

PROPOSED EXPANDED POLYSTYRENE (EPS) BAN IN THE CITY OF SAN DIEGO

POSITION: The Chamber's Public Policy Sub-Committee on Energy & Water voted on June 7, 2018 to SUPPORT the proposal if the City works closely with the California Restaurant Association with respect to the transition. The Chamber Small Business Roundtable digitally voted between June 7 and June 10, 2018 to OPPOSE the proposal. The Chamber's Public Policy Committee voted to OPPOSE the proposal on June 12, 2018.

STATUS: The proposed ban was introduced by Councilmember Chris Ward (District 3) on May 31, 2018. Councilmember Ward requested that the City Council's Rules Committee consider the proposal at a future meeting. It is anticipated to be heard at the City Council Committee on Rules on July 11, 2018.

SUMMARY

The proposed measure restricts the sale and distribution of expanded polystyrene (EPS) products for the use of food service ware, fish and meat trays, egg cartons, coolers, and beach toys in the City of San Diego.

INDUSTRY/IES IMPACTED

The industries that could be directly impacted are: food and beverage, tourism, and manufacturing among others.

SUPPORTERS

- Council President Pro Tem Barbara Bry
- Coastkeeper San Diego
- Surfrider Foundation San Diego Chapter
- Business for Good San Diego

OPPONENTS

- Dart Container Corporation
- California Restaurant Association of San Diego

ARGUMENTS IN FAVOR

There are numerous permanent and negative impacts of EPS, from beach litter to EPS pieces ending up in the stomachs of marine wildlife. According to Councilmember Ward, EPS recycling "has proven to be costly and ineffective with the soiled food ware being diverted to landfills outside of our region." There are currently various alternatives to EPS that are both environmentally beneficial and cost-effective.

ARGUMENTS IN OPPOSITION

An outright ban on EPS and mandating it be replaced with alternative products comes at a cost to businesses and won't decrease litter. Businesses should be afforded the option of using EPS for its superior insulation and lower cost. A ban on EPS would increase costs for restaurant operators on top of the recent and upcoming minimum wage increases, the health care coverage mandate, and increasing supply costs. Efforts focused on public awareness of recyclability and reducing litter would be much more effective.

MORE INFORMATION

In his memo Councilmember Ward states that his intent with this policy is to provide consumers with alternatives to EPS that are safe for the environment. The goal is not to create financial hardship for businesses and will have the City of San Diego's Environmental Services Department provide a list of "acceptable and affordable alternatives, as well as develop a process to phase implementation of this ordinance to limit impact on small businesses."

There are 116 jurisdictions in the state that have banned EPS. In 2015, the Chamber's Energy & Water Committee and Chamber Board of Directors voted to oppose a similar EPS ban in the City of Encinitas. In 2017, the Chamber's Energy & Water Committee and Board of Directors Voted to support the recycling of EPS in the City of San Diego.