
May 17, 2021

To Statewide Commission on Recycling Markets and Curbside Recycling

SUBJECT: Acceptance of Unrecyclable Plastic Products and California's Continued Exports of Plastic Waste Exports to Non-OECD Countries

The co-signers of this letter, Greenpeace USA, Oceana, Surfrider Foundation, the Center for Biological Diversity, The 5 Gyres Institute, Peak Plastic Foundation, The Center for Oceanic Awareness, Research, and Education (COARE), Beyond Plastics, San Francisco Bay Physicians for Social Responsibility, Story of Stuff Project, Basel Action Network, GAIA, Algalita, and Safer Chemicals, Healthy Families, on behalf of our more than one million California members, write to provide input on the California Statewide Recyclable List, currently under discussion by the Statewide Commission on Recycling Markets and Curbside Recycling. We urge you to let the data guide your decision. Accordingly, plastic items for inclusion should be limited to #1 PET bottles and #2 HDPE narrow-neck bottles and jugs. Any of these items with non-compatible shrink sleeves or other unrecyclable components should be excluded. Items such as clamshell packaging, PP5 materials, or aerosol containers that do not meet California criteria should not be included. Further, we encourage the Commission to use the Statewide Recyclable List as a basis for what can be included in curbside recycling programs in California. Provisions should be made for individual MRFs to add additional items if they can demonstrate a readily available market for them.

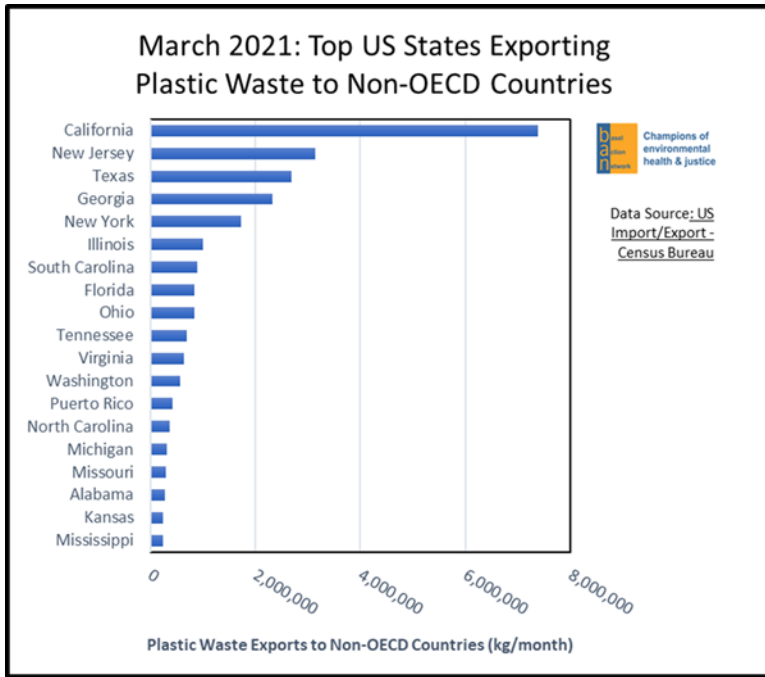
Limiting the materials that can be marketed as recyclable and included in curbside recycling programs will decrease contamination and increase efficiency, with significant cost savings. The time-consuming and expensive process to sort and remove unrecyclable items from recycling streams has undermined recycling programs in the state and across the U.S. This data-driven approach will also have significant benefit for communities in the Global South.

California Is the World's Leading Plastic Waste Exporter

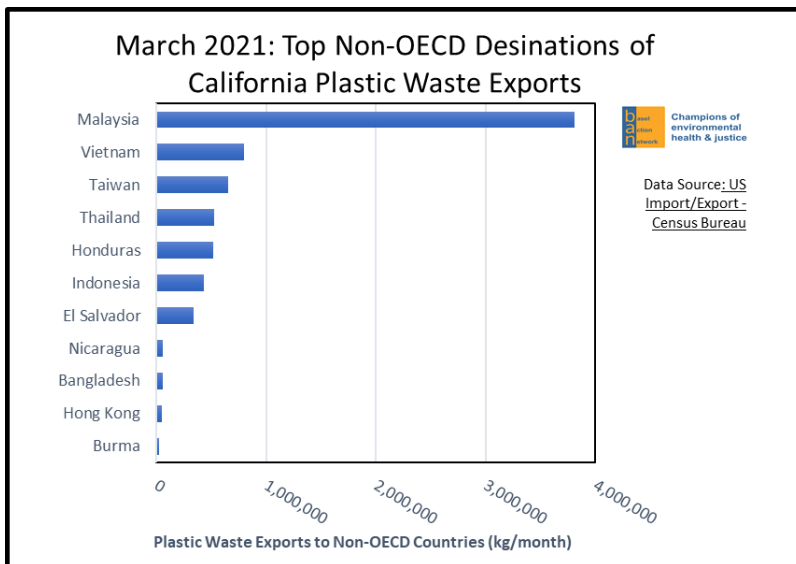
To address the plastic pollution crisis, the United Nations Basel Convention agreed to strictly control the exports of Plastic Wastes. This new agreement, a series of amendments adopted by 187 countries, took effect beginning January 1, 2021. While other countries are now restricting plastic waste imports to Non-OECD countries, the flow of U.S. plastic waste to countries with high waste mismanagement rates continues at a high level. In March 2021 alone, California exported 7.4 million kg of plastic waste to Non-OECD countries, including 3.8 million kg to Malaysia (equal to 24 TEU shipping containers per day).

We are concerned that the State of California is continuing to shift its plastic waste burden onto other countries, causing harm to the global environment, communities, and the health of people around the world. More than one hundred other investigations over the past several years have documented the harms and shown that exported plastic wastes have not been safely recycled.

The United States is now the largest exporter of plastic waste to Non-OECD countries and California accounts for 27% of the plastic waste. More than any other state, California's recycling facilities continue to accept plastic waste that is exported to developing countries that have weak wage and age labor standards and few environmental protections.



The Statewide Commission on Recycling Markets and Curbside Recycling must take a leading role in ending the greenwashing of unrecyclable plastic products and exports of plastic waste that are proven to cause plastic pollution in the ocean and cause acute social and environmental harms in receiving countries.



Next Steps

There is growing public concern over the final fate of plastic materials collected for recycling and greenwashing of unrecyclable plastic products. **We request that only plastic items that are sorted by type and currently have sufficient domestic reprocessing capacity be labeled and accepted as recyclable.** Other plastic items should not be included on California's Statewide Recyclable List. Labeling plastic items as recyclable that are not sorted and do not currently have proven domestic markets deceives consumers. Greenwashing of unrecyclable products stifles innovation to improve product design. It works against market development and negates the need for producers to invest in sorting at material recover facilities (MRFs) and plastic reprocessing facilities.

We look forward to your response. Please reply to John Hocevar, Oceans Campaign Director for Greenpeace USA <jhocevar@greenpeace.org>, who will distribute responses to the signers of this letter and other concerned stakeholders.

Sincerely,

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