

Opposing SB 210: Prohibiting local governments from regulating disposable containers

Ohio has only 40 years of disposal capacity at landfills and must reduce waste using alternative methods. Solid waste reduction efforts are a service primarily provided by local governments. The state's solid waste management plan was created to ensure that cities, counties and townships have opportunities to reduce, reuse, and recycle solid waste. Making those opportunities available is a collaborative effort among many stakeholders, including businesses and the state, but it is driven primarily by solid waste management districts which prepare and implement local solid waste management plans to meet requirements and achieve the goals in the state solid waste management plan.

Unfortunately, Senate Bill 210 would prohibit cities and charter-government counties from resolving solid waste problems associated with disposable containers. 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. Fees on disposable single use items are "low-hanging fruit" for Ohio communities working to meet the goals of the state solid waste management plan, while saving money and even generating revenue.

Studies have found that consumers, business, and municipalities benefit from reducing disposable containers through fees or bans. Consumers currently pay the hidden cost of disposable containers. One [study](#) found consumers pay an extra \$15 a year just for plastic bags. Fees generate funds that often go to support both retailers and efforts to reduce litter. They also encourage consumers to bring reusable containers which reduce costs for businesses. Regulating disposable containers reduces waste, saving money on solid waste disposal fees, MRF processing, wastewater treatment, storm drain cleaning and street sweeping. For example, 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.

SB 210 is now under consideration by the Senate's Health, Human Services and Medicaid Committee, where it was introduced on October 3rd, 2017. Because of the inherent problems associated with this bill, the Committee should take No Action on SB 210 and ensure that it does not reach the Senate Floor for further consideration.

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