American Chemistry Council | Plastics Food Service Packaging Group

September 25, 2017

St. Paul City Council
15 Kellogg Blvd. West
310 City Hall
St. Paul, MN 55102

RE: Sustainable "To Go" Food Packaging Amendment – ACC Plastics Foodservice Packaging Group (PFPG) Comments

Dear Council President Stark and Members of the City Council:

We are writing to thank you for the opportunity to provide comments regarding the proposed amendment to the Saint Paul Code of Ordinance Chapter 236.

The Plastics Foodservice Packaging Group (PFPG) of the American Chemistry Council (ACC), represents the leading suppliers and manufacturers of plastics foodservice packaging products, including polystyrene (PS) food and beverage containers. We have been active participants in the Saint Paul Sustainability "To Go" food packaging work group which met several times in 2016 & 2017. We support programs with respect to health and safety studies and testing, litter education and prevention, waste minimization, and recycling (including all plastics foodservice, like polystyrene foam #6 as proven solutions to address key issues. We have provided facts and success stories from around the country to the working group that show how plastics, including #6 polystyrene foam foodservice, can be a zero waste material along with other packaging alternatives.

We feel the proposed City of Saint Paul sustainable "to go" food packaging initiative does not take into account many pertinent facts regarding recycling, product safety, and environmental impact. The ordinance, a de facto ban on certain materials, also places an undue burden on retailers and food service providers, many of which are small businesses with thin profit margins. Please find our facts and comments below:

1. Can #6 polystyrene foam be recycled? – Yes, easily, and it's occurring close to home…

What if a community (or a school, restaurant, supermarket, business) wants the advantages of plastic foodservice packaging… and to recycle more of its waste? Many valiant efforts over the past few decades have demonstrated what works and what doesn't when it comes to recycling foodservice packaging in the U.S.

Note: The recycling activities described below are predominately about recycling foam *foodservice packaging, nearly all of which is made from one type of plastic: polystyrene.*

Today there are many innovative recycling programs for foam foodservice packaging—some of which were initiated by school kids! Here are some examples, and the link to this website with detailed programs: https://plasticfoodservicefacts.com/main/Environment/Recycling_1.html

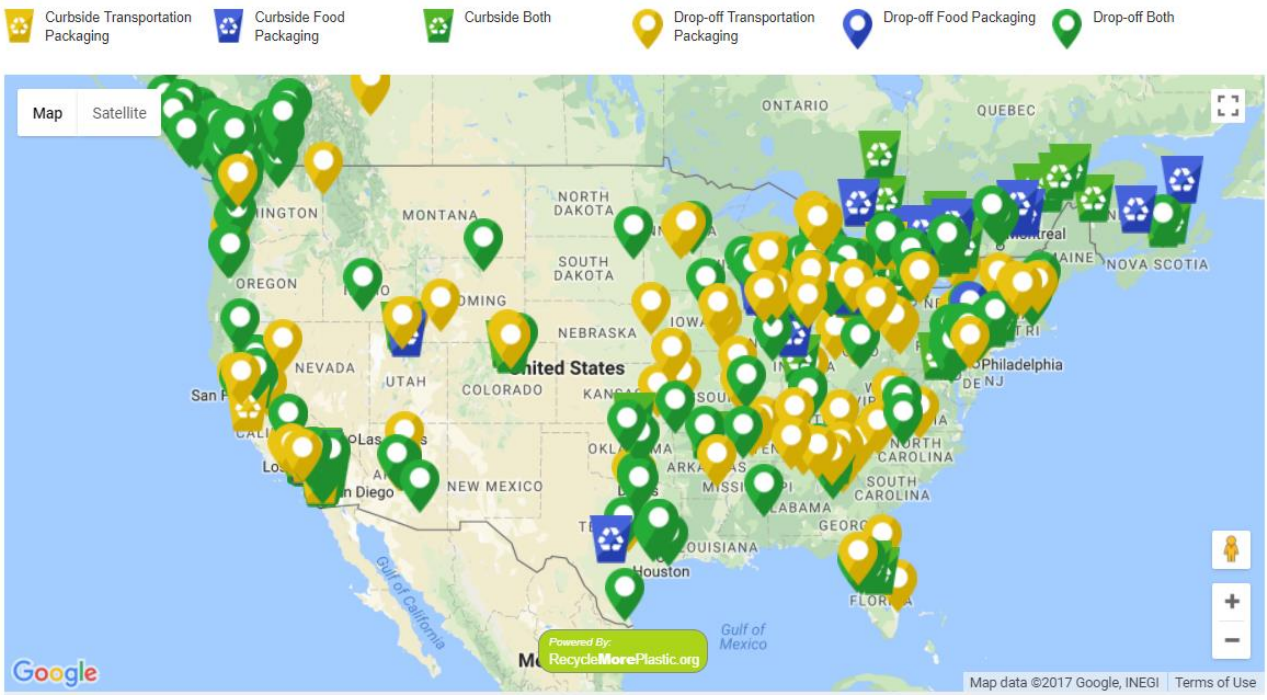
- *Curbside*
    - California curbside**:** Dozens of California cities, including our nation's second largest city, Los Angeles, San Diego, and the state capitol, Sacramento, collect foam packaging in curbside recycling programs. These recycling programs accept foam foodservice packaging, such as coffee cups and take-out containers—residents simply clean and toss them in the blue bin with other recyclables.
    - Denver curbside**:** In late 2015, a recycling facility in the Denver area began recycling foam foodservice and protective packaging that is collected in curbside bins.
    - Case Studies**:** Read about two communities in California that are recycling foam polystyrene foodservice packaging in their curbside recycling program.
    - San Joaquin County, California**:** Read about a community that has found a way to "close the loop" on foam foodservice packaging recycling.
    - Future Opportunities**:** Cities interested in learning more about including foam foodservice packaging in recycling programs, please click here.
- *Schools*
    - Lunch trays**:** Students recycle foam lunch trays at schools in numerous states, including California, Illinois, Michigan, Pennsylvania, and Texas. This video shows how.
    - Arlington Heights, Illinois**:** Learn how students and staff launched a foam lunch tray recycling program in this Chicago suburb.
    - Torrance, California**:** Read how students created a recycling program for their foam lunch trays and other plastic recyclables.
    - More info**:** Starting school recycling programs.
- *Grocery Stores*
    - Some grocery stores take back foam egg cartons and similar products, such as clean plastic foam food trays and foodservice products, for recycling. (Check your local grocery store for the recycling bin.)
- *Commercial*
    - The CARE (Cups Are Recyclable) Program enables commercial facilities with foodservice operations to collect foam foodservice packaging for recycling.
- *Learn how it is done*
    - How polystyrene foam containers are recycled in cities (http://www.fpi.org/PressReleases) and the Foam Recycling Coalition shows how it can be done (http://www.fpi.org/recyclefoam)
- *Midwest jurisdictions recycling PS right now:*
    - McLeod County. MN - The Foam Recycling Coalition has awarded a $50,000 grant to McLeod County, Minn. to help the county expand its foam polystyrene recycling operation. McLeod County Solid Waste Management will buy a foam polystyrene densifier for the newly retrofitted county-owned material recovery facility located in Hutchinson, Minn. The McLeod County

MRF, which now accepts single-stream recycling, will sort foam polystyrene products including cups, egg cartons, meat trays, and carry-out containers. The densifier bought with the grant money will compact these foam materials into condensed bricks that the county can easily ship to recycling markets in truckload quantities.

- Denver, CO - Many residents and commercial companies in the Denver Metro area are able to add polystyrene foam foodservice packaging, egg cartons, meat trays and protective packaging to their recycling bins, thanks to a $45,000 grant from the Foam Recycling Coalition. Alpine Waste & Recycling of Commerce City, Colo., is the first recipient of the recently launched North American funding program designed to increase the collection, processing, and marketing of post-consumer polystyrene foam. Alpine will use the grant money to purchase equipment that compacts (densifies) polystyrene foam into bricks, making Alpine the first company in Denver to provide foam recycling services. Alpine is the largest independent, privately held waste and recycling company in Colorado. It is vertically integrated with a fleet of more than 80 collection vehicles and 220 employees; plus a recycling facility (the second largest in the state); composting collection and operations; and a landfill.

- Cedar Falls, IA – The Iowa Department of Natural Resources awarded the city $20,000 grant to purchase a densifier, with another $20,000 coming from cost savings from a recent addition to their recycling center.

- *Check out other jurisdictions recycling EPS Foam!* - Interactive PS Recycling Map
  - PSFoamRecycling.org is an interactive website that allows Americans and Canadians to search for local recycling programs that collect protective foam packaging and foam food packaging. The site also identifies foam packaging "mail back" programs for areas where local recycling does not exist.



2. *Polystyrene is <u>not</u> a foodservice health concern:*

- Claims alleging health risks associated with polystyrene food service products are not supported by scientific evidence. All packaging contains substances that can migrate in very tiny amounts to foods or beverages. Whether naturally occurring in foods and beverages such as strawberries, coffee beans or cinnamon, or produced synthetically, most people encounter styrene as a part of their daily lives, though in small amounts. Scientific studies have shown that the small amounts of styrene consumers may be exposed to are not harmful; studies have also shown that, should exposure occur, styrene does not stay in the body for long and is rapidly metabolized and excreted[1].

- Dr. Linda Birnbaum, Ph.D., the toxicologist who heads the National Toxicology Program, was quoted widely in Associated Press reports in June 2011: "Let me put your mind at ease right away about Styrofoam" and noted that levels of styrene from polystyrene containers "are hundreds if not thousands of times lower than have occurred in the occupational setting ... In finished products, certainly ***styrene is not an issue***." John Bucher, associate director of the National Toxicology Program, was also quoted in Associated Press reports in August 2011: ***"The risks, in my estimation, from polystyrene are not very great,"*** he said. ***"It's not worth being concerned about."***

- Statements that the federal government considers polystyrene to be detrimental to health are inaccurate. For more than 50 years the U.S. Food and Drug Administration (US FDA) have approved the use of polystyrene for foodservice products. Polystyrene foodservice products offer a sanitary way to serve fresh food and to help prevent the spread of disease at schools, restaurants, hospitals, as well as in homes.

- A common but unnecessary worry about many plastics in foodservice is that they may have tiny amounts of constituents that can make their way into food. It is important to know that FDA specifically considers the tiny amounts of styrene – a compound occurring naturally in foods like strawberries and cinnamon – to be safe in polystyrene food service. In 2015, the Plastics Foodservice Packaging Group provided updated styrene migration data to FDA. The data show that current exposures to styrene from the use of polystyrene food contact products remain extremely low, with the estimated daily intake calculated at 6.6 micrograms per person per day. This is more than 10,000 times below the safety limit set by FDA (the FDA's acceptable daily intake value of styrene is calculated to be 90,000 micrograms per person per day).

- Polystyrene should not be confused with styrene: Polystyrene and styrene are different substances. Styrene, a liquid, and polystyrene, a solid, are fundamentally different. Styrene is a liquid that can be chemically linked to create polystyrene, which is a solid plastic that disposables different properties. Polystyrene is used to make a variety of important consumer products, such as foodservice containers, cushioning for shipping delicate electronics, and insulation. Equating polystyrene with styrene is like equating a diamond with carbon. They are not the same substance.

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[1] U.S. Public Health Service Agency for Toxic Substances and Disease Registry, "Toxicological Profile for Styrene," pp. 5, 68-72, 89-90, Nov. 2010. See http://www.atsdr.cdc.gov/ToxProfiles/tp53.pdf

3. *How does polystyrene foodservice compare to other foodservice materials – what is its environmental footprint?*

- All packaging leaves an environmental footprint regardless of the material type. It takes energy and raw materials to produce, transport, and recover or dispose of any material. So it is important to measure all of these impacts throughout the entire lifecycle of a product. Consider the following:

    - Polystyrene cups weigh anywhere from two to five times less than comparable paper packaging products which means fewer air emissions when transporting products.
    - A Life Cycle Inventory (LCA) study[2i] conducted on foam polystyrene, paper-based, and PLA (corn-based) foodservice products showed PS foam containers have very low footprint compared to alternatives. Key findings from this study were:

        - **Energy use:** Polystyrene foam products consume significantly less energy than the alternatives—half as much as wax-coated paperboard cups and one-third as much as PLA clamshells.
        - **Water use:** Polystyrene foam products use significantly less water than the alternatives—up to four times less than PLA clamshells.
        - **Solid waste:** Polystyrene foam products create significantly less solid waste by weight than the alternatives—up to five times less than paperboard and PLA products. Comparisons by volume vary widely:
            - Polystyrene foam cups for hot drinks create less waste by volume than the alternatives—significantly less than paperboard cups with corrugated sleeves used for insulation.
            - Polystyrene foam cups for cold drinks create similar waste by volume as plastic coated paperboard cups and significantly less than wax coated paperboard and PLA cups.
            - Heavy duty polystyrene foam plates produce more solid waste by volume than the alternatives, while lighter duty polystyrene foam plates create similar waste by volume as the paperboard counterparts.
            - Polystyrene foam clamshells create slightly more waste by volume than paperboard clamshells and half the waste by volume of PLA clamshells.
        - **Greenhouse gases:** Polystyrene foam products generate slightly more greenhouse gas emissions than PLA products, expressed as net CO_2 equivalents (see note below). If paperboard products do not degrade after disposal, they store carbon and generate fewer greenhouse gas emissions than polystyrene foam products; however, if paperboard products degrade to the maximum extent, they generate more greenhouse gas emissions than polystyrene foam products, so comparisons of greenhouse gas emissions vary widely depending on assumptions about the degradation of paperboard products.
- Studies conducted for Seattle Public Utilities (SPU) showed that banning polystyrene foam food take-out containers would dramatically increase environmental impacts by doubling the greenhouse gas emissions, energy use, and waste associated with the use of alternative products[3].
- Summary: When developing policy around polystyrene foam foodservice containers, it is important to evaluate its overall sustainability including, but not limited to, the end of life disposal of the product. When doing so, the studies show polystyrene foam foodservice products are actually more sustainable

[2] Life Cycle Inventory of Foam Polystyrene, Paper-Based, and PLA Foodservice Products, Franklin Associates, A Division of ERG, Feb 4, 2011

[3] Alternative to Disposable Shopping Bags and Food Service Items Volume I, prepared for Seattle Public Utilities, January 2008, Herrera Environmental Consultants

than alternative products, which are usually heavier by weight and have larger impacts on the environment.

Thank you all again for the opportunity to provide comments. We respectfully encourage you oppose the amendment to Saint Paul Code of Ordinance Chapter 236 in its current form.

Please contact us if you have questions, or need additional information.

Regards,

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