



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

May 14, 2018

RE: Senate Bill 210

Good afternoon Chairman Burke, Vice Chairman Beagle, Ranking Member Tavares and members of the Committee:

My name is Elissa Yoder Mann, I am a Conservation Manager for the Ohio Chapter Sierra Club, and I represent 25,000 members here in Ohio. I would like to discuss Ohio Senate Bill 210 with you. SB210 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.

Corporate special interests are using their power to push state legislators to keep local governments from passing ordinance to address waste. SB210 language was developed by ALEC with the goal to have uniform state language across the US, currently nine states have passed similar language to SB210 (IA, MO, MN, IN, MI, WS, FL, AZ, ID). Senator Coley who introduced the bill is a state chair for ALEC. In each state we have seen representatives from the Plastics and Petrochemical Industry testify against these bills. They are spending millions of dollars to support legislation that preempts local governments from taking action to address waste.

Some state legislators are doing more than preventing local governments from passing laws - they are punishing local communities and lawmakers who pass policies they disagree with. In many states, when state legislators disagree with a local law, they not only prevent it from taking effect, but they have threatened to fine, jail or fire local officials who passed the law.

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.

Here in Ohio I have heard from farmers who have cattle and sheep die from 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 employee's 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.

It is imperative that we preserve the power of municipalities to make decisions and policies on how to best address the needs of their community. Each city may uniquely face waste in different ways, creating a uniform statewide approach to waste will not be effective in reducing waste or empowering citizens to take action.

SB 210 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 and estimated 5% 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. Imagine how light plastic is and how much it would take to weigh more than all the creatures in the sea.

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 take actions now.

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. The US EPA estimates that less than 5 percent of all plastic bags are returned to the grocery store for recycling. Additionally, ten 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. A free market solution to this problem, would be to add a cost for bags, not to ban things, but to let communities and business create a solution to waste.

Thank you, to the committee, for hearing my testimony today. I urge you to consider what I have said and oppose Senate Bill 210.

Sincerely,

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