

December 19, 2022

Legislative Office Building
Albany, NY 12247

Re: Oppose Legislation Promoting “Chemical Recycling”

Dear New York State Legislators:

We, the undersigned 117 organizations, urge you to withhold your support for and avoid co-sponsoring any legislation that supports so-called “advanced recycling” or “chemical recycling”. There are currently no chemical recycling facilities operating in New York State and it is imperative that we keep it that way.

“Chemical recycling” is a marketing strategy to protect increased plastic production by trying to convince lawmakers that plastics are sustainable and recyclable. It is an umbrella term for a suite of problematic technologies that attempt to turn plastic into fossil fuel or break it down into its chemical components. In practice, chemical recycling means burning. It amounts to a two-step process that superheats and boils plastics down into gasses or chemicals or tars or oils and toxins. Despite the industry’s claims, there will always be some oxygen present during the process, resulting in combustion, and the resulting fuels are then burned elsewhere. These facilities don’t recycle plastic.

“Chemical recycling” is the next generation of trash burning. Industry-backed “chemical recycling” bills would remove critical, long standing solid waste oversight and regulatory safeguards for incineration, incentivizing new sources of toxic pollution. It’s important to note that “chemical recycling” facilities are almost always built in low-income communities and/or communities of color - a serious threat to environmental justice.

The Natural Resources Defense Council (NRDC) analyzed U.S. “chemical recycling” facilities in its September 2022 report, “Recycling Lies.” NRDC found that these technologies generate copious amounts of hazardous waste, have large carbon footprints, are constructed in environmental justice communities, create fuels which generate the same harmful air pollution as burning fossil fuels, and, significantly, require the ongoing production of new plastics from fossil fuels¹. Greenhouse gas emissions from “chemical recycling” facilities can be as bad as those from conventional incinerators, which are, in turn, worse for the climate than coal-fired power plants².

We strongly support recycling, but plastics recycling has always been a failure. Unlike the recycling of metal, paper, and glass which is effective, plastics recycling in the U.S. is not working, achieving a dismal rate of 5%³ in 2019. In response to the clear failure of plastics

¹ <https://www.nrdc.org/resources/recycling-lies-chemical-recycling-plastic-just-greenwashing-incineration>

² <http://www.energyjustice.net/incineration/worsethancoal>

³ <https://www.globenewswire.com/news-release/2022/04/28/2431659/0/en/NREL-Calculates-Lost-Value-of-Landfilled-Plastic-in-U-S.html>

recycling, the petrochemical industry is now promoting so-called “chemical recycling” in an effort to distract legislators and the public from the ever-worsening crisis of plastic pollution and undermine proven, effective plastic waste reduction policies.

Despite the fact that the environment is already flooded with plastic waste, the production of fossil-fuel based plastic is expected to double in the next 20 years. Chemical industry lobbyists have latched on to the concept of “chemical recycling” as a sustainable sounding way to make plastic waste vanish from sight in order to justify their plans to ramp up production. Unfortunately, nothing could be further from the truth.

New York must avoid passing any “chemical recycling” bills like the one introduced by Senator John Mannion (S7891) and Assemblymember Alicia Hyndman (A9495) in the last legislative session. Instead, we urge you to support comprehensive packaging reduction laws like Senator Rachel May’s Extended Producer Responsibility Program for Packaging (S9493) that would require significant reductions in packaging, invest in reuse and refill systems, provide relief to local taxpayers, reduce toxic chemicals in packaging, and include a strong definition of recycling that prohibits burning trash by any name. So-called “chemical recycling” technologies that harm communities, hasten the climate crisis, and perpetuate a reliance on single-use plastic should not be considered viable solutions moving forward.

For further information, please contact Judith Enck, President of Beyond Plastics at judithenck@bennington.edu.

Sincerely,

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