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## WISCONSIN LEGISLATIVE COUNCIL

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### SINGLE-USE PLASTICS

Room 411 South  
State Capitol

October 19, 2010

1:00 p.m. – 4:45 p.m.

[The following is a summary of the October 19, 2010 meeting of the Special Committee on Single-Use Plastics. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

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#### Call to Order and Roll Call

Chair Black called the committee to order. The roll was called and a quorum was present.

COMMITTEE MEMBERS PRESENT: Rep. Spencer Black, Chair; Sen. Jim Holperin, Vice-Chair; and Public Members Win Clemmons, Charles Evenhouse, John Kelly, Brian Lawless, Tim Metcalfe, Rick Meyers, John Reindl, and Joe Van Rossum.

COMMITTEE MEMBERS EXCUSED: Sen. Robert Cowles; and Public Members George Dreckmann and Roger Springman.

COUNCIL STAFF PRESENT: David L. Lovell, Senior Analyst; and Larry Konopacki, Staff Attorney.

APPEARANCES: F.H. Brewer, Director of Worldwide Government Relations, and Chris Librie, Director of Global Sustainability, S.C. Johnson; and Jennifer Harrison, Sustainability Program Manager, Organic Valley.

#### Approval of the Minutes of the August 24-25, 2010 Meeting

The minutes were approved unanimously, with the correction of one typographical error.

## **Invited Presentations Regarding Plastic Packaging and Related Matters**

***Chris Librie, Director of Global Sustainability, and F.H. Brewer, Director of Worldwide Government Relations, S.C. Johnson***

Chris Librie, Director of Global Sustainability, S.C. Johnson, introduced the committee to the S.C. Johnson Company and its product lines, and described the company's environmental stewardship efforts dating back to 1955. He described the Green List process the company developed in 2001 to systematically improve the environmental profile of the materials used in the company's products. He also described collaborations between the company and other companies, such as Wal-Mart and Target, that want to improve the environmental profile of the products they sell. Mr. Librie concluded by commenting on the likely future for responsible packaging.

F.H. (Chip) Brewer, Director of Worldwide Government Relations, S.C. Johnson, discussed public policy related to the role that companies such as S.C. Johnson have to play in addressing the solid waste impact of their products. He observed that the California recycled content law acts as a *de facto* national standard. He discussed the concept of EPR, which he characterized as extended **product** responsibility, rather than extended **producer** responsibility, noting that the producer is not the only entity to have responsibility for the management of products and that these responsibilities span the product's entire life cycle. He urged as a guiding principal of policy development that requirements imposed on manufacturers be harmonized between jurisdictions. Mr. Brewer concluded by discussing the U.S. Environmental Protection Agency project related to sustainable financing of municipal recycling programs, which was described at the committee's August meeting.

## **Invited Presentation Regarding Pilot Agricultural Plastics Collection Project**

***Jennifer Harrison, Sustainability Program Manager, Organic Valley***

Jennifer Harrison, Sustainability Program Manager, Organic Valley, introduced the committee to the mission and history of Organic Valley. She described a project that Organic Valley is coordinating to develop a system for the collection and recycling of agricultural plastics, including silo bags, plastic mulch, and hoop house covers. She indicated that partners in the project include the Extension Service, county governments, and private companies, and that the project is intended to collect plastics from any interested farmers, not only Organic Valley's members. She said that the project is in the planning phase and that Organic Valley is interviewing farmers to determine what collections systems would best meet their needs.

With regard to policy directions the committee might go, Ms. Harrison suggested:

- Requiring silo bag manufacturers to collect and recycle used bags. She noted that manufacturers have, to date, not been interested in doing this.
- Requiring recycled content in agricultural plastics.
- Providing financial assistance to landfills to build collection and storage facilities.
- Providing financial assistance to communities to create programs for the recycling of agricultural plastics.

## Discussion of Committee Assignment

Committee member John Kelly invited other committee members to tour the material recovery facility that Waste Management has recently opened in Germantown, Wisconsin. He said that the facility uses an optical scanning technology to separate certain types of plastics. He suggested that members interested in taking a tour contact committee staff.

David Lovell, committee staff, explained that the preceding presentations largely completed the committee's information gathering phase, but noted that additional informational presentations could be arranged, if needed, on topics the committee chose to pursue in detail. He provided an overview of the process by which the committee would select topics based on the earlier presentations and develop its recommendations on those topics.

### ***Memo No. 1, Policy Options Relating to Plastic Packaging, Plastic Films, Market Development, and Local Recycling Programs (October 12, 2010)***

Committee staff provided an overview of Memo No. 1, *Policy Options Relating to Plastic Packaging, Plastic Films, Market Development, and Local Recycling Programs*. The committee discussed the options under I., *Plastic Packaging*, in the Memo. With regard to the options under I. A., *Content and Labeling Requirement*, Chair Black directed staff to draft Options I. A. 1. a., b., and c., and to include options for waivers of increased recycled content requirements based on considerations such as availability and cost of materials. He also directed staff to prepare an options paper relating to Option I. A. 1. d. The committee agreed to not pursue Option I. A. 2. at this time and, with regard to Option I. A. 3., Chair Black directed staff to develop ideas related to improved enforcement of the statute regarding marketing claims related to products' recycled content, recyclability, or degradability.

The committee then discussed the options under I. B., *Design Requirements*. Chair Black directed staff to prepare a draft directing the Department of Agriculture, Trade, and Consumer Protection (DATCP) to adopt the packaging design guidelines of the Association of Post-Consumer Plastic Recyclers as mandatory design guidelines for packaging sold in Wisconsin, including options for enforcement of the guidelines.

The committee then discussed the options under I. C., *Deposit Legislation*, and decided to not pursue these options.

The committee then discussed the options under I. D., *Increased Producer Involvement in End-of-Life Solutions for Packaging Material*. Chair Black suggested that, except for selected materials, such as agricultural plastics, the committee not pursue the concept of extended producer responsibility.

Chair Black said that he would hold the discussion of the options under II., *Plastic Films*, for the following meeting.

The committee then discussed the options under III., *Markets for Recovered Plastics*. With regard to the options under III. A., *Act 335 and Related Programs*, Chair Black directed staff to draft to draft Options 1. and 3., but not 2. He said that the draft should fund these activities from revenues generated by a dedicated portion of solid waste tipping fees. With regard to options under III. B., *Other Options*, Chair Black directed staff to develop more detailed options for implementing Option 3. only.

The committee then discussed the options under IV., *State Recycling Law; Municipal Recycling Programs*. Chair Black directed staff to further develop options related to strengthening municipal recycling programs in general or addressing specific shortcomings of the programs.

The committee then discussed the options under V., *Other Topics*, A., *Information Reporting*, and B., *Education*. Chair Black directed staff to draft these options and to fund these activities from revenues generated by a dedicated portion of solid waste tipping fees.

### **Plans for Future Meetings**

Chair Black reiterated that the committee will discuss the topic of plastic films and review the materials it had directed staff to prepare at its meeting on November 16, and that he hopes to complete the committee's work at its meeting on December 16.

### **Adjournment**

Chair Black adjourned the committee at 4:45 p.m.

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