

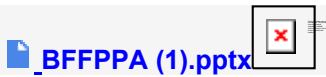
## CARE Committee

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**From:** Lauren Blickley <lblinkley@surfrider.org>  
**Sent:** Thursday, June 24, 2021 1:57 PM  
**To:** CARE Committee  
**Subject:** CARE-48 presentation and handouts  
**Attachments:** 5\_Prevent Plastic Pollution Hill Day One Pager.pdf; Break Free 117th Bulleted Updates.pdf; BFFPPA.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please see attached materials.



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Sincerely,

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Pronouns: she/her/hers [what's this?](#)

# Pass the Break Free From Plastic Pollution Act

## PROBLEM

Plastic pollution is a grave environmental problem that threatens coastal economies and the health of marine ecosystems, including critical components of the food chain. Surfrider supports laws aimed at reducing sources of plastic pollution, including prohibition of easily littered single-use plastics, such as plastic bags, straws and polystyrene foam. Surfrider also supports prevention and response to ocean trash and funding for agencies and efforts that address marine plastic pollution. In 2019, the Surfrider Foundation and the UCLA Environmental Law Clinic participated in two [Congressional Briefings](#) on Capitol Hill to present their [Briefing Booklet](#) on plastic pollution solutions. Additionally, the Surfrider Foundation has met with federal lawmakers and was influential in developing the landmark *Break Free From Plastic Pollution Act*.



## SOLUTION

**Surfrider calls upon Congress to sponsor and pass the following legislation to address the plastic pollution crisis that is affecting our environment and coastal economies.**

**Support:** The *Break Free From Plastic Pollution Act*, which will be reintroduced by Sen. Merkley and Rep Lowenthal, to tackle the plastic waste crisis through actions to reduce the source of plastic pollution. Components of this legislation include:

- Require producers of packaging, containers, and food-service products to design, manage, and finance waste and recycling programs.
- Create a nationwide beverage container refund program.
- Ban certain single-use plastic products that are not recyclable.
- Ban single-use plastic carryout bags and place fee on the distribution of remaining carryout bags.
- Establish minimum recycled content requirements for beverage containers, packaging, and food-service products.
- Spur massive investments in U.S. domestic recycling and composting infrastructure.
- Prohibit plastic waste from being shipped or re-shipped to developing countries.
- Protect state and local governments that enact more stringent standards.
- Place a temporary pause on new plastic facilities until EPA updates and creates important regulations on those facilities.
- Prohibits toxic chemicals from being included in compostable products and other covered products.
- Addresses microfiber and microplastic pollution, including funding for pilot programs for removal and prevention of microplastic pollution.



# BREAK FREE FROM PLASTIC POLLUTION ACT

*Introduced by Senator Merkley and Representative Lowenthal*

## Updates for the 117<sup>th</sup> Congress:

- Strengthening environmental justice
  - Includes language justice requirements – lays out a definition for translation services that requires professional language interpretation and translation services in any language spoken by more than 5 percent of the population residing within the community for all written documents and notices and oral communication and hearings.
  - Includes incinerators in the temporary pause and in the required National Academy of Science study to assess the direct and cumulative health, environmental, and economic impacts.
- Eliminating loop holes
  - Closes waste export loopholes by banning exports to countries who themselves re-export waste to countries outside the OECD.
  - Includes additional language to ensure minimum standards for what carryout bags can be considered “reusable” – incorporates a “stitched handle” requirement for reusable bags.
- Expanding on previous provisions
  - Updates recycled content standards to a more aggressive timeline, requiring that plastic beverage containers include 50% post-consumer recycled content by 2030 (previously 30%).
  - Expands the definition of toxic chemicals to prohibit ortho-phthalates, halogenated and nanoscale flame retardants, and chemicals of emerging concern, in addition to PFAS compounds. Prohibits such toxics to be included in covered products. Clarifies the definition of compostable to ban the inclusion of toxic chemicals.
  - Expands language tackling plastic pellet pollution to regulate effluent discharge limits.

- Expands wet wipe labelling standards to ensure that industry is required to clearly indicate how to properly dispose of wet wipes and other similar products and ensure that they are not flushed.
  - Expands support for reuse and refill programs through establishing minimum performance requirements for shifting to reusable packaging, to be determined by the Administrator, and establishing pilot programs for reuse and refill technology.
- New provisions to address additional sources of plastic waste:
  - Includes action to address microfiber pollution, including mandating filters on washing machines and a competitive grant program to fund research on best practices for upstream microfiber pollution prevention.
  - Includes action on microplastic pollution, including funding for pilot programs for the removal and prevention of microplastic pollution in the environment.
- Explicitly specifying that personal protective equipment (e.g., masks, gloves, and face shields) and other medically necessary equipment (as deemed by the Secretary of Health and Human Services) are excluded from bans under this bill.



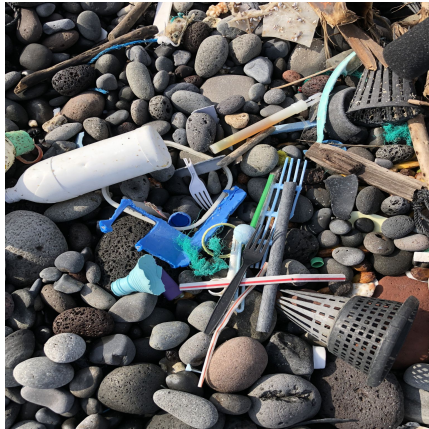
**SURFRIDER FOUNDATION IS DEDICATED TO THE PROTECTION AND ENJOYMENT  
OF THE WORLD'S OCEAN, WAVES AND BEACHES, FOR ALL PEOPLE,  
THROUGH A POWERFUL ACTIVIST NETWORK.**







# PLASTIC POLLUTION



# What *The Break Free From Plastic Pollution Act* Will Accomplish:

- 1 Strengthen Environmental Justice


- 2 Test Reuse & Refill Programs


- 3 Hold Companies Accountable For Products/Create Transparency


- 4 Incentivize Good Design


- 5 Require Real Recycling


- 6 Reduce The Toxics


- 7 Reduce Pollution


- 8 Reduce Single-Use


- 9 Manage Our Own Waste





# BREAK FREE FROM PLASTIC POLLUTION ACT (BFFPPA)

## The BFFPPA will:

- Shift responsibility for waste management and recycling to manufacturers and producers,
- Launch a national beverage container refund program
- Establish minimum recycled content standards
- Phase out certain single-use plastic products that aren't recyclable
- Prohibit plastic waste from being exported to developing countries
- Ban new and expanding plastic facilities until the Environmental Protection Agency updates and creates vital environmental and health regulations on those facilities.
- Require a comprehensive analysis of the scale of fishing gear losses by domestic and foreign fisheries, including an evaluation of the ecological, human health, and maritime safety impacts of derelict fishing gear, and recommendations on management measures;





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