Oregon State Legislature

House Committee On Climate, Energy, and Environment

Hearing: 3/20/2025

Written Testimony

Opposition to HB 2960

Good morning Chair Lively, Vice-Chair Gamba, and members of the Committee On Climate, Energy, and Environment. My name is Lauren Janes and I represent the Consumer Brands Association. I urge you to oppose HB 2960 because it will support the landfilling of materials, create immediate barriers to the achievement of the state's sustainability goals- particularly those established within its extended producer responsibility program, and stifle future innovation for recycling.

Consumer Brands champions the industry whose products Americans depend on every day, representing more than 2,000 iconic brands. From household and personal care products to food and beverage products, the consumer-packaged goods (CPG) industry plays a vital role in Oregon, employing nearly 325,000 people and contributing $31.7 billion to the state economy. The CPG industry also plays a crucial role in creating a more sustainable future through its products. All of the 25 largest CPG companies in the U.S. have made commitments to increasing recyclability, source reduction, or reuse of material. Eighty percent of those companies are working toward introducing fully recyclable packaging for all of their products by 2030 at the latest.

HB 2960 establishes a de facto ban on innovation for recycling technologies, eliminating the use of existing alternative recycling methods and stifling any future progress. Oregon took a crucial step toward improving the sustainability of materials within the state through the adoption of the Recycling Modernization Act (RMA) and development of its extended producer responsibility program. HB 2960 runs counter to the program's goals by eliminating entire categories of different recycling technologies, thereby eliminating viable paths to recovering more materials from landfills and reducing the need for virgin plastics.

No single sector, technology, or approach will be able to solve the challenge of creating circularity for plastic materials independently. Consumer Brands is a strong proponent for prioritizing effective mechanical recycling across the United States. However, while mechanical recycling is viable for some plastics such as clear and white PET (i.e. beverage bottles) and high-density rigid plastics (i.e. milk jugs) it is unable to recover a wider breadth of plastic materials including low density plastics (such as flexible and film packaging) or colored PET. Mechanical recycling struggles to recover these materials at a high enough quality to meet rigorous industry and Food and Drug Administration quality standards.

Given the limited range of plastic materials that mechanical recycling can recover at a high enough quality to meet strict food and drug contact packaging standards, the supply of recycled plastic

content that can be used for like-new packaging is well below current and future anticipated demand. Challenges with sufficient supply and quality of mechanically recycled content currently leave many companies reliant on the production of virgin, or new, plastic materials.

Notably, the Recycling Modernization Act requires mechanical recycling to be prioritized where possible, while **not prohibiting the use of any of these technologies**. The law intentionally leaves a viable pathway for technology to complement mechanical recycling in order to recover a wider range of recyclable materials. The law does not ban these technologies, instead, it requires their evaluation and approval by the Oregon Department of Environmental Quality (DEQ) provided the technologies can achieve specific environmental and output criteria. HB 2960 is misaligned with the directives provided within the RMA and ultimately disregards the ability of DEQ to evaluate and monitor environmental outcomes.

Molecular recycling, also known as advanced or chemical recycling, refers to a sub-sector of recycling technologies which purify or deconstruct plastic materials to create like-new building blocks for plastic products. There are three classifications of advanced recycling technologies: purification, depolymerization, and conversion technologies. Each technology subset has unique strengths and considerations for efficiency and outputs and use should prioritize maximizing the improvement of environmental impacts and materials recovery. It is important to note that conversion and depolymerization processes may utilize heat but DO NOT occur in the presence of oxygen or other oxidants. According to science and fact, these technologies are fundamentally different from incineration, burning, and combustion. Incineration, burning, and combustion are aerobic processes. Advanced recycling technologies utilize anaerobic processes.

Studies have found that depolymerization and conversion technologies require less energy and emit fewer greenhouse gases in comparison to the production of virgin, new plastic. Closed Loop Partners conducted an in-depth life cycle analysis of these technology categories. A life cycle analysis is an assessment of the environmental impact of the product and the impacts the product incurs throughout its “life”- this means the product’s manufacturing, travel through the supply chain, and end of life. This study compared the three categories of molecular recycling to the life cycle of virgin plastics. The results demonstrated that on average, which means over multiple technology users or companies, each category of recycled plastic components recovered using a molecular recycling process had a lower environmental impact than the production of virgin plastic, across key environmental metrics including greenhouse gas emissions, energy and water use.

In order to achieve circularity for plastic materials a diverse array of solutions will be required. There are different obstacles for the effective end of life management of each material type, and recycling innovation is establishing different solutions to meet these challenges. A variety of solutions, and recycling technologies, will be necessary in order to create circularity for plastic materials, particularly the plastic material types that the mechanical system is currently unable to recover at a high quality.

Creating a de facto ban on innovation and incorporation of recycling technologies is counterproductive to any sustainability goals and will directly inhibit the success of the state EPR program. Consumer Brands strongly opposes HB 2960 and urges members of the Committee to do the same. We stand ready to assist you and are happy to provide any additional information or answer any questions that may be helpful. Thank you for your time.