



## Bill Summary

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The **Break Free From Plastic Pollution Act** will:

### **Require Product Producers to Take Responsibility for Collecting and Recycling Waste:**

- The bill requires producers of covered products (packaging, containers, food service products and paper) to design, manage, and finance programs to collect and process product waste that would normally burden state and local governments. The legislation will encourage producers to cooperate with those who produce similar products through Producer Responsibility Organizations (PRO) to take responsibility for their waste and implement cleanup programs with Environmental Protection Agency (EPA) approval.
- Producers will invest in U.S. domestic recycling and composting infrastructure, cover the costs of waste management and clean-up, and promote awareness-raising measures to reduce waste.

### **Create Nationwide Beverage Container Refunds:**

- The legislation will incentivize consumers to recycle by creating a 10-cent national refund program for all beverage containers, regardless of material, to be refunded to customers when they return containers.
- Any unclaimed refunds will go to beverage producers to supplement investments in nationwide collection and recycling infrastructure. This legislation encourages states that have already implemented similar initiatives to continue their current systems if they match the federal requirements.

### **Source Reduction and Phase-Out Top Polluting Products:**

- Beginning in January 2022, some of the most common single-use plastic products that pollute our environment, cannot be recycled, and have readily-available alternatives will be source reduced and phased out from sale and distribution. The prohibitions will apply to lightweight plastic carryout bags, food and drinkware from expanded polystyrene, plastic stirrers and plastic utensils. Straws will only be available upon request.

### **Carryout Bag Fee:**

- The legislation would impose a fee on the distribution of carryout bags.
- The bill allows retailers who implement a reusable bag credit program to retain the fee to finance the program. Fees collected from retailers without a bag credit program will fund public access to reusable bags as well as litter clean up and recycling infrastructure.

### **Create a Minimum Recycled Content Requirement:**

- The bill requires plastic beverage containers to include an increasing percentage of recycled content in their products before entering the market. Informed by a feasibility study by the National Institute of Standards and Technology, the EPA will also phase in new requirements for producers to manufacture containers from recycled content. The recycled content requirements will steadily increase over time.

### **Standardize Recycling and Composting:**

- The EPA will develop standardized recycling and composting labels for products and receptacles to encourage proper sorting and disposal of items that can be recycled or composted.

### **Review Effects of Plastic Tobacco Filters, Electronic Cigarettes and Derelict Fishing Gear:**

- Following studies on the environmental impacts of plastic tobacco filters, electronic cigarette parts and derelict fishing gear, the relevant agencies will propose measures to reduce those environmental impacts.

### **Prevent Plastic Waste from Being Shipped to Developing Countries that Cannot Manage It:**

- The United States has exported plastic waste, scrap, and pairings to developing countries with the claim that the material would be recycled. However, the majority of this material has instead fueled the global plastic pollution crisis by overburdening countries with already strained waste management systems.
- The bill prevents the export of plastic waste, scrap and pairings to countries that are not part of the Organization for Economic Co-operation and Development (OECD), many of whom have been a major source of ocean plastic pollution due to their inability to manage the waste. The bill also requires that the United States receive consent from countries receiving the waste before it is exported.

### **Protect Existing State Action:**

- The bill protects the ability of state and local governments to enact more stringent standards, requirements, and additional product bans.

### **Temporarily Pause New Plastic Facilities:**

- The legislation gives environmental agencies the valuable time needed to investigate the cumulative impacts of new and expanded plastic-producing facilities on the air, water, climate, and communities before issuing new permits to increase plastic production. The legislation would also update EPA regulations to eliminate factory-produced plastic pollution in waterways and direct the EPA to update existing Clean Air and Clean Water Act emission and discharge standards to ensure that plastic-producing facilities integrate the latest technology to prevent further pollution.

