



November 5, 2020

To Whom It May Concern:

Delaware Nature Society (DelNature) appreciates the opportunity to comment on the Department of Natural Resources and Environmental Control's (DNREC) draft, "At-Store Recycling Program Regulations." DelNature was an avid advocate for House Bill 130, Delaware's Plastic Bag Ban, and continues to advocate for general waste reduction in Delaware. We also appreciate the hard work of the DNREC regulatory team to create such impactful regulations.

It is estimated that less than ten percent (10%) of plastic bags are currently recycled or reused across the country, resulting in more than 3,500,000 tons of plastic bags thrown away or discarded annually. Although the Plastic Bag Ban (HB130) was a step in the right direction, it will require the design and successful enforcement of regulations if we are going to increase the percentage of bags recycled and reused.

#### **Increasing Recycled Resin Content in Plastic Bags to 25%**

One of the most important factors to any plastic film recycling program is the insurance that there will be a recycling market for the plastic film itself. Recycling programs rely heavily on the market demand for products made from the recyclable materials, whether that be more film bags or other products. While these regulations are designed to increase the amount of plastic film going into recycling programs, it is not creating an incentive for businesses and manufacturers to purchase and/or produce products made from recycled plastic resin content.

Ultimately, this could result in an influx of plastic bags entering the recycling market, but no-where for that recycled content to go. By intentionally including a requirement for recycled resin content for the re-useable plastic bags, there is an opportunity to close the feedback loop. **DelNature asks that the regulations include a 25% recycled resin content for re-useable plastic bags.**

#### **Reducing Paper Bags and Increasing Recycled Content to 50%**

The Plastic Bag Ban (HB130) may lead to an increased reliance on paper bags by consumers. While there is a benefit to using paper bags because they are often reused and easy to recycle, it is critical to acknowledge that they also have a negative environmental impact. Paper bag production requires trees to be cut down and harmful chemicals used to process that wood – methods that lead to air and water pollution and an increase in greenhouse gas emissions. The 'At-Store Recycling Program Regulations' already include the stipulation that paper bags are made from at least 40% post-consumer recycled content, but **DelNature asks that the requirements are increased to 50% post-consumer recycled content.**

#### **Community Education and COVID**

**We also suggest that there be an aggressive community education campaign, so the public is aware.** We are concerned about a large backlash (particularly in a time of COVID) without significant work on awareness. DelNature would be happy to partner on this work. Finally, we must ensure that medically accurate information drives this conversation and not allow the plastics industry to use medically inaccurate information or scare tactics using COVID to halt the ban. Thank you again for the opportunity to comment.

Emily Knearl, Delaware Nature Society Director of Advocacy and External Affairs

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