



March 26, 2019

Rep. Rick Hansen, Chair
House Environment and Natural Resources Finance Division
Minnesota House of Representatives
St Paul, MN 55155

Re: ***Opposing HF 2258***

Dear Chairman Hansen and Division Members:

The American Chemistry Council (ACC) and its members in Minnesota respectfully express our opposition to HF 2258, legislation that potentially bans thousands of everyday products from government use. Put simply, we believe HF 2258 suffers from both technical problems as drafted and implementation problems that promise severe harm to the operations of the Minnesota State government.

The technical problems with the bill include vague language, a lack of definitions for key terms such as ‘contain plastic’ or ‘feasible alternatives’, no cost/benefit consideration, no consideration of life-cycle assessments and environmental performance, and unworkable timeframes for implementation. It is unclear what problem this bill is trying to solve. It is unclear what solution it is hoping to generate.

HF 2258 is overly sweeping in scope and would require the state government to conduct an endless audit with no clear purpose. It would result in extensive use of the state’s time and limited resources. As drafted, this bill would require extensive feasibility analyses for alternatives of all building and construction materials containing plastic for any part of a conservation or bioengineering project receiving at least \$0.01 of state funding. Covered materials include the vast array of plastics that go into short term facilities (portable toilets, construction sheds or trailers) and long term facilities (ranger stations, buildings) as well as on-site construction work and permanent infrastructure. This bill includes the smallest protective plastic panel, perhaps covering a map-box on a trail, to a miles-long corrugated drainage pipe made of recycled plastic.

As long as a product contains plastic, the State will have to review the product and ban its use if there is any “feasible alternative” without reference to cost or performance. For example, plastic foam insulation reduces greenhouse gas emissions and energy use¹ and plastic pipe often costs \$100,000 less per installed mile than alternatives when competition is available². Any bans are likely to drive up costs, reduce performance, and slow down project execution with severe environmental and economic consequences.

¹ <https://buildingwithchemistry.org>

² <https://www.usmayors.org/2018/10/12/u-s-conference-of-mayors-releases-new-report-on-how-competitive-bidding-can-help-nations-troubled-water-infrastructure/>



Plastics are a diverse family of chemistries that have differing characteristics, formulations and intended uses. Because of these differences, it is inappropriate to pass one-size-fits-all regulations or bans. Any policy and regulatory decisions should be guided by independent research—much of which is peer-reviewed in scientific journals— and governed by rulemaking procedures to protect the public interest.

ACC represents leading companies engaged in the business of chemistry and 19 of our members have facilities in Minnesota. The Minnesota chemical industry contributes to the state's economy through employment in manufacturing and distribution facilities and jobs generated indirectly by chemical industry activity in the state. We have a strong interest in the legislation both as manufacturers as well as state constituents.

Please do not hesitate to contact me at 515-471-1960 or via email. ACC, its member companies, and our employees thank you in advance for considering our views.

Sincerely,



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