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U.S. Senate

Date: Wednesday, March 6, 2024

Committee on Environment  
and Public Works

Washington, D.C.

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HEARING ON EXAMINING EXTENDED PRODUCER RESPONSIBILITY POLICIES  
FOR CONSUMER PACKAGING

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The committee met, pursuant to notice, at 10:02 a.m. in room 406, Dirksen Senate Office Building, the Honorable Thomas R. Carper [chairman of the committee] presiding.

Present: Senators Carper, Capito, Kelly, Padilla, Ricketts.

STATEMENT OF THE HONORABLE THOMAS R. CARPER, A UNITED STATES  
SENATOR FROM THE STATE OF DELAWARE

Senator Carper. Good morning, everyone. Today, we are here to discuss a sustainability policy called Extended Producer Responsibility and how these programs can improve recycling infrastructure and recycling practices.

What exactly is Extended Producer Responsibility? Extended Producer Responsibility establishes a system in which the financial responsibility for products through the end of their lives is shifted upstream to producers of those products.

How do Extended Producer Responsibility policies work? Well, States or countries adopt policies that may require producers to pay a fee that is associated with their goods to a producer responsibility organization, and then these organizations can use the revenues for the expansion of recycling infrastructure and for consumer education.

Consumer packaging materials, like plastic, like cardboard, or aluminum, as we know, vary greatly with respect to their recyclability. Some materials, such as paper, have more viable markets for repurposing than others. We are pretty good in this Country at recycling paper. Extended Producer Responsibility policies can consider these differences in materials in their fee structures, which can incentivize producers to make more packaging sustainable.

For example, in Colorado they are working to establish a program where fees will be assigned to goods based on their environmental impact. Products that are more easily reused or recycled may have a lower associated fee for the producer to pay.

Difficult to recycle packaging, like plastic films, may have a higher associated fee. In order to pay a lower fee into the system, in Colorado, producers can make packaging that has a lower environmental cost.

Programs in several other States have also shown real potential. Among them, California, Oregon, and Maine have recently established Extended Producer Responsibility policies for packaging, regardless of the material type. As more States adopt these policies, it is critical that the Federal Government understands how to support Extended Producer Responsibility efforts moving forward.

We are hoping that today's discussion sheds light onto some of the activity going on in our States and what the proper role of the Federal Government should be.

Extended Producer Responsibility Policies can also help drive recycling rates up, since Producer Responsibility Organizations and governments can use the revenue they generate to improve recycling infrastructure for hard to recycle materials and to expand access to recycling in communities,

including rural communities.

Right now, consumer packaging makes up approximately a third of all plastics produced. I will say that again: consumer packaging makes up approximately a third of all plastics produced. Sadly, as we know, plastics are not commonly recycled in America.

According to the EPA, in 2018, less than 9 percent of plastics were recycled in the U.S. Let me just say that again: less than 9 percent of plastics were recycled in the U.S., just a couple of years ago. To put that figure into perspective, it is even smaller than the national recycling rate for all materials, which is roughly 32 percent.

As the members of this committee have heard me say more times than they want to remember, I like to say find out what works; do more of that. These policies actually can work. For example, the Extended Producer Responsibility Program in British Columbia was able to achieve an impressive residential recycling material rate of 86 percent in 2022, up from 37 percent in 2004, pretty amazing, before the program was implanted in that country.

As we will hear today, there has also been a surge in private sector support for Extended Producer Responsibility policies. Why is that? We know that most Americans want to make sustainable purchasing choices, and that number is growing.

According to a 2020 survey conducted by McKinsey, more than 60 percent of respondents said they would pay more for a product with sustainable packaging.

Large consumer brands have noticed. Many companies, for example, have established ambitious sustainability goals, such as using a minimum amount of recycled content in their packaging, and Extended Producer Responsibility policies can help producers meet those goals.

However, it is worth noting that the Extended Producer Responsibility policies on their own will not fix our waste management system. These policies must work in tandem with other investments in infrastructure and education and data collection. Fortunately, Congress has a track record of success in making such investments.

As you may recall, a part of the Bipartisan Infrastructure Law, which was actually written in this committee, and managed on the Floor by this lady right here and yours truly, and became law in November of 2021, our committee worked to secure \$350 million to strengthen recycling infrastructure and provide recycling education grants across the USA.

Our bipartisan work to strengthen our Nation's recycling systems doesn't stop there. Last year, this committee adopted two other pieces of bipartisan recycling legislation at the urging of Senator Capito, Senator Boozman, and myself,

legislation which would help gather much-needed data about our recycling system and improve access to recycling infrastructure in rural and disadvantaged communities.

This Congress, Senator Capito, Senator Boozman, and I are committed to seeing both of these bills move across the finish line.

In closing, let me just say that we know that recycling is a win-win. It benefits our environment, and it can also benefit, at the same time, our economy. That is the kind of win-win situation that I think we all look for. That is why our committee continues to consider further opportunities to support better recycling practices.

We are looking forward to hearing from our witnesses today. Before we do, and we welcome you all, thank you for joining us. It looks like you brought your family. That is SRO, they are in the EPW committee.

Let me turn to our Ranking Member, Senator Capito, and thank her for her efforts and leadership. We look forward to your remarks. Thank you.

[The prepared statement of Senator Carper follows:]

STATEMENT OF THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES  
SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. Thank you, Senator Carper, and good morning to all of you. It is nice to be here this morning.

This committee's continued focus on sustainability and waste management have underscored the fact that we have a waste problem, both here in this Country and around the world.

Like any complex issue, it is kind of easy to sit here and list out all the problems, but it is very, very difficult to start finding realistic solutions. We have one crowd saying we need to end all plastic production tomorrow. That position just doesn't make sense.

Acknowledging our continued reliance on plastic and working to prevent plastic pollution are not mutually exclusive. Private sector sustainability goals and international regulatory developments, like the global plastic treaty currently under negotiation, indicate the waste management policy landscape is very much in flux. U.S.-based companies with global footprints are staring down an uncertain regulatory and economic future.

My primary focus in evaluating Extended Producer Responsibility policies under consideration is making sure that they are grounded in reality and consider the downstream impacts to everyday consumers, including regressive costs that could be passed down, but especially in rural areas, where current



recycling programs are more limited and the cost of standing up ones are more expensive.

Companies cannot operate efficiently if they must conform to international standards that do not have American interests in mind or if they have to conform with 50 different packaging and disposal requirements to sell their products if every State had their own provisions.

Past experience in other environmental areas has shown us that States with the biggest populations and the most stringent restrictions will become the regulatory floor. Those States' policies can then unfairly dictate the national market to States like mine that have structural impediments to recycling access and limited resources to funding that necessary infrastructure.

Preventing this outcome, and a recurrence of the state-on-state fight over vehicle emissions standards and its market uncertainties, is why we need to bring these types of conversations about nationwide impacts of EPR policies.

As sustainability shifts from marketing buzzword to a potential revenue driver and a competitive advantage, industry, government, and the environmental community must work together to achieve outcomes that protect both the environment and grow the economy.

For that outcome to become achievable, we must be, in my opinion, technology-agnostic and avoid mandates around EPR or

circularity that may have some unintended consequences.

If draconian Federal standards are imposed, it may chill growth in any emerging sector. We see this happening in how IRS guidelines, for instance, on hydrogen tax credits, with no basis in law, are stifling the development of that market that is particularly hitting my State and my hydrogen hub. That is why I bring it up.

The same cannot be allowed to happen in the recycling and waste management spaces. During today's hearing, we are likely to hear statements such as, "the devil is in the details," or, "if done correctly." These precautionary labels will frequently arise in our EPR discussions. They emphasize the need to discuss all the potential consequences, both intended and unintended.

Done correctly, EPR could significantly improve domestic recycling, the rates, reduce the waste, and provide new opportunities economically. Equally so, a poorly crafted EPR scheme could laden regressive financial burdens on consumers, privilege large companies over smaller companies, and open the door for targeted bans for materials out of favor, such as plastic.

While I can understand the rationale behind EPR, I have yet to see a proposal that adequately is addressing all of these concerns. That is why we are here today.

To start, any EPR scheme that fails to recognize the importance of chemical recycling will never meaningfully improve recycling rates. We must carefully consider what stakeholders should have a role in decision making, such as the waste management industry, who is often left out.

We also need to think about the appropriate role of government. The last thing U.S. companies need is another layer of bureaucracy to navigate, so I look forward to hearing the panel.

Thank you, Mr. Chairman, for having this hearing.

[The prepared statement of Senator Capito follows:]

Senator Carper. Thank you, Senator Capito.

Now, we are going to hear from each of our three witnesses. We are pleased to welcome each of you to our committee today. I think we are going to hear first from Dr. H. Fisk Johnson. What does the "H" stand for?

Mr. Johnson. Herbert.

Senator Carper. Okay. Mr. Johnson is the Chairman and CEO of S.C. Johnson and Son. S.C. Johnson makes products many of us have in our homes and households, including Mrs. Meyer's hand soap, and Windex cleaner, which I have not used since yesterday.

Senator Capito. I told him I used it last weekend.

[Laughter.]

Senator Carper. They also have ambitious sustainability goals to make their products more recyclable and reusable.

Dr. Johnson, thank you for joining us today. You are welcome to begin your testimony at this time.

Thank you.

STATEMENT OF H. FISK JOHNSON, PH.D., CHAIRMAN AND CEO, S.C.  
JOHNSON AND SON, INC.

Mr. Johnson. Thank you. Well, thank you, Chairman Carper and Ranking Member Capito, and the distinguished members of the committee for the opportunity to talk today.

This is an incredibly important topic. I am a scientist by education, but I have spent the last 37 years of my career in the packaged goods industry. As a CEO of a large, global consumer goods company that is a big user of plastic, I see plastic in two very different ways.

On one hand, I see it as one of the most useful, versatile, and cost-effective materials developed in the last century that has brought extraordinary benefits to human life and well-being on this planet. On the other hand, as a lifelong conservationist, I am also seeing how plastic has become one of the most profound emerging global pollutants that is affecting planetary, animal, and human health.

The challenge is reconciling those two perspectives. How we as a society can and should and most practically, most economically, and least disruptively preserve many of the benefits that plastic has brought to humanity while preventing the vast amounts of plastic that end up in landfills, or even worse, end up in the environment where it can affect animal and human health.

Our company has a long history of environmental leadership, and I have long seen our company's plastic and packaging waste as one of our top environmental issues. It is something that we have been working on for a very long time. We launched our first 100 percent recycled plastic bottle 33 years ago, back in 1990. We have continued to take numerous actions and launch many other initiatives to reduce our plastic footprint, and we are going to continue to do so, whether that is improving PCR content in our products, providing reuse-refill options, or other initiatives.

However, for all of our company's work and ambition on plastic, I can't say I can raise my hand and say I feel good about the progress that we have made. No matter how many innovations one company can try, or efforts we can take, individual voluntary actions can only go so far.

It is incredibly difficult for an individual business, or even businesses as a whole, to make unilateral progress on plastic waste. It takes everyone in the plastic ecosystem working collectively together, from plastic manufacturers, packaged goods companies like ourselves, retailers, recyclers, waste haulers, to individual users of plastic products all coming together, working collectively, because scale matters. Scale at retail, scale in recycling infrastructure, scale and supply, scale and education programs, scale through everyone in

the package and value chain working together holistically. Without scale, we tend to get expensive, ineffective piecemeal approaches.

That is why I believe the only way to have an effective program is through a government regulatory framework. We believe Federal EPR is the way to go for several reasons. For one, as you said, Americans want the government to lead on plastic waste.

Two, there is a complex web of State regulations emerging, which are going to drive significant complexity, cost, and dysfunction unless there is Federal regulation that creates a national approach.

We need Federal regulation to avoid overregulation. Efficiencies of scale matter and can only come through a National regulatory framework, and continuing to accumulate landfill waste is unsustainable.

We also believe there is some urgency to get started. It is important to get ahead of emerging State regulation. But the sooner regulation is enacted and clear goals are set, and the more time that is given to achieve those goals, the less disruption there will be to business, the economy, and consumers. Time allows for product innovation; it allows for recycling technology innovation. It allows for education programs; it allows for investment and capacity and recycling

infrastructure and many other things.

Many organizations have been working to support EPR. I think what the World Wildlife Fund has done, in particular, has created some excellent work to educate on EPR and how it is workable.

In closing, I would just like to say that I believe plastic waste is a critical issue that needs to be addressed in a practical, good way to make substantive progresses through a National regulatory framework, where you can achieve scale with producers taking responsibility for the life cycle of their products. I think the sooner clear goals and expectations are set for industry and time is given to meet those goals, the better.

Thank you.

[The prepared statement of Mr. Johnson follows:]



Senator Carper. Dr. Johnson, thank you for leading us off.

We will now turn to Erin Simon for her comments. She is Vice President and head of Plastic Waste and Business at the World Wildlife Fund. Ms. Simon has been with the World Wildlife Fund since 2011, leading efforts to engage with the private sector to reduce plastic pollution.

Ms. Simon, welcome. You are recognized for the next five minutes or so. Thanks so much for joining us.

STATEMENT OF ERIN SIMON, VICE PRESIDENT, PLASTIC WASTE AND  
BUSINESS, WORLD WILDLIFE FUND

Ms. Simon. Thank you. Thank you, Chairman Carper and Ranking Member Capito and other distinguished members of the committee for the opportunity to testify today.

Before I came to WWF, I was a packaging engineer and material scientist working at Hewlett-Packard for 10 years.

Senator Carper. Really?

Ms. Simon. Yes. I spent a lot of time designing packaging for products both that were large format and went to copy rooms and stuff that ended up on Walmart shelves. When we talk about this topic today, not only am I passionate about it, but I can talk about it from a few different perspectives.

Senator Carper. Good, good. I think that is maybe why we invited you to come.

[Laughter.]

Ms. Simon. World Wildlife Fund is one of the world's leading science-based conservation organizations. We have been around for over 60 years, and our mission is really to protect the world's resources for future generations and to help address some of the biggest challenges facing our planet today, like plastic pollution.

Plastics are essential to modern life. They have helped us to overcome some insurmountable challenges. But the cost of

that innovation has been quite extreme.

The U.S. is generating most of the plastic waste in the world. It is ending up in our rivers, our coastlines, and our communities. It is estimated that globally, there is 11 million metric tons of plastic pollution entering our oceans every year. Just a little bit of perspective, that is a dump truck per minute. Just in the hour we might be talking, that will be 60 dump trucks heading into our oceans.

Those plastics are ending up everywhere, from these essential ecosystems we are trying to protect to our city sidewalks, disproportionately impacting local communities and economies, and of course, leading to the growing health crisis of microplastics in our food and water.

To be clear, WWF is not anti-plastic. We believe plastics can be a cornerstone to many of the innovations that frame life, but they don't have any place in nature where they are ending up. Currently, we depend too heavily on the linear, single-use economy, where we make, use, and get rid of plastics. We need to turn this system, this linear economy, into a circular economy. That is going to require a multifaceted approach that protects the communities, protects the environment, and our economies.

We see this, and our partners, some big consumer brands, as a huge untapped opportunity for the U.S. in the form of

leadership so massive that if we were to start today to transform our plastic linear economy into a circular one, we could save more than \$4 trillion in direct environmental and social costs by 2040.

Policies like Extended Producer Responsibility can be a critical part of that solution. We know EPR is responsible for robust recycling rates in other parts of the world. It creates powerful incentives for companies to reduce their plastic footprint and design for recyclability and mitigate the risk of that leaking into the environment.

EPR shifts that responsibility of end of life to the producer, and the objective is really for this physical, organizational, and financial structure to be shared between the producer and the government. It creates a more effective structure that increases the end of life collection, allows for better environmentally-sound treatment of collected products and waste, and provides incentives to manufacturers to design more resource efficiently and invest in infrastructure.

WWF has EPR principles that are broadly supported by industry and other NGOs and really include an industry-led governance model. This flexible framework is sensitive to regional differences but would ideally be established at the Federal level.

In this type of model, governments have the oversight over

the system, but hand the day-to-day management and funding obligations to an industry-led producer responsibility organization, or PRO. In my written testimony, I provide more details of that and our recommended parameters for a successful EPR system.

WWF hopes that the conversation this committee is leading today will help pave the way for Congress to develop and enact EPR legislation. We are not alone in that. We have a proven track record working with companies to improve their footprints and advocate for policy.

In my written testimony, I elaborate on our work with companies like Coca-Cola, Mars, and Walmart. These companies support well-designed Federal EPR, as well as corporations further up the line, like Dow.

Policymakers can also act knowing the American public is firmly behind you. I know there were some stats listed, but soon to be released from WWF some public polling will show that 85 percent of the public agree that plastic waste pollution is a serious and concerning problem that requires immediate political action to solve.

This issue is one we can all agree on, and ultimately, a circular economy is the only sustainable way forward. EPR can help us to get there, and both government and industry align on the need for the best-in-class system.

Here in Congress, we have seen the passage of Save Our Seas, and members of this committee have introduced the Recycling and Compostability Accountability Act and the Recycling Infrastructure and Accessibility Act and the Break Free from Plastic Act. These efforts demonstrate the bipartisan recognition of this growing problem and the keen interest in addressing it. We believe well-designed Federal EPR provides another opportunity for Congress to pass bipartisan legislation.

Thank you for the opportunity to testify today, and thank you for the committee's leadership.

[The prepared statement of Ms. Simon follows:]

Senator Carper. Thanks so much.

Thank you for, it sounds like, a lifetime of leadership in the private sector and again in the nonprofit sector. Thank you.

Finally, we are going to hear from Dan Felton. My sister and I grew up in Danville, West Virginia. One of my favorite places in Delaware is Felton, Delaware, just south of Dover. They have a fire company there. We have a lot of volunteer fire companies. I am sure my colleagues have in their States.

People ask me, they say, where should I go to dinner in Kent County, Delaware, which is greater Dover? I always say, the Felton Fire Hall. I just want you to know where your name is revered in our State. We are honored that you are here with us today. I understand that you are Executive Director at, how do you pronounce that?

Mr. Felton. AMERIPEN.

Senator Carper. AMERIPEN. AMERIPEN represents a wide range of stakeholders in America's packaging supply chain, and we are delighted that you are here. Thanks, please proceed.

Let me just say, our witnesses can't see this, but we are having an interesting movement of people that keeps coming into this committee hearing room, the likes of which I have not seen in a long time. A lot of them are young people. It looks like they may be college or high school age.

I think they are interested in recycling. That is a sight, that is a beautiful thing. We are happy to see this. By their presence, they are saying that this is good stuff, and we agree. Please proceed.



## STATEMENT OF DAN FELTON, EXECUTIVE DIRECTOR, AMERIPEN

Mr. Felton. Good morning, Chairman Carper, Ranking Member Capito, and members of the committee. I am Dan Felton, Executive Director of AMERIPEN, the American Institute for Packaging in the Environment.

I very much appreciate the opportunity to testify before you today on this important topic of Extended Producer Responsibility for consumer packaging. This is a core issue for AMERIPEN, and it is a core issue right now for the U.S. packaging industry. All stakeholders must work together to craft and implement effective shared responsibility solutions for packaging recovery and recycling. AMERIPEN supports that.

AMERIPEN is the only material-inclusive trade association representing the entire packaging value chain in the U.S. That is material suppliers, packaging manufacturers, brand owners who use that packaging, retailers, and end of life material managers. Our membership also includes a broad array of industry, product, and material-specific trade associations who are essential to the fabric of AMERIPEN.

We focus on science and data to support our public policy positions, and our advocacy and engagement is based on rigorous research rooted in our deep commitment to achieve sustainable packaging policies.

Packaging plays a vital role in the United States, ensuring

the quality of consumer goods as they are manufactured, shipped, stored, and used, protecting the health and safety of the Americans who handle and use those products.

Packaging has value throughout its life cycle, and none of it belongs in roadways, waterways, or landfills. We know how to recover it and be recycled and reused, and no one knows better how to do that than the AMERIPEN members who design, supply, produce, distribute, collect, and reprocess that packaging. They are driving innovation, designing packaging for better environmental performance to boost recovery and recycling and evolve the existing infrastructure.

AMERIPEN supports public policy positions that are results-based, effective and efficient, and equitable and fair. This has been the bedrock of our advocacy work as four States have now enacted full packaging EPR laws, and two additional States have enacted groundwork laws.

We will support thoughtful packaging EPR proposals that properly balance the needs of all stakeholders. We will not support poorly designed packaging EPR proposals that we believe are not based in reality and will not result in positive environmental change and greater packaging recovery and recycling.

We were deeply involved in the legislative process for each of the States that have now enacted EPR packaging laws, and we

are now deeply engaged in their implementation. There is, unfortunately, a lack of consistency between these emerging laws and the additional proposals we are seeing come forth in the U.S., causing concern for many, including brand owners who will be the primary responsible party for funding those programs. More detail on this is included in my full written testimony submitted for the record today.

A deeper discussion is now merited on how uniformity may be achieved if packaging EPR continues to expand in the U.S., and whether something could or should be done at the Federal level. To that end, AMERIPEN would be pleased to work with Federal policymakers and other stakeholders to explore the potential need and design for any Federal framework or program.

While AMERIPEN is not currently suggesting there is an immediate need for a Federal program or framework, any consideration must balance multiple public policy priorities and stakeholder needs to effectively improve packaging recovery and recycling throughout the U.S., alongside the need to keep existing systems and infrastructure operational and profitable.

A national nonprofit producer responsibility organization, a PRO, would likely be needed to manage the organizational structure for any program that moves forward for producers to develop a national program plan, pool resources, and provide program funding. A Federal Government entity, such as the

Environmental Protection Agency, will likely need to have oversight of the PRO and the organizational mechanisms to coordinate with States and their existing management of solid waste and recycling.

Phasing in interested States through an opt-in process to receive Federal support might also be appropriate to allow the continued planning and management of solid waste and recycling at the State and local levels. Such an opt-in process should establish national standards for terms, data, measurement, and reporting and the use of producer funds to which in-state stakeholders must adhere in order to receive that funding.

This type of framework that retains State and local planning, while also providing greater funding, consistency, and efficiency through national standards, could provide a workable approach to integrating aspects of packaging EPR across the Country without creating a national takeover of local recovery and recycling programs.

I hope these thoughts from AMERIPEN offer some perspective today on any national packaging framework or program that might be considered. I very much appreciate the opportunity to appear before the committee today, and I would welcome any questions you may have. Thank you.

[The prepared statement of Mr. Felton follows:]

Senator Carper. Again, we welcome each of you today. Thanks for your life's work. Thank you for sharing your thoughts with us and our colleagues and our guests.

We are going to provide five minutes per member for questioning. I will try to keep us close to that, but offer opportunities for multiple rounds, I hope.

I would just say to Ms. Simon and Dr. Johnson, with respect to fee setting, we have heard in your testimonies that a system that assigns fees based upon the environmental impact of a product is an important aspect of an Extended Producer Responsibility policy.

For example, difficult to recycle plastic films may have a higher fee than a recyclable cereal box. We will start with Ms. Simon, if you would. Would you expand for us, please, on how this fee setting process can work as a tool and Extended Producer Responsibility policies to support both a downstream and upstream changes in our recycling system?

Ms. Simon. Absolutely. When we talk about this fee setting, the term that is being used often today is called eco-modulation.

Senator Carper. What is it called?

Ms. Simon. Eco-modulation. I don't know if it is a real word.

[Laughter.]

Senator Carper. I have words like that, too.

Ms. Simon. Spell-check does not like it. What it essentially is about is sort of a fee modulation around criteria for the packaging. So, if we want to improve our recycling system, we need to start by making sure that we are standardizing the design of those materials to match the technology and the infrastructure.

By doing that, you get better efficiency on the back end, higher quality materials. They will have a higher value to have longer term contracts. So to incentivize that, to incentivize design for that, you can create a fee modulation system or an eco-modulation, where you incentivize producers to design for that system or design above that, use recycled content. Use less.

And it can also disincentivize. You can disincentivize problematic materials, problematic colorants, labels, additives, so that they pay a higher fee. That way, they are no longer, if they are degrading the quality of that feedstock, they are paying to degrade it.

Additionally, it can create the need for transparency in the system, which can help avoid some of the concerns around toxic chemicals in recycling. There is better transparency; the material recycling facility will have the ability to opt out of those materials, and it will give us the opportunity to have

better visibility of how we improve upon reducing those problematic chemicals in the future.

Fee modulation is a way to take a tool that could be just for financing recycling and use it for a bit more than that.

Senator Carper. Thank you.

Dr. Johnson, would you please share with us any views that you have regarding the same topic?

Mr. Johnson. Yes, I would just simply say that I would support as a key tenet of EPR this kind of eco-modulation. What we have seen in some EPR schemes is they create a pollution prevention hierarchy, the worst being plastic going into landfill, wasted energy, downcycling to recycling, to reuse-refill, and fees are based on where the end of life of your product is relative to that hierarchy.

I think it is a good incentive system for companies like ourselves to make our products more recyclable, to improve our PCR content, and just have continuous improvement in the system. A number of EPR schemes don't have that, but we would certainly promote having that kind of system in EPR.

Senator Carper. Great, thanks.

Senator Capito?

Senator Capito. Thank you. Thank you all for being here. There is a fundamental chicken-and-the-egg issue here that is preventing us from moving on. Insufficient collection

infrastructure hampers our recycling efforts, and the low demand for recycled materials discourages investment. That is why I think Extended Producer Responsibility could really be viewed as a potential solution here, which is good.

Ms. Simon just mentioned something that I mentioned in my opening statement. Mr. Felton, I would like to ask you, is it even feasible for producers to comply with anticipated recycling content mandates without the integration of some chemical recycling? Where does chemical recycling fit into this? Because obviously, it is a major part of the materials that are produced?

Mr. Felton. Yes, thank you, Senator. It is a great question. While AMERIPEN doesn't have an official public policy position on advanced recycling, chemical recycling, molecular recycling, we will say it is a tool in the toolbox. We would not want any program at the State or the Federal level to move forward that would take a tool that is able to increase packaging recycling and recovery. That would include new emerging technologies for mechanical recycling. As well, we believe that would include these new technologies, newer technologies, to support advanced or chemical recycling.

Senator Capito. Dr. Johnson, do you have an opinion on that as well?

Mr. Johnson. Yes. I would support the fact that it is an



important tool in the toolbox, especially for hard-to-recycle plastics. You would hope, over time, that as EPR works, you get out of those hard-to-recycle plastics, and you put more into the recycling loop and maybe there is less of a need for that kind of tool. But it is certainly an important tool, in my opinion, in an interim period.

Senator Capito. Ms. Simon, do you have an opinion? You mentioned that in your opening statement.

Ms. Simon. Overall, I think we are cautious about chemical recycling today, as it hasn't quite been proven. However, I don't think we need to define the how. I think we define outcomes in the process. We don't want to close off innovation.

But we say that any technology that is used to process and provide us secondary markets has to meet certain environmental, social, and economic bars. If we set a system up to be about outcomes, about improving the benefits of this system, then we don't have to put barriers up around what those tools can be.

Senator Capito. So, one of the frustrations that I think the Chairman and I have, if I can speak for him briefly, I think, is that we can't even get our small recycling bills through Congress. So how in the world are we going to be able to do something on a Federal level at the scale at which we are talking about here, which would be, I think, beneficial, fundamentally, to everybody in the Country and all the States

would be able to comply?

But the two downsides that I mentioned were possible regressiveness in terms of cost of product as you further recycle. What does that do to the cost to the general consumer? And the other thing is the rural America, sort of inability to access recycling now, but in the future. I don't know.

Mr. Felton, do you have any helpful hints here for Congress?

Mr. Felton. Included in my written testimony are some more examples of this, but yes, I think there are things that are moving forward that Congress can help with. The acts that we have heard of today, the Recycling Infrastructure and Accessibility Act, the Recycling and Composting Accountability Act, understanding they are currently facing challenges as well. But those are steps in the right direction.

I think another thing that could be helpful, and I don't think it is impossible to do, is to get some more harmonization or uniformity, if you will, around the definitions. I would agree with Ms. Simon's discussion about what is the end goal, what is the end game here. But if we are all operating from a different definitional standard, that is something to think about.

One other thing I would highlight that I think is very important that I do see an opportunity, potentially, for Federal

Government to support is the re-emergence of State recycling market development. So we want markets for these materials at the end of the day. Producers want that, to get to the recycled content, either self-imposed or mandates States are putting forward.

Recycling market development is another tool, and I think there is a role here for the Federal Government to potentially help in that regard.

Senator Capito. You mentioned in your statement that, I think you said four States has already put in --

Mr. Felton. That have full EPR laws in place right now, yes.

Senator Capito. Okay. What four States are those?

Mr. Felton. They are Oregon, Maine, Colorado, and California.

Senator Capito. And then, what were the other two you mentioned, you mentioned two other States?

Mr. Felton. Illinois and Maryland have passed what I am referring to as a groundwork law. It will do a needs assessment.

Senator Capito. Are these in conflict with one another, or are they similar?

Mr. Felton. I would say that generally speaking, none of these six laws in place now are quite like each other. They are

definitely --

Senator Capito. So Mr. Johnson's products, are they going to be impacted? How are they impacted by the State laws?

Mr. Johnson. There is some conflict between the State laws. I will give you an example. The labeling laws, as part of EPR in California, will prevent the chasing arrows symbol in most cases, whereas 30 other States have laws that mandate the chasing arrows. Our products flow pretty freely across State borders, so it would be impossible for us to comply with the law when you have that kind of labeling conflict. That is just one example.

Senator Capito. Well, that is a good example. That is a good example of why harmonization would really be where we need to go, here.

Mr. Johnson. Yes.

Senator Capito. Just on something that sounds pretty simple can complicate things. Thank you very much.

Senator Carper. Thanks. Thank you very much.

I would just say to our colleagues, two of us that are sitting here on this side of the dais are former governors and very much involved in the National Governor's Association. There is an entity within the National Governor's Association, which is a mechanism that enables States to share ideas with one another, what is working, what is not working. They actually

have a name for the committee that does that. I used to chair that committee.

I would remind us that this is not just a Federal issue; this is not just a private sector issue. States have a real dog in this fight. We welcome that.

Senator Capito, her father was Governor of West Virginia when I was born, and rumor has it that she has a son who might end up being Governor of West Virginia in the future. Those governors, we want to keep an eye on them and make sure they are part of what needs to be done.

Senator Ricketts. He and I are recovering governors.

Senator Ricketts. Great. Thank you very much, Chairman Carper and Ranking Member Capito. I appreciate the opportunity. Thank you to our witnesses for being here today.

EPR is a relatively new approach to address our plastic waste infrastructure. I have some concerns that relate to something that, frankly, none of the witnesses addressed directly, which is the financial burden this could place on complying with that regulation, and what it is going to do to the price of goods.

A study from the State of New York showed the adoption of EPR could increase grocery bills \$36 to \$57 per month for a family of four. This is at a time, of course, when inflation is already impacting families across this Nation. Grocery prices

are up 21 percent since Joe Biden has taken office.

Of course, who does this harm the most? Well, it is our lowest income families who are the ones that are the least able to handle these price increases. We see this in a lot of areas. In low-income households, they consume almost 20 percent of the prepackaged goods, more than other households.

We have all sorts of examples where regulation comes in place and it drives up costs for consumers, and of course, that impacts our consumers all across the board. For example, when California passed some of their animal cruelty laws, it drove up the price of eggs 33 percent. If you look right now in California, on Proposition 12 as well, eggs consistently cost 85 cents more in California, or 85 cents to a dollar more in California than they do in the Midwest.

If you look at, for example, the EPA's proposed tailpipe regulations that would require two-thirds of all vehicles to be sold in the United States by 2032 to be electric vehicles, electric vehicles generally cost \$65,000. That is significantly more than a regular internal combustion engine, and the average low-income household spends \$12,000 dollars on their vehicle. So, again, a huge impact on low-income families when you have regulations come in place.

So, this overregulation can have a big impact on our families that are the least able to do it, especially when you

are talking about basic necessities, like food and transportation. They are really the most vulnerable.

In Nebraska, we actually have innovation that can also help with this. It is development of mild plastics. Nebraska is the leader in the development of production of these types of chemistries. The previous Farm Bill expanded the definition of bio-based products to include renewable chemicals.

Renewable chemicals are produced from renewable biomass, allowing sustainable materials to be mixed with conventional materials and existing industrial processes and supply chains. It is widely used internationally, and the USDA has been slow to adopt these improvements.

Mr. Felton, can you talk a little bit about the importance of innovation and provide some examples of important innovations that are happening in the packaging supply chain?

Mr. Felton. Yes, thank you, Senator, for that question. There is a lot of innovation happening, bioplastics is one example. There are other innovations happening that we are able to incorporate. For instance, more recycled content.

What I would say is, I want to try to answer both parts of your comments. One is the innovation happening. It is important to remember that packaging is designed for a particular reason, a particular purpose, and I would even suggest, in some instances, that would be more true in your

State with more rural communities, people may go to the store a distance and maybe once a week, once every 10 days. So there is packaging designed expressly for that purpose, for them to be able to purchase products and have it last longer, quite frankly.

So, innovation, whether it be bioplastics or other types of materials, packaging being produced really is meaningful when we have this more holistic discussion about Extended Producer Responsibility, which then goes to the cost issue.

You referenced a study. There are studies sort of on both sides of the aisle. Does EPR increase cost to consumers, does it not? I think economics would argue there may be some incremental, at least, small cost to consumers at the end of the day.

I would suggest that consumers may have some of that cost impact. Companies may be willing to internalize some of that cost as well, if it gets to what they are trying to do as a company. I am sure Mr. Johnson can speak further to that. It is definitely a consideration.

My members are very concerned about potential cost increase. But I think if they can find paths forward to meet their goals, whether it be environmental or to sell more products, if they can internalize some of that cost, the impact will be less, quite frankly.



Senator Ricketts. Mr. Johnson, can you talk a little bit about innovation in the packaging industry?

Mr. Johnson. Certainly. Just to comment on the cost piece, I share your concern about its impacts, especially on people that can't afford these kinds of cost increases.

But I would make a couple of points. One is, if we let this emerging round of State regulation happen, that is going to drive costs a lot faster than if we had Federal regulation.

The second thing that I would say, and this is one of the things I am promoting, is that the sooner we get Federal regulation and the more time given to meet goals, the more innovation can happen; the more you get economies of scale, and you can mitigate the costs and inconvenience to the people that buy our products. I advocate for time to meet these hurdles.

But there are a lot of innovations happening, particularly on recyclability of products and recycled content. I think those, and reuse-refill kinds of innovations, those are, I think, the three big things that will be promoted in EPR regulation.

Senator Ricketts. Great. Thank you. Thank you, Mr. Chairman.

Senator Carper. Thank you, and thank you for always showing up. This guy, I think his attendance is as good as mine. It is a joy to continue to work with you.

Senator Padilla has joined us. Senator Padilla represents a big State, California, and does it extraordinarily well.

As you know, I used to be a Naval flight officer. We were stationed, when we weren't in southeast Asia in the Vietnam War, our squadron was housed at Moffett Field Naval Air Station. I lived very close to there in Palo Alto.

When we weren't overseas, I would recycle. I found the warehouse about a mile from the apartment that some of my buddies and I lived in. We would go there pretty regularly every month. I have never, never stopped. It is a good habit that I learned a long time ago in your State. Thank you.

Senator Padilla. Thank you, Mr. Chairman. Thank you for convening this hearing.

As we explore the role of Extended Producer Responsibility, I think it is helpful to remind ourselves that it is just one aspect of the circular economy for plastic. These policies should, obviously, work in tandem with other areas like recycling infrastructure investments, which we have talked about, improved data collection, because that can help inform future decisions and policy making, and any other strategies that would leverage public-private partnerships and investments to achieve our goals.

As the Chairman said, I am proud to represent California, which I believe has paved the way towards a circular economy for

the benefit of both consumers and the environment. Thanks to California's leadership on recycling over the years, we have collected over 491 billion bottles and cans, including the ones that you recycled, Mr. Chairman, and a billion pounds of carpet. Maybe a lot of people prefer the cans and bottles, but it is not just that.

Carpet, 2.6 billion pounds of e-waste, because of electronics and its disproportionately impactful environmental damage, if not disposed of properly, 2.2 billion gallons of used oil, and 9.6 million mattresses for recycling. We are going to take recycling and reuse everywhere we can find it.

California is also one of the first States to enact Extended Producer Responsibility legislation with its landmark passage of SB 54 in 2022. This law requires producers to reduce single use plastic packaging by 25 percent and make 100 percent of their packaging either recyclable or compostable by 2032. Reports estimate that the targets in the law would result in 23 million tons less of single use plastics over the next 10 years.

That sounds like a big figure. Let us try to envision what 23 million tons is. You are familiar with the Golden Gate Bridge? Twenty-three Golden Gate Bridges is what we are talking about, or 150,000 blue whales.

Dr. Johnson, how can Congress best advance Extended

Producer Responsibility policies while also protecting States' abilities to act?

Mr. Johnson. I do think there is an important role for States. What we would like to see is harmonization of product labeling and product characteristics so that, because our products flow freely across State borders, so that we don't have conflicts of laws, and we can capture good economies of scale.

To me, those are the two most important things that we need from a Federal level. But States obviously should have a lot of capability to design these systems to meet their State's particular needs.

Senator Padilla. Right. I think, in addition, this is my position, for the record here, I think we in Congress can learn what has worked at the State level and try to broaden that across the Country while not preempting those States that can and want to be even more aggressive. It is an important balance and policy relationship to have.

In my time remaining, I wanted to try at least one other topic. California was one of the first States to pass a beverage container deposit law, which established what Californians know as California's redemption value, the CRV on beverage containers.

This fee, or deposit, as it is referred to, is either returned to consumers when they recycle their bottles and cans

or given to a curbside operator or nonprofit recycler. Thanks to California's bottle bill, our beverage container recycling rate is at 70 percent. We have had higher marks at some point, but 70 percent is pretty successful.

Ms. Simon, what other complementary recycling systems should be considered and incorporated into Federal Extended Producer Responsibility policies?

Ms. Simon. Thank you so much for the question, and thanks for your leadership.

I think it is really important that we learn from what the States have been doing and what really creates sustainable secondary markets for all materials, because we do know that we are way outpacing the world's ability to produce all of the things we depend on, and we need to figure out how to get them back.

There are a lot of elements that we would build into a system like EPR that could extend beyond single use products. You can learn from DRS to create and how the incentives work in that to enact incentives for reuse systems and recovery in the shared community. You can create better harmonization and design standards across a whole host of different product categories.

We are primarily talking about municipal solid waste here and single use materials, but there is apparel, there is

electronics. There are a lot of other industries that are going to learn from what is happening in this space, and we should be considering those as we look at what types of mechanisms could be successful in helping us to recover those unneeded resources in one place and provide them for other industries in another.

Senator Padilla. Thank you very much.

Mr. Chair, I will just remind us that recycling is the third of the three Rs: reduce, reuse, and then recycle. Back to you, Mr. Chair.

Senator Carper. The three Rs. Can't get away from that.

You mentioned the Golden Gate Bridge, which a lot of us are familiar with. There is also a Golden Gate Park, and when we were not deployed overseas, my squadron was back in California.

I got to go to the very first Earth Day in Golden Gate Park. The speaker that day was Ralph Nader. He had written a best-selling book, some of you may recall, called Unsafe At Any Speed. It was written about my car, the Chevrolet Corvair. It had an air-cooled engine in back, and it had a way of going around a curve, you go down to a sharp curve, it would change directions, and you find yourself going the opposite direction.

The other thing we found out is that in the winter, when you turned on the heater, carbon monoxide would come out of the heater. When I was at Ohio State, I bought it when I was a senior at Ohio State. When young women at Ohio State found out

that my car was a Corvair, it was hard to get dates in the winter.

I lived to make it to Pensacola, Florida and sold it for a dollar and bought myself a Volkswagen Karmann Ghia, which I think I ended up with like, 200,000 miles on it. But it started with the Corvair. Lots of great memories.

I want to say thank you for your leadership in California and thank you very much for your leadership here.

We have a bunch of other, all of us serve on a number of committees. I serve on about three or four others, and so my colleagues do, and a lot of those committees are meeting right now. Members are going to kind of try to pop in to the extent that they can, but until they do, I am going to proceed to just ask questions.

My next question would be of you, Dr. Johnson. Several countries, as we may know, including, I think, including Canada, and I think France is one of them, have established Extended Producer Responsibility laws. Recently, I think we have had some mention here of Colorado, Maine, California, and Oregon have passed their own laws for consumer packaging.

We have heard both pros and cons to these laws. One concern that we have heard from stakeholders is about the challenges we have heard here today, the challenges of patchwork State-by-State approaches to recycling policies, such as

differing labeling requirements.

I mentioned the National Governors' Association actually has an entity that is in place to actually share good ideas with one another and to find out what works and do more of that. It is called the Center for Best Practices within the NGA. That is a great organization and still very active. We try to work with them in ways that are helpful to the Federal Government, to Congress, and also to State and local governments.

Dr. Johnson, a follow-up question for you. Would you please share some of your experiences as a global business working with national and international Extended Producer Responsibility laws? What are some of the challenges that S.C. Johnson has faced in complying with these laws, and how might regulatory entities address those challenges?

Mr. Johnson. I think there are some good models of EPR legislation out there. I would hold British Columbia up as an excellent example. You shared that as an example earlier, Senator, where they have been able to achieve high recovery rates and very high access to recycling for the population in British Columbia.

Some of the challenges that we have had revolve more around transparency of fees. The one thing that I would like to see more of in an Extended Producer Responsibility regulation is more of a push on reuse and refill. That is probably one of the



best approaches to minimizing environmental impact.

I would just like to share an example, if I could. Twelve years ago, we launched a concentrate which you could put in this Windex bottle and fill it with water so you can reuse this trigger bottle a hundred times, if you wanted. That is the best environmental footprint for this kind of product, but it doesn't sell very well.

Most consumers, plastic is just not top of mind enough for them to want to go through the inconvenience of putting a concentrate in here and refilling this bottle. It just comes back to, it is very hard for an individual company to make progress with these kinds of innovations.

But if we have things in the regulation that could help incentivize these kinds of things and bring scale at retail, if retailers had 30 percent of their space devoted to refill-reuse options, if many companies created those options for their brand, if we had education programs, if we had subsidies, that could help this kind of innovation.

France has put in their regulation a minimum amount of retail space that you have to devote to these options. The United Kingdom is giving subsidies for refill stations in Europe. We have over 700 refill stations for our laundry detergent brand in Europe, and those kinds of things work.

I would love to see that kind of thing added to a

regulation that we can have federally here in the United States.

Senator Carper. Okay. Well, thank you for that.

Ms. Simon, and again, probably, Dr. Johnson, but we will start off with you. Ms. Simon, as I mentioned I think in my opening statement, some materials have more viable markets for repurchasing than others, as you know. It is known as end markets. I believe that is what they call end markets.

For example, paper is recycled at almost 70 percent, and recycled paper is often put back into products for resale, but plastic products do not have the same recovery rate or value as recycled paper. Question for you and maybe for Dr. Johnson, as well. How can Extended Producer Responsibility policies establish new end markets for recycled materials? Ms. Simon?

Ms. Simon. Every single one of the materials that we depend on for single use today, whether it is paper, aluminum, glass, or plastic, comes from a resource and comes with impact. We should be making our best effort to make sure all of those materials are getting recycled. They all end up in the same blue bin.

So when we are talking about an Extended Producer Responsibility scheme at the Federal level, we need to be considering all of those materials at once and how we can create design standards and eco-modulation to enhance and improve the way those materials are designed for recycling and for the

infrastructure and technologies needed to most efficiently recycle them so that we have high value materials on the back end for all of that.

So, maybe the improvement from paper is not as high as it would be because we have a much lower starting point for other materials. But that improvement is still needed. Because paper and paperboard are the materials within that blue bin that absorb most of the contaminants. Because they are on the lower end of the amount of times you can recycle them, those contaminants actually have a bigger impact on the strength of those fibers when they are being recycled.

I think there is mutual benefit that can happen across all materials for those secondary markets.

Senator Carper. Thank you. Dr. Johnson?

Mr. Johnson. I would just say that a key tenet of Extended Producer Responsibility regulation and a key responsibility of that producer organization is to help create those end of life markets. If you look at the British Columbia example, today, over 99 percent of what they collect goes into an end market. That has been improved over time.

Again, I think eco-modulation is an important tenet as well. You create a plastic pollution hierarchy, and you create an incentive system to move products from going into landfill or waste energy up to higher value, more circular markets. To me,

that is a very helpful and important principle in Extended Producer Responsibility regulation.

Senator Carper. Let me just follow up with that. How important are viable end markets for a company like yours that is trying to use more recycled content in your packaging materials?

Mr. Johnson. I am sorry, can you repeat the question?

Senator Carper. Yes. How important are viable end markets for a company like yours that is trying to use more recycled content in packaging materials?

Mr. Johnson. It is extremely important. What regulation does it create scale. It creates scale and supply of post-consumer recycled plastic, which is important to us, because we are meeting our own internal goals of using recycled plastic.

It is important for us to see that even today, some of the hard to recycle things get into even down-cycled markets. To me, it is a critical part of regulation.

Senator Carper. Good, thank you. I think those are my questions.

I want to mention a couple of things, if I can. Senator Capito, Senator Boozman, and I have provided the leadership in introducing two significant pieces of legislation dealing with recycling. We have talked about it many times in this room. Some of you are familiar with them.

We have actually, they passed out of committee, I think, unanimously. They have very broad support within the Senate. In an effort to try to find, to reconcile our legislation with what is going on in the House, we have stumbled over something that is called, in the Senate, it is called a hold. A member of the Senate, Democrat or Republican, can put a hold, in some cases, on legislation that he or she has concerns about.

One of our colleagues, Senator Lee of Utah, has lifted his hold. He has lifted his hold, we learned this morning, on the two recycling bills that this committee has moved earlier in this Congress that we talked about here, even today. Senator Capito has provided a lot of leadership on that, along with Senator Boozman, and our staffs, great staff work on that. We appreciate very much the decision by Senator Lee to lift his hold.

Senator Capito and I are going to be working and our staffs are going to be working with the Floor. I don't know how you work with the Floor in the Senate, but the folks who work the Floor, for Democratic and Republican leadership, to see if we can't move these two recycling bills as soon as possible so we can work with the House to get them to President Biden's desk. A piece of good news. We don't always have good news, but that is good news, and we are really happy and grateful to Senator Lee for what he has done.

Before we wrap it up, one of the things I like to do, I am always looking for consensus, how do we build consensus. How do we build consensus here across political lines; how do we build consensus between the House and the Senate? How do we build consensus with States and governors and other levels of government?

I am going to ask you, in closing, if you would, just to maybe close with, each of you, with a thought or two in terms of actually taking us closer to consensus on something, an issue of significance relating to recycling. It could be what we are talking about today. It could be something else that is related to what we are talking about today, and maybe we might have asked a question that triggered a response.

What else do you think you what to kind of leave us? You had a chance to give an opening statement. I want you to give us just a short closing statement, with some real wisdom. You have given us a lot of that already. I am going to ask Mr. Felton if you would just lead us off, and then we will wrap it up with Ms. Simon.

Mr. Felton. Yes, thank you, Senator. Three quick thoughts. One is, consensus is critical, and we need people at the table. I am not suggesting the people here in the room today are not at the table, but one thing AMERIPEN has discovered over the last four years is, we are only going to

solve these problems if all stakeholders sit down together, and that is what consensus is. So encourage those who are not currently engaged in this issue to follow hearings like this, understand the complexities of it, and move forward with us.

Two other things I want to say. I do want to mention that, while we have, I believe, 40 countries around the world that have EPR in place, many of those programs were set up 20 and 30 years ago for a different set of packaging and a different set of technology. These programs are continuing to evolve.

So as we point towards other countries and what they are doing right, I think we need to be mindful of that, and we need to be mindful that I think we need a unique, United States solution as well for the way that things are set up here in the United States.

My last comment is data, data, data. We need data.

Senator Carper. Did you say data?

Mr. Felton. Data, yes. I did, three times. We need that desperately. I think there is a role for the Federal Government to help with that, so as we are looking to find consensus, looking to drive industry interests and environmental interests and State interests is we lack data that is desperately needed. We need to work more on that.

Senator Carper. Good. I think one of the pieces of legislation, one of the two pieces that I talked about, speaks

to that issue, which is good.

Mr. Felton. It does, yes.

Senator Carper. We have been responsive. Thank you for that encouragement.

Mr. Felton. Thank you.

Senator Carper. Dr. Johnson?

Mr. Johnson. I would just say, obviously, consensus is important. Far be it from me to suggest what might help build that. I would just say that, given the emerging State regulations, that Federal regulation will help prevent overregulation. I think that should be important for everybody.

I would also say that this is an important emerging issue. I know you talked about microplastics last week. That, I think, is becoming a very important human health issue that needs to be solved. I think, if there is anything with urgency around it, it is that.

I appreciate the opportunity today to share my views.  
Thank you.

Senator Carper. We are delighted you could join us again.  
Thank you for sharing your views with us.

Ms. Simon?

Ms. Simon. Thank you so much for the opportunity, once again. When you talk about consensus, it makes me think about the process that is happening in parallel to this in the United



Nations around the treaty, where it is the goal for all of those member States to come together and find a common path forward against a shared threat.

That is really hard to do in quite a divisive world, as it can be to find paths forward in the U.S. But an interesting thing has emerged in these negotiations and in the momentum in the U.S. is that where we have common ground from more players than ever before is on Extended Producer Responsibility.

We may have different reasons for why we want it, but ultimately, we all need better, more harmonized standards. We need better collection. We need better processing, and we need better secondary materials. That is fairly common and, I think, why you see more excitement and activity from the private sector on this. They want that more than anything.

I want to add one thing. I didn't get a chance to comment on the cost thing earlier, and I was hoping I could just add a few thoughts.

Senator Carper. On the what?

Ms. Simon. On the cost to the consumer. I think the cost is already on the consumer in the form of plastic waste today and municipalities that are currently dealing with that. So I think we need to make sure we are considering where these costs are falling as we do the full balance sheet for what an EPR system would do.

Mayors in the Midwest, part of the Mississippi River Cities and Towns Initiative talk about cost as one of the challenges they faced and how it is coming down to the local taxpayers. Those mayors will be on the Hill tomorrow to talk about their support of EPR also, and Washington has done some studies that have shown that there are benefits to it, coming back in the form of \$600 to \$300 a year by not having to pay for trash services.

I think there is an opportunity to find that common ground in where there could be those benefits to businesses, those benefits to the government, and those benefits to the communities who really need it.

Thank you again for the opportunity. I appreciate it.

Senator Carper. We thank you all. I hope your work provides you as much joy and satisfaction as our work provides for us. People who follow the news and follows what goes on in Washington think that we don't like each other and can't stand working with one another.

That could not be further from the truth, as least with respect to many of the issues before this committee. We have a lot of mutual respect. We have a great, I think, a great track record in things like the Inflation Reduction Act, which we were involved in helping to write and the Bipartisan Infrastructure Bill, which has huge climate provisions in it, some of which we

talked a little bit about here, too, today.

I was going to say Winston Churchill, but another great leader was, there is a statue of him a couple of miles from where we are gathered here today, and it is our former President Abraham Lincoln. One of my favorite Lincoln quotes is in response to the question, what is the role of government? What is the role of government?

Lincoln used to say, the role of government is to do for the people what they cannot do for themselves. The role of government is to do for the people what they cannot do for themselves. There is a lot of wisdom in that. One of the ways that the government works best is when we do it in a collaborative way and look for common ground, trying to find ways to harness market forces where that works, and realize that there is a moral imperative for this.

This is the only planet we are going to have. There is no planet B. We have to take care of this planet if we care about our grandchildren and our great-grandchildren. I know, if we are lucky enough to have those, we want to make sure they have a wonderful place to inherit and to raise their own families someday.

We appreciate your thoughtful insights into what can be a complex topic. We look forward to remaining in touch with you if we can find you, in a good way. We want to stay in touch

with you and with our committee so that we can really reach some of the best and most thoughtful policies and advance these and other shared goals.

I want to say a special thanks to Senator Capito and to her staff, to our majority staff, and the staff of all of our colleagues who participated in helping to select you to be our witnesses and provided some of the questions that have been asked here today.

I get to do a little bit of housekeeping here to close out our hearing. This is my favorite part of the hearing. I want to ask unanimous consent to submit for the record a variety of materials that include letters from stakeholders and other materials that relate to today's hearing.

When I ask unanimous consent and there is no other Senator to object, then I can pretty much run the show. Without objection, so ordered.

[The referenced information follows:]

Senator Carper. Senators are going to be allowed to submit questions for the record through the close of business on Wednesday, March 20th, and we will compile those questions. We will send them to our witnesses, and we will ask all of you to respond, if you could, by Wednesday, April 3rd.

In a place where sometimes we don't have great news every day, the news about our friend Senator Lee lifting his hold on a recycling bill is a wonderful piece of news. I think folks who might be tuned in across the Country are probably encouraged by your testimony and what you have presented to us today, and the questions that our members asked.

While you have been testifying here for the last almost an hour and a half, we have just had a really impressive group of young people coming into the hearing. There are seats for folks who might be watching this on C-SPAN or television. We have a number of people who can sit in the hearing room. We have seats for maybe 50, 60, 70 people, but we have had probably 100 or more young people, they look like they are in maybe, high school, or maybe college, that are coming.

They could have gone to any hearing. We have a lot of committees. They could have gone to any hearing. They could have gone to see the House in order, or in session, or the Senate over in the Capitol. They came here. They came here by the dozens.

They came here because they know this is important. This is important for them in their lives and the families that they will raise someday. We don't want to let them down. We don't want to let them down. I am proud to say that, I think, on this committee, we are not letting them down. With your help, we will continue to do that.

With that, this hearing is a wrap. Thank you all very much. We are adjourned.

[Whereupon, at 11:22 a.m., the hearing was adjourned.]