

Environment Committee JOINT FAVORABLE REPORT

Bill No.: SB-1003

AN ACT CONCERNING THE USE OF SINGLE-USE PLASTIC AND PAPER

Title: BAGS.

Vote Date: 3/25/2019

Vote Action: Joint Favorable

PH Date: 3/11/2019

File No.: 636

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SPONSORS OF BILL:

Sen. Mary Daugherty Abrams, 13th Dist.

Sen. Will Haskell, 26th Dist.

Rep. Robin E. Comey, 102nd Dist.

Rep. Josh Elliott, 88th Dist.

Rep. John K. Hampton, 16th Dist.

Rep. Anne Meiman Hughes, 135th Dist.

Rep. David Michel, 146th Dist.

Rep. Lucy Dathan, 142nd Dist.

Rep. Gregory Haddad, 54th Dist.

Rep. Maria P. Horn, 64th Dist.

Rep. Roland J. Lemar, 96th Dist.

Rep. Kerry Szeps Wood, 29th Dist.

REASONS FOR BILL:

Six Connecticut municipalities have enacted single-use plastic bag ordinances; at the same time, eighteen cities and towns are considering taking action to ban single-use plastic bags or to require fees on such bags. Single-use plastic bags (1) litter the environment, (2) cause harm to wildlife, and (3) adds to municipal litter collection and other costs.

Plastics, including single-use plastic bags, have been shown to cause detrimental harm to local environments, and cause serious injury or death to wildlife. Marine wildlife are especially impacted by single-use plastic bags. Proponents of the bill provide examples that sea turtles mistakenly consume plastic bags believing it to be jelly fish.

In addition to environmental concerns, plastic bags that enter the recycling stream will cause sorting machines to jam at recycling centers. This leads to a halt in operations approximately every 3-4 hours and requires a worker to physically enter into the machine to untangle and remove plastic film by hand. Proponents of the bill argue that this is a serious concern.

Finally, the majority of proponents and opponents of the bill agree that the state should take the lead if the legislature decides to address the issue of single-use plastic bags, rather than allowing municipalities to enact their own ordinances. In particular, businesses having multiple locations in different municipalities express concerns that complying with each municipal ordinance is confusing, challenging, and costly.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, Connecticut Department of Energy and Environmental Protection (DEEP): Supports the bill. Plastic bags are a serious environmental concern because (1) they escape into the environment and will often end up in waterways, thus harming marine life through ingestion, entanglement, and pathogens, and (2) they are a major contaminant in the curbside recycling system, where they become entwined in sorting equipment and must be manually removed.

NATURE AND SOURCES OF SUPPORT:

Representative Charles Ferraro, 117th Assembly Dist.: Using alternative bags will help lower the amount of plastic bags thrown away and will improve conservation efforts. Every year, approximately 8 to 12 million US tons of plastic end up in the world's oceans. The committee should oppose implementing a 5 cent tax on single-use plastic bags.

Patricia Taylor, Director of Plastics Project, Environment and Human Health, Inc.: Single-use plastic bags have only been in use since 1982, but have significant negative impact on human health. Although supportive of the bill, the bill will not be effective at encouraging customers to use reusable bags including a 10 cent fee on paper bags that should remain with the store owner.

Amy Blaymore Paterson, Executive Director, Connecticut Land Conservation Council (CLCC): Although supportive of the bill, CLCC recommends placing a charge on paper bags to enhance the incentive to use reusable bags.

Representative Mitch Bolinsky, 106th Assembly Dist.: It is important to reduce the volume of non-degradable plastics in the state's solid waste stream. Additionally, the state should not impose a 5 cent tax on single-use plastic and paper bags.

Lori Brown, Executive Director, Connecticut League of Conservation Voters (CTLCV): Connecticut residents use approximately 400 million plastic bags annually; however, only 5% are properly recycled nationwide. Although the average bag is used for approximately 12 minutes, the damage caused to the environment can last over a thousand years. While supportive of the bill, a 10 cent tax on paper bags must be added to switch shoppers away from using single-use paper bags.

Alicea Charamut, River Steward, Connecticut River Conservancy (CRC): Over 700 people have signed CRC's petition asking producers, businesses, and governments to overhaul the way people use plastics. Last year in Connecticut, 362 plastic bags, 705 polystyrene cups, and 30 gallons of polystyrene pieces were reportedly found by groups

conducting trash tallies of Connecticut rivers. While supportive of the bill, an amendment is needed to charge for paper bags. Utilization of any single-use bag should be discouraged.

Priscilla Feral, President, Friends of Animals: Plastic marine debris adversely affect at least 267 species globally. For instance, sea turtles will often consume plastic bags because they look like jelly fish, and seabirds are prone to ingesting microplastic debris that float. Preliminary data in California, a state that has prohibited certain plastic bags, has shown that such bags account for 3.1% of the litter collected from the state's beaches during a 2017 coastal cleanup. This is a reduction from 7.4% in 2010.

Melissa E. Gates, Northeast Regional Manager, Surfrider Foundation: The Surfrider Foundation supports the bill only if the following amendments are made: (1) establish a pass-thru fee mechanism for all reusable bags sold, allowing businesses to keep all the revenue generated from the sale of reusable bags, and (2) assessing a mandatory minimum fee for all reusable and single-use bags.

John C. Hall, Executive Director, The Jonah Center: While supportive of the bill, there is concern that the bill will conflict with the details of local ordinances, such as the one under consideration in Middletown and other Connecticut municipalities requiring a charge for recycled paper bags. Additionally, the bill should be amended to remove the provision requiring that bags display the words "Please Recycle and Reuse This Bag." This requirement is overly complicating and may only provide minimal impact towards eliminating problems caused by single-use plastic bags.

Donna Hamzy Carroccia, Advocacy Manager, Connecticut Conference of Municipalities: Single-use plastic bags add to municipal litter collection and catch basin cleaning costs, and jam up expansive sorting machinery at recycling centers. Towns and cities across the state have already begun address these concerns by eliminating such bags by separating them from the recycling stream through local bans.

Jennifer A. Heaton-Jones, Executive Director, Housatonic Resources Recovery Authority (HRRRA): Plastic bags are detrimental to the overall mixed recycling stream causing serious equipment failure at the Material Recovery Facilities (MRF). Recycling equipment is often shut down every 3-4 hours when plastic bags are mixed with recycling. This operation shutdown is necessary to manually remove plastic bags that become wrapped up and entangled in the machinery. Not only is this hindrance costly, it is also poses serious safety concerns because workers must physically enter the machine to manually cut and remove the plastic film. HRRRA provides a photograph of plastic film removal. Additionally, HRRRA requests the bill be amended to include a fee on all single-use bags to encourage and promote the use of reusable bags.

Chris Phelps, State Director, Environment Connecticut: While supportive of the bill, Environment Connecticut is especially supportive of line 31 that limits the definition of a plastic "reusable carryout bag." Such limitation will prevent producers and retailers from using thin film plastic bags as reusable bags.

Representative Kim Rose, 118th Assembly Dist.: Milford residents are extremely concerned about the environment and waterways, and the long term impact single-use bags

has on the environment. While understanding the burden will face with another tax, a 5 cent tax on single-use plastic bags is another viable solution.

Sierra Club Connecticut: It is estimated that over a billion single-use plastic bags will be used in Connecticut this year. Only 5% of these bags will be recycled. Although supportive of the bill, paper bags are just as harmful as plastic bags and the state should impose a 10 cent fee on paper bags. These bags take about four times as much energy to produce as plastic bags and “an obscene amount of water is necessary to convert wood pulp to a paper bag.”

David Sutherland, Director of Government Relations, The Nature Conservancy: An article in the December 2018 issue of National Geographic reports a study from Science Advances that found that 6.3 billion metric tons of plastic, from the 8.3 billion metric tons of plastics produce is plastic waste. Furthermore, 8 million tons of plastic ends up annually in the ocean. According to the US Environmental Protection Agency, in 2015, 4.13 million tons of plastic bags, sacks, and wraps were generated and only .53 million tons were recycled.

The Environment Committee received approximately 65 written testimonies in support of the bill sharing concern of single-use plastic bags negative impact on the environment. Additionally, many testimonies recommend the bill be amended to include a 10 cent fee for paper bags stating that the option to use paper bags in lieu of plastic bags will not deter people from using single-use bags and will not move people to use reusable bags.

NATURE AND SOURCES OF OPPOSITION:

Wayne Pesce, President, Connecticut Food Association (CFA): Over 20 municipalities have passed ordinances, or are considering ordinances requiring retail stores to ban or charge fees on single-use bags. With 169 towns in the state, it does not make sense to have, and is difficult for retailers to comply with, each municipality enacting their own ordinance addressing the issue. While CFA agrees that a state response to the issue is appropriate, Connecticut should not ban the sale of carryout bags. Instead, the proper solution is to adopt a fee for such single-use plastic carryout bags. Fees have been proven to be effective in reducing the proliferation of single-use bags and protecting the environment. Ordinances passed in California, Washington DC, Montgomery County MD, various Colorado communities, Portland ME, Brownsville TX, and Suffolk County NY have proven fees to be effective.

Tim Phelan, President, Connecticut Retail Merchants Association: Provided general comment. Retail businesses have significant challenges; even so, the best interest for such businesses is to address what is best for customers and the communities in which they are a part of. Public opinion is moving in the direction of limiting or eliminating single-use bags with many towns enacting ordinances to address the issue; however, a consistent statewide policy is a better approach. The cost of having to respond to varying local policies is greater than responding to a uniform state policy. Many businesses have taken the steps to address such concerns by offering alternative bags, such as the option of using their own reusable bags; not all customers are comfortable doing so. The Connecticut Retail Merchants Association asks the committee to keep-in-mind the following when considering proposals to address the issue of single-use plastic bags: (1) a statewide requirement on the use of reusable bags presents a serious potential loss prevention issue for retail businesses, (2) the definition of

what type of plastic bags should be allowed, (3) in regards to a possible fee, brick and mortar retailers are under intense pressure to keep costs down, and (4) there may be impact to retailers along the borders with neighboring states where the requirements may be different – in that, if a fee is imposed, it maybe push purchases outside of the state.

Matt Seaholm, Executive Director, American Progressive Bag Alliance: While taking seriously the goals of waste and litter reduction in Connecticut, a plastic bag ban and tax are regressive and will add costs to Connecticut residents at a time when they can least afford it. Additionally, consumers will be forced to use alternatives bag options that are actually more harmful to the environment. Finally, limiting the use of plastic bags will not have a major environmental impact – recycling and promoting recycling is the answer to address environmental concerns.

Reported by: Ussawin R. Bumpen

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