

# S.113, Single-Use Plastics and Polystyrene

**PURPOSE:** environmental management of a problematic pollutant, plastics

**STRATEGY:** We reduce the use of plastics, including single-use plastic carryout bags, single-use plastic straws, and expanded polystyrene (e.g. foam "peanuts," foam cups)

**MEANS:** add new subchapter to Title 10, Conservation and Development

**MODELS:** Based on programs in Vermont (Brattleboro) and 116 other jurisdictions, including US and countries around the world

	Things the bill does 4 things:	How?
1	Regulates the use of carryout bags, creating two categories: <ul style="list-style-type: none"> <li>• single-use, and</li> <li>• reusable</li> </ul>	<ul style="list-style-type: none"> <li>• prohibits use of plastic less than 2.25 mils</li> <li>• allows paper less than 2.25 mils but also requires a 5¢ charge</li> </ul>
2	Regulates the use of single-use plastic straws	<ul style="list-style-type: none"> <li>• prohibits the sale or provision of a single-use plastic straw, except upon request</li> </ul>
3	Regulates the use of expanded polystyrene food service products (EPS FSP)	<ul style="list-style-type: none"> <li>• prohibits a person from selling or offering for sale EPS FSP</li> <li>• prohibits a store of food service establishment from providing food or beverages in EPS FSP</li> <li>• allows EPS FSP packaging if the product will be distributed out of state</li> </ul>
4	Establishes a Single-Use Products Working Group to examine solid waste issues and make recommendations to the legislature	<ul style="list-style-type: none"> <li>• establishes an 11-member committee;</li> <li>• defines charge;</li> <li>• requires report by 12/1/19</li> </ul>

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Annis Bray ~ 4.23.2019

# S.113 — Reducing the Use of Single-Use Plastics

**PURPOSE:** environmental management of a problematic pollutant, plastics

**STRATEGY:** reduce the use of single-use plastic carryout bags, single-use plastic straws, and single-use expanded polystyrene food service products (e.g. "foam" cups and food containers)

**MEANS:** add new subchapter to Title 10, Conservation and Development

**MODELS:** Based on programs in Vermont (Brattleboro) and 116 other jurisdictions, including US and countries around the world

The bill does four things...	How?	In what locations?	Also worth noting
<p><b>1</b> Regulates the use of carryout bags, creating two categories:</p> <ul style="list-style-type: none"> <li>• single-use, and</li> <li>• reusable</li> </ul>	<ul style="list-style-type: none"> <li>• prohibits use of plastic less than 2.25 mils</li> <li>• allows paper less than 2.25 mils but also requires a charge of not less than 5¢</li> </ul>	<ul style="list-style-type: none"> <li>• stores</li> <li>• food service establishments</li> </ul>	<p>Plastic or paper carryout bags can be provided at no charge, but they must be "reusable" — that is,</p> <ul style="list-style-type: none"> <li>• with handles and made of cloth;</li> <li>• with handles and made of woven polypropylene; or</li> <li>• with handles and a durable plastic bag of at least 2.25 mils</li> </ul> <p>Single-use paper is still allowed, but stores and food service establishments must charge not less than 5 cents per bag, which is retained by the store.</p>
<p><b>2</b> Regulates the use of single-use plastic straws</p>	<ul style="list-style-type: none"> <li>• prohibits the sale or provision of a single-use plastic straw, except upon request</li> </ul>	<ul style="list-style-type: none"> <li>• food service establishments</li> </ul>	
<p><b>3</b> Regulates the use of single-use expanded polystyrene food service products (EPS FSP)</p>	<ul style="list-style-type: none"> <li>• prohibits a person from selling or offering for sale EPS FSP</li> <li>• prohibits a store of food service establishment from providing food or beverages in EPS FSP</li> <li>• allows EPS FSP packaging if the product will be distributed out of state</li> </ul>	<ul style="list-style-type: none"> <li>• persons (e.g. supplier)</li> <li>• stores &amp; food service establishments</li> <li>• persons (eg. food processor or packer)</li> </ul>	<p>EFFECTIVE DATE for these sections (1, 2, 3) is July 1, 2020</p> <p>In Section §6697 rulemaking is established to assist with implementing the provisions of this new subchapter.</p>
<p><b>4</b> Establishes a Single-Use Products Working Group to examine solid waste issues and make recommendations to the legislature</p>	<ul style="list-style-type: none"> <li>• establishes an 11-member committee;</li> <li>• defines charge;</li> <li>• requires report by 12/1/19</li> </ul>		<ul style="list-style-type: none"> <li>• Working group assesses single use products solid waste management, costs, and impacts;</li> <li>• group may also look at PRODUCT STEWARDSHIP, aka Extended Producer Responsibility (EPR)</li> </ul>

Chris Bray ~ 4.23.2019