

## Single Use Plastics Ordinance

Global shifts in recycling markets have made it increasingly difficult to keep many types of waste, including plastic waste, from being disposed to landfills. In California at least 85% of single use plastic waste is not recycled. On April 19, 2022, the Board adopted the Reduction of Waste from Single-Use Articles and Expanded Polystyrene Products Ordinance. The ordinance aims to reduce the use of single use plastics in the unincorporated area, particularly food service ware, which was exacerbated during the COVID-19 pandemic. The abundant use of single use masks and gloves were littered and wasted at an all-time high. Residents and visitors who were skill challenged, time challenged, or seeking comfort in convenience took to ordering takeout from the dwindling number of local eateries.

The Chief Sustainability Office (CSO) contracted with University of California Los Angeles (UCLA) Luskin Center to complete a report on waste management of single use plastic food service ware, which provided background information to draft the ordinance. A key finding of the report was that plastic food service ware, such as cutlery, straws, and cups, are rarely recycled in the County due to their small size and food residue contamination. The report also found that expanded polystyrene (commonly referred to as "Styrofoam") is particularly problematic because its light weight makes it economically impractical to recycle. The report found that compostable products, particularly those that are fiber-based and do not contain fluorinated compounds such as polyfluoroalkyl substances (PFAS), can be environmentally preferable.

The ordinance requires single use items provided by food facilities with ready-to-eat food to be either compostable or recyclable. Compostable is defined as consisting entirely of material that will promptly and safely break down into, or otherwise become part of, usable compost. The ordinance further requires that compostable products be free of intentionally added fluorinated chemicals such as PFAS and be either certified as "home compostable," composed solely of fiber-based (e.g. paper or wood) material, or be certified by both the Biodegradable Products Institute and the Compost Manufacturing Alliance.

Additionally, the Ordinance prohibits retail sale of products made from expanded polystyrene and requires full-service restaurants to use reusable food ware for dine-in customers. The ordinance does provide a process for businesses to obtain hardship waivers which is currently being developed considering stakeholder input.

Most ordinance provisions will become effective on May 1, 2023, for food facilities operating in a permanent location and for all retail establishments. On November 1, 2023, the ordinance will become effective for food trucks and on May 1, 2024, for certified farmers' markets, temporary food facilities, and catering operations.

