Chittenden Solid Waste District

ADMINISTRATIVE OFFICE
1021 Redmond Road
Williston, VT 05495

EMAIL info@cswd.net
TEL (802) 872-8100

www.cswd.net

Senate Natural Resources and Energy Committee March 13, 2019
RE: S.113

Chairman Bray and committee members thank you for inviting me to comment on S.113. My name is Jennifer Holliday and I am the Director of Public Policy and Diversion Facilities for the Chittenden Solid Waste District. I am also the Chair of the Vermont Product Stewardship Council. The VTPSC membership includes all the solid waste districts and alliances in Vermont. We formed in 2008 to work on extended producer responsibility (EPR) initiatives and legislation that have resulted in successful programs for collecting and recycling e-waste, batteries, paint, mercury thermostats and fluorescent lamps in this state.

I would like to comment on some of the elements of S.113 and also suggest how this committee can continue your work on lessening the environmental impact of single use plastic as well as other packaging by using EPR as the tool.

Single-Use Carryout Bag Ban

The Chittenden Solid Waste District's mission is to reduce the amount of solid waste generated within Chittenden County. Banning single-use plastic carryout bags will certainly create less of this material in the waste stream and as a result help us achieve our mission.

Plastic bags are problematic in the recycling stream. Although plastic bags and other plastic film are widely accepted in the front of grocery stores and other retail establishments for recycling, many consumers are not aware that these materials require special collection and often will toss plastic bags into their recycling blue bins where they don't belong. Most of the blue bin material generated in Vermont goes on to one of two single stream Material Recovery Facilities (MRFs); one is in Rutland and owned and operated by Casella and the other is in Williston and owned by CSWD with Casella as the contracted operator. These facilities receive commingled materials such as plastic, glass and aluminum bottles, steel cans, paper and carboard, and use a combination of equipment and manual labor to separate the materials. Except for glass, these materials are compacted into bales and shipped to market to be used in place of virgin materials in manufacturing. We welcome this committee to come tour our MRF.

When consumers put plastic bags in their recycling bins, it creates problems at the MRFs. These bags either get through the system and get mixed primarily with the paper stream becoming a contaminant and downgrading the quality of our mixed paper for market, or they will become what we call "a tangler", wrapping around the sorting equipment and decreasing the equipment's efficiency for separating the materials. The operator of our MRF locks out this equipment several times a day while workers climb into the equipment to cut out the tanglers. The equivalent of 3-4 work hours a day are spent cutting out tanglers adding cost and risk to recycling. Attached are pictures of this type of equipment when it is clean and another with our equipment wrapped in tanglers. You can see that most of what is tangled is plastic bags. A ban on these bags would help prevent this problem.

Although plastic bags are problematic at the MRFs and a litter issue, lifecycle analyses of paper and plastic bags indicates that paper bags produce more greenhouse gas emissions than plastic bags. Therefore, if the committee decides to ban plastic bags, consideration should be made to ban or place a fee on paper bags to negate the use of paper bags in place of plastic bags and to encourage the use of reusable bags.

Ban on expanded polystyrene food service products

Expanded polystyrene (EPS) food service products are not recyclable unless the material is clean, dry, separated from other EPS products such as packing blocks and peanuts, collected in enormous quantities and then processed through equipment that densifies the material. We don't think that collection and recycling of post-consumer polystyrene food service products is currently feasible in Vermont. Alternatives for EPS food service products that are recyclable or compostable do exist. However, recyclability or composability doesn't necessarily make it a better choice for the environment. Some of the alternatives to EPS would be worse for the environment in terms of energy use and greenhouse gas emissions than EPS. If the goal is to protect the environment, then banning EPS food service products may have the unintended consequence of doing more harm than good.

Packaging is complicated and rather than picking out what we perceive as problematic and addressing that one component of the packaging waste stream, a holistic approach could be taken that encourages all packaging and printed paper to be designed with minimal impact to the environment. This can be done through extended producer responsibility (EPR) legislation. EPR for packaging and printed paper is based on the polluter pays principle making companies that put packaged products on the market responsible for that packaging throughout its whole lifecycle including financing and organizing recycling infrastructure. Financial incentives can be incorporated into the legislation to encourage the producer to consider the environmental impact when designing and using their products.

EPR for packaging is not new. It was first pioneered in Europe over 20 years ago. Today there are EPR laws for packaging in place in 34 European nations, 11 countries in Asia, South America and Africa, all of Australia and 5 Canadian Provinces (see attached map). China and India are expected to have programs in place by 2022.

EPR for packaging in the U.S. is very likely, and like other EPR laws will be a state-by-state approach rather than through federal legislation. Vermont considered an EPR for packaging bill H.218, in 2011. Rhode Island and Connecticut followed several years later and introduced EPR for packaging bills. Currently there are three states with EPR for packaging bills in play (Massachusetts, Washington and Indiana) and more states that are considering introducing bills.

We suggest that this committee continues the work you are doing to reduce the environmental impact of plastics as well as other packaging and printed paper by including in S.113 a legislative working group directed to develop an EPR packaging proposal that would be the basis for legislation next year. The proposal could include the scope of packaging and printed material to be included, a financial incentive for producers of printed paper and packaging sold in Vermont to minimize the environmental impacts, including greenhouse gas emissions and how to structure a requirement for producers to provide and finance the collection, processing and recycling of printed paper and packaging using existing infrastructure where feasible.

Thank you for your time and consideration.