

**U.S. SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**  
**HEARING: RESPONDING TO THE CHALLENGES FACING RECYCLING IN THE UNITED STATES**  
**June 17, 2020**

**Testimony of U.S. Senator Tom Udall**

Chairman Barrasso, Ranking Member Carper, Members of the Committee. Thank you for allowing me to appear before you today.

In recent years, Americans across our country have woken up to the fact that we have a plastic pollution crisis.

A study released last week found that the equivalent of millions of plastic bottles rain down or are swept onto our Western national parks each year in the form of tiny plastic particles.

We know plastic doesn't go away. So when it breaks down, we find it two miles above sea level in Rocky Mountain rain water.

Seven miles below sea level in the Mariana Trench – the deepest place in the ocean – there are plastic wrappers.

It's in our own bodies. Research shows we swallow a credit card's worth of plastic every week - through our air, water and food.

For too long, we have placed the burden on millions of consumers — and taxpayers — through curbside recycling and the hope that, if we dutifully sort our plastic into blue bins, we will reduce pollution.

It is clear that this approach has failed. We cannot expect consumers to clean up all this plastic waste.

We have lost sight of the foundation of our environmental laws — and the teachings of Economics 101 — the polluter, not the consumer or taxpayer — should pay to clean up the waste.

The right place to focus is where plastic is created – at the front end of production where millions of tons are created. But companies have no responsibility once they sell their product.

More and more cheap, new plastic items are being produced that will never get reused or recycled.

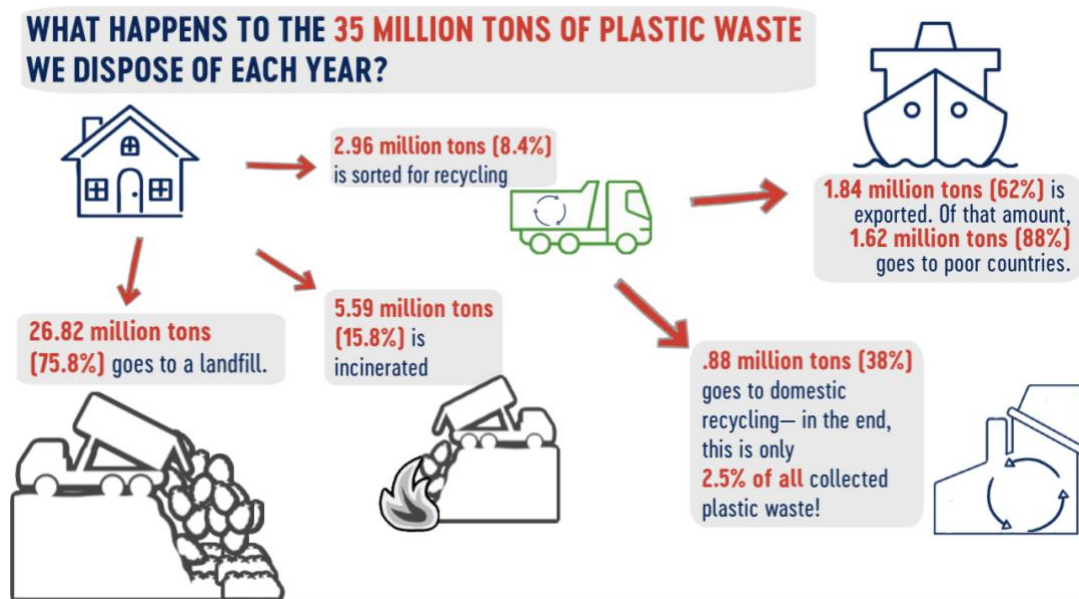
The burden falls back to our municipalities to manage a suffocating amount of plastic waste -- costing local taxpayers billions of dollars a year across the country.

And worse yet, most of that plastic “recycling” is a lie. It is actually landfilled, incinerated, or shipped overseas to developing countries.

Is there any question why our local governments are shutting down recycling programs?

Why do we force taxpayers to sort, clean, and transport plastic pollution – at their own cost — after companies have profited from them?

Take a look at this chart based on EPA data from 2017, the latest data we have.



Americans generated 35 million tons of plastic waste.

Only 8 percent of that waste was sorted for recycling.

The vast majority was sent directly to landfills and incineration.

And that 8 percent was mostly shipped overseas to developing countries.

Only a tiny fraction was recycled domestically.

We can't just place the blame on other countries for polluting the oceans.

If we can't recycle or manage our own plastic waste here in America, how can we expect a developing country to?

Here's the root of the problem: This is plastic that is not manufactured for recycling or reuse.

This is waste that manufacturers have designed for a one-time use. It's the opposite of sustainable.

Companies churn out new products and out-source cleanup of their waste to taxpayers, beach and highway clean-ups, and good Samaritans . . . none of whom can keep up with this avalanche of waste.

We need to return to the “polluter pays” principle and recognize who the true polluters are.

My bill -- the Break Free From Plastic Pollution Act -- does just that.

We start by dramatically reducing manufacture of those items that pollute the most and can’t be recycled.

Plastic bags top the list – causing tremendous environmental harm.

For other products and packaging, we reform how these items are handled after consumer use.

Producers need to take responsibility for the collection, recycling, and disposal of the products they create.

This will create powerful incentives to design products that are more sustainable and easier to recycle.

This is a tried and true, market-proven concept.

We already do this for batteries, paint, and other items that are dangerous if disposed improperly.

Look closely at that soda bottle. Many U.S. states have had “bottle deposits” for decades.

Using deposits on beverage containers greatly increases the return of those products for recycling and keeps them out of our environment.

My bill also stops sending plastic waste overseas to developing countries and requires that new products be made from recycled plastic here in America.

We need economies of scale to bring down the cost of recycled plastic compared to cheap new plastic.

Many companies set recycled content goals, but are unable or unwilling to do so given the limited supply and high cost.

Finally, my bill presses pause on expanding more plastic-producing plants.

These new, planned facilities are greenhouse gas super-polluters.

And they are an environmental hazard to communities around them.

If built, they are guaranteed to pump billions more tons of plastic waste into the environment.

The lack of regulation on these facilities is shocking. Many Americans simply would not believe it. It's a scandal.



This jar contains plastic pellets scooped from the river banks of Cox Creek, Texas, where Formosa Plastic is estimated to be discharging between 500 million and 5 billion pellets each year.

Around the globe, these plastic pellets are dumped, spilled, and lost to the environment at the rate of 250,000 tons per year.

It's shocking that there is NO federal ban on just dumping plastic pellets into waterways.

My bill would fix that.

Colleagues, I was not the first person to become concerned with plastic pollution.

There is a mass movement of people across our country who are fighting this awful situation.

When people realize that the blue recycling bin is largely a lie, they are angry. They want answers.

It's a shame that we are trashing our planet, but it's not the consumer's fault. This is not the fault of a few litterbugs.

It's past time for Congress and industry to step up on solutions to this problem.

My legislation does just that.

I'm deeply grateful for this Committee's attention and involvement.