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March 31, 2009

To: The Honorable Maggie Carlton, Chair
Senate Committee on Commerce and Labor

From: Tim Shestek
Director, State Affairs & Grassroots
American Chemistry Council

Re: **SB 397 - OPPOSE**

The American Chemistry Council (ACC) must respectfully oppose **SB 397**, legislation that would initially impose a 10-cent per bag fee, and then prohibit retailers, beginning July 1, 2011 from providing customers a plastic bag at checkout. ACC is a national trade association whose membership includes several manufacturers of plastic retail bags. One of our member companies, Advance Polybag, Inc, is located in North Las Vegas with 110 employees.

Though we support the intent of reducing plastic bag litter and waste, we believe that the most environmentally responsible and economically sustainable solution to addressing this issue is a comprehensive, voluntary program aimed at recycling these bags so that they may be used as feedstock in the production of other products, such as new bags, pallets, containers, crates, and pipe. Such a policy has been recently adopted in the city of Reno and could serve as a model for other jurisdictions in the state.

Recycling of plastic bags is growing very fast in the United States. In 2007 over 830 million pounds of plastic bags and wraps were recycled and recycling of this material grew over 25 percent from 2005 to 2007. According to EPA data, recycling of polyethylene bags and wraps reached 12 percent in 2007.

Prohibiting the use of plastic bags will invariably lead to an increased use of the more costly paper bag alternative, which would result in increased costs for consumers and greater impacts on the environment. In fact, a recent study of the ban on plastic bags in San Francisco shows that this policy has dramatically increased paper bag use and done little to promote reusable bags¹.

¹ Use Less Stuff, A Qualitative Study of Grocery Bags in San Francisco, September 2008, <http://cygnus-group.com/use-less-stuff/Field-Report-on-San-Francisco-Plastic-Bag-Ban.pdf>

ACC urges the committee to consider the overall environmental impacts that could result with a plastic grocery bag prohibition.

- Plastic grocery bags require 70 percent less energy to manufacture than paper bags and generate 50% less greenhouse gases.
- For every seven trucks needed to deliver paper bags, only one truck is needed for the same number of plastic bags, helping to save energy and reduce air emissions.
- Plastic bags generate 80 percent less waste than paper bags.²

In his recent review of life cycle data relating to disposable, biodegradable, and reusable grocery bags, Robert Lilienfeld of "Use Less Stuff" (www.use-less-stuff.com) concluded that "Legislation designed to reduce environmental impacts and litter by outlawing grocery bags based on the material from which they are produced will not deliver the intended results. While some litter reduction might take place, it would be outweighed by the disadvantages that would subsequently occur (increased solid waste and greenhouse gas emissions). Ironically, reducing the use of traditional plastic bags would not even reduce the reliance on fossil fuels, as paper and biodegradable plastic bags consume just as much non-renewable energy during their full lifecycle." He notes that:

- Even though traditional disposable plastic bags are produced from fossil fuels, the total non-renewable energy consumed during their lifecycle is **no greater than the non-renewable energy consumed during the lifecycle of paper and biodegradable plastic bags.**³
- Paper sacks generate 70 percent more air, and 50 times more water pollutants, than plastic bags.⁴
- It takes 91 percent less energy to recycle a pound of plastic than it takes to recycle a pound of paper.⁵
- While the data appear to indicate that paper and compostable plastic bags may account for less litter, data also indicates that this finding is offset by the increased environmental impacts these bags produce versus traditional plastic bags.⁶

Furthermore, though the city of San Francisco banned plastic grocery bags, a 2008 San Francisco Streets Litter Re-Audit, a city-commissioned study, revealed that total bag

² Boustead Consulting, "Life Cycle Assessment for Three Types of Grocery Bags - Recyclable Plastic; Compostable, Biodegradable Plastic; and Recycled, Recyclable Paper," 2007.

³ Évaluation des impacts environnementaux des sacs de caisse Carrefour (Evaluation of the Environmental Impact of Carrefour Merchandise Bags), prepared by Price-Waterhouse-Coopers/Ecobilan (EcoBalance), February 2004, #300940BE8. (www.ademe.fr/htdocs/actualite/rapport_carrefour_post_revue_critique_v4.pdf)

⁴ U.S. Environmental Protection Agency (EPA) website, Questions About Your Community: Shopping Bags downloaded from the Internet, May 2007.

⁵ Ibid

⁶ REVIEW OF LIFE CYCLE DATA RELATING TO DISPOSABLE, COMPOSTABLE, BIODEGRADABLE, AND REUSABLE GROCERY BAGS, The ULS Report, June 2007 <http://www.use-less-stuff.com/>

litter increased by 1.5% after the ban and plastic bag litter remained the same before and after the ban at only 0.6% of the litter composition;

It does not make environmental sense to ban fully recyclable plastic grocery bags when alternative products could leave a greater environmental footprint.

ACC would welcome the opportunity to partner with the State of Nevada, the grocery and retail industry, recyclers, and other interested stakeholders to enhance and/or promote the recycling of plastic retail bags.

Thank you in advance for the opportunity to provide these comments. Should you have any questions or comments, please contact me at 916-448-2581 or via email at tim_shestek@americanchemistry.com.



Info Sheet

Contact: Jennifer Killinger (703) 741-5833
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RECYCLABLE PLASTIC BAGS

Plastic grocery bags are an extremely resource-efficient disposable bag choice.

- Plastic grocery bags require 70 percent less energy to manufacture than paper bags.¹
- For every seven trucks needed to deliver paper bags, only one truck is needed for the same number of plastic bags, helping to save energy and reduce emissions.
- It takes 91% less energy to recycle a pound of plastic than it takes to recycle a pound of paper.²

Less material means less waste and fewer emissions.

- 2,000 plastic bags weigh 30 lbs; 2,000 paper bags weigh 280 lbs. Plastic bags take up a lot less space in a landfill.²
- Plastic bags generate 80 percent less waste than paper bags.²
- Plastic grocery and retail bags make up a tiny fraction (less than 0.5 percent) of the U.S. municipal solid waste stream.³
- Plastic bags generate only 50% of the greenhouse gas (GHG) emissions of composted paper bags.¹
- The production of plastic bags consumes less than 6 percent of the water needed to make paper bags.¹

Plastic grocery bags are fully recyclable⁴ and the number of recycling programs is increasing daily.

- Nationwide over 830 million pounds of bags and film were recycled in 2007 – up 27 percent from 2005.⁵
- According to EPA's data, about 12 percent of plastic bags and film were recycled in 2007.³
- Plastic bags can be made into dozens of useful new products, such as building and construction products, low-maintenance fencing and decking, and of course, new bags.
- There is high demand for this material, and in most areas, demand exceeds the available supply because many consumers are not aware that collection programs are available at local stores.
- In recent years, many grocers and retailers have introduced plastic bag collection programs. Consumers should look for a collection bin, usually located at the front of the store. The number of municipal drop-off centers and curbside programs to recycle plastic bags is increasing also. Consumers can locate plastic bag recycling programs in their communities by visiting www.PlasticBagRecycling.org.
- In addition to grocery bags, other plastic retail bags, dry cleaning bags, newspaper bags, plastic wrap from products like paper towels and toilet paper, and all bags labeled with recycling codes #2 (HDPE) and #4 (LLDPE) can be included wherever plastic bags are collected for recycling.

¹ Boustead Consulting & Associates Ltd. *Life Cycle Assessment for Three Types of Grocery Bags – Recyclable Plastic; Compostable, Biodegradable Plastic; and Recycled, Recyclable Paper*. 2007. See: http://www.americanchemistry.com/s_plastics/doc.asp?CID=1106&DID=7212

² U.S. Environmental Protection Agency. *Questions about Your Community Shopping Bags: Paper or Plastic*. See: <http://web.archive.org/web/20060426235724/http://www.epa.gov/region1/communities/shopbags.html>

³ U.S. Environmental Protection Agency. *Municipal Waste in the United States: 2007 Facts and Figures* (p. 52, Table 7). See: <http://www.epa.gov/osw/nonhaz/municipal/pubs/msw07-rpt.pdf>

⁴ Recycling may not be available in all areas. Check to see if plastic bag recycling exists in your community. See: http://www.plasticbagrecycling.org/01_0/

⁵ Moore Recycling Associates, Inc. *2007 National Post-Consumer Recycled Plastic Bag and Film Report*. Sonoma, California. 2009. See: http://www.americanchemistry.com/s_plastics/sec_content.asp?CID=1593&DID=8899



In addition to recycling, a recent national survey shows that over 90% of Americans reuse their plastic bags.

- About 65% of Americans reuse their bags for trash disposal. Other common uses include lunch bags and pet pick-up.
- In this regard, the reuse of a plastic shopping bag prevents a second bag from being purchased to fulfill these necessary functions.

WHAT TO KNOW ABOUT BAG BANS

Banning recyclable plastic bags will not reduce society's dependence on oil.

- In the United States, nearly 80% of polyethylene⁶, the type of plastic used to make plastic bags, is produced from natural gas, *not* oil. This includes feedstock, process and transportation energy.
- Much of the energy used to make plastic bags is embodied in the bag itself, and since plastic bags are fully recyclable, that energy is available for new products.

Mandating that recyclable plastic bags be replaced with biodegradable or compostable bags will not reduce litter or the amount of waste in our landfills.

- The biodegradable and compostable bags currently on the market will only degrade in a professionally-managed, large-scale composting facility. They will not breakdown in the natural environment, in a home composting device or in a landfill.
- It is currently estimated that there are fewer than 100 suitable composting facilities in the United States. Where composting facilities are not available, "compostable" bags will be sent to a landfill.

Banning recyclable plastic bags or mandating their replacement with compostable bags will diminish efforts to recycle these products.

- Mandating that grocers and retailers replace plastic bags with compostable or paper bags will eliminate many in-store collection programs, which are currently the largest mechanism for recovering post-consumer bags for recycling.
- In addition, the mandated use of compostable bags will cause the accidental commingling of biodegradable and recyclable bags, which will contaminate the recovered material, rendering it unusable by manufacturers.

Last Updated: February 9, 2009

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<http://www.americanchemistry.com>

The American Chemistry Council (ACC) represents the leading companies engaged in the business of chemistry. ACC members apply the science of chemistry to make innovative products and services that make people's lives better, healthier and safer. ACC is committed to improved environmental, health and safety performance through Responsible Care®, common sense advocacy designed to address major public policy issues, and health and environmental research and product testing. The business of chemistry is a \$664 billion enterprise and a key element of the nation's economy. It is one of the nation's largest exporters, accounting for ten cents out of every dollar in U.S. exports. Chemistry companies are among the largest investors in research and development. Safety and security have always been primary concerns of ACC members, and they have intensified their efforts, working closely with government agencies to improve security and to defend against any threat to the nation's critical infrastructure.

⁶ U.S. Department of Energy's and National Renewable Energy Laboratory's U.S. Life Cycle Inventory Database. See: <http://www.nrel.gov/lci/> Data also available as a report: Franklin Associates, LLC. *Cradle-to-Gate Life Cycle Inventory of Nine Plastic Resins and Two Polyurethane Precursors*. 2007. See: http://www.americanchemistry.com/s_plastics/sec_content.asp?CID=1930&DID=7832

