



PLASTIC BAG
STAFF REPORT

September 2013



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Purpose

Using the Kirkland City Council Goals as the guiding principle and compass, the purpose of this staff report is to present a thorough evaluation of the many issues surrounding single-use plastic bags, their impacts on our environment, and some potential management options for Kirkland’s policy makers. This staff report was requested by the Kirkland City Council at its meeting on March 19, 2013.

Relevant Kirkland City Council Goal

Environment

We are committed to the protection of the natural environment through an integrated natural resource management system.

Goal: To protect and enhance our natural environment for current residents and future generations.

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Executive Summary

Single-use plastic bags are a convenient way for shoppers to transport their purchases from the store to their homes. As our community survey reveals, plastic bags are popular and valued by our residents and businesses. However, there is a significant environmental trade-off for this one-time convenience, as single-use plastic bags have proven to be detrimental to our environment and a drain on our non-renewable natural resources.

Plastic bag management is not a question of diversion: plastic bags account for less than one-half of one percent of our landfilled trash. Rather, the issue is clearly one of waste reduction and sustainability and how our City government, business community, and residents can collaborate to be even better stewards of our natural environment by trading the fleeting convenience of a single-use plastic bag for the inherent recyclability of a paper bag or, even better, the relative permanence of a reusable bag.

There is a broad continuum of options available to policy makers designed to encourage residents to use reusable bags. Options range from education and outreach to a tax on plastic bags to an outright ban on both plastic and paper bags. As stated, the purpose of this report is to present and evaluate the most viable bag management options available to Kirkland policy makers to aid them in making as informed decision as possible.

North America and Western Europe account for nearly 80% of plastic bag use.

After an evaluation of the options staff finds that one management option comes the closest to achieving the ideal of true sustainability by successfully integrating the competing economic, environmental, and social equity factors of the sustainability model while also substantially meeting the Kirkland City Council's goals to protect and enhance our natural resources and provide and maintain our natural areas.

The so-called "Issaquah/Seattle Model" of banning plastic bags and requiring businesses to charge customers a fee on each paper bag emerges as the option that best balances and reconciles the economic impacts to the retailers and the consumer; provides a substantial benefits to the environment by restricting the use of plastic bags and driving consumers toward the more sustainable reusable bag option; and provides for a reasonable amount of fairness between the retailer, the consumer, and government. This option has also become the region's preferred alternative among retailers and has been heralded for its fairness, consistency, and predictability.



Environmental Considerations

Resource Conservation

Each year, Americans dispose of an incredibly high number of plastic bags. The numbers vary by study, but the WorldWatch Institute estimates 100 billion plastic bags are thrown away each year in the United States. In King County, 49,000 tons of plastic bags and film were disposed in the Cedar Hills Regional Landfill in 2010, most of which could have been recycled. This is a significant statistic considering the average lifespan of a plastic bag is just 12 minutes.

Plastic bags are made from by-products of natural gas and sometimes oil depending on the location of manufacture. Most plastic bags in grocery stores are made of high-density polyethylene (HDPE). Although there are recycling options in Kirkland's recycling program and through plastic bag take-back programs at some local retailers, the recycling diversion rate for plastic bags is very low. The Environmental Protection Agency reports that the nationwide recycling rate for plastic bags and wraps (HDPE material) was just 4.3% in 2010. However, between 60-75% of plastic bags are reused for pet waste or garbage can liners.

According to 2012 end-of-year data as reported by Waste Management's Cascade Recycling Center, clean plastic film accounted for only 4/10 of 1% of the recyclable materials received for processing. Conversely, cardboard and kraft paper which includes paper shopping bags accounted for 26% of the recyclable materials.

Paper bags are also resource-intensive to manufacture, especially because paper bags are

heavier which requires more energy to transport. However, the recycling diversion rate of paper bags is significantly higher than plastic bags and has been reported as high as 85%.

Litter and storm drains

Due to their lightweight nature, plastic bags are easily transported by air and water. In 2004, the Department of Ecology conducted a litter study in Washington and found that plastic bags were one of the ten largest components of litter by weight on Washington roadways. Plastic bag litter is easily transported by wind and rainwater to storm drains, open channels and ditches, and urban streams where they restrict proper drainage and cause localized flooding. However, according to Kirkland Surface Water Maintenance staff, plastic bag litter in Kirkland's surface water system is insignificant relative to other communities.

Marine Impacts

Worldwide and nationwide, it is becoming increasingly apparent just how much plastic is making it to our waterways and negatively impacting marine wildlife and water quality. Researchers have reported instances of garbage and plastics accumulating on the surface and in the deep sea of the ocean, photodegrading into small pieces of plastic not visible by the eye but easily ingested by marine wildlife.

Solid waste is now accumulating in ocean gyres around the planet, the largest being a "trash island" named the Great Pacific Garbage Patch that sits in the northern Pacific Ocean. There is no way to know the actual size of the garbage patch because some debris sinks or is unable to be seen by the naked eye, but scientists have collected

up to 750,000 pieces of plastic in one square kilometer of the Garbage Patch.

The Monterey Bay Research Institute researches garbage accumulating in the deep sea and in a recent study, they found that 1/3 of the debris in the deep sea was plastic and, of these objects, more than half were plastic bags. The increase of plastics found in the ocean is alarming due to the negative impacts plastics can have on marine life and water quality.

Ingestion

Multiple studies have shown that marine life, including seabirds, fish, marine mammals and sea turtles, often ingest plastic marine debris mistaken for food. For example, sea turtles may mistake plastic bags for jellyfish or squid. Marine animals may also inadvertently ingest marine plastics



Credit: vimeo.com

while feeding on natural food. Ingestion of marine plastics is a serious problem for marine animals - it can cause starvation or malnutrition when the debris collects in the animal's stomach, causing it to feel full.

Entanglement

Marine wildlife can become entangled in marine plastics marine debris resulting in serious health effects on the animal, including suffocation, starvation, drowning or other injury. Plastic debris can also constrict animals' movement, which can result in wounds from the material or exhaustion. The International Coastal Cleanup often finds entangled mammals and birds in their cleanup efforts (2010, ICC Report, Ocean Conservancy).

The Great Pacific Garbage Patch is a "trash island" in the Northern Pacific Ocean. Scientists have collected up to 750,000 bits of plastic in one single square kilometer.

Pollutants

When plastics enter the marine environment, they photodegrade into smaller and smaller plastic molecules until they can no longer be seen. Although the pieces are invisible to the naked eye, the plastics do not mineralize (disappear) in the ocean and instead break down into microplastics, plastics that are less than 5mm long.

Disposal

At the Recycling Center

Plastic bags are currently accepted in Kirkland's curbside recycling program as long as they are collected and bagged together before being placed in the recycling cart. Kirkland's recycling is collected and transported to Waste Management's Cascade Recycling Center in Woodinville, where it is sorted. Single, loose plastic bags cause significant problems at recycling centers. Single bags can get stuck in the machinery and the center must stop mechanical sorting operations to remove the bags.



Plastic Bags in Machinery at Recycling Center
Credit: olympiawa.gov

At the Composting Facility

Plastics are not accepted in Kirkland's curbside yard waste or commercial and multifamily food recycling programs, but plastic bags remain a common contaminant in organic material delivered to the region's leading composting company, Cedar Grove Composting. Susan Thoman from Cedar Grove explains, "In general, plastic bags that enter the system get removed whenever possible on the front end of the process (visual), through blowers, or through screening equipment at the back end. Ultimately, they build up in our "reject" screen pile and then have to ship to the landfill. They are problematic because they tend to "float" around the equipment, and break down into very fine, wispy bits that are difficult to capture and completely remove from the system."

Take-Back Programs at Grocery Stores

Bag take-back programs are one of the best ways to recycle plastic grocery bags. Most programs also accept other types of plastic bags and film, such as newspaper bags, bread bags, and dry cleaner bags. Recycling bags at in-store recycling kiosks diverts bags away from recycling centers where bags chronically get stuck in machinery and potentially contaminate other marketable recycling commodities such as paper bales. There are currently several retailers in Kirkland that offer plastic bag recycling collection stations.

Other Important Considerations

Shoplifting/Theft

Some newspaper articles have reported an increase in shoplifting due to the increase in the use of reusable bags. Shoplifters may hide items in their reusable bags which are not counted at checkout. There is no real data to confirm or refute the accuracy of the increase in shoplifting due to reusable bags; however this is something to consider as customers shift from single-use bags to reusable bags. Cities interviewed with bag bans in Western Washington indicated that shoplifting attributable to reusable bags is not prolific nor a serious issue.

Health Issues with Reusable Bags

There have been varying reports of health issues with the increase of use in reusable bags in California and Arizona, some citing instances of E. coli and other harmful bacteria, and others reporting that the bags are perfectly safe. A 2011 study of reusable bags in California and Arizona found that 51% of the bags contained coliform bacteria. The same study also found that washing reusable bags would remove 99.9% of the harmful bacteria. Unfortunately, 97% of the people surveyed indicated that they never wash their bags.

King County has not done a private or public study on bacteria in reusable bags. It is hard to determine the actual health risk of reusable bags because it is such a case-by-case scenario. Clearly education and outreach to the public regarding reusable bags should include safety tips and reminders about their safe, long term



use. Sacramento and other cities have released statements about potential health concerns and remind their residents to periodically wash their reusable bags. For example, San Mateo County's health officer released a statement with the following advice:

- Do not transport raw foods and other food products in the same bag.
- Do not use reusable grocery bags for other purposes, such as carrying books, laundry or gym clothes.
- Wash your reusable bags often.

Community Surveys

In May 2013, Solid Waste contracted with Elway Research, Inc. in order to gain an understanding of how Kirkland residents and business feel about banning single-use plastic bags. Full copies of each scientific survey and its key findings can be found in the Addendum section of this report.

Of the 407 residents contacted by phone, 69% were opposed to banning plastic bags in Kirkland. There was general support for measures targeted on retailers such as requiring plastic bag recycling stations or encouraging retailers to voluntarily curb their use of plastic bags. Most residents surveyed claimed that they are either recycling or re-using their bags.

Also in May, 259 Kirkland businesses that regularly offer plastic bags to their customers were invited to participate in an online survey. A total of 48 businesses participated for an excellent response rate of 20%. Eight out of ten businesses were opposed to a ban or imposing a fee on plastic bags and seven of ten anticipated that a ban may have a negative impact on their business.

In 2008, Solid Waste staff conducted a non-scientific survey of 380 residents and visitors to Kirkland at several local special events. The results of the survey and a summary of the finding can be found in the Addendum section. Similar to the May 2013 survey, only 30% of respondents supported a ban or a fee of plastic bags. The majority of respondents indicated that they reuse their plastic bags for pet waste, diapers, or as garbage can liners. One-third of the respondents supported more education and outreach and distributing more reusable bags.

The Sustainability Model

To provide a measured and in-depth evaluation of each of the potential options available to manage plastic bags in the City of Kirkland, we have turned to the sustainability model to help guide us in identifying the preferred options. This model allows us to consider the social, economic, and environmental aspects of each option.

The sustainability model is a holistic approach where the “Triple Bottom Line” of the social equity (PEOPLE), economic (PROFITS), and environmental (PLANET) considerations are measured concurrently in decision-making. Ultimately, a combination of all three considerations results in true sustainability and an enhanced quality of life.

When applied to local government, the model ensures that policies includes social equity



The Sustainability Model
Credit: www.uofaweb.ualberta.ca

and fairness among the plurality of its diverse residents, businesses, and stakeholders. The economic consideration strives to ensure that policy contemplates the viability and vibrancy of the business community and the sustainability of government's budget and resources. Finally, the environmental consideration endeavors to ensure that policies respect, protect, and preserve the community's natural resources.

Plastic Bag Management Options

When evaluating plastic bag management options, staff rated each option as objectively as possible by developing an in-depth list of economic, environmental, and social equity considerations to serve as a foundational reference. For example, a public education and outreach campaign alone would likely have less of a negative economic impact than an outright ban on both plastic and paper bags. More financial resources would be needed to implement the latter over the former. The major considerations are discussed and listed below and intergrated into *Chart 1* on Page 12.

Economic Considerations

For the economy, the ratings consider the estimated net cost a given management option may have on the City budget, to local businesses, and to consumers. Some of the major considerations are presented below.

Net Cost to City Budget

- Estimated cost of City staff wages and benefits
- Education and outreach material costs
- Costs to purchase and distribute reusable shopping bags

It takes less energy to create plastic bags than paper bags; however plastic is made from fossil fuels.

- Enforcement costs to ensure compliance and tax collection

Net Cost to Businesses

- Implementation and employee training costs
- Potential diversion of consumers to other cities without bans
- Potential security and shoplifting issues
- Reusable bag health concerns/worker safety
- Cost of paper versus plastic bags
- Management of self-checkout stations
- Unused/stranded plastic bag inventory

Net Cost to Consumers

- Impact on the price of consumer goods
- The amount of a tax or fee
- Loss of convenience
- Reusable bag health concerns

Environmental Considerations

On the environmental end, the ratings include an assessment of the net effect each bag management option would have upon reducing waste going to the landfill, on diverting plastic and paper bags for recycling, and providing an overall net benefit to the Kirkland's environment and its net impact

on our use of natural resources. For example, an option that bans both paper and plastic bags would receive a higher overall environmental rating than an option that bans only plastic bags but charges a fee on paper bags. The former option does not allow the use of paper resources at all whereas the latter still makes paper bags available to consumers.

Net Effect on Recycling Diversion

- Overall amount of material diverted for recycling
- Amount of plastic bags diverted for recycling
- Amount of paper bags diverted for recycling

Net Effect on Waste Reduction

- Overall amount of material removed from the waste stream
- Amount of plastic bags removed from the waste stream
- Amount of paper bags not produced

Net Effect on the Environment

- Use of fossil fuels
- Depletion of forests and timber
- Use of energy resources in production
- Litter control
- Surface water management and water quality
- Health impacts upon land and marine wildlife

Social Equity and Fairness

This final rating category contemplates the fairness of each potential bag management option by determining if one particular option favors or provides unequal benefits to one class versus the other. The comparisons included:

- Large businesses versus small businesses
- The affluent versus the poor
- Retailers versus consumers

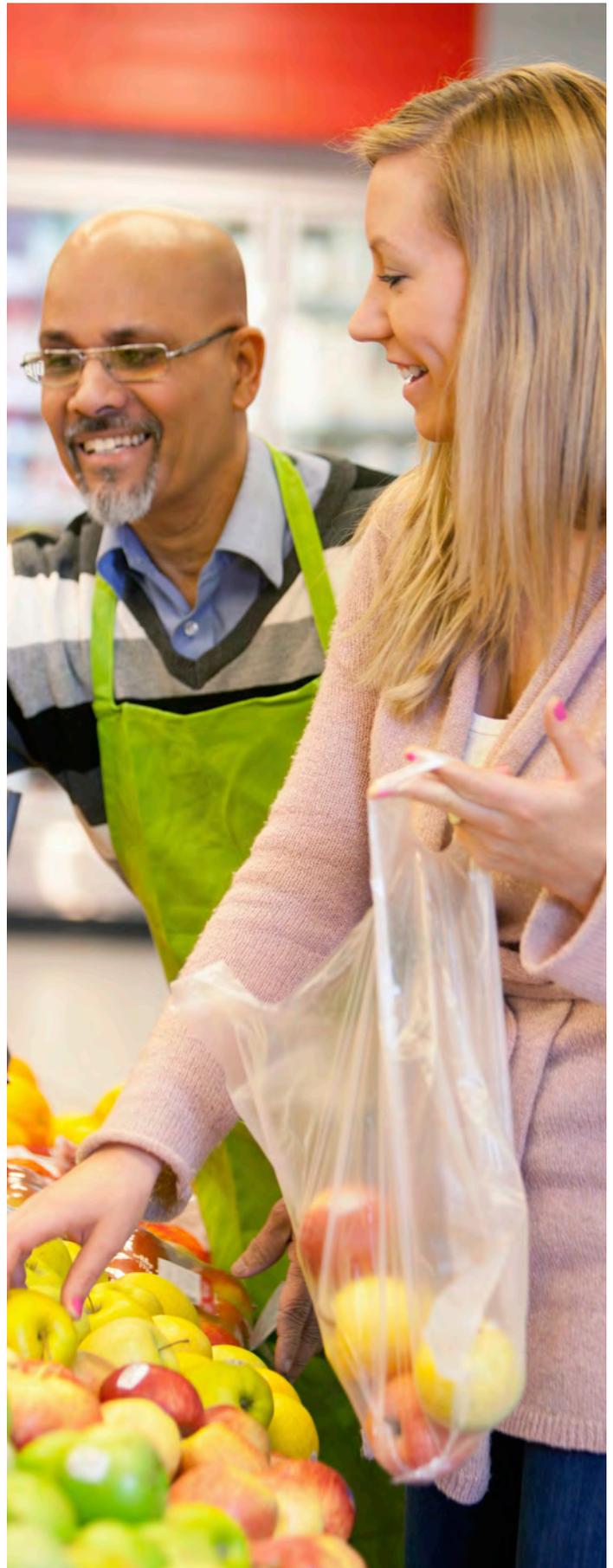


Chart 1: Evaluation of Plastic Bag Management Options

Option	Action	Type	Current Example	Economy			Environment			Equity		Sustainability Grade
				Net Cost to City Budget	Net Cost to Businesses	Net Cost to Consumer	Net Effect on Recycling Diversion	Net Effect on Waste Reduction	Net Effect on Environment	Social Equity and Fairness		
1	Take No Action	Status Quo	Kirkland	5	5	5	0	0	0	5	20	
2	Public Education and Outreach	Voluntary	Kirkland (limited)	4	5	5	2	2	1.5	5	24.5	
3	Require Plastic Bag Recycling Stations	Ordinance	None found	5	4-5	5	2	0	1	4.5	22	
4	Ban Plastic Bags/Fee on Paper Bags	Ordinance - Ban and Fee	Seattle, Bellingham, Edmonds	3-5	4	4	3	5	5	4	28.5	
5	Tax on Plastic Bags Only	Ordinance - Tax	Ireland, Northern Ireland	5	4-5	1	2	5	4	3-5	25	
6	Tax on Paper and Plastic	Ordinance - Tax	District of Columbia	5	4	2	2	4	3	3-5	23.5	
7	Ban Both Plastic and Paper Bags	Ordinance - Ban	Austin, Texas	3-5	3	3	2	5	5	2	23.5	

*Ratings assigned by Solid Waste staff

Key:

Very Positive/High Impact (5)	Positive/Good Impact (4)	Neutral/Moderate Impact (3)	Negative/Little Impact (2)	Very Negative/Very Little Impact (1)	No Effect/No Impact (0)
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Chart 1 is intended to be used as an objective tool to assist policy makers evaluate and navigate the myriad of options available to manage plastic bags. The chart is divided into the three headings of the sustainability model: the economic, the environment, and social equity. Seven options are presented ranging from taking no action to banning both paper and plastic bags. Each policy option is placed under the scrutiny of these three legs of the sustainability model and assigned a rating of 0-5 depending upon how much the option positively or negatively impacts the economy, the environment, and equity relative to taking no action at all.

Here is an example of the thought process taken to assign ratings to each option:

The economic impacts of **Option 1: Take No Action** to consumers, businesses, and the City budget are very low and thus positive. However, this option clearly provides no real positive impact on our environment. Accordingly this option received an overall sustainability rating of 20 pts.

Alternatively, **Option 5: Tax on Plastic Bags Only** received a higher overall sustainability rating of 25 pts.

On the economic side, the net cost to the City budget would be low since the tax would likely be remitted to the City to cover implementation costs and to fund environmental programs (5 pts). Businesses might incur some costs by having to cover the full cost of paper bags (4.5 pts). The impact to the consumer would likely be relatively very negative as the taxes levied on plastic bags must be fairly high and punitive to encourage the use of paper bags (1 pt).

Environmentally, the tax option has been proven to significantly reduce the use of plastic bags and waste (5 pts). It has been less effective at increasing recycling diversion since the plastic bags are still available and are typically not accepted for recycling (2 pts). In terms of its net effect upon the environment and sustainability, this option greatly reduces the use of plastic bags and natural resources but falls a little short





of perfect since plastic bags would still remain available to consumers (4 pts). This option is a little less socially equitable since the tax is relatively high and the taxes collected are not shared between the retailers and the government (3.5 pts).

An Evaluation of Potential Plastic Bag Management Options

Presented in the following pages are several options to manage plastic bags in Kirkland. Each option is given a Sustainability Rating and an estimated implementation cost to the Solid Waste Utility. It is important to note that some of the options such as Options 4 and 7 are relatively more expensive than others and are consequently more impactful upon the resources of the Solid Waste Division. These options may lead policy makers to consider adding ongoing funding for education and outreach staff or contracted consultants to ensure a successful implementation.

Each option is discussed in general detail and the positives and negatives of each option are presented. For the sake of brevity, staff selected the most viable and popular options instead of trying to capture and present the myriad of idiosyncrasies and minor differences between ordinances that have been adopted across the nation. For example, within the most popular **Option 4: Ban Plastic Bags/Fee on Paper Bags** differences exist between individual ordinances as to whether or not restaurants are exempt, if there are specifications for reusable bags, and if hardship condition exemptions are allowed.

Additionally, the pros and cons presented are not intended to represent all of the positives and negatives associated with each option; rather they are merely highlights used to distinguish one option from another. Copies of examples of ordinances for each option are presented in the Addendum section.

Option 1: Take No Action

Sustainability Rating: 20

Cost: Under \$5,000/year for reusable bags and limited education and outreach

Discussion

This option would require no further action to be taken to manage the use of plastic bags in Kirkland. As it has for the last several years, Solid Waste would continue to purchase and distribute 500-1,000 reusable shopping bags to residents each year through periodic promotions and at local events. A low level of education and outreach discouraging the use of plastic bags and encouraging reusable bags would be provided.

Pros

- No additional cost to business or changes to operations
- No change from status quo for Kirkland residents and visitors
- No requirement for additional Solid Waste budget

Cons

- No reduction on the amount of plastic bags used in Kirkland
- No positive impacts on the Kirkland environment
- No positive impact on reducing litter



Option 2: Public Education and Outreach Program

Sustainability Rating: 24.5

Implementation Cost to City: Minimal: \$20,000 to \$30,000/year ongoing

Discussion

This action would implement a sustained, multi-year education and outreach campaign to reduce the use of single use plastic and paper bags in Kirkland. Solid Waste would purchase 1,500 to 2,000 reusable bags each year and provide them to businesses for distribution at the point of sale. The bags would also be distributed to residents at local events and upon request. Staff would work with businesses to voluntarily establish more plastic bag recycling stations. Staff would use all available forms of media to saturate the Kirkland with information to discourage the use of single-use bags in Kirkland.

Pros

- More residents will recycle single-use plastic bags or use reusable bags.
- Opportunities to recycle plastic bags would increase.
- There would be a nominal cost to businesses and no cost to the consumer.

Cons

- Education and outreach campaigns are costly and impacts and results can be marginal in some cases in the absence of a legislated mandate such as a ban to support the campaign.
- There would be a minimal positive effect upon waste reduction, recycling, and the environment.
- Additional Solid Waste staff and/or resources may be required to implement and sustain the education and outreach effort.
- Recycling stations are highly sensitive to supply and demand. If there is market demand for plastic film, collectors are willing to provide stations for free. In the absence of demand for film, collectors may charge for stations which results in many stations disappearing from retail stores.



Option 3: Require Plastic Bag Recycling Stations

Sustainability Grade: 22

Implementation Cost to City: Nominal: Under \$5,000

Discussion

By ordinance, retail stores distributing over a given amount of single-use plastic bags in a month or year would be required to have convenient plastic bag recycling stations at their retail stores. This option could be coupled with the promotion and distribution of reusable bags.

Pros

- Residents would be provided with more opportunities to recycle plastic bags.
- More bags would be diverted from the recycling center where they get caught in machinery.
- There is a minimal cost to the City budget and businesses and no cost to residents.

Cons

- Many large chain stores such as Fred Meyer and Safeway already provide recycling stations but the amount of plastic bags recycled remains between 5-15%.
- Recycling stations are inconvenient and, given that Kirkland accepts plastic bags in its commercial and curbside recycling programs, unlikely to be fully utilized.
- The aforementioned recycling station sensitivity to supply and demand.

Option 4: Ban Plastic Bags/Require a Fee for Paper Bags

Sustainability Grade: 28.5

Implementation Cost to City: Moderate: \$30,000 to \$50,000

Discussion

The plastic bag ban coupled with a fee on paper bags is the most popular bag management action taken by cities in Western Washington. The cities of Seattle, Issaquah, Edmonds, Bellingham and many others have adopted variations of this ban. Save for Edmonds, retailers are required to charge their customers at least five cents for each large paper grocery bag to encourage customers to use reusable bags. In most cases, major exemptions include:

1. Restaurants for take-out items
2. Plastic bags over 2.25mm in thickness
3. Bags for bulk items such as nuts or candy
4. Bags used to wrap frozen foods and meat or fish
5. Bags that contain prescription drugs
6. Newspaper, door hanger, laundry/dry cleaning bags
7. Bags used for pet waste, garbage, and yard waste
8. Hardships
9. Residents receiving public assistance

This type of ban is not made effective until a grace period, typically six month to one year, has elapsed so that retailers can use up their bag inventories, develop implementation and compliance strategies, and train employees. The grace period is also designed to give cities the opportunity to provide education and outreach to its residents, purchase and distribute reusable bags, and contact and visit its businesses to provide assistance to help them achieve compliance. In some cases, the ban is phased in whereby large retailers are required to comply first after the grace period elapses and smaller retailers are given a longer time (up to a year) to comply.

Pros

- 60% of the respondents to the residential plastic bag survey indicated that they would be willing to pay five cents or less if a ban was implemented.
- A large percentage of single-use plastic bags would be eliminated from use in Kirkland which reduces waste and benefits our environment.
- About 85% of paper bags are recycled.
- This type of ban is the most popular option and is generally supported by retailers who value consistency and predictability as a means to streamline compliance between cities where they do business.

- At their discretion, retailers are able to charge more than five cents for each paper bags to cover costs.
- The exemption for restaurants builds consensus and negates opposition from the restaurant industry.

Cons

- The number of paper bags used would increase. Paper bags cost more in natural resources and energy to produce compared to plastic bags.
- Bans can be perceived negatively by the public. The results of the community surveys indicated that residents and businesses are opposed to a ban.
- The five cent fee typically does not cover the costs of paper bags for the smaller retailers.
- There is less social equity and fairness if residents on public assistance or food rescue organizations are not exempted since they may not able to afford paper bags.
- The ban would require a significant education and outreach effort on the part of Solid Waste with a likely need for more resources to include education and outreach staff/consultants, to purchase a reusable bag inventory, and to print and provide education and outreach materials.



Option 5: Tax on Plastic Bags Only

Sustainability Grade: 25

Implementation Cost to City: Minimal: \$40,000 - \$50,000 for education and outreach, enforcement, and tax collection. All costs offset by tax revenue.

Discussion

This tax was first passed by Ireland in 2002. Plastic bags are not banned but are heavily taxed to encourage the use of paper or reusable bags. The original tax was set at 15 Euro cents (19 US Dollar cents) and was increased in 2007 to 22 Euro cents (28 US Dollar cents). The tax reduced the use of plastic bags by about 94%. The tax collected by the retailers is remitted to the State of Ireland and is used for enforcement, education and outreach, and environmental clean-up projects. The exemptions to the tax are similar to those of ban. Exemptions include bags used for fish, meat, and poultry and items sold in bulk such as fruits, nuts, and vegetables.

Pros

- Plastic bags would remain an option for customers and retailers.
- The tax has proven to be an effective way to limit the use of plastic bags without resorting to an outright ban.
- The tax is effective at reducing waste.
- The implementation cost to businesses and the City is nominal.

Cons

- The City would need to establish its legal authority to charge a tax on plastic bags. The City must establish that the tax would be used for regulatory purposes and not imposed as a means to generate revenue.
- Requirement for enforcement and tax collection costs.
- Retailers would have to cover the entire cost of the paper bags and pass the cost on to consumers.
- New taxes are generally not well-received by the public.
- There would be less equitability as there are no provisions for exemptions for residents on public assistance.
- Plastic bags would remain an option so their use would not be entirely eliminated.
- As consumers adjust to the tax, the tax may need to be periodically increased to spur additional reductions in the use of plastic bags.

Option 6: Tax on Paper and Plastic Bags

Sustainability Grade: 23.5

Implementation Cost to City: Minimal: \$40,000 - \$50,000 for education and outreach, enforcement, and tax collection. All costs offset by tax revenue.

Discussion

This option would levy a tax on both plastic and paper bags. The current model for this option is Washington D.C. where a fee of five cents is charged to the consumer for each plastic and paper bag. This law provides for the same typical exemptions as other laws and bans. Restaurants with seating that provide paper carryout bags to take food away from their premises are also exempt from the tax. Taxes collected are shared between the retailer and the Anacosta River Protection Fund. The retailer retains one cent of the tax and remits four cents to the Protection Fund. A retailer participating in the Carryout Bag Credit Program may retain an additional one cent of the tax. Retailers participating in the program must credit the customer five cents for each carryout bag provided by the customer to the retailer for packaging his or her purchases regardless of the type of bag.

Pros

- The overall use of plastic and paper bags is reduced thus reducing waste.
- The City would need to establish its legal authority to charge a tax on paper and plastic bags.
- The tax is used to directly support environmental programs.
- The tax was effective at reducing the use of paper and plastic bags by 67%.

Cons

- Plastic bags would still be available to consumers.
- New taxes are generally not well-received by the public.
- The tax retained by the retailer is generally not enough to cover the cost of the paper bags.
- The tax may be too small to encourage more use of reusable bags.



Option 7: Ban Both Paper and Plastic Bags

Sustainability Grade: 23.5

Implementation Cost to City: Moderate: \$30,000 to \$50,000

Discussion

The best example available for this type of ban is the ordinance adopted by the City of Austin, Texas in 2012. This law prohibits retailers from providing any single-use plastic bags to consumers. Retailers are allowed to provide or sell reusable carryout bags to their customers that are defined as being made from cloth, recyclable thick plastic bags, and recyclable paper bags. This ban provides for the standard exemptions to include bags for bulk items; frozen foods, meat and fish; dry cleaning, newspaper, garbage, pet waste, and yard waste bags; paper bags for restaurants for carryout foods; and hardship cases.

Pros

- Bans all single-use plastic and paper bags.
- Provides waste reduction by completely eliminating the use of plastic bags.
- Allows retailers to charge customers for reusable bags to cover costs.

Cons

- Not a true ban of single-use paper bags since they are defined in the ordinance as “reusable”.
- Not equitable for smaller businesses that have to pay and charge more for paper bags.
- May increase the use of paper bags which generally cost more energy and natural resources to produce.

Sustainability Ratings Ranking

1. Ban Plastic Bag/Fee on Paper Bags (28.5 pts)
2. Tax on Plastic Bags Only (25 pts)
3. Public Education and Outreach Campaign (24.5 pts)
4. Tax on Paper and Plastic Bags (23.5 pts)
Ban Both Paper and Plastic Bags (23.5 pts)
5. Require Plastic Bag Recycling Stations (22 pts)
6. Take No Action (20 pts)

Evaluation Findings

Of the seven options presented, **Option 4: Ban Plastic Bags/Fee on Paper Bags** emerges with the highest overall sustainability rating of 28.5 points. The overall cost to implement this option would be somewhat higher than taking no action but its overall benefit to our environment is the highest among the options considered. **Option 4** would have a relatively larger effect upon our environment and sustainability (5 pts) and waste reduction (5 pts) and, to a lesser degree, upon recycling diversion (2 pts) as most plastic bags would be removed from the waste stream and would simply not be available to be recycled. This option is also relatively equitable, since the fee charged to customers for paper bags is nominal and businesses retain the paper bag fees to help cover their costs. Eight cities in Western Washington have adopted this type of ban and retailers favor it over other options for its fairness, predictability, and consistency.

Alternatively, the Irish model of charging a high tax on plastic bags received the second highest sustainability rating of 25 points. As noted in the evaluation, this option has also been very successful at reducing the use of plastic bags and steering customers toward the use of paper bags or reusable bags. This option provides a sustainable funding source to cover the costs of implementation, education and outreach, and environmental programs while accomplishing almost the same result as an outright ban on plastic bags.



Plastic bags are among the twelve items of debris most often found in coastal cleanups.

Case Studies

Many cities in the region have crafted and passed legislation intended to minimize the use of single-use plastic bags. Kirkland Solid Waste staff interviewed their counterparts at the cities of Edmonds, Seattle, and Issaquah about the specific provisions in their respective ordinances, how they conducted education and outreach, and to gain insights and advice on best management practices for implementing plastic bag bans. The texts of the individual ordinances are included in the Addendum section.

The City of Edmonds was the first city in Washington to pass a plastic bag ban in 2009. The Edmonds ordinance was modeled from a plastic bag ordinance in the City of Palo Alto, California. Single-use plastic carry-out bags are banned, but secondary smaller plastic bags such as for meat, produce, or bakery items are exempt. This ban is unique in that there is no fee or restriction on paper bags. Businesses were allowed a grace period of one year to liquidate their plastic bag inventory and prepare for the ban. During the waiting period, City staff offered advisory assistance to businesses and rolled out a robust “Bring Your Own Bag” campaign.



The cities of Bellingham, Seattle, Mukilteo, Bainbridge Island and Issaquah have also passed plastic bag ban ordinances. These bans, similar to Edmonds, ban single-use plastic carry-out bags, with the exemption of smaller plastic bags and an exemption for restaurants. There is also an exemption for plastic bags that are 2.25mm or thicker because these are deemed to be reusable plastic bags. Businesses must charge a minimum five cent fee on each paper bag provided to a customer. The five cent fee goes to retailers to cover the cost of the paper bags which can cost up to 12 cents each depending on the volume purchased by the retailer. These cities’ bans are all based on the same model, with minor differences. For example, the City of Issaquah’s ban is a phased ordinance: businesses larger than 7,500 square feet had to comply to the ban immediately when it went into effect, whereas businesses smaller than 7,500 square feet have an additional year grace period to gain compliance.

In interviews of staff from Issaquah, Edmonds and Seattle, a series of questions were asked about potential issues and concerns with plastic bag bans. The following feedback was received:

- There were no reported issues or complaints from store owners about an increase of shoplifting.
- There were no health issues reported due to an increase in the use of reusable bags.
- Cities generally received positive feedback from both businesses and residents about the ban.
- Staff noticed that compliance was easier for larger businesses than smaller businesses.

Staff also relayed the following feedback and advice about future bag bans:

- Both the cities of Issaquah and Seattle noticed that larger retailers were converting to using a thicker plastic bag (as allowed by the 2.25mm or thicker exemption) in their stores. The Cities recommended reconsidering this exemption because the goal of the ban is to completely restrict the use of all plastic bags.
- Cities interviewed recommended that consideration be given to removing the exemption for restaurants since restaurants use a significant amount of plastic bags for carryout items.

City of Issaquah Case Study

Staff Interviewed: Micah Bonkowski

The City of Issaquah passed its plastic bag ban ordinance in the spring of 2012. The ordinance is essentially the same as City of Seattle, Bellingham, Mukilteo, and Bainbridge Island. All plastic carry-out bags are banned except those used for meat, produce, and bakery items. Plastic carry-out bags used by restaurants are exempt. There is also an exemption for any plastic bags that are 2.25mm or thicker because these are considered to be reusable plastic bags.

Issaquah's ban differs slightly because it has a phased implementation provision. After the ordinance was passed, stores over 7,500 square feet had about nine months before the ordinance took effect. Businesses with less than 7,500 square feet were provided with one additional year to comply.

City staff sent out two mailings to businesses and visited each large retail store three weeks

before the ban went into effect. A second visit was made right before the ban went into effect. The City provided signage to retailers to provide information about the ban at checkstands. City staff placed ads in the local newspaper and issued multiple news releases to educate the public about the upcoming ban. Reusable bags were distributed at Issaquah's solid waste hauler's storefront, at giveaway events at local grocery stores, and to low income housing residents.



Many stakeholders said they favored consistency and predictability across the region and only supported the ban since it was in the same standard format as Bellingham and Seattle. Staff noted that the ban was much easier on bigger retailers who had already had to comply with similar bans in other cities. Bigger retailers were able to train staff about the ordinance and set up and brand their own reusable bag sales areas. Overall, smaller businesses had more resistance to and more complaints about the ban. Finally, Issaquah staff had to develop communication plans for vendors at special events/farmers markets, such as their large Salmon Days event - an event comparable in size to Kirkland's Uncorked and Summerfest.

City of Seattle Case Study

Staff Interviewed: Dick Lilly

The City of Seattle passed its plastic bag ban in 2011. This bag ban closely resembles Bellingham's plastic bag ban. Single-use plastic bags are banned with the exception of restaurant take-out bags and in-store smaller plastic bags, such as for the deli or produce. Like Issaquah, plastic bags thicker than 2.25mm are exempt from the ban. There is a five cent charge for paper bags which the retailer retains to help cover the costs of paper bags.

Seattle's plastic bag ban was passed by its City Council subsequent to a tax levied on both paper and plastic bags. The tax was overturned by Seattle voters through a referendum.

In terms of education and outreach, Seattle held one stakeholder meeting and sent out two mailers to businesses, one well in advance of the ban's effective date and a second 2-3 weeks before the ban went into effect. Seattle also received generous unsolicited, but welcome, newspaper and television coverage. City staff contacted 150-200 businesses in person about the ban and spoke to another 600 businesses by phone. Staff posted free signage on their webpage for businesses to print out and use at checkstands. Reusable bags were handed out to low-income families.

There was some concern from grocers that the reusable bags would become dirty and become a health risk to store clerks, but that has not proven to be the case. Similarly, there was concern about a potential increase in shoplifting, but Seattle staff indicated that there have been no complaints from retailers about increases in theft attributable to reusable bags.

As a final word of advice, staff advised that cities considering banning plastic bags should not make a plastic bag ban any tougher than the City of Seattle's to lessen backlash from the public and retail associations. This advice includes retaining the 2.25 mm plastic bag thickness and restaurant take-out bag exemptions.



City of Edmonds Case Study

Staff Interviewed: Steve Fisher

The City of Edmonds passed its plastic bag ban in August 2010. The ordinance was modeled from a plastic bag ordinance in the City of Palo Alto, CA in which plastic bags are banned but there is no fee charged for paper bags. All businesses were given a one year grace period to comply with the ban.

To provide education to businesses and residents, City staff sent out postcards, visited businesses face-to-face to explain the ban, rolled out a "Bring Your Own Bag campaign", and coordinated a poster competition with the local school district to involve schools. Staff did not have the budget to distribute reusable bags.

Edmonds did not take any formal surveys after the ban became effective, but feedback received indicates that businesses and residents are supportive of the ban and all businesses are in compliance. Edmonds staff has not received any reports of increases in shoplifting attributable to the ban. Like Seattle and Issaquah, the ban exempts plastic bags thicker than 2.25mm and a few businesses have opted to provide these thicker bags to their customers as single-use plastic bags to circumvent the spirit of the law.

As a final piece of advice, Edmonds staff reported that talking face-to-face with businesses was helpful in education and outreach and critical to a smooth implementation.



What Kirkland Has Done In the Past

Kirkland Solid Waste staff provides recycling and waste reduction education and outreach at various events throughout the year, such as Kirkland Uncorked, the Kirkland Wednesday Market, and at schools and neighborhood association meetings. Outreach provided at these events includes information on plastic bags and the reusable bag alternative.

Staff also distributes about 500 reusable bags at events each year. In 2008, Kirkland distributed over 1,000 reusable bags made from 100% recycled plastic bottles. Today, Kirkland distributes the more compact Chico Bag which is made in part from recycled PET (polyethylene terephthalate). The cost of the reusable bags is approximately \$5,000 per year.

King County also provides outreach on recycling plastic bags through their campaign, “Bag your bags, bring ‘em back.” The campaign seeks to educate residents on bringing their plastic bags back to the grocery stores to be recycled. Their webpage, www.bagyourbags.com, provides information on plastic bag recycling locations in King County, including three sites in Kirkland.

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Assessment of the Potential for Cross-contamination of Food Products by Reusable Shopping Bags,
David L. Williams, Charles P. Gerba, Sherri Maxwell, Ryan G. Sinclair Bibliographic citation: Food
Protection Trends, vol. 31, no. 8, pp. 508-513, August 2011, Volume 31, Issue 8

Two Years of the Washington DC Bag Tax: An Analysis

http://s3.amazonaws.com/atrfles/files/files/BHI_Report.pdf

Addendum

2013 Community Survey: Resident Opinions of Disposable Bag Ban - May 2013

2013 Community Survey: Retail Business Survey: Disposable Shopping Bags - June 2013

2008 Plastic Bag Survey

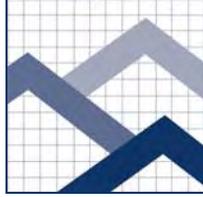
Comments Received from Community Surveys

City Ordinances

Stakeholders List

Letter to Stakeholders

Stakeholder Comments



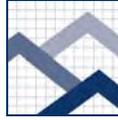
CITY OF KIRKLAND

Resident Opinions of Disposable Bag Ban

May 2013



ELWAY RESEARCH, INC.



CITY OF KIRKLAND

**Resident Opinions of
Disposable Bag Ban**

May 2013

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CITY OF KIRKLAND

Citizen Opinions of Disposable Bag Ban

May 2013

INTRODUCTION

This report summarizes the results of a telephone survey, conducted on behalf of the City of Kirkland, to assess Kirkland residents' attitudes about a potential ban of disposable shopping bags in Kirkland.

Some 407 Kirkland adults (age 18+) were selected at random and interviewed between May 21-23. Survey respondents were asked about:

- Current behavior with regard to the use of shopping bags;
- Potential support for a ban of, or fees on, paper and plastic disposable shopping bags in Kirkland; and
- Willingness to pay if a fee were imposed.

Demographic information was also collected so as to compare and contrast answers.

The survey was administered by Elway Research, Inc. The questionnaire was designed in collaboration with representatives of the Public Works Department of the City of Kirkland.

The report includes Key Findings, followed by annotated graphs summarizing the results to each question. The full questionnaire and a complete set of cross-tabulation tables is presented in the appendix.



METHODS

SAMPLE:	407 adult residents of Kirkland, WA
TECHNIQUE:	Telephone Survey. Address-based sample frame: Telephone numbers were looked up for addresses in the City of Kirkland. 10% of the interviews were conducted via cell phone.
FIELD DATES:	May 21-23, 2013
MARGIN OF ERROR:	±5% at the 95% confidence interval. That is, in theory, had all similarly qualified voters been interviewed, there is a 95% chance the results would be within ±5% of the results in this survey.
DATA COLLECTION:	Trained, professional interviewers under supervision conducted all interviews during weekday evenings. Up to four attempts were made to contact a head of household at each number in the sample. Questionnaires were edited for completeness, and a percentage of each interviewer's calls were re-called for verification.

It must be kept in mind that survey research cannot predict the future. Although great care and the most rigorous methods available were employed in the design, execution and analysis of this survey, these results can be interpreted only as representing the answers given by these respondents to these questions at the time they were interviewed.



RESPONDENT PROFILE

In interpreting these findings, it is important to keep in mind the characteristics of the people actually interviewed. This table presents a profile of the 407 respondents in the survey.

Note: Here and throughout this report, percentages may not add to 100%, due to rounding.

GENDER:	50%	Male
	50%	Female
AGE:	9%	18-35
	20%	36-50
	41%	51-64
	28%	65+
	2%	No Answer
EDUACTION LEVEL	12%	High School or less
	24%	Some College/Vocational
	42%	College Degree
	20%	Post Grad School
EMPLOYMENT:	14%	Self-employed/Owner
	30%	Private Business
	10%	Public Sector
	8%	Not Working
	34%	Retired
	3%	No Answer
HOUSEHOLD:	28%	Couple with children
	45%	Couple with no children
	4%	Single with children
	21%	Single with no children
	2%	No Answer
HOME TYPE	81%	Single Family House
	11%	Condominium
	6%	Apartment
	3%	Other / No answer
HOME OWNER	83%	Own
	13%	Rent
	4%	No Ans
INCOME:	13%	\$50,000 or less
	18%	\$50 to \$75,000
	12%	\$75 to \$100,000
	15%	\$100 to 150,000
	14%	Over \$150,000
	28%	No Answer



KEY FINDINGS

- ◆ **Most Kirkland residents surveyed are currently engaging in desired behavior with paper and plastic bags**
 - 8 in 10 recycle or re-use more than one type of bag
 - Nearly half (46%) currently bring their own bags to the grocery store, including 3 in 10 (29%) who always do so

- ◆ **Voluntary measures for reducing disposable bag use have greater support than mandatory measures, and much more support than fees.**

- ◆ **Measures aimed at stores had more support than measures aimed at consumers**
 - 85% supported requiring stores to have plastic bag recycling bins
 - 80% supported encouraging stores to voluntarily reduce their use of disposable bags
 - 67% opposed charging a fee to shoppers for plastic bags
 - 76% opposed charging for any disposable bag

- ◆ **There was little support for, and stubborn opposition to, banning disposable shopping bags**
 - 69% opposed banning plastic shopping bags
 - 25-30% consistently stated that there should not be a ban or a fee across all questions which posed that policy as a hypothetical. This was despite the fact that the “no fee” option was not read as a possible answer; they consistently volunteered it anyway.

- ◆ **Despite the consistent lack of support for fees, most would be willing to pay something if there were a fee for disposable bags**
 - 36% would be willing to pay 5¢ or more
 - 31% would be willing to pay “less than 5¢”
 - 33% would not be willing to pay anything (an option not offered).

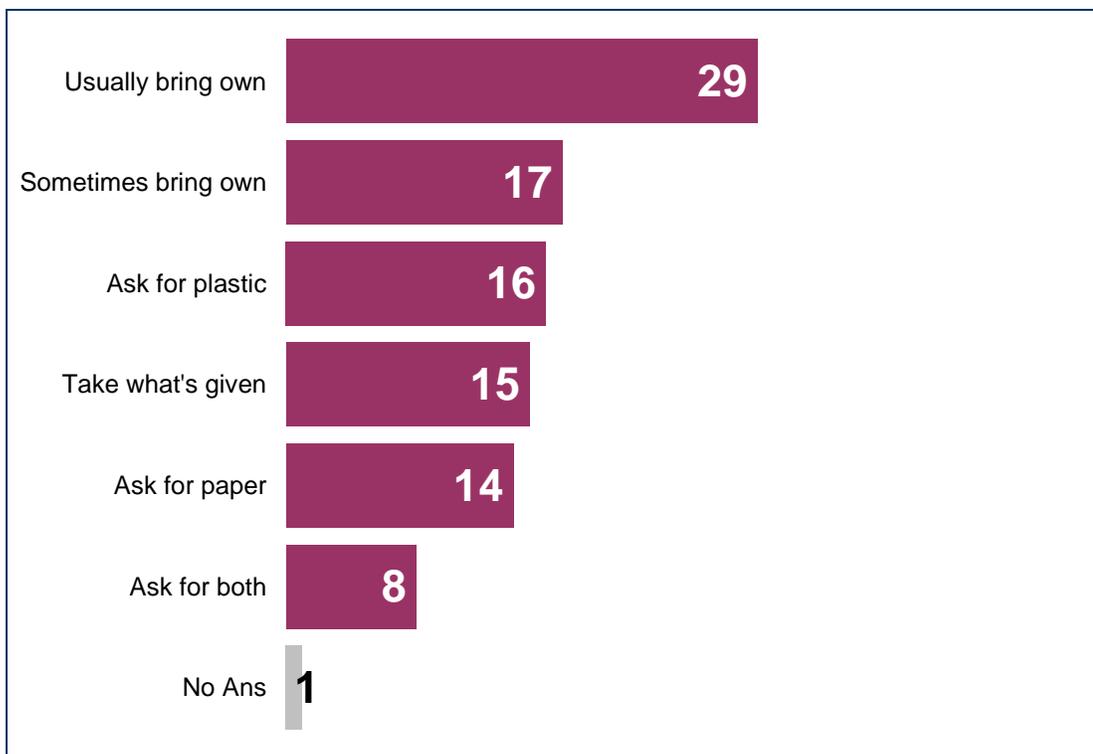


FINDINGS

Major findings are presented in the following section in the form of annotated graphs and bullets. The full results are appended in detailed cross-tabulations.



Nearly Half Bring Their Own Bags Grocery Shopping At Least Sometimes



Q2: When shopping for groceries, do you: 1) usually bring your own bags to carry them; 2) sometimes bring your own bags; 3) usually ask for plastic bags; 4) usually take what the clerk gives me; 5) usually ask for paper bags; 6) sometimes ask for plastic, sometimes for paper.

- **Education related to bringing own bags**

The only significant demographic predictor of whether or not someone brought their own bags to the grocery store (at least sometimes) was education level:

48% of those with a college degree did so, compared to 44% of those with some college and 26% of those with a high school education.

- **Other patterns, not statistically significant:**

- 50% of those between the ages of 36-64 brought their own bags, compared to 39% of those over 65 and 37% of those under 36;
- 49% of those in couples brought their own bags, compared to 37% of singles



Most Recycle / Re-Use Bags

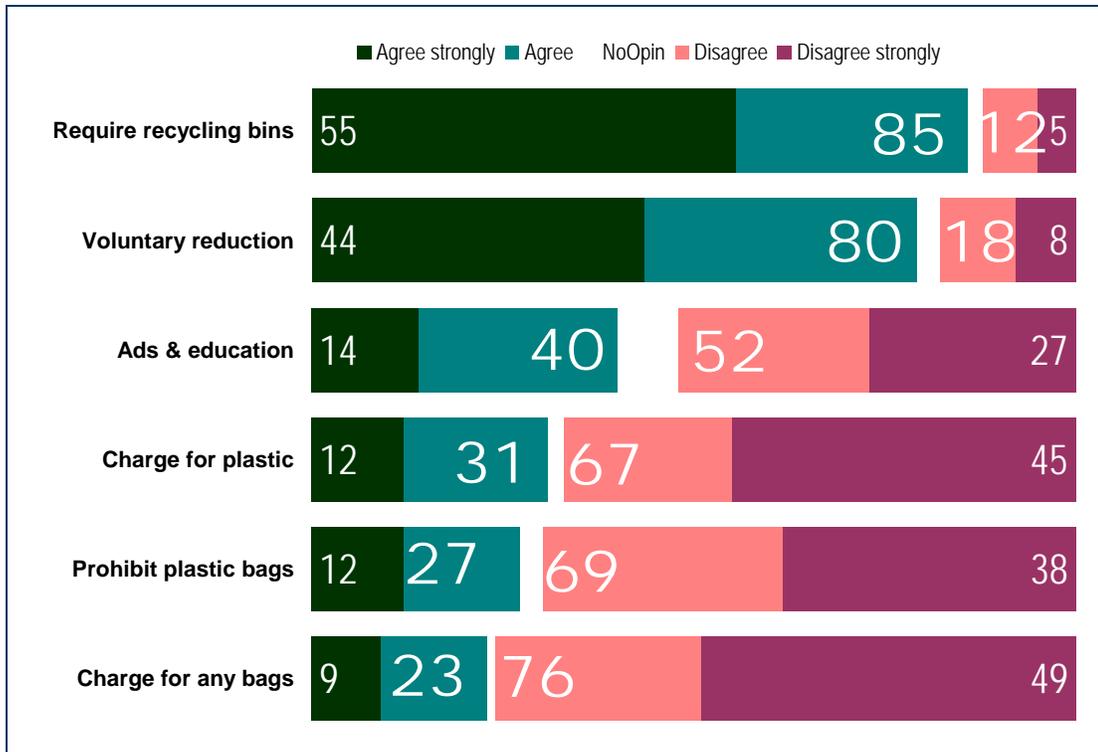


Q3 People do different things with used plastic bags. For each of following types of plastic bags, do you typically throw them in the garbage, recycle them, or re-use them? First, what do you typically do with...

- **Sizeable majorities recycled or re-used each of the type of bags they used**
 - 8 in 10 recycled or re-used more than one of these types of bags
- **Least likely to be recycled or re-used were**
 - Bread bags (39%) and
 - Packaging bags (36%)



7 in 10 Oppose Bans or Fees to Discourage Use of Disposable Bags



Q4 Some cities are taking measures to discourage the use of disposable shopping bags. By shopping bags, I mean the bags you get at the check stand – not the small bags for meat or vegetables. As I read some of these ideas, tell me whether you Agree, Agree Strongly, Disagree or Disagree Strongly that the City of Kirkland should do this. The first one is ...

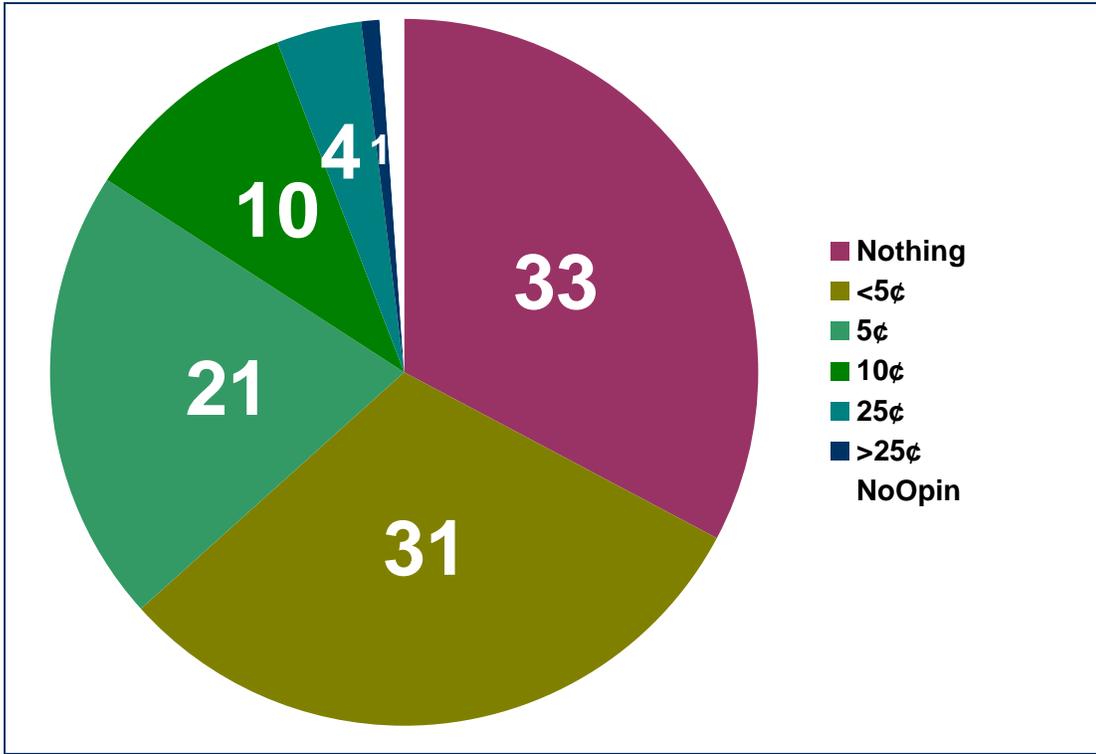
- Require stores that provide plastic shopping bags to recycle those bags by having bins where customers can return them.
- Encourage stores to voluntarily reduce their use of disposable plastic and paper shopping bags and promote reusable shopping bags.
- Use city utility money for advertising and public education to promote the use of reusable shopping bags.
- Charge a fee to shoppers for each plastic shopping bag they accept from a store at the checkout counter.
- Prohibit stores from giving out plastic shopping bags.
- Charge a fee to shoppers for any type of disposable shopping bag - including paper - that they accept from a store.

- **A majority even of those who bring their own bags**

- Favored encouraging voluntarily reduction of disposable bag use (90%)
- Favored mandatory recycling bins (87%)
- Opposed banning plastic bags (60%)
- Favored ads and education (52%)
- Opposed charging for plastic bags (51%)
- Opposed charging for all types of disposable bags (64%)



Two-thirds may be willing to pay for shopping bags

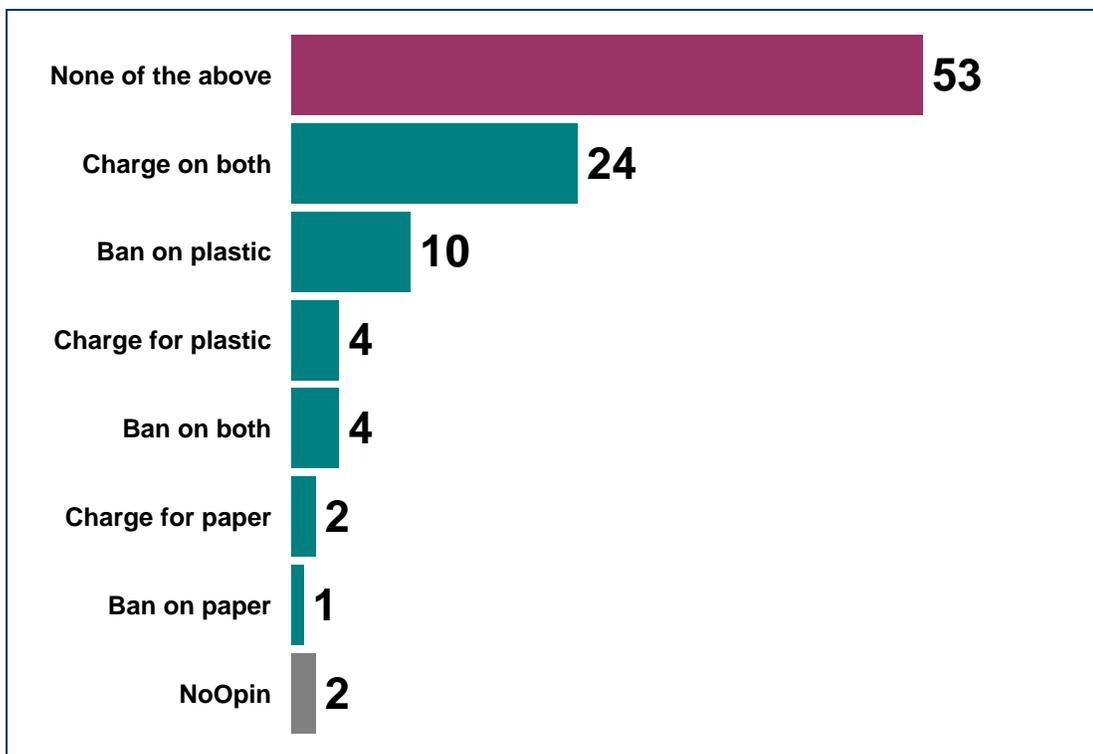


Q5 If there were a fee for paper and plastic shopping and grocery bags, how much would you personally be willing to pay for the convenience of getting plastic or paper bags to carry your purchases from the store?

- **Even most who oppose charging a fee for all bags would be willing to pay something if there were a fee:**
 - 24% would be willing to pay 5¢ or more
 - 36% would be willing to pay something less than 5¢
- **Most willing to pay something were:**
 - Age 36-50 (74%)
 - Those who bring their own bags shopping (73%)
 - Those with incomes over \$75,000 (73%).
- **Least willing to pay anything were:**
 - Seniors (41%)
 - Self employed (40% unwilling to pay)
 - Those who do not bring their own bags (38%)



Most Do Not Support Any Change to Existing Bags Policy



Q6 The amount energy used in the production of paper shopping bags, even those with recycled paper, is significantly greater than that for plastic bags. Given that fact, which of the following actions – if any – would you support in the City of Kirkland:

- **A 53% majority would not support either charging for bags nor banning them outright – regardless of type of bag.**
- **Charging was more acceptable than banning bags:**
 - 30% supported charging for paper, plastic or both types of bag; while
 - 15% supported any ban
- **Change acceptable to small majority (54%) of those under 65**
 - Unacceptable to 61% of seniors



Any Disposable Bag Ban or Fee Should Apply to All Types of Stores

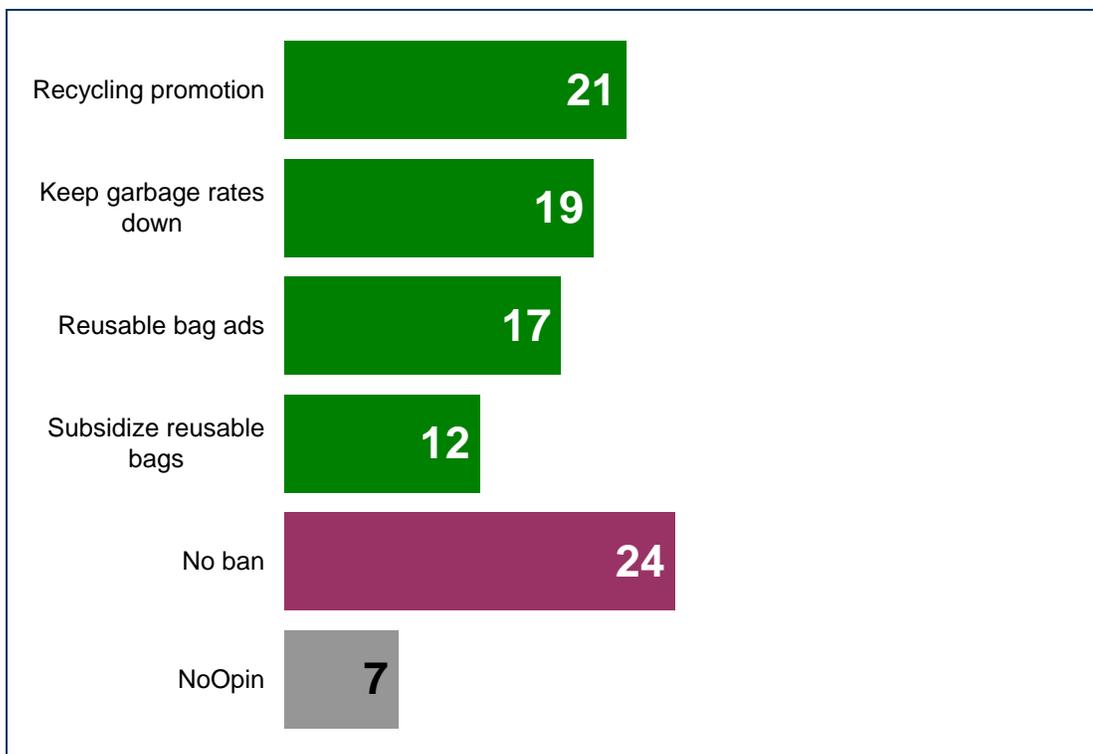


- Q7 If there were a charge per bag on disposable paper and plastic bags, should it apply to:
 Large grocery, drug and other chain stores only? Or
 All stores of any kind that provide disposable shopping bags - including grocery and drug stores, retail and convenience stores plus small "mom and pop" grocery stores?
- Q8 If there were a ban on the use of disposable plastic shopping bags, should it apply to:
 Large grocery, drug and other chain stores only? Or
 All stores of any kind that provide disposable shopping bags - including grocery and drug stores, retail and convenience stores plus small "mom and pop" grocery stores.

- **Just over half of all respondents said that any fee to disposable bags should apply to all types of stores, not just large chain stores**
- **The response was almost identical when the question was prohibiting disposable bags**
- **This pattern of response was consistent across all demographic categories.**



No Consensus on What to do With Bag Fee Proceeds



Q9 If the city charged a fee on each disposable shopping bag used by shoppers, how would you suggest the money be used?

- To pay for city promotion of waste prevention and recycling programs.
- To keep city garbage rates down, even though the effect might be small
- To pay for advertising & public education to promote the use of reusable bags.
- To subsidize stores for the price of reusable bags.

- **Three of four suggested uses for revenue from a bag fee each received equivalent support**

- Taken together, promotion and advertising to promote recycling and use of re-useable bags was supported by 38%
- One in five (19%) preferred to used the proceeds to keep garbage rates down

- **Reducing garbage rates most favored by**

- Those making less than \$50k/year (35%)
- Renters (29%) and apartment dwellers (30%)
- The young (24% of those under 35)



DISCUSSION

Most Kirkland residents interviewed for this survey report recycling plastic and paper bags and about half bring their own, reusable bags to the grocery store. The City of Kirkland also provides for the curbside collection of plastic bags and many retail stores offer on-site plastic bag recycling.

Perhaps because such high proportions of residents believe they, the City and many businesses are already “doing the right thing” with regard to bags, there is little support for banning or charging for disposable bags in the city.

Certainly the *mandatory* aspect of the proposals is unpopular. Support for encouraging voluntary behavior had far more support among these residents than did any of the proposals for mandatory actions. Even those who are already recycling and bringing their own bags do not support the idea of banning or charging for disposable bags.

Interestingly, however, about two-thirds of respondents were willing to pay something if a fee were imposed on disposal bags. This willingness to pay *something* suggests that real fee being contemplated is less than the amount people imagine, and that the fee in reality may not be as onerous as it is in the abstract.

Still, the overwhelming finding is this survey is the widespread opposition to banning or charging for disposable bags. Programs and policies to encourage voluntary reduction the use of disposable bags will likely be met with widespread support. Policies to mandate the same behavior will likely be met with widespread opposition.



QUESTIONNAIRE

with Data



TOPLINE DATA

SAMPLE	407 Kirkland Adults (age 18+)
MARGIN OF SAMPLING ERROR	±5% at the 95% level of confidence
FIELD DATES	May 21-23, 2013
GENDER	MALE... 50% FEMALE... 50%
<ul style="list-style-type: none"> • The data are presented here in the same order the questions were asked in the interview • The figures in bold type are percentages of respondents who gave each answer. • Percentages may not add to 100% due to rounding. 	

1. How often, if at all, do you personally shop for groceries?

- 57 Several times a week
- 30 Once a week
- 7 A couple of times a month
- 2 Once a month
- 1 Less than once a month
- 3 Never
- 0 [DK/NA]

2. When shopping for groceries, do you...

- 16 Usually ask for plastic bags to carry them
- 14 Usually ask for paper bags to carry them
- 8 Sometimes ask for paper, sometimes for plastic
- 15 Usually take - what the clerk gives me
- 29 Usually bring your own bag to carry them
- 17 Sometimes bring your own bag to carry them
- 1 [DK/NA]

3. People do different things with used plastic bags. For each of following types of plastic bags, do you typically throw them in the garbage, recycle them, or re-use them.? First, what do you typically do with...

[1=GARBAGE...2=RECYCLE...3=RE-USE...4="DEPENDS" OR "ALL"...5=DON'T USE...6=DK/NA]

ROTATED	<u>GARB</u>	<u>RECYCLE</u>	<u>RE-USE</u>	<u>DEP</u>	<u>DONT USE</u>	<u>DK</u>
A. Plastic grocery bags.....	9.....	33.....	52.....	2.....	3.....	0
B. Bread bags	39.....	37.....	18.....	1.....	4.....	1
C. Dry cleaning bags.....	22.....	22.....	13.....	3.....	30.....	10
D. Plastic bags that come with packaging such as electronic equipment.	36.....	45.....	10.....	4.....	4.....	1
E. The bags the newspaper comes in	25.....	41.....	13.....	1.....	15.....	5

4. Some cities are taking measures to discourage the use of disposable shopping bags. By shopping bags, I mean the bags you get at the check stand – not the small bags for meat or vegetables. As I read some of these ideas, tell me whether you Agree, Agree Strongly, Disagree or Disagree Strongly that the City of Kirkland should do this. The first one is ...

ROTATED	AGSTR	AGREE	DISAG	D-STRG	DK
A. Encourage stores to voluntarily reduce their use of disposable plastic and paper shopping bags and promote reusable shopping bags.	44	36	10	8	3
B. Use city utility money for advertising and public education to promote the use of reusable shopping bags..	14	26	25	27	8
C. Prohibit stores from giving out plastic shopping bags. .	12	15	31	38	3
D. Require stores that provide plastic shopping bags to recycle those bags by having bins where customers can return them	55	30	7	5	2
E. Charge a fee to shoppers for each plastic shopping bag they accept from a store at the checkout counter	12	19	22	45	2
F. Charge a fee to shoppers for <u>any</u> type of disposable shopping bag - including paper - that they accept from a store.	9	14	27	49	1

5. If there were a fee for paper and plastic shopping and grocery bags, how much would you personally be willing to pay for the convenience of getting plastic or paper bags to carry your purchases from the store?

33	Would not be willing to pay anything [NOT READ]
31	Less than 5 cents per bag
21	5 cents per bag
10	10 cents per bag
4	25 cents per bag
1	More than 25 cents per bag
1	[DK/NA]

6. The amount energy used in the production of paper shopping bags, even those with recycled paper, is significantly greater than that for plastic bags. Given that fact, which of the following actions – if any – would you support in the City of Kirkland:

4	A charge for each plastic bag
10	A ban on plastic bags
2	A charge for each paper bag
1	A ban on paper shopping bags
24	A charge on BOTH paper and plastic bags
4	A ban on both paper and plastic bags
53	Would not support any of these proposals
2	[DK/NA]

- 7.** If there were a charge per bag on disposable paper and plastic bags, should it apply to:
- 22 Large grocery, drug and other chain stores only?
 - 51 All stores of any kind that provide disposable shopping bags - including grocery and drug stores, retail and convenience stores plus small “mom and pop” grocery stores
 - 25 Should not be a charge [NOT READ]
 - 2 [DK/NA]
- 8.** If there were a ban on the use of disposable plastic shopping bags, should it apply to:
- 18 Large grocery, drug and other chain stores only?
 - 53 All stores of any kind that provide disposable shopping bags - including grocery and drug stores, retail and convenience stores plus small “mom and pop” grocery stores
 - 27 Should not be a charge [NOT READ]
 - 2 [DK/NA]
- 9.** If the city charged a fee on each disposable shopping bag used by shoppers, how would you suggest the money be used?
- 19 To keep city garbage rates down, even though the effect might be small
 - 17 To pay for advertising & public education to promote the use of reusable bags.
 - 21 To pay for city promotion of waste prevention and recycling programs.
 - 12 To subsidize stores for the price of reusable bags.
 - 24 Should not be a charge [NOT READ]
 - 7 [DK/NA]
- 10.** I have just a few last questions for our statistical analysis. How old are you?
- 9 18-35
 - 20 36-50
 - 41 51-34
 - 28 65+
 - 2 no ans
- 11.** Which of these best describes your household at this time:
- 28 Couple with Children at Home
 - 45 Couple with No Children at Home
 - 4 Single with Children at Home
 - 21 Single with No Children at Home
 - 2 [DK/NA]
- 12.** Do you own or rent the place in which you live?
- 83 OWN
 - 13 RENT
 - 4 [DK/NA]

13. Which of these best describes your home?

- 81 Single Family House
- 6 Apartment
- 11 Condominium
- 1 [OTHER]
- 2 [DK/NA]

14. What is the last year of schooling you completed?

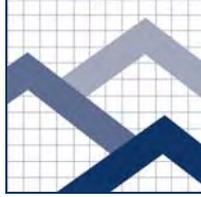
- 12 HIGH SCHOOL
- 24 SOME COLLEGE OR VOCATIONAL SCHOOL
- 42 COLLEGE DEGREE
- 20 POST GRADUATE SCHOOL
- 1 DK/REF

15. Which of these the following best describes you at this time? Are you. . .

- 14 Self-Employed or Business Owner
- 30 Employed in Private Business
- 10 Employed in the **Public Sector**, Like a Govt Agency or Educ Institution
- 7 Not employed outside the home
- 1 Student
- 34 Retired
- 3 DK/NA

16. Finally, I am going to list four broad categories. Just stop me when I get to the category that best describes your approximate household income - before taxes - for this year.

- 13 \$50,000 or less
- 18 \$50 to 75,000
- 12 \$75 to 100,000
- 15 \$100 to 150,000
- 14 Over \$150,000
- 28 [DO NOT READ: NO ANSWER]



KIRKLAND PUBLIC WORKS DEPARTMENT

Retail Business Survey
DISPOSAL SHOPPING BAGS

June 2013



ELWAY RESEARCH, INC.



KIRKLAND PUBLIC WORKS DEPARTMENT

Retail Business Survey
DISPOSAL SHOPPING BAGS
June 2013

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KIRKLAND PUBLIC WORKS DEPARTMENT

Retail Business Survey
DISPOSAL SHOPPING BAGS
June 2013

INTRODUCTION

This report presents the responses from a survey of retail business operators in the City of Kirkland to assess their attitudes about a potential ban or fees on disposable shopping bags. This was a companion to a survey of Kirkland residents conducted in May.

Some 259 retail businesses were mailed a letter from the Kirkland Public Works Department inviting the owner/manager to take the survey on line. They received a post card one week after the initial mailing reminding them to take the survey if they had not done so. Some 48 retailers completed the questionnaire.

The business operators were asked about:

- Current practices with regard to shopping bags, both on the part of the businesses and their customers;
- Opinions of shopping bag restrictions implemented in other cities in the region;
- Reaction to the possibility of fees or a ban on reusable shopping bags in Kirkland;
- Anticipated impact on their business if fees or a ban were implemented.

The survey was administered by Elway Research, Inc. The questionnaire was designed in collaboration with representatives of the Public Works Department of the City of Kirkland.

The report includes Key Findings, followed by annotated graphs summarizing the findings for each question. The full questionnaire and a complete set of cross-tabulation tables are presented in the appendix.

METHODS

SAMPLE:	48 Retail business operators in the City of Kirkland
TECHNIQUE:	Online survey
FIELD DATES:	May 23 – June 10, 2013
DATA COLLECTION:	<p>Letters were mailed to 259 retail businesses in Kirkland inviting the owner/manager to take the on-line survey. 20 of the invitation letters were returned as undeliverable, resulting in a total of 239 eligible businesses.</p> <p>The 20% response rate is higher than normal for this type of survey. More typical for an “external” population (vs. internal, such as employees or members) would be around 10%.</p>
MARGIN OF ERROR	<p>For this survey, the calculated margin of error $\pm 13\%$ at the 95% level of confidence. That is, there is a 95% chance that the results here would be within $\pm 13\%$ of the results that would have been obtained by interviewing all 239 businesses.</p> <p>Margin of sampling error with small populations should be interpreted with caution. Even though the respondents comprise 20% of the retail businesses in Kirkland, it is important to keep in mind that there were only 48 respondents. These results therefore should be prudently interpreted as representing only the answers given by these respondents at the time they answered.</p>

KEY FINDINGS

- ◆ **8 in 10 retailers surveys provide carry-out shopping bags to customers. Of those**
 - 4 in 10 provide custom bags
 - 2 in 3 provide paper bags
 - 8 in 10 provide plastic bags

- ◆ **6 in 10 report that customers sometimes bring their own bags**
 - But only 6% of retailers report that as many as 25% of their customers bring their own bags

- ◆ **Only 1 in 10 retailers have recycling bins on site**

- ◆ **1 in 4 would consider offering incentives to customers to bring reusable bags**
 - One 1 respondent currently offers such incentives

- ◆ **8 in 10 opposed to fees or bans on plastic or paper bags**

- ◆ **7 in 10 anticipated a negative impact on their business if ban or fees were implemented**
 - About half said a ban of either bag type would result in a “Significant” negative impact on their business
 - 4 in 10 said a charge for either bag type would result in a “Significant” negative impact



FINDINGS

The survey results are presented on the following pages in the form of annotated graphs.

The findings are presented as percentages throughout this report, even though there were only 48 respondents. This is done for ease of comparison.

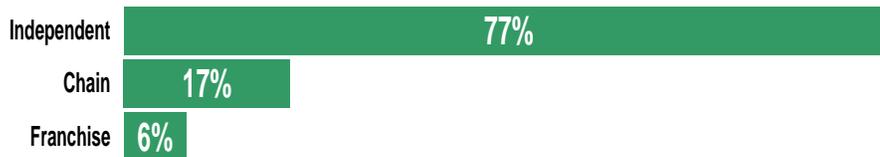


PARTICIPANT PROFILE

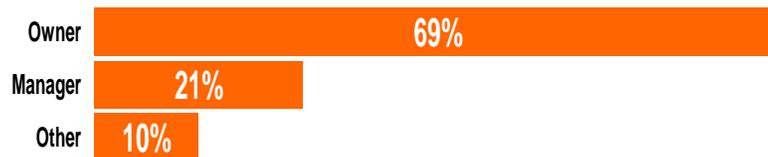
In interpreting these findings, it is important to keep in mind the characteristics of the people actually interviewed. This table presents a profile of the 48 respondents in the survey.

Note: The findings are presented as percentages throughout this report, even though there were only 48 respondents. This is done for ease of comparison. The percentages may not always add to 100%, due to rounding.

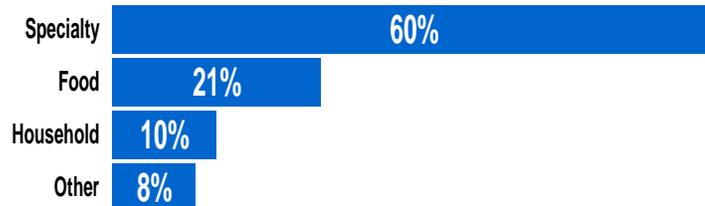
BUSINESS OWNERSHIP



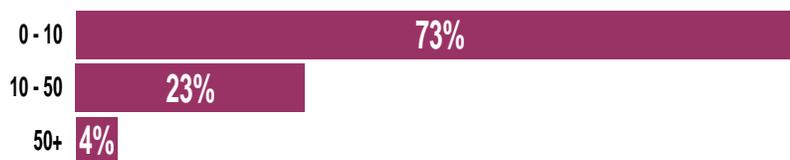
SURVEY RESPONDENT



TYPE OF RETAIL*



OF EMPLOYEES



ANNUAL SALES



*FOOD: (Grocery / Specialty food / Convenience store / Wine, spirits, tobacco/ etc.)

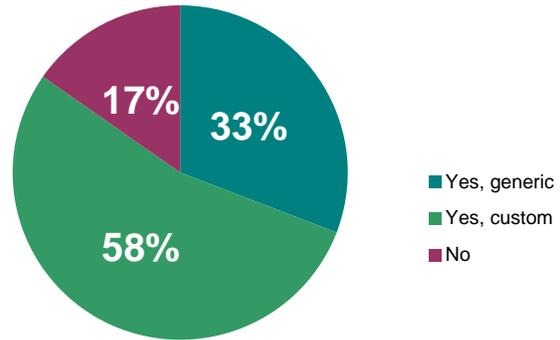
HOUSEHOLD: (Home furnishings / Cookware/ Office supplies / Automotive /Appliances / Electronics / Hardware / Garden / Tools / Paint)

SPECIALTY: (Apparel / Art supplies/ / Books / Gifts / Grooming & Beauty supplies/ Guns / Jewelry / Pet supplies / Pharmacy / Sports Equipment/ etc.)

CURRENT PRACTICES

9 in 10 provide carry-out shopping bags to customers

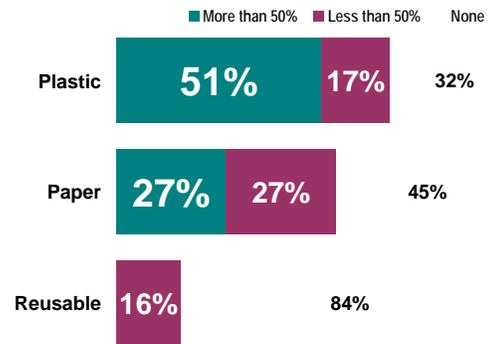
- Of those who provide bags, 4 in 10 provide custom bags
- 4 in 10 specialty stores provide custom bags
- 2 in 3 chain or franchise stores provide custom bags



Do you provide carry-out shopping bags to your customers?

Of those who provide bags, most provide plastic

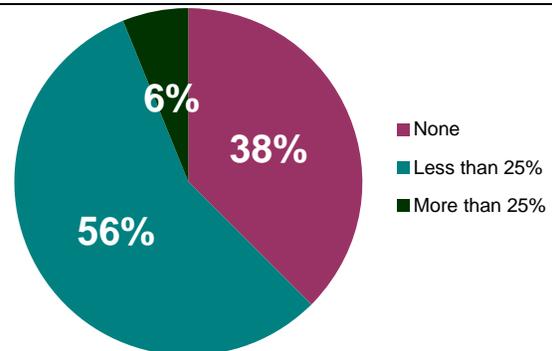
- 2/3 provide plastic bags, including half who provide plastic bags more than half of the time
- half provide paper bags, including 1/4 who provide paper bags more than half of the time



Approximately what percentage of the bags you provide to customers are:

Only 6% of retailers report at least 25% of customers bring their own bags

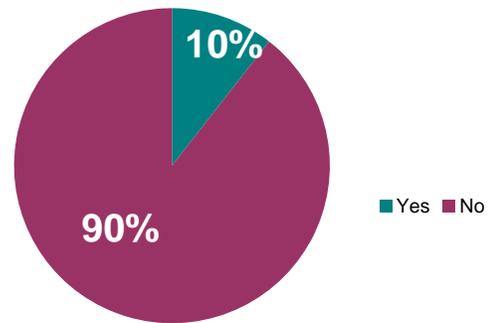
- 4 in 10 have some customers who bring bags, but only 6% of retailers say that is 25% of their customers



What percentage of your customers would you estimate bring their own, reusable bags when they shop at your store?



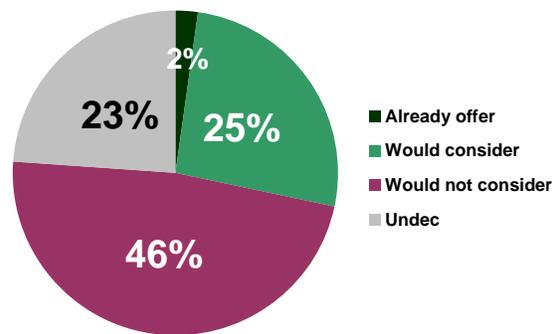
1 in 10 have recycling bins on site



Does your business have bins or stations where customers can recycle plastic bags

1 in 4 would consider offering incentives to customers to bring reusable bags

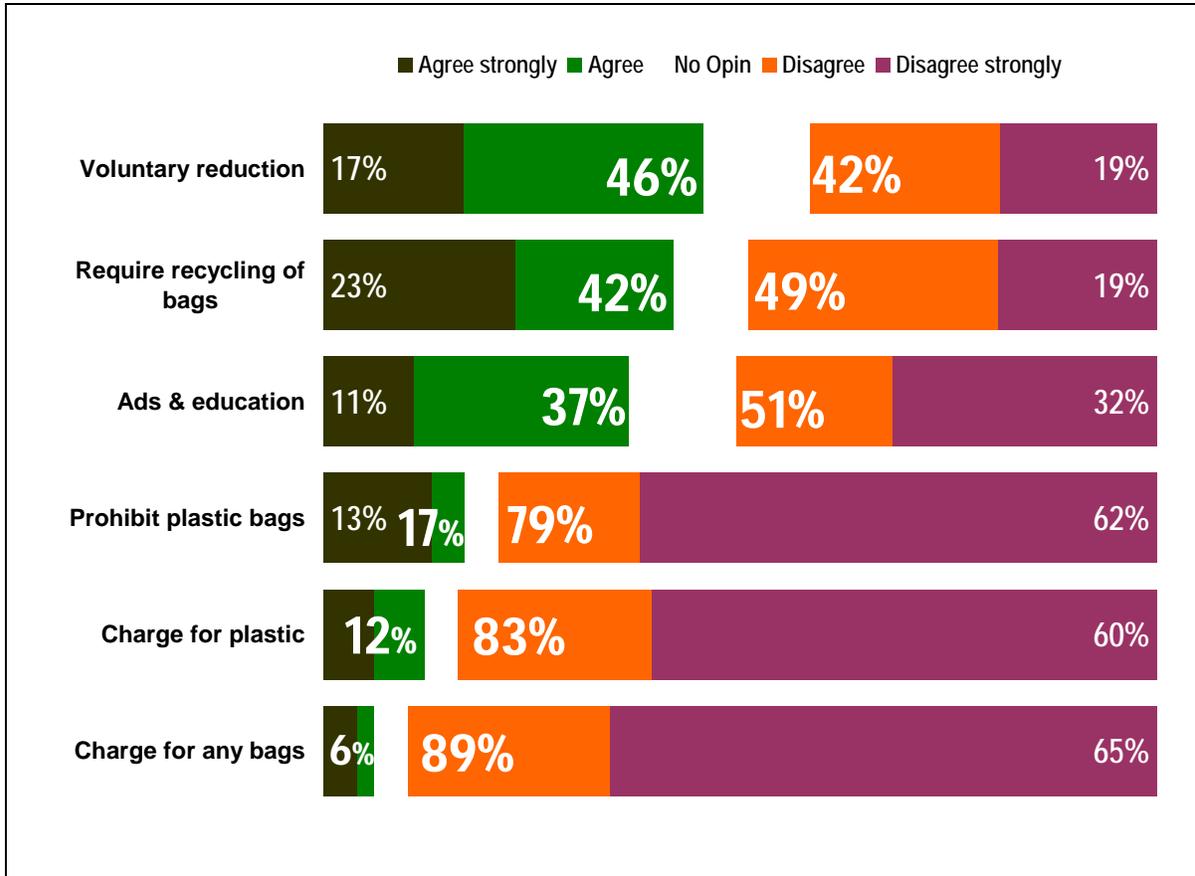
- Independent more likely than chains to offer incentives already and less likely to consider doing so, if they don't already



Would your business consider offering incentives to your customers to bring their own reusable shopping bags?

REACTION TO FEE / BAN PROPOSALS

Most disapprove of fees or bans for disposal bags



The following are some policies being explored or implemented in other cities. For each one, indicate whether you Agree, Agree Strongly, Disagree or Disagree Strongly that the City of Kirkland should do this.
The city of Kirkland should...

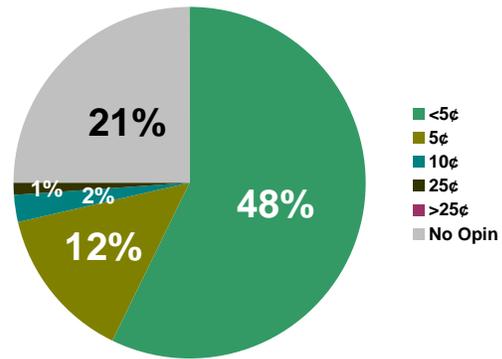
- Work with stores to help you reduce the use of disposable plastic and paper shopping bags and promote reusable shopping bags.
- Require stores that provide plastic shopping bags to recycle those bags by having bins where customers can return them
- Use city utility money for advertising and public education to promote the use of reusable shopping bags
- Prohibit stores from giving out plastic shopping bags.
- Require stores to charge a fee to shoppers for each plastic shopping bag they accept from a store at the checkout counter
- Require stores to charge a fee to shoppers for any type of disposable shopping bag - including paper - that they accept from a store.

Food stores were generally more likely to oppose fees than other retailers:

- No food store agreed with requiring recycling; charging for plastic bags or charging for any bags;
- 5 in 10 food stores agreed with voluntary reduction (same proportion as other types of store);
4 in 10 agreed with prohibiting plastic bags (same proportion as other types of store).

If there were a fee, half think it should be less than 5¢

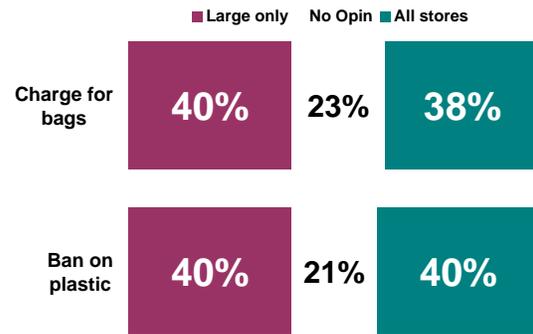
- Another 1/4 thought it should be 5¢



If there *were* a fee for paper and plastic shopping and grocery bags, how much do you think your customers should pay for the convenience of getting plastic or paper bags to carry out their purchases from your store?

Even split over whether bag restrictions should apply to large stores only, or all retailers.

- Among larger stores (10+employees):
 - 23% said large stores only should be subject to fees;
 - 15% said large stores only should be subject to ban
- Among small stores (<10 employees):
 - 46% said large stores only should be subject to fees;
 - 49% aid large stores only should be subject to ban

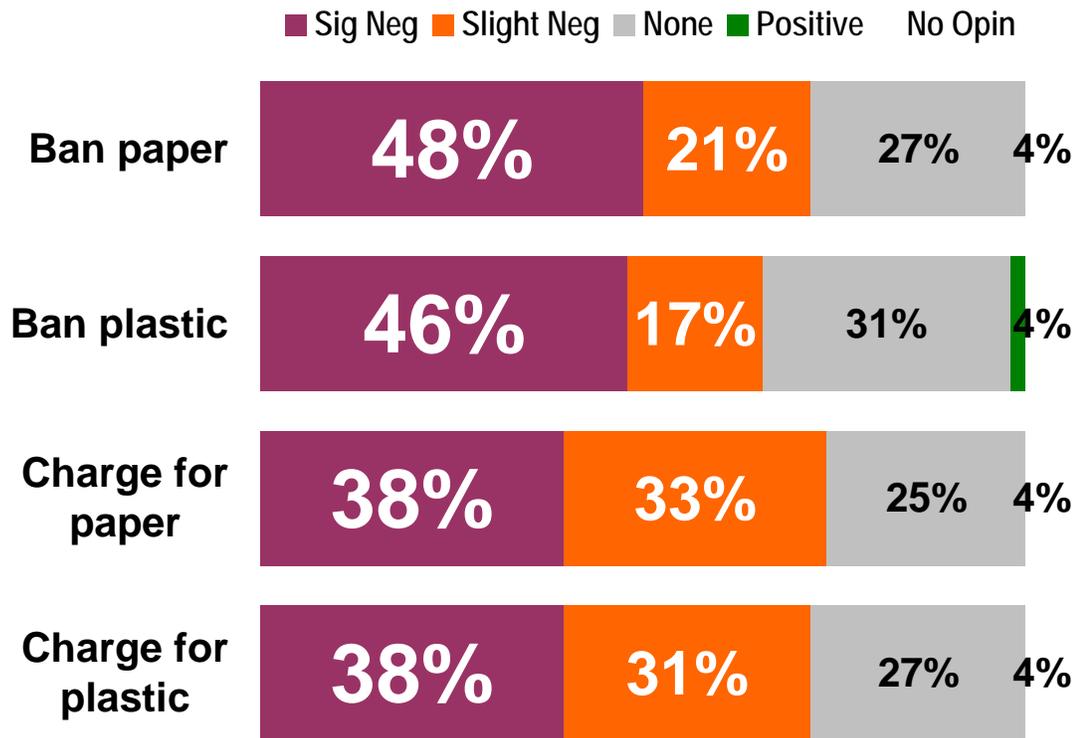


If there *were* a fee for paper and plastic shopping and grocery bags, how much do you think your customers should pay for the convenience of getting plastic or paper bags to carry out their purchases from your store?

If there *were* a fee for paper and plastic shopping and grocery bags, how much do you think your customers should pay for the convenience of getting plastic or paper bags to carry out their purchases from your store?

ANTICIPATED IMPACT OF FEE/BAN

Most believe bag fees and/or ban would have negative impact on their business

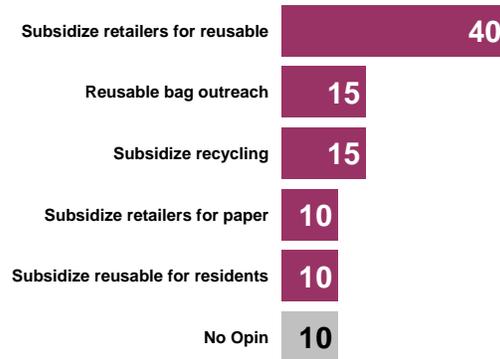


If Kirkland were to implement a fee or a ban on paper and plastic bags, what do you think would be the impact on your business?
 [SIGNIFICANT NEGATIVE....SLIGHT NEGATIVE...NONE...DON'T KNOW]
 Ban on paper bags
 Ban on plastic bags
 Fee for paper bags
 Fee for plastic bags

- Larger stores were more likely to anticipate negative impact than smaller stores. Stores with 10+ employees said they would suffer “significant Negative impact” from:
 - Ban on plastic bags (62% vs. 40% of smaller stores)
 - Fee on plastic bags (62% vs. 29% of smaller stores)
 - Fee on paper bags (54% vs. 31% of smaller stores).

PREFERRED USE OF FEE REVENUE

If there were to be a fee, large plurality prefer the revenue be used to subsidize retailers



If there were a fee charged for each disposable bag provided to shoppers, how should the revenue from the fee be used?

CHECK ANY THAT APPLY

- Subsidize retailers for the price of paper bags
- Reimburse retailers for the cost of purchase and distribution of reusable bags (cloth, woven plastic, etc)
- Used by the City to pay for education and outreach programs to promote the use of reusable bags
- Used by the City to subsidize the cost of waste prevention and recycling programs
- Used by the City to purchase and distribute reusable bags to Kirkland residents



DISCUSSION

It is apparent in these findings that Kirkland retailers do not see restricting the use of disposal bags as a viable solution to a problem. On the contrary, they believe such a policy would cause significant financial problems for them.

Although only about 20% of the retailers in Kirkland, the prudent assumption is that these respondents represent the current thinking of the larger retail community.

A large majority of retailers who participated in this survey are opposed to any fees or bans of disposable shopping bags. Nearly all provide bags to customers, and for about half of them, that is a custom bag that represents advertising for them as well as a convenience to their customers, adding to the disincentive to relinquish it.

Most saw fees or a ban hitting their bottom line: 7 in 10 anticipated a negative impact on their business from the imposition of fees or a ban with nearly half thinking that negative impact would be “significant.”

Other programs to reduce the use of disposable bags may meet with a more favorable reception. For example, only 1 in 10 of these retailers have recycling bins on site; only 1 in 16 report that as many as a quarter of their customers bring their own bags to their store; and 1 in 4 of these retailers would consider incentives to customers to bring reusable bags. These represent opportunities for engagement and cooperation with the retail community.

It seems likely that such incremental steps, coupled with education and incentive efforts, would be productive at reducing the use of disposable bags in Kirkland, by bringing both retailers and consumers on board.

APPENDIX



CITY OF KIRKLAND LETTERHEAD

May 20, 2013

RE: PLASTIC BAG SURVEY

Dear Kirkland Retailer:

As you may know, several cities around the region and around the country have instituted a ban on disposable shopping bags. We want to know what the business community in Kirkland thinks about this idea. We are therefore conducting a scientific survey of retail businesses in the city of Kirkland. **Your business has been selected to participate.**

The survey is on-line. To register your opinions, please log on to the website at the bottom of the page. Then simply follow the instructions on the questionnaire. The survey will only take about 10 minutes to complete.

Your answers will be completely anonymous and confidential. The survey is being conducted by Elway Research, Inc. a highly-respected independent research firm. They will compile the results and publish a summary of the findings. Identifying information will be removed from the file and no one in city government will see your individual responses.

In order for this study to be representative of Kirkland retail businesses, it is vital that your opinions be included. Time is of the essence. Please take a few minutes to complete the survey at your earliest convenience.

Thank you for taking the time to complete this survey. If you have any questions, please contact me by email at jmacgillivray@kirklandwa.gov or by phone at (425) 587-3804.

TO TAKE THE SURVEY, TYPE THIS WEB ADDRESS INTO YOUR INTERNET BROWSER:

<http://sgiz.mobi/s3/kirkland>

Sincerely yours
PUBLIC WORKS

John MacGillivray
Solid Waste Programs Lead

Dear Kirkland Retailer:

Last week we sent you an invitation to take part in a survey of retail businesses about disposable bags.

If you have already completed the survey, Thank You!

If you have not already done so, please log on to the website below and take the survey today. Your business was specifically selected to make this survey representative of Kirkland retailers, so your response is critical. It will take about 5 minutes.

Your opinions and ideas will help Kirkland City Government decide this issue. Your responses will be anonymous and confidential.

Thank you for your cooperation in this important study.



Elway Research, Inc.

Questions: John MacGillivray, Kirkland Public Works, (425)587-3804 or jmacgillivray@kirklandwa.gov



TAKE THE SURVEY ON LINE TODAY

Log on at: <http://sgiz.mobi/s3/Kirkland>

REVERSE SIDE:

KIRKLAND PUBLIC WORKS

123 – 5TH AVE

KIRKLAND WA 98033

QUESTIONNAIRE

with Data



TOPLINE DATA

SAMPLE	48 Kirkland Businesses
MARGIN OF SAMPLING ERROR	±13% at the 95% level of confidence
FIELD DATES	May 23-June 10, 2013
<ul style="list-style-type: none"> • The data are presented here in the same order the questions were asked in the interview • The figures in bold type are percentages of respondents who gave each answer. • Percentages may not add to 100% due to rounding. 	

- 1.** Is this business:
 - 6** A franchise
 - 17** Part of a chain (2 or more locations)
 - 77** Independent, single business

- 2.** What is your position with this business?
 - 69** Owner
 - 21** Manager
 - 10** Other

- 3.** Which of these best describes this business:
 - 21** Food: (e.g. Grocery / Specialty food / Convenience store / Wine, spirits, tobacco/ etc)
 - 10** Household items (e.g. / Home furnishings / Cookware/ Office supplies / Automotive / Appliances / Electronics / Hardware / Garden / Tools / Paint)
 - 60** Specialty retail (e.g. Apparel / Art supplies/ / Books / Gifts / Grooming & Beauty supplies Guns / Jewelry / Pet supplies / Pharmacy / Sporting Equipment// etc)
 - 8** Other

- 4.** How many people are employed at this location?
 - 73** Less than 10
 - 23** 11-50
 - 4** More than 50

- 5.** What are the approximate annual sales at this location?
 - 43** Under \$500,000
 - 26** \$500,000 to \$1,000,000
 - 21** \$1,000,000 to \$5,000,000
 - 11** More than \$5,000,000

- 6.** Do you provide carry-out shopping bags to your customers?
 - 33** YES – custom bags unique to our store
 - 50** YES – generic bags
 - 17** NO

7. Approximately what percentage of the bags you provide to customers are:

AVERAGE:

- 28 Paper
- 54 Plastic
- 1 Reusable (cloth, woven recycled plastic, etc.)

8. What percentage of your customers would you estimate bring their own, reusable bags when they shop at your store?

AVERAGE: 6%

9. Does your business have bins or stations where customers can recycle plastic bags?

- 10 Yes
- 90 No

10. Would your business consider offering incentives to your customers to bring their own reusable shopping bags?

- 2 Already offer incentives
- 26 Would consider
- 48 Would not consider
- 24 Don't Know

11. The following are some policies being explored or implemented in other cities. For each one, indicate whether you Agree, Agree Strongly, Disagree or Disagree Strongly that the City of Kirkland should do this.

The city of Kirkland should...

ROTATE	AGSTR	AGREE	DISAG	D-STRG	NO OPIN
A. Work with stores to help you reduce the use of disposable plastic and paper shopping bags and promote reusable shopping bags.....	17	29	23	19	13
B. Use city utility money for advertising and public education to promote the use of reusable shopping bags	11	26	19	32	13
C. Require stores that provide plastic shopping bags to recycle those bags by having bins where customers can return them	23	19	30	19	9
D. Prohibit stores from giving out plastic shopping bags.....	13	4	17	62	4
E. Require stores to charge a fee to shoppers for each <u>plastic</u> shopping bag they accept from a store at the checkout counter.....	6	6	23	60	4
F. Require stores to charge a fee to shoppers for <u>any</u> type of disposable shopping bag - including paper - that they accept from a store.	4	2	24	65	4

- 12.** If there *were* a fee for paper and plastic shopping and grocery bags, how much do you think your customers should pay for the convenience of getting plastic or paper bags to carry out their purchases from your store?

FEE PER BAG

- 48** Less than 5¢
- 25** 5¢
- 4** 10¢
- 2** 25¢
- 0** More than 25¢
- 21** No Opinion

- 13.** If there *were* a charge per bag on disposable paper and plastic bags, should it apply to:

- 40** Large grocery, drug and other chain stores only
- 38** All stores of any kind that provide disposable shopping bags
- 23** No Opinion

- 14.** If there *were* a ban on disposable paper and plastic bags, should it apply to:

- 40** Large grocery, drug and other chain stores only
- 40** All stores of any kind that provide disposable shopping bags
- 21** No Opinion

- 15.** If Kirkland were to implement a fee or a ban on paper and plastic bags, what do you think would be the impact on your business?

[SIGNIFICANT NEGATIVE....SLIGHT NEGATIVE...NONE...DON'T KNOW]

	SIG	SLIGHT	POS	NONE	DK
A. Ban on plastic bags	46.....	17	2	31	4
B. Fee for plastic bags	38.....	31	0	27	4
C. Ban on paper bags	48.....	21	0	27	4
D. Fee for paper bags	38.....	33	0	25	4

- 16.** If there were a fee charged for each disposable bag provided to shoppers, how should the revenue from the fee be used?

CHECK ANY THAT APPLY

- 48** Subsidize retailers for the price of paper bags
- 41** Reimburse retailers for the cost of purchase and distribution of reusable bags (cloth, woven plastic, etc)
- 18** Used by the City to pay for education and outreach programs to promote the use of reusable bags
- 20** Used by the City to subsidize the cost of waste prevention and recycling programs
- 27** Used by the City to purchase and distribute reusable bags to Kirkland residents

DATA TABLES

READING THE CROSSTABULATION TABLES

The crosstabulations found in this report are presented in a "banner table" format. Categories of respondents (e.g. "Size of City", "Official Type" or "Years of Service") are listed across the top of each page (the "banner"). The questions asked in the survey are listed down the left margin. The figures in the cells are percentages based on the number of respondents in the category at the head of each.

Note that the number of respondents in several of the cells is quite small. Generally speaking, inferences should not be drawn where the number of cases is below 5 in each cell.



KIRKLAND RETAIL SURVEY

	TOTAL (n=)	LOCATIONS		ROLE			BIZ TYPE		
		Multipl	Single	Owner	Manager	Other	Food	Spclty	Other
TOTAL (n=)	48 100	11 100	37 100	33 100	10 100	5 100	10 100	29 100	9 100
[1] BIZ SIZE									
Franchise	3 6%	3 27%	0 0%	2 6%	1 10%	0 0%	1 10%	2 7%	0 0%
Chain	8 17%	8 73%	0 0%	0 0%	7 70%	1 20%	1 10%	6 21%	1 11%
Independent	37 77%	0 0%	37 100	31 94%	2 20%	4 80%	8 80%	21 72%	8 89%
[1A] LOCATIONS IN KIRKLAND									
One	43 91%	9 82%	34 94%	30 94%	9 90%	4 80%	9 90%	26 93%	8 89%
Two	1 2%	0 0%	1 3%	1 3%	0 0%	0 0%	0 0%	0 0%	1 11%
Three or more	3 6%	2 18%	1 3%	1 3%	1 10%	1 20%	1 10%	2 7%	0 0%
[2] POSITION									
Owner	33 69%	2 18%	31 84%	33 100	0 0%	0 0%	9 90%	20 69%	4 44%
Manager	10 21%	8 73%	2 5%	0 0%	10 100	0 0%	1 10%	7 24%	2 22%
Other	5 10%	1 9%	4 11%	0 0%	0 0%	5 100	0 0%	2 7%	3 33%
[3] BIZ TYPE									
Food	10 21%	2 18%	8 22%	9 27%	1 10%	0 0%	10 100	0 0%	0 0%
Household	5 10%	1 9%	4 11%	3 9%	2 20%	0 0%	0 0%	0 0%	5 56%
Specialty	29 60%	8 73%	21 57%	20 61%	7 70%	2 40%	0 0%	29 100	0 0%
Other	4 8%	0 0%	4 11%	1 3%	0 0%	3 60%	0 0%	0 0%	4 44%
[4NET] NUM EMPLOYEES									
<10	35 73%	5 45%	30 81%	28 85%	5 50%	2 40%	7 70%	24 83%	4 44%
10-50	11 23%	6 55%	5 14%	5 15%	4 40%	2 40%	3 30%	5 17%	3 33%
50-500	2 4%	0 0%	2 5%	0 0%	1 10%	1 20%	0 0%	0 0%	2 22%
[5] ANNUAL SALES									
<500k	20 43%	1 9%	19 53%	17 52%	1 10%	2 50%	3 30%	14 50%	3 33%
500k-1m	12 26%	3 27%	9 25%	8 24%	3 30%	1 25%	4 40%	5 18%	3 33%
1-5m	10 21%	4 36%	6 17%	6 18%	3 30%	1 25%	1 10%	8 29%	1 11%
5m+	5 11%	3 27%	2 6%	2 6%	3 30%	0 0%	2 20%	1 4%	2 22%
[6] PROVIDE BAGS									
Custom	16 33%	7 64%	9 24%	9 27%	6 60%	1 20%	2 20%	11 38%	3 33%
Generic	24 50%	4 36%	20 54%	21 64%	2 20%	1 20%	8 80%	14 48%	2 22%
No	8 17%	0 0%	8 22%	3 9%	2 20%	3 60%	0 0%	4 14%	4 44%

ELWAY RESEARCH, INC. May 2013

KIRKLAND RETAIL SURVEY

	TOTAL (n=)	NUM EMPLOYEES		SALES			OFFERS BAGS NOW	
		< 10	10+	<500k	500k-1m	1m+	Yes	No
TOTAL	48 100	35 100	13 100	20 100	12 100	15 100	40 100	8 100
[1] BIZ SIZE								
Franchise	3 6%	2 6%	1 8%	1 5%	1 8%	1 7%	3 8%	0 0%
Chain	8 17%	3 9%	5 38%	0 0%	2 17%	6 40%	8 20%	0 0%
Independent	37 77%	30 86%	7 54%	19 95%	9 75%	8 53%	29 73%	8 100
[1A] LOCATIONS IN KIRKLAND								
One	43 91%	33 97%	10 77%	19 100	11 92%	12 80%	35 90%	8 100
Two	1 2%	1 3%	0 0%	0 0%	1 8%	0 0%	1 3%	0 0%
Three or more	3 6%	0 0%	3 23%	0 0%	0 0%	3 20%	3 8%	0 0%
[2] POSITION								
Owner	33 69%	28 80%	5 38%	17 85%	8 67%	8 53%	30 75%	3 38%
Manager	10 21%	5 14%	5 38%	1 5%	3 25%	6 40%	8 20%	2 25%
Other	5 10%	2 6%	3 23%	2 10%	1 8%	1 7%	2 5%	3 38%
[3] BIZ TYPE								
Food	10 21%	7 20%	3 23%	3 15%	4 33%	3 20%	10 25%	0 0%
Household	5 10%	2 6%	3 23%	1 5%	1 8%	3 20%	4 10%	1 13%
Specialty	29 60%	24 69%	5 38%	14 70%	5 42%	9 60%	25 63%	4 50%
Other	4 8%	2 6%	2 15%	2 10%	2 17%	0 0%	1 3%	3 38%
[4NET] NUM EMPLOYEES								
<10	35 73%	35 100	0 0%	19 95%	11 92%	4 27%	30 75%	5 63%
10-50	11 23%	0 0%	11 85%	1 5%	0 0%	10 67%	10 25%	1 13%
50-500	2 4%	0 0%	2 15%	0 0%	1 8%	1 7%	0 0%	2 25%
[5] ANNUAL SALES								
<500k	20 43%	19 56%	1 8%	20 100	0 0%	0 0%	18 45%	2 29%
500k-1m	12 26%	11 32%	1 8%	0 0%	12 100	0 0%	8 20%	4 57%
1-5m	10 21%	4 12%	6 46%	0 0%	0 0%	10 67%	10 25%	0 0%
5m+	5 11%	0 0%	5 38%	0 0%	0 0%	5 33%	4 10%	1 14%
[6] PROVIDE BAGS								
Custom	16 33%	9 26%	7 54%	4 20%	4 33%	8 53%	16 40%	0 0%
Generic	24 50%	21 60%	3 23%	14 70%	4 33%	6 40%	24 60%	0 0%
No	8 17%	5 14%	3 23%	2 10%	4 33%	1 7%	0 0%	8 100

ELWAY RESEARCH, INC. May 2013

KIRKLAND RETAIL SURVEY

	TOTAL (n=)	LOCATIONS		ROLE			BIZ TYPE		
		Multipl	Single	Owner	Manager	Other	Food	Spclty	Other
TOTAL	48	11	37	33	10	5	10	29	9
[7ANET] PERCENT PAPER									
None	5	1	4	3	1	1	1	2	2
<25%	12	4	8	7	3	2	4	5	3
26-50%	1	1	0	1	0	0	0	1	0
51-75%	3	0	3	3	0	0	2	1	0
76-100%	10	1	9	10	0	0	2	7	1
DKNA	17	4	13	9	6	2	1	13	3
[7BNET] PERCENT PLASTIC									
None	3	0	3	2	0	1	0	1	2
<25%	6	1	5	5	1	0	1	5	0
26-50%	2	1	1	2	0	0	1	1	0
51-75%	1	0	1	0	0	1	0	0	1
76-100%	23	7	16	16	6	1	6	14	3
DKNA	12	1	11	8	2	2	2	7	3
[7CNET] PERCENT REUSABLE									
None	6	2	4	3	2	1	1	2	3
<25%	8	3	5	4	2	2	1	5	2
DKNA	34	6	28	26	6	2	8	22	4
[8NET] PERCENT BRING									
None	14	3	11	10	2	2	4	6	4
<25%	27	8	19	19	6	2	6	19	2
26-50%	3	0	3	3	0	0	0	2	1
DKNA	4	0	4	1	2	1	0	2	2
[9] HAS RECYCLING									
Yes	5	0	5	3	0	2	1	2	2
No	43	11	32	30	10	3	9	27	7
[10] CONSIDER INCENTIVES									
At ready	1	0	1	1	0	0	0	1	0
Consider	12	2	10	11	1	0	2	9	1
Would not consider	22	4	18	15	3	4	7	11	4
DK	11	5	6	5	5	1	1	6	4

KIRKLAND RETAIL SURVEY

	TOTAL		NUM EMPLOYEES		SALES			OFFERS BAGS NOW		
	(n=)		< 10	10+	<500k	500k-1m	1m+	Yes	No	
TOTAL	48	100	35	100	20	100	15	100	40	100
[7ANET] PERCENT PAPER										
None	5	10%	4	11%	2	10%	0	0%	3	8%
<25%	12	25%	6	17%	4	20%	6	40%	12	30%
26-50%	1	2%	1	3%	1	5%	0	0%	1	3%
51-75%	3	6%	2	6%	2	10%	1	7%	3	8%
76-100%	10	21%	9	26%	5	25%	3	20%	10	25%
DKNA	17	35%	13	37%	6	30%	5	33%	11	28%
[7BNET] PERCENT PLASTIC										
None	3	6%	2	6%	1	5%	0	0%	1	3%
<25%	6	13%	5	15%	3	15%	2	14%	6	15%
26-50%	2	4%	2	6%	2	10%	0	0%	2	5%
51-75%	1	2%	1	3%	1	5%	0	0%	1	3%
76-100%	23	49%	15	44%	9	45%	9	64%	23	59%
DKNA	12	26%	9	26%	4	20%	3	21%	6	15%
[7CNET] PERCENT REUSABLE										
None	6	13%	4	11%	2	10%	1	7%	4	10%
<25%	8	17%	3	9%	3	15%	5	33%	8	20%
DKNA	34	71%	28	80%	15	75%	9	60%	28	70%
[8NET] PERCENT BRING										
None	14	29%	9	26%	4	20%	6	40%	11	28%
<25%	27	56%	21	60%	12	60%	8	53%	27	68%
26-50%	3	6%	3	9%	2	10%	0	0%	2	5%
DKNA	4	8%	2	6%	2	10%	1	7%	0	0%
[9] HAS RECYCLING										
Yes	5	10%	3	9%	3	15%	1	7%	3	8%
No	43	90%	32	91%	17	85%	14	93%	37	93%
[10] CONSIDER INCENTIVES										
Already	1	2%	1	3%	0	0%	0	0%	0	0%
Consider	12	26%	11	33%	9	47%	2	18%	12	30%
Would not consider	22	48%	14	42%	10	53%	4	36%	19	48%
DK	11	24%	7	21%	0	0%	4	36%	9	23%

KIRKLAND RETAIL SURVEY

	TOTAL (n=)	LOCATIONS		ROLE			BIZ TYPE		
		Multipl	Single	Owner	Manager	Other	Food	Spclty	Other
TOTAL	48	11	37	33	10	5	10	29	9
[11A] VOLUNTARY REDUCTION									
Agr str	8 17%	1 9%	7 19%	6 18%	1 10%	1 20%	0 0%	5 17%	3 33%
Agr	14 29%	3 27%	11 30%	11 33%	3 30%	0 0%	5 50%	8 28%	1 11%
Disagree	11 23%	2 18%	9 24%	9 27%	1 10%	1 20%	3 30%	6 21%	2 22%
Str disagree	9 19%	3 27%	6 16%	4 12%	3 30%	2 40%	0 0%	7 24%	2 22%
No op	6 13%	2 18%	4 11%	3 9%	2 20%	1 20%	2 20%	3 10%	1 11%
[11B] ADS AND EDUCATION									
Agr str	5 11%	2 18%	3 8%	3 9%	1 10%	1 20%	0 0%	4 14%	1 11%
Agr	12 26%	5 45%	7 19%	7 22%	5 50%	0 0%	1 11%	10 34%	1 11%
Disagree	9 19%	1 9%	8 22%	7 22%	1 10%	1 20%	2 22%	5 17%	2 22%
Str disagree	15 32%	3 27%	12 33%	10 31%	3 30%	2 40%	3 33%	9 31%	3 33%
No op	6 13%	0 0%	6 17%	5 16%	0 0%	1 20%	3 33%	1 3%	2 22%
[11C] REQUIRE RECYCLING									
Agr str	11 23%	2 18%	9 25%	7 22%	3 30%	1 20%	0 0%	7 24%	4 44%
Agr	9 19%	2 18%	7 19%	7 22%	1 10%	1 20%	4 44%	4 14%	1 11%
Disagree	14 30%	5 45%	9 25%	9 28%	3 30%	2 40%	4 44%	8 28%	2 22%
Str disagree	9 19%	2 18%	7 19%	6 19%	3 30%	0 0%	0 0%	8 28%	1 11%
No op	4 9%	0 0%	4 11%	3 9%	0 0%	1 20%	1 11%	2 7%	1 11%
[11D] PROHIBIT PLASTIC BAGS									
Agr str	6 13%	0 0%	6 17%	6 19%	0 0%	0 0%	0 0%	3 10%	3 33%
Agr	2 4%	1 9%	1 3%	1 3%	1 10%	0 0%	0 0%	2 7%	0 0%
Disagree	8 17%	1 9%	7 19%	7 22%	1 10%	0 0%	3 33%	5 17%	0 0%
Str disagree	29 62%	9 82%	20 56%	17 53%	8 80%	4 80%	6 67%	18 62%	5 56%
No op	2 4%	0 0%	2 6%	1 3%	0 0%	1 20%	0 0%	1 3%	1 11%
[11E] CHARGE FOR PLASTIC									
Agr str	3 6%	0 0%	3 8%	3 9%	0 0%	0 0%	0 0%	2 7%	1 11%
Agr	3 6%	1 9%	2 6%	3 9%	0 0%	0 0%	0 0%	2 7%	1 11%
Disagree	11 23%	2 18%	9 25%	8 25%	3 30%	0 0%	4 44%	7 24%	0 0%
Str disagree	28 60%	8 73%	20 56%	17 53%	7 70%	4 80%	5 56%	17 59%	6 67%
No op	2 4%	0 0%	2 6%	1 3%	0 0%	1 20%	0 0%	1 3%	1 11%
[11F] CHARGE FOR ALL BAGS									
Agr str	2 4%	0 0%	2 6%	2 6%	0 0%	0 0%	0 0%	2 7%	0 0%
Agr	1 2%	0 0%	1 3%	1 3%	0 0%	0 0%	0 0%	1 3%	0 0%
Disagree	11 24%	2 18%	9 26%	8 26%	3 30%	0 0%	4 44%	6 21%	1 13%
Str disagree	30 65%	9 82%	21 60%	19 61%	7 70%	4 80%	5 56%	19 66%	6 75%
No op	2 4%	0 0%	2 6%	1 3%	0 0%	1 20%	0 0%	1 3%	1 13%

KIRKLAND RETAIL SURVEY

	TOTAL (n=)	NUM EMPLOYEES		SALES			OFFERS BAGS NOW	
		< 10	10+	<500k	500k-1m	1m+	Yes	No
TOTAL	48	35	13	20	12	15	40	8
[11A] VOLUNTARY REDUCTION								
Agr str	8	5	3	3	2	3	5	3
Agr	14	13	1	5	7	2	12	2
Disagree	11	6	5	3	0	4	10	1
Str disagree	9	6	3	7	1	4	8	1
No op	6	5	1	2	2	2	5	1
[11B] ADS AND EDUCATION								
Agr str	5	3	2	1	1	3	4	1
Agr	12	11	1	5	5	2	10	2
Disagree	9	7	2	7	0	2	8	1
Str disagree	15	8	7	5	1	8	12	3
No op	6	5	1	2	4	0	5	1
[11C] REQUIRE RECYCLING								
Agr str	11	9	2	4	3	4	7	4
Agr	9	5	4	4	1	4	9	0
Disagree	14	11	3	6	5	2	12	2
Str disagree	9	6	3	5	0	4	8	1
No op	4	3	1	1	2	1	3	1
[11D] PROHIBIT PLASTIC BAGS								
Agr str	6	6	0	4	2	0	5	1
Agr	2	2	0	0	2	0	1	1
Disagree	8	7	1	5	1	2	7	1
Str disagree	29	18	11	11	5	12	25	4
No op	2	1	1	0	1	1	1	1
[11E] CHARGE FOR PLASTIC								
Agr str	3	3	0	2	1	0	2	1
Agr	3	3	0	2	1	0	2	1
Disagree	11	10	1	5	4	2	10	1
Str disagree	28	17	11	11	4	12	24	4
No op	2	1	1	0	1	1	1	1
[11F] CHARGE FOR ALL BAGS								
Agr str	2	2	0	2	0	0	2	0
Agr	1	1	0	0	1	0	0	1
Disagree	11	10	1	5	4	2	10	1
Str disagree	30	19	11	13	4	12	26	4
No op	2	1	1	0	1	1	1	1

KIRKLAND RETAIL SURVEY

	TOTAL (n=)	LOCATIONS		ROLE			BIZ TYPE		
		Multipl	Single	Owner	Manager	Other	Food	Spclty	Other
TOTAL	48	11	37	33	10	5	10	29	9
[12] ACCEPTABLE FEE									
<5c	23	5	18	15	6	2	6	11	6
5c	12	3	9	10	1	1	2	8	2
10c	2	0	2	2	0	0	1	1	0
25c	1	0	1	1	0	0	0	1	0
No op	10	3	7	5	3	2	1	8	1
[13] STORES CHARGED									
Large stores only	19	3	16	17	1	1	3	12	4
All stores	18	6	12	10	7	1	5	10	3
DKNA	11	2	9	6	2	3	2	7	2
[14] STORES BANNED									
Large stores only	19	2	17	17	1	1	3	13	3
All stores	19	8	11	10	8	1	5	10	4
DKNA	10	1	9	6	1	3	2	6	2
[15A] PLASTIC BAN									
Sig neg	22	5	17	16	5	1	6	11	5
Slight neg	8	3	5	5	2	1	3	5	0
Positive	1	1	0	1	0	0	0	1	0
None	15	2	13	10	3	2	1	11	3
DK	2	0	2	1	0	1	0	1	1
[15B] PLASTIC FEE									
Sig neg	18	4	14	12	4	2	5	9	4
Slight neg	15	6	9	11	4	0	4	10	1
None	13	1	12	9	2	2	1	9	3
DK	2	0	2	1	0	1	0	1	1
[15C] PAPER BAN									
Sig neg	23	5	18	18	4	1	7	13	3
Slight neg	10	2	8	8	1	1	3	6	1
None	13	4	9	6	5	2	0	9	4
DK	2	0	2	1	0	1	0	1	1
[15D] PAPER FEE									
Sig neg	18	4	14	13	3	2	4	11	3
Slight neg	16	5	11	12	4	0	6	8	2
None	12	2	10	7	3	2	0	9	3
DK	2	0	2	1	0	1	0	1	1
[16] USE FOR FEE									
Subsidize paper	21	5	16	15	4	2	4	11	6
Reimburse reuse	18	7	11	10	5	3	1	13	4
Reusable outreach	8	1	7	7	1	0	3	4	1
Subsidize recycl	9	2	7	5	3	1	1	5	3
Subsidize reuse	12	3	9	9	2	1	3	7	2



CITY OF KIRKLAND 2008 PLASTIC BAG SURVEY



SURVEY SUMMARY

In an effort to gauge residents' opinions regarding the use of plastic bags in Kirkland, Solid Waste staff conducted a non-scientific survey of patrons at the Kirkland Wednesday Market, the Friday Market at Juanita Beach Park, Kirkland Uncorked, and at a Public Works Week booth. In exchange for completing the survey, respondents received a free reusable shopping made of 100% recycled PET soda bottles.

A total of 380 surveys were completed and four questions were posed in addition to a request for anonymous demographic information. Almost 64 percent of the respondents were women and almost 50 percent all respondents were aged 46-65 and 62 percent maintained residences in Kirkland.

Most people surveyed either use both paper and plastic bags (30%) or always use reusable shopping bags (25%). Over 60% prefer plastic bags for reuse as garbage can liners (40%) or for other uses such as disposing of pet waste or diapers. Correspondingly, most respondents claimed that they reuse the plastic bags at home (54%).

Finally, when asked "What is the best way to manage plastic bags?" no best management practice predominated over another. Thirty percent of respondents supported a mandate to either charge a tax (14%) or ban them (16%). More public education was supported by 19 percent of those surveyed along with giving away more plastic bags (16%) and recycling bags at the store (14%).

DEMOGRAPHIC INFORMATION

Age Group

16-25	6.3%
26-35	13.7%
36-45	18.7%
46-55	23.2%
56-65	25.8%
No Response	1.8%

Gender

Female	63.9%
Male	22.4%
No Response	13.4%

Residence

Kirkland	62.6%
Other*	12.3%
Redmond	5.0%
No Response	4.0%
Bothell	3.2%
Seattle	2.9%
Bellevue	2.5%
Shoreline	1.8%
Woodinville	1.4%
Kenmore	1.4%
Mercer Island	1.4%
Federal Way	1.4%

*Other places of residence received include Auburn, Carnation, Ellensburg, Everett, Issaquah, Kelso, Lake Forest Park, Los Angeles, Lynnwood, New York, Olympia, Puyallup, and Sammamish.

SURVEY QUESTIONS AND RESULTS

Question 1: When you shop do you ...

Use both paper and plastic	30.9%
Always use reusable shopping bags	25.3%
Sometimes use plastic bags	14.0%
Always use plastic bags	11.7%
Always use paper bags	11.1%
Use whatever the clerks provides	6.3%
No Response	0.8%

Question 2: If you use plastic shopping bags, why do you choose them?

Use them as garbage can liners	40.8%
Other (Pet Waste/Diapers)	20.0%
Handles make them easy to carry	15.4%
Convenience	11.5%
Can carry more plastic than paper bags	6.9%
Don't Know	5.3%

Question 3: If you use plastic bags, what do you do with them at home?

Resuse them	53.9%
Return them to the store	15.8%
Put them in the recycling bin	13.6%
Throw them in the garbage	9.8%
Other	6.8%

Question 4: What is the best way to manage plastic shopping bags

More education	19.3%
Ban them	16.1%
Give away more reusable bags	15.9%
Charge a fee to use them	14.7%
Recycle them at the store	14.1%
Collect them curbside	11.8%
Don't Know - No Opinion	3.0%
Other	2.7%
No reason to limit them	2.5%

John MacGillivray

From: John MacGillivray
Sent: Friday, June 07, 2013 2:41 PM
To: John MacGillivray
Subject: FW: Last nights survey of 500 male head of households

-----Original Message-----

From: [REDACTED]
Sent: Thursday, May 23, 2013 4:48 AM
To: Eric Shields
Cc: toby@tobynixon.com
Subject: Last nights survey of 500 male head of households

Dear Mr. Shields:

Last night, I received a survey call seeking 500 randomly selected, male head of households. The inquiry was regarding whether Kirkland should initiate a "bag fee" for plastic and paper bags issued by stores within the city limits of Kirkland. I opposed all queries that asked whether such fees should be imposed. A series of questions asked, "so if there was such a fee" would you...It was asked if the fee should apply to all stores or just the larger ones...if you intend to apply a tax it should be uniformly applied to all businesses.

However, I oppose any such action. Meddling in buying practices is not the responsibility of any government. It imposes costs on citizens and businesses that can become onerous, albeit "a nickel a bag" does not sound onerous but over time it will increase the cost of doing business in your city and in shopping in your city.

I shop at least once a week and sometime more often for our family. This imposition of a "bag fee/tax" would cause my patterns to move into the surrounding shopping areas in which to fees are imposed leaving between \$500-\$1000 per month in revenue to be collected in Woodinville and other areas rather than my Totem Lake/Juanita stores. Multiply my modest purchases by 500 people and suddenly the expected revenue stream in bag fees would dry to a trickle.

I opposed the annexation, am a business owner and have found that the cost of doing business (from my home) within the city limits has cost my businesses at least \$275 per year more than when I was in the unincorporated King County. I have not found the increased costs has yielded any benefits to me as a citizen or as a business owner. I am taxed and feed for the mere existence of an alarm system, and projected revenue while not increasing the amount of traffic on the roads or increased waste as I work from home and do all my business over the internet and via phone calls. As this is my experience, thus far, with annexation, additional discussions and inquiries regarding Kirkland's intrusion into my personal spending and buying patterns by way of a bag tax/fee will be vigorously opposed.

Sincerely,

[REDACTED]

Phone Call Transcript – [REDACTED]
6-8-13 – 8:08 AM

John, good morning, [REDACTED], I was trying to send you an email but it bounced back and I got frustrated so I thought I would just call. But I do understand the environmental concerns relative to the issue on plastic bags but banning plastic bags doesn't seem to ban them from the stores. We use them to gather our produce, wrap our fish, our meat, to case the bed to wrap paper towels. There are soda bottles ... come wrapped with plastic to carry them with. The Seattle Times and the Kirkland Reporter arrive at my door ... my laundry comes in plastic bags from the cleaners. Maybe the supermarkets want to be a repository for these plastic bags so that they can be recycled but maybe they do maybe they don't but I don't know that banning the plastic bag is an effective nor an efficient way to proceed. So, my name is [REDACTED] and thank you for your time.

John MacGillivray

From: [REDACTED]
Sent: Thursday, May 30, 2013 3:20 PM
To: John MacGillivray
Subject: PLASTIC BAY SURVEY

John,

Just tried to complete the survey and the address for the survey is no longer valid.

My input, this is an absurd plan that my business and I personally do not support.

Thanks,

[REDACTED]

Phone Message

June 6, 2013 – 4:14 pm

"Hi John. My name is [REDACTED], it's a few minutes after four o'clock on Thursday, June 6th, phone number 425-822-3530. Just read the article in the Kirkland Reporter regarding the investigation into the possibility of banning plastic bags or putting fees on them. I'm disappointed that the survey is listed in the article did not offer the option of not having a change whatsoever to what we do right now and I was not part of that survey but I'll tell you that I'm adamantly opposed to the banning of plastic bags in our community and I do not want to see charges put on it like other cities have done. I think that it's intrusive and frankly from what I can tell at least in our family and other people that I speak to we reuse those bags. Those bags are not just brought home and tossed into the street, thrown into the trash. They're actually used as liners for trash cans and used for other things that we would in turn be going to the store to buy a bag for. So I don't think that it's doing much besides trying to look good and it's not really doing anything for us environmentally besides just creating a big pain in the rear for everybody. I sure would appreciate a return phone call and I hope that you're willing to listen to people that have opinions like myself when you're in this consideration of moving forward with the Council. Thank you."

John MacGillivray

From: [REDACTED]
Sent: Thursday, June 06, 2013 2:24 PM
To: John MacGillivray
Subject: Plastic bags

I strenuously oppose a ban, or a fee for the use, of plastic bags, in Kirkland stores.

Plastic bags entering my home see multiple uses before "ending their lives" as garbage bags. Purchasing boxes of plastic bags for garbage is expensive and certainly doesn't decrease the number of bags destined for landfills or careless disposal. The bags also provide for sanitary disposal of many items that would leak through paper or cloth bags--of course, pet waste in parks, etc. immediately comes to mind.

While the environment is of great importance to all of us, we need a logical, practical balance.

Thank you for the opportunity to express my opinion.

John MacGillivray

From: [REDACTED]
Sent: Thursday, June 06, 2013 7:07 AM
To: John MacGillivray
Subject: Fees for Using Plastic Bags

Mr John MacGillivray,

We read with interest the survey results about plastic bags as reported in the Kirkland Reporter. We agree with the majority: leave the plastic bags alone. Also, we do not want to pay fees to the City of Kirkland for using plastic bags. Kirkland receives more than enough money from residents like us and Kirkland area shoppers. A new fee is not welcome in the least!

Thank you,

Sincerely,

[REDACTED]
Kirkland, WA 98034

(Evergreen Hill Area)

John MacGillivray

From: [REDACTED]
Sent: Thursday, June 06, 2013 8:10 PM
To: John MacGillivray
Subject: Plastic bags

I support eliminating the option to use a plastic bag completely. Thx. [REDACTED]

John MacGillivray

From: [REDACTED]
Sent: Friday, June 07, 2013 10:23 AM
To: John MacGillivray
Cc: Doreen Marchione; Amy Walen
Subject: Plastic Bag Concern?

John- In reading today's article in the Kirkland Reporter about banning plastic bags, it appears to me that the city council has handed to you task in search of a problem. Has the council defined what the problem is to the city or its citizens?

Currently, my plastic bags are recycled either in the Waste Mgmt, QFC, Freddies or Safeway containers.

In my opinion the plastic problem is those armored plastic containers that encase many of the items found in Costco, Home Depot etc. One of those hard cased shells probably equals 20 to 50 plastic bags in terms of weight and many cannot even be recycled..

For the plastic sensitive folks, there are already many options available. I do use canvas & plastic fabric bags during most of my shopping experiences. However, for those slimey and leak prone items, I continue to wrap them up in plastic supplied at the check out stand.

The City should not proceed to allow legislation banning plastic bags.

Best Regards'

[REDACTED]

June 7, 2013 – 10:33 AM
Phone conversation

I received phone call from an unidentified female resident expressing her support for a ban on plastic bags. She said that she's a PCC member and that she always brings her own bags and that it's easy to do. A second gentleman was put on the phone and also said that he supports a ban on plastic bags.

John MacGillivray

From: [REDACTED]
Sent: Saturday, June 08, 2013 5:06 PM
To: John MacGillivray
Subject: plastic bags

I would like to chime in on the plastic bags at grocery stores issue. I have cats (in case you couldn't guess by my email address), and I recycle use of the bags by using them when I clean my litter boxes. As per Waste Managements instructions, I double bag all the litter box waste, then tie the bag tightly before throwing the used litter away. Paper bags would not serve this purpose, as the moisture would cause them to break. If I don't use the paper bags that the grocery stores provide, I'd still be using another plastic bag that I'd have to purchase to store my litter box waste in. All of my cat friends use these bags for this same purpose.

I would be very sad to see the plastic bags go away and I'd be rather upset having to pay for them. I do agree that having a recycle bin for them onsite at grocery stores, for those who don't re-use the bags is a great idea!

Thanks for your consideration,
[REDACTED]

Chapter 8.05 RETAIL CARRYOUT BAGS

Sections:

- 8.05.010 Definitions.
- 8.05.020 Prohibition on disposable plastic carryout bags.
- 8.05.030 Recycled paper bag pass-through charge.
- 8.05.040 Enforcement and penalties.
- 8.05.050 Severability.
- 8.05.060 No conflict with federal or state law.
- 8.05.070 Phased implementation.

8.05.010 Definitions.

A. "Carryout bag" means a bag that is provided by a retail establishment at the check stand, cash register, point of sale or other point of departure to a customer for the purpose of transporting food, goods or merchandise out of the establishment. Carryout bags do not include: (1) bags used by customers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy, greeting cards, or small hardware items, such as nails and bolts, or to contain or wrap frozen foods, meat or fish, whether prepackaged or not, or to contain or wrap flowers or potted plants, or other items where dampness may be a problem, or to contain unwrapped prepared foods or bakery goods, or to contain prescription drugs, or to safeguard public health and safety during the transportation of prepared take-out foods intended for consumption away from the retail establishment; or (2) newspaper bags, door-hanger bags, laundry/dry cleaning bags, or bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags.

B. "Pass-through charge" means a charge to be collected by retailers from their customers when providing recyclable paper bags, and retained by retailers to offset the cost of bags and other costs related to the pass-through charge.

C. "Recyclable paper bag" means a paper carryout bag that meets the following requirements: (1) contains a minimum average of 40 percent post-consumer recycled materials, (2) the paper carryout bag is accepted for recycling in the City's recycling and composting program and (3) displays the minimum percent of post-consumer content on the outside of the bag.

D. "Retail establishment" means any person, corporation, partnership, business venture, public sports or entertainment facilities, government agency, street vendor or vendor at public events or festivals or organizations that sell or provide merchandise, goods or materials including, without limitation, clothing, food, beverages, household goods, or personal items of any kind directly to a customer. Examples include but are not limited to department stores, clothing stores, jewelry stores, grocery stores, pharmacies, home improvement stores, liquor stores, convenience stores, gas stations, restaurants, food vending trucks, farmers markets and temporary vendors of food and merchandise at street fairs and festivals. Food banks, food assistance programs and organizations providing services specifically for low-income households are not considered to be retail establishments for the purposes of this chapter.

E. "Disposable plastic carryout bag" means any carryout bag made from plastic or bioplastic, including materials marketed or labeled "biodegradable" or "compostable," that is not a reusable bag.

F. "Reusable bag" means a bag made of cloth, fabric or other material with handles that is specifically designed and manufactured for long-term multiple reuse and meets all of the following requirements:

1. Has a minimum lifetime of 125 uses, which, for the purposes of this section, means the capability of loading, carrying and unloading a minimum of 22 pounds over a distance of at least 175 feet a minimum of 125 times;
2. Is washable, whether by machine or hand;
3. If made of plastic, meets all of the requirements above and is a minimum of 2.25 mils thick. (Ord. 2652 § 1, 2012).

8.05.020 Prohibition on disposable plastic carryout bags.

No retail establishment in the City, or any of its employees, managers or owners, shall provide a disposable plastic carryout bag to any customer. (Ord. 2652 § 1, 2012).

8.05.030 Recycled paper bag pass-through charge.

A. No retail establishment in the City shall provide a paper carryout bag with a manufacturer's stated capacity of one-eighth barrel (882 cubic inches) or larger that is not a recyclable paper bag. All retail establishments in the City shall collect a pass-through charge of not less than \$0.05 for each recyclable paper carryout bag provided to customers that has a manufacturer's stated capacity of one-eighth barrel (882 cubic inches) or larger. It shall be a violation of this section for any retail establishment to pay or otherwise reimburse a customer for any portion of the pass-through charge; provided, that retail establishments shall not charge or collect a pass-through charge from anyone with a voucher or electronic benefits card issued under the Women, Infants and Children (WIC) or Temporary Assistance to Needy Families (TANF) support programs, or the federal Supplemental Nutrition Assistance Program (SNAP, also known as Basic Food), or the Washington State Food Assistance Program (FAP).

B. All retail establishments shall indicate on the customer transaction receipt the number of recyclable paper carryout bags provided and the total amount of the pass-through charge. (Ord. 2652 § 1, 2012).

8.05.040 Enforcement and penalties.

A. Any person who violates any of the provisions of this chapter shall be cited and liable for a civil infraction as set forth in Chapter [1.36](#) IMC; provided, however, that the Code Enforcement Officer shall instead issue a written warning to any person he determines is violating any provision of this chapter when such violation is the first instance of noncompliance known to the Code Enforcement Officer. If after issuing a written warning, the Code Enforcement Officer becomes aware of subsequent noncompliance, he shall apply for or impose the sanctions described in this section.

B. Any person may request a temporary waiver from the requirements of this chapter by filing a request with the City Administrator or designee. The City Administrator or designee may waive any specific requirement of this chapter for a period of up to 12 months if the person seeking the waiver has shown that strict application of the specific requirement would create an undue hardship, practical difficulty or other material concern not generally applicable to other persons or retail establishments in similar circumstances. The City Administrator's or designee's decision to grant or deny a waiver shall be in writing, shall be final and not subject to appeal. (Ord. 2652 § 1, 2012).

8.05.050 Severability.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid, or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 2652 § 1, 2012).

8.05.060 No conflict with federal or state law.

Nothing in this chapter shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law. (Ord. 2652 § 1, 2012).

8.05.070 Phased implementation.

Retail establishments with a building square footage of 7,500 square feet or larger shall have until March 1, 2013, to comply with the provisions of this chapter. All other retail establishments shall have until March 1, 2014, to comply; provided, however, that retail establishments may voluntarily implement the restrictions on retail carryout bags allowed, as described herein, and may concurrently implement a pass-through charge. (Ord. 2652 § 1, 2012).

Title 21 - UTILITIES
Subtitle III - Solid Waste
Chapter 21.36 - SOLID WASTE COLLECTION
SubChapter II - Solid Waste Collection

21.36.100 Single-use plastic and recyclable paper carryout bags

- A. No retail establishment in the City shall provide a single-use plastic carryout bag to any customer.
- B. Through December 31, 2016, no retail establishment in the City shall provide a paper carryout bag with a manufacturer's stated capacity of one-eighth barrel (882 cubic inches) or larger that is not a recyclable paper bag, and retail establishments shall collect a pass-through charge of not less than five-cents for each recyclable paper carryout bag provided to customers. It shall be a violation of this section for any retail establishment to pay or otherwise reimburse a customer for any portion of the pass-through charge; provided that retail establishments may not collect a pass-through charge from anyone with a voucher or electronic benefits card issued under the Women, Infants and Children (WIC) or Temporary Assistance to Needy Families (TANF) support programs, or the federal Supplemental Nutrition Assistance Program (SNAP), also known as Basic Food), or the Washington State Food Assistance Program (FAP).
- C. All retail establishments shall indicate on the customer transaction receipt the number of recyclable paper carryout bags provided and the total amount of the pass-through charge.
- D. For purposes of this section, the following definitions apply.
1. "Carryout bag" means a bag that is provided by a retail establishment at the check stand, cash register, point of sale or other point of departure to a customer for the purpose of transporting food or merchandise out of the establishment. Carryout bags do not include:
 - (a) bags used by customers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy, greeting cards, or small hardware items, such as nails and bolts, or to contain or wrap frozen foods, meat or fish, whether prepackaged or not, or to contain or wrap flowers or potted plants, or other items where dampness may be a problem, or to contain unwrapped prepared foods or bakery goods, or to contain prescription drugs, or to safeguard public health and safety during the transportation of prepared take-out foods and prepared liquids intended for consumption away from the retail establishment; or
 - (b) newspaper bags, door-hanger bags, laundry-dry cleaning bags, or bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags.

2. "Pass-through charge" means a charge to be collected by retailers from their customers when providing recyclable paper bags, and retained by retailers to offset the cost of bags and other costs related to the pass-through charge.
3. "Recyclable paper bag" means a paper carryout bag that has a manufacturer's stated capacity of one-eighth barrel (882 cubic inches) or larger and meets the following requirements:
 - (a) contains a minimum average of 40 percent post-consumer recycled materials, and
 - (b) displays the minimum percent of post-consumer content on the outside of the bag.
4. "Retail establishment" means any person, corporation, partnership, business venture, public sports or entertainment facilities, government agency, street vendor or vendor at public events or festivals or organizations that sell or provide merchandise, goods or materials including, without limitation, clothing, food, beverages, household goods, or personal items of any kind directly to a customer. Examples include but are not limited to department stores, clothing stores, jewelry stores, grocery stores, pharmacies, home improvement stores, liquor stores, convenience stores, gas stations, restaurants, food vending trucks, farmers markets and temporary vendors of food and merchandise at street fairs and festivals. Food banks and other food assistance programs are not considered to be retail establishments for the purposes of this section.
5. "Single-use plastic carryout bag" means any carryout bag made from plastic or any material marketed or labeled as "biodegradable" or "compostable" that is neither intended nor suitable for continuous reuse as a carryout bag or that is less than 2.25 mils thick.

City of Edmonds

Chapter 6.80 PLASTIC BAG REDUCTION

Sections:

[6.80.010](#) Definitions.

[6.80.020](#) Types of checkout bags permitted at retail establishments.

[6.80.040](#) Operative date.

[6.80.050](#) Exemptions.

[6.80.060](#) Severability.

[6.80.070](#) Enforcement officer and penalties.

6.80.010 Definitions.

A. "Checkout bag" means a bag that is provided by a retail establishment at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment. Checkout bags do not include bags provided solely for produce, bulk food or meat at a produce, bulk food or meat department within a grocery store, supermarket, produce or meat market, or other similar retail establishment, or bags provided to carry out food cooked or prepared at a restaurant or other similar food and beverage establishment.

B. "Recyclable paper bag" or "recyclable paper checkout bag" means a paper bag that meets all of the following requirements: (1) contains no old growth fiber, (2) is 100 percent recyclable overall and contains a minimum of 40 percent post-consumer recycled content, and (3) displays the word "Recyclable" on the outside of the bag.

C. "Retail establishment" means any commercial business facility engaged in the sale of goods to consumers for ultimate consumption.

D. "Reusable bag" means a bag with handles that is specifically designed and manufactured for multiple reuse and is either (1) made of cloth or other machine-

washable fabric, and/or (2) made of durable plastic that is at least 2.25 mils thick and is suitable for reuse.

E. "Single-use plastic checkout bag" means any checkout bag made from plastic, excluding reusable bags. [Ord. 3749 § 1, 2009].

6.80.020 Types of checkout bags permitted at retail establishments.

A. All retail establishments within the city of Edmonds shall provide only the following as checkout bags to customers: reusable bags and/or recyclable paper bags.

B. Nothing in this chapter shall be read to preclude retail establishments from making reusable bags available for sale to customers.

C. The city of Edmonds shall work with retailers, retail associations, unions and other organizations to create educational elements about the benefits of reusable bags. This may include signage at store locations, informational literature, and employee training and will take place before and after the operative date. All retail establishments are strongly encouraged to educate their staff to promote reusable bags as the best option for checkout bags and to post signs encouraging customers to use reusable bags. [Ord. 3749 § 1, 2009].

6.80.040 Operative date.

All retail establishments shall comply with the requirements of this chapter by the first anniversary of the effective date of the ordinance codified in this chapter, which is August 27, 2009. The purpose of this one-year implementation period is to (A) allow time for affected retailers to prepare for and adapt to the provisions of this chapter; (B) allow time for the educational program to take effect and encourage the use of reusable bags; and (C) enable the city council to work with members of the community and affected parties to evaluate alternatives or modifications needed to address issues regarding provisions or implementation of this chapter. [Ord. 3749 § 1, 2009].

6.80.050 Exemptions.

The mayor, or his or her designee, may exempt a retail establishment from the requirements of this chapter for a period of up to one additional year after the operative date of the ordinance codified in this chapter, upon sufficient showing by the applicant that the provisions of this chapter would cause undue hardship. This request must be submitted in writing to the city within 30 days of the effective date of this chapter. The phrase "undue hardship" may include, but is not limited to, the following:

A. Situations where there are no acceptable alternatives to single-use plastic checkout bags for reasons which are unique to the applicant retail establishment.

B. Situations where compliance with the requirements of this chapter would deprive a person of a legally protected right. [Ord. 3749 § 1, 2009].

6.80.060 Severability.

If any provision or clause of this chapter is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions of this chapter, and clauses of this chapter are declared to be severable. [Ord. 3749 § 1, 2009].

6.80.070 Enforcement officer and penalties.

A. Prior to the "comply by date" in ECC [6.80.040](#), the mayor shall designate an existing department in the city as the department charged with enforcing the provisions of this chapter. The head of the department and his or her designees shall be the enforcement officers with authority and powers to issue civil infractions for violations of provisions of this chapter.

B. A violation of any provision of this chapter shall constitute a Class I civil infraction pursuant to Chapter 7.80 RCW. Issuance and disposition of infractions issued for violations of this chapter shall be in accordance with Chapter 7.80 RCW. The penalty for violation of a provision of this chapter shall be \$100.00. The penalty for a second or subsequent offense in violation of the provision of this chapter within two years shall be \$250.00.

C. The remedies and penalties provided in this section are cumulative and not exclusive. [Ord. 3749 § 1, 2009].

Chapter 6.47 SINGLE-USE CARRYOUT BAG ORDINANCE

Sections:

- [6.47.010](#) Definitions.
- [6.47.020](#) Regulations.
- [6.47.030](#) Recycled paper bags cost pass-through.
- [6.47.040](#) Exemptions.
- [6.47.050](#) Remedies.

6.47.010 Definitions.

“Carryout bag” means any bag that is provided by a retail establishment at the point of sale to a customer for use to transport or carry away purchases, such as merchandise, goods or food, from the retail establishment.

“Carryout bag” does not include:

A. Bags used by consumers inside stores to: (1) package bulk items, such as fruit, vegetables, nuts, grains, candy or small hardware items; (2) contain or wrap frozen foods, meat, fish, whether packaged or not; (3) contain or wrap flowers, potted plants, or other items where dampness may be a problem; or (4) contain unwrapped prepared foods or bakery goods; (5) pharmacy prescription bags; or

B. Newspaper bags, door-hanger bags, laundry-dry cleaning bags, or bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags.

“Food provider” means any person or establishment in the city of Bellingham, that provides prepared food for public consumption on or off its premises and includes, without limitation, any store, shop, sales outlet, restaurant, grocery store, delicatessen, or catering truck or vehicle.

“Grocery store” means any retail establishment that sells groceries, fresh, packaged, canned, dry, prepared or frozen food or beverage products and similar items, and includes, without limitation, supermarkets, convenience stores, liquor stores and gasoline stations.

“Nonprofit charitable reuser” means a charitable organization, as defined in Section 501(c)(3) of the Internal Revenue Code of 1986, or a distinct operating unit or division of the charitable organization, that reuses and recycles donated goods or materials and receives more than 50 percent of its revenues from the handling and sale of those donated goods or materials.

“Paper bag cost pass-through” means the cost which must be collected by retailers from their customers when providing a recycled paper bag.

“Pharmacy” means any retail store, where prescriptions, medications, controlled or over the counter drugs, personal care products or health supplement goods or vitamins are sold, but excluding any licensed pharmacy located within a hospital.

“Product bag” means any bag provided to a customer for use within a retail establishment to assist in the collection or transport of products to the point of sale within the retail establishment.

“Recycled paper bag” means a paper carryout bag provided by a store to a customer at the point of sale that meets all of the following requirements:

A. Except as provided in subsection (B) of this definition, the paper carryout bag contains an average of 40

percent post consumer recycled materials.

B. An eight-pound or smaller recycled paper bag shall contain a minimum of 20 percent post consumer recycled material.

C. The paper carryout bag is accepted for recycling in curbside programs in a majority of households that have access to curbside recycling programs in the city.

D. The paper carryout bag is capable of composting, consistent with the timeline and specifications of the American Society of Testing and Material (ASTM) Standard D6400, as published in Master Environmental Assessment on Single Use and Reusable Bags, March 2010.

E. Printed on the paper carryout bag is the minimum percentage of post consumer content.

“Retail establishment” means any person, including any corporation, partnership, business, facility, vendor, organization or individual that sells or provides merchandise, goods or materials, including, without limitation, clothing, food, or personal items of any kind, directly to a customer. Retail establishment includes, without limitation, any grocery store, department store, hardware store, pharmacy, liquor store, restaurant, catering truck, convenience store, and any other retail store or vendor.

“Reusable bag” means a bag made of cloth or other fabric with handles that is specifically designed and manufactured for long-term multiple reuse and meets all of the following requirements:

A. Had a minimum lifetime of 125 uses, which for purposes of this subsection, means the capability of carrying a minimum of 22 pounds 125 times over a distance of at least 175 feet;

B. Is machine washable;

C. If made of plastic, is a minimum of at least two and one-fourth mils thick.

“Single-use plastic carryout bag” means any bag that is less than two and one-fourth mils thick and is made of nonrenewable resources. [Ord. [2011-07-034](#)].

6.47.020 Regulations.

A. No retail establishment in the city shall provide a single-use plastic carryout bag to a customer unless otherwise permitted pursuant to BMC [6.47.040](#).

B. Retail establishments in the city shall provide to a customer at the point of sale a reusable bag or a recycled paper bag unless otherwise permitted pursuant to BMC [6.47.040](#).

C. No person shall distribute a single-use plastic carryout bag at any city facility, city-managed concession, city sponsored event, or city permitted event unless otherwise permitted pursuant to BMC [6.47.040](#).

D. No person shall distribute a single-use plastic carryout bag or any paper bag at the Bellingham farmers' markets, except eight pound or smaller recycled paper bags that may be distributed free of charge for mushrooms. [Ord. [2011-07-034](#)].

6.47.030 Recycled paper bags cost pass-through.

A. Retail establishments may provide a customer a recycled paper bag upon request but shall charge the customer a reasonable pass-through cost, but not less than \$0.05.

B. Retail establishments shall indicate on the customer transaction receipts the total amount of the paper bag pass-through charge. [Ord. [2011-07-034](#)].

6.47.040 Exemptions.

A. Notwithstanding the regulations contained in BMC [6.47.020](#):

1. Single-use plastic carryout bags may be distributed to customers by food providers for the purpose of safeguarding public health and safety during the transportation of prepared take-out foods and prepared liquids intended for consumption away from the food provider's premises.
2. Retail establishments may distribute product bags and may make reusable bags available to customers whether through sale or otherwise.
3. Retail establishments whose carryout bags are for small items, such as gifts, books and nails, may offer a small paper bag for no charge.
4. Nonprofit charitable reusers who sell and promote the use of reusable bags and offer a discount when customer brings own bag.

B. Notwithstanding the requirements contained in BMC [6.47.030](#):

1. A store shall provide a customer participating in Washington State's low-income food assistance program with a reusable bag or a recycled paper bag at no cost at the point of sale including, but not limited to, Medicaid and Women, Infant and Children programs.

C. The mayor may exempt a retail establishment from the requirements of this chapter for up to a one-year period, upon a request by the retail establishment showing that the conditions of this chapter would cause undue hardship. An undue hardship shall only be found in:

1. Circumstances or situations unique to the particular retail establishment such that there are no reasonable alternatives to single-use plastic carryout bags or a paper bag pass-through cannot be collected; or
2. Circumstances or situations unique to the retail establishment such that compliance with the requirements of this chapter would deprive a person of a legally protected right.

D. If a retail establishment requires an exemption beyond the initial exemption period, the retail establishment must reapply prior to the end of the exemption period and must demonstrate continued undue hardship if it wishes to have the exemption extended. Extensions may only be granted for intervals not to exceed one year.

E. An exemption request shall include all information necessary for the city to make its decision, including but not limited to documentation showing the factual support for the claimed exemption. The mayor may require the applicant to provide additional information to permit the city to determine facts regarding the exemption request.

F. The mayor may approve the exemption request, in whole or in part, with or without conditions.

G. Exemption decisions are effective immediately, are final and are not appealable.

H. The city council may by resolution establish a fee for exemption requests. The fee shall be sufficient to cover the costs of processing the exemption request. [Amended during 2013 recodification; Ord. [2011-07-034](#)].

6.47.050 Remedies.

- A. The city of Bellingham shall assist retailers by referring them to the city website with information which will help retail associations, unions, and other organizations to create educational elements about the benefits of reusable bags. This may include signage at store locations, informational literature, and employee training and will take place before and after the operative date. All retail establishments are strongly encouraged to educate their staff to promote reusable bags as the best option for carryout bags and to post signs encouraging customers to use reusable bags.
- B. The mayor is authorized to establish regulations and to take any and all actions reasonable and necessary to obtain compliance with this chapter, including, but not limited to, inspecting any retail establishment's premises to verify compliance.
- C. Any person violating this section shall be guilty of an infraction, which shall be punishable by a fine not to exceed \$250.00.
- D. The city attorney may seek legal, injunctive, or other equitable relief to enforce this chapter.
- E. Administrative enforcement of this chapter shall proceed pursuant to Bellingham Municipal Code with the fines to be graduated for repeat violations in amounts set forth by city council resolution.
- F. Each violation of this chapter shall be considered a separate offense.
- G. The remedies and penalties provided in this section are cumulative and not exclusive, and nothing in this chapter shall preclude any person from pursuing any other remedies provided by law.
- H. Notwithstanding any other provision of this chapter, commencing on the date the ordinance becomes effective, this chapter may be enforced through any remedy as provided for in this section.
- I. Any provision of the Bellingham Municipal Code or appendices thereto inconsistent with the provisions of this chapter, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this chapter.
- J. If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The city council hereby declares that it would have passed this chapter and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.
- K. Any provision of this chapter thereto inconsistent with Washington State law, to the extent of such inconsistencies and no further, is hereby repealed or modified to match state law.
- L. Effective Date. This chapter shall become effective one year from date of enactment. [Ord. [2011-07-034](#)].

Ireland S.I. No. 605/2001 — Waste Management (Environmental Levy) (Plastic Bag) Regulations, 2001

The Minister for the Environment and Local Government, in exercise of the powers conferred on him by [sections 7 and 29](#) of the [Waste Management Act, 1996](#) (No. 10 of 1996) and section 72 of that Act, as inserted by [section 9](#) of the [Waste Management \(Amendment\) Act, 2001](#) (No. 36 of 2001), and with the consent of the Government, hereby makes the following Regulations:-

Citation.

1. These Regulations may be cited as the Waste Management (Environmental Levy) (Plastic Bag) Regulations, 2001.

Interpretation.

2. (1) In these Regulations—

“the Act” means the [Waste Management Act, 1996](#) (No. 10 of 1996) as amended by the [Waste Management \(Amendment\) Act, 2001](#) (No. 36 of 2001);

“accounting period” means the period commencing on the 4th day of March, 2002 and ending on the last day of June, 2002 and thereafter each period of three months beginning on the first day of July, October, January or April,

“accountable person” means a person within the meaning of section 72(4) of the Act;

“Appeal Commissioners” has the meaning assigned to it by [section 850](#) of the [Taxes Consolidation Act, 1997](#) (No. 39 of 1997).

(2) In these Regulations -

(a) a reference to an article is to an article of these Regulations, unless it appears that reference to some other provision is intended;

(b) a reference to a sub-article is to the sub-article of the provision in which the reference occurs, unless it appears that reference to some other provision is intended.

(3) Subject to sub-article (1), a word or expression that is used in these Regulations and is also used in any provision of the Act has, except where the context otherwise requires, the same meaning in these Regulations as it has in that provision.

*Imposition of levy,
person liable, rate of
levy and exceptions.*

3. (1) On and from the 4th day of March 2002 there shall be charged, levied and paid a levy (which shall be known as an 'environmental levy' and is in these Regulations referred to as 'the levy') in respect of the supply to customers, at the point of sale to them of goods or products to be placed in the bags, or otherwise of plastic bags in or at any shop, supermarket, service station or other sales outlet.

(2) An accountable person shall be accountable for and liable to pay the levy.

Levy amount.

4. The amount of the levy shall be 15 cent for each plastic bag.

Excepted bags

5. The following classes of plastic bags are excepted from the definition of a plastic bag -

(a) plastic bags solely used to contain-

(i) fresh fish and fresh fish products,

(ii) fresh meat and fresh meat products, or

(iii) fresh poultry and fresh poultry products

provided that such bags are not greater in dimension than 225mm in width (exclusive of any gussets), by 345mm in depth (inclusive of any gussets), by 450mm in length, (inclusive of any handles);

(b) plastic bags solely used to contain the products referred to in paragraph (a) where such products are contained in packaging, (including a bag), provided that such plastic bags are not greater in dimension than the dimensions referred to in paragraph (a);

(c) plastic bags solely used to contain-

(i) fruit, nuts or vegetables,

(ii) confectionery,

(iii) dairy products,

(iv) cooked food, whether cold or hot, or

(v) ice

provided that such products are not otherwise contained in packaging and where such bags are not greater in dimension than the dimensions referred to in paragraph (a);

(d) plastic bags used to contain goods or products sold:

(i) on board a ship or aircraft used for carrying passengers for

reward, or

(ii) in an area of a port or airport to which intending passengers are denied access unless in possession of a valid ticket or boarding card, for the purposes of carrying the goods on board the ship or aircraft referred to in subparagraph (i);

(e) plastic bags designed for re-use, which are used to contain goods or products and which are sold to customers for a sum of not less than 70 cent each.

Charging the levy and evidence of charging.

6. An accountable person shall impose a charge equivalent to the amount of the levy on a customer in respect of the provision by him or her to the customer of a plastic bag, other than a plastic bag excepted under article 5.

Itemisation of levy.

7. Where a charge under article 6 is imposed the charge shall be itemised on any invoice, receipt or docket issued to the customer.

Exclusion of employees.

8. References in these Regulations to a person who supplies plastic bags do not include references to a person who supplies plastic bags in his or her capacity as an employee of another person but include references to a person whose employee supplies plastic bags in his or her capacity as such employee.

Collection authority.

9. (1) The Minister hereby specifies that the Revenue Commissioners shall be the collection authority to whom the levy shall be payable.

(2) An accountable person shall pay the levy to the Revenue Commissioners in accordance with article 10.

(3) The Minister hereby confers powers on the Revenue Commissioners to authorise officers of the Revenue Commissioners for the purposes of article 17.

Returns and payment.

10. (1) An accountable person or any person who has been required to do so by notice in writing from the Revenue Commissioners, shall, not later than the 19th day of the month following the end of an accounting period furnish to the Revenue Commissioners a full and true return in such form as may be specified by the Revenue Commissioners of the amount of the levy which became payable by him or her during the accounting period and he or she shall authorise the Revenue Commissioners to debit the amount payable, if any, from the account of that person in a financial institution indicated by that person on the return form.

(2) Notwithstanding the provisions of sub-article (1), the Revenue Commissioners may, from time to time, by notice in writing,

authorise an accountable person to furnish to them within 19 days of the end of a period longer than an accounting period but not exceeding a year (hereinafter referred to as the specified period), a full and true return in such form as may be specified by the Revenue Commissioners of the amount of the levy which became payable by him or her during the specified period and he or she shall authorise the Revenue Commissioners to debit the amount payable, if any, from the account of that person in a financial institution indicated by that person on the return form.

(3) The Revenue Commissioners may, by notice in writing, authorise two or more accountable persons who are closely bound by financial, economic or organisational links to submit one return in respect of the levy due by all such persons.

(4) An authorisation under sub-article (2) or (3) may be issued by the Revenue Commissioners subject to such conditions as they consider proper to ensure that there is no loss of levy and that the accountable persons will meet their obligations under the Regulations and such authorisations shall, in each case, take effect on the date specified in the notice of authorisation.

(5) The Revenue Commissioners may, by notice in writing to the accountable person or persons concerned, terminate an authorisation issued in accordance with sub-article (2) or (3) and the said termination shall take effect from the date specified in the notice of termination.

Records

11. (1) An accountable person shall keep in a permanent form a full and true record of—

- (a) the number of plastic bags, other than those excepted from the definition of plastic bag by reason of article 5, in stock before the commencement of business on the 4th day of March, 2002,
- (b) the number of plastic bags excepted from the definition of plastic bag by reason of paragraphs (a), (b), (c) and (d) of article 5, in stock before the commencement of business on the 4th day of March, 2002,
- (c) the number of plastic bags, other than those excepted from the definition of plastic bag by reason of article 5, purchased or acquired by him or her in each accounting period,
- (d) the number of plastic bags excepted from the definition of plastic bag by reason of paragraphs (a), (b), (c) and (d) of article 5, purchased or acquired by him or her in each accounting period,

(e) the number of plastic bags, other than those excepted from the definition of plastic bag by reason of article 5, supplied by him or her to customers in each accounting period.

(2). An accountable person shall retain the records referred to in sub-article (1), together with all other books and documents containing particulars on which the records are based, for a period of not less than six years.

Estimation in the case of non-payment.

12. (1) If within the time specified in article 10 a person, being an accountable person or a person who has been required to do so in writing by the Revenue Commissioners, fails to furnish a return in respect of any period, then without prejudice to any other action that may be taken, the Revenue Commissioners may estimate the amount of levy payable by that person in respect of that period and serve notice on that person of the amount estimated:

Provided that where the Revenue Commissioners are satisfied that the amount so estimated is excessive, they may amend the amount so estimated by reducing it and serve notice on the person concerned of the revised amount estimated and such notice shall supersede any previous notice issued under this sub-article.

(2) Where a notice is served under sub-article (1) on a person, the following provisions shall apply:

- (a) the person may, if he or she claims that he or she is not an accountable person, by giving notice in writing to the Revenue Commissioners within the period of fourteen days from date of service of the notice, require the claim to be referred for decision of the Appeal Commissioners and their decision shall be final and conclusive,
- (b) on the expiration of the said period, if no such claim is required to be referred, or, if such is required to be so referred, on final determination against the claim, the estimated levy shall be recoverable in the like manner and by the like proceedings as if the amount specified in the notice were the amount of levy which the person was liable to pay for the period referred to in the notice,
- (c) if, at any time after the service of the notice the person makes the return required under article 10 and, pays the levy due, if any, together with any costs which may have been incurred in connection with the default, the notice shall stand discharged and any excess of levy which may have been paid shall be repaid.

(3) A notice given by the Revenue Commissioners under sub-article (1) may extend to two or more consecutive accounting periods.

Estimation in the case of underpayment.

13. (1) Where the Revenue Commissioners have reason to believe that the total amount of levy payable by an accountable person in relation to any period, consisting of one accounting period or of two or more consecutive accounting periods, was greater than the total amount of levy (if any) paid by him or her in relation to that period, then, without prejudice to any other action which may be taken, they may make an estimate in one sum of the total amount of levy which in their opinion should have been paid in respect of the accounting period or periods comprised in such period and may serve a notice on the person specifying—

- (a) the total amount of levy so estimated,
- (b) the total amount of levy (if any) paid by the person in relation to the said period, and
- (c) the balance of levy remaining unpaid.

(2) Where notice is served on an accountable person under sub-article (1), the following provisions shall apply:

- (a) the person may, if he or she claims that the total amount of levy or the balance of levy remaining unpaid is excessive, on giving notice in writing to the Revenue Commissioners within the period of twenty-one days from the date of the service of the notice, appeal to the Appeal Commissioners,
- (b) on the expiration of the said period, if no notice of appeal is received or, if notice of appeal is received, on determination of the appeal by agreement or otherwise, the balance of levy remaining unpaid as specified in the notice or the amended balance of levy as determined in relation to the appeal shall become due and payable as if the levy were levy which the person was liable to pay for the accounting period during which the period of fourteen days from the date of the service of the notice under sub-article (1) expired or the appeal was determined by agreement or otherwise, whichever period is the later.

Proof of notice in relation to estimation.

14. For the purposes of articles 12 and 13, where any officer of the Revenue Commissioners nominated by them for the purposes of article 12 or 13, or any other officer of the Revenue Commissioners acting with the knowledge of the nominated

officer causes, for the purposes of article 12 or 13, to be issued, manually or by any electronic, photographic or other process, and to be served, a notice bearing the name of the nominated officer, the estimate to which the notice relates shall be deemed to have been made by the nominated officer.

Recovery

15. (1) Without prejudice to any other mode of recovery, the provisions of any enactment relating to the recovery of income tax and the provisions of any rule of court so relating shall apply to the recovery of any levy payable as they apply in relation to the recovery of income tax.

(2) In particular and without prejudice to the generally of sub-article (1), that sub-article applies the provisions of [sections 962](#) , [963](#) , [964](#) (1), [966](#) and [1002](#) of the [Taxes Consolidation Act, 1997](#) .

(3) In proceedings instituted for the recovery of any amount of levy-

(a) a certificate signed by an officer of the Revenue Commissioners which certifies that a stated amount of levy is due and payable by the defendant shall be evidence, until the contrary is proved, that that amount is so due and payable, and

(b) a certificate certifying as aforesaid and purporting to be signed by an officer of the Revenue Commissioners may be tendered in evidence without proof and shall be deemed, until the contrary is proved, to have been signed by an officer of the Revenue Commissioners.

(4) Subject to this article, the rules of the court concerned for the time being applicable to civil proceedings shall apply to proceedings by virtue of this article.

Appeals

16. The provisions of the [Taxes Consolidation Act, 1997](#) relating to-

(a) the appointment of times and places for the hearing of appeals;

(b) the giving of notice to each person who has given notice of appeal of the time and place appointed for the hearing of his or her appeal;

(c) the determination of an appeal by agreement between the appellant and an officer appointed by the Revenue Commissioners in that behalf;

- (d) the determination of an appeal by the appellant giving notice of his intention not to proceed with the appeal;
- (e) the refusal of an application for an appeal hearing;
- (f) the hearing and the determination of an appeal by the Appeal Commissioners including the hearing and determination of an appeal by one Appeal Commissioner;
- (g) the publication of reports of determinations of the Appeal Commissioners;
- (h) the determination of an appeal through the failure of a person who has given notice of an appeal to attend before the Appeal Commissioners at the time and place appointed;
- (i) the refusal of an application for the adjournment of any proceedings in relation to an appeal and the dismissing of an appeal by the Appeal Commissioners;
- (j) the extension of the time for giving notice of appeal and the readmission of appeals by the Appeal Commissioners;
- (k) the rehearing of an appeal by a judge of the Circuit Court and the statement of a case for the opinion of the High Court on a point of law;
- (l) the payment of the levy in accordance with the determination of the Appeal Commissioners notwithstanding that a case for the opinion of the High Court on a point of law has been required to be stated or is pending;
- (m) the payment of levy which is agreed not to be in dispute in relation to an appeal; and
- (n) the procedures for appeal,

shall, subject to any necessary modifications, apply to an estimate under articles 12 or 13 of these regulations as if the estimate or appeal were an appeal against an assessment to income tax.

Powers of officers.

17. (1) In this article, “authorised officer” means an officer of the Revenue Commissioners authorised by them in writing to exercise the powers conferred by this article.

(2) An accountable person or any person employed by the accountable person shall on request by an authorised officer

produce all records, books and documents required to be retained under article 11 and furnish the authorised officer with all reasonable assistance, including the provision of information and explanations in relation to the acquisition, supply, disposal and stocks held of plastic bags as may be required by the authorised officer.

(3) An authorised officer may, at all reasonable times, enter premises in which plastic bags in respect of which the levy is or was chargeable are reasonably believed by the officer to be kept and may inspect and carry out such search and investigation as such officer may consider to be proper and take particulars of -

(a) any such plastic bags there found, or

(b) any records, books or other documents there found and reasonably believed by the officer to relate to the acquisition and the supply of such plastic bags or, in the case of such information in a non-legible form (including such information in a computer), require the person in charge of such premises to produce it to the officer in a permanent legible form.

(4) An authorised officer may remove and retain all records, books and documents required to be retained under article 11 for such period as may be reasonable for their further examination or for the purposes of any proceedings in relation to the levy.

Obstruction.

18. A person shall not resist, obstruct or impede an officer of the Revenue Commissioners in the exercise of a power conferred on that officer by article 17.

Application of Section 14 of the Act — avoidance of doubt.

19. For the avoidance of doubt, it is hereby declared that the provisions of section 14 of the Act shall apply in relation to these Regulations.

Information to be provided by distributors etc.

20. (1) In this article “authorised officer” means an officer of the Revenue Commissioners authorised by them in writing to exercise the powers conferred by this article.

(2) A person who supplies plastic bags to a person who carries on the business of selling goods or products at any shop, supermarket, service station or other sales outlet and who has been required to do so by notice in writing from an authorised officer, shall, not later than one month after the receipt of such notice, advise the authorised officer in writing of -

(a) the number of plastic bags not greater in dimension than

225mm in width (exclusive of any gussets) by 345mm in depth (inclusive of any gussets) by 450mm in length (inclusive of any handles), and

- (b) the number of plastic bags (other than those of the type referred to in paragraph (a) above or in paragraph (e) of article 5)

supplied by him or her, during the accounting period or periods specified in the notice, to each accountable person specified in the notice and shall, on request by an authorised officer, produce to the authorised officer all records, books and documents retained by him or her in relation to such supplies.

Nomination of officers.

21. The Revenue Commissioners may nominate any officer of the Revenue Commissioners to perform any acts and discharge any functions authorised by these Regulations to be performed or discharged by the Revenue Commissioners.



**Government of the District of Columbia
Department of the Environment
Natural Resources Administration
Stormwater Management Division**

REGULATIONS ON RETAIL ESTABLISHMENT CARRYOUT BAGS

Disclaimer:

This PDF is a user friendly version created for web view and easy reference. It should not be relied upon as the definitive authority for the Regulations on Retail Establishment Carryout Bags. Additionally, the formatting and pagination of the document may vary from the formatting and pagination of the official print edition. The official DCMR and the D.C. Register should be consulted prior to citing any provisions of the regulations as a reference. The only official version of the DCMR is certified and published by the District of Columbia Office of Documents and Administrative Issuances.

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1000 PURPOSE

The purpose of this chapter is to implement the provisions of the Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 2-1226.51 *et seq.*).

1001 DISPOSABLE CARRYOUT BAG FEE REQUIREMENT

- 1001.1 Except as provided in Section 1006, a retail establishment shall charge each customer making a purchase from the establishment a fee of five cents (\$0.05) for each disposable carryout bag provided to the customer with the purchase.
- 1001.2 The fee imposed by Section 1001.1 shall be charged to a customer making a purchase whether the purchase is in person, through the internet, by telephone, by facsimile, electronically, or by any other means.
- 1001.3 The retail establishment shall indicate on the customer transaction receipt the number of disposable carryout bags provided, and the total amount of the fee charged.

1002 DISPOSABLE CARRYOUT BAG MATERIAL AND LABELING REQUIREMENTS

- 1002.1 Starting on April 1, 2010, each disposable carryout bag provided by a retail establishment shall meet the following requirements:
- (a) All paper and plastic disposable carryout bags provided shall be one hundred percent (100%) recyclable;
 - (b) All paper and plastic disposable carryout bags shall display in a highly visible manner the phrase “Please Recycle This Bag”, or a substantially similar phrase. The lettering of the phrase shall meet the following requirements:
 - (1) The lettering of the phrase shall be at least one half of an inch (0.5”) in height or at least seventy-five percent (75%) of the width of the front panel of the bag;
 - (2) The lettering of the recycling statement shall appear on the exterior of either the front or back panel of the bag, and not on a gusset or the base of the bag; and
 - (3) The lettering of the recycling statement shall be in a boldface font.
 - (c) A disposable carryout bag made of paper shall contain a minimum of forty

percent (40%) post-consumer recycled content; and

- (d) A disposable carryout bag made of plastic shall be made of high-density polyethylene film marked with the SPI resin identification code 2, or low-density polyethylene film marked with the SPI resin identification code 4.

1002.2 A disposable carryout bag shall meet the requirements of this section, even if the bag is biodegradable or compostable.

1002.3 A disposable carryout bag made of both plastic and paper shall meet the paper carryout bag requirements of this section for the paper components of the bag, and shall meet the plastic carryout requirements of this section for the plastic components of the bag.

1003 RETAIL ESTABLISHMENTS SUBJECT TO CARRYOUT BAG REQUIREMENTS

1003.1 For the purposes of this chapter, the term “retail establishment” means:

- (a) Any business required to have a Public Health: Food Establishment Retail endorsement to a basic business license pursuant to D.C. Official Code § 47-2827; and
- (b) Any business required to have an off-premises retailer’s license, class A or B, pursuant to D.C. Official Code § 25-112.

1003.2 Such retail establishments include, but are not limited to, the following types of business:

- (a) Bakeries;
- (b) Delicatessens;
- (c) Grocery stores;
- (d) Convenience stores that sell food;
- (e) Restaurants (subject to the exception set forth in section 1006);
- (f) Food vendors;
- (g) Street vendors that sell food;
- (h) Liquor stores; and

- (i) Any business that sells food items, whether or not the principal purpose of the business is to sell food items, including a department store or electronics store that has a Public Health: Food Establishment Retail endorsement to its basic business license.

1004 APPLICATION OF CARRYOUT BAG REQUIREMENTS TO RETAIL ESTABLISHMENTS SELLING BOTH FOOD AND NON-FOOD ITEMS

1004.1 The disposable carryout bag fee, and material and labeling requirements of this chapter, shall apply to a disposable carryout bag provided with the purchase of any item from a retail establishment subject to this chapter, even if the item is a non-food item.

1005 APPLICATION OF CARRYOUT BAG REQUIREMENTS TO RESTAURANTS

1005.1 A restaurant with seating, as described in D.C. Official Code § 47-2827(e)(2), shall comply with the fee, and material and labeling requirements of Sections 1001 and 1002, for each of the following disposable carryout bags provided to a customer to take food away from the restaurant:

- (a) A plastic carryout bag;
- (b) A paper carryout bag, if:
 - (1) The bag includes a non-food item, whether or not the bag also contains a food item; and
 - (2) The restaurant directly charges the customer for the non-food item.

1005.2 A retail establishment where food is prepared and sold only for consumption off the premises, such as a delicatessen without seating or a carry-out establishment, that does not qualify as a restaurant under D.C. Official Code § 47-2827(e)(2), shall comply with the fee, and material and labeling requirements of Sections 1001 and 1002, for all paper and plastic disposable carryout bags provided to a customer with his or her purchase.

1006 CARRYOUT BAGS NOT SUBJECT TO THIS CHAPTER

1006.1 For the purposes of this Chapter, the term “disposable carryout bag” shall not include:

- (a) A bag used by a customer inside stores to package bulk items, such as fruit, vegetables, nuts, grains, or candy;

- (b) A bag used by a customer inside a store to contain or wrap frozen foods, meat, or fish, whether or not the items are prepackaged;
- (c) A bag used by a customer inside a store to contain or wrap flowers, potted plants, or other items where dampness may be a problem;
- (d) A bag used by a customer inside a store to contain unwrapped prepared foods or bakery goods;
- (e) A bag used by a customer by a pharmacist to contain prescription drugs;
- (f) A newspaper bag, door-hanger bag, laundry-dry cleaning bag, or bags sold in a package intended for use as garbage, pet waste, or yard waste bags;
- (g) A bag provided to a customer by the retail establishment for the purpose of transporting a partially consumed bottle of wine, as required by D.C. Official Code § 25-113(b)(5)(C);
- (h) A paper carryout bag provided to a customer to take food away from a restaurant with seating, as described in D.C. Official Code § 47-2827(e)(2), if the bag contains only:
 - (1) Food items; or
 - (2) Food and non-food items that the restaurant does not directly charge the customer for; and
- (i) A reusable carryout bag, as defined in Section 1099.

1007 RETENTION AND REMITTANCE OF THE CARRYOUT BAG FEE

1007.1 Except as provided in Section 1008, a retail establishment shall retain one cent (\$0.01) of each fee of five cents (\$0.05) charged pursuant to section 1001 and shall remit the remaining four cents (\$0.04) of each fee of five cents (\$0.05) charged pursuant to section 1001 to the Office of Tax and Revenue.

1008 CARRYOUT BAG CREDIT PROGRAM

1008.1 If a retail establishment participates in the voluntary Carryout Bag Credit Program, the establishment may retain an additional one cent (\$0.01), for a total of two cents (\$0.02), from each fee of five cents (\$0.05) charged pursuant to Section 1001. The remaining three cents (\$0.03) of each fee of five cents (\$0.05) charged pursuant to Section 1001, shall be remitted to the Office of Tax and

- 1008.2 The voluntary Carryout Bag Credit Program means a program under which the retail establishment:
- (a) Credits the customer at least five cents (\$0.05) for each carryout bag provided by the customer for packaging his or her purchases, regardless of whether the bag is paper, plastic, or reusable;
 - (b) Prominently advertises its participation in, and the substance of, the Carryout Bag Credit Program at each of its checkout registers;
 - (c) Reflects the total credit amount on the receipt of the customer who provides his or her own bag or bags; and
 - (d) Registers its participation in the Carryout Bag Credit Program with the District Department of the Environment.
- 1008.3 A retail establishment shall not be required, as a prerequisite to participating in the Carryout Bag Credit Program, to provide a credit to a customer for any portion of the customer's purchase for which the customer declines the use of a carryout bag.
- 1008.4 The retail establishment shall credit a customer a total number of five cent (\$0.05) credits that reasonably relate the amount of goods purchased to the number of carryout bags reasonably required to carry the purchased goods.
- 1008.5 A credit provided to a customer pursuant to a Carryout Bag Credit Program shall not reduce the amount of fees due to the Office of Tax and Revenue under Sections 1007.1 and 1008.1.
- 1008.6 A retail establishment that withdraws from the Carryout Bag Credit Program shall provide notice to the District Department of the Environment of its withdrawal at least ten (10) business days before its withdrawal.

1009 TAX STATUS OF FEES RETAINED BY RETAIL ESTABLISHMENT

- 1009.1 The fees retained by a retail establishment under this Chapter shall not be classified as revenue and shall be tax-exempt for the purposes of Chapters 18, 20, and 27B of Title 47 of the District of Columbia Official Code.
- 1009.2 The fees retained by the retail establishment under this section shall be excluded from the definition of a retail sale under D.C. Official Code § 47-2001(n)(2) and from the definition of gross receipts under D.C. Official Code § 47-2761(5).

1009.3 The fees to be remitted to the District under Sections 1007.1 and 1008.1 shall be added to other tax payments in determining whether the electronic payment requirement under D.C. Official Code § 47-4402(c) applies.

1010 PROHIBITION ON CERTAIN FEE-RELATED PRACTICES

1010.1 A retail establishment shall not assume or absorb, or refund to the customer, the disposable carryout bag fee.

1010.2 A retail establishment shall not advertise or hold out or state to the public or to a customer, directly or indirectly, that the reimbursement of the disposable carryout bag fee or any part of the fee to be collected by the retail establishment will be assumed or absorbed by the retail establishment or refunded to the customer.

1011 PROHIBITION ON SALE AND DISTRIBUTION OF CERTAIN DISPOSABLE CARRYOUT BAGS

1011.1 Disposable carryout bags made of plastic that is not one hundred percent (100%) recyclable shall not be sold or distributed, retail or wholesale, in the District.

1011.2 The prohibition set forth in this section applies to all disposable carryout bags sold or distributed, retail or wholesale, to or by any establishment in the District, whether or not the establishment is a retail establishment.

1012 PENALTIES FOR VIOLATIONS

1012.1 Violation of any of the requirements of this chapter, except for Sections 1007, 1008.1, 1008.5, and 1009, shall subject a retail establishment to the penalties set forth in this Chapter.

1012.2 If the Director of the District Department of the Environment (“Director”) determines that a violation of this chapter covered by subsection 1012.1 has occurred, the Director shall issue a warning notice to the retail establishment for the initial violation.

1012.3 If the Director determines that an additional violation of this chapter has occurred after a warning notice has been issued for an initial violation, the Director shall issue a notice of infraction and shall impose a penalty against the retail establishment.

1012.4 The penalty imposed by the Director shall not exceed the following, for each violation that occurs after the issuance of the warning notice:

- (a) One hundred dollars (\$100) for the first violation in a calendar year;
- (b) Two hundred dollars (\$200) for the second violation in a calendar year; and
- (c) Five hundred dollars (\$500) for the third and each subsequent violation in a calendar year.

1012.5 No more than one (1) penalty shall be imposed upon a retail establishment within a seven (7) calendar day period.

1012.6 A retail establishment shall have fifteen (15) calendar days after the date that a notice of infraction is issued to pay the penalty.

1012.7 The penalty shall double after fifteen (15) calendar days if the retail establishment:

- (a) Does not pay the penalty; or
- (b) Fails to respond to a notice of infraction by either denying or objecting in writing to the infraction or penalty.

1012.8 A recipient may request a hearing pursuant to instructions contained in the notice of infraction.

1012.9 Hearings or adjudications of violations under this Chapter shall be conducted pursuant to the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code §§ 2-1831.01 *et seq.*).

1099 DEFINITIONS

When used in this Chapter, the following words and phrases shall have the meanings ascribed:

100 percent (100%) recyclable - capable of being collected, separated, and recovered from the solid waste stream through the District's recycling programs, and either used again or reused in the manufacture or assembly of another package or product.

Act - means the Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18- 0055; D.C. Official Code § 2-1226.51 *et seq.*).

Disposable carryout bag - a bag of any material, commonly plastic or kraft paper, which is provided to a customer at the point of sale to carry purchases.

Post-consumer recycled content - any material that has completed its use as a consumer item and that would otherwise have been disposed of as municipal solid waste, but that has instead been reused or reconstituted as a product or raw material.

Reusable carryout bag - a bag with handles that is specifically designed and manufactured for multiple reuse and is made of cloth, fiber, other machine-washable fabric, or durable plastic that is at least two and one-quarter millimeters (2.25 mm) thick.

ARTICLE 7. CARRYOUT BAGS.

§ 15-6-121 DEFINITIONS.

In this article:

(1) **BUSINESS ESTABLISHMENT** means any commercial enterprise that provides carryout bags to its customers, including sole proprietorships, joint ventures, partnerships, corporations, or any other legal entity whether for profit or not for profit and includes all employees of the business and any independent contractors associated with the business.

(2) **CARRYOUT BAG** means a bag provided by a business establishment to a customer typically at the point of sale for the purpose of transporting purchases.

(3) **REUSABLE CARRYOUT BAG** means a carryout bag that is specifically designed and manufactured for multiple reuse, and meets the following criteria:

(a) displays in a highly visible manner on the bag exterior, language describing the bag's ability to be reused and recycled, as prescribed by rule;

(b) except as provided in subsection (d) below, has a handle;

(c) is constructed out of either:

(i) Cloth, other washable fabric, or other durable materials whether woven or non-woven,

(ii) Recyclable plastic, with a minimum thickness of 4.0 mil and containing only the types of plastic resin as prescribed by rule, or

(iii) Recyclable paper; and

(d) handles are not required for carryout bags constructed out of recyclable paper with a height of less than 14 inches and width of less than 8 inches.

(4) **SINGLE-USE CARRYOUT BAG** means a carryout bag that is not a reusable carryout bag.

Source: Ord. 20120301-078.

§ 15-6-122 REGULATIONS.

(A) Beginning on the effective date of this ordinance, the City will engage in a public education campaign to inform business establishments and citizens of the requirements regarding carryout bags.

(B) Beginning March 1, 2013, no person may provide single-use carryout bags at any City facility, City-sponsored event, or any event held on City property.

(C) Beginning March 1, 2013, a business establishment within the City limits may not provide single-use carryout bags to its customers or to any person.

(D) Beginning March 1, 2013, a business establishment within the City limits must provide prominently displayed signage advising customers of the benefit of reducing, reusing and recycling and of the need to use reusable carryout bags. The language and placement of signs under this Section shall be as prescribed by rule.

(E) A business establishment within the City limits may provide or sell reusable carryout bags to its customers or any person. A person may provide or sell reusable carryout bags at any City facility, City-sponsored event, or any event held on City property.

Source: Ord. 20120301-078.

§ 15-6-123 EXEMPTIONS.

This article does not apply to:

(1) Laundry dry cleaning bags, door-hanger bags, newspaper bags, or packages of multiple bags intended for use as garbage, pet waste, or yard waste;

(2) Bags provided by pharmacists or veterinarians to contain prescription drugs or other medical necessities, only if the bags are recyclable within the City of Austin residential recycling program;

(3) Bags used by restaurants to take away prepared food, only if the bags are recyclable within the City of Austin residential recycling program; and

(4) Bags used by a consumer inside a business establishment to:

(a) Contain bulk items, such as produce, nuts, grains, candy, or small hardware items,

(b) Contain or wrap frozen foods, meat, or fish, whether or not prepackaged,

(c) Contain or wrap flowers, potted plants or other items to prevent moisture damage to other purchases, or

(d) Contain unwrapped prepared foods or bakery goods; and

(5) Bags used by a non-profit corporation or other hunger relief charity to distribute food, grocery products, clothing, or other household items.

Source: Ord. 20120301-078.

§ 15-6-124 HARDSHIP VARIANCE.

(A) The Director may grant a variance from a requirement of this article only after determining that:

(1) application of this article would cause undue hardship based upon unique circumstances, or

(2) application of this article would deprive a person or business enterprise of a legally protected right.

(B) The request for variance shall be submitted on a form prescribed by rule.

(C) A variance granted under this Section must be the minimum departure necessary to address the hardship.

(D) The Director shall prepare written findings to support the grant or denial of a variance request under this Section.

Source: Ord. 20120301-078.

Disclaimer:

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Stake Holders List

Contact Name

Organization

- | | |
|---------------------|--|
| 1. Bruce Wynn | Kirkland Chamber of Commerce |
| 2. Jan Gee | Washington Food Industry Association |
| 3. | American Chemistry Council |
| 4. Katrina Rosen | Environment Washington |
| 5. Vivian Weber | Sustainable Kirkland |
| 6. | Fred Meyer (The Kroger Co.) |
| 7. Holly Chisa | Northwest Grocery Association |
| 8. Diana Crane | PCC Natural Markets (Corporate) |
| 9. Alison Mochizuki | Trader Joe's (Corporate) |
| 10. Mark Johnson | Washington Retail Association |
| 11. Theron Andrews | Bartell Drugs |
| 12. Chris Klein | Duro Bag Manufacturing |
| 13. Josh McDonald | Washington Restaurant Association |
| 14. Joe Mizrahi | United Food and Commercial Workers Union |
| 15. Brad Halverson | Metropolitan Market |
| 16. | Safeway (Corporate) |
| 17. | Hopelink |
| 18. | Northwest Grocer's Office |
| 19. | American Progressive Bag Alliance |
| 20. Susan Thoman | Cedar Grove Composting |
| 21. | Walgreen's (Corporate) |
| 22. | Rite Aid (Corporate) |
| 23. | QFC (The Kroger Co) |
| 24. Mario Morales | Eastside Business Association |
| 25. | Ace Hardware |
| 26. Jeni O'Neal | Kirkland Wednesday Market (KDA) |
| 27. Tina Lathia | Juanita Friday Market |
| 28. Bruce Wynn | Kirkland Downtown Association |
| 29. Mary Evans | Waste Management, Inc. |
| 30. Jeff Borgida | Republic Services |

June 28, 2013



Bruce Wynn
Kirkland Downtown Association
328 Park Place Center
Kirkland, WA 98033

Dear Bruce Wynn,

The Kirkland City Council has established environmental goals and performance measures to increase, enhance, and gauge the sustainability of our community and protect our natural environment. To achieve these goals and measures, Kirkland has developed and implemented innovative waste reduction and recycling programs and initiatives that has made Kirkland a perennial regional leader in recycling diversion and sustainability. To set the bar even higher and improve the sustainability of our community, the Kirkland City Council is considering regulating the use of single-use plastic bags in Kirkland.

As one of the many businesses/associations holding an important stake in our community and its natural environment, we would appreciate your opinion whether the City of Kirkland should regulate the use of single-use plastic bags in our community. Please take the time to send us your thoughts by **July 31, 2013** so that they may be shared with the City Council as it considers this issue further.

Please email your comments to recycle@kirklandwa.gov or post mail them to:

John MacGillivray
City of Kirkland Public Works Department
123 5th Avenue
Kirkland, WA 98033

Your opinions will be compiled with the survey results of Kirkland residents and local businesses known to use disposal bags and presented to the Kirkland City Council early this fall.

For more information contact Mr. MacGillivray at 425-587-3804 or jmacgillivray@kirklandwa.gov.

Sincerely,
PUBLIC WORKS

A handwritten signature in black ink that reads "Pam Bissonnette".

Pam Bissonnette
Interim Public Works Director



Plastic Bag Ban Proposal

20 February 2013

Greetings,

Members of Sustainable Kirkland would like the City of Kirkland to pass an ordinance that would ban single-use plastic carryout bags in Kirkland. Single-use plastic bags are a significant source of the plastic pollution that threatens the marine life in Puget Sound. According to the EPA, seabirds, sea turtles, fish, and marine mammals often mistake plastic debris for food. For example, whales and sea turtles often mistake clear plastic bags for squid and jellyfish, and birds mistake microplastics for fish eggs.¹

Environment Washington, a research and policy center dedicated to protecting Washington's air, water, and open spaces, noted these examples of plastic pollution in Puget Sound:²

- Researchers at the University of Washington Tacoma's Center for Urban Water found that every sample they took of nearby Puget Sound water and beach debris contained some form of plastic pollution.
- In April 2010, a dead grey whale washed up on the beach in West Seattle. Its stomach was full of trash, including 20 plastic bags.
- In the Strait of Juan de Fuca, researchers from the Port Townsend Science Center found that over 10% of the gulls nesting along the shores consumed plastic—half consisting of thin-film plastic single-use bags.

Goal Ban single-use plastic carryout bags in Kirkland.

Elements of a Proposed City of Kirkland Ordinance

- Prohibit the use of single-use plastic carryout bags given to customers at point of sale. Include bags advertised as compostable, biodegradable, photodegradable, or similar.
- Impose a 5-cent fee on each recyclable paper carryout bag to encourage shoppers to bring their own reusable carryout bags. Specify that paper bags contain a minimum percentage of post-consumer recycled fiber. For example, at least 40%.
- **Exceptions:** Allows plastic bags for produce, meat, and bulk food.

Important In 2009, Edmonds was the first city in Washington to pass a local ban on plastic bags. Unfortunately, they failed to impose the 5-cent fee on paper bags. Instead of bringing their own reusable bags, some people are asking for paper bags.

Did you know?

- The U.S. uses 100 billion plastic bags annually, consuming about 12 million barrels of oil.³
- Every quarter second, 3000 plastic bags are used in the U.S. The average American uses about 500 bags each year.⁴
- Every year, people in Washington State use over 2 billion plastic bags. More than 95% of these bags end up in landfills or as litter.⁵

¹ "Marine Debris Impacts". http://water.epa.gov/type/oceb/marinedebris/md_impacts.cfm. Accessed on 10 February 2013.

² "Keeping Plastic out of Puget Sound—Why Washington Should Join the Global Movement to Reduce Plastic Bag Pollution". Environment Washington news release on November 17, 2011. <http://environmentwashington.org/reports/wae/keeping-plastic-out-puget-sound>. Accessed on 10 Feb 2013.

³ "Green Tips". World Wildlife Fund. <http://worldwildlife.org/pages/green-tips> Accessed on 10 February 2013.

⁴ Information learned during Sustainable Kirkland group field trip to "Plastics Unwrapped" Exhibit at the Burke Museum, Seattle, WA on 7 February 2013. <http://www.burkemuseum.org/plastics>.

⁵ Krehbiel, Robb and Emma Jornlin. "Cutting Down on Plastic—Bag Bans Prove Popular and Successful". Environment Washington. December 2012. Accessed on 4 February 2013. Copy of report in this binder.

Why ban plastic bags?⁶

- **Plastic bags pollute our water and our food supply** Plastic bags never biodegrade. When plastic bags enter the water, they break down into smaller and smaller pieces called microplastics. These tiny plastics absorb other chemicals in the water, including banned toxins DDT and PCBs, and become concentrated toxic pellets, ingested by smaller fish and thereby introduced into the food chain.⁷
- **Plastic bags litter the ocean and our coasts** Because they are so lightweight, wind and water currents easily pick them up. According to the National Marine Debris Monitoring Program, plastic bags account for more than 11% of the debris washed up on U.S. western continental coastlines. In the Pacific Ocean, currents have created the Great Pacific Garbage Patch, which contains mostly plastic swirling in an area twice the size of Texas.
- **Plastic bags are not recycled** In 2010, only 4.3% of all plastic bags in the United States were recycled. Many grocery stores offer bag collection. However, many bags turned in for recycling end up in the landfill because they are contaminated with food, receipts, etc.
- **Plastic bags contaminate the recycling process** Over 50% of the Washington's recycling facilities do not accept plastic bags because they get tangled in their separation machinery. Because they spend an estimate of 20-30% of their labor costs removing plastic bags from the machinery, over 70% of municipalities want plastic bags out of their recycling systems.

Which other communities have implemented a ban on disposable, single-use plastic bags?⁸

- **In State of Washington** Bainbridge Island, Bellingham, Edmonds, Issaquah, Mukilteo, Port Townsend, and Seattle. In addition to these 7 communities, Anacortes, Shoreline, and Thurston County are considering bans.
- **On west coast** Alameda County, Carmel, Eugene, Hawaii (every county), Laguna Beach, Los Angeles county, Monterey, Portland, San Francisco, San José, Santa Cruz county.
- **Elsewhere in U.S.** Austin, Texas; State of Massachusetts; Washington, D.C.
- **Elsewhere in the world** At least 20 countries and more than 50 local governments.

In summary, plastic bags do not belong in the ocean. Members of Sustainable Kirkland encourage the City of Kirkland to follow other Washington cities and approve a ban on single-use plastic carryout bags. Teri Thomas, Thurston County Solid Waste Reduction Coordinator, summarizes this issue well: "It has been shown over and over that education and increased bag recycling opportunities do not make a significant impact. If jurisdictions truly want to reduce the use, bans are the about the only way that is going to happen".⁹ If successful, Thurston County would be the first Washington County to ban plastic bags. Next, a statewide ban on disposable plastic bags would be the best solution to preventing plastic bags from entering Washington's coastal waters and harming our marine life. We thank you for your attention to this important matter, and encourage you to visit "Plastics Unwrapped" exhibit at the Burke Museum before it ends on 27 May 2013.

Members of Sustainable Kirkland

⁶ Ibid.

⁷ For more scientific details, see Plastic Ocean, a book written by Capt. Charles Moore with Cassandra Phillips. Pages 246-257. Published by the Penguin Group. 2012.

⁸ For a state-by-state list and brief description of plastic bag laws passed in the U.S., go to <http://www.campaignforrecycling.org/print/191>.

⁹ "Other Cities Provide Insight to What Thurston Can Expect with Own Ban". Environment Washington news release on 19 December 2012. <http://www.environmentwashington.org/news/wae/new-survey-plastic-bag-bans-big-success>. Accessed on 14 February 2013.

John MacGillivray

From: Recycle
Sent: Monday, July 08, 2013 7:49 AM
To: John MacGillivray
Subject: FW: Kirkland, WA Bag Regulation Comments
Attachments: Sustainability_Paper v Plastic.pdf; AFPA Paper Bag Sustainability.pdf; 1 6 10 Paper vs Plastic Sustainability Comparison.pdf; Duro Sustainability Overview.pdf; US Bag Legislative Overview 053113.pdf

From: Christopher Klein [<mailto:cklein@durobag.com>]
Sent: Monday, July 08, 2013 7:47 AM
To: Recycle
Cc: Christopher Klein
Subject: Kirkland, WA Bag Regulation Comments

Dear John MacGillivray and Pam Bissonnette,

Thank you for reaching out to Duro Bag, and for the opportunity to comment on potential bag regulation.

I have personally worked with numerous cities around the U.S. on similar legislation, including Seattle, Portland, San Francisco, Los Angeles, Chicago, New York, Austin, and Washington D.C. As a representative for the world's largest producer of paper bags, I work to inform municipalities on the impacts of paper v. plastic environmental issues, and resulting regulation.

Duro supports Kirkland's effort to regulate the use of single-use plastic bags.

Although I am unaware of Kirkland's specific language, many ordinances around the country have adopted similar regulations and compliance requirements, and I would like to comment on those below:

1. 40% PCW requirement for paper bags.
 - a. Duro is strongly supportive of the 40% PCW requirement. Duro advocates the use of this paper to many of our customers due to the environmental quality.
2. Fee on paper bags.
 - a. In principle Duro does not support fees on paper bags, because we see paper bags as an environmentally friendly alternative on par with reusable bags, BUT we also acknowledge the need for the fee for retailer support.
 - b. Therefore, in these situations Duro recommends a hybrid option. Similar to what was successful in Austin, TX, wherein the 5 cent fee is placed on standard paper bags with the 40% PCW minimum, but to create an exception (no fee) for paper bags with 100% PCW and 3rd party certification (due to strong environmental/sustainability quality) or paper bags with handles (due to reusability). This format has been widely accepted in other cities, and by retailers. This provides businesses the option as to whether they want to collect a fee or not and absorb the cost of the environmental option. This satisfies the objectives of legislatures by implementing a "market-friendly" bill that is flexible to businesses and consumers.

In addition to my comments, please see attached and consider the information in the supporting documents which outline the key aspects and benefits of paper bags, and specifically compared to plastic bags. Also attached is a U.S.

Bag Legislative Overview, which provides a snapshot of all bag legislation. This will give you a good start in comparing other regulatory efforts.

I hope this information is helpful. Please feel free to call or email me to discuss in more detail.

I am available at cklein@durobag.com or my mobile is 859-446-8506.

Thanks again for considering my comments, and best of luck in your pursuit to engage the community in sustainable practices.

Best,
Christopher Klein
Duro Bag Mfg Co.
859-446-8506
cklein@durobag.com

This email transmission contains information that is intended to be confidential and privileged. If you receive this email and you are not a named addressee you are hereby notified that you are not authorized to read, print, retain, copy, or disseminate this communication without consent of the sender and that doing so is prohibited and may be unlawful. Please notify sender immediately by email if you have received this via email and delete and otherwise erase the email and any copies or attachments from your computer system. Also, email transmission cannot be guaranteed to be secure or error free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of the message, which arise as a result of email transmission



The American Forest & Paper Association (AF&PA) is the national trade association that advances a sustainable U.S. pulp, paper, packaging, and wood products manufacturing industry through fact-based policy and marketplace advocacy. The industry is an integral part of our nation's green job base and generates approximately 4.5 percent of the total annual U.S. manufacturing GDP and is among the top 10 manufacturing sector employees in 47 states.

AF&PA's member companies manufacture products from renewable and recyclable resources, which are relied upon in the daily lives of people across the country and around the world. Nationwide, our industry value chain employs nearly 900,000 workers — exceeding employment levels in the automotive, chemicals, and plastics industries -- in green jobs that promote recycling to reduce waste and reduce greenhouse gases by sustaining the forests that absorb carbon dioxide; making the paper and wood products that store it; and generating about two thirds of our energy needs through carbon neutral biomass renewable energy.



Renewable

Paper bags are made from a renewable resource—trees—that help reduce greenhouse gases in the atmosphere.

- U.S. forests and forest products offset 10 percent of annual U.S. carbon dioxide emissions.
- Sustainable Forestry Initiative® (SFI) participants alone plant 1.7 million trees each day in North America.
- Two-thirds of the power used to make paper comes from carbon-neutral, renewable sources.
- The fossil fuel from which plastic bags are made and the fossil fuels burned to power the manufacture of plastic bags lead to a net increase of carbon dioxide in the atmosphere.

Recyclable

The recovery rate for paper bags is four times greater than that of plastic bags.

- Paper bags' and sacks' recovery rate is 49.5 percent, which helps keep them out of landfills and extends the fiber supply, according to the EPA in 2009.
- Plastic bags' recovery rate is about 10 percent. Plastic bags are a leading cause of ocean litter and are a major threat to marine animals.
- Every ton of paper that is recovered for recycling saves 3.3 cubic yards of landfill space.
- More than 78 percent of the U.S. population has access to recycling paper bags. In 2010, 87 percent of the U.S. population had access to paper and paperboard community recycling programs.
- In 2011, 66.8 percent of paper used in the U.S. was recovered for recycling.

Compostable

- Paper bags are ideal as a container to hold compostable waste.
- Paper bags are readily compostable, as evidenced by their use throughout the country in municipal leaf mulching programs.
- Under perfect conditions, a plastic bag may take a thousand years to biodegrade. In a landfill, plastic bags decompose while presenting litter problems and threats to wildlife, especially marine life. If buried, they block the natural flow of oxygen and water through soil. If burned, they release dangerous toxins and carcinogens into the air.



Greenhouse Gases

- Paper bags help reduce greenhouse gases in the atmosphere by requiring less energy to produce than plastic bags. On average, two-thirds of the energy used to make paper is carbon-neutral or renewable. When biomass such as wood is combusted for energy, it releases carbon dioxide that it had absorbed during growth back into the atmosphere. When harvested biomass is replanted, it once again absorbs carbon dioxide. In contrast, the combustion of fossil fuel is not carbon neutral.

January 2013



**American
Forest & Paper
Association**

www.afandpa.org

Paper vs. Plastic Sustainability Comparison

Questions and Answers

The American Forest & Paper Association (AF&PA) is the national trade association of the forest products industry and advances public policies that promote a strong and sustainable U.S. forest products industry in the global marketplace. The industry is an integral part of our nation's green job base and generates approximately 6 percent of the total annual U.S. manufacturing GDP.

AF&PA's member companies make pulp, paper, packaging and wood products, and own forest land. Our companies make essential products from renewable and recyclable resources that sustain the environment. Nationwide, the U.S. forest products industry:

- *Employs approximately one million workers — on par with the nation's automotive and plastics industries.*
- *Provides green jobs that reduce greenhouse gases by sustaining the forests that absorb carbon dioxide; making the paper and wood products that store it indefinitely; generating and using more renewable energy than anyone else—28.5 million megawatt hours annually, enough to power 2.7 million homes; and recycling paper to avoid methane emissions and reduce waste.*
- *Is among the top ten manufacturing sector employers in 48 states.*
- *Is a significant taxpayer, paying approximately \$7 billion annually in federal, state, and local taxes.*



Does it take less energy to create a plastic bag?

Yes, but plastic bags are made almost entirely with fossil fuels, whereas on the average, two-thirds of the energy to make paper bags is carbon-neutral or renewable. When biomass such as wood is combusted for energy, it releases back into the atmosphere carbon dioxide that it had absorbed from the atmosphere during growth. When harvested biomass is replanted, the cycle repeats. In contrast, combustion of fossil fuel is not carbon neutral.

This contrasts with the fossil fuels used to power the manufacture of plastic. The carbon released when fossil fuel is combusted is geologic carbon that was never in the atmosphere. Therefore, its release creates a net increase of carbon in the atmosphere.

Does it take less fossil fuel to make paper bags than plastic?

Yes, because it takes three plastic bags to carry the same amount of goods as one paper bag. The LCA data conducted by AF&PA shows that paper bags are more energy efficient to produce. An LCA done by the plastic bag industry suggests that it takes 1.5 plastic bags to carry the same amount of goods as a paper bag, in which case plastic bags are made to appear more energy efficient to produce than paper bags. However, we dispute the assumption that it takes only 1.5 plastic bags to replace a single paper bag and instead use the more accurate 3:1 ratio.

The LCA conducted by the plastics industry says that it takes less potable water to make plastic bags than paper bags. Is this true?

No. Paper is not made with any potable (drinking) water at all. Papermakers practice efficient, non-consumptive reuse of water resources. Virtually all of the water that helps make our products is used, treated, and then released back into the waterways from which it was originally drawn.

The LCA conducted by the plastics industry says that the life cycle of plastic bags generates fewer greenhouse gas emissions than does that of paper. Is this true?

The paper bag manufacturing process actually generates 20 percent less greenhouse gas emissions than does that of plastic bags. Paper bags decompose, however, whereas plastic bags do not. This decomposition releases greenhouse gases and is where plastic bags claim an advantage in the life cycle. To mitigate the amount of greenhouse gases released into the atmosphere, the paper industry continues to promote paper recycling. In 2008 more than 57 percent of the paper consumed in the U.S. was recovered for recycling.

Does plastic production generate less NO₂ and SO₂ emissions than paper?

While minute amounts of NO₂ and SO₂ are emitted in the papermaking process, the amounts are so infinitesimal that these are not substances for which paper companies are typically even required to test or monitor.



Do paper bags generate more solid waste than plastic?

The LCA conducted by the plastics industry examines only the weight of paper and plastic bags. Plastic bags are recycled at far lower rates and wind up in landfills more often than do paper ones. Paper bags decompose and become soil, plastic bags do not decompose. As the recycling rate for paper bags increases, less solid waste and methane will be created. According to the U.S. EPA in 2008, the recovery rate of Kraft paper bags was 37.6 percent.

Are paper bags a litter issue?

No. If a paper bag ends up as litter on land, in a stream, or in the ocean, that bag will decompose and not pose a threat to wildlife and the environment.

Contrary to what the plastics industry claims, plastic's inability to decompose is actually one of its major problems, as is evidenced by the severe litter problems of plastic, the deadly toll it takes on aquatic life, and the United Nation's Environmental Programme's recent finding that 80 percent of all the plastic in the ocean is thin-film plastic.

Why are trees considered a renewable resource?

The paper bag is made from a renewable resource – managed forests – that provides habitat for animals and removes large amounts of carbon dioxide from air we breathe. In its stewardship of these lands, the U.S. forest products industry plants 1.7 million trees every day.

AF&PA requires participation in a forest certification program, like the Sustainable Forestry Initiative® (SFI), as a condition of membership. The SFI Standard requires protection of high conservation value forest as one of its forest management objectives.



The Northwest Grocery Association represents retailers and suppliers in all the counties and cities across Washington State. Our membership includes the larger grocery stores – Safeway, Albertsons, Costco Wholesale, QFC, Fred Meyer, and WinCo stores – but not the independent grocers.

Over the past several months NWGA members have worked with various municipalities that are interested in passing ordinances to ban plastic bags. NWGA supports proposed ordinances that ban plastic but ALSO requires a fee be collected by retailers for paper.

NWGA has supported specific bans on plastic bags, but only if it fits three specific criteria:

- **The legislation must apply to ALL retailers, not just grocery stores. ALL retailers use plastic bags, and ALL retailers should be held to the same standard.**
- **There should be a fee on paper bags that is required to be collected. The retailer would retain this fee. Switching to paper bags can increase costs for a retailer almost \$100,000 per store site, and the nickel will help to offset those potential costs.**
- **It includes all bags, paper and plastic.**

We continue to work with local governments to pass this type of model at the local level. Ordinances that have passed in Seattle and other communities have proven to be workable for the retail community, and these ordinances treat all retail businesses the same.

We remain committed to working with local governments to draft ordinances that meet the above criteria, and which doesn't pit one retailer against another. Please contact me should you be interested in talking about our position further, and how we may assist the Council.

Contact Holly Chisa (360)791-6647



WASTE MANAGEMENT

720 Fourth Ave, Suite 400
Kirkland, WA 98033

July 30, 2013

Ms. Pam Bissonnette, Interim Public Works Director
Mr. John MacGillivray, Solid Waste Programs Manager
City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033

*** Sent via Email ***

Dear Pam and John:

Thank you for inviting Waste Management to comment on Kirkland's consideration of single-use plastic bag regulation.

There are several approaches to material bans:

1. Disposal ban;
2. Collection ban;
3. Ban on use or sale; or
4. A requirement to recycle (the inverse of a disposal ban).

Each approach comes with its own considerations. Generally speaking, Waste Management is neutral on sale or use bans. With regard to disposal bans, collection bans or recycling mandates, we advocate having a "plan before a ban". When well-developed collection systems, robust markets and supporting enforcement and collection systems are in place, we generally do not object to the implementation of material bans.

Effective plans require appropriate collection programs, processing infrastructure and markets for the recycled material. Our current contract includes the collection of "bagged plastic bags" in the single-stream recyclables collection at the city's request. Processing plastic bags is challenging, even when they are properly prepared (bags kept clean and dry; bagged together). Adding difficult materials - like plastic bags - to an existing processing facility, requires a deft hand at the pre-sort line to catch as many bags as possible. Left on the line, plastic bags inevitably tangle and clog the MRF equipment.

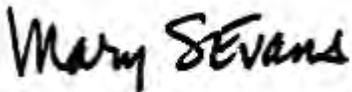
In addition to the processing challenges, the end market for this material has become problematic. China's "Operation Green Fence" initiative has banned curbside film plastics (among other types of plastics) from import. This has effectively shut-off the existing global marketplace for these materials. Sufficient domestic alternatives do not exist presently. Simply put, mixed plastics (including film plastics) collected in curbside recycling programs have no end market at this time.

Operation Green Fence is a reminder of the importance of material quality in our recycling programs. Sustainable recycling requires careful attention to quality at each point along the value chain. The type of material collected and the material quality of many types of plastics collected in curbside recycling programs have been particularly challenging to recycle effectively. We have increased labor cost at our MRFs, and are focusing on clear communication with our customers, to minimize confusion and contamination - hoping to improve material quality and recyclability of more types of plastics.

We are watching this situation closely, and hope to see a change in export market demand combined with the development of alternative domestic solutions for plastics, beyond the more stable PET and HDPE plastics. However, we anticipate that the situation may require new long-term market solutions. In the meantime, we are working with our customers to limit the types of material that we collect to those with established and stable end markets in this new environment.

We hope that this helps you in your decision making process. Please do not hesitate to contact me at 425.814.7844 or mevans4@wm.com should you have further questions.

Sincerely,

A handwritten signature in black ink that reads "Mary SEVANS". The signature is written in a cursive style with some capitalization.

Mary S. Evans
Area Director - Public Sector Services

From: [Susan Thoman](#)
To: [John MacGillivray](#)
Subject: [SPAM] Comments on plastic bag ban initiative
Date: Friday, August 09, 2013 10:04:44 AM

Greetings, John. I received a letter from Pam Bissonnette a few weeks ago, and I am so sorry that I did not respond within the prescribed timeline (July 31). With that, I hope the comments provided herein are still timely and can be integrated with your other comments to Council on the matter of regulating single-use plastic retail bags in your community.

Cedar Grove Composting is in full support of this initiative, as we see that any efforts to exclude any amount of film plastic from our inbound tonnage is one step closer to minimizing the potential for this material to end up in yard waste carts. We greatly appreciate the efforts of our city and county recycling partners in their efforts to educate the public on what should and should not go into composting carts. However, film plastics remain one of the most insidious, prevalent and costly contaminants to contend with. By encouraging the use of paper or durable shopping bags in Kirkland, we anticipate this will certainly create an incrementally positive effect on our feed stock quality.

We were in full support of the plastic bag bans in both the City of Seattle and the City of Issaquah. We provided public testimony for these initiatives when these ordinances were before their respective councils. We would certainly take advantage of the opportunity to do the same if this initiative matures to that stage. We admire the progressive stance of Kirkland in considering this, and it would be our privilege (and in the overall best interest of our local organics recycling program) to act in support of this consideration.

Thank you for asking for our comments. We look forward to learning more about this as it progresses.



Susan Thoman | Vice President, Corporate Development | Office: (206) 832-3083
Cell: (206) 755-8309 | susant@cgcompost.com
Customer Service: 1-877-764-5748 | www.cedar-grove.com



BARTELL DRUGS

Washington's Own Drugstores®

John MacGillivray
Solid Waste Coordinator, City of Kirkland
Kirkland City Hall
123 5th Avenue
Kirkland, WA 98033

Dear Mr. MacGillivray,

Bartell Drugs, from the time of my Grandfather and company founder, has been focused on serving our customers in the best way we can. An important component to our commitment to service is offering choices for our customers. This has involved, in recent years, providing environmentally sound disposal options for certain items that we sell*.

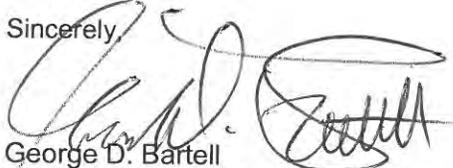
When it comes to the packaging of customer purchases, we are glad to accommodate customers who don't want their purchase bagged, those who bring their own bags, and those who want us to provide bags, both bags for purchase and "free" ones. For decades we have provided plastic bags to meet the latter need because they are inexpensive, take up less space than paper bags to stock in our warehouse and in our stores and are less expensive to transport from our warehouse to our stores. Further, they are generally more durable than paper bags, especially in our rainy environment.

Our most commonly used larger plastic bags have intentionally been of good quality and we have found that many customers re-use them, in some cases many times. But, as I pointed out earlier, our primary obligation is to respond to the needs of our customers. If customers did not want us to provide bags we wouldn't. If customers refused plastic bags we would find a way to serve their needs. Overall we appreciate the ability to run our business by offering our customers what they need.

In our limited experience with plastic bag bans we've found that making this adjustment has slowed our checkout times, caused frustration for our employees and most importantly as it pertains to my prior comments, exasperated and confused some of our customers. Overall it has been more cumbersome to manage: not our preferred way of doing business.

We urge that you support freedom of choice and allow merchants to tailor their bag offerings to the needs of their customers.

Sincerely,



George D. Bartell
Chairman and CEO, Bartell Drugs

***Existing Sustainability Programs at Bartell Drugs:**

- Free, chain-wide recycling program for CFL (compact fluorescent light bulbs).
- Recycling and disposal programs for used batteries and old cell phones.
- Leadership role in the environmentally safe disposal of unwanted prescription drugs through the "Take It Back Network" program.

The Bartell Drug Company • Trusted Since 1890
4025 Delridge Way SW, Suite 400 Seattle, WA 98106
Phone 206-763-2626 • Fax 206-763-2062 • bartelldrugs.com



PUBLIC WORKS DEPARTMENT
Solid Waste Division

*www.kirklandwa.gov/recycle
(425) 587-3812
recycle@kirklandwa.gov*