

Bonta opens major investigation into plastic pollution

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California Attorney General Rob Bonta on Thursday announced a major investigation into companies that manufacture plastics, the first of its kind in the nation, saying that for 50 years they have been engaged in potentially illegal business practices by misleadingly claiming that plastics products are recyclable, when most are not.

Bonta said he is issuing subpoenas against ExxonMobil and other companies, and said society's growing plastics pollution problem — particularly in oceans which are littered by trillions of tiny pieces of plastic — is something they are legally liable for and should be ordered to address.

"In California and across

the globe, we are seeing the catastrophic results of the fossil fuel industry's decades-long campaign of deception," Bonta said. "Plastic pollution is seeping into our waterways, poisoning our environment, and blighting our landscapes. Enough is enough."

The companies could be liable under California laws that prohibit fraudulent claims buy industry, unfair business practices or environmental pollution, he added.

Many measures of environmental health in the United States have been improving in recent decades, from smog levels to the expansion of renewable energy. But plastics pollution is growing steadily worse.

Half the plastic that has ever existed on Earth was made in the last 20 years. Only 9% of the plastic sold

every year in the United States is recycled, according to the U.S. EPA. Up to 13 million metric tons of it ends up in the world's ocean each year — the equivalent of a garbage truck-full being dumped into the sea every minute — where it kills fish, birds, sea turtles, whales and dolphins that eat it or become entangled by it.

Plastic lasts for hundreds of years. Making it consumes large amounts of petroleum products, which contributes to climate change. And at the current rate, one recent study found there will be more plastic by weight in the ocean in 2050 than fish, most of it broken into trillions of tiny pieces of toxic confetti.

One recent study found that on average, every person in the world ingests an average of 5 grams of tiny microscopic plastic

every week, the equivalent of a credit card, through the water they drink, food they eat — particularly seafood — and the air they breathe.

The impacts to human health are unclear.

Bonta's move comes amid several years of failed efforts by environmentalists in the state legislature to force companies that manufacture plastics to take the materials back or fund programs that recycle them at much higher rates.

In what is expected to be a major showdown with industry and environmental groups later this year, a ballot measure supported by organizations like the Monterey Bay Aquarium will appear before California voters in November to require companies to take those steps.

If approved by a majority of voters, the measure would ban polystyrene, or foam, food packaging, such as clam-shell boxes for take-out food, at stores, supermarkets and restaurants. Some cities already have a ban in place, but the ballot measure would make it statewide. In addition, it would impose a 1-cent fee on each item of plastic packaging, paid by packaging manufacturers, which could raise \$1 billion

or more annually to fund recycling efforts, beach cleanups and other pollution programs around the state.

It also would require companies that make plastic packaging — everything from fast-food containers to packaging that holds toys and other products inside cardboard boxes — to reduce the amount they sell in California 25% by 2030.

Practically speaking, that could mean companies would have to set up "take back" programs or fund recycling efforts. They would almost certainly have to discontinue certain types of hard-to-recycle plastic and use less packaging in general.

The measure is opposed by the plastics industry. Tim Shestek, a spokesman for the American Chemistry Council, a trade association that includes large companies such as Dow, DuPont, 3M and ExxonMobil Chemical, last year called the measure "a massive taxpayer-funded giveaway of billions of dollars to fund a variety of special interest pet projects."

He said it threatens small businesses like restaurants and that the plastics industry is committed

to reducing plastic waste.

"Plastics are indispensable to the modern way of life," he said, "and are critical to achieving sustainability goals, like lightweighting vehicles, making buildings and homes more energy-efficient and reducing food waste — all of which help reduce greenhouse gas emissions."

Bonta, at a mid-morning news conference Thursday at a beach in Los Angeles with bags of plastic trash nearby that had recently been picked up off the beach, cited recent news investigations, including one by NPR and PBS Frontline, that showed plastics manufacturing companies knew as far back as the 1970s that some types of plastics would not be economically viable to recycle, but made the claims anyway to avoid pollution laws.

"It was all a big ruse," Bonta said. "The big oil executives, they knew the truth. The truth is that the vast majority of plastic cannot be recycled. The truth is the recycling rate has never surpassed 9%. The truth is the vast majority of plastic products by design cannot be recycled and 91% end up in landfills, are burned or are released into the environment."