

The Issue:

The improper disposal of plastic shopping bags and its impact on agriculture, the economy and the environment in general.

Legislative Action:

Delegate William Barlow and Senator Fred Quayle have introduced resolutions to SB 711 requesting a statewide study of waste minimization of plastic bags and include the impact on agriculture.

SB 711 introduced by Senator Quayle and HR 1534 introduced by Delegate Barlow – Plastic carryout bag bans.

Authorizes a locality to provide that a retail merchant located within its jurisdiction shall not provide to any of its customers at the point of sale any plastic carryout bag in which a product or products purchased by any such from such store is placed unless such plastic carryout bag is a durable plastic bag, with handles, that is at least 2.25 mils thick and is specifically designed and manufactured for multiple reuse.

The resolutions introduced are HJR 169, Delegate Barlow and SJR 82, Senator Quayle.
- Plastic bag studies

Study policies to reduce the negative impact of plastic bags on the environment. Requests the Department of Environmental Quality to convene stakeholders meetings to discuss and report on potential legislative actions that would mitigate the negative effects of improperly disposed of plastic bags on the Commonwealth's environment. Stakeholders shall include representatives of agriculture, conservation, local government, manufacturing, plastics industry, timber industry, and retailers. In the selection of feasible policies, the stakeholders shall review existing policies and programs adopted in the United States and other countries.

In conjunction with Resolution SJR 82 and HJR 169 several studies are being conducted on the issue:

- Joint Legislative Audit and Review Commission (JLARC) is conducting a broad national and international waste industry review and study that includes plastic bags.
- Virginia Department of Environmental Quality (DEQ) is conducting a review of SB 711. DEQ's report to the Senate Committee on Local Government is due by November 1, 2008.

- Virginia Plastic Bag Coalition (VPBC) was initiated by the Isle of Wight and the Virginia Retail Federation. VPBC convened stakeholders to review the issue, existing policies and to propose programs for solutions. Stakeholders shall include representatives of agriculture, conservation, local government, manufacturing, plastics industry, timber industry, and retailers.

Through scheduled meetings, presentations and review, the Virginia Plastic Bag Coalition, in concert with the Isle of Wight and the Virginia Retail Federation, determined important findings throughout all stages concerning the issue:

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- Plastic bags are the largest contaminator for the cotton industry. As litter in cotton fields, the plastic cannot be separated out during the ginning process and remains in the cotton throughout the process, from ginning to dyeing; decreasing the quality of the cotton and ultimately the price the farmer receives for their product.
- Truck transport contributes to the littering of plastic bags. Awareness and enforcement of current tarping requirements in Virginia is important to this issue.
- A recycle program for fast food plastic bags is not currently available.
- Plastic bags are the preferred carryout option for most retailers and consumers, small and large.
- Plastic bags are less than half the price of alternative choices like compostable bags.
- Plastic bags have significant environmental impact each year contributing to the deaths of marine animals through ingestion and entanglement.
- Worldwide, over one million bags per minute are used. Billions of bags end up as litter each year damaging agriculture interests and the environment.
- Generally plastic bags are not biodegradable. They break down into smaller toxic bits that contaminate soil and waterways and enter into the food web when animals accidentally ingest those materials.
- Plastic bags that are not littered, windblown, or recycled remain in Virginia's landfills.
- Virginia's Assign-a-Highway is a program that picks up and maintains highway litter as part of probationary sentences and is supervised by a Litter Control Officer and backed by the courts.

- Retailers are not the cause of the litter, only the source of the plastic bags. Using carry out plastic bags provides retailers operational efficiency in delivering their product to consumers. Subsequently, the bags are handled by consumers or others carelessly and become litter. Addressing the litter problem and environmental issues through volunteer programs to modify behavior would be preferential to eliminating or banning plastic bags.
- An August 2008 survey of Virginia retailers indicated that about 65% of the state's merchants do not use plastic bags, utilizing boutique or paper bags or other products for consolidating purchases.
- Responding merchants are willing to participate in a recycling effort, but strongly oppose a mandate that would eliminate plastic bags or introduce a fee for utilization of such bags.
- Merchants responding to the survey believe that introducing a fee or a ban on plastic bags is a disservice to consumers, creates a state revenue stream that is inherently unsustainable and adds compliance paperwork for retailers.

Coalition Objective:

The Virginia Retail Federation and the Virginia Petroleum Convenience and Grocery Association (VPCGA) advocated for a statewide study of the issue and the environmental impact of plastic bag litter. The Virginia Plastic Bag Coalition was formed to include stakeholders from the retail industry, waste haulers, and agricultural and environmental interests to examine the issue for the Isle of Wight County.

Delegate William Barlow requested the group provide regional solutions and strategies on the issue of plastic bags contaminating the cotton crops, littering the County's landscape, and other impacts to agriculture. The Isle of Wight County is committed to protecting the farmers.

Discussions included current:

- Responsible recycle and reuse programs.
- Awareness and education litter control programs, current and future.
- Locality grant funding that might be available.
- Business and organization partnerships, seminars and special events.

The Virginia Retail Federation cited current programs that are in place as excellent examples for creating regional education and awareness:

1. The Retail-Alliance 2007 GO GREEN Conference, a first in Virginia and selected for the Norfolk Environmental Commission's Excellence in Communications Award.
2. 'Isle Be Green', the Isle of Wight County campaign of education to encourage citizen awareness to encourage public behavior change of littering.
3. Virginia companies (such as Farm Fresh) that encourage alternative bag use and reward consumers with discounts and the Chesapeake Bay Foundation with monetary donations.
4. Alternative bag utilization programs coordinated through Virginia Retail Federation members involving signage and bags is being made available throughout the state.

In conducting its study, the coalition developed a regional volunteer work plan that includes education, creates awareness and offer solutions for plastic bag recycling that can change and modify behavior to result in positive changes in the issue. Included are communication components for plastic bag recycling in Isle of Wight County; application for a state grant to provide enhanced recycling education and legislative initiatives.

The Plastic Bag Coalition and the Virginia Retail Federation worked to identify program solutions that could be applied in the local and regional arenas and even contribute value to statewide studies of the issue of littering.

Initiative for Local Implementation:

As a concurrent outcome of the study, Isle of Wight is creating a comprehensive community campaign entitled "Isle Be Green." Through several educational tactics, the County plans to increase awareness of the impacts of plastic bag litter to the community, environment, and agriculture. By focusing on educating the citizens of the community, particularly school children, Isle of Wight County believes it can alter citizens' behavior, guiding them towards being more environmentally friendly. Isle Be Green is the County's new campaign to encourage "green" behaviors by the citizens and employees. The project will have a survey component to be sent to all citizens gauging their interest in recycling, as well as an elementary school plastic bag recycling competition, and the creation and distribution of educational materials for children related to plastic bag recycling with the assistance of the County's advertising company already on contract.

Additionally, the program will include a poster contest for all 3rd graders in Isle of Wight County, with the winning poster being printed on the reusable grocery bags and distributed to all elementary children (approximately 3,000). The County will also create a map to distribute to all residents identifying the recycling opportunities within the County.

Initially, the project will be piloted in Isle of Wight County, with the hope of replicating and expanding it to other counties and cities within the Hampton Roads region. Eventually, this may be a statewide model.

Recommendations:

The Virginia Plastic Bag Coalition recommends the state adopt initiatives that will encourage public education of plastic bag use/abuse, that will increase the development and utilization of plastic bag alternatives and that will increase recycling. Additionally, the group recommends that all efforts be evaluated against a measurement of volume of plastic bags recycled, increase or decrease in the number of plastic bags purchased by retailers and a routine survey of farmers about the increase/decrease in the amount of plastic bags found in agriculture.

The Isle of Wight community plan stands as a model for local community action on the issue of plastic bag recycling. Elements of this plan can be implemented in most communities.

The Committee also suggests establishing a statewide goal to be considered one of the nation's most successful recyclers. This could be accomplished in part through community partnerships with Trex and other end users of recycled plastic.

Virginia Plastic Bag Coalition Listing:

William K. Barlow, Virginia House of Delegates
Fred Quayle, Senate of Virginia
Mary Korving, Office of Senator Fred Quayle, Senate of Virginia
Scott Whitehurst, SPSA
Don Robertson, Isle of Wight County
Susan Milhoan, Retail Alliance
Julia Hillegass, HRPDC
John Deuel, HR Clean
Donna Dempsey, Progressive Bag Affiliates
Margaret Ballard, Virginia Retail Federation
Stacie Cutchins, Virginia Farm Bureau
Michael Murphy, Virginia Department of Environmental Quality
Angie Jenkins, Virginia Department of Environmental Quality
Ron Wilson, Norfolk Environmental Commission
Carlene Bowers, Retail Alliance/VA Retail Federation
Rachel Glover, Tidewater News
David Haskin, Allied Waste
Paul Burton, Isle of Wight County Attorney
Eric Messick, Joint Legislative Audit and Review Commission
Simon Owens, The Smithfield Times
Nathan O'Berry, Virginia Cooperative Extension
Ray Hamilton, Dollar Tree
Rachel Chieppa, Isle of Wight County Economic Development
Thomas Wright, Isle of Wight Board of Supervisors
George Peyton, Virginia Retail Federation
Tom Alphin, Commonwealth Gin
Susan Mayo, Farm Fresh Supermarkets
Bill Parker, Farm Fresh Supermarkets
Desmond Stills, International Paper
Susan Milhoan, Virginia Retail Federation
Jeff Burrier, Allied Waste
Amy Ring, Isle of Wight Planning and Zoning
Al Casteen, Isle of Wight Board of Supervisors
Tad Phillips, Allied Waste
Julia Hillegass, HRPDC
John Deuel, HR Clean
Michael Power, American Chemistry Council
Nicole Riley, LeClair Ryan/VA Retail Merchants Assoc.