

Sierra Club testimony before the Anne Arundel County Council in support of the EPS food container ban (49-18)

Good evening.

I'm Rick Kissel, Vice-Chair of the Anne Arundel Sierra Club Group, speaking on behalf of the Group's Executive Committee representing more than 1,700 members in Anne Arundel County.

Banning **Expanded PolyStyrene (EPS)** food containers in the County is one of our top legislative priorities. This presentation is a considerably shortened version of the testimony that has been sent to you, and which contains sources for the statements contained herein.

We support this bill because....

1. EPS litter is especially harmful to the marine environment. Once it has broken into little toxin-bearing beads in the waterways, it is virtually impossible to clean up. In Anne Arundel County, with more than 500 miles of shoreline, wind and storm water runoff can quickly transport EPS litter into the Chesapeake Bay, where it directly affects marine life (the small beads absorb huge amounts of toxin and float in the water where marine life mistakes the beads for food). Banning EPS food containers may or may not reduce the amount of litter; but it will remove the EPS litter which has a HUGE environmental impact, since it lasts virtually forever.

2. EPS food containers are not recycled or compostable, and fill up our landfills.

Most studies of Municipal Solid Waste in Maryland find that 2/3 to 3/4 of waste can be recycled, composted, or otherwise diverted from the landfill. EPS is a significant part of the waste that cannot be diverted, and it is high-volume. It is not accepted by Anne Arundel County recycling programs; instead, it is diverted to landfills. The EPS industry provides a single drop-off for recycling of foam packaging blocks in Anne Arundel County (Crofton), but foam food containers are not accepted because they are generally contaminated with food. Maryland's 2014 Zero Waste Plan advocates banning products like EPS food containers that are not economically or technologically feasible to recycle or are not typically accepted through main recycling channels.

The opposition insists that these food containers are recyclable and will point to 7 drop-off centers in Maryland, one of them in Crofton. Check Annex 1 of our testimony: We visited all 7. They either do not accept EPS food containers (like the one in Crofton) or accept only clean containers. Most of what is recycled is block foam packaging, which is not affected by this legislation.

3. There are compostable and recyclable alternative food containers already in wide use.

In Annex 3 of our testimony, we show the result of a survey of restaurants in Prince George's County before its EPS food container ban went into

effect in 2016. Alternatives were already in wide use. While $\frac{3}{4}$ of the restaurants had at least one EPS foam food container, only 3 percent were exclusively using EPS foam. A survey in Baltimore found similar results – more than 95% of restaurants were using alternatives already.

Additionally, the Dart Container Corporation factory in Federalsburg (Caroline County) is manufacturing many alternatives already. *Passing this ban will increase the demand for their products, and maybe even create new jobs on the Eastern Shore!*

4. Finally, bans on EPS food containers are already working in Maryland's two largest counties (representing a third of Maryland's population). Sierra Club members in Prince George's and Montgomery Counties have visited nearly 900 businesses to educate them on the foam ban and monitor compliance. Check out Annex 4 of our testimony. Compliance is high – about 90%. There have been no significant adverse impacts on businesses and none have been fined. **The main reason for non-compliance is lack of information.** A successful program must have a strong education effort before the ban goes into effect.

For all of these reasons – the negative impact of EPS food container litter on the marine environment and undermining our zero waste goals, the existence of plentiful alternatives, and the success of the bans in two counties -- **we urge you to vote favorably on bill 49 -18!**

A handwritten signature in black ink, reading "Rick Kissel". The signature is written in a cursive style with a large, stylized "R" and "K".

Rick Kissel, Vice-Chair (6/04/2018)