

Foam-Free LB

Polystyrene Foodware Ordinance — Environmental Subcommittee

June 13, 2017

Introduction

- 12/20/16 Council Item
 - (1) Environmental Committee conduct public outreach with community stakeholders prior to drafting an ordinance;
 - (2) City staff draft an ordinance related to **banning expanded polystyrene and other polystyrene disposable food service containers**;
 - (3) City Staff develop a public education campaign related to the ban;
 - (4) Economic Development Commission develop financial incentives for local businesses who implement the ban of these products before implementation date



What is Expanded Polystyrene?



- **Expanded Polystyrene (EPS) foam:** a petroleum-based plastic polymer made from styrene. EPS foam is usually white and made of pre-expanded polystyrene beads. Used for packaging and insulation purposes. EPS is lightweight, consisting of ~95% air.

- **Styrofoam:** a trademarked brand of EPS that is owned by Dow Chemical. The term is often used generically (e.g., Kleenex, Band-Aid).



- **Rigid Polystyrene:** A non-expanded form of polystyrene plastic that is thin and rigid, used in a similar manner as other rigid food-grade plastics. May be clear or colored.



Why Regulate Polystyrene?

- Litter prevention
 - EPS is uniquely problematic as litter
 - Lightweight – susceptible to being carried by wind/water
 - Breaks up into “microplastic” during travel – hard to recover/clean up
 - Takes 500+ years to degrade in the environment - if ever
- Public health
 - Styrene is a “reasonably anticipated human carcinogen” (NIH)
- Waste generation
 - Incentivize reusable, recyclable or compostable foodware
 - Recycling of EPS is challenging



Types of Sectors Affected

- **Food establishments:** sell or provide food and/or beverage for immediate consumption or to-go.
 - *Brick & mortar:* restaurants, bars, cafes, coffee shops
 - *Mobile:* food trucks, food vendors at events, caterers
 - *Grocery stores:* prepared food sections only – deli, “hot food” or “to go” counter
 - *Other:* hotels, hospitals, schools, cafeterias, nursing homes, food shelves, etc.
- **All City facilities**
 - City venues, special events

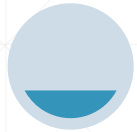


Opportunities for Stakeholder Input

- December 20, 2016 - City Council Meeting
- February 21, 2017 - Environmental Subcommittee
- March 23, 2017 - Sustainable City Commission
- March 28, 2017 - Economic Development Commission
- May 30, 2017 - Economic Development Commission
- June 13, 2017 – Environmental Subcommittee



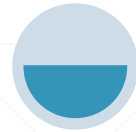
Phased-In Approach Recommendation



Phase 1: 10/1/17

City Government

- City departments
- City-owned and leased facilities
- Renters or lessees of City properties
- City contractors & vendors while doing business with the City
- City-sponsored events
- City-permitted events



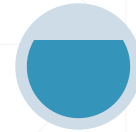
Phase 2: 4/22/18

Prepared Food Sales

Large businesses

- “Food establishment” that sells food and/or beverage to-go or for on-site consumption.
- Restaurants, food stands, grocery stores (prepared food section only), delis, food trucks, coffee shops, schools (LBUSD) etc.

Implementation on Earth Day

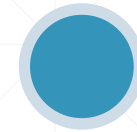


Phase 3: 10/1/18

Prepared Food Sales

Small businesses

- Small “mom and pop” food establishments (to be defined) that would otherwise fall under Phase 2.
- Allows additional time to transition foodware to compliant materials



Phase 4: 10/1/18

Prepared Food Sales Expansion

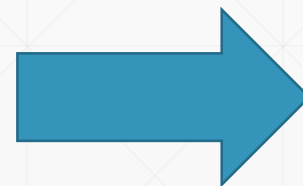
- Other food providers not previously specified: caterers, hospitals, nursing homes, hotels, food shelves, etc.

Less Extensive

More Extensive


Economic Impacts of Polystyrene Ordinance

- Supplies costs – impact correlated with use of disposable foodware
 - Compliant foodware slightly higher cost initially, but other cities report price decreases as demand for these products increases
 - Cooperative purchasing increases buying power
 - “Undue hardship” temporary exemption clause
- Waste disposal savings
- EPS clamshells take up a lot of space and are not recyclable if food-soiled
 - Reduce waste: reusables & recycling/composting (AB 341 & 1826 compliance)



Price Comparison of Foodware by Type

- **What is the cost comparison between foam containers and alternatives?**
 - Average per item cost for containers, by type and material:



	EPS foam	#1 or #5 Plastic	Paper fiber	Compostable PLA
Cups	\$0.03	\$0.03	\$0.04	\$0.08
Plates/bowls	\$0.02	\$0.07	\$0.04	\$0.11
Clamshells	\$0.08	\$0.17	\$0.20	\$0.33

Source: "Fiscal & Economic Impacts of a Ban on Plastic Foam Foodservice and Drink Containers in New York City" March 2013. MB Public Affairs, Inc., Sacramento, CA

- Businesses can reduce impact by switching to other container/wrap types (clamshell → foil or fiber bag/envelope)
- LB program may include "open houses" that connect businesses with product suppliers to learn about new alternatives in the marketplace



Mitigating Undue Hardships for Businesses

- Based on stakeholder input, staff plans to recommend additional time for small businesses to comply
- Ordinance will include clauses that mitigate undue hardship:
 - Exhaust existing polystyrene foodware inventory
 - Waiver process
 - Economic incentives



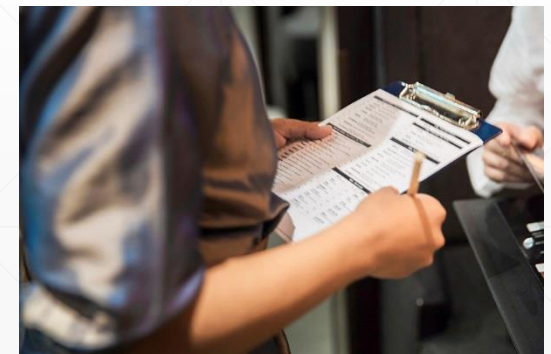
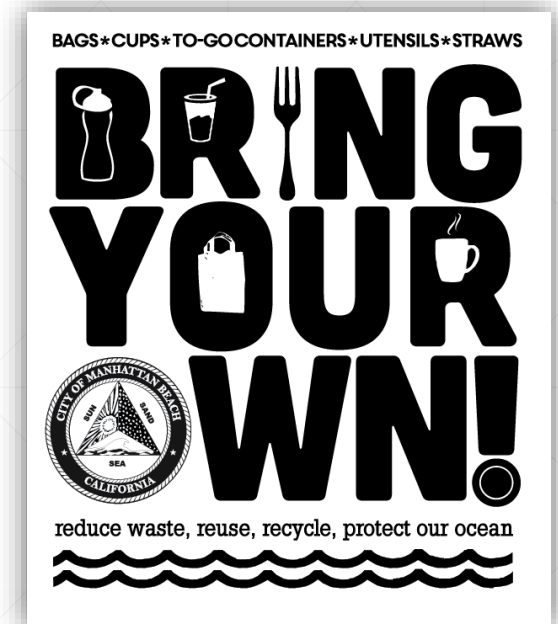
Economic Incentives

- Staff working with Economic Development Commission to develop incentives for businesses that comply before required by ordinance
- Possible incentives:
 - Cooperative purchasing opportunities
 - Business recognition program
 - Technical assistance



Compliance Provisions

- **Education & assistance**
 - Primary tools for implementation – work with businesses
 - Promote reusable options to the public
- **Enforcement provisions integrated into current City operations**
 - ESB hotline/web form for public to report violations
 - Education and compliance integrated into food facility inspections
 - Non-compliance penalty framework based on current City code



Education and Assistance

- Web and print materials explaining new ordinance and compliance info
 - FAQs, guide listing acceptable items, vendor list
 - Promote opportunities for economic incentives
 - Multi-lingual
- Outreach
 - In-person outreach to impacted businesses
 - Foam-Free LB “Open House” meetings
 - Hotline for questions and concerns



Summary of Recommendations

- For ordinance to include single-use food service containers made of EPS, rigid PS (#6) and non-recyclable/compostable materials.
- A “phased in” approach, starting with City facilities (10/1/17), adding large food establishments (Earth Day, 4/22/18), small food establishments (10/1/18) and expanding to all prepared food providers by 10/1/18.
- Robust education & assistance programs and enforcement provisions to ensure successful and effective implementation.

The goal of this ordinance is to reduce litter on our streets and beaches, prevent pollution in our ocean and natural habitats, protect public health, and reduce waste





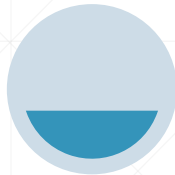
Thank You

Diko Melkonian
Manager
Environmental Services Bureau
Public Works Department
City of Long Beach
Diko.Melkonian@longbeach.gov



Taken 2/19/17, LB beach pedestrian path

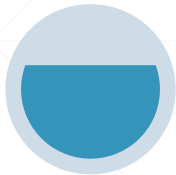
Single-Use Items To Consider in Ordinance



EPS food service containers



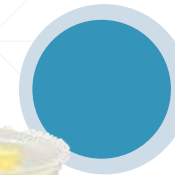
Reduces EPS litter: lightweight, easily carried by wind and water to pollute beaches & habitats



All PS food service containers



Reduces contact with styrene, a “reasonably anticipated human carcinogen” (NIH)



Non-recyclable food service containers

Composite plastics (no number)



Plastic-coated paper (non-compostable)

Reduces waste that is non-recyclable, non-compostable and/or has limited recycling marketability

Less Extensive

More Extensive

Environmentally Acceptable Alternatives



Reusable
(in-house)



Reusable (for
public)



Recyclable
(plastic & metal)



Compostable
(bioplastics)



Compostable



Compostable



Compostable



Compostable