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Colorado General Assembly
200 East Colfax Avenue
Denver, CO 80203

RE: SB26-016

Dear Members of the Colorado General Assembly,

Earth Enterprises Inc., operating as Waste-Not Recycling, has been involved in materials handling and recycling in the State of Colorado for over 35 years. During this time, we have navigated many challenges facing our industry while continuing to grow and serve our community. Our work has been recognized through various awards and acknowledgments for our commitment to sustainability.

Today, we operate multiple plastic processing lines as part of our recycling services. These operations produce bales, shredded plastic, and pellets from a variety of polymers that our collection activities successfully divert from landfills. We currently employ 35 full-time employees who are directly involved in these operations and contribute to the recycling infrastructure within our state.

Senate Bill 26-016 represents a significant concern for both recycling and manufacturing operations in Colorado. Recycling businesses already face persistent challenges in maintaining economically viable operations while providing essential environmental services. After carefully reviewing the proposed legislation, we believe that if this bill were to be passed in its current form, we would have no practical option but to cease our plastics processing operations. This has the potential to send millions of pounds of plastics into landfills.

The intent and underlying justification for this bill are difficult to reconcile with current conditions in the state. The legislation appears to address a problem that does not meaningfully exist in Colorado and, if enacted, would likely discourage the very sustainability efforts the state has worked diligently to promote. At a time when numerous state agencies and economic development groups are actively working to attract new manufacturing investment, this bill would introduce significant barriers that could deter both new and existing businesses from investing in Colorado.

Plastic pellets and preprocessed plastics are not identified among the primary sources of plastic pollution within the state. Yet the proposed legislation would impose regulatory burdens that disproportionately impact companies like ours—organizations that have spent decades supporting

responsible recycling and sustainability. A more constructive approach would be to pursue policies that strengthen and expand plastics recycling rather than discouraging it. It is also worth questioning whether state resources should be directed toward enforcing regulations for a problem that is already effectively managed under existing systems.

The penalty structures outlined in the bill could also have unintended consequences for the recycling industry's ability to obtain operational insurance. Recycling facilities are already considered a higher-risk category within the insurance market, and many carriers avoid the sector entirely. Based on discussions with our insurance consultant, the additional liabilities introduced by this legislation could make recycling operations effectively uninsurable in Colorado. Such an outcome would disproportionately impact mid-sized and smaller operators, while larger national companies with the ability to self-insure would remain largely unaffected. These collection companies have primary goals of filling landfills. The result could be the closure of many recycling programs across the state.

Additionally, the introduction of plastic scrap or pellets into sanitary sewer systems is already addressed through effective mechanical removal processes that operate regardless of the contamination source. Stormwater discharge regulations also provide oversight for potential contaminants. As such, the issue this bill seeks to address is already managed through existing regulatory frameworks.

For these reasons, I strongly urge you to vote against Senate Bill 26-016. Instead, I encourage the General Assembly to work collaboratively with industry stakeholders to identify solutions that strengthen Colorado's recycling infrastructure and advance the sustainability initiatives that our state has worked so hard to build.

Respectfully,

Todd Loose

Todd Loose
President
Earth Enterprises Inc / Waste-Not Recycling