



June 28<sup>th</sup> 2023,

Honorable Michael Barrett and Members of the Joint Committee on Telecommunications,  
Utilities and Energy

**In re: Opposing HB 3676 – An Act To Update The Bottle Bill**

We the undersigned organizations representing industries and workers across Massachusetts respectfully request your opposition of HB 3676. As currently written, the bill bans advanced recycling, certain chemicals in beverage containers and bans the use of PVC, Polystyrene or Polycarbonate in beverage containers.

**The bill bans certain chemicals in beverages after two years.** The bill would ban several chemistries in beverage containers including; PFAS, an ortho-phthalate, a bisphenol compound, a halogenated organophosphorus, organonitrogen or nanoscale flame retardant chemical; lead, cadmium, mercury, hexavalent chromium and formaldehyde.

This legislation lacks the framework implemented in other states which look to work with expert scientists, identifying high priority chemicals, taking action and making decisions on those chemicals when warranted by best available risk assessment science. This broad prohibition disregards sound science by arbitrarily eliminating packaging best suited for among other uses, food preservation, medical supply, device protection and hazardous material containers.

**The bill includes a ban on Advanced Recycling.** As currently written, the bill excludes advanced recycling from the definition of “recycling” (does not include.... energy recovery or energy generation by means of combustion; pyrolysis, gasification and any other high-heat chemical conversion processes; or landfill disposal of discarded covered products or discarded product component materials.”

In just the past three years, more than \$5 billion in private sector investments including advanced recycling has been announced to help modernize the U.S. recycling infrastructure and expand the type of volumes of plastics that can be reused or incorporated into a circular economy. Advanced Recycling legislation has passed in 24 states including **Michigan, New Hampshire, Pennsylvania, and Virginia.**

Advanced recycling is **NOT** incineration. 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. Incineration is the combustion of unsorted municipal solid waste to turn into electricity. Combustion requires oxygen.

Advanced recycling can contribute significantly to a circular economy wherein plastics are repurposed rather than disposed, which helps keep plastics out of the ocean/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.

This legislation would have a significant impact on Massachusetts in terms of the availability of critical products that are approved and used elsewhere. It would also foster an unworkable patchwork of state regulation with significant implications for Massachusetts citizens, businesses and public entities, effectively isolating Massachusetts from the rest of the country.

Thank you for your consideration.

Sincerely,

American Chemistry Council

ACC Spray Foam Coalition

Adhesive and Sealant Council (ASC)

Alliance for Automotive Innovation

American Coatings Association

American Fuel & Petrochemical Manufacturers (AFPM)

American Petroleum Institute (API)

AGC Chemicals Americas, Inc

Animal Health Institute (AHI)

Association of Equipment Manufacturers (AEM)

Association of Home Appliance Manufacturers (AHAM)

BASF

Bio-Process Systems Alliance (BPSA)

Berry Global

Braven Environmental

Carlisle Spray Foam Insulation

The Chemours Company

Creative Polymer Solutions

Crop Life America

Communications Cable & Connectivity Association (CCCA)

Consumer Brands Association (CBA)

Consumer Healthcare Products Association (CHPA)

Consumer Technology Association (CTA)

Covestro

Dupont

Flexible Packaging Association (FPA)

Fluid Sealing Association (FSA)

General Coatings Manufacturing Corp

Gujarat Fluorochemicals

Household & Commercial Products Association (HCPA)

Holcim

Huntsman

Hydraulic Institute

ICP Group

IDI Distributors

INDA - Association of the Nonwoven Fabric Industry

ITI

Johns Manville

Juvenile Products Manufacturers Association (JMPA)

Millipore Sigma

Motorcycle Industry Council (MIC)

National Association of Chemical Distributors (NACD)

National Council of Textile Organizations

National Electrical Manufacturers Association (NEMA)

National Marine Manufacturers Association (NMMA)

Natural Polymers, LLC

NCFI Polyurethanes

North American Association of Food Equipment Manufacturers (NAFEM)

Outdoor Power Equipment Institute (OPEI)

Pine Chemicals Association International (PCA)

Plastic Energy

Plastics Industry Association

Polyisocyanurate Insulation Manufacturers Association (PIMA)

Printing United Alliance

Recreational Off-Highway Vehicle Association (ROHVA)

Responsible Industry for a Sound Environment (RISE)

Rhino Linings

Sealed Air

Specialty Vehicle Institute of America (SVIA)

Spray Polyurethane Foam Alliance

Solvay

SWD Urethane

The Truck & Engine Manufacturers Association (EMA)

U.S. Tire Manufacturers Association

Valve Manufacturers Association (VMA)

Vinyl Siding Institute

Vinyl Institute

Worldwide Cleaning Industry Association (ISSA)