



Sierra Club Ohio Chapter
131 N. High Street, Ste. 605
Columbus, OH 43215

June 10, 2019

RE: House Bill 242

Thank you, Chairman Wiggam, Vice Chairman Ginter, Ranking Member Kelly and members of the Committee:

My name is Elissa Yoder Mann, I am the Conservation Manager for the Ohio Chapter Sierra Club, and I represent 100,000 members and supporters in Ohio. I would like to discuss Ohio House Bill 242 with you. HB 242 aims to suppress the power of local government; it prevents cities from placing a fee on items like single-use carryout bags or bottles.

Local communities pass policies to help their local businesses thrive and create an economy that works for the people who live there. When state legislators prevent local communities from passing laws, they threaten local democracy, silence the voices of the people, and hinder economic growth and development. Ohio communities have raised their voices, currently there are four ordinances in Ohio focused on reducing plastic waste.

The Ohio EPA Solid Waste Management Council stated that Ohio has only 40 years of available disposal capacity and Ohio must focus its attention on diverting waste. This will only be achieved by ensuring that communities and businesses have opportunities to reduce, reuse, and recycle their solid waste, by diverting waste from entering the landfill. Solid waste reduction efforts are a service primarily provided by local governments. Cities with successful recycling programs result from a collaboration of many stakeholders including businesses, cities, counties, and townships. To complicate matters more, communities in Ohio are already concerned by new restrictions imposed by China. For the last 25 years China has handled nearly half of the world's recyclable waste leaving many communities in a crisis as they struggle to handle stockpiles of waste previously shipped to China. Meanwhile, Malaysia returns 3,000 tons of waste back to the countries of origin. This has left many communities struggling to deal with recyclable waste piling up, not knowing what to do with waste previously shipped out of the country.

Here in Ohio I have heard from farmers who have cattle and sheep die from in parts to eating plastic bags that blow onto their property, local storm sewers often become blocked with plastic waste, causing sewer backups and standing water in neighborhoods. I heard from the Supervisor of Recreation and Parks that 20% of their employees' time is spent removing plastic waste that gets caught in landscaping equipment. In recycling centers, plastic bags get caught in machine gears, the entire plant has to stop until it is removed. Landfills often have one employee dedicated to collecting plastic bags and film that fly off their property. In 2015 the Ohio Department of Transportation spent \$4 million in highway litter removal. It is difficult for us to imagine all the ways waste impact cities, and what actions and policies are in place to combat waste.

HB 242 would specifically preclude local governments from enacting legislation that would establish fees to control the distribution of and ensuing waste from single-use "auxiliary containers" used to transport food and beverages, such as plastic carryout shopping bags. This is a direct attack on the principle of home rule -- the Ohio Constitution generally authorizes local governments to govern themselves in local matters independent of state law. Local governments will lose the ability to address waste associated with single-use items such as carryout shopping bags, beverage bottles, and foam takeout containers. At least 125 jurisdictions in 22 states have already adopted some form of control over the distribution of single-use carryout bags, and these regulations have been remarkably effective in reducing pollution and waste.

Americans use an average of 500 plastic bags per year per person. Out of these bags an estimated 5.2% are currently recycled. 12 million barrels of non-renewable oil are needed to make the 100 billion plastic bags which are used collectively. So what happens to all of these bags? They eventually end up in the ocean. The Ocean Conservancy estimates by the year 2050 there will be more plastic than fish by weight in the world's oceans.

Plastic bags don't breakdown, they photodegrade into smaller pieces which look like food to fish. Scientists have found that these bits of plastic can attract up to one million times more toxins than is measured in the ambient water that surround them. These toxins enter the food chain where they form a progressively greater risk for wildlife and human health.

Plastics kill one million seabirds, 100,000 turtles, and 400,000 mammals each year. These animals die a long, torturous death of starvation or suffocation. When plastic bags are ingested they block their digestive system, enabling them from ingesting notorious, life-saving food. Plastic bags can also get tangled and wrapped around animals wings, necks, flippers, this can restrict breathing and movement, resulting in suffocation. It can also weigh them down resulting in drowning and death.

If bags remain on land, buried in landfills, they will be around for at least 1,000 years. What type of future are we giving our children, with the oceans and land full of plastic? It is our responsibility to provide a clean future for our children.

Unfortunately the recycling stations/bins placed at the front of grocery stores (where we all visit regularly) are not working; people do not recycle their bags. And 5 cent incentives and wooden nickels that stores offer customers who use reusable bags are not working either. These systems have been in place for many years and have proven to be unsuccessful. Placing minimal fees on items like carryout bags have proven to be an effective disincentive that curbs the vast number of bags that are otherwise freely handed out to customers. For example, in Boulder, Colorado, a ten cent bag fee on disposable bags reduced use by 68% in only six months. One year after San Jose, California adopted an ordinance regulating single-use disposable bags, the city reported that storm drains were nearly 90 percent cleaner.

Because of the inherent problems associated with this bill, the Sierra Club Ohio Chapter opposes language in HB 242 which would preempt local government regulation of 'auxiliary containers', we urge you to vote no on this bill.

Sincerely,

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