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Friends of California Parks
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Save the Redwoods
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Zero Air Pollution (ZAP)

May 22, 2012

Councilmembers,
Energy and Environmental Committee,
Los Angeles City Council

Re: Council File 11-1531 (Koretz)
Banning Paper and Plastic Carry-out Bags
Agenda Item 10
Hearing, Weds., May 23, 2012

Dear Sirs:

If you are concerned about protecting the environment, vote **AGAINST** the passage of this ordinance. Contrary to the general public perception, banning the use of plastic and paper carryout bags and replacing them with cloth bags will do more damage to the environment than the continued use of plastic and paper bags.

Efforts to ban paper and plastic carry-out bags are misguided in part because the information that the motion is based upon are either outdated or not correct. The information is principally based on studies done between 2003 and 2008 which are no longer relevant.

It is no longer relevant because prior to 2009, the City Sanitation Department did not have a curb-side recycling program for plastic carry-out bags. To recycle plastic carry-out bags, they had to be taken back to the store. They couldn't be put in the Blue bins. Then the Sanitation Department changed its policy but it failed to inform the public that plastic bags could be placed in he Blue bins. I learned about it only when at a Community Council meeting, I queried a spokesman for the Sanitation Department why the public could not use the Blue bins to recycle plastic carry-out bags and we were informed that the bags could be placed in the bins. When I asked why the public did not know about it, the response was that the Department did not have the funds to publicize it but efforts would be made to let the public know.

Subsequently, the Department has made some feeble efforts to inform the public and I am advised by the Sanitation Department that there has been a substantial increase in the number of bags being recycled. As a result, I see far fewer plastic carry-out bags on roadsides and where they should not be and I suspect many of them come from the homeless and other people who have not way of recycling the bags.

Therefore, the problem that proponents of the ban on plastic and paper carryout bags are

trying to address is no longer the problem that it was in 2008. But there other problems with the motion and with the attached "Pertinent Provisions" that the City Council should be aware of before it proceeds to consider the motion.

These problems are endemic in many of the Plastic Bag Ban ordinances adopted in California, for like the proposed City of Los Angeles ordinance, they are also based on out ancient information or misconceptions, most of it collected before curb-side recycling for plastic bags became available. The most common misconception misused as a basis for the bans is that such bags are "single-use".

The Misconception that Plastic Bags Are Single-Use.

Plastic carr-out bags or plastic shopping bags, or carrier bags, or plastic grocery bags are a common type of shopping bag in several countries (known as HDPE bags). These bags are sometimes called single-use bags, referring to carrying items from a store to a home. Numerous studies have shown that the common plastic carry-out bag used by markets are frequently used more than one time.

In a 2011 120 page study by the United Kingdom Environment Agency, 76% of plastic shopping bags are reused.[1] The New York Times reported that an estimated 56% of individuals reuse all plastic shopping bags.[2] An Australian study showing more than 60% of bags are reused as bin liners and for other purposes.[3]

As the UK Environmental Agency Study stated:

> "1.2.1 Supermarket carrier bags used in the UK have generally been categorized as disposable (i.e. single use) or reusable. However, these descriptions are increasingly becoming blurred as 'disposable' plastic carrier bags are now encouraged to be reused both as carrier bags (primary reuse) and also to replace other products such as bin liners (secondary reuse)."[4]

The Report further stated:

> "A study on lightweight carrier bag usage found that 59 per cent of respondents reused all carrier bags, 16 per cent reused most of them, 7 per cent reused around half of them and 7

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[1] United Kingdom Environment Agency (2011). "Evidence: Life Cycle Assessment of Supermarket Carrier Bags", p. 30 [Hereinafter "UK Study".

[2] Irena Choi Stern. "Greening Up by Cutting Down on Plastic Bags". The New York Times, (August 5 2007)

[3] "Waste and recycling", Environment.gov.au (2010)

[4] UK Study, p.12

per cent reused some of them. Overall it was estimated that 76 per cent of single use carrier bags were reused. The study also asked respondents how they reused carrier bags and found that 53 per cent of respondents said that they used carrier bags as a replacement for kitchen bin liners...The reuse of HDPE carrier bags as bin liners reduces environmental impacts by between 13 per cent and 33 per cent."[5]

There are many ways that a plastic shopping bag can be reused other than for trash can liners. Some such uses are to carry wet towels and swimming suits, clean up dog doo, laundry bags, carry or store dirty shoes, put overnight underwear such as Depends in, barf bags, carry books or magazines, store tools, etc. etc. A list of 40 uses is attached hereto. The UK Study also includes various uses that bags can be reused for.[6]

The Misconception That Disposable Plastic Bags Contribute Much More to Global Warming Than (Canvas) Cotton Bags.

What is important is that as noted in the UK Report, the reuse of the plastic carry-out bags shows that reuse reduces the environmental foot print. A plastic carry-out bag can be used in many ways that a a "reusable" or canvas bag cannot be used. But what the UK Report shows is that the global warming impact of disposable plastic bags is essentially the same. A canvas bag must be used 173 times for it to equal the same amount of greenhouse gases as the average use of disposable plastic bags.[7] And if the disposable plastic bags are recycled, the amount of greenhouse gases generated is significantly less than that of the canvas bags.

Why? Because the longer a bag is intended to last, the more resources are used in their production. This is primarily due to the use and production of fertilizer.[8] Moreover, canvas bags are made in China and that results in increased impacts on Global Climate Change because of the impacts caused by the shipping. That is why the canvas bags are more harmful to the environment than plastic carry-out bags.

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[5] UK Study, p.30

[6] A survey done by the UK Environment Agency showed that disposable bags were used in at least 13 different ways. Id. I compiled my list after conducting a telephone survey of 100 households. 89% said they reused their paper or plastic carry-out bags at least once. 64% said that they recycled bags that were not reused either using the Blue bins or returning them to the store, 33% said they were not aware that the bags could be recycled in the Blue bins.

[7] UK Study, p. 44. Studies have shown that users use a canvas bag only 51 times. It is unlikely that the life of a cotton bag will exceed 100 uses because the handles generally break or wear out, depending on far the bags are carried.

[8] UK Study, p. 44

The Misconception That Disposable Plastic Bags Will Reduce Dependance on Oil.

Plastic bags, and all plastics for that matter, are made from byproducts created by refining petroleum products. The raw material for most plastic carry-out bags made in the US is actually natural gas and not petroleum. Plastic carry-out bags should not be confused with other plastic bags which are produced using oil. However, even if plastic carry-out bags were petroleum based, given the fact that the per capita use of plastic bags in the US is about 500 bags a year, the amount of petroleum used to produce that many bags is equivalent of half a gallon of gasoline.

The Misconception That Plastic Carry-Out Bags Are a Major Contributor to Land-fills

Supporters of banning plastic carry-out bags argue that these bags are a large contributor to land fills. But there is little evidence that plastic carry-out bags are a big contributor. Again, plastic carry-out bags should not be confused with other plastics.

Further, if people do not have plastic carry-out bags to use for reuse such as in trash cans, then they will have to buy other plastic bags as a substitute so any reduction in the amount of plastic carry-out bags in landfills will be minimal.

The Misconception That Because Plastic Carry-Out Bags Take a 1,000 Years to Decompose Makes Them Harmful.

There is no question that plastic carry-out bags take a long time to decompose. But in comparison to what and how does than impact the landfill. Almost nothing – not paper, food, plastic or even compostable or bio degradable products –decompose in today's landfills, because they are actually designed to be as stable and dry as possible. Landfills have clay liners and clay covers, principally to prevent leaching and to protect the ground water. Vinyl covers (made of non-biodegradable plastic) are placed on top of landfills to prevent gases and odors from escaping the landfills. Currently, these measures are supposed to have a life of 20,000 years.

Given this, the fact that the plastic carry-out bags do not decompose for a 1,000 years is not a relevant fact.

The Misconception That Plastic Carry-Out Bags Are a Major Source of Litter.

Without questions, plastic carry-out bags are a source of litter but in comparison to other types of litter, plastic carry-out bags are a minimal source. According to one estimate, plastic bags comprise less than 1 percent of the litter on streets. Research also suggests that plastic bags make up a trivial amount of the total litter—about 0.3 percent.[9] Cigarette

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[9] R. Rucker, H. Nickerson and P. Haugen, "Analysis of the Seattle Bag Tax and Foam Ban Proposal," Northwest Economic Policy Seminar, (July 25, 2008): p. 10

butts, fast food packaging, and food wrappers are much larger contributors.

Over the past four years, I have observed that the number of plastic carry-out bags littering highways and streets has been reduced notably, probably due to the fact that more and more people are recycling plastic carry-out bags as a result of the availability of curb-side recycling being provided by cities.

Banning Plastic Carry-Out Bags Will Be More Harmful To The Environment Than Their Continued Use.

The UK Study concluded that:[10]

1. "The conventional HDPE bag [plastic carry-out bag] had the lowest environmental impacts of the lightweight bags in eight of the nine impact categories. The bag performed well because it was the lightest bag considered."

2. "The cotton [canvas] bag has a greater impact than the conventional HDPE bag in seven of the nine impact categories even when used 173 times (i.e. the number of uses required to reduce the Global Warming Potential of the cotton bag to that of the conventional HDPE bag with average secondary reuse). The impact was considerably larger in categories such as acidification and aquatic & terrestrial ecotoxicity due to the energy used to produce cotton yarn and the fertilisers used during the growth of the cotton."

Banning Plastic Carry-Out Bags and Paper Bags Will Cause Such Inconvenience and Be So Expensive That People Will Revolt Against Environmentalism.

Those who advocate the banning of paper and plastic bags are usually those who are not impacted by such bans and they are a small minority of the population. These are the people who usually shop at Gelsons and Whole Foods and do not have families to feed. These are not the people with families who make a once a week or once every two week shopping trips and stock up for those periods which require many bags to carry home their groceries. These are not people who have substantial incomes.

It isn't just the cost of buying the canvas bags. It is having them with you when you go to the store. It is not always convenient to carry the bags with you. You can't fold up canvas bags and put them in your pocket. As a result, many store patrons will find themselves having to buy a canvas bag or bags when they go to the store, even though they already have bags at home.

And if you are going to buy a large amount of groceries that will require ten or more canvas sacks, the sacks themselves are not only difficult to carry, they take up a lot of room in the shopping cart.

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[10] pp. 59-60

Moreover, it takes grocery clerks over twice as much time to fill a canvas bag as it does a paper or plastic sack, resulting in longer waits at the check out stands. That is because there is no standard type of canvas sack which allows store to have a standard rack for them.

The end result will be unhappy voters who will feel that the bans are a bad idea. They will revolt as is happening in Santa Monica now and perhaps elsewhere. Instead of using their recycling bins, some citizens are just dumping everything, including recyclables, into the regular trash. Some are going so far as to dump trash in the recycling bins including hazardous waste. It is there Occupy movement, their way of getting back at Big Brother.

The potential is that many citizens will feel that environmentalists have gone too far and whatever enthusiasm they had for environmentalism will vanish. We are seeing this already in the resistance to measures to curb global warming. Consequently, in the end, a ban on the use of certain carry-out bags could be by far much more damaging to the environmental cause and the environment than the bags themselves.

Banning The Use Of Plastic Carry-Out Bags Will Impact The Poor And Cost Jobs.

A study issued by the non-profit group American for Tax Reform found that the District of Columbia's five-cent bag tax had a disproportionate impact on the city's poor and cost the city over 100 jobs. [11] This study showed that shoppers will go to adjacent communities which do have restrictions on bags to shop, thus hurting the economy of the city imposing the restrictions.

Canvas Bags Are A Potential Health Hazard.

It's well-known that though they appear clean, supermarkets offer many opportunities for people to pick up contaminated food: other shoppers contaminate shopping carts, stockroom clerks contaminate containers, and fruit and veggies come from farms pre-equipped with things like salmonella, e.coli, and other dangerous microbes. When shoppers put such things into cloth bags, they can contaminate the bag, and then wind up contaminating uncontaminated foods on their next shopping trip. In *"Assessment of the Potential for Cross Contamination of Food Products by Reusable Shopping Bags,"* (2010) Charles Gerba and his colleagues at the University of Arizona and Loma Linda University studied reusable bags and found that a goodly percentage were indeed contaminated:[12]

> "Large numbers of bacteria were found in almost all bags and coliform bacteria in half. Escherichia coli were identified in 12% of the bags and a wide range of enteric bacteria, including several opportunistic pathogens. When meat juices were added to

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[11] "Impact of Bill 18-150 on the Economy of Washington, D.C.". The Beacon Hill Institute at Suffolk University. (2011).

[12]Food Protection Trends, vol. 31, no. 8, pp. 508-513, August 2011

bags and stored in the trunks of cars for two hours, the number of bacteria increased 10-fold indicating the potential for bacterial growth in the bags."

Washing the bags might help, but a survey of people who use cloth bags and found that "reusable bags are seldom if ever washed and often used for multiple purposes."

The survey included 25 bags collected in the City of Los Angeles.[13] It was from these bags that the greatest number of harmful bacteria were collected.[14] The Study recommended that canvas bags be washed after each use. [15] However, if cosumers wash bags after each use, that will significantly reduce the life of the bag and it is doubtful that any bag will meet the standards set forth in the Draft Ordinance for a reusable bag of 125 uses (which most bags will never satisfy anyway.)

If The City Decides To Consider The Ban, It Should Prepare An EIR Independent Of The County Of Los Angeles EIR.

Staff recommends that the City Council prepare an Addendum to the County of Los Angeles Final EIR. That would be unwise. Contrary to the Staff Report, there are a number of issues not addressed in the County EIR that are being raised in this letter and that would certainly result in litigation. For example, the County did not consider the material or issues raised in the UK Study and it is required that those issues be addressed. None of the information contained in the County EIR is the result of any comprehensive study.

Whether Or Not The City Should Ban Certain Carry-Out Bags Should Be Submitted To The Voters Of The City.

Whenever the issue of banning or taxing plastic or paper carry-out bags has been submitted to the voters, the voters have turned down such bans or taxes. Because such bans and taxes are so controversial, it would be wise to submit any such measure to the voters. If the voters approve such a measure, then it would be much more acceptable even to those who vote against measure and they will be more likely to comply with such a ban. That would offset any argument about having the ban forced upon them by Big Brother and a few environmental fanatics.

If the Council decides not to submit the issue to the voters, then let each citizen choose whether or not he or she wants to use canvas bags for shopping.

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[13] p. 2

[14] p. 8

[15] p. 12

Rather Than Ban Recyclable Bags, The City Should Undertake An Extensive Program To Educate Its Citizens About Using The Curb-side Recycling Bins.

One of the problems has been that the City's Sanitation Department has spent much more time trying to get people to use canvas bags than to reuse and recycle paper and plastic carry-out bags. Had this much effort been devoted to educating the public about reusing and recycling paper and plastic carry-out bags, the City would not have as much of a problem as it thinks it is facing now.

Therefore, rather than banning bags, the City Council should make a concerted effort to educate the public on the benefits of reusing and recycling bags. It should only consider a ban only if such efforts do not significantly reduce the problem.

May 22, 2012

Respectfully,

JACK ALLEN

40 USES FOR PLASTIC CARRY-OUT BAGS

1. Trash Can Liners

2. Carrying Wet Swimming Suits and Towels.

3. Carrying Dirty Shoes.

4. Covering Shoes While Walking in Mud.

5. Using Bag to Pack Shoes in Suit Case or Travel Bag.

6. Laundry Bag, Especially When Travelling.

7. Carrying Wet or Dirty Diapers.

8. Storing Jumper Cables.

9. Covering Shop Power Tools.

10. Storing Rags.

11. Carrying Wet Sponges.

12. Carrying Lunches.

13. Use As a Rain Hat.

14. Covering Hands While Painting or Using Paint Roller.

15. Carrying Paint Rollers or Brushes.

16. Use as Fillers In Packages Being Mailed.

17. Store Christmas Tree Light Strings In.

18. Store Christmas Tree Ornaments.

19. Use as Doggy Doo Bags,

20. Use as Barf Bags.

21. In Winter, Use as Snow Boots to Keep Feet Dry.

22. Use for Organization in Deep Freezer.

23. Put Adult Diapers in Such as Depends.

24. Collect Recycling Materials.

25. Picking Up Dead Mice and Other Rodents.

26. Cleaning Out Cat Litter Boxes

27. Cleaning Out Bird Cages.

28. Storing Objects From Hooks in Rafters

29. Storing Rolls of Wiring.

30. Moving Books.

31. Carrying Books or Magazines.

32. Put Wet Umbrellas In.

33. Put Used Printer Cartridges In.

34. Carry Broken Items Such as Glass, Light Bulbs, Dishes, Etc.

35. Wrap Plastic Bags Around Furniture Legs When Cleaning Carpets.

36. Use in Lieu of Yarn and Crochet Bags.

37. Place Frozen Ice Packs in a Plastic Bags to Prevent Condensation from "Puddling" in A Lunch Bag.

38. Put Turkey Bones and Skin In While Carving.

39. Carry Fish You Caught.

40. And Whatever Else You Can Imagine.