

September 6, 2022

Re: GSAR Case 2022-G517

The General Services Administration Should Eliminate Procurement of Single-Use Plastics and Promote Non-Toxic Reuse and other Non-Toxic Solutions

The undersigned organizations urge the General Services Administration (GSA) to adopt rules to drastically reduce and ultimately eliminate single use plastic purchased and used by the federal government and its contractors. Such action is long overdue and necessary to protect the health of our communities, the climate, and the environment.

In addition to its climate impacts, single use plastic creates serious toxic impacts across its entire lifecycle.¹ From the extraction and refining of fossil fuels, through manufacturing and use of plastic products, to waste management and disposal, communities are being impacted by air and water pollution stemming from these activities.² In addition, the use of plastics exposes consumers and users to harmful additives that leach out of plastic and these exposures can be heightened when using recycled materials.^{3,4,5}

The chemicals used to make plastic are associated with a wide array of health effects including cancer, neurological harm, birth defects, immune system suppression, reproductive harm, hormone disruption, and asthma. Many of the endocrine disrupting chemicals that scientists have linked to a sharp drop in sperm count are common plastic additives.⁶ In addition to the toxic chemicals used to make plastic, the plastic itself breaks up into extremely tiny particles called microplastics which have been found in people's blood, deep in the lungs of surgery patients and even in human placentas and breast milk.^{7,8,9,10}

Single use plastic is impacting our health, is creating serious environmental justice concerns, and is a significant contributor to the global plastic pollution crisis. We are grateful that the GSA is considering rulemaking to address the federal government's contributions to these problems and urge the agency to act boldly.

¹ <https://www.ciel.org/the-toxic-impacts-of-plastic-across-its-lifecycle>

² <https://www.ciel.org/reports/plastic-health-the-hidden-costs-of-a-plastic-planet-february-2019>

³ <https://www.sciencedirect.com/science/article/pii/S0304389422001984>

⁴ <https://doi.org/10.1016/j.chemosphere.2020.126373>

⁵ <https://doi.org/10.1016/j.jhazmat.2022.128410>

⁶ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7967748>

⁷ <https://www.sciencedirect.com/science/article/pii/S0160412022001258>

⁸ <https://www.sciencedirect.com/science/article/pii/S0160412020322297?via%3Dihub>

⁹ <https://www.sciencedirect.com/science/article/pii/S0048969722020009>

¹⁰ <https://www.mdpi.com/2073-4360/14/13/2700>

Response to Subsection III, Question 7: GSA should move quickly to adopt and implement rules restricting and ultimately eliminating purchases of single use plastics.

The GSA should move quickly to adopt rules with aggressive implementation timelines to curb the purchase of single use plastic by the federal government and demonstrate the Biden Administration's commitment to environmental justice. Low-income families and communities of color are much more likely to live near the oil refineries, plastic manufacturing facilities, landfills and incinerators that are a part of the plastics lifecycle.^{11,12} They therefore bear the brunt of the air and water pollution that is associated with these activities, including both chronic and acute exposures that result from spills and accidents. As just one example, residents living in the area known as "Cancer Alley," which stretches between Baton Rouge and New Orleans and home to large numbers of chemical and plastic manufacturing plants, face significantly elevated cancer risks.^{13,14} GSA should waste no time in developing and implementing rules that will reduce the federal government's purchasing of single use plastics and lessen the toxic impacts on fenceline and frontline communities.

Response to Subsection III, Question 8: All federal purchases of single use plastics should ultimately be eliminated.

The GSA's rules should drastically reduce and ultimately eliminate federal purchasing and acquisition of all single-use plastics including but not limited to: all forms of packaging; beverage containers, plastic utensils, straws, and other food service items; shipping supplies; personal care products; office supplies and janitorial supplies. Single-use plastics should not be allowed to be used for federal government meetings, conferences or events, food service facilities, or federal agency operations. All government purchases, both through direct federal procurement and indirect purchases through government contracts, should be covered by GSA's rules, with limited exceptions for disability accommodations, personal protective equipment and disaster response.

Response to Subsection III, Question 9: GSA should use robust metrics to verify compliance and move with caution around private sector standards

The GSA's procurement activities should focus on real solutions to the single-use plastics issue, such as moving to non-toxic reusable/refillable products and systems and prioritizing the elimination of unnecessary packaging and waste. To this end, the agency should select metrics to track progress and compliance with its rules around single use plastic that incentivize non-toxic reusables and "unpackaging," rather than "lightweighting" single use plastic products. GSA's rules must also prohibit fake "solutions" which actually make our plastic crisis worse,

¹¹ <https://www.theguardian.com/environment/2019/may/21/us-pollution-incinerators-waste-burning-plants-report>

¹² <https://iopscience.iop.org/article/10.1088/1748-9326/11/1/015004>

¹³ <https://www.propublica.org/article/what-could-happen-if-a-9.4-billion-chemical-plant-comes-to-cancer-alley>

¹⁴ <https://projects.propublica.org/louisiana-toxic-air/>

such as sturdier plastic bags and other forms of plastic packaging that are claimed to be “reusable” but are quickly discarded.¹⁵

While there are many private sector standards for “environmentally preferred packaging,” many of them are weak, non-transparent, and essentially allow companies to greenwash their products. GSA should act with great caution before recommending any private sector standards. A strong and transparent certification that is available for single use foodware and recently launched is Green Screen Certified.¹⁶ In addition, the GSA should prompt the Environmental Protection Agency to use its Safer Choice framework and develop up to date requirements for safer, environmentally preferred packaging.^{17,18}

General response: GSA’s rules should encourage non-toxic reuse as a solution to the single use plastic crisis.

To truly solve the plastic pollution crisis and protect communities from toxic exposures, it is imperative that the US government lead by example and move away from throw-away products and towards accessible non-toxic reuse and refill systems. A few specific ways that GSA can help facilitate this shift and reduce its procurement of single use plastic is by investing in water bottle refill stations, the distribution of reusable stainless steel water bottles, bulk condiment dispensers, and increased efficient dishwashing capacity in federal facilities. It is important to note that while the move to reusables can often entail greater upfront costs, this switch will ultimately save the government and the American taxpayer money in the long run and are therefore economically smart investments. Clean Water Fund’s ReThink Disposable program has collected economic data on more than 160 businesses that have switched from disposable to reusable products and found that 100% of the restaurants and institutional dining operations saved money through switching from single-use to reuse, with savings that ranged from \$3,000 and \$22,000.¹⁹

Ideally, GSA could also find ways to encourage the build out of reuse systems at a regional level and the development of collection infrastructure and code changes that allow the use of reusables where this is currently limited. Such action would also support a burgeoning industry of reuse business and start-ups that is taking form across the country. Finally, reusables should not be made from durable plastics which, like single use plastics, also contain harmful materials but rather from alternative materials such as stainless steel, glass and ceramic which have fewer health concerns.

¹⁵ <https://www.vox.com/the-highlight/2019/8/20/20806651/plastic-bag-ban-straw-ban-tax>

¹⁶ <https://www.greenscreenchemicals.org/certified/food-service-ware>

¹⁷ https://www.epa.gov/sites/default/files/2015-02/documents/packaging_guidance.pdf

¹⁸ <https://www.epa.gov/saferchoice/standard#guidance>

¹⁹ <https://upstreamolutions.org/reuse-vs-single-use-economics>

General response: GSA's rules should harmonize with existing PFAS-free purchasing directives and avoid regrettable substitution

When transitioning away from single use plastics, the GSA must take care to avoid problems of “regrettable substitution” where one problematic material, chemical or product is eliminated only to be substituted with a different problematic material, chemical, or product.²⁰ Given that some companies have moved away from single use plastic packaging and replaced it with paper packaging coated with highly toxic and persistent “forever chemicals” known as PFAS, this is an issue that the GSA must take seriously.²¹ It is essential, for example, that the GSA harmonize its procurement rules with the 2021 Executive Order directing federal agencies to purchase PFAS-free products.²²

Moreover, it is important that the GSA's environmentally preferable purchasing rules include provisions that address chemicals of concern and reduce the use of harmful chemicals. Chemical pollution is threatening the health of our nation's communities and the safety of our drinking water, and contributing to ongoing and severe environmental injustice. A recent paper²³ noted that we have reached the chemical “tipping point” beyond which humanity can safely manage and sustain itself and the environment. Any procurement policy is incomplete without addressing the threats posed by chemical pollution.

Conclusion

Through this rulemaking, the federal government has an opportunity to demonstrate leadership on the nation's plastic, climate and pollution crises, and take a stand towards ending environmental injustice. We urge the GSA to move quickly to develop and enact bold rules that will drastically reduce and ultimately eliminate federal procurement of single use plastics and prompt movement toward truly safe and sustainable products and systems. Strong rules issued by the GSA could also provide guidance for state and local procurement policies.

If you have any questions about these comments or would like any additional information, please email Renée Sharp at Safer States at renee@saferstates.org.

Sincerely,

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²⁰ https://www.washingtonpost.com/opinions/stop-playing-whack-a-mole-with-hazardous-chemicals/2016/12/15/9a357090-bb36-11e6-91ee-1addfe36cbe_story.html

²¹ <https://thecounter.org/pfas-forever-chemicals-sweetgreen-chipotle-compostable-biodegradable-bowls/>

²² <https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/08/fact-sheet-president-biden-signs-executive-order-catalyzing-americas-clean-energy-economy-through-federal-sustainability/>

²³ <https://pubs.acs.org/doi/10.1021/acs.est.1c04158>

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