



The Association of
Plastic Recyclers



AMERIPEN®
American Institute for Packaging and the Environment



March 24, 2023

The Honorable Ben Allen, Chair
Members, Senate Environmental Quality Committee
1021 O Street, Suite 3230
Sacramento, CA 95814

Subject: SB 665 (Allen) Plastic waste: single-use plastics alternatives: working group: CONCERNS

Dear Senator Allen and Members of the Senate Environmental Quality Committee:

The following organizations, representing a diverse set of California business interests, are writing to express our concerns with SB 665 as drafted. SB 665 calls for the formation of a single-use plastics alternative working group comprised of representatives from various state agencies and boards, without other stakeholder representation. As you know, last year the legislature passed Senate Bill 54, the Plastic Pollution Prevention and Packaging Producer Responsibility Act, establishing a comprehensive strategy for addressing single-use packaging in California. Among the requirements of that act is a mandate on producers to reduce the amount of single-use plastic they use by 25 percent by 2032. One critical pathway for producers in accomplishing this goal is to shift to alternative material types that are reusable, recyclable, or compostable. Unfortunately, SB 665 outlines an approach that falls short in a few important ways.

First, the bill fails to outline a clear approach for evaluating these materials which raises significant concerns about the quality of findings that will result. These findings have the potential to significantly impact future packaging policies and material selections. Further, such an important and impactful endeavor might be better managed by a third-party organization not solely comprised of state agency representatives.

The goal of the legislation is to develop a framework for packaging policy in California. Given the formation of a Producer Responsibility Organization to manage packaging policies in outlined in SB 54, we feel the recommendations from the group should be sent to the Producer Responsibility Organization that will be managing the program.

We ask that you consider amendments to this legislation that both establish a more inclusive working group rather than a state-managed one; and outline a science-based approach to the working group's evaluation. Additionally, we suggest that you consider pausing this effort. As part SB 54, the state is tasked with initiating a regulatory process that involves significant stakeholder engagement and the formation of an Advisory Committee to guide the regulatory process. We feel that waiting until the needs assessment is complete and the initial efforts are underway would allow for a more informed and less siloed approach to this review. Any review should be well-coordinated with SB 54 implementation efforts in order to ensure a practical and manageable framework is established.

We encourage the development of policies that support the adoption of new, innovative, and more circular packaging materials, they will be an important tool to meet the targets outlined in SB 54. The identification and adoption of alternative materials will be a critical part of the creating circularity in California.

Thank you for the opportunity to share our views and concerns and we look forward to a constructive dialogue on this important policy issue.

Sincerely,

American Chemistry Council
AMERIPEN
Association of Plastic Recyclers
Flexible Packaging Association
Plastics Industry Association
The Recycling Partnership

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