

Mitch Avalon

Subject: FW: Ban of Polystyrene food and beverage containers

From: Howdy Goudey

Sent: Wednesday, October 10, 2018 2:26 PM

To: Jody London; Mitch Avalon

Subject: Re: Ban of Polystyrene food and beverage containers

Mitch,

Thanks for considering the input from the Sustainability Commission and giving us a chance for feedback on the latest revision to the proposed polystyrene ban. While I still think there should be a more comprehensive foodware ordinance, I can see the reasoning behind taking an initial step to at least meet the minimum polystyrene standards consistent with most surrounding jurisdictions, as long as there is an intention to move forward with review of further possible foodware restrictions in the near future.

However, I don't understand the reluctance to encourage highly compostable foodware alternatives as part of this ordinance. It is true that some of the plastics sold as compostable are difficult to distinguish from recyclable plastics, and beyond that, some compost facilities explicitly don't want the "compostable" hard plastic products (PLA) because they either don't break down well enough or they get confused with other plastics that end up contaminating the compost. However, highly compostable paper products [including grease proof paper](#), etc. should be included as viable foodware alternatives that are much less problematic than recyclable plastics. I have included further comments interleaved with text from your memo below, in red.

Howdy Goudey

Staff continues to recommend not including compostable materials as an alternative to polystyrene at this time, for several reasons:

- Only some of the incorporated and unincorporated areas of the county currently have collection service for food waste or food contaminated compostable materials, so it is premature to require establishments and the unincorporated area to place food in compostable "To Go" containers.

Compost requirements are rapidly expanding as part of state laws, most notably SB1383 which targets 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025, so it is not too early to be considering any way to help get food waste into the compost stream. Recyclable plastic foodware contaminated with remnant food requires careful cleaning if it is going to be recycled, and even then, the market for this type of plastic is essentially non-existent (plastic clam shell boxes sent to recycling are diverted to landfill at the moment). Sending compostable foodware contaminated by food to the compost stream is much easier for the users, haulers and processors, because it doesn't require separation and cleaning. Even if compost service is not ubiquitous, it will soon become much more wide spread, and even today, access to compost facilities is arguably much greater than the access to a recycling stream that will actually recycle foodware plastics.

- The County only has authority over the Franchise Agreements that govern collection provided to approximately 53% of the population living in unincorporated areas, so the County can't require consistent recycling requirements.

Independent of county authority, there are still state laws driving increased rates of waste stream diversion for both recyclables and compost. If the county lacks jurisdiction, it might need to consider how that might change or perhaps how the county can better collaborate with solid waste franchises in the unincorporated county. This argument doesn't support favoring recyclable foodware over compostable, because the county doesn't have control of either one for half the population, so there is just as likely to be no recycling stream available as there is to be no compost stream available.

- New regulations are being developed in response to recent changes in State law which propose to impose substantial new requirements upon counties and food waste generators related to recovery and composting of organics in the waste stream, so it is critical that the County first ensure there is sufficient composting capacity for food waste and other compostable items already present in our waste stream prior to taking an action that would mandate increased generation of compostable waste.

Yes, as I mentioned above, the state mandated foodwaste diversion to composting facilities is quite demanding, with compliance ramping up very quickly, so it doesn't make sense to put off implementation measures that will help meet these coming regulations. It is far more viable to compost foodwaste and single-use foodware together rather than separate and wash and hope that a recycler will actually take a clean plastic container. There are already more facilities in the county that will take compost than there are facilities that will truly recycle foodware plastics. There is a need to ramp up composting collection and processing facilities, but there is no need to wait for this to happen to direct foodware choices in a compatible direction.

- Some compostable products look very similar to plastic and cannot be distinguished by the public, making proper sorting at the customer level problematic. This same challenge is also problematic for composting facility operators, and when in doubt the material will be disposed of and not composted. At a minimum, it makes the sorting process more complex and time-consuming. If sorting costs increase, recyclers are likely to either raise rates or refuse to accept compostable food waste materials, increasing the waste stream to our landfills.

It would be fine to prohibit "compostable" hard plastics like PLA as an alternative foodware option, however, truly compostable paper foodware products should be encouraged, with a high standard for waterproof/greaseproof papers that don't rely on plastic coatings. There is an equal or greater risk that sorting costs will rise for recyclables because of food contamination issues and the lack of market for most foodware plastics.