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June 1, 2025

The Honorable Christine Barber
House Chair
Joint Committee on Environment and Natural Resources
State House, Room 167
Boston, MA 02133

The Honorable Rebecca Rausch
Senate Chair
Joint Committee on Environment and Natural Resources
State House, Room 215
Boston, MA 02133

RE: Comments of Massachusetts Chemistry and Technology Alliance on H.926 – *An act to save recycling costs in the Commonwealth* and S.571 – *An act to reduce waste and recycling costs in the Commonwealth*

Dear Chair Barber, Chair Rausch, and members of the Committee:

On behalf of our members, the Massachusetts Chemistry & Technology Alliance (MCTA) would like to submit the following comments in opposition to two bills currently in your committee: H.926 – *An act to save recycling costs in the Commonwealth* and S.571 – *An act to reduce waste and recycling costs in the Commonwealth*.

MCTA is the professional organization representing manufacturers, users, and distributors of chemistry in the Commonwealth. Our membership ranges from small, multi-generational family owned businesses operating with a handful of employees to large global companies employing thousands. More than 96% of all manufactured goods – from solar panels and turbine blades to automotive parts and pharmaceutical products – are touched by chemistry.

In simple terms, both bills – which are similar - establish the framework for a comprehensive Extended Producer Responsibility (EPR) program in Massachusetts, including the creation of an extensive state and private sector program to oversee development, implementation, oversight, and enforcement of the EPR program. The bills establish an EPR program for products and packaging, requiring producers of packaging materials to be responsible for managing post-consumer waste and they also establish non-reusable packaging reduction requirements for producers. Finally, they would ban the use of certain substances and materials from packaging and establish various fees for the use of some products.

As a result of their comprehensiveness, these bills have broad impacts on many industries and residents and consumers in Massachusetts. H.926 for instance would impact not only producers and end-users of these products, but also MassDEP and the Treasurer's office, both of whom have new responsibilities in the legislation.

Despite the wide-ranging impact of both H.926 and S.571 there was no dialogue with stakeholders during development of these bills, nor has there been a cost analysis or market impact study to determine the feasibility or practicality of the mandates included in them. Also, neither has been subject to any scientific review, which is problematic as some product restrictions contained in the bills are based on incomplete or faulty scientific analysis relative to the use of certain chemicals in packaging – packaging that has been used safely for decades to ship pharmaceuticals, food products and other critical items.

In addition, as currently written, both bills specifically exclude advanced recycling - one of the promising tools in the recycling toolbox - from the definition of "recycling." 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.

Advanced recycling can contribute significantly to a circular economy wherein plastics are repurposed rather than disposed of, which helps keep plastics out of the ocean and environment. Ongoing and emerging advances in mechanical recycling are capturing more types of post-use plastics, while advanced recycling is poised to capture primarily used plastics that are not widely recycled today.

MCTA does not oppose legislation regulating products when such legislation is supported by science and has been the subject of stakeholder outreach allowing for the opportunity to exchange ideas and knowledge. However, neither H.926 nor S.571 have been subject to scientific review, nor have stakeholders been involved in discussions relative to their provisions.

As such, MCTA opposes both H.926 and S.571. In order for programs of the magnitude envisioned in these bills to work effectively, their provisions must be subject to a full evaluation and consideration of the above factors as part of any discussion around creating an EPR program.

Thank you for the opportunity to comment. If you have any questions, please do not hesitate to contact me. I can be reached at 508-572-9113 or at katherine@masscta.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kathy Robertson", with a stylized flourish at the end.

Katherine Robertson
Executive Director