



May 30, 2023

Christine Batikian
Bureau of Sanitation Division of Solid Resources Citywide Recycling
City of Los Angeles Department of Public Works
1149 S Broadway, 5th Floor, MS 944
Los Angeles, CA 90015

RE: Comprehensive Plastics Reduction PEIR

Dear Ms. Batikian:

Our organizations, representing a cross section of California’s leading employers, including packaging manufacturers, restaurants, retail/grocery, consumer brand companies, and other members of the supply chain are writing in response to the Notice of Preparation (NOP)¹ for the proposed Comprehensive Plastics Reduction Program (program).

The proposed program comes less than a year after SB 54 (Allen), the world’s most aggressive source reduction and recycling mandates on plastic packaging, was passed by the California Legislature. In signing SB 54, Governor Newsom stated this law “is the most significant overhaul of California’s plastics and packaging recycling policy in history, goes further than any other state on cutting plastics products at the source and continues to build a circular economy that is necessary to combat climate change.”

We strongly encourage the city to evaluate the potential duplication or overlap of the city’s proposed program with SB 54 as part of the scope of the NOP. We believe it is premature to seek regulation on materials covered under SB 54 before CalRecycle has even had the chance to formally begin rulemaking and companies are beginning to comply.

Specifically, SB 54 requires:

- All packaging be 100% recyclable or compostable by 2032.
- Plastic packaging be recycled at a rate of 30% by 2028; 40% by 2030, and 65% by 2032.
- Producers achieve a 25% plastics source reduction level by 2032 through a combination of eliminating plastic materials, shifting to reusable/refillable packaging options, and using recycled materials in the manufacture of new packaging.

¹ Division of Solid Resources Citywide Recycling, “Notice of Preparation of an Environmental Impact Report and Notice of Public Scoping Meetings,” Public notice (Los Angeles, CA: City of Los Angeles, Department of Public Works, Bureau of Sanitation, May 1, 2023), <https://www.lacitysan.org/cs/groups/public/documents/document/y250/mdg4/~edisp/cnt088743.pdf>.

- Producers and plastic resin manufacturers pay \$5 billion over 10 years for environmental mitigation.

Further, the program seems to be premised on the belief that alternatives to plastics are always environmentally preferable. Although plastic has a carbon footprint, it is mistaken to assume that alternative materials would always be more effective.² It is important to consider the carbon benefits of using plastics³ and the role these materials play relative to food/product safety and shelf-life preservation.

We are concerned by any blanket approach that merely substitutes plastics with alternatives, without considering the overall environmental footprint and total lifecycle impact of the alternative materials. Taking this approach in the absence of science-based analysis could lead to increased greenhouse gas (GHG) emissions, increased landfilling, and increased food waste. Each of these environmental impacts must be included in the city's report.

We believe the passage of SB 54 and its years of negotiations between industry, environmental organizations, local governments, and waste haulers/recyclers should be considered before embarking on a new program that attempts to regulate the same materials covered under this law. Compliance with SB 54 will result in millions of dollars in new costs to the business community. A potential patchwork of packaging rules will only add to these compliance costs.

For these reasons we urge the City of Los Angeles to set aside this proposed program and instead devote its resources to working collaboratively with all stakeholders during the SB 54 rulemaking process to ensure the program is successful. Thank you for considering our comments.

Sincerely,

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² N. Voulvoulis et al., "Examining Material Evidence: The Carbon Footprint" (Imperial College London, 2020), <https://www.americanchemistry.com/better-policy-regulation/plastics/resources/examining-material-evidence-the-carbon-fingerprint>.

³ Voulvoulis et al.

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