the amount of litter along U.S. waterways did not.

In Rhode Island, beverage containers (and beverage container pieces) are, as a category, the most collected items during the annual International Coastal Cleanup (ICC) event. During the 2023 ICC event in Rhode Island, volunteers removed 9,508 plastic bottle caps, 8,193 plastic bottles, 5,497

ALL TRASH ITEMS COLLECTED

Plastic/Foam Pieces	23,468	17.66%
Cigarette Butts	21,165	15.92%
Food Wrappers (candy, chips, etc.)	10,205	7.68%
Bottle Caps (plastic)	9,508	7.15%
Beverage Bottles (plastic)	8,193	6.16%
Other Plastic Waste	6,738	5.07%
Beverage Bottles (glass)	5,497	4.14%
Straws, Stirrers (plastic)	4,937	3.71%
Other Waste (metal, paper, etc.)	4,846	3.65%
Beverage Cans	4,489	3.38%
Other Bags (plastic)	3,872	2.91%
Bottle Caps (metal)	2,898	2.18%
Fishing Lines, Nets, Traps, Rope, etc.	2,830	2.13%
Cups, Plates (plastic)	2,254	1.70%
Lids (plastic)	2,107	1.59%
Grocery Bags (plastic)	2,002	1.51%

Data from the 2023 International Coastal Cleanup event in Rhode Island

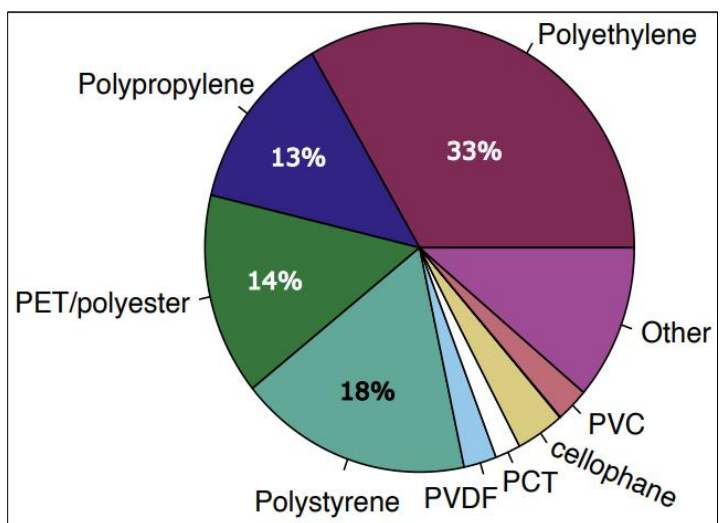
glass bottles and 4,489 beverage cans from our shoreline. These numbers, which are consistent year after year, represent just a snapshot of the broader problem, and only reflect what was *collected*, and not what floated into the Bay or what was ingested by wildlife.

Single-serving alcohol containers – also known as “nips” – are especially problematic due to their small size. Keep America Beautiful found a staggering **1,400% increase in the number of nips** collected between their National Litter Studies in 2009 and 2020. While Save The Bay’s shoreline cleanup data does not distinguish between alcoholic beverage containers and non-alcoholic beverages, national data shows that there is twice as much litter from alcoholic beverages than non-alcoholic

beverages. In 2023, volunteers from Save The Bay and Friends of the Saugatucket collected over 85,000 “nips” from the environment in just 90 days.

Plastic beverage containers are especially problematic in the environment. According to KAB’s 2020 National Litter Survey, the proportion of all litter made from plastic increased from 2009 to 2020. In addition to the above-noted increase in plastic “nip” bottles, there has also been an increase in plastic water bottles, juice bottles and sports drink bottles.

When plastic bottles enter waterways and the Bay, they often break down into microplastics. A 2023 study from researchers at the University of Rhode Island found there is now roughly 1,000 tonnes of microplastic in the bottom sediment of Narragansett Bay.¹ While it is difficult to say exactly where that microplastic came from, 47% of the samples analyzed were found to be polyethylene or PET - plastics often used in beverage containers. The researchers also found that concentrations of microplastics were higher in the upper portion of sediment core samples, indicating that the rate of microplastic deposition has increased in recent years.



Breakdown of microplastics by type, 2023 Fulfer/Walsh study

¹ Fulfer, V.M., Walsh, J.P. Extensive estuarine sedimentary storage of plastics from city to sea: Narragansett Bay, Rhode Island, USA. *Sci Rep* **13**, 10195 (2023). <https://doi.org/10.1038/s41598-023-36228-8>

Past Action by the General Assembly

The General Assembly has recognized the unique role that single-use beverage containers pose to our environment. In the early 1980s, the General Assembly enacted a tax on beverage containers, under the state's "hard to dispose material" statute. (See RIGL § 44-44-3.) The original intent was for revenue from that tax (which is still in place and being collected) to be used for litter reduction and recycling initiatives. (See RIGL § 44-44-1.) (Our understanding is that all that revenue currently goes into the general revenue fund.)

In 1989, the General Assembly "*determined that the packaging of beverages in non-recyclable containers is a significant source of waste within the state and is, therefore, a necessary concern of the effort to reduce the filling of the state central landfill as well as to reduce the economic and environmental costs of waste management for the citizens of the state.*" (See RIGL § 23-18.12-1) That statute, which is still on the books, makes it illegal for a beverage distributor to sell beverages in containers that have not obtained a 50% recycling rate. (See RIGL § 23-18.12-3) While calculating recycling rates for specific container types is challenging, it's safe to say that we are likely not achieving a 50% recycling rate for *any* container type; (possibly aluminum, depending on what you assume about commercial recycling from bars and restaurants, which we do not reliably track.)

Study Commission

Numerous "bottle bills" have been introduced and debated in Rhode Island over the past 45 years. Despite legislative recognition that beverage container litter is a serious problem and decades of data showing that bottle bills work, opposition from the beverage industry and retailers has thwarted previous attempts to pass a bottle bill in Rhode Island. Many bottle bill opponents took the position that they weren't necessarily opposed to a bottle bill - they just didn't believe that previous versions were crafted properly nor adequately addressed specific concerns. In 2023, the General Assembly created a joint legislative study commission to bring all the interested parties to the table to more closely examine the issue, look at which policies have been effective in other states and recommend solutions that could work for Rhode Island.

Save The Bay was honored to serve on this study commission, alongside environmental advocates, legislators, regulators and representatives from the beverage industry and retailers. After hearing from numerous experts about the problem and solutions, a few things were made clear²:

- Beverage container litter and pollution are significant problems in Rhode Island. No one disputed this fact.
- Too much recyclable material is being buried in Rhode Island's sole municipal solid waste (MSW) landfill. According to RI Resource Recovery Corporation's (RIRRC's) 2015 Waste Characterization Study, **we are burying over 4,000 tons of recyclable "#1" PET plastic bottles**

² See Final Report of the *Special Joint Legislative Commissions to Study and Provide Recommendations to Protect our Environment and Natural Resources from Plastic Bottle Waste*, <https://www.rilegislature.gov/commissions/PBWC/commdocs/04-08-2025---Final%20Report%20Bottle%20Bill%20Commission%20PDF%20w%20signatures.pdf>

at the landfill each year.³ This is shortening the life of our only MSW landfill.

- Bottle bills work. A study by the Container Recycling Institute of the effects of “bottle bills” when first adopted in the U.S. showed a consistent 69-84% reduction in beverage container litter and a 34-47% reduction in total litter.⁴
- According to Keep America Beautiful’s 2020 National Litter Study, states without a bottle bill have at least twice as much beverage container litter than states with a bottle bill system.⁵
- Rhode Island’s recycling rate is just 26%, although 80% of Rhode Islanders have access to access.⁶
- States with bottle deposit programs, on average, have much higher recycling rates than states without bottle deposit programs. Nine of the top ten states with the highest recycling rates have bottle deposit programs.⁷
- According to a 2023 study by the Container Recycling Institute and the Reloop Platform, an analysis of states and countries with bottle deposit programs shows no evidence that those programs negatively impact beverage sales.⁸

House Bill 6207 (and H6206)

Based on the evidence presented to the study commission over 18 months, the top recommendation to the General Assembly in the commission’s Final Report was to consider passing legislation that would create both a Deposit Return System (DRS) for beverage containers, and an Extended Producer Responsibility (EPR) program for all other packaging and printed paper. Both a DRS and EPR are forms of “producer responsibility” that make producers responsible for the entire life cycle impacts of their products. These programs are consistent with the long-held principle of “polluter pay,” which has been a cornerstone of U.S. environmental policy for over fifty years: if the product you produce or sell pollutes our shared environment, you should be responsible for cleaning it up. Both DRS and EPR have been proven to do just that.

It is important to note that this legislation is much different than previous versions of bottle bills that have been debated before the General Assembly and directly addresses many of the concerns and recommendations from groups who have opposed previous versions. Key provisions of the legislation include:

- Both the DRS and EPR systems would be run, and paid for, by producers, via a state-approved Producer Responsibility Organization. This structure is similar to the Oregon bottle bill system,

³ Rhode Island Solid Waste Characterization Study FINAL REPORT – December 31, 2015, p. 13

<https://rirrc.org/sites/default/files/2017-02/Waste%20Characterization%20Study%202015.pdf>

⁴ Litter studies in bottle bill states - Bottle Bill Resource Guide <https://www.bottlebill.org/index.php/benefits-of-bottle-bills/bottle-bills-prevent-litter>

⁵ Note: the KAB study was funded, in part, by the American Beverage Association, DOW and the American Chemistry Council – all long-time opponents of bottle bills in most states.

⁶ State of Recycling, The Recycling Partnership, https://recyclingpartnership.org/wp-content/uploads/dlm_uploads/2024/05/SORR_Methodology-1-1.pdf

⁷ 50 States of Recycling, Eunomia, p. 5 https://www.ball.com/getmedia/dffa01b0-3b52-4b90-a107-541ece7ee07c/50-STATES_2023-V14.pdf

⁸ The Impact of Deposit Return Systems on Beverage Sales. <https://www.reloopplatform.org/wp-content/uploads/2023/08/ReLoop-Impact-of-DRS-Report.pdf>

widely regarded as the “gold standard” for bottle bill programs in the United States, (and is the system recommended by the RI Beverage Association and American Beverage Association in previous year’s testimony before your committee.)

- All unclaimed deposits would be reinvested in the system (as opposed to being “scooped” into the general revenue fund, as in some states.) This lowers program costs for producers and provides a source of funding for continuous improvement of the program.
- The PRO would retain the returned material, which helps to reduce program costs and ensures the returned material will be properly recycled and actually turned into new beverage containers.
- All beverage types would be included (unlike in Massachusetts.) This leads to more material being returned and recycled and makes it easier for consumers to know which containers can be returned.
- As the PROs are responsible for paying for the system, including covering any costs to the state for program administration and oversight, **there is no cost to taxpayers and no net impact to the state budget.**
- Combining a DRS system with EPR for packaging achieves maximum benefit for the environment and for taxpayers. The packaging PRO would take on the cost of municipal recycling, **resulting in significant cost savings for Rhode Island cities and towns.**
- The legislation includes clear, mandatory enforceable targets, with strong reporting requirements and oversight by the Department of Environmental Management.
- Addressing concerns expressed by liquor stores and retailers, there is no “return to retail” requirement in the bill. I.e. **no retailer is going to be “forced” to take back and manage empty containers.** The PRO would be responsible for establishing a network of redemption locations that enables them to meet the mandatory redemption rate requirements in the legislation.
- The legislation allows RIRRC (or other Materials Recycling Facility operators) to receive a portion of the redemption value for covered containers collected via the single stream recycling system if certain quality standards are met. This provision will help offset any lost revenue to RIRRC from materials diverted from the MRF.

Suggested Amendment

H6207, appropriately, exempts bars and restaurants from having to charge customers a deposit for covered beverages that are consumed on-site. Those bottles and cans are not leaving the premises and, thus, are not contributing to the problem of beverage container litter. Beverages sold for on-site consumption at bars and restaurants would be sold in the same containers as those sold at retail establishments where a deposit is collected. Bars and restaurants could return these empty containers for a deposit (just as they could currently travel to MA or CT and return them for a deposit, although there is no evidence this is actually happening.) One way to safeguard against this potential type of fraud would be to add language to the bill that requires the recycling refund producer responsibility organization (RR PRO) to collect empty containers from bars and restaurants if there is sufficient quantity. This would be advantageous for the bars and restaurants who currently must contract for recycling services (although most don’t and simply throw most of their empty containers in their garbage.) It would also be advantageous for the RR PRO as they would get more valuable material back into the system. An alternative solution would be to require the recycling refund program plan to contain language on how the PRO will incentive the return or collection of non-deposit containers from bars and restaurants.

Conclusion

House Bill 6207 is the best bottle bill that has been introduced in Rhode Island. It directly addresses many of the concerns and recommendations from various interested parties. It will create a world class recycling system for Rhode Island that will dramatically reduce litter from beverage containers and greatly improve our recycling systems. It will accomplish this with zero cost to taxpayers and placing no burden on retailers to have to accept empty containers.

Public support for bottle deposit programs is high. National polling data from Keep American Beautiful's Public Attitudes Survey (a survey funded, in part, by the beverage industry) finds that over 75% of respondents support implementing bottle redemption programs.⁹ In a poll of Rhode Islanders conducted in February by Save The Bay, the Can Manufacturer's Institute and Clean Water Action, after hearing arguments from both supporters and opponents, Rhode Islanders support adoption of a bottle bill by a 27 point margin.¹⁰

Over the past decade, governments worldwide have shown a growing interest in DRS, introducing new systems or modernizing existing ones to boost participation and increase redemption rates. It is projected that by the end of 2027, more than 70 jurisdictions - covering approximately 641 million people - will have operational DRS programs for single-use drinks containers. This marks a significant increase from 38 jurisdictions (280 million people) in 2016. It's time for Rhode Island to join the wave and finally pass a bottle bill for Rhode Island.

⁹ https://kab.org/wp-content/uploads/2021/05/Litter-Study-Summary-Report-May-2021_final_05172021.pdf

¹⁰ <https://savebay.org/wp-content/uploads/Bottle-Bill-Poll-Summary3.7.25.pdf>