



## Massachusetts Package Stores Association, Inc.

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May 28, 2020

Commissioner Martin Suuberg  
Massachusetts Department of Environmental Protection  
Commonwealth of Massachusetts Boston Office  
One Winter St  
Boston, MA 02108

Dear Commissioner Suuberg,

First, thank you for your continued work toward protecting the citizens of Massachusetts. Your leadership has been outstanding, and it is not taken for granted. My reason for reaching out is due to concerns that DEP may want to end the emergency non-enforcement of the state's bottle/can redemption program. This action should not happen at this time. To the contrary, the virus is clearly here to stay. Therefore, it is both rational and practical to continue non-enforcement of the redemption program until there are viable treatments and a vaccine available for the citizens of our state.

Throughout the pandemic, medical professionals have repeatedly recognized and alerted the public that the materials in those machines may be contaminated with the coronavirus. These unsanitary materials are often filled with liquids. No one can say with certainty that the COVID-19 virus will be uncontactable by anyone who handles them. By reinstating enforcement, store personnel will be needlessly subjected to unnecessary risk of exposure and spread of the virus. The result could be another outbreak. This is not hyperbole. Renewed outbreaks are happening across the country due to pre-mature actions in other states. Let us not do the same in Massachusetts.

Please understand that businesses who participate in the redemption program are deeply concerned for the wellbeing of their patrons, employees, families, and themselves. No one is calling for an end to the Bottle bill. It is simply that under the current circumstances, it seems illogical and irresponsible to require employees and owners to unnecessarily risk possible exposure to the coronavirus. I say this because the state continues to be enforcing social distancing, most people are wearing masks, there is no vaccine, and testing is still an issue. Meanwhile, legislation is currently before the House in Senate, that if passed, will mandate a presumptive employer's responsibility for an employee of an essential business if they contract the COVID virus. How can the state justify enforcing a mandate to handle these materials? It is unreasonable and people are concerned.

In summary, the continuation of the suspension of enforcement for collecting recycling materials that could be contaminated is both rational and reasonable under the circumstances. Thank you in advance for any assistance in addressing the issue of continuing the suspension of enforcement of the state redemption program. Please reach out to me with any questions. My cell phone is 508-414-7608.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Mellion".

Robert A. Mellion, Esq.  
Executive Director | General Counsel

*The Massachusetts Package Stores Association (MPSA) is a non-profit trade organization representing the interests of the thousands of independently-owned retail stores of beer, wine and spirits across Massachusetts. Contact MPSA with any questions at (800) 322-1383, or email [info@masspack.org](mailto:info@masspack.org). Visit the MassPack website at: [www.masspack.org](http://www.masspack.org)*