

## **Communication from Public**

**Name:** Emily Parker on behalf of Reusable LA Coalition  
**Date Submitted:** 11/30/2022 06:49 PM  
**Council File No:** 21-0064  
**Comments for Public Posting:** Please see attached document for comments

November 30, 2022

Los Angeles City Council  
Energy, Environmental Justice, Climate Change and River Committee  
200 N Spring St, Room 360  
Los Angeles CA 90012

**RE: December 1, 2022 ECCEJR Committee Meeting Agenda Item 7 - Council File 21-0064 Reduction of Single-Use Plastics SUPPORT**

*Submitted electronically via: <https://cityclerk.lacity.org/publiccomment/?cfnumber=21-0064>*

Dear Chair O'Farrell and Honorable Committee Members:

The Reusable LA coalition is a collective of over 30 organizations working to reduce plastic pollution in Los Angeles to safeguard public health, communities, and environmental justice. Together, we envision a thriving culture of reuse and refill in LA to reduce waste from single-use plastic products and packaging as a model for communities to replicate. Reusable LA and our partners are considered experts in reducing harmful plastic pollution through policy, and we enthusiastically write to you to express our strong support for the three proposed ordinances being considered by the Energy, Climate Change, Environmental Justice, and River (ECCEJR) Committee. **Specifically, we support the passage of 1) zero waste city facility and event requirements 2) an expansion of single-use carryout bag regulations, and 3) a ban on distribution and sale of expanded polystyrene products.**

In partnership with the LA Sanitation & Environment (LASAN), we have reviewed and offered feedback on the language presented today for all three ordinances. We support the proposed amendments to the expanded polystyrene ordinance and are glad to see the phased implementation protocol included in the final draft ordinance. As key stakeholders, business owners, non-profits, community based organizations, and experts in waste reduction, our contribution and support is vital to helping the City achieve its zero waste goals. We look forward to contributing to the implementation processes for these ordinances and in particular, to working with LASAN and the Department of Public Works to develop the Rules and Procedures document for the zero waste city facilities and events ordinance. Of note, we plan to work with staff to develop necessary definitions for "recyclable" and "compostable" for this document that are consistent with neighboring jurisdictions and other municipalities statewide, and that use the best available scientific standards.

We commend the members of this committee, their staff, the LASAN team, and the City Attorney's office for their dedication to reducing harm and protecting both public and environmental health. We acknowledge the immense effort that has gone into developing these three ordinances in addition to the array of items and issues this committee works on, and thank you for prioritizing the reduction of single-use plastics to benefit all Angelenos. Thank you for the opportunity to collaborate and comment. Please see the [Reusable LA website](#) for a full list of our coalition members.

Sincerely,  
Emily Parker & Alison Waliszewski  
Reusable LA Co-Chairs

## Communication from Public

**Name:** Tim Shestek

**Date Submitted:** 11/30/2022 06:59 PM

**Council File No:** 21-0064

**Comments for Public Posting:** Please find attached an opposition letter from the following organizations/companies to Agenda Item #7 on the December 1, 2022, Energy, Climate Change, Environmental Justice, and River Committee agenda. Thank you in advance for considering our views. American Chemistry Council Plastics Industry Association Valley Industry & Commerce Association Western Growers Association California Retailers Association California League Food Producers Los Angeles County Business Federation Dart Container Corporation Western Plastics Association California Restaurant Association Foodservice Packaging Institute California Manufacturers & Technology Association Pactiv Evergreen Tekni-Plex Consumer Technology Association California Fuels & Convenience Alliance California Chamber of Commerce



November 30, 2022

The Honorable Mitch O'Farrell, Chair  
Committee on Energy, Climate Change, Environmental Justice, and River  
200 North Spring Street, Room 1010  
Los Angeles, CA 90012

RE: **December 1 Committee Meeting - Agenda Item #7- OPPOSE**

Dear Chair O'Farrell:

The undersigned organizations, representing a cross-section of material suppliers, packaging manufacturers, food producers, restaurants, retailers and others, are respectfully opposed to the proposed ordinance prohibiting the distribution and sale of expanded polystyrene products.

We certainly support the intent of reducing packaging waste and disposal and it is for this very reason many of us were constructively engaged in the enactment of [SB 54](#), legislation authored by Senator Ben Allen (D) and signed into law by Governor Gavin Newsom (D) establishing the Plastic Pollution Prevention and Packaging Producer Responsibility Act.

SB 54, among other things requires that producers achieve a 25% source reduction of plastics in single-use products by 2032 and a 30% recycling, reuse or composting rate for single-use plastics by 2028, followed by a 40% rate by 2030 and a 65% rate by 2032. The law also requires producers to help finance improvements to the state's recycling and composting infrastructure so that more material can be recycled, and reduce the cost burden to local governments, waste haulers/recyclers, and the public. Eco-modulated fees on packaging paid by producers will undoubtedly re-shape the packaging market over the next decade and the law will help create more robust end-use markets for material collected for recycling and composting.

The law also requires producers and plastic resin manufacturers to pay \$500M per year for 10 years into an environmental mitigation fund to support a variety of recycling and natural resource related projects and programs.

Importantly and specifically related to the proposed ordinance is SB 54 imposes specific recycling rate requirements on expanded polystyrene foodservice products:

*“Producers of expanded polystyrene food service ware shall not sell, offer for sale, distribute, or import in or into the state expanded polystyrene food service ware unless the producer demonstrates to the department that all expanded polystyrene meets the following recycling rates:*

*(A) Not less than 25 percent on and after January 1, 2025.*

*(B) Not less than 30 percent on and after January 1, 2028.*

*(C) Not less than 50 percent on and after January 1, 2030.*

*(D) Not less than 65 percent on and after January 1, 2032, and annually thereafter.”*

It is important to point out that other expanded polystyrene packaging will continue to be subject to the plastic recycling rate requirements contained in SB 54. Enactment of a statewide comprehensive packaging recycling and reduction policy enables the regulated community to clearly understand the compliance requirements, work to support recycling and composting programs, and develop end use markets so that collected material can be used as feedstock in the production of new packaging.

A one-off ordinance that bans a specific packaging material has the potential to unnecessarily disrupt the intended extended producer responsibility (EPR) system created under SB 54. The passage of SB 54 took several years and involved significant discussions with a wide range of stakeholders. This new law should be given time to work before local governments adopt separate packaging requirements. A statewide uniform set of rules can help drive system efficiencies and ensure materials are available that are best suited and cost-effective for specific uses and customers. The proposed ordinance would be fully implemented beginning April 22, 2024, just a few months before the first EPS foodservice recycling rate requirement must be met. We question whether the city’s expenditures of time and resources to implement this ordinance is necessary given the passage of SB 54.

Finally, we understand the City has determined this ordinance qualifies for a categorical exemption under the California Environmental Quality Act (CEQA). The accompanying analysis concludes that “the ordinance would not result in a significant impact, either direct, indirect, or cumulative...The analysis is based on the assumption that there will be a shift away from EPS products due to the ordinance to other substitute products, where they are available.”

The report goes on to say “It is reasonably foreseeable that a wide spectrum of replacement products will be made from a variety of materials and used as replacements in various degrees within different contexts. Therefore, a life-cycle analysis of the potential substitute products is not warranted nor possible for the proposed ordinance because a large number of potential replacement material and product combinations could be used to replace EPS products.”

It is not clear from the information presented whether likely replacement products to EPS packaging (especially food service packaging materials) can be effectively recycled and composted within the city limits. Will city residents be able to recycle or compost food service containers and do end use markets current exist for these materials?

The City’s [recycling webpage](#) states that “Heavily soiled papers or bags with oils or food waste should be placed inside the black bin” meaning those materials will be sent to a landfill. Forcing restaurants and others to shift to packaging materials that may not be accepted in the city’s own recycling programs raises questions as to the overall impact of the proposed ordinance. We believe that prior to enacting

any such ordinance, the City should conduct a more robust environmental impact analysis so that these questions and issues can be more fully addressed.

Though we support policies that expand recycling programs, reduce waste and create new markets for recovered materials, we believe these objectives are better achieved under the system established by SB 54. We encourage the City to work with the business community to ensure the successful implementation of the state's new packaging law. Thank you for the opportunity to share our views.

Sincerely,

Tim Shestek  
American Chemistry Council

Kris Quigley  
Plastics Industry Association

Stuart Waldman  
Valley Industry & Commerce Association

Gail Delihant  
Western Growers Association

Steve McCarthy  
California Retailers Association

Trudi Hughes  
California League Food Producers

Sarah Wiltfong  
Los Angeles County Business Federation

Jonathan Choi  
Dart Container Corporation

Cherish Changala  
Western Plastics Association

Matt Sutton  
California Restaurant Association

Carol Patterson  
Foodservice Packaging Institute

Rob Spiegel  
California Manufacturers & Technology Association

Lynn Dyer  
Pactiv Evergreen

Brad Baden  
Tekni-Plex

Ally Peck  
Consumer Technology Association

Alessandra Magnasco  
California Fuels & Convenience Alliance

Adam Regele  
California Chamber of Commerce

## Communication from Public

**Name:** Drycleaning & Laundry Institute

**Date Submitted:** 11/30/2022 10:05 AM

**Council File No:** 21-0064

**Comments for Public Posting:** November 30, 2022 Los Angeles City Council 200 N. Spring Los Angeles, California 90012 Dear Council Members: The DLI, Drycleaning & Laundry Institute, represents drycleaners and launderers throughout the United States. We have been alerted by members in Los Angeles that the city is considering banning the use of single use poly bags in drycleaning. I am submitting these comments to urge you to reconsider that position. There is a simple reason why every other state or local ban on single use poly bags specially excludes drycleaners because of the drycleaning process and the need to return clean, well-pressed garments to the consumer. The single use poly bag is used to protect clean garments from dirt and debris not only while in the drycleaning facility but also to allow the consumer to transport the garments in a pristine condition. In order for the industry to deliver garments to the consumer in a cost effective, efficient manner a specific sorting process and bagging system was developed and single use poly bags are integral to that system. Reusable cloth bags will not work in an effective, wide-scale manner. It is not just a matter of increased cost; the reusable bag will not work in the drycleaning operation to sort and deliver the garments to the consumer in the manner the consumer expects from the drycleaning service. The clear poly bags allow the consumer to view their garments prior to leaving the store giving the consumer peace of mind that their garments have been returned to them in a ready to wear condition. Additionally, while bio- degradable poly bags may be available they tend to degrade quickly in the plant because of the high moisture content in the plant as a result of the large amount of steam used to press clothing. In addition, these bags may or may not work effectively with current bagging technology or meet the definition of bio degradable in the city of Los Angeles. Drycleaning is a service that consumers have the choice of using or not, it is not a necessity. The drycleaning industry is just now recovering from the financial impact of the last 2 years where many in the industry saw a drop-in revenue of 80-90% and still in large cities like Los Angeles drycleaning businesses have not recovered to pre-pandemic levels. If this proposal moves forward there will be a tremendous financial burden on Los Angeles drycleaners. It is not just the increased cost of reusable bags, which is



approximately 30% higher, but the cost of retooling the drycleaning process which could be in the hundreds of thousands of dollars. And the possible loss of business because consumers are not receiving garments back in the manner they want. As an industry, we strive to be good environmental stewards. We would welcome the opportunity to work with the City of Los Angeles in finding the best solution to reduce plastic consumption and integrate recycling programs for our industry. We urge you to not include the drycleaners in this proposal and allow the industry to work with your Project Team to reach the best solution for our industry, the city and the public. Mary Scalco CEO Drycleaning & Laundry Institute

## Communication from Public

**Name:** Jiyoung Park

**Date Submitted:** 11/30/2022 09:52 PM

**Council File No:** 21-0064

**Comments for Public Posting:** I am a Silver Lake Neighborhood Council Governing Board member, but I am submitting public comment on this item in my individual capacity. I urge the City Council to vote YES on this agenda item. I have participated in L.A. River clean up, and the most ubiquitous trash was styrofoam and cigarette butts. Much of the styrofoam is broken down to small pellets that are too difficult to pick up by hand. In order to address the current environmental crisis, the City must phase out unsustainable materials as quickly as possible while supporting sustainable alternatives and educating the public about those alternatives in an equitable manner. The City Council should ensure that publicity and education of the ordinances is multilingual to ensure maximal dissemination of the information and equitable enforcement.