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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO HEALTH AND SAFETY -- PLASTIC WASTE CONVERSION FACILITY ACT

Introduced By: Senators Ujifusa, Bell, Euer, Murray, Mack, Zurier, Acosta, Kallman, Valverde, and Lauria
Date Introduced: February 13, 2026

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

SECTION 1. Findings.

(1) As stated in §§ 23-19-3(14) and (16), solid waste incineration releases more than four hundred (400) toxic pollutants including lead, mercury, dioxins, and acid gasses; poses unacceptable threats to the health and safety of Rhode Islanders and the environment; and is the most costly method of waste disposal;

(2) Facilities that use regulated technologies as defined by this chapter 19.20 of title 23, including thermochemical, chemical, electrical, or catalytic processes including, but not limited to, incineration, gasification, pyrolysis, hydropyrolysis, solvolysis, and depolymerization, release toxic air pollutants, generate hazardous solid and liquid waste, contaminated wastewater, and chemical byproducts containing carcinogens, endocrine disruptors, and persistent organic pollutants, and often function in practice as forms of waste disposal rather than material recovery;

(3) Energy derived from the combustion of solid waste, or from fuels, feedstocks, oils, gases, or chemicals derived from solid waste through regulated technologies, is not renewable energy and does not displace fossil fuel production or use;

(4) Plastic waste conversion facilities marketed as “chemical,” “advanced,” or “molecular” recycling have a documented record of commercial failure, prolonged pilot-scale operation, shutdowns, fires, mechanical failures, and defaults, and have not demonstrated the ability to operate at scale without ongoing public subsidy;

(5) Such facilities do not generally produce meaningful quantities of new plastic suitable for use in a circular materials economy, and instead primarily generate fuels, chemical intermediates, or waste streams;

(6) Public subsidies, tax credits, financing assistance, and regulatory reclassification of plastic waste conversion facilities shift financial risk from private developers to taxpayers while primarily benefiting petrochemical, plastics, and fossil-fuel corporations;

(7) Plastic waste conversion facilities are disproportionately sited in low-income communities and communities of color, exacerbating existing pollution burdens and posing environmental justice concerns due to increased exposure to toxic emissions, hazardous waste, and industrial accidents;

(8) The lack of transparency, weakened oversight, and reliance on unverifiable accounting and tracking systems, including mass-balance crediting schemes, in the plastic waste conversion sector increase the risk of fraud, abuse, environmental harm, and threats to public safety; and

(9) It is therefore in the best interests of the health, safety, environment, climate, and welfare of residents and visitors of Rhode Island to protect communities and natural resources by prohibiting the construction and operation of new plastic waste conversion facilities.

SECTION 2. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby amended by adding thereto the following chapter:

CHAPTER 19.20

PLASTIC WASTE CONVERSION FACILITY ACT

23-19.20-1. Definitions.

As used in this chapter, the following words and phrases have the following meanings, unless the context clearly indicates otherwise:

(1) "Construction and demolition (C&D) debris" has the same meaning as set forth in § 23-18.9-7.

(2) "Depolymerization" means a process through which heat, pressure, and/or solvents are used to break plastic polymers into oligomers and/or monomers.

(3) "Hazardous waste" has the same meaning as set forth in § 23-19.1-4.

(4) “Plastic” means a synthetic or semi-synthetic material made from linking monomers derived from fossil fuel or biological sources through a chemical reaction to create a polymer chain that can be molded, extruded, or otherwise shaped into pellets, objects, films, or filaments, whether alone or in combination with chemical additives including, but not limited to, plasticizers, stabilizers, colorants, or flame retardants.

(5) "Plastic waste conversion facility" means a facility which:

(i) Uses any disposal, treatment, recycling, or manufacturing process using regulated technologies as defined by this chapter, that subjects solid waste, segregated solid waste, recyclable materials, construction and demolition (C&D) debris, post-use polymers, or recovered feedstock to conditions sufficient to cause thermal cracking, depolymerization, chemical conversion, molecular rearrangement, or structural transformation of polymers, regardless of operating temperature; or

(ii) Combusts chemicals, feedstocks, fuels, monomers, oligomers, hydrocarbons, or waste residues derived from any process that subjects solid waste, segregated solid waste, recyclable materials, construction and demolition (C&D) debris, post-use polymers, or recovered feedstock to thermochemical, chemical, electrical, or catalytic conversion conditions that result from the use of regulated technologies, regardless of operating temperature or energy source.

(iii) "Plastic waste conversion facility" also includes advanced recycling facilities, chemical recycling facilities, molecular recycling facilities, and any other facility that uses a regulated technology as defined by this chapter, to convert post-use polymers, plastic, or recovered feedstock into fuels, chemical feedstocks, monomers, oligomers, hydrocarbons, waxes, lubricants, feedstocks, fuels, or hydrocarbons, regardless of how such facility or process is otherwise classified or marketed, or whether the process is characterized as low-temperature, non-thermal, or energy-efficient.

(6) "Post-use polymer" means a plastic polymer previously used in any industrial, commercial, agricultural, or domestic activity.

(7) "Recovered feedstock" means material derived and separated from solid waste, segregated solid waste, recyclable materials, or construction and demolition (C&D) debris for use as a feedstock or raw material in a plastic waste conversion facility using regulated technologies.

(8) "Recyclable materials" has the same meaning as set forth in § 23-18.9-7.

(9) “Regulated technologies” means:

(i) The use of plastic as a fuel or fuel substitute or the general use of plastic in energy generation or the creation of hazardous chemicals by any means in such processes including, but not limited to, incineration, waste-to-energy, or waste-to-fuel; and

(ii) The following processes:

(A) Gasification;

(B) Pyrolysis;

(C) Solvolysis;

(D) Hydropyrolysis;

(E) Methanolysis;

(F) Enzymatic breakdown;

(G) Combustion;

(H) Flash graphene conversion;

(I) Radical anion attack or electron-driven depolymerization;

(J) Thermal desorption;

(K) Continuous microwave assisted pyrolysis;

(L) Flash joule heating; and

(M) Any other process used to transform plastic or plastic-derived materials including, but not limited to, plastic monomers, chemicals, waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, or home heating oil; and

(iii) Regulated technologies are regulated based on the function and outcome of the process, not on operating temperature, energy input, or claimed efficiency.

(10) "Segregated solid waste" has the same meaning as set forth in § 23-18.9-7.

(11) "Solid waste" has the same meaning as set forth in § 23-18.9-7.

23-19.20-2. Prohibition on new plastic waste conversion facilities.

(a) Notwithstanding any other law, rule, or regulation to the contrary, no permit or license shall be issued for the construction or operation of a new plastic waste conversion facility, and no application for a permit or license for such a facility shall be granted or issued by the state.

(b) For purposes of this section, no plastic waste conversion facility shall be deemed manufacturing, materials recovery, or recycling based on the nature or intended use of its outputs.

SECTION 3. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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RELATING TO HEALTH AND SAFETY -- PLASTIC WASTE CONVERSION FACILITY ACT

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This act would establish the Plastic Waste Conversion Facility Act. The act would prohibit the issuance of any permit or license for the construction or operation of a new plastic waste conversion facility, and would further provide that no application for a permit or license for such a facility would be granted or issued by the state.

This act would take effect upon passage.

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