

**PACKAGING WASTE REDUCTION FORUM
HISTORIC FORT YORK, TORONTO
WEDNESDAY, SEPTEMBER 10, 2008
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ANN ARBOR, MICHIGAN**

A. About Ann Arbor

1. College town (University of Michigan) of 115,000, 65 kilometers west of Detroit
2. Consistently rated one of the most livable cities in the US
3. Strong environmental ethic overall
4. Have achieved 52% residential waste recovery
5. Zero Waste policy goal adopted by our City Council in 2007 as part of larger Environmental Management Plan
6. State of Michigan has had a 10 cent deposit system on soft drink and beer bottles and cans since 1978 (30 years); one of the longest and most successful in the nation: 97% of these containers are recovered and the law continues to receive strong support from the citizenry (95%+)

B. Genesis of Plastic Bag Ban Proposal

1. Believe it or not, a local elementary school group that collected thousands of bags from their families and neighbors, presented bundles of bags to City Council in late 2007 asking for action.
2. Council resonated with the presentation, and the ubiquitous nature of plastic bag as a symbol of what is amiss in our throw-away culture. The rest of the State of Michigan does look to Ann Arbor as an environmental leader/pioneer.
3. One of our Council's more conservative members (relatively speaking), who is also a research scientist, decided to work with our attorney's office to draft an ordinance for introduction. He seems to be motivated as much by the inefficiency and economic waste of disposable bags as by the environmental and litter issues.

C. Scope of the Problem

1. The average American uses 200-300 disposable plastic bags/year. In Ann Arbor, that translates into roughly 23 million bags/year (on the low end estimate).
2. If only 2% of those bags end up as litter, that equals 460,000 bags/year, many of which end up in storm drains, waterways and tree branches, school yards, parks and fence lines
3. Although some of the areas largest retailers offer recycling programs for plastic bags, less than 5% are recycled currently

4. Huge quantities of natural and energy resources are used to produce one-use paper or plastic bags, with substantial air and water pollution created as a result.

D. Proposed Ann Arbor Plastic Bag Ordinance: First Reading

1. Applies to stores with annual sales of \$1 million or more
2. Allows “compostable plastic bags” as alternative to standard plastic bags.
3. Bag ban is limited to plastic point of sale “carry out” or “t-shirt” plastic bags.
4. Paper bags are allowable only if they contain no old growth fiber, are 100% recyclable and contain a minimum of 40% post-consumer recycled content.
5. A retail establishment in violation of this Code is subject to a civil infraction ticket of up to \$1,000 plus costs for each offense.
6. The ordinance excludes plastic bags that are used to package and transport fruit and vegetable produce.
7. The City’s solid waste coordinator (me) and Environmental Systems Analyst (our recycling coordinator) are the primary enforcement agents for the City.
8. The ordinance would take effect within 10 days following legal publication.

E. Problems with Ordinance as Written

1. The \$1 million threshold for businesses is arbitrary and unclear. Is the \$1 million per store location, per franchise? And how would the city verify this standard?
2. City staff is not convinced that “compostable” plastic bags are truly safe for the environment, are not readily recyclable and still use substantial resources in their production.
3. While the environmental goals for paper bags are laudable, the city is not equipped to verify compliance on an on-going basis. Paper bags, even meeting these stricter environmental standards, still create waste (only about 60% are recycled in A2) and still require substantial natural and energy resources to create.
4. An outright ban creates potential legal problems for the city, creates ill will with the retail community and provides no direct alternatives, esp. for shoppers using public transportation or walking.
5. Enforcement and civil penalties also create ill will, and can quickly clog the city’s civil court system. Two primary enforcement personnel for the entire city (already overwhelmed with other duties) will likely mean reactive enforcement (complaint based) at best.
6. Retailers, shoppers and the city all need much more than 10 days after legal publication to make the necessary adjustments to this new policy. It is unclear what kind of inventory of existing paper

and plastic bags retailers already have in stock, and what the availability of compostable and acceptable paper bags even are.

7. The current ordinance applies only to the corporate limits of the city of Ann Arbor. To really be effective, such legislation should minimally include a countywide system (with a population base of 350,000), given that many of the large “box” stores lie just outside of the city limits and the positive impact of a consistent structure over a much larger area. The County population generates roughly 70 MILLION bags/year and also suffers from the negative impact of litter and wasted resource use.

F. Likely Direction

1. A task force is being created that includes city staff and legal support, as well as reps from the environmental and retail communities and the larger County to investigate alternatives (including policies in other communities) and bring a consensus recommendation back to our City Council.
2. My guess is that there will not be an outright ban. Another option being discussed preliminarily includes a charge of some kind (5 cents initially) for all one-use bags used by consumers.
3. In order to provide a positive incentive for reuse, a 5 cent CREDIT for customers bringing their own reusable bag might also be included. The effect of both a positive and negative bag incentive, ends up being 10 cents per bag, a significant economic incentive.
4. Such a policy links the bag charge directly to the city’s (county’s) ZERO WASTE policy by incenting REUSE, and doesn’t distinguish between paper or plastic as choices to be avoided.
5. My sense is that under such a system, the charge or credit per bag may be escalated over time, to provide the necessary incentive given inflation.
6. The first blush effect of such a policy will meet with the approval of the environmental community as well as retailers, in that they will be paid more than the cost of the bag for one use bags, and will enjoy avoided costs by incenting reusable bags.
7. The City/County Drop-off station does accept both paper and plastic bags for recycling currently, and paper bags are accepted in all of the curbside programs in the County.
8. It is not clear whether the city/county would mandate recycling programs at local retailers given the possible direction outlined above, but the city/county could certainly provide free promotion/publicity for those stores that choose to continue of add plastic bag recycling services to their stores.

G. Conclusion

1. It has been said that a conclusion is simply the place where one gets tired of thinking. I hope that Ann Arbor and all of us, never gets tired of progressive and sustainable thinking! Thank you.

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