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# SENATE COMMITTEE ON ENVIRONMENT & AGRICULTURE

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## NOTICE OF MEETING

**DATE:** Wednesday, January 29, 2020  
**TIME:** Rise of the Senate  
**PLACE:** Room 211 - State House

## SCHEDULED FOR HEARING AND/OR CONSIDERATION

**Senate Bill No. 2003**

**BY Ruggiero, Sosnowski, Coyne, Euer, Miller**

**ENTITLED,** AN ACT RELATING TO HEALTH AND SAFETY - PLASTIC WASTE REDUCTION ACT {LC3320/1} (Creates the "Plastic Waste Reduction Act" designed to reduce the use of plastic bags by retail establishments by offering recyclable bag options and providing penalties for violations.)

01/08/2020 Introduced, referred to Senate Environment and Agriculture

01/24/2020 Scheduled for hearing and/or consideration

Jamie Plume

Committee Clerk

222-2381

SLegislation@rilegislature.gov

**POSTED: FRIDAY, JANUARY 24, 2020, 2:29 PM**

✓ = spoke



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
RHODE ISLAND SENATE

COMMITTEE ON ENVIRONMENT & AGRICULTURE

JAMIE PLUME, Committee Clerk

**SIGN-UP TO DELIVER TESTIMONY TO THE COMMITTEE**

BILL INFORMATION

Bill Number: S 2003 Bill Sponsor: Ruggiero

Bill Title: Plastic Waste Reduction Act

COMMITTEE MEETING INFORMATION

Date: 1-29-2020 Time of Meeting: Rise Meeting Location: Rm. 211

NAME	ORGANIZATION REPRESENTING / RESIDENCE	SUPPORT	OPPOSE
Elizabeth Sneider	GPCC / RI Retail Federation	written only ✓	
John Berard ✓	Clean Water Action	✓	
Ryan Mulcahey	DEM	written only ✓	
Sue AnderBois ✓	The Nature Conservancy	✓	
Christopher Carozzi	NFIB		written only ✓
<del>Beixette</del> Forry-Menard	RIHA (did not testify - not here)	request amend.	
Brian Moran ✓	NECSEMA	request amend.	
Topher Hamblett ✓	Save the Bay	✓	
Greg Lopert ✓	myself	✓	
CAROLYN MURRAY	RI Food Dealers Association	NOT SPEAKING, WRITTEN TESTIMONY ONLY	X AS WRITTEN
Kate Weymouth ✓	Town of Barrington	✓	
Kevin Budris ✓	Conservation Law Foundation	✓	
Lean Bamberger	City of Prov. (not here)	X	
Barry Schiller		✓ (not testifying)	
Winston McCormick ✓	Alpert Med. / Fox Point, Prov.	✓	

NO TESTIMONY WAS GIVEN ON THIS ITEM AT THIS MEETING



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
RHODE ISLAND SENATE

COMMITTEE ON ENVIRONMENT & AGRICULTURE

JAMIE PLUME, Committee Clerk

**SIGN-UP TO DELIVER TESTIMONY TO THE COMMITTEE**

BILL INFORMATION

Bill Number: S 2003 Bill Sponsor: Ruggerio  
Bill Title: Plastic Waste Reduction Act

COMMITTEE MEETING INFORMATION

Date: 1-29-2020 Time of Meeting: Rise Meeting Location: Rm. 211

NAME	ORGANIZATION REPRESENTING / RESIDENCE	SUPPORT	OPPOSE
Gregory Cavanagh ✓	Alpert Medical School	written only	
Swechya Banokota ✗	Alpert Medical School	written only	
Grant Dulgerian ✓			✓
Dane McLaughlin ✓	Clean Ocean Access / Newport	✓	
Seth Magaziner	General Treasurer	written only	
BRIAN DANIELS	RI League of C+T	written ✓	only ✓
Debbie Schimberg	Zero Waste Providence	✓	
Randall Rose		✓	
Jenny + Currie	Zero Waste PVD		
Wieting Touloumtzins			

NO TESTIMONY WAS GIVEN ON THIS ITEM AT THIS MEETING

January 29, 2020

Honorable Susan Sosnowski  
Chair, Senate Environment and Agriculture Committee  
State House  
Providence, RI 02903

***Re: S 2003 An Act Relating To Health And Safety - Plastic Waste Reduction Act***

Dear Chairwoman Sosnowski:

I am writing on behalf of the Greater Providence Chamber of Commerce to express its comments regarding S 2003. S 2003 would ban the distribution of single-use plastic bags by retail establishments throughout Rhode Island. While the Greater Providence Chamber of Commerce is continuing to review the details of this legislation, we would offer our support to the Uniformity language contained in this legislation. Uniformity language is important to the Greater Providence Chamber of Commerce because Rhode Island businesses will only have to comply with one standard for single-use plastic bags throughout the state, which streamlines and simplifies compliance.

The Greater Providence Chamber of Commerce will have further comment on the remaining details of the legislation in the near future. As always, Greater Providence Chamber of Commerce appreciates your consideration of our input and perspective.

Very truly yours,



Elizabeth A. Suever

January 29, 2020

Honorable Susan Sosnowski  
Chair, Senate Environment and Agriculture Committee  
State House  
Providence, RI 02903

***Re: S 2003 An Act Relating To Health And Safety - Plastic Waste Reduction Act***

Dear Chairwoman Sosnowski:

I am writing on behalf of the Rhode Island Retail Federation to express its comments regarding S 2003. S 2003 would ban the distribution of single-use plastic bags by retail establishments throughout Rhode Island. The Rhode Island Retail Federation appreciates the thoughtfulness of this legislation and we would like to particularly offer our support to the Uniformity language contained in this legislation. Uniformity language is important to the Rhode Island Retail Federation because Rhode Island businesses will only have to comply with one standard for single-use plastic bags throughout the state, which streamlines and simplifies compliance.

The Rhode Island Retail Federation would like to suggest that an exemption be made for retail pharmacies so that confidentiality can be maintained for patients' private information contained on prescriptions.

As always, the Rhode Island Retail Federation appreciates your consideration of our input and perspective.

Very truly yours,



Elizabeth A. Suever



January 29, 2020

Honorable V. Susan Sosnowski  
Chair, Senate Committee on Environment and Agriculture  
82 Smith Street  
Providence, RI 02903

Bill: **S-2003 – An Act Relating To Health And Safety - Plastic Waste Reduction**  
Position: **SUPPORT**

Dear Chairwoman Sosnowski and Honorable Members of the Committee,

On behalf of our 20,000 members here in Rhode Island, Clean Water Action **supports the passage of S-2003.**

Plastic pollution is ubiquitous in our neighborhoods and waterways and marine debris has proven to be dangerous to all living organisms in the aquatic environment. Along with cigarette butts, single-use plastic products like beverage containers, plastic shopping bags, straws, and foam food service items are among the most prevalent trash pollutants found in the marine environment. They are ingested by birds, fish, and amphibians that mistake them for food. As they make their way out to sea, they are degraded by the sun and break into smaller pieces-- called microplastics-- and because of their composition, absorb and concentrate other chemicals in the water. Smaller aquatic species then ingest these chemical-laden microplastics and they subsequently make their way up the food chain, resulting in the bioaccumulation of harmful elements. In the summer of 2017, Clean Water Action spent a week conducting surface trawls for microplastics all across Narragansett Bay. We collected twelve samples and found microplastics to be prevalent in each of them. A 2016 study concluded that, **at the rate we as a society are consuming plastic, our oceans will contain more plastic by weight than marine life by 2050.**<sup>1</sup>

From September 2018 through February, Clean Water Action served as a co-chair of Governor Raimondo's Task Force to Tackle Plastics, established through an executive order issued on July 16, 2018.<sup>2</sup> The task force brought together a variety of stakeholders to work together towards a single-use plastic-free vision for our state and make recommendations to that end to the Governor. One such recommendation was the passage of a statewide bill to curtail disposable checkout bag usage, and in particular, to prohibit the distribution of single-use plastic checkout bags across Rhode Island.

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<sup>1</sup> World Economic Forum. *The New Plastics Economy*. Ellen MacArthur Foundation, January 2016.  
[http://www3.weforum.org/docs/WEF\\_The\\_New\\_Plastics\\_Economy.pdf](http://www3.weforum.org/docs/WEF_The_New_Plastics_Economy.pdf)

<sup>2</sup> <http://governor.ri.gov/documents/orders/ExecOrder-18-06-07162018.pdf>

Plastic bags also pose many problems for our waste collection infrastructure. While they are recyclable by definition in that they can be physically broken down and turned into raw plastic, the material that results is practically worthless on the recycled materials market. They also cause massive confusion to consumers that believe they are doing the right thing by including them in their single-stream weekly recycling because instructions to do so are often printed right on the side of the bag. The reality is that plastic bags in the recycling stream cause one of two things to happen: either they will contaminate truck-loads of recyclables, causing the entire load to be landfilled instead of recycled, or, if they make it to the materials recycling facility, they clog machine gears causing slowdowns and shutdowns. **These costs are borne by municipalities and, indirectly, taxpayers.**

**Plastic bags that do not end up in our waste management system make their way into the environment.** As mentioned, they litter our streets, parks, and backyards. Stormwater conveys them into our storm sewer systems, which empty into local rivers and streams. There, they are degraded by the sun and wave action into microplastics, which make their way into Narragansett Bay and on to our beaches. These facts are well documented, and while the provisions in these bills will not solve our plastic pollution problem, they will go a long way in curtailing a large source of this marine debris and trash pollution and be the first step of many in overcoming the systemic policy problems generated by unchecked and escalating plastic production.

Finally, **we must tie our plastic pollution problem to the climate crisis.** Plastics, whether they are made from virgin or recycled material or some combination of the two, are derived from fossil fuels. These fossil fuels are extracted in the same manner as those used for gasoline, electricity-generating natural gas, and home heating oil. These raw fuels are then refined in massive carbon-emitting facilities—often located in low-income communities and communities of color—to make plastic feedstocks which can then be turned into any number of products. With our collective turn towards more and more renewable energy sources, the petrochemical industry is turning to plastics to maintain its high profitability.<sup>3</sup> Despite global efforts to stave off plastic pollution, the petrochemical industry is forecasting a two- to three-fold increase in plastic production from *current* production levels. This not only exacerbates our plastic problem, but it worsens the climate crisis. Rhode Island is a coastal state that will be significantly affected by sea level rise even if we arrive at the best-case scenario, so we must do whatever we can to stave off the worst effects of the changing climate. This includes drastically reducing our addiction to plastics.

At present, 14 Rhode Island municipalities have passed ordinances banning the distribution of plastic checkout bags and several more are considering similar policies. These towns and cities represent well over half of Rhode Island's total population. These efforts should be applauded, however, the time has come to bring some regulatory certainty to the rest of the state. This legislation builds on the leadership of the municipalities that have already begun to address the challenges that plastic bags have brought to their

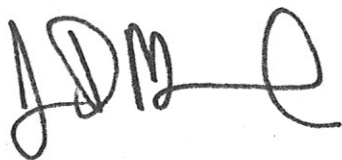
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<sup>3</sup> <http://theconversation.com/fossil-fuel-industry-sees-the-future-in-hard-to-recycle-plastic-123631>

residents and waste managers through effective policy. It is a good first step—but only a first step—in taking on the problems that plastics create for our state.

Clean Water Action believes that **the most effective means for reducing litter and addressing solid waste management issues is to pursue source reduction policies** to prevent harmful and single-use products like plastic bags and polystyrene food packaging from ever entering the waste stream to begin with. We applaud and support efforts to reduce the proliferation of plastic pollution in our neighborhoods and waterways, and we thank the Senate President and the bill co-sponsors for their leadership on this issue.

Best Regards,

A handwritten signature in black ink, appearing to read 'JDB', with a stylized flourish extending to the right.

Johnathan Berard  
Rhode Island State Director,  
Clean Water Action





**RHODE ISLAND**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

OFFICE OF THE DIRECTOR  
235 Promenade Street,  
Providence, RI 02908

Office: 401.222.2771  
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January 29, 2020

The Honorable V. Susan Sosnowski  
Chair, Senate Committee on Environment and Agriculture  
82 Smith Street  
Providence, Rhode Island 02903

**RE: S. 2003**

Dear Chairwoman Sosnowski,

Thank you for providing the Department of Environmental Management (DEM) the opportunity to comment on S. 2003, which would prohibit retail sales establishments from providing customers with single-use plastic bags or non-recyclable paper bags. The Department supports a statewide ban on single-use plastic bags and looks forward to working with the committee on the details of legislation that would institute such a ban.

Plastic pollution is increasingly recognized as one of the leading threats to the environment, and I applaud the sponsors of this legislation for their leadership on this issue. Not only do plastic bags represent a common source of litter, they also pose a threat to our oceans and marine life. They contaminate recycling, which leads to recyclable materials being diverted to the central landfill. Eliminating single-use plastic bags from our state will greatly contribute to a reduction in plastic pollution and improve the health of our environment.

We appreciate the opportunity to offer our comments and will gladly make ourselves available for further discussion. We also encourage you to incorporate feedback from all stakeholders, including the business and environmental communities. Please feel free to contact Terry Gray, Deputy Director for Environmental Protection at [terry.gray@dem.ri.gov](mailto:terry.gray@dem.ri.gov) should you have any additional questions. Thank you.

Sincerely,

Janet Coit  
Director

CC: Members of the Senate Committee on Environment and Agriculture  
The Honorable Dominick J. Ruggiero

January 29, 2020

Senator Susan Sosnowski  
Chair, Senate Committee on Environment and Agriculture  
Rhode Island State House  
Providence RI 02908

**Re: The Nature Conservancy Supports S2003 regarding plastic bag use reduction**

Dear Chairwoman Sosnowski,

The Nature Conservancy is grateful to President Ruggerio for his leadership in introducing S2003 to reduce our reliance on single-use plastic bags in retail establishments.

Single-use plastics are a growing pollution issue across the state. As the legislation recognizes, plastic bags are polluting our lands and our waterways, harming our local ecosystems. While approximately half of the state's population is currently subject to plastic bag bans, we need a comprehensive solution for the entire state.

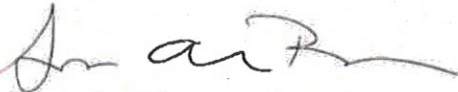
At The Nature Conservancy in Rhode Island, we are seeing this pollution first-hand. In 2019, a Nature Conservancy volunteer picked up 136 plastic bags from a beach in Little Compton. Many bags were emblazoned with logos from stores not found in Little Compton. For example, the most common was Wal-Mart, and the closest Wal-Mart is at least 15 miles from Little Compton.

Further, The Nature Conservancy was a partner with CRMC and DEM on the recent dredging of the Providence River. The dredging was regularly interrupted by equipment becoming ensnared in trash – with plastic bags representing a large share of the trash uncovered.

The Nature Conservancy understands the need to have a consistent standard across the state. We appreciate that the bill includes language that is reflective of the stringent plastics ordinances that are being enforced across the state – including the requirement for stitched handles.

Thank you for your consideration of this legislation. We encourage the committee to support its passage.

Sincerely,



Sue AnderBois  
Climate and Energy Program Manager

The Nature Conservancy is a global organization dedicated to conserving the lands and waters on which all life depends. Working in more than 70 countries, we are tackling climate change, conserving lands, waters and oceans, and helping make cities more sustainable. Here in Rhode Island, we have 4,000 members, and we steward more than 10,000 acres of protected land while maintaining 78 miles of public walking trails.



Plastic bag trash collected on Little Compton shoreline in 2019.



Plastic bag trash in the Woonasquatucket and Providence Rivers tangled in dredge machinery and increased the time and cost to dredge the rivers.



1800 Mineral Spring Ave  
Suite 271  
North Providence, RI 02904  
877-262-7662  
NFIB.com

## Testimony of

Christopher Carlozzi, State Director, National Federation of Independent Business  
In Opposition to Senate Bill No. 2003  
Relating to Health and Safety – Plastic Waste Reduction Act  
Before the Senate Committee on Environment and Agriculture  
January 29, 2020

Chairwoman Sosnowski and Members of the Senate Committee on Environment and Agriculture:

My name is Christopher Carlozzi. I am the Rhode Island State Director of the National Federation of Independent Business (NFIB). A non-profit, non-partisan organization, NFIB is the nation's and Rhode Island's largest small business advocacy group. In Rhode Island, NFIB represents hundreds of small and independent business owners involved in all types of industry, including manufacturing, retail, wholesale, service, and agriculture. The average NFIB member has five employees and annual gross revenues of about \$450,000. In short, NFIB represents the small Main Street business owners from across the state. On behalf of those small and independent business employers in Rhode Island, I urge you to oppose Senate Bill No. 2003 banning the distribution of plastic shopping bags.

This proposal will increase operating costs for businesses while failing to have an appreciably positive impact on the environment. Most retail establishments already offer a choice of carryout bags (paper, plastic, reusable) and allow the customer to decide which option best suits their needs. Those shoppers that opt for a plastic bag usually do so because it is durable enough to carry their goods to their destination. Transporting products home in a rainstorm with a paper bag would not exactly be beneficial to shoppers. Retailers want to ensure the customer is content, but that goal would be unattainable if a consumer's goods tumble to the sidewalk because a bag lacked durability.

Consumers should be made aware of the numerous plastic bag recycling options already in use by many stores across the state. These recycled bags take on a second life as green building material, crates, containers and a myriad of other products. While some residents needlessly pollute by discarding bags on the ground, it is common-practice in most households to reuse bags as trash can liners, dog waste containment or lunch bags. A 2019 University of Sydney study showed that while plastic shopping bags were banned in California, shoppers still required plastic bags to line garbage cans or dispose of pet waste. Researchers found, the retail sale of small 4-gallon plastic bags increased by 120%, and are far more plastic intensive than shopping bags. These proposals will have little impact on those individuals who unnecessarily pollute but it will have serious cost implications on small businesses and those consumers who dutifully find second uses for recycled plastic bags.

Another unintended consequence of banning plastic bags was reported in Connecticut just last week. Shoppers are leaving stores with in-store, plastic shopping baskets. Retail establishments in Connecticut are reporting that since their bag ban took effect, customers are stealing plastic shopping baskets in record numbers. One store reported losing nearly 60% of their shopping baskets. The estimated value of a plastic shopping basket is between \$6-\$8 per basket. This means small retailers are incurring a new and unexpected cost as a result of plastic bag bans.

It is important to note that paper bags are more expensive than plastic bags and that cost is passed on to consumers or reluctantly absorbed by the small business. Small businesses, often operating on tight budgets, fully understand their customers adhere to strict household budgets as well. If costs are set to increase for small businesses, consumers should prepare for the price of goods to rise too.

NFIB strongly opposes any attempts to ban the use of plastic bags and instead favors increased promotion and education efforts toward existing reduce/reuse/recycle programs. We urge you to reject Senate Bill No. 2003, thank you.



January 29, 2020

The Honorable Susan Sosnowski  
RI Senate Committee on Environment & Agriculture  
RI State House  
Providence, RI 02903

**Re: S. 2003 – Plastic Waste Reduction Act**

Dear Chairwoman Sosnowski:

On behalf of the RI Hospitality Association, I write in regards to S.2003, the Plastic Waste Reduction Act. We thank the Senate President for addressing this important issue. However, we'd like to ask that some small additions be made to the legislation to reflect the developing needs of the industry.


*Fee on Paper Bags*


RIHA believes the best way to reduce the use of disposable bags is by attaching a small fee for the use of the bag. We ask that the legislation be amended to include a \$0.10 per paper bag, with the proceeds going to the business to offset the cost of the bag. This will allow businesses to absorb some of the costs associated with the proposal, while also discouraging the use of paper bags. This is not without precedent and is supported by several environmental groups across the country.


*Uniformity Provision*

We are pleased to see that this proposal includes a strong uniformity provision that will create one unified plastic bag ban in Rhode Island.

The current regulatory landscape on this issue, where several cities and towns have implemented their own versions of plastic bag (and other single use plastics) is untenable. Businesses have been left scrambling to implement a patchwork of laws, all of which have different requirements. It should also be noted that the majority of these ordinances were drafted without input from the businesses that would be impacted, leading to frustration and increased costs that could have been avoided.

 94 Sabra Street  
Cranston, RI 02910

 401-223-1120

 401-223-1123

 [www.RIHospitality.org](http://www.RIHospitality.org)



*Effective Date*


S.2003 gives businesses an appropriate amount of time to prepare for the ban and delays the implementation of the legislation a year after the regulations have been drafted or by 2022, whichever comes first. This will give time for the regulations to be thoughtfully drafted and implemented before businesses have to be in compliance and to use existing inventory that would otherwise need to be thrown away.


Once again, thank you for looking to address this important issue. If you have any questions, please do not hesitate to contact us at 401-223-1120 or [sarah@rihospitality.org](mailto:sarah@rihospitality.org).


Sincerely,



Sarah Bratko, Esq.  
Vice President of Advocacy/General Counsel

 94 Sabra Street  
Cranston, RI 02910

 401-223-1120

 401-223-1123

 [www.RIHospitality.org](http://www.RIHospitality.org)



New England Convenience Store & Energy Marketers Association

January 27, 2020

**Testimony of Jonathan Shaer**

Executive Director, New England Convenience Store & Energy Marketers Association

Rhode Island General Assembly  
Senate Committee on Environment & Agriculture

*SB 2003 – An Act relating to health and safety – plastic waste reduction act*

Chairperson Sosnowski, Vice Chairperson Coyne, and Members of the Committee,

The New England Convenience Store & Energy Marketers Association (NECSEMA) represents Rhode Island's nearly 500 convenience stores. These stores employ approximately 7,200 people and account for almost \$2 billion in sales annually.

NECSEMA can be fully supportive of SB 2003 with two modifications including a \$.05 fee for paper bags to be retained by the retailer, and slight reduction in the penalties.

The fee is a recommendation which came of the Governor's plastics stakeholder group which met several times last year and NECSEMA participated on as a guest member. This fee allows retailers the ability to recoup the added expense of the more expensive paper bags, and, more importantly, acts as a *behavior modification tool* for customers who do not utilize a reusable bag. On this matter, please consider most visits to convenience stores are unplanned, so customers are less likely to have a reusable bag on their person. Therefore, convenience stores are more likely to use a greater number of paper bags than a grocery store, for example, which is generally a planned visit and more likely to include a reusable bag. Additionally, convenience stores are neighborhood stores which means many of our customers arrive on foot not carrying a reusable bag.

While not a deal-breaker, we would like the Committee to consider reducing the proposed penalties of \$100, \$200 and \$300 in half to \$50, \$100, and \$200. The idea of the penalty is to change behavior and, for many stores, the proposed penalties are harsh.

Thank you for your thoughtful consideration of our positions on this matter.

Respectfully submitted,

Jonathan Shaer  
Executive Director  
Jon@necsema.net  
781-297-9600 x3

1044 Central Street, Suite 203  
Stoughton, MA 02072  
(781) 297 – 9600

# SAVE THE BAY®

## NARRAGANSETT BAY

Senate Committee on Environment & Agriculture

January 29, 2020

### Testimony on S 2003

#### Plastic Waste Reduction Act

**Topher Hamblett, Director of Advocacy**

**Save The Bay supports passage of S 2003, the Plastic Waste Reduction Act.** We applaud Senate President Ruggiero, along with Senators Sosnowski, Euer, Coyne and Miller for introducing this legislation.

A ban on single use, plastic checkout bags would be an important step in reducing pollution of Narragansett Bay. Plastics bags are easily carried by the wind and travel through catch basins and pipes that lead directly to the Narragansett Bay and Rhode Island beaches.

Plastic bags present a number of problems. Single use plastic bags are:

- Harmful to marine habitats and wildlife
- A source of litter on land and in waterways
- Derived from fossil fuels
- A source of avoidable excess packaging waste
- Disruptive to recycling and waste water processing equipment

The net environmental impacts of plastic bag production and waste are clear. In addition to the litter problem, studies indicate that microplastics from partially-degraded plastics, including bags, can absorb and concentrate pollutants in water and transfer them to filter-feeders such as shellfish and forage fish. Single-use plastic bags produce about ten times the aggregate environmental impacts of a reusable polypropylene bag used for a year.

While Save The Bay supports passage of S 2003 in its current form, we respectfully request consideration of adding a small fee on paper bag use as well. The reason: production and use of paper bags causes negative impacts on the environment. A fee would deter consumers from transporting goods in a single use bag and provide an incentive to use reusable bags. Retailers could retain the fee to offset costs associated with compliance with the law, help them cover cost providing – when feasible - free reusable bags to shoppers, and distribute educational materials or campaigns to drive consumer use of reusable bags. However, the fee should not impose an undue burden on low income families or seniors. In the end, public policy can be used to create a major shift from single-use bags to reusable bags.

Save The Bay supports S 2003 and we appreciate Senate President Ruggiero's leadership on this issue.





**Member Focused;  
Results Driven**

January 29, 2020

The Honorable Chairwoman  
Sen. V. Susan Sosnowski  
Senate Committee on Environment & Agriculture  
The State House  
Providence, RI 02903

## **RE: S 2003 – Plastic Waste Reduction Act - Proposed Ban on Plastic Bags**

Dear Chairwoman Sosnowski and Members of the Senate Committee on Environment & Agriculture:

My name is Steven Arthurs and I am the President & CEO of the Rhode Island Food Dealers Association, a trade association established in 1909 to serve the needs of the food industry in the State of Rhode Island. We have over 300 members including the majority of all chain and independent grocery retailers, wholesalers, suppliers, distributors, food manufacturers, brokers, and other organizations affiliated with the food industry in our state. As an industry, we are among the state's largest employers and revenue generators. Our membership consists of both large and small companies – many of which are Rhode Island owned and operated while others are larger organizations headquartered elsewhere.

On behalf of our association members, I would like to take this opportunity to register our group's opposition, as it is currently written, to Senate Bill 2003, dealing with the banning of plastic checkout bags in the State of Rhode Island.

By way of some background, the food industry in this state has been an environmental advocate and a proactive participant in many efforts including recognizing the potential harm that plastic bags can cause to our environment and in acting upon this issue. Rhode Island was, in fact, the first state to develop a food retailer driven recycling program for plastic bags that was developed with a joint effort by the RI Food Dealers Association and RI Resource Recovery Corporation, who have worked together on this program and others since 2005. This program not only educates the consumer on options for reuse of the bag and provides a complete return as well and pick up system in our retailer member's stores, but has also served as a model used in other New England States.

Over the past several years, the RI Food Dealers has also worked closely with the General Assembly on many of these same types of environmental issues and has been asked to weigh in on various legislation under consideration.

From all of our experience with this issue, it is our sincere belief that the time has come for a statewide, uniform policy on the use of plastic checkout bags. Having a uniform policy on plastic bags throughout our state is necessary for our members – and for the consumers in our state. However, our members believe, that a bill that bans plastic bags must also include a fee on paper bags.

RIFDA

~ Metacomet Executive Office Park ~ 450 Veterans Memorial Parkway, Bldg. 8 ~ East Providence, RI 02914-5300 ~  
~ Tel: 401-431-0880 ~ Fax: 401-434-2496 ~ [sarthurs@rifda.com](mailto:sarthurs@rifda.com) ~ [www.rifda.com](http://www.rifda.com) ~

A fee on paper has proven successful in other areas that have this policy and has been proven to induce consumers to use more reusable bags – which is the outcome that is desired when banning plastic bags. During last year's hearings as part of the Governor's Task Force on Plastic, examples were provided by our members who have experience with bag bans in other states and municipalities. This is why the bill that was originally submitted last year, an outcome of the Task Force, included a fee on paper bags.

Paper bags have many negative environmental impacts and should not be considered a better alternative than plastic bags. A bag fee is necessary in order to create the change necessary for an effective and environmentally sound policy regarding retail bags.

In conclusion, if the State of Rhode Island's goal is to change consumer behavior and improve the environment, we encourage you to consider some of the points listed above. We believe that if Senate Bill 2003 was amended to include language regarding a fee on paper bags, this legislation would have the environmental impact necessary while providing uniformity of the regulation throughout the state.

Thank you for this opportunity to review our association's efforts and position on this issue and I hope that you will consider these points when considering Senate Bill 2003.

Sincerely,



Steven J Arthurs  
President & CEO  
RI Food Dealers Association

CC: Hon. Dominick J Ruggiero, President  
Rhode Island Senate

Hon. Michael J McCaffrey, Majority Leader  
Rhode Island Senate

Carolyn Murray, Margaret Hogan Sweeney & Tom Papa  
F/S Capitol Consulting

RIFDA



For a thriving New England

CLF Rhode Island 235 Promenade Street  
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F: 401.351.1130  
www.clf.org

January 29, 2020

**By Hand**

The Honorable V. Susan Sosnowski  
Chairperson, Senate Committee on Environment and Agriculture  
Room 211, State House  
Providence, RI 02903

RE: *Senate Bill No. 2003, Plastic Waste Reduction Act*

Dear Chairperson Sosnowski:

Thank you for the opportunity to testify in support of Senate Bill 2003, the Plastic Waste Reduction Act. Conservation Law Foundation (CLF) supports this bill.

CLF is a member-supported nonprofit organization working to conserve natural resources, protect public health, and build healthy communities in Rhode Island and throughout New England. Through its Zero Waste Project, CLF aims to protect our communities and our environment from the dangers of unsustainable plastic use.

Senate Bill 2003 would help combat single-use plastics by banning single-use plastic checkout bags throughout Rhode Island. Plastic checkout bags are a ubiquitous and entirely unnecessary single-use plastic product. Banning them statewide is a key step on the path toward eliminating wasteful single-use plastics that threaten our communities, fill our landfill, clog our parks and waterways, and harm our wildlife.

CLF is pleased to see that this bill includes language that defines reusable bags as having stitched handles. This language will prevent stores from simply replacing thin plastic bags with thicker plastic bags. The stitched handles requirement also respects that work done by towns and cities across Rhode Island—fifteen of which have passed plastic bag bans that include similar language.<sup>1</sup>

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<sup>1</sup> See Amy Moses, *Rhode Island Communities Step Up to Stop Plastic Pollution* (Oct. 8, 2019), <https://www.clf.org/blog/rhode-island-communities-step-up-to-stop-plastic-pollution/> (since October 8, 2019, two additional communities have enacted bag bans: East Greenwich, which included the “stitched handles” language in its ordinance, and Little Compton, which did not)

More than ninety-nine percent of plastics are derived from fossil fuels.<sup>2</sup> At every stage of their lifecycle, plastics pose risks to human health and the environment.<sup>3</sup> The extraction of the fracked gas from which plastics are sourced releases over 170 different toxic chemicals that can cause cancer and liver, kidney, neurologic, reproductive, and developmental damage.<sup>4</sup> The facilities that refine this fracked gas into plastic resins release dangerous toxics like carbon monoxide, nitrogen oxides, benzene, and toluene into nearby communities.<sup>5</sup>

Plastics also present a significant risk to our climate. As we wean ourselves off fossil fuels to power our cars and heat our homes, the fossil fuel and petrochemical industries are focused on expanding plastics production.<sup>6</sup> Without measures like Senate Bill 2003, yearly worldwide plastics production is projected to rise from 837 billion pounds in 2015 to almost 4 trillion pounds in 2050.<sup>7</sup> At this rate of increase, carbon emissions from the production and incineration of plastics will consume up to 13 percent of the planet's remaining carbon budget, making it nearly impossible to state below a 2°C warming target.<sup>8</sup>

To fight the plastics crisis, we need to turn off the tap; we need to stop relying on single-use plastics. Senate Bill 2003 is a step in that direction. According to the U.S. Environmental Protection Agency, we use more than 380 billion plastic bags in the U.S. every year.<sup>9</sup> And according to the most recent Rhode Island Waste Characterization Study, the Ocean State threw away more than 26,000 tons of plastic bags and plastic film in 2015.<sup>10</sup> By eliminating single-use plastic checkout bags statewide, this bill would make a significant dent in this figure.

This bill would also protect our environment from the plastic bags that end up in our parks, beaches, rivers, and ocean. Cleanup statistics from across the country, including here in Rhode

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<sup>2</sup> Lisa Anne Hamilton, *Plastic & Climate: The Hidden Costs of a Plastic Planet*, 8 (2019), <https://www.ciel.org/wp-content/uploads/2019/05/Plastic-and-Climate-FINAL-2019.pdf>.

<sup>3</sup> See David Azouly, *Plastic & Health: The Hidden Costs of a Plastic Planet*, 1 (2019), <https://www.ciel.org/wp-content/uploads/2019/02/Plastic-and-Health-The-Hidden-Costs-of-a-Plastic-Planet-February-2019.pdf>.

<sup>4</sup> *Id.* at 12–14.

<sup>5</sup> *Id.* at 17–21.

<sup>6</sup> Sharon Kelly, *Why Plans to Turn America's Rust Belt into a New Plastics Belt Are Bad News for the Climate*, DeSmog (Oct. 28, 2018), [https://www.desmogblog.com/2018/10/28/petrochemical-industry-america-rust-belt-plastics-fracking-climate?fbclid=IwAR3hmco5Dy1hXsP7MvC1f86\\_-HP4i1v-QndYpwrVYglbyrmh5KstzgKxEME](https://www.desmogblog.com/2018/10/28/petrochemical-industry-america-rust-belt-plastics-fracking-climate?fbclid=IwAR3hmco5Dy1hXsP7MvC1f86_-HP4i1v-QndYpwrVYglbyrmh5KstzgKxEME).

<sup>7</sup> See Azouly, *supra* note 3, at 6.

<sup>8</sup> Hamilton, *supra* note 2, at 19.

<sup>9</sup> Marcia Anderson, *Confronting Plastic Pollution One Bag at a Time*, The EPA Blog (Nov. 1, 2016), <https://blog.epa.gov/2016/11/01/confronting-plastic-pollution-one-bag-at-a-time/>.

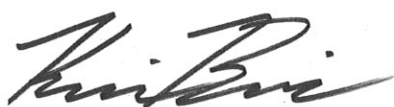
<sup>10</sup> Rhode Island Solid Waste Characterization Study, 13 (2015), <http://www.rirrc.org/sites/default/files/2017-02/Waste%20Characterization%20Study%202015.pdf>.

Island, show that local and state bag restrictions have an immediate impact on the number of plastic bags that end up in the environment.<sup>11</sup>

More than half of Rhode Island's population already lives in a community with a plastic bag ban ordinance. Senate Bill 2003 would bring the rest of the state along and protect all of Rhode Island from wasteful polluting plastic checkout bags.

For these reasons, CLF respectfully urges passage of the Senate President's Plastic Bag Bill, S-2003. In addition, we welcome a conversation to discuss details of the bill, including application to delivery services and allowing communities to continue to innovate.

Sincerely,



Kevin Budris  
Staff Attorney, CLF Rhode Island

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<sup>11</sup> See, e.g., Clean Ocean Access, *2006–2018 Clean Report*, 22, <https://www.cleanoceanaccess.org/wp-content/uploads/2019/02/2006-2018-Clean-Report.pdf> (noting a “dramatic” decrease in the number of plastic bags collected at Sachuest Point cleanup events after Middletown, Rhode Island’s plastic bag ordinance went into effect in November 2017); California Coastal Cleanup Day: Litter Data Summary 2010–2017, <https://static1.squarespace.com/static/54d3a62be4b068e9347ca880/t/5a0237d7652deae895d2df1c/1510094808473/California+Coastal+Cleanup+Data+2010.2016.2017.pdf> (plastic bags collected during litter cleanup events fell from 7.42% of all litter (65,736 total bags) in 2010 to 3.12% of all litter (23,681 total bags) in 2017, following California’s plastic bag ban in 2016); Alice Ferguson Foundation, *Bag Fees at Work: An Analysis of Reductions in Plastic Bags from Potomac River Watershed Cleanups 2007–2014*, [http://fergusonfoundation.org/wp-content/uploads/2015/05/DC\\_Plastic-Bag-reduction\\_OnePager\\_5-11-15-Final.pdf](http://fergusonfoundation.org/wp-content/uploads/2015/05/DC_Plastic-Bag-reduction_OnePager_5-11-15-Final.pdf) (number of plastic bags collected per cleanup event in Washington, D.C. decreased 72% after the passage of an ordinance placing fees on plastic bags).



CITY OF PROVIDENCE

January 29, 2020

Hon. Susan Sosnowski  
Chair, Senate Committee on Environment and Agriculture  
Rhode Island State House  
82 Smith Street  
Providence, RI 02903

Re: Senate Bill 2003  
Chairwoman Sosnowski and Members of the Senate Committee on Environment and Agriculture,

As the Director of Sustainability for the City of Providence and a former member of the Governor's Task Force to Tackle Plastics, I respectfully write to express my support for S2003, Plastic Waste Reduction Act. By banning retail establishments from providing single-use plastic bags, the State is taking a critical step towards addressing the tangible harm created by plastic pollution.

Plastic waste clogs our waterways, litters our landscapes, contaminates our recyclables and endangers marine life. The impacts are seen here in Providence and around the country. Last spring, Providence passed its own Retail Plastic Bag Ordinance, which went into effect in October 2019. With proper notice, extensive outreach and education, and some flexibility for businesses who had excess inventory, retailers responded positively to the ordinance and we have had a high compliance rate.

I am encouraged to see that this version of the proposed bill mirrors Providence's local law, as well as the plastic bag bans that the other 14 communities in the state have passed in recent years. Now, over half of the state's population lives in a community that has banned single-use plastic bags and we have a unified definition for what constitutes a reusable bag. Specifically, the "stitched-on handle" is a critical part of this definition and I am glad to see the state follow this approach. One difference between this proposed statewide bill and Providence's is that our definition of "retail establishment" is more inclusive and covers seasonable and temporary businesses. Considering we have not had issue with such establishments complying, I'd encourage the state to reconsider its definition.

While many communities have taken this step to ban single use bags, we know that a statewide ban is needed to stop the plastic pollution from these bags. When the state recently spent millions of taxpayer dollars to dredge the Providence River, there were so many plastic bags in the river that it delayed the completion of the project. A statewide ban will create consistency across the state and its watersheds that lead to the Narragansett Bay.

Thank you for your time and consideration on this important issue. Please feel free to contact me with any questions you may have.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Leah Bamberger".

Leah Bamberger  
Director of Sustainability, City of Providence

Good afternoon, Senators, and thank you for the opportunity to speak in favor of Senate Bill No. 2003, the Plastic Waste Reductions Act. My name is Winston McCormick, and I am a medical student at the Warren Alpert Medical School. As medical students who care for the health of Rhode Islanders, we are encouraged to promote legislation that better the overall health of the community. Anytime that we have the opportunity to phase out the usage of synthetic materials, we better the environments around our communities and thus improve the health of this great state.

In August, when the new footbridge in Providence opened, I, like many other community members, eagerly flocked to it and was awed by its beauty. However, my eyes were drawn to one flaw, a plastic bag stuck on one of the pillars. Everyday, as I traversed that bridge to the medical school, I would see plastic bags in the water, floating by on their way to the bay. Then, Providence's plastic bag ban went into effect in October, and I noticed an immediate impact. Within a week, I went from noticing plastic bags in the water nearly every time I crossed the bridge to only noticing them once or twice per week. The environment was immediately cleaner, and cleanliness is health.

Beyond the aesthetic benefit of less plastic, there is a demonstrable health benefit of using less plastic. We know the more obvious health effects of plastic bags on animals; we've all seen the pictures. However, plastic bags also hurt human health too but in more skillfully subtly sinister ways. First of all, plastics, especially those not directly tied to consumer consumption, can leach toxic chemicals into the water supply\*. These chemicals can cause reproductive harm and cancer. These chemicals are either directly consumed through drinking water or are stored in seafood that is then eaten through a process called bioaccumulation, and in a state that prides itself on its waters like RI, this is a big problem. Second, we all know plastic bags are hard to recycle. That is because they are incredibly thin. Thus, when thrown out, plastic bags breakdown into microplastics that are so small they cannot be seen with the naked eye or, more importantly, cannot be filtered out of water. A study tested a large number of people across the world to see if they had microplastics in their body, and every single person tested positive<sup>^</sup>. We all have them. The scary thing is, we don't know the effects of microplastics on health, but I can promise you with my expertise that they are not good. So what can we do to limit our exposure to microplastics? Cut back on the use of plastics that break down into microplastics.

We know laws like this one can have an impact, look at Providence itself! Pass this bill. Not only that, but let this bill be a sign that Rhode Island is on the forefront of reducing our reliance on plastics. The data are clear: plastics are around us and in us and there will be health effects. This bill is a good step in the right direction to protect the health of Rhode Islanders. Pass this bill. Thank you.

EMAIL FOR FURTHER CONTACT, QUESTIONS, or CLARIFICATIONS:

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\*Including (but not limited to) lead, cadmium, mercury, BPA, DEHP; plastic bags also act like a sponge and soak up other toxins

<sup>^</sup>A good summary of the study may be found here: <https://www.nytimes.com/2018/10/22/health/microplastics-human-stool.html>



Action today so future generations can enjoy ocean activities

January 29, 2020

Senator V. Susan Sosnowski  
Chairperson, Senate Committee on Environment & Agriculture  
State of Rhode Island General Assembly  
82 Smith Street, Providence, RI 02903

RE: PLASTIC WASTE REDUCTION ACT  
<http://webserver.rilin.state.ri.us/BillText/BillText20/SenateText20/S2003.pdf>

Dear Chairperson, Sosnowski

Clean Ocean Access supports the entitled legislation with points of observation, and express appreciation for the Senate leadership to advance the Plastic Waste Reduction Act for the State of Rhode Island. Since the beginning of last decade, we have been active in the effort to eliminate single use plastics bags and led, assisted, participated or offered support of the plastic bag movement in Rhode Island. With over 50% of the population of the state with an overwhelmingly similar plastic bag ordinance (some exceptions due exist in Warren and Little Compton), now is an excellent time for the state to move forward to tackle the horrific impact of unnecessary single-use and low-value plastics from impacting the health our environment. The time is now for the Ocean State to become a leader for environmental stewardship and it can start with this law.

Here are some minor qualifying points of observation

- Definition (23-19.17-2) – The current and precise definition of a reusable bag is largely centered on the definition of “stitched handles” which to date has prevented retail establishments from giving away single-use plastics bags that litter our coastlines and waterways. We will need to make sure the state law addresses any and loopholes that would allow for plastic bags to be reintroduced with a notion of reusability. A good way of thinking about it is that “customers bring reusables bags to the store”.
- Uniformity (23-19.17-5.) – Local efforts starting in Barrington in 2012 led to results that required changes and in 2015 the foundation of the plastic bag ordinance went forward in 2017 to over a dozen communities representing over half the population of the state. The leadership at the local level allowed for the state to rise to the awareness and opportunity to consider state legislation. Setting the state law as the “floor” will allow local communities to continue the local efforts to tackle plastic pollution based on residential and political will to impact change and provide direction for future statewide leadership action.

Banning plastic bags is an excellent catalyst for tickling moral persuasion so that people started to make better choices to eliminate unnecessary single use material from their daily lives. We have seen first hand on Aquidneck Island that the community has shifted to using reusable bags, and a community-led effort is now underway to eliminate plastic straws, reduce single use plastic water bottles, re-think takeout packaging, recycling of food scraps via composting, and putting the health of our environment as a top priority for today and tomorrow. As a community we are talking about sustainability, and moving in the direction of making better, perhaps harder, and intentional choices for environmental health. The conversation isn’t about paper versus plastics, it is about durable reusable material, and shifting away from single use plastics.

Rhode Island is proudly the state of ocean and nature enthusiasts and the call to action to stop the flood of single-use plastics is heard each day across many generations and many communities. This is transforming our collective voice into action to impact change. We are thrilled to see the entitled legislation introduced early in the 2020 session and offer our assistance to advance the legislation to further position Rhode Island as a leader for protecting and preserving the environment.

Sincerely,

Dave McLaughlin  
Executive Director  
Clean Ocean Access

**BOARD OF DIRECTORS**

Monica DeAngelis – *President*, Ian Estaphan Owen – *Treasurer*, Annie Becker – *Secretary*, Jon Burr, Barbara Frost  
Clean Ocean Access • 23 Johnny Cake Hill, Middletown RI 02842 • 401-236-2561 • [www.cleanoceanaccess.org](http://www.cleanoceanaccess.org)





State of Rhode Island and Providence Plantations  
Office of the General Treasurer  
State House – Room 102  
Providence, Rhode Island 02903

**Seth Magaziner**  
General Treasurer

January 29, 2020

Honorable V. Susan Sosnowski, Chair  
Senate Committee on Environment & Agriculture

Re: In support of S2003- An Act Related to Health and Safety – Plastic Waste Reduction Act

Dear Chair Sosnowski,

I am writing to express my support for S2003, legislation to ban single-use plastic bags. I thank the Senate President and this Committee for your ongoing commitment to protecting Rhode Island's natural resources and to this legislation specifically.

Rhode Island is known for the beauty of the Narragansett Bay, beautiful beaches, fresh seafood, and vibrant communities. But our miles of coastline mean we are also on the front line in battling pollution and contamination of our waterways. Single-use plastic bags puts the fishing industry – an industry that is an economic driver – at risk.

Additionally, single-use plastic bags are the largest pollutant in recycling loads. Transitioning to recyclable paper bags will reduce tipping fees for municipalities while reducing the amount of material that is sent to the landfill instead of being recycled.

As Rhode Island continues to make large scale investments in resiliency and cleaning up the Bay, we must also protect these natural resources, which make the Ocean State a wonderful place to work, live and play. I urge the support of this Committee and the full Senate.

Sincerely,

Seth Magaziner  
General Treasurer

cc: Honorable Members of the Senate Committee on Environment & Agriculture  
Honorable Dominick J. Ruggiero, Senate President

**Testimony from Brian Daniels, Executive Director  
S 2003 – Plastic Waste Reduction Act  
Senate Environment and Agriculture – January 29, 2020**

Thank you for the opportunity to testify. We appreciate the Senate President's advocacy on plastic waste reduction, which is a serious issue to many of our cities and towns.

Currently sixteen cities and towns have taken action and passed ordinances to limit the use of plastic bags by retail establishments. These communities have seen firsthand what can happen when plastic bags are not properly disposed of – they end up along the side of the road, in storm drains, on public lands or on our shores.

The League appreciates that the provisions of S 2003 mirror many of the local ordinances that have passed, including the definition of a reusable bag. It also establishes a fine schedule for non-compliance and confirms that the city or town would retain these revenues. This provision assists in generating revenues to cover the costs of enforcement.

One concern about the legislation is that it pre-empts cities and towns from passing other ordinances related to reusable bags. We believe that local government should be able to respond to the evolving needs of their communities and pass additional ordinances if they deem them necessary, particularly with regard to definitions and enforcement.

Thank you for your consideration of our views.