## DRAFT A Path Forward to Move Beyond Plastic Allentown EAC March 13, 2023

Every year, Pennsylvanians use an estimated 4.75 billion single-use plastic bags. These bags are used for just a few minutes and then thrown "away", but there is no "away". Plastic bags and other single-use plastics end up in landfills that can leach contamination, incinerators that emit hazardous air pollution, and most importantly, as litter that ends up in our parks and waterways where they can last for hundreds of years, if not longer, harming wildlife and our health.

The Pennsylvania Department of Transportation spends over \$13 million every year cleaning up just roadside litter of which plastic bags are the some of the most visible. **The City of Allentown itself spends over \$4.5 million each year on litter and illegal dumping, the third highest amount by any municipality in the state according to Keep Pennsylvania Beautiful. Over 75% of that goes to litter abatement and prevention.** 

Plastic doesn't degrade in the environment like an apple or a piece of paper. Instead it breaks into smaller and smaller pieces of plastic called microplastics. Microplastic is pieces of plastic, less than 5mm in length, or smaller than a grain of rice. They've now been found in the deepest depths of the ocean and on the highest mountains in the world. PennEnvironment, a statewide environmental non-profit, has found microplastic pollution in over 100 of Pennsylvania's waterways, including 50 of the cleanest streams in the state. Several of these waterways are in the Lehigh Valley, including the Lehigh River, the Little Lehigh, Saucon Creek, Bushkill Creek, Little Bushkill Creek and Monocacy Creek. PennEnvironment's testing has also found microplastics in samples of tap water from Allentown, Easton, and Bethlehem. Plastic is in our air, our food, and our water. Some studies suggest that humans ingest 5 grams of plastic every week, equivalent to a single-use plastic bag.

Since these plastics are everywhere, and they never truly go away, the best thing we can do is stop using them. If we turn off the tap, stop the flow of plastic into our lives, we can then stop the flow into our environment. We can do that through bans and other restrictions on single use plastic products like the bags given out at retail establishments, polystyrene foam containers, or straws and utensils. Policies like these have been effective in thousands of municipalities across the country and the world, and have been passed in 10 states. To date, 15 municipalities across the Commonwealth have passed restrictions on single-use plastic bags, including in our two largest cities, Philadelphia, and Pittsburgh. These laws cover over 16% of the population, and when all take effect, PennEnvironment estimates that they could eliminate over 780 million plastic bags, equivalent to 4,300 tons of plastic waste that would otherwise end up in our environment. The momentum for action has also shifted, and we're seeing more leaders step up now than ever before, ranging from larger cities like Philadelphia and Pittsburgh to smaller municipalities like Radnor and East Town. 2022 was a groundbreaking year in the

effort to eliminate harmful single-use plastics at the local level in the Keystone State. Last year alone, eleven Pennsylvania municipalities passed local ordinances banning plastic bags, and in some cases, other single-use plastics as well! Such legislation now impacts over 2 million Pennsylvanians and could eliminate over 8 million pounds of plastic from single-use plastic bags every year. A full list of plastic bans in Pennsylvania can be found at https://environmentamerica.org/pennsylvania/resources/single-use-plastic-laws-in-pennsylvania/

The best thing for the City of Allentown to do is to pass its own ban on single-use plastic bags similar to the model that Bethlehem is using (which is based on PennEnvironment's model legislation). The model legislation was developed based on best policy practices from around the country and was used as the basis for every ordinance passed in 2022. Bethlehem's model is a "ban-fee hybrid" model that outright bans single-use plastic bags provided by retailers at the point of sale and places a small fee (\$0.15 per bag is recommended) on any paper or reusable bags provided by a retailer. The retailer retains the bag fee and there is no charge if a customer brings their own reusable bag with them. This type of legislation is the most effective for reducing the pollution, litter, and waste footprint from single-use bags. Plastic bags are the worst option for the environment, so they are eliminated entirely. And this covers any plastic bag, regardless of how thick or thin it is or if it's made from a compostable or bioplastic material. Paper is better for the environment than plastic, but it still has a material and energy cost to create and a waste footprint. The fee serves as an incentive and a reminder for shoppers to bring their own bag from home, helping to reduce the number of paper bags used. This way, we don't replace plastic bags one-to-one with paper; we reduce the overall number of singleuse bags and encourage the use of reusable alternatives. The fee also helps retailers adjust to the changes, as paper is more expensive than plastic, so it helps to bridge the gap.

The model includes a broad definition of retail, including not just grocery stores but clothing stores, restaurants, convenience stores, farmers markets, gas stations, and more. Paper bags are required to hit minimum recycled content requirements to ensure that they are sustainably created. The implementation of the ordinance is done in phases so that retailers and shoppers have time to adjust before enforcement. After 30 days, retailers have to put up informational signs at the point of sale to let shoppers know what the changes are. Either the City or the EAC can create sample signs and post them on a website so that retailers can easily print them out. After 90 days, enforcement begins and retailers have to stop using plastic bags and start charging for other bags that they provide. This timeline is flexible. Some municipalities have gone to six months before enforcement, some for a year. It's recommended that enforcement isn't delayed too long, since that makes education trickier and can cause confusion. There are exemptions in the model. They include bulk-packaged bags that one would purchase for home use, the handleless bags used to package produce or other loose objects like nuts and dried fruit, bags used to wrap raw meat or seafood, newspaper bags, and bags used by pet stores to transport live animals (like fish or insects).

Enforcement should be kept as simple as possible. These ordinances can be enforced like many other parts of the code. The model outlines a escalating fines, where the fine charged for an infraction rises with subsequent violations. However, penalties for violating the ordinance should be consistent with other code violations in the City. The actual enforcement can be rolled into existing inspections. If the City does regular health inspections of retail businesses or other inspections, you can just add plastic bag ban violations as part of the check. That would likely fall under the Health Bureau and the Environmental Health Services Manager. A way to ease the enforcement burden is to add an aspect of citizen reporting to it. Having a way for people to report violations that they see directly to the City can make it so that whoever is doing the inspections can go where violations have been reported to issue a warning or a fine. Allentown already has the 311 system, a citizen reporting system, that allows people to report problems such as potholes, graffiti, and broken street signs. Plastic bags can easily be added to that as a category, which is what both Philadelphia and Pittsburgh have done for their citizen enforcement aspects.

The Allentown EAC proposes to recommend a plastic bag ordinance to City Council this year modeled after Bethlehem's ordinance.