September 12, 2011

Mr. John Laird
Secretary for Natural Resources
Chair, California Ocean Protection Council
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

RE: Ocean Protection Council Draft Strategic Action Plan – Comments

Dear Secretary Laird:

The American Chemistry Council (ACC) appreciates the opportunity to submit the following comments relative to the Ocean Protection Council's "Draft Strategic Action Plan." ACC support's the OPC's attention to reducing marine debris through collaborative efforts. ACC agrees that trash and other materials do not belong in our oceans or waterways – they belong in recycling bins or proper disposal where recycling does not exist. ACC strongly supports the goal of reducing and preventing litter – both ocean and land sourced – and we have taken several actions to achieve that goal. ACC and our member companies are partnering with government and nongovernment organizations, academia, businesses and consumers, nationally and globally, to find solutions to the problems of litter and marine debris. To that end, ACC and PlasticsEurope announced earlier this year a "Declaration of the Global Plastics Associations for Solutions on Marine Litter,"[1] bringing together over fifty world plastic organizations from 29 countries. The Declaration describes steps that the industries will take, and suggests approaches and platforms for global cooperation and future partnerships. Our recent efforts to prevent marine debris consistent with the Declaration include:

1. Working with California Department of Parks and Recreation and the nonprofit Keep California Beautiful (KCB) to sponsor placement of recycling bins and educational signage on beaches to help reduce litter, protect the marine environment and encourage recycling. To date, this partnership has placed nearly 700 bins at 19 coastal locations in California.
2. Partnering with the National Fish and Wildlife Foundation (NFWF), National Oceanic and Atmospheric Administration (NOAA), and the Woods Hole Oceanographic Institution to support the first federally funded research expedition to the North Atlantic gyre.
3. Supporting legislation to control plastic pellets (AB 258) and promoting recycling of plastic bags and film (AB 2449).
4. Sponsoring the 5th International Marine Debris Conference
5. Supporting upcoming research on microplastics with the Joint Group of Experts on the Scientific Aspects of Marine Pollution (GESAMP).

[1] http://www.marinedebrissolutions.com/Declaration

Expand Objective 7.1 to Include Industry

Recognizing that partnerships and programs such as these are fundamental steps to addressing and preventing ocean litter, ACC suggests that Objective 7.1: *Encourage agencies to work together on reducing marine debris* be expanded to include industry and efforts to reduce marine debris. We look forward to exploring opportunities to work constructively with the Ocean Protection Council to reduce ocean litter.

Change "Reducing Plastics" to "Reducing Litter" on Page 30

On page 30, the draft states "*Although there are many sources and types of marine debris, reducing plastics is a top priority because plastic waste makes up a large percentage of all marine debris, and it persists in the environment causing long-term impacts.*" This reference to plastic should be replaced with a focus on reducing litter.

Action 7.3.1 Should Be expanded to Consider Recycling and the Unintended Impacts of Packaging Reduction

ACC supports comprehensive approaches to marine debris prevention including reducing, reusing and recycling. We suggest the following changes to Action 7.3.1.

> Action 7.3.1: Support collaborative efforts to work with a broad array of stakeholders including industry to proactively reduce **the amount of** packaging and other products that **are littered and** contribute to marine debris **through increased recycling and packaging reduction activities**.
>
> Metrics (measures of effectiveness):
>
> - ~~Packaging from key industries reduced~~ **recycling rates for packaging increased**
> - **Placement of new recycling bins for packaging, specifically plastic bottles and containers**

Our suggestions for improving the text are intended to refine the approaches to focus on litter behavior as the factor which most directly determines whether a product (regardless of the material from which it is made) ends up in the marine environment. Focusing on reducing packaging used generally will not reduce litter. More importantly, OPC must recognize that reductions beyond a certain point will actually increase waste and environmental impacts. For example, in the United States food waste is the largest category of waste going to landfill with over 33 million tons discarded in 2009.[2] Plastic packaging not only helps reduce food waste, but it can also do so more effectively than other materials types: a European study by Denkstatt found that compared to other types of materials, plastics reduce energy use by 61%, and greenhouse gas emissions by 57% across variety of applications compared to alternatives.[3]

Packaging and plastic packaging in particular plays an important role in reducing food waste. Here are some examples from The Advisory Committee on Packaging, Packaging in Perspective, http://incpen.org/docs/PackaginginPerspective.pdf:

- According to the Cucumber Growers' Association, just 1.5 grams of plastic wrap extends a cuke's shelf life from 3 to 14 days, all the while protecting it from "dirty hands." Another study

[2] US EPA Municipal Solid Waste in the United States Facts and Figures 2009

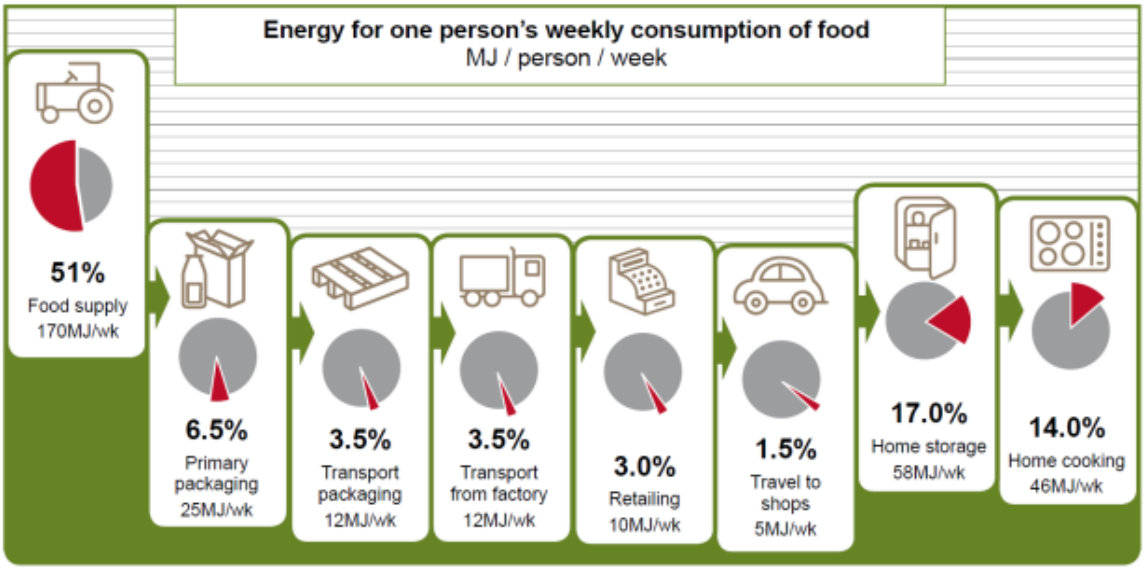
[3] Denkstatt, "The impact of plastics on life cycle energy consumption and greenhouse gas emissions in Europe," June 2010

found that apples packed in a shrink wrapped tray cut down on fruit damage (and discard) by 27 percent. Similar numbers have been found for potatoes and grapes.

- Discouraging the use of certain packaging could dramatically increase food waste and increase environmental impact. Studies have shown that packaging plays an important role in preventing foodstuffs from being destroyed and thus in reducing the impact on the environment. Zero packaging means a distribution of loose goods, in which case the waste of perishable products would be considerable. Using packaging, it is possible to reduce waste from products.[4]

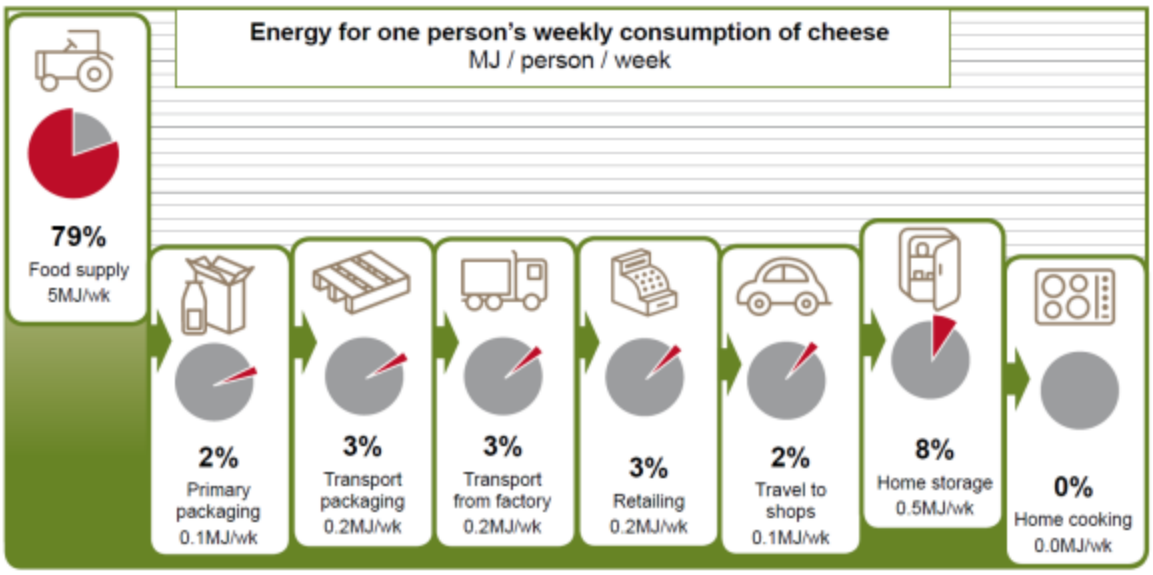
- Plastic packaging plays an important role in reducing food waste. For example, Grapes sold in plastic bags (instead of loose) reduced waste by greater than 20% and buying loose salads instead of salad in a bag generates 5-10 times more waste.

Reducing food waste is critical because studies show packaging represents a small fraction typically 10 percent of the environmental burden of the product and package lifecycle. For example, the chart below shows the energy required to feed one person for a week. Note packaging is a small fraction of the total burden. (INCPEN the Industry Council for Packaging and the Environment, TABLE FOR ONE – THE ENERGY COST TO FEED ONE PERSON, July 2009)



Looking specifically at an item that is packaged in plastic such as cheese, we find that effective packaging, although using very little energy, protects the cheese from spoiling and thus reduces other environmental impacts dramatically. Reductions in packaging must recognize the impact such reductions may have on product waste and aggregate environmental impacts.

[4] Packforsk, PACKAGING- a tool for the prevention of environmental impact 2000, Sweden



For these reasons we urge the OPC to view packaging holistically and to recognize its importance in reducing greenhouse gas emissions and preventing waste. It should be noted that the OPC clearly states that greenhouse reduction is also a high priority within the Draft Plan, as noted on pages 17 and 20.

Thank you for the opportunity to comment on the draft plan, should you wish to discuss any of these comments please contact me at 916-448-2581 or via email at tim_shestek@americanchemistry.com.

Sincerely,

Tim Shestek
Senior Director, State Affairs