

1 S.139

2 Introduced by Senators Watson, Hardy, Harrison, Lyons and White

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; solid waste; chemical recycling;
6 packaging; needs assessment

7 Statement of purpose of bill as introduced: This bill proposes to require the
8 Secretary of Natural Resources to conduct a needs assessment of the
9 management of materials discarded or disposed from the use of packaging
10 distributed in the State. The bill would also prohibit the chemical conversion
11 of plastic in the State.

12 An act relating to the management of materials from packaging

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. AGENCY OF NATURAL RESOURCES NEEDS ASSESSMENT

15 FOR MANAGEMENT OF PACKAGING MATERIAL

16 (a) The Secretary of Natural Resources shall conduct a needs assessment of
17 the management of materials discarded or disposed from the use of packaging
18 distributed in the State. The goals of the needs assessment shall be to:

19 (1) determine the current status of packaging material reuse, recycling,
20 and disposal in the State;

1 (2) identify barriers and opportunities to reduce the amount of
2 packaging material discarded and disposed of in the State;

3 (3) identify ways to increase the reusability and recyclability of
4 packaging material; and

5 (4) identify ways to reduce the toxicity and overall quantity of
6 packaging, particularly plastic packaging, distributed in the State.

7 (b) In completing the needs assessment, the Secretary of Natural Resources
8 shall address or answer the following:

9 (1) what is the total landfill capacity in the State and how much of the
10 capacity is expected to be used by the disposal of plastic waste;

11 (2) is the quantity of packaging distributed and discarded in the State
12 increasing or decreasing, both as a whole and by material type;

13 (3) how does the amount of packaging distributed and discarded in the
14 State compare to the average amount distributed and discarded regionally,
15 nationally, and globally;

16 (4) whether certain packaging materials are less expensive to landfill
17 than process or recycle;

18 (5) how are producers and manufacturers of consumer goods currently
19 involved in managing packaging waste in the State and in other jurisdictions;

20 (6) what are the recycling rates for packaging in the State by material
21 and whether the rates are improving or declining;

1 (7) what threats to public health or the environment are posed by
2 chemical additives in packaging;

3 (8) are certain types of plastic packaging material easier to collect,
4 process, market, and recycle than other types;

5 (9) are any types of packaging material currently unable to be recycled
6 in Vermont;

7 (10) what additives are found in plastic packaging and do any additives
8 pose a threat to public health or impact recyclability;

9 (11) what are the end markets for different recycled plastics and what is
10 the demand for post-consumer recycled content in packaging;

11 (12) what opportunities exist for the creation of packaging material
12 reuse and refill programs;

13 (13) how can packaging materials be improved to enhance recyclability
14 and end-market demand;

15 (14) what consumer education is needed to reduce packaging waste,
16 improve recycling, reduce contamination, and promote reuse or refill systems;

17 (15) what are the opportunities and challenges of an extended producer
18 responsibility (EPR) program that would establish environmental standards for
19 packaging;

20 (16) how can financial relief be provided to waste management districts
21 and consumers through a packaging EPR program; and

1 (17) does the Agency of Natural Resources have the capacity to provide
2 sufficient oversight of a packaging EPR program in the State and what
3 resources would be needed in order to provide sufficient oversight of the
4 program.

5 (c) On or before January 15, 2027, the Secretary of Natural Resources shall
6 submit the results of the needs assessment required under this section to the
7 Senate Committee on Natural Resources and Energy and the House Committee
8 on Environment. As part of the submission, the Secretary may recommend
9 draft legislation to address the distribution, management, recycling, and reuse
10 of packaging in the State.

11 (d) In addition to any other funds appropriated to the Agency of Natural
12 Resources in fiscal year 2026, \$250,000.00 is appropriated from the General
13 Fund to the Agency of Natural Resources for the purpose of contracting with
14 an external organization to complete the packaging needs assessment required
15 under this section.

16 Sec. 2. 10 V.S.A. § 6621 is added to read:

17 § 6621. USE OF CHEMICAL CONVERSION TECHNOLOGIES

18 (a) As used in this section:

19 (1) “Chemical conversion technologies” means using plastic inputs:

20 (A) as a fuel or fuel substitute or the general use of plastic in energy
21 production; or

1 (B) in the use of the following processes:

2 (i) gasification;

3 (ii) pyrolysis;

4 (iii) solvolysis;

5 (iv) hydrolysis;

6 (v) methanolysis;

7 (vi) glycolysis;

8 (vii) enzymatic breakdown;

9 (viii) solvent-based purification;

10 (ix) combustion; or

11 (x) any other process used to transform plastic or plastic-derived
12 materials into plastic monomers, waxes, lubricants, chemical feedstocks, crude
13 oil, diesel, gasoline, or home heating oil.

14 (2) “Facility” is a facility, as that term is defined in section 6602 of this
15 chapter, operated for the purpose of performing, facilitating, aiding, or
16 otherwise engaging in chemical conversion.

17 (3) “Plastic” means a synthetic material made from linking monomers
18 through a chemical reaction to create a polymer chain that can be molded or
19 extruded at high heat into various solid forms that retain their defined shapes
20 during their life cycle and after disposal, including material derived from either
21 petroleum or a biologically based polymer, such as corn or other plant sources.

1 (4) “Recycling” means any process in which materials are collected,
2 separated, or processed and returned to the marketplace in the form of raw
3 materials to make new products. “Recycling” does not include chemical
4 conversion.

5 (b) A person shall not use or operate chemical conversion technologies in
6 the State.

7 (c)(1) A person shall not build, construct, establish, or operate any facility
8 in the State that uses chemical conversion technologies.

9 (2) The prohibition in this subsection applies to the modification or
10 conversion of any existing certified solid waste facility in the State into a
11 facility that uses a chemical conversion technology.

12 (d) The State of Vermont shall not provide subsidies, grants, tax breaks, or
13 any other financial or nonfinancial incentives to support the development of
14 facilities that use chemical conversion technologies or programs focused on
15 chemical conversion technologies.

16 Sec. 3. EFFECTIVE DATE

17 This act shall take effect on passage.