



Speaker Craig Coughlin
Office of the Speaker
125 West State Street
Trenton, NJ 08625

Dear Speaker Coughlin:

April 18, 2024

The undersigned nine environmental, health, science, consumer protection and environmental justice organizations urge you to oppose any legislation that promotes so-called “chemical recycling,” including A2776, sponsored by Majority Leader Lou Greenwald, which promotes chemical recycling.

So-called “chemical recycling” is not recycling at all. Plastics are toxic through their entire lifecycle and the primary technologies that the plastic industry misleadingly calls “chemical recycling” or “advanced recycling” tend to be nothing more than incineration in disguise. A recent study published by the US Department of Energy (DOE) found that the two most common technologies (pyrolysis and gasification) both have very low plastic material yields: only 0.1% - 5.7% of the plastic material was recovered after pyrolysis, and only 1.7% - 14% of the plastic material was recovered after gasification. The DOE study concluded that “mechanical recycling outperformed all other technologies, as well as virgin plastic production across economic and environmental considerations.”

The truth is that, whether they claim to be plastic-to-plastic, plastic-to-fuel, or plastic-to-chemical-components, “chemical recycling” technologies won’t solve the plastic crisis but instead create new public health and environmental justice problems. [These findings have been echoed here in New Jersey. The NJ Recycling Market Development Council/NJDEP’s found that chemical recycling shouldn’t be considered recycling \(Page 44\). And these findings have been echoed by the EPA which has also found that plastic-to-fuel shouldn’t be considered recycling \(Page 15\).](#)

The technologies create a toxic trail and produce hazardous waste, whether they are producing fuel or plastic. Two recent reviews of the 11 constructed facilities in the US found that most of these so-called “chemical recycling” facilities were not actually recycling any plastic. Rather, they are almost always creating materials that are later burned—a practice that is neither recycling nor environmentally sound.

Even the technologies that claim to be “plastic-to-plastic” are problematic since they also use hazardous chemicals, produce hazardous chemicals and/or generate harmful air pollution and hazardous waste.

Low-income and communities of color are the most impacted. The facilities using these toxic technologies are often sited in communities that are disproportionately low-income, people of color, or both, exposing these populations to harmful toxic emissions. Much of the hazardous waste generated is later shipped to be burned, in facilities that also tend to be in communities with the same demographics. Importantly, both plastic-to-fuel and plastic-to-plastic technologies are creating hazardous waste in these impacted communities. The air pollutants and hazardous waste generated by “chemical recycling” facilities are toxic chemicals that can cause cancer and birth defects, damage the reproductive system, and lead to other serious health problems. Notably, one plastic waste-derived fuel chemical approved by the Environmental Protection Agency would be expected to cause cancer in 1 out of every 4 people exposed over a lifetime, according to the agency’s own calculations.

We need real solutions to the plastics crisis. The chemical and plastic industry is advancing state legislation across the U.S. to increase the development and use of these polluting technologies through definition changes, tax credits, exemptions, regulatory re-classifications, renewable or low-carbon fuel standards, and other approaches. **A2776 is part of this larger industry effort to advance false solutions to the plastic crisis rather than real solutions.**

We urge you to oppose industry efforts to avoid regulation and/or incentivize toxic technologies with state resources:

- **Don’t allow toxic technologies or any products that result from them to be included in definitions of recycling or recycled products.**
- **Don’t reclassify so-called “chemical recycling” from solid waste management to manufacturing or weaken existing regulations for associated technologies.**
- **Don’t incentivize toxic technologies through renewable energy, renewable fuel, or low-carbon fuel standards.**
- **Don’t exempt so-called “chemical recycling” facilities from the protections covering other waste disposal facilities.**
- **Don’t fund or incentivize investments in technologies that are expensive, toxic distractions.**

We should be focusing on real solutions to the plastic crisis instead. The most effective approach to managing waste is to not make it in the first place through the adoption of zero waste plans, the phase out of single use plastics, the elimination of plastics that can’t be easily mechanically recycled, and the rapid transition to non-toxic reuse and refill models.

Sincerely,

Doug O’Malley
Director, Environment New Jersey

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President, Beyond Plastics

Jon Compton
Executive Director, Center for Environmental Transformation

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Cc:
Assembly Majority Office Director Seth Hahn
Assembly Majority Office Deputy Director Dan Harris
Majority Leader Lou Greenwald
Greenwald Chief of Staff Amy Swan