SUMMARY and FISCAL NOTE*

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** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the City of Seattle's solid waste system; removing the sunset date for a five cent pass-through charge for certain recyclable paper bags; requiring certain compostable bags to be labeled and tinted; adding a definition for compostable; and amending Section 21.36.100 of the Seattle Municipal Code.

Summary and background of the Legislation: The purpose of this legislation is to reduce contamination of the City's compost (food and yard waste) stream caused by customer misidentification and misunderstanding of which bags are compostable and which are not. The legislation would also remove the end date of the requirement retailers collect a pass-through charge for certain bags.

City Ordinance 123775, approved in 2011, regulates single-use plastic and biodegradable bags and requires retail establishments collect a pass-through charge for recyclable paper bags. This legislation removes the end date for the requirement retailers collect a pass-through charge for recyclable paper bags. Retailers rely on this charge to off-set the increasing costs of paper bags and the charge serves as a reminder for customers to use reusable bags rather than single use bags, even if made of paper. The five-cent pass-through charge is kept by the merchants and is not a revenue to the City.

City Ordinance 124582, approved in 2014, prohibits commercial and residential customers from including food waste and compostable paper in their garbage. With increased diversion of food waste from landfills to compost, there has been an accompanying increase in plastic contamination, including bag and film plastics. This is in part due to confusion over what is compostable and what is not because of inadequate labeling, as well as the use of green tinting for non-compostable bags. This ordinance would implement lessons learned to improve the existing regulations to help residents and businesses more easily determine whether a bag is compostable and to place it in the correct container.

The legislation prohibits use of green or brown-tinted, non-compostable plastic bags for products such as vegetables or for use as carryout bags. Some manufacturers tint their non-compostable polyethylene plastic bags green to indicate they are made from recycled plastic. However, the green tint mimics the color of compostable bags which the City promotes for kitchen compost containers and as food and yard waste cart liners causing some people mistakenly put all green-tinted bags in their food and yard waste carts, which results in plastic fragments in the compost. These fragments are difficult or impossible to remove from the compost, adding to the spread of small plastic particles in the environment, increased processing costs, and decreasing value and acceptance of the compost. Maintaining the quality of compost that result from our policies and

programs is important as we work toward reaching our diversion goals.

Finally, a definition of "compostable" is added to this section of the code and requires that compostable bags be labeled as compostable.

2. CAPITAL IMPROVEMENT PROGRAM

____ This legislation creates, funds, or amends a CIP Project.

3. SUMMARY OF FINANCIAL IMPLICATIONS

__X__ This legislation does not have direct financial implications.

4. OTHER IMPLICATIONS

a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?
No.

b) Is there financial cost or other impacts of not implementing the legislation?
Not implementing the legislation will continue to make it difficult to achieve Seattle's recycling goals. In the long run, processing costs for compostables could increase and be more expensive for the City due to the costs of removing contamination at the compost facilities and due to reduced value of the compost when contamination cannot be effectively removed.

c) Does this legislation affect any departments besides the originating department?
No.

d) Is a public hearing required for this legislation?
No.

e) Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?
No.

f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?
No.

g) Does this legislation affect a piece of property?
No.

h) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

None.

i) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.
No.

j) Other Issues:

List attachments/exhibits below: