



To: Councilmember Mike O'Brien, Councilmember Conlin, Councilmember Harrell, members of the Seattle Public Utilities and Neighborhoods Committee

From: Esther Handy, Legislative Aide to Councilmember Mike O'Brien

Date: November 21, 2011

Re: Council Bill 117345, Plastic Bag Ban

Background

Each year, Seattleites use approximately 292 million single use plastic bags, only 13% of which are recycled. Seattle Public Utilities estimates that the city spends \$2.5 million annually to clean up, process and recycle these bagsⁱ.

Last week Environment Washington released a report entitled "Keeping Plastic out of Puget Sound,ⁱⁱ" which outlined harms from plastics in Puget Sound and our environment. The report explains that plastic bags do not biodegrade in the ocean. They break down into smaller and smaller pieces that remain hazardous and are consumed by filter-feeders, shellfish, fish, turtles, marine mammals and birds. Microplastics also absorb other toxics like DDT and PCBs, which are ingested by filter-feeders and shellfish, facilitating the accumulation of toxic chemicals up the food chain.

In addition to the harms to the Sound, plastic carryout bags represent .82 percent of Seattle's waste stream. The City Council passed [Resolution 30990](#) in 2007, adopting zero waste policy goals to achieve 70% recycling by 2025, and capping municipal solid waste tons at 2006 levels, or 438,000 tons. Through education and policy changes such as residential curbside organics pick-up, a ban on Styrofoam food service-ware and the yellow pages opt-out system, the city achieved a 53% recycling rate in 2010. The city must build upon this progress and continue to tackle significant pieces of the waste stream to achieve its zero waste goals.

CB 117345, the proposed plastic bag ban

Following the leadership of cities up and down the west coast, across the country, and around the world who have already taken action to reduce the use of single use plastic bags, Council Bill 117345 is modeled after an ordinance passed in Bellingham, WA in summer 2011.

The proposed law asks Seattle Public Utilities to promote the use of reusable bags, bans all plastic carryout shopping bag and requires retailers to collect a five cent pass through charge for paper bags.

The "nickel" pass through has been revised from the 2008 proposed green fee to better balance our environmental goals with the needs of our business community and equity

considerations. The nickel serves as a reminder to customers to bring their reusable bags, minimizing environmental impact of a shift from plastic to paper. It is kept by retailers to help offset the cost of more expensive paper bags so as to not unduly burden business in this economic climate. Finally, low-income residents who participate in food assistance programs such as the State Nutrition Assistance Program (SNAP) and Women, Infants and Children (WIC) will be exempt from the five cent charge when they present evidence of their participation to retailers.

Seattle Public Utilities is asked in this ordinance to promote reusable bags and shall target their outreach efforts to low income individuals and communities.

This ordinance would apply to all retailers in the city including grocery stores, department and hardware stores, pharmacies, street food vendors and farmers markets.

In all cases, small paper and plastic bags used to package goods inside of a store, such as produce, meat and bakery goods, are not regulated.

To promote the use of recycled paper and goods, the ordinance requires paper bags to be made from a minimum of 40% post-consumer content; 20% for smaller bags. Plastic carryout bags are those bags less than 2.25 ml thick.

This ban would also apply to carryout bags marketed as “compostable” or “biodegradable,” which present two problems. First, if inadvertently included with petroleum-based disposable bags in the City’s curbside recycling containers, both would contaminate and devalue the bales of “petro” plastic bags headed for recycling. Second, if “biodegradable” bags not approved by the city’s compost processor are thrown into the City’s curbside food and yard waste bins they contaminate the material headed for composting, forcing costly hand sorting or, if that’s not possible, disposal of the load in a landfill. Many bags marked “biodegradable” are NOT truly compostable by the city’s processor (they decay leaving small particles of plastic) and thus are no more than “greenwashing,” a form of green marketing that is deceptively used to promote the perception that a company’s policies or products are environmentally friendly.

The law, if passed this winter, would provide a 6 month implementation period and go into effect on July 1, 2012.

Additional history

In 2008, the City Council passed an ordinance that would have placed a 20 cent fee on disposable plastic and paper bags at grocery, drug and convenience stores in an effort to reduce waste. The ordinance passed the Council in a 6-1 vote. Opposing parties collected enough signatures to refer the ordinance to the ballot, where it was over-turned by the voters (53%-47%) in the November 2009 primary election. The American Chemistry Council spent over \$1.4 million opposing the law during the ballot measure campaign.

ⁱ Seattle Public Utilities 2008 Study, [“Alternatives to Disposable Shopping and Food Service Items”](#)

ⁱⁱ  [Keeping-Plastic-Out-of-Puget-Sound.pdf](#)