



Common sense trumps bag bans

by Mike Breslin

There are many reasons why plastic bags may be considered less harmful than paper bags. They're made from recycled materials, are lighter and easier to transport in bulk and their manufacture releases fewer air pollutants. The missing conclusion in this otherwise compelling story, however, is making sure that the vast majority of retail plastic bags are deposited in recycling bins to become raw material for new product production.

When it comes to plastic shopping bags, radicals in opposing camps have divided sharply along dogmatic lines. On one side there are dedicated activists that would like to see all plastic bags replaced with earth-friendly reusable bags. On the other are shoppers and industrialists who see plastic as a convenient, inexpensive solution to one of humankind's most perplexing problems: how to carry stuff?

In the middle of the battle, are the pragmatists who acknowledge the arguments on both sides of the issue and see regulators as referees. Are more regulations, reporting requirements and bureaucratic oversight necessary? Will bans lead to enforcement, including fines? Can the litter and environmental issues associated with plastic bags be solved intelligently in a free-market through responsible recycling?



Shredded and cleaned plastic bags await further processing.

These are questions facing governments around the world. By fiat in 2008, China's Central Council imposed a nationwide ban on thin plastic bags and taxed thicker ones thereby relegating its population of over 1.3 billion to carrying buckets, wicker baskets and sack cloths. Thankfully, the United States decisions regarding plastic bag and thin films are being freely made by citizens in local and state jurisdictions.

In South Africa, like China, thin plastic bags are banned and thicker ones are taxed. Similar approaches have been taken in Eritrea, Rwanda, Somalia, Tanzania, Kenya, Uganda and Australia. Taxing or charging for plastic bags has also gained ground in Europe. Other countries and cities around the world are considering bans and taxes.

Thus far, no American state has banned plastic bags, but California tried. On August 31, an effort to ban plastic bags statewide failed to pass the California Senate by a 21 to 14 vote. This legislation would have banned the distribution of plastic

bags at grocery and other retail stores, allowing only reusable bags or paper bags to be made available for sale. If it had passed, California would have been the first state to impose a full ban. Critics of the defeat attributed it to extensive lobbying by the retail and plastic bag manufacturing industries.

Since 2007, bans have been enacted in 12 United States jurisdictions including American Samoa. California has bans in San Francisco, Malibu, Fairfax and Palo Alto. In Oakland and Manhattan Beach, California plastic bags were banned, but the courts rejected the laws because these cities failed to conduct environmental impact reviews. Two counties in Hawaii have bans as do the cities of Westport, Connecticut; Edmonds, Washington; Bethel, Arkansas and North Carolina's Outer Banks.

In January, Washington, D.C., implemented a \$0.05 surcharge on disposable paper and plastic bags. Many other towns and cities are considering ban or tax regulations which, in turn, generate lobbying on both sides of the issue, innumerable lawsuits that tie up courts and sap the resources of all involved.

Brownsville, Texas imposed a ban on single-use plastic bags this past January that is scheduled to go into effect in 2011, but according to a survey conducted in August by the American Chemistry Council (ACC) the majority residents oppose it. Of 300 adult residents surveyed, 51 percent wanted to see the bag ban repealed or postponed, 28 percent supported it and the rest were undecided. "This survey demonstrates that the City Commission is out of step with Brownsville voters," said Rudy Underwood of ACC. "The citizens of Brownsville clearly oppose banning this valued product that most people rely on and then reuse in their homes."

In Seattle a bag tax ordinance was rejected by voters in 2009, and a variety of other bills being introduced in states, cities and counties around the country are being increasingly rejected by legislators due to pressure from voters.

In addition to California, during 2010 plastic bag bans also failed to pass in Hawaii, Massachusetts, North Carolina, Oregon, Virginia, Washington and Wisconsin. A ban law was rejected by Ann Arbor, Michigan. Taxing bags failed to pass in Alaska, California, Hawaii, Maryland, Massachusetts, Minnesota, New Mexico, Vermont, Virginia and West Virginia. A tax in Baltimore, Maryland was also rejected. In this economy, even a tax on a plastic bag is onerous.

Instead of taxing or banning plastics, shopping bags and other thin films like newspaper and dry cleaner bags, product wraps for cases of beverages, and other thin-film polyethylenes, many jurisdictions have instituted mandatory recycling laws, or implemented voluntary programs.

"We see an increasing number of jurisdictions choosing recycling over taxes and bans. Additionally, this year, we saw an increasing number of jurisdictions choosing voluntary recycling initiatives over bag bans or taxes," said Shari Jackson, director of the Progressive Bag Affiliates, a self-funded group within the plastics division of the American Chemistry Council, that works to promote increased recycling of plastic bags as well as their proper use, reuse and disposal.

Mandatory bag recycling legislation has already been adopted by New York, California, Rhode Island and Delaware, as well as by more than a dozen cities and counties around the country. In 2010, Florida became the first state to institute a voluntary recycling program, although a number of major cities in Arizona had elected that route as have cities in California, Minnesota, Pennsylvania and Texas, and a county in Illinois and one in Washington.

Whether voluntary or mandatory, the trend appears strongly towards the free choice of recycling rather than bans or taxes. The reality is that thin-film polyethylene is here to stay because it is cost-efficient to make, lightweight, reusable, requires less energy to transport and is a more sustainable alternative than paper packaging made from virgin fibers.

And just as it took many decades to develop paper, plastic and metal recycling programs, it is likely to take time to educate consumers on recycling polyethylene films. It will not take as long, however, because the habits and benefits of recycling have become stronger among consumers. But it will not only take more education – it will also require segregation of the material from solid waste and many more highly visible thin-film recycling bins in communities and retail establishments.

Greater in-store recycling is being driven by regulations and voluntary initiatives among states, localities and major retailers like Wal-Mart and Target. The New York State Plastic Bag Reduction, Reuse and Recycling Law, which went into effect in January, 2009 and applies to all stores with more than 10,000 square feet or at least 5 locations with more than 5,000 square feet. The law requires these stores to comply with and set up collection programs for their customers to recycle plastic carry-out bags and film.

This year, Target implemented a voluntary collection program for plastic bags and other materials in all of its 1,400 stores throughout the country. This effort is showing good results.

One company, the Newark Group, has come up with a novel mail-back program for collecting plastic bags that may be the seed for a more general solution. “We have not heard of any program like ours that is specific to retail plastic bags,” said Kathy Hogan in account services at Newark’s Recycled Products Division.

“We came up with this program to offer to corporations or anyone else interested in recycling their bags. We are offering communities an option. We will take the plastic retail bags, dry cleaner bags, veggie bags, bubble wrap and we will take it however they can get it to us. Bring it to our facility at no cost, or ship it to us. We are willing to take it in and recycle it.”

This mail-back program has been in effect for a little over a year and is being used by over 1,000 retailers, primarily in New York, Maryland and Illinois, and is showing promising results. The company’s motives for instituting such a program are economically-driven, understandable and customer-focused, making this a free-market solution rather than a mandated one.

The Newark Group is comprised of a network of vertically integrated, 100 percent recycled paperboard operations. Their recovered paper operations supply all of the recovered paper used in its domestic paperboard mills and nearly all the needs of its converting operations. In North America, they operate 11 recovered paper plants, 8 paperboard mills and 22 converting plants, and handle approximately 2.5 million tons of paper a year.

Johnny Gold, Newark’s senior vice president, explained how the program developed: “One of the big items we use in making recycled paperboard is residential mixed paper. No matter what the recycling programs say to residents, no matter how much due diligence we do in telling people that plastic bags cannot be in curbside collections they wind up in our residential paper mix. Our mills go crazy when they get plastic bags mixed in with the paper. We were also getting inquiries from our recycled cardboard customers asking if we had a way to handle their plastic bags, so we came up with our way to recycle them.”

Newark provides its Plastic Bag Return Program Level 1 Starter Kit for a minimal cost, which also includes the return UPS shipping charges. It consists of a heavy-duty cardboard recycling bin imprinted with the recycling logo and displays recycling information. The top has a circular opening to deposit plastic bags. It comes with four, 10 mm clear plastic liners and three pre-paid postage return cartons. When the bin is full of clean, dry bags, the liner is removed, the air squeezed out, put into a return carton and returned to Newark via UPS. A refill kit of four liners and three return boxes is also available. The average weight for a returned box is 5.5 pounds. In addition to drop-offs, thus far the program has recovered more than 2,000 return boxes. It takes approximately 300 boxes to make a 1,500 pound bale, which Newark sells to a plastics recycler. Besides the plastic bags, Newark also recycles the liners and the cardboard return boxes.

Currently Newark has one receiving location Salem, Massachusetts. Another is being set up in Newark, New Jersey, but the company is planning to roll out the program nationwide to reduce shipping costs. Other locations in Dayton, Ohio; Green Bay, Wisconsin; San Jose and Stockton, California; Mobil, Alabama and Tallahassee, Florida will handle mail-backs or receive drop-off loads.

“On the baled plastics we are breaking even and sometimes making up to a penny a pound plus we get the cardboard back in the shipping box. We are not losing anything. It’s a customer service that also helps us get more material. More importantly, we are helping keeping them out of the residential mixed paper stream,” said Gold. “We do not want to spend the time and labor on a conveyor line pulling out plastic bags from residential paper.”

Recycling does work and it can work even better. In 2008, more than 832 million pounds of plastic bags and film were recycled, a 28 percent increase since 2005. More significantly, during this same period the recycling rate for plastic bags and film doubled to 13 percent. If that recovery rate can be sustained, or even increased, the environmental issues may be resolved without the need for outright bans.

Creating a consumer culture for thin-film recycling, mail-back programs and a greater number of drop-off locations are parts of the solution to make sure that plastic bags are recycled rather than become litter. Mail-backs can provide small retailers, schools, institutions and community organizations, and even households with a convenient way to collect and recycle plastic bags. Reducing, reusing and recycling plastic bags, a valuable commodity, can be done without more of the fourth R, regulations.