EXPANDED POLYSTYRENE

PROPOSED ORDINANCE OF THE BOARD OF SUPERVISORS

MAY 8, 2012

County of Santa Clara
APPLIES TO

- Vendors that sell prepared food for eat-in or take-out in the unincorporated areas of Santa Clara County
FOOD VENDOR IS

Food Vendor means any establishment located within the unincorporated areas of Santa Clara County, which provides prepared food or beverages for public consumption, including but not limited to any store, supermarket, delicatessen, restaurant, or convenience store.
FOOD VENDOR IS NOT

- Food Vendor does not include social and service organizations, board and care homes, skilled nursing facilities, child care centers, fraternity/sorority houses or other location where food service is included as part of a room and board agreement.
REQUIRES FOOD VENDORS TO

Discontinue the use and distribution of expanded polystyrene food and beverage containers
EXEMPTION

Time-limited exemptions to this ordinance may be granted in unique situations on a case-by-case basis.
EXAMPLES OF EXPANDED POLYSTYRENE THAT WILL BE REGULATED

Considered
WHY DISCONTINUE THE USE OF EXPANDED POLYSTYRENE

- No viable recycling market
- Takes up valuable landfill space
- Litters roadways and waterways
- Breaks down into small pieces
- Not easily removed from the environment
- Often ingested by wildlife that mistake the small pieces for food
- Clogs devices meant to capture debris that would ultimately flow to the bay
ACCEPTABLE ALTERNATIVES

- Any material collected by the unincorporated garbage hauler for recycling, including:
  - Any plastics identified as recyclable by the unincorporated hauler which are labeled with resin symbols #1 through #5
  - Glass
  - Metal/aluminum foil
ACCEPTABLE ALTERNATIVES TO EXPANDED POLYSTYRENE #’s 1 – 5
DOES NOT APPLY TO

- Foods prepackaged outside unincorporated Santa Clara County
- Coolers and ice chests intended for reuse
- Trays to hold fresh meat, poultry, fish and produce
- Block foam and packaging peanuts
CURRENTLY

More than 60 jurisdictions in California have restrictions on expanded polystyrene food and beverage containers
POLYSTYRENE – ORDINANCES IN CALIFORNIA

- Alameda (2008)
- Albany (2008)
- Berkeley (adopted 1988)
- Burlingame (passed May 2011)
- Calabasas (2008)
- Capitola (2012)
- Carmel (1989)
- Carpenteria (effective September 1, 2009)
- Dana Point (adopted February 21, 2012)
- Del Ray Oaks (effective July 1, 2010)
- Emeryville (2008)
- Fairfax (1993)
- Foster City (effective April 1, 2012)
- Fremont (effective January 1, 2011)
- Half Moon Bay (effective August 1, 2011)
- Hayward (effective July 2011)
- Hercules (2008)
- Huntington Beach (2005)
- Laguna Beach (2008)
- Livermore (2010)
- Los Angeles City (2008)
- Malibu (2005)
- Marin County (effective January 1, 2010)
- Marina (2011)
- Millbrae (2008)
- Mill Valley (2009)
- Monterey City (2009)
- Monterey County (effective November 2010)
- Newport Beach (2008)
- Oakland (2007)
- Orange County (2005/6) Government facility expanded polystyrene ban, including cities of Aliso Viejo, Huntington Beach, Laguna Hills, Laguna Woods, San Clemente, San Juan Capistrano and the Santa Margarita Water District.
- Pacific Grove (2008)
- Pacifica (effective January 1, 2010)
- **Palo Alto (effective April 22, 2010)**
- Pittsburg (1993)
- Richmond (effective August 5, 2010)
- Riverbank (2008)
- Salinas (passed August 16, 2011)
- San Bruno (effective April 1, 2010)
- San Clemente (Council passed a city wide ban in 2011)
- San Francisco (2007)
- **San Jose (effective May 1, 2010)** Government facility expanded polystyrene ban for special events.
- San Leandro (effective November 1, 2012)
- Santa Cruz City (2008)
- Santa Cruz County (2008 and 2012)
- Santa Monica (2007)
- Sausalito (effective September 1, 2008)
- Scotts Valley (2009)
- Seaside (effective August 4, 2010)
- Sonoma County (adopted 1989) Government facility expanded polystyrene ban. Title 19, Section 19.6-1 of Municipal Code.
- South San Francisco (2008)
- Watsonville (2009)
- West Hollywood (adopted 1990)
TIMELINE FOR EXPANDED POLYSTYRENE ORDINANCE

- May 8, 2012    Draft Ordinance to Housing, Land Use, Environment and Transportation Committee
- May 22, 2012    Draft Ordinance with Public Hearing goes to the Board of Supervisors
- February 1, 2013 Ordinance becomes operative
QUESTIONS ??

www.ReduceWaste.org

INTEGRATED WASTE MANAGEMENT
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