



City of Seattle
Seattle Public Utilities

MEMORANDUM

To: Councilmember Lisa Herbold, Chair of Civil Rights, Utilities, Economic Development, and Arts Committee, City Council
From: Ray Hoffman, Director, Seattle Public Utilities
Subject: Seattle Bag Ban Update
Date: July 1, 2016

Introduction

In 2011, Seattle City Council passed Ordinance Number 123775 banning the distribution of single-use plastic and biodegradable carryout bags. Section 5 of the ordinance requires Seattle Public Utilities (SPU) to provide a report to City Council covering various aspects of the ban by July 1, 2016. This memorandum provides that update.

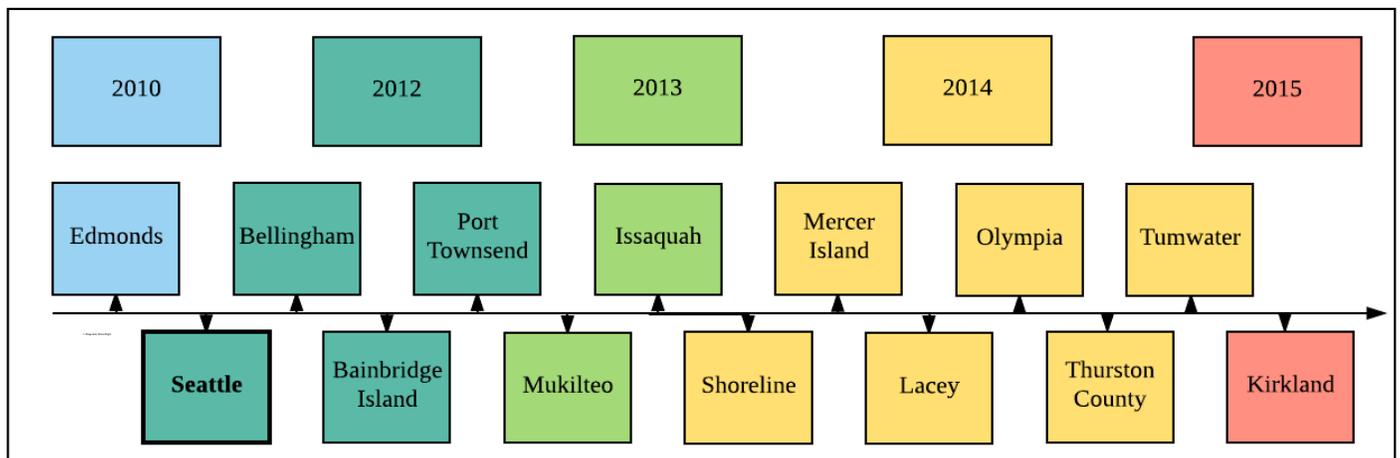
To prepare this report, SPU collected information regarding plastic bag bans throughout the state and nation, conducted random plastic bag ban inspections at various businesses in Seattle, solicited feedback from selected stakeholders, and analyzed SPU's waste reports.

This assessment has determined there is a growing movement to ban single-use plastic bags across the state and country. While Seattle's bag ban has been effective in reducing the number of plastic bags distributed throughout the city, there are also opportunities for improvement in compliance, education, and policy.

State and National Plastic Bag Bans

Plastic bag bans are proliferating through the state and across the country. In Washington, twelve jurisdictions have passed bag bans since Seattle adopted its bag ban ordinance; many of those jurisdictions have modeled their bans directly after Seattle's. Bag bans are also under current consideration in additional cities including Tacoma.

Figure 1. Timeline of Bag Bans in Washington State



Washington state local governments are not alone in addressing wasteful and polluting single-use plastic bags. Jurisdictions in twenty-one states have some sort of plastic bag ban in place. Since Seattle passed its bag ban, it has been joined by other major cities including Austin, Chicago, New York City, Minneapolis, Honolulu, and Boston.

Inspections of Seattle Businesses

Compliance with Seattle’s bag ban is essential if the City is to minimize the number of plastic bags entering our waterways and waste streams. An SPU inspector visited a random sample of 25 Seattle businesses from four retail sectors to determine compliance with the bag ban ordinance. Each business was determined to be either compliant, partially compliant, or non-compliant. Compliant businesses do not use plastic bags and charge at least five cents for large paper bags (882 cubic inches or larger). Partially compliant businesses do not use plastic bags, but also do not charge the required five cents for large paper bags. Non-compliant businesses use plastic bags. The figure below summarizes the data from those inspections. More extensive results can be found in the Appendix, Table 1.

Figure 2. Bag Ban Inspections Results by Sector



Inspection findings are consistent with expectations and the findings of the update to City Council six months after the bag ban took effect. There is almost full compliance by large grocers, large drug stores, and apparel stores. Compliance is lower in small to medium-sized, independently-owned grocery and convenience stores. While most knew of the ban, some were unaware of the requirement that large paper bags be charged at five cents each. Others thought single-use plastic bags could be provided to customers for a fee.

Waste Stream Reports

We have seen uneven compliance among smaller independently owned stores. But the larger grocery and drug stores, which were responsible for 70% of the single use plastic bags in circulation at the time the law took effect, have been complying well. As a result, there has been a decline in the number of plastic bags being landfilled in the City of Seattle.

Between 2010 and 2014, the amount of plastic bags in residential garbage declined from 262 tons to 136 tons, a nearly 50% decrease over a four year period. The decrease also came during a period of 10% growth in the City's population.

We see an even greater decline in the amount of plastic bags collected in the commercial and self-haul waste streams between 2008 and 2012. In 2008, 273 tons of plastic bags were collected. In 2012, the year the bag ban took effect, that number declined 78% to 59 tons.

It is important to note that the amount of plastic bags being sent to the landfill is not necessarily indicative of the number of plastic bags distributed in Seattle illegally. First, plastic bags are still permitted for use by food-service businesses (such as take-out restaurants), newspaper distributors, and dry cleaners. Second, it is likely some of these plastic bags were brought into Seattle by people shopping outside of the city limits.

Retailer Stakeholder Feedback

While the amount of plastic bags in Seattle has been impacted by the bag ban, so too have Seattle's retail businesses. As part of this assessment, Seattle Public Utilities spoke with several retail associations about the impact the bag ban has had on their member businesses. There were several primary themes in the feedback received.

First, the major retail associations advocate for the Seattle model in jurisdictions considering new plastic bag bans. If a bag ban is to be enacted, the Seattle ban is the model they prefer jurisdictions use. One association stated that a state-wide ban that follows the requirements laid out by the City of Seattle would be preferable to the varied requirements being implemented at a more local level.

Second, the five cent charge for paper bags is very important to large and small, corporate and independent retailers alike. The five cent charge is essential for these businesses to offset some of their bag expenses, especially as paper bag prices have increased over the last few years. These businesses would like revisions to the bag ban

ordinance to remove the sunset date of December 31, 2016 on the five cent charge requirement for paper bags.

Third, reusable bags have become the norm in the City. Particularly in grocery stores, people are bringing their reusable bags to make purchases. While this is precisely the goal of the ordinance, there are also concerns regarding the cleanliness of reusable bags. One association with whom SPU spoke identified this as a major concern for the health of customers and staff bagging customer groceries.

Finally, all association representatives identified education and outreach as key to the bag ban's continued success. It was acknowledged as being useful to both increasing compliance with the law and also addressing concerns about reusable bag cleanliness.

Emerging Bag and Film Packaging Issues

A number of issues have emerged over the last few years as the bag ban has been implemented and as the City has pursued additional waste reduction measures, such as the ban on compostables in the garbage. While these issues certainly exist, SPU is actively working to address them.

When the bag ban took effect, some stores removed their plastic bag collection stations customers used to recycle plastic bags. As a result, an increasing number of plastic bags are collected curbside. Despite Seattle Public Utilities' messaging to the public to place their plastic bags inside a larger plastic bag for curbside pickup, as required for Seattle's curbside recycling system, loose plastic bags continue to create problems at Material Recovery Facilities (MRFs). Loose bags are ending up at MRFs and clogging screens used to separate materials by size and shape, thereby contributing to cross contamination of recycling streams. As such, many industry and recycling organizations advocate for retail drop off of plastic bags as an alternative to curbside collection.

A second related issue is the increase in use and disposal of flexible packaging. While we see a decline in bags being discarded, we also see significant increases in the disposal of other "films" such as flexible packaging. Flexible packaging includes the pouch or bag-like packages now commonly seen on store shelves that contain a wide range of foods, such as soups, baby formulas, coffee, and tuna fish. These packages have some environmental benefits over traditional packaging, but are not currently recyclable.

In addition to the issues surrounding the recycling of plastic bags and film, there is also confusion caused by green-tinted non-compostable polyethylene plastic bags. Because compostable bags are green, residents believe the green non-compostable bags, like the ones sometimes used for organic produce in grocery stores, are compostable. This is creating contamination issues at local compost facilities, increasing their costs, and hurting the quality of locally produced compost. The Washington Compost Contamination Work Group has identified this as an issue that needs to be addressed.

Seattle Public Utilities' Next Steps

Seattle Public Utilities is actively addressing concerns regarding the plastic bag ban as identified by retailers and local compost facilities. SPU is currently taking the following actions to address concerns raised since the implementation of the plastic bag ban:

1. *Removing the five cent paper bag charge sunset date.* SPU will be proposing revisions to the bag ban ordinance to remove the end date for the five cent charge to customers for large paper bags. This was identified as very important for businesses to cover their increased bag costs and will also continue to serve as a reminder to citizens to bring their reusable bags when shopping.
2. *Limiting plastics contamination of food and yard waste.* SPU's staff participate in the Washington Compost Contamination Work Group. The purpose of this group is to identify how to reduce the level of plastics contamination in the food and yard waste being sent to local compost facilities through collection programs. Additionally, SPU will be proposing revisions to the bag ban ordinance that will include restricting green tinting to compostable bags only. This proposal will address the confusion and contamination that green tinted non-compostable bags cause.
3. *Addressing reusable bag cleanliness.* As previously stated, some retailers are concerned about the cleanliness of customers' reusable bags. To address this concern, SPU will include publicize the importance of regularly washing reusable bags.
4. *Increasing bag ban compliance in small and independent stores.* As found in the plastic bag ban inspections conducted by SPU, small and independent grocery and convenience stores are complying with the plastic bag ban at a relatively low rate. These businesses often have higher employee turnover rates and many may not be aware of the specific requirements of the bag ban. To address this low level of compliance, SPU is currently developing a renewed outreach strategy to target these businesses. Options being considered are a mass mailing to retail businesses that provide bags to the public and in person visits.
5. *Reducing loose plastic bag impacts in curbside recycling.* The plastic film industry-sponsored Wrap Recycling Action Program (WRAP) successfully piloted an expansion of retailer collection of plastic bags and additional films/wraps in the City of Vancouver in 2015. This program may take a broader range of wraps and films than can be accepted in the Seattle curbside service. SPU will explore bringing the program to Seattle and across Washington in collaboration with industry, retailers, and other governments to reduce the number of loose plastic bags in Seattle's curbside collection. While the implementation of WRAP is explored, SPU will continue messaging to people that plastic bags must be bundled in a larger plastic bag if it is to be placed in curbside recycling. Additional information on the WRAP program can be found here:
<http://www.plasticfilmrecycling.org/wrap/wrap-1.html>
6. *Encouraging work to make flexible packaging recyclable.* SPU is working through industry groups such as the Sustainable Packaging Coalition to encourage industry to make flexible packaging recyclable, to establish collection programs similar to WRAP for its collection, to develop equipment necessary to sort and process it for recycling, and to develop markets for the resulting materials.

Seattle's plastic bag ban continues to reduce the number of plastic bags entering the waste stream. The plastic bag ban is an important element of SPU's strategic plan goal to make "Seattle cleaner, greener and healthier" and the utility will continue working to improve compliance and to address concerns regarding the ban and related issues.

cc: Mayor Edward Murray,
Aaron Blumenthal, City Budget Office

APPENDIX

Table 1. Summary of Plastic Bag Inspection Results

| Retail Sector | Neighborhood | Compliance Status | | |
|--------------------|-----------------|-------------------|---------------------|---------------|
| | | Compliant | Partially Compliant | Non-Compliant |
| Convenience Stores | Uptown | X | | |
| | Ballard | | | X |
| | Ballard | X | | |
| | Ballard | X | | |
| | South Park | | | X |
| | Columbia City | X | | |
| | Columbia City | | | X |
| Drug Stores | Downtown | X | | |
| | Int'l District | X | | |
| | Downtown | X | | |
| | Belltown | | X | |
| | Queen Anne | X | | |
| | West Seattle | X | | |
| Grocery Stores | Queen Anne | X | | |
| | Int'l District | | | X |
| | Victory Heights | | | X |
| | Lake City | | | X |
| | West Seattle | X | | |
| | Mount Baker | | X | |
| Family Retail | Downtown | X | | |
| | Capitol Hill | X | | |
| | Bitter Lake | X | | |
| | U. District | X | | |
| | U. District | X | | |
| | Rainier Valley | | | X |