


FROM	NAME & TITLE	CHERYL CASCIANI, CHAIR, COMMISSION ON SUSTAINABILITY <i>CAC</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 th Floor		
	SUBJECT	City Council Bill 12-0104 Food Establishments – Polystyrene Products		

TO

DATE:

September 12, 2013

The Honorable Councilman James Kraft
City Hall 4th floor
100 N. Holliday Street

In response to a request made by Councilman James Kraft at the July 23, 2013 Commission on Sustainability (CoS) meeting, the CoS has re-evaluated and voted again on *City Council Bill #12-0104 Food Establishments – Polystyrene Products*, polystyrene as amended at the June 17, 2013 City Council Hearing.

The Commission on Sustainability heard information on the details and potential impacts of banning polystyrene at the July 24, 2012 and July 23, 2013 Commission meetings. After the July 23rd discussion, Commission members requested that Office of Sustainability staff prepare a briefing paper that focused on four key issues on which we needed additional information. These issues included:

- Impacts on small businesses;
- Impacts on the amount of floatable trash in waterways;
- Impacts on the amount of litter in streets;
- The actual effectiveness of anti-litter campaigns to reduce litter in the streets.

The briefing paper, which was discussed at our August 27, 2013 Commission meeting, is attached to this memo for context.

Based on the information reviewed and discussed at the three Commission meetings and on information from staff research, the Sustainability Commission voted not to support the legislation. Four Commissioners voted in favor of the legislation, eight against, and two abstained.

The Sustainability Commission supports reducing the volume of trash and litter in Baltimore. However, Commissioners concluded that there were not affordable alternatives for small businesses in Baltimore at this time and that current research did not show that banning polystyrene as a product will achieve the goals of the Sustainability Plan, specifically Cleanliness Goal #1: Eliminate litter throughout the City; and Resource Conservation Goal #3, Minimize the production of waste.

The Commission's vote against a ban on polystyrene, however, should not be construed as support for polystyrene as a product. The Commission on Sustainability remains committed to working with all stakeholders to implement actions to achieve a long range trash and litter reduction program in Baltimore, focusing on programs with proven effectiveness to bring about measurable change.

CC:

Ms. Kaliopé Parthemos, Deputy Chief for Economic and Neighborhood Development
Mr. Alexander Sanchez, Chief of Staff
Ms. Angela Gibson, Mayor's Office
The Honorable Bernard C "Jack" Young, President Baltimore City Council
The Honorable Sharon Middleton, Council Representative to Commission on Sustainability
Honorable Members of the City Council Judiciary and Legislative Investigations Committee
Mr. Thomas J. Stosur, Director Department of Planning
Ms. Karen Randle, Council Services

RESEARCH PAPER – POLYSTYRENE PRODUCT BANS

This paper was prepared for the Baltimore Commission on Sustainability in response to questions raised at the July 23, 2013 Sustainability Commission meeting. *City Council Bill #12-0104 Food Establishments – Polystyrene Products* has been referred back to the Commission on Sustainability for a revised Council Bill Report based on amendments approved at the June 17, 2013 City Council Hearing. The information below provides additional background for Commission on Sustainability consideration related to key issues raised regarding the impacts of bans on Polystyrene products.

The information below is based on a review of national information, and interviews with other Cities who have initiated bans on Polystyrene products.

1. Impacts on Small Businesses

- The proposed ban on foamed polystyrene could have significant implications for Baltimore’s small business-owners. Current alternative product pricing is, on average, about twice as costly as current polystyrene products.
- Simultaneous to the implementation of a polystyrene ban ordinance, many cities ensure constant communication and outreach with the business community (Santa Monica, CA; San Mateo, CA; et al.).
- To address difficulties associated with finding cost competitive alternatives to polystyrene; many cities have also developed an extensive directory of compliant products and distributors (e.g. San Mateo, CA; Santa Monica, CA; Somerville, MA; et al.).
- Cities that have implemented a Polystyrene Food Service product ban have suggested that the availability and quality of alternative compostable and biodegradable products have since increased, while the cost of those products has decreased due to higher demand for alternatives.ⁱ
- Some cities which have implemented a Polystyrene ordinance have also established economic hardship exemptions or similar assistance programs (e.g. Portland, OR; San Francisco, CA; et al.).ⁱⁱ
- Additionally, some cities, like San Francisco, have established a food scrap and compostable collection program. This helps reduce waste disposal costs by providing alternatives to traditional disposal.ⁱⁱⁱ
- Currently, there are more than 50 restaurants and foodservice businesses in the City of Baltimore that aim to be more sustainable. Many of these businesses already strive to avoid polystyrene and non-recyclable or non-compostable products.^{iv}

2. Effects on Reduction of Floatable Trash in the Harbor

- The 2012 *Draft Middle Branch/Northwest Branch Trash TMDL Report* states, “Baltimore employs a fleet of trash skimmers to collect about 200 tons of debris from the Harbor each year -- especially significant considering much of it is styrofoam and light plastic.”^v



- In Baltimore, the 2006 *Middle Branch of the Patapsco River Trash Management Plan* published the findings of trash collection studied at 3 sites, with a total of 46 samples. Quantifying trash from Bottles, Styrofoam, and Wrappers and Bags, the report identified that Styrofoam waste accounted for 36% of overall trash collected from all three sites, with a total 224 foam articles counted. At one of the three sites, foam trash measured as high as 43% of the total collected.
- Another 2006 study, the *Baltimore Harbor Trash Report*, revealed the types and amounts of debris collected at Fort McHenry wetlands since debris collection was first recorded in 1998. It noted that foamed plastic accounted for the most trash collected, at 369,837 pieces, or 64 percent, of the total debris collected in that period.^{vi}

3. Impacts of a Polystyrene Ban on Trash/Litter Reduction in the Streets

- In 2006, San Francisco, initiated a ban on all non-compostable and unrecyclable plastic products being distributed at restaurants.^{vii} After being made effective June 1, 2007, a June 2008 report noted that Polystyrene litter had decreased by 36% from the previous year. A subsequent report in 2009 revealed that Polystyrene continued to decrease, though at a less significant rate. Overall, between 2007, when the ban was introduced, San Francisco saw a 41% decrease in the percentage of Polystyrene litter collected.^{viii} However, the volume of most other forms of litter increased, including paper food wrap, plastic packaging ‘other’, paper cups (hot), candy bar wraps, tobacco products and construction debris.
- Existing trash and waste studies in Baltimore have not been consistently specific about identifying polystyrene products compared with other food service containers. Additional studies will be required to understand waste quantities.

4. Impacts of Citizen Behavior Change Campaigns on Litter

- In 1986, the Texas Department of Transportation developed a statewide campaign called “Don’t Mess with Texas” for the purpose of reducing litter on Texas roadways. Texas began studying litter attitudes and behavior as early as 1998. Since this early study, the state had released subsequent analyses in 2001, 2002, 2003, 2005, 2007, and in 2009, as well as one this past year, in 2013, produced by a Maryland firm, Environmental Resources Planning, LLC. These comprehensive reports publish the extensive investigation of visible litter, attitude and behavioral trends, and litter prevention research.^{ix} Additionally, they suggest that there have been significant reductions in visible litter since the start of the campaign. The 2013 study noted a 34% reduction in visible litter since 2009.^x
- Maryland’s Alice Ferguson Foundation (AFF) established a Regional Litter Prevention Campaign in 2008 which utilizes the findings of behavioral studies to reduce litter. The program has been utilized in a number of Maryland jurisdictions, but not yet in



Baltimore.^{xi} There is insufficient data to understand if this campaign was effective in reducing litter.

- The Trash Free Maryland Alliance unites businesses, organizations, and individuals under a commitment to reduce trash in Maryland's environment. This program is not operational in Baltimore, and has just begun in the Washington D.C. area.
- There are a number of existing initiatives and efforts already underway in Baltimore however there is no data that indicates the effectiveness of these programs to date. These existing programs include:
 - Blue Water Baltimore's Clean Water Community Initiative identifies steps that can be taken to improve the health and quality of water systems within the Chesapeake Bay, including cleaning and greening efforts. Additional programs can incorporate students in Baltimore's schools, community associations.
 - The Clean Water Schools and Communities Project involves students in anti-littering workshops and allows youth to participate in engaging activities that share information about cleaning the Bay with Baltimore's community members.^{xii}
 - Baltimore City's Department of Public Works has hosts the Clean Community Competition to encourage neighborhoods to get involved with cleaning efforts, offering financial awards as an incentive.

ⁱ Bruskotter, Karl. (2013, August 14). Phone Conversation with the City of Santa Monica Office of Sustainability and the Environment.

ⁱⁱ Nguyen, Linda. (2012). An Assessment of Policies on Polystyrene Food Ware Bans. *Master's Project*. Page 27. http://scholarworks.sjsu.edu/cgi/viewcontent.cgi?article=1265&context=etd_projects

ⁱⁱⁱ Nguyen, 2012: 36.

^{iv} A list of "green" food and restaurant businesses was compiled using data from the Baltimore Green Currency Association directory as well as the Baltimore Green Map. Retrieved from

<http://baltimoregreencurrency.org/merchant-directory/businesses-by-category> and <http://www.opengreenmap.org/greenmap>

^v MDE, 2012: 44.

http://www.mde.state.md.us/programs/Water/TMDL/DraftTMDLforPublicComment/Documents/Harbor_Trash_PN_091112.pdf

^{vi} Moffatt & Nichol, *Harbor Trash Report* 2006: 17.

^{vii} Staff Report. (2008, June 16). Styrofoam Ban Makes Impact. *San Francisco*

Examiner. <http://www.sfoxaminer.com/sanfrancisco/styrofoam-ban-makes-impact/Content?oid=2152102>
Report: https://docs.google.com/file/d/0B2Wzr4_cemD5d3BQaTJDZGY0cVU/edit

^{viii} Dmitriew, Alex. (2013, August 19). Email Conversation with the City of San Francisco Department of the Environment.

^{ix} A collection of research produced by the Don't Mess with Texas campaign can be found online at <http://www.dontmesswithtexas.org/research.php>



^x Environmental Resources Planning, LLC, 2013: 5. Retrieved from
http://www.dontmesswithtexas.org/docs/DMWT_2013_Litter_Survey.pdf

^{xi} A collection of Regional Litter Prevention Campaign tools and resources may be found on the AFF website:
<http://fergusonfoundation.org/trash-free-potomac-watershed-initiative/education/litter-prevention/resources/#creative>

^{xii} <http://www.bluewaterbaltimore.org/blog/>