



MEMORANDUM

DATE: July 1, 2020
TO: Seattle City Council
FROM: Mami Hara, General Manager & CEO – Seattle Public Utilities (SPU)
RE: 2020 Report on Seattle Bag Ban Compliance

Background

This memorandum was prepared in compliance with the annual bag ban reporting requirement established in [Ordinance 125165](#). It builds on the [2019 Report](#) on Seattle Bag Ban Compliance submitted to the Seattle City Council (Council) on July 1, 2019 and is focused on notable developments and next steps. The 2019 Report provides detailed background that is not repeated within this Report.

The Council in 2011 passed [Ordinance 123775](#), which banned retailers from providing single-use plastic and bio-degradable carryout bags. In 2016, the Council approved [Ordinance 125165](#), making several revisions to Seattle’s bag regulations, including requiring compostable bags be properly labeled and tinted either green or brown, disallowing the distribution of non-compostable plastic bags that are tinted green or brown, and creating an annual bag ban reporting requirement to Council from 2017-2021. These ordinances together make up [SMC 21.36.100](#).

Bag Requirements
 City of Seattle

What the City of Seattle Law Requires:

Plastic Carryout Shopping Bags BANNED	Large Paper Shopping Bags 5¢ <small>(Minimum charge required)</small>	Smaller Paper Bags FREE <small>(Charge optional)</small>	Green Plastic Bags* (such as produce) BANNED <small>*Requirement is effective July 1, 2017</small>	Clear Plastic Produce/Bulk Food Bags ALLOWED
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Seattle Stores:

- May not provide customers with single-use plastic or compostable carryout (shopping) bags, or bags labeled "biodegradable," "degradable," "decomposable" or similar.
- May not provide customers with plastic bags (such as produce bags) that are tinted green or brown. Stores can provide approved compostable bags, and they must be colored green or brown.
- May provide customers with any size recyclable paper or reusable carryout bags. Stores must charge a minimum paper bag fee of 5 cents for large 1/8 barrel paper bags (paper bags 882 cubic inches or larger).
 - › Paper bag charges must be shown on customer receipts. Sales tax applies. Stores keep the paper bag fee.
 - › The large paper bags for which customers are charged must contain at least 40 percent post-consumer recycled fiber, and the minimum recycled fiber content must be printed on the outside of the bag.
 - › Recycled fiber content and labeling is encouraged for all paper bag sizes.
 - › Stores may provide smaller paper bags free or charge customers for them.
- Plastic bags 2.25 mil or thicker are considered reusable bags. Stores may provide them free or charge the customer for them.

*Requirement is effective July 1, 2017

Seattle Public Utilities
 For more information: www.seattle.gov/plasticbagban 206-684-3000

EXEMPTIONS & ADDITIONAL DETAILS

Seattle’s commitment to reducing single-use plastic carryout bags is further emphasized by the Council in [Resolution 30990](#), which: (1) reaffirmed the City’s 60% recycling goal and set a longer-term goal of 70% recycling along with targets for waste reduction, and (2) called for studies on how to reduce Seattleites’ use of hard-to-recycle materials, many of them plastics, and specifically required SPU to propose strategies (including bans) to discourage the use of disposable plastic carryout bags.

Seattle’s bag ban ordinances were implemented primarily to address concerns that the production, use, and disposal of plastic carryout bags have significant adverse impacts on the environment, health, safety, and welfare of Seattle residents. Key considerations include:

- Conserving energy and natural resources
- Reducing waste and controlling litter throughout Seattle
- Reducing marine litter and pollution
- Reducing solid waste disposal costs

As part of the annual reporting requirements, SPU must evaluate at a minimum:

1. The waste and litter reduction benefits of the City’s bag ban program
2. Strategies to increase bag ban compliance in all stores
3. The effectiveness of this ordinance in reducing the number of non-compostable bags contaminating the waste stream
4. Strategies to address the impacts of loose plastic bags on curbside recycling

Findings and recommendations are due to the Council no later than July 1 each year.

This memorandum serves as SPU’s 2020 fulfillment of this reporting requirement to Council.

This Report primarily focuses on several significant developments:

- Passage of state legislation banning thin plastic bags, and preempting local bag requirements, effective January 1, 2021
- Removal of plastic bags from area curbside programs effective January 1, 2020
- COVID-19 impacts and response

SPU policy and government relations worked diligently for the passage of the bag bill (SB 5323) and believe it to be very positive policy; setting a high bar. Part of SPU's legislative advocacy focused on reducing the impact of preemption language as was passed, and we would have preferred other approaches, such as, dual state and local enforcement authority, etc. For this bill and other product regulations, SPU doesn’t support outright preemption of local authority. Rather state legislation should set a minimum standard and locals should be able pass local legislation that is more stringent.

Summary of Key Updates and Next Steps

KEY UPDATES	NEXT STEPS
State Legislation Bans Single-use Plastic Bags	
<p>SB 5323, establishing a statewide ban on single-use plastic bags, was passed in the 2020 legislative session, and was signed by the Governor.</p> <p>The law incorporates and improves upon many elements of Seattle’s ordinance, establishing new statewide best practices into law. This will be beneficial to meeting the intent of Seattle’s ordinance.</p> <p>The ban is effective January 1, 2021 and at that time, preempts local authority regarding plastic bags.</p>	<p>Keep Seattle’s ordinances in place as back up to the state legislation, in case of repeal or delays.</p> <p>SPU will continue bag outreach and education activities in Seattle.</p> <p>SPU will coordinate with Ecology, surrounding jurisdictions, and others to update local and state outreach and education materials to reflect state requirements, and on other implementation issues.</p>

KEY UPDATES	NEXT STEPS
<p>While Seattle’s ordinance is preempted, and Seattle cannot enforce its ordinance or state law, it retains and shares outreach and education functions with the Department of Ecology (Ecology).</p> <p>Details comparing key elements of SB 5323 to Seattle’s ordinance are contained in the body of this Report.</p>	<p>SPU will share its knowledge and resources with Ecology and others on implementation and outreach and education strategies.</p> <p>The 2021 Bag Update Report to Council will focus on the transition from implementation of the Seattle ordinances to implementation of the state law within Seattle.</p>
Waste and Litter Reduction Benefits	
<p>Eleven additional cities have adopted single-use plastic bag policies since the 2019 Report, three in the vicinity of Seattle (Kent, Tukwila, and Bothell).</p> <p>Regarding litter, Zero Waste Washington worked with the Duwamish Valley Youth Corp to pilot a protocol for quantifying and categorizing litter in the right-of-way and public spaces.</p>	<p>Monitor and support efforts by Zero Waste Washington and others to develop protocols and characterize litter, when conditions allow litter clean-ups to resume.</p>
Strategies to Increase Bag Ban Compliance	
<p>In 2019, typical bag outreach and education continued, but a further ramp up was postponed anticipating changes due to the state legislative proposal, to avoid confusing or misinforming businesses.</p> <p>Compliance rates in Seattle are anticipated to further increase as statewide legislation is enacted.</p> <p>Bag regulation outreach materials are available in 18 languages, including English, Amharic, Arabic, Chinese, Hindi, Indonesian, Japanese, Korean, Khmer, Laotian, Oromo, Russian, Somali, Spanish, Tagalog, Thai, Tigrinya, and Vietnamese. This information is now available in transcreated form in Chinese and Spanish and Vietnamese is under development.</p>	<p>Work with other jurisdictions and Ecology to transition outreach and education materials from local rules to state rules.</p> <p>Continue bag ban site visits when safe and timely to do so and outreach and educational materials have been updated.</p>
Effectiveness in Reducing Non-Compostable Bags Contaminating (Organics) Waste Stream	
<p>HB 1569, relating to marketing the degradability of products, and codified as 70.360 RCW, was passed in the 2019 Legislative Session and establishes similar requirements statewide as are found in SMC 21.36.100 regarding compostability certification, labeling, and tinting requirements of compostable and non-compostable bags. Effective July 1, 2020, compostable bags statewide must be tinted green</p>	<p>Continue to incorporate the plastic bag tinting requirements into grocery outreach in 2020 and provide technical assistance to those stores observed using non-compliant tinted bags.</p> <p>Work with Ecology to transition outreach and education materials from local rules to state</p>

KEY UPDATES	NEXT STEPS
<p>or brown and manufacturers are discouraged from tinting non-compostable plastic bags green or brown.</p> <p>70.360 RCW provides cities and counties with concurrent enforcement authority with the state, acting through the attorney general.</p> <p>SB 5323, establishing a statewide ban on single-use plastic bags, was passed in the 2020 Legislative Session. It also includes requirements found in SMC 21.36.100, in part through reference to 70.360 RCW.</p>	<p>rules, including certification, labeling, and tinting requirements.</p> <p>Work with the state to inform manufacturers of compostable and plastic bags of certification, labeling, and tinting requirements.</p>
<p>Strategies to Address Impacts of Loose Plastic Bags on Curbside Recycling</p>	
<p>The Responsible Recycling Task Force recommended plastic bags be removed from any area curbside recycling collection programs that allowed them and that retail drop-off options be improved and expanded.</p> <p>Seattle Solid Waste Advisory Committee concurred that plastic bags be taken out of curbside recycling collection.</p> <p>SPU worked with surrounding jurisdictions to remove plastic bags from curbside recycling effective January 1, 2020.</p> <p>Messaging is coordinated regionally by the Responsible Recycling Communication Consortium.</p> <p>SPU continues to work with an industry-led task force (SeaWrap) to improve and expand retail bag and film drop-off options and responsible end markets for recycling collected material. End markets are the key challenge.</p> <p>Verified retail collection sites listed on plasticfilmrecycling.org have increased from 86 to 128 since the beginning of the year. Amazon is conducting a collection pilot at 4 locations. Further expansion, including by independent retailers, is dependent on end market access.</p> <p>Retail collection sites accept many more types of film and wrap than just plastic carryout bags and will still be needed after implementation of the state single-use plastic bag ban.</p>	<p>Continue to work with Responsible Recycling Communication Consortium on messaging.</p> <p>Continue to work with industry-led task force to improve retail collection system and access to markets.</p> <p>Advocate for post-consumer recycled content legislation for plastic garbage bag and other film products.</p> <p>Advocate for bag and film producers to establish a stewardship system and plan for sustainable collection, transport and responsible processing of plastic bags, film and wrap in the Greater Seattle area.</p>

KEY UPDATES	NEXT STEPS
COVID-19 Impacts	
<p>The COVID-19 public health emergency has impacted ordinance implementation, compliance, and other work covered in this Report.</p> <p>During the COVID-19 crisis, policies remain in place. However, SPU has suspended enforcement action taken on businesses that are unable to remain in compliance and has suspended enforcement on the requirement that a 5-cent pass-through fee be collected and retained by the retailer.</p> <p>There have been some short-term supply disruptions for compliant bags.</p>	<p>Delayed activities covered in this Report will resume when it is safe and timely to do so.</p> <p>SPU will continue to work with bag stakeholders to provide them with the support they need to protect the health and safety of customers and employees and to return to compliance with the ordinance when public health and supplies allow them to do so.</p>
Recommendations to Council	
<p>Though preempted by state law as of January 1, 2021, Seattle’s bag ordinance should remain in place, though not implemented and enforced, as “back-up” in case the state law is repealed or delayed.</p> <p>Assist in opposing preemption of local authority in future legislation.</p>	<p>TBD by Council.</p>

2020 Statewide Single-Use Plastic Bag Ban

In 2020 the State of Washington approved a statewide ban on single-use plastic bags through passage of SB 5323. The legislation built upon Seattle’s and other local government bag laws. In the last year, 11 local governments have adopted local bag policies including three in the vicinity of Seattle (Kent, Tukwila, and Bothell), bringing the total to 39 local bag ordinances.

The increasing action by local governments helped attain passage of the State legislation. Appendices A1 and A2 include maps of neighboring cities and jurisdictions throughout Washington State that have adopted plastic bag regulations.

Many issues not yet addressed by Seattle are addressed in the state law. Plastic bag impacts in Seattle will decrease when businesses in all communities are operating with the same rules. The state law goes into effect January 1, 2021 and will preempt Seattle’s and other local bag ordinances. Seattle will lose its enforcement authority but will be able to coordinate with the Ecology to address businesses found out of compliance with the state law. on non-compliance issues. SPU will continue to implement outreach and education based on the state rules and will share outreach and education expertise with Ecology and others in developing culturally-appropriate outreach and education strategies and materials.



Although SPU cannot implement Seattle’s preempted laws January 1, 2021, we recommend keeping those laws in place in case the state law is delayed or repealed. While the final bag report to Council is within the soon to be preempted ordinance, SPU will produce a report for 2021 that will in part report on the transition from implementation of the Seattle ordinances to implementation of the state law within Seattle.

Key elements of the state law, compared with Seattle’s ordinances, are shown below, highlighting differences and similarities. Full text of the law is attached as Appendix B.

SEATTLE ORDINANCE	WA STATE PLASTICBAG BAN LAW
Effective Dates	
<p>Ordinance 123775 banning single-use plastic bags became effective July 1, 2012.</p> <p>Ordinance 125165 established additional requirements and became effective July 1, 2017.</p>	<p>Requirements in SB 5323 begin January 1, 2021.</p> <p>Local carryout bag laws that were not enacted by April 1, 2020 may not be implemented. Existing local carryout bag laws are preempted January 1,</p>

SEATTLE ORDINANCE	WA STATE PLASTIC BAG BAN LAW
<p>Note: Seattle’s bag rules are in effect until January 1, 2021 when they are preempted by state law.</p> <p>SPU recommends keeping the Seattle ordinances in place as back up in case the state law is delayed or repealed. SPU implementation activities will continue based on the state law, not the Seattle ordinances.</p>	<p>2021, with exception of those, regarding the pass-through fee charge amount, that had a 10-cent charge enacted as of April 1, 2020. Those laws, with regard to the charge, are not preempted until January 1, 2026.</p>
Bags Prohibited	
<p>Single-use plastic carryout bags, or bags made of material marketed or labeled as “biodegradable” or “compostable” that is neither intended nor suitable for continuous use as a carryout bag or that is less than 2.25 mm thick. Provided paper carryout bags must meet recycled content requirements.</p>	<p>Single-use plastic carryout bags made from plastic that are designed and suitable only to be used once and disposed. Provided paper and reusable plastic carryout bags must meet recycled content requirements.</p>
Reusable Plastic Film Bags	
<p>2.25 mm film carryout bags are allowed with no pass-through charge.</p>	<p>Until December 31, 2025, 2.25 mm film bags allowed and have 8-cent pass-through charge. Thereafter, reusable film bags must be 4 mm with 12-cent charge.</p> <p>Bag must have a minimum lifetime of 125 uses, which means the capacity to carry a minimum of 22 pounds 125 times over a distance of at least 175 feet.</p>
Pass Through Bag Fee Kept By Retailer	
<p>Not less than 5 cents for each recyclable paper carryout bag.</p> <p>Retail establishments may not collect a pass-through charge from anyone with a voucher or electronic benefits card issued under the women, infants, and children (WIC) or temporary assistance for needy families (TANF) support programs, or the federal supplemental nutrition assistance program (SNAP, also known as basic food), or the Washington State food assistance program (FAP).</p> <p>The pass-through charge must be shown on receipt and is a taxable charge.</p>	<p>Until December 31, 2025, 8 cents for each recycled content paper carryout bag or reusable carryout bag made of plastic film.</p> <p>Beginning January 1, 2026, 8 cents for each recycled content paper carryout bag and 12 cents for each reusable carryout bag made of plastic film.</p> <p>Retail establishments may not collect a pass-through charge from anyone using a voucher or electronic benefits card issued under the women, infants, and children (WIC) or temporary assistance for needy families (TANF) support programs, or the federal supplemental nutrition assistance program (SNAP, also known as basic</p>

SEATTLE ORDINANCE	WA STATE PLASTIC BAG BAN LAW
	<p>food), or the Washington state food assistance program (FAP).</p> <p>The pass-through charge must be shown on receipt and is a taxable charge.</p>
Definitions of Retailers and Exemption for Food Banks and Food Assistance Programs	
<p>“Retail establishment” means any person, corporation, partnership, business venture, public sports or entertainment facilities, government agency, street vendor or vendor at public events or festivals, or organizations that sell or provide merchandise, goods, or materials including, without limitation, clothing, food, beverages, household goods, or personal items of any kind directly to a consumer. Examples include but are not limited to department stores, clothing stores, jewelry stores, grocery stores, pharmacies, home improvement stores, liquor stores, convenience stores, gas stations, restaurants, food vending trucks, farmers markets, and temporary vendors of food and merchandise at street fairs and festivals.</p> <p>Food banks and other food assistance programs are not considered to be retail establishments.</p>	<p>"Retail establishment" means any person, corporation, partnership, business, facility, vendor, organization, or individual that sells or provides food, merchandise, goods, or materials directly to a customer including home delivery, temporary stores, or vendors at farmers markets, street fairs, and festivals.</p> <p>Food banks and other food assistance programs are not retail establishments, but are encouraged to take actions to reduce the use of single-use plastic carryout bags.</p>
Recycled Content Requirements	
<p>Paper carryout bags must contain a minimum average of 40 percent post-consumer recycled materials and display the minimum percent of post-consumer content on the outside of the bag.</p>	<p>Paper carryout bags must contain a minimum of 40 percent post-consumer recycled content, be capable of composting, and display in print on the exterior of the bag the minimum percentage of post-consumer content.</p> <p>Reusable plastic film bags must be made from a minimum of 20 percent post-consumer recycled content until July 1, 2022, and thereafter must be made from a minimum of 40 percent post-consumer recycled content. The minimum percent of post-consumer content must be displayed in print on the outside of the bag.</p>
Additional Labeling and Tinting Requirements	
<p>Retailers cannot use or provide polyethylene or other non-compostable plastic film bags tinted</p>	<p>Any compostable film bag that a retail establishment provides to customers for products, including for products bagged in stores</p>

SEATTLE ORDINANCE	WA STATE PLASTIC BAG BAN LAW
<p>green or brown for customers to bag products in stores, as carryout bags, or for home delivery.</p> <p>Any film bags meeting the definition of compostable must be tinted green or brown and clearly labeled “COMPOSTABLE,” including language following the Federal Trade Commission’s “Green Guidelines.”</p> <p>No film bag that retailers provide customers to bag products in stores, as carryout bags, or for home delivery may be labeled with the term “biodegradable,” “degradeable,” “decomposable,” or any similar terms, or in any way imply that the product will break down, fragment, biodegrade, or decompose in a landfill or other environment.</p>	<p>prior to checkout, must meet the requirements for compostable products and film bags in chapter 70.360 RCW.</p> <p>A retail establishment may not use or provide polyethylene or other noncompostable plastic bags for bagging of customer products in stores, as carryout bags, or for home delivery that do not meet the requirements for noncompostable products and film bags in chapter 70.360 RCW.</p> <p>Note: 70.360 RCW was put in place by legislation passed in 2019 and is effective July 1, 2020. It includes similar or the same requirements regarding tinting and labeling that are in the Seattle ordinance (Appendix C).</p>
Enforcement	
<p>Violation or failure to comply is a civil infraction with a \$250 fine for violations.</p> <p><i>Note: As of January 1, 2021, City of Seattle will no longer have enforcement authority. However, SPU will be able to engage with Ecology on violations and promote Ecology’s enforcement capabilities in SPU outreach efforts.</i></p> <p><i>While SPU has always led with outreach and education, rather than enforcement, expressing the potential of enforcement for non-compliance has been an important tool to motivate compliance.</i></p>	<p>A violation is subject to a civil penalty of up to \$250. Each calendar day of operation or activity in violation of this chapter comprises a new violation. Penalties are appealable to the pollution control hearings board established in chapter 43.21B RCW</p> <p>Enforcement must be based primarily on complaints filed with the Ecology and local governments. The department must establish a forum for the filing of complaints. Local governments and any person may file complaints with the department using the forum and local governments may review complaints filed with the department via the forum for purposes of the local government carrying out education and outreach to retail establishments. The forum established by the department may include a complaint form on the department's web site, a telephone hotline, or a public outreach strategy relying upon electronic social media to receive complaints that allege violations.</p>
Outreach and Education	
<p>Outreach and education activities are not addressed directly in the ordinances, but SPU has and continues to do extensive outreach.</p>	<p>Ecology, in collaboration with the local governments, must provide education and outreach activities to inform retail</p>

SEATTLE ORDINANCE	WA STATE PLASTIC BAG BAN LAW
<p>Bag regulation outreach materials are available in 18 languages, including English, Amharic, Arabic, Chinese, Hindi, Indonesian, Japanese, Korean, Khmer, Laotian, Oromo, Russian, Somali, Spanish, Tagalog, Thai, Tigrinya, and Vietnamese. This information is now available in translated form in Chinese and Spanish, which was developed in 2019 (Appendix D). Translation in Vietnamese is next.</p> <p>Note: SPU will continue its outreach and education activities, based on requirements of the state law, and will coordinate with Ecology and other parties to develop outreach and education strategies and materials to address state rules.</p>	<p>establishments, consumers, and other interested individuals about the requirements.</p> <p>The department or local government shall work with retail establishments, retail associations, unions, and other organizations to create educational elements regarding the ban and the benefits of reusable carryout bags.</p> <p>Educational elements may include signage at store locations, informational literature, and employee training by October 1, 2020.</p>
Additional Elements	
<p>“Carryout bags” do not include bags for prepared take-out food, so thin plastic bags have been allowed, though this is no longer considered a best practice. Since composition of carryout bags for prepared take-out food have not been restricted, compostable plastic film carryout bags are an option for this purpose.</p> <p>Compostable film bags, paper bags, and plastic bags are allowed for in-store bagging of products such as produce.</p> <p>Compostable plastic film carryout bags are prohibited, though SPU has worked with bag manufacturers to develop compostable bags for take-out food and in-store purchases that promote their reuse for placing food scraps in compost collection containers.</p>	<p>Single-use plastic carryout bags for take-out food are included in ban.</p> <p>Compostable film bags, paper bags, and plastic bags are allowed for in-store bagging of products such as produce.</p> <p>Compostable plastic film carryout bags are not identified as prohibited.</p>



Sources of Plastic Bags in Seattle

Since the plastic bag ban went into effect in 2012, plastic bags have entered Seattle's waste stream primarily in three ways:

- **Businesses outside of Seattle provide plastic carryout bags to customers.**
SPU has continued to collaborate on waste prevention efforts with neighboring cities and counties, and advocated for policies at the state level that would provide universal requirements across Washington. Statewide consistent requirements will be established as of January 1, 2021. As retailers in all surrounding areas and across the state comply with the state law, plastic bag waste originating from outside Seattle will be significantly reduced.
- **Seattle restaurants provide take-out food in plastic bags to customers.**
Seattle's bag ban currently permits restaurants to provide customers with plastic bags for take-out orders. The state bag ban applies to take-out food and delivery services too, prohibiting thin single-use plastic bags as carryout bags for prepared take-out food. This will significantly decrease single-use plastic carryout bags from these sources.
- **Non-compliant Seattle retail stores offer plastic carryout bags to customers.**
Compliance is high in Seattle, reported at an average of 85% in the 2019 Report. With the state law coming into effect January 1, 2021, we anticipate that overall compliance will increase due to additional media attention, non-compliant bags being withdrawn from the marketplace, and greater clarity by retailers and their customers on the rules.

Waste and Litter Reduction Benefits

Zero Waste Washington (ZWW) is developing and piloting a comprehensive litter assessment protocol to provide a consistent and comparable measurement of litter composition throughout Washington State. ZWW is working with the Duwamish Valley Youth Corps to quantify litter in rights-of-way and public spaces and in 2019 and 2020 conducted youth litter clean-ups done with detailed assessments at four locations in Seattle frequented especially by youth.

Other youth litter clean-ups were done, but without conducting detailed assessments. Detailed assessments include documenting 45 categories of litter, including plastic bags, and recording the number of each type of item overall and per square foot of the assessment area, the weight of the litter, and other data. The intention is for far more litter clean-ups with detailed assessment to be conducted

and over a wider range of locations and jurisdictions. However, due to COVID-19 concerns and social distancing best practices, additional youth clean-ups are delayed. Pending more robust pilot results, SPU may integrate this protocol into existing litter-related programs or use information from Seattle clean-ups to establish a baseline plastic bag litter assessment.

Strategies to Increase Bag Ban Compliance

In 2019, SPU continued bag ban site visits, including conducting culturally competent and in-language bag ban outreach and communications. Bag regulation outreach materials are available in 18 languages, including English, Amharic, Arabic, Chinese, Hindi, Indonesian, Japanese, Korean, Khmer, Laotian, Oromo, Russian, Somali, Spanish, Tagalog, Thai, Tigrinya, and Vietnamese. The Spanish translation is attached as Appendix D.

SPU is going through a process to make outreach materials more culturally appropriate and effective through a process called “transcreation.” This is a multi-year effort with the work in Chinese and Spanish completed and Vietnamese under development. The Spanish language transcreated bag information completed last year is in Appendix D. SPU contracts with community partners like ECOSS, Tilth Alliance, and Cascadia Consulting Group, who have team members that provide culturally competent, in-language outreach to Seattle businesses. The current COVID-19 pandemic has halted in-person site visits and assistance. In lieu of in-person visits, our consultants are calling grocery stores to provide in-language education on the bag requirement expectations and suspension of enforcement during COVID-19.

商家提供購物袋規範

允許使用的袋子:

- 購物用大型紙袋**
 - 商店可提供任何尺寸的可回收紙袋。
 - 紙袋重量至少含有百分之四十的回收再生纖維。
 - 若提供容量為1公噸 (1.0 barrel) 或更大的紙袋, 須向顧客收取0.5美分。
 - 5美分費用須顯示在收據上。
- 小型紙袋**
 - 商店可免費提供小型紙袋或向顧客收費。
 - 建議使用再生紙袋。
- 透明蔬果袋或散裝食品袋**
 - 允許提供2.25 密耳 (2.25 mil) 或更厚的可重複利用的塑料袋。
 - 商店可免費提供此類塑料袋或向顧客收費。
- 可做堆肥的袋子**
 - 商店可向顧客提供可做堆肥的袋子

禁止使用的袋子:

- 塑料購物袋**
 - 禁止提供一次性塑料購物袋或僅標示“可生物分解”(biodegradable), “可降解”(degradable), “可分解”(decomposable) 等字眼的袋子。
- 綠色蔬果用塑料袋**
 - 禁止提供非堆肥用的綠色或棕色的塑料袋。

欲獲得更多資訊, 請連絡: seattle.gov/plasticbagban 360-343-8201 (僅供聽障服務)

WHAT IS TRANSCREATION?

Transcreation is one tool SPU is using to effectively deliver solid waste information to immigrant and refugee communities. Straight linguistic translation can lead to inaccurate and ineffective information since it does not consider cultural context. Through the transcreation process, we identify key motivators, barriers, visual preferences, and terminology so that the final material we produce is culturally and linguistically relevant and accurate.

Effectiveness in Reducing Non-Compostable Bags Contaminating the Compost Stream

In 2016, Council approved [Ordinance 125165](#), making several revisions to Seattle’s bag regulations, including requiring compostable bags be properly labeled and tinted either green or brown, and disallowing the distribution of non-compostable plastic bags that are tinted green or brown. Survey work has shown a high 97% rate of compliance with these tinting requirements. While SPU can deduce that this has resulted in fewer non-compostable bags being accidentally used to contain food scraps for placing in compost containers from Seattle, area compost facilities receive materials from all over the

region and plastic film and bags continue to be a problem. Non-compostable bags that are tinted green and have confusing messaging on them continue to be available in areas surrounding Seattle.

The legislature in 2019 approved a measure governing environmental marketing claims for plastic products.

The new law, which becomes effective on July 1, 2020. Similar to Seattle legislation, 70.360 RCW (Appendix C) requires in part:

- Plastic products cannot be labeled with the terms “biodegradable,” “degradable,” “decomposable,” “oxo-degradable,” or any similar terms.
- Compostable plastic bags and other compostable plastics must meet testing standards and be labeled as compostable.
- Compostable plastic bags must be tinted green or brown, have green or brown labeling, or have green or brown striping.
- Non-compostable plastic bags are prohibited from using the tinting, labeling, and terms required for compostable film bags.

SB 5323 (state single-use plastic bag ban), references requirements or restrictions enacted through 70.360 RCW and further emphasizes requirements similar to requirements in the Seattle bag ordinance. Most importantly, these requirements will be included in outreach and education materials for implementing SB 5323, filling a gap, as 70.360 RCW does not include any outreach requirements.

Strategies to Address Impacts of Loose Plastic Bags on Curbside Recycling

In earlier versions of this report SPU highlighted:

- Partnering in discussions with neighboring jurisdictions on the impacts of plastic bags in curbside programs. Topics included:
 - Considering removing plastic bags and film from the mix of materials accepted in Seattle’s curbside recycling program
 - Promoting existing retailer plastic bag and film drop-off programs

There have been significant developments over the past year that pertain to these next steps and are detailed below.

Partnering With Neighboring Jurisdictions to Address Plastic Bags

The Responsible Recycling Task Force (RRTF) completed work commenced in 2018 to conduct a deep dive into the challenges presented by the Chinese bans on mixed waste paper and mixed plastic materials. The RRTF produced a Final Report with recommendations and published it in January 2019. The RRTF was formed by King County's Solid Waste Division (at the request of the King County Solid Waste Advisory Committee and the Metropolitan Solid Waste Management Advisory Committee) with SPU assistance to respond to changes in international recycling markets and develop a coordinated approach to improving recycling in the region. The RRTF was made up of representatives from King County, City of Seattle, cities in King County, solid waste haulers, and stakeholders.

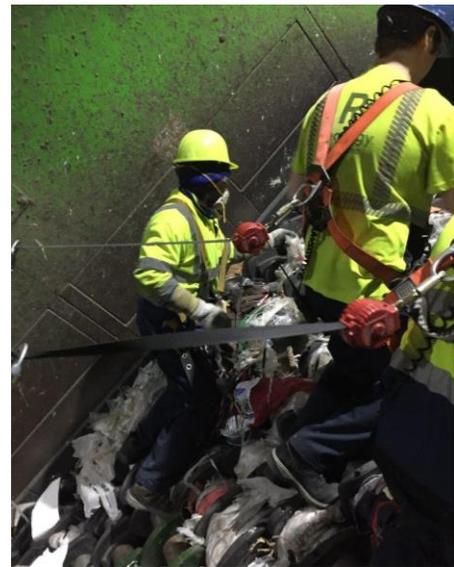
The Final Report contains a number of recommendations pertaining specifically to plastic bags, including:

- Action Item 2B. Advocate for the expansion of the Wrap Recycling Action Program (WRAP) to establish an effective statewide program to capture plastic bags/film.
- Action Item 5B. Remove plastic bags/film and shredded paper from the materials that are accepted in recycling programs in King County and City of Seattle.
- Action Item 5C. Support "Reusable Bag" legislation to reduce the number of plastic bags entering the garbage and recycling system.

The Seattle Solid Waste Advisory Committee (SWAC) reviewed the RRTF recommendations and unanimously supported the recommendations, including removing plastic bags from the Seattle curbside collection program. The SWAC letter supporting the removal of plastic bags from the curbside recycling collection is included as Appendix E. A response was sent to SWAC on March 29, 2020 (Appendix F), concurring with their recommendation and with SPU's intent to have plastic bags removed from curbside recycling collection in Q1 2020.

The importance of removing plastic bags from curbside is further amplified by survey results reported by The Recycling Partnership (TRP) in its 2019 West Coast Contamination Initiative Research Report. The report is based on community, material recovery facilities, and resident survey results, conversations with stakeholders, and other follow-up studies in California, Oregon, and Washington. Plastic bags were identified as the most prevalent recycling program contaminants by both cities and material recovery facilities in the three states. The report states:

"Plastic bags are problematic for many MRFs because they wrap around the sorting equipment at the MRF and prevent the equipment from sorting materials properly. MRF operators need to shut down the recycling line to cut off bags that have wrapped around equipment. There are costs associated with preventing the bags from getting to the equipment, maintaining the equipment, and landfilling the bags. There is also a risk of injury to workers as they are maintaining the equipment."



Removal of Plastic Bags from Seattle’s Lists of Materials Collected in Curbside Recycling

While adding bagged plastic bags to curbside recycling in 2009 was with good intent, SPU now knows, based on shared experience and research, that collecting bags in commingled recycling is ineffective, it creates serious problems and falls outside the boundaries of what would be considered responsible recycling. SPU worked with King County and other regional partners through the Responsible Recycling Communications Consortium to remove plastic bags from the curbside recycling acceptance lists, and as of January 1, 2020, plastic bags are no longer accepted in curbside recycling programs regionwide. Customers are instructed to reduce use of plastic bags whenever possible, utilize retail drop-off locations (found through going to PlasticFilmRecycling.org), or to put plastic bags and film in the garbage. The communications plan developed in autumn 2019 is attached as Appendix G. On October 17, 2019, SPU and King County issued a joint press release asking customers to recycle plastic bags and wrap separately from curbside recycling materials and provided a press event and tour of the Recology MRF to show problems created by plastic bags in the machinery (Appendix H). Ecology has also been communicating that plastic bags are a contaminant in curbside recycling and includes that messaging in statewide anti-contamination efforts.

SPU’s web-based *Where Does It Go?* tool began tracking views a few days before the end of 2019. From January 1 to May 7, 2020, there were 4,421 unique page views to pages related to correctly recycling plastic bags and film.

The engagement metrics from PlasticFilmRecycling.org, the main resource for consumers to find a bag/film drop-off location, show a 305% increase in visits to that page from this area when comparing Q1 2020 to Q1 2019. The growth of referrals from the Seattle.gov page is even more impressive—zero in Q1 2019 and 687 in Q1 2020. For comparison, the rest of the State of Washington outside the Seattle/King County area has not seen comparable growth in engagement.



Industry-Led Task Force Formed to Improve Retail Drop-off Options for Plastic Bags and Film

In addition to suggesting that customers reduce use of plastic bags and put bags in the garbage instead of the recycling container, SPU is directing customers to return their plastic bags and film to retail drop-off locations where available and convenient. For return to retail options to be effective and ensure responsible recycling, there must be domestic end markets that will take the collected film for processing. The return to retail locations must also be convenient and widely available to the diverse communities throughout Seattle and the region, drop-off containers need to be conveniently placed, kept clean, and clearly signed, and the program must be promoted. All of these attributes need significant improvement in Seattle and King County. To address these challenges and seize on opportunities through collaboration, an industry-led taskforce was formed in mid-2019.

Participants include representatives from:

- American Chemistry Council
- American Chemistry Council's Wrap Recycling Action Program (WRAP)
- Association of Plastic Recyclers
- The Recycling Partnership Sustainable Packaging Coalition
- Seattle Public Utilities
- King County Solid Waste Division



The intent is for this coalition to work with local businesses and end markets to develop an effective system for collecting plastic bags and film at retail locations, rather than a simple listing of stores that collect bags. The work is to be done in phases over several years, with a draft vision of “a robust collection system for plastic bags, film, and flexible packaging in Seattle and King County supported by domestic end markets. Seattle and King County to serve as a model for comprehensive whole life-cycle management of these materials, with future expansion to additional plastics.”

Phase 1 work began with verifying and improving existing retail drop-off options for plastic bags and films and expanding to new drop-off sites, focusing on those stores that already had collection bins and an end market through Trex, the primary end market for bags and film in the U.S. This phase also focused on stores that had previously collected film but no longer do so, and stores that are part of chains that participate in collection, even if some individual stores within those chains don't provide collection services. For instance, not all Safeway or QFC stores currently provide plastic bag and film collection for recycling, while some do.

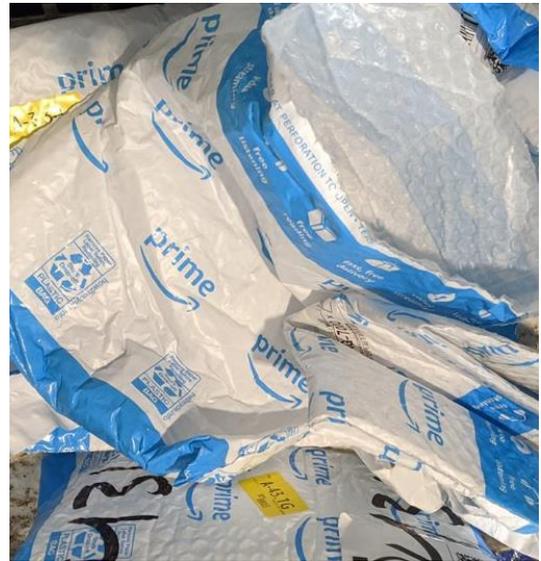
As of January 1, 2020, 86 stores were identified as providing bag and film collection. As of March 25, 2020, there were 128 confirmed active collection sites, 29 in Seattle and 99 in the rest of King County, with 12 sites awaiting the arrival of collection bins.

Further expansion to additional retail locations, including independent grocers, and more widespread promotion of the existing locations has been stymied by the lack of end markets for the collected material, lack of a system to get collected materials from independent grocers to additional end markets, and concerns of the current primary buyer of post-consumer bags and film (Trex) that more material would come into collection programs than they could accept.

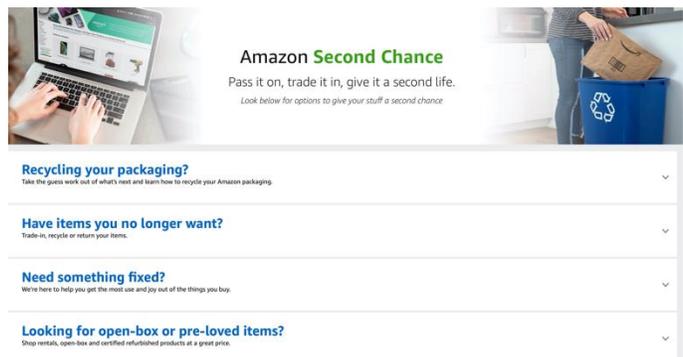
Work by the team continues, though further outreach and work directly with retailers is delayed during the COVID-19 emergency.

Other areas that the team has worked on include:

- Reestablishing end market relationships between Trex and stores that previously collected and provided bags and film to Trex.
- Initial work to knit together collection and consolidation services for independent grocers, with consolidated bags/film to be sent to Merlin Plastics in British Columbia for processing, through a fee paid by the grocers.
- Developing relationships with independent grocers and associations to explore expansion of store collection and accessibility to end markets.
- Research and collection of available metrics, including composition studies.
- Planning for additional surveying and metrics when possible and timely to do so.
- Establishing commitments to provide collection bins to retailers who need them.
- Exploring collection pilots with other business entities. For example, [Amazon Second Chance](#) and [The Recycling Partnership](#) have launched a pilot of free [plastic film recycling drop-off](#) at King County Amazon Locker locations to provide customers with an easy and convenient way to recycle single-use plastic film. Currently this includes three locations in Seattle.



These combined efforts can only succeed if markets for post-consumer film and bags are expanded. SB 5323, with its post-consumer recycled content requirements for thicker “reuseable” film bags, is an important step. However, additional legislation requiring post-consumer recycled content in garbage bags and other film products will likely be necessary to effectively create market pull for bags and film collected through retail collection programs. SPU will work with other stakeholders to propose post-consumer recycled content legislation for film plastic in the 2021 or 2022 legislative sessions.



It is also SPU’s observation that despite positive steps described above, these activities continue to be disjointed and do not begin to resemble a sustainable, financed system for effective bag and film collection at retail. SPU will encourage bag and film producers to establish a voluntary industry-financed stewardship program for collection, transport, and responsible recycling of bag and film plastics for the greater Seattle and King County area.

Continued Need for Retail Collection of Bags, Film, and Wrap When Statewide Ban is Implemented



There will continue to be great need for retail collection of plastic bags, film, and wrap even when the statewide ban on single-use plastic carryout bags is implemented. A majority of thin plastic generated by grocers and other retailers and received in their collection bins is not from carryout bags, but from product over wrap (for instance, plastic wrap around toilet paper and paper towels), other types of bags, and other film packaging. In addition, 2.25 mm “reusable” bags will still be allowed, which will require recycling if not reused or no longer reusable.

PlasticFilmRecycling.org includes these guidelines:

Bring These Items to a Drop-off Location for Recycling

Scroll through to view examples of plastic bags, wraps and film that can be recycled



Please recycle only clean, dry plastic bags and film. Remove receipts or any other items from bags.

Examples include:

- Retail, carryout, produce, newspaper, bread, and dry cleaning bags (clean, dry and free of receipts and clothes hangers)
- Zip-top food storage bags (clean and dry)
- Plastic shipping envelopes (remove labels), bubble wrap and air pillows (deflate)
- Product wrap on cases of water/soda bottles, paper towels, napkins, disposable cups, bathroom tissue, diapers, and female sanitary products
- Furniture and electronic wrap
- Plastic cereal box liners (**but** if it tears like paper, **do not include**)
- Any film packaging or bag that has the How2Recycle Label shown at right

COVID-19 Impacts

The COVID-19 public health emergency has impacted ordinance implementation, compliance, and other work covered in this Report.

COVID-19 related issues that have emerged include:

- Actual or perceived concern of health risks associated with use of reusable bags by customers and handling by employees. As a result, some stores discontinued allowing customers to bring reusable bags (and thereby avoid the required pass-through fee charged for paper bags and retained by the retailer).
- Concern about the customer response to being charged a bag fee if there was no way for the customer to avoid the fee by using a customer-provided reusable bag. This could raise a safety concern, as well as slow down the check through process.
- Compliant bag supply disruptions due to the high volume of grocery purchases, supply chain disruptions due to COVID-19 impacts, and the inability to use reusable bags rather than those with supply disruptions. Some stores were unable to obtain compliant paper bags or allowed 2.25 mm reusable bags and have temporarily relied on single-use thin plastic bags (non-compliant) as substitutes.

To provide grocers and other retailers guidance, flexibility, and support during this unprecedented crisis, SPU announced suspension of enforcement of the bag ordinance in an email to our bag stakeholder group (516 email addresses), which includes the related trade organizations. Trade organizations also received direct calls. Relevant SPU webpages were also updated with the information on March 27. The March 27 email to stakeholders is attached as Appendix I.



Updated guidance was emailed to stakeholders on April 6, 2020 clarifying that SPU's suspension of enforcement also applies to the requirement to collect a 5-cent pass-through fee. We were also able to provide stakeholders with a link to Labor & Industries guidance that had been issued that morning. SPU updated its webpages accordingly and made another round of direct calls to trade organizations. The April 6 updated email to stakeholders is included in Appendix I and a screenshot of guidance on SPU bag ban webpage is attached as Appendix J.

Key points in the guidance include:

- For the duration of the COVID-19 civil emergency declaration by Mayor Durkan issued March 3, 2020, the City will suspend enforcement of the requirement that retail establishments collect a 5-cent, pass-through charge on recyclable paper bags provided to customers.
- If available, compliant bags should be used.
- If non-compliant bags are substituted on a temporary basis because of a lack of supply, we encourage posting simple signage informing the customer that the change is temporary.

- Care should be taken to not overstock non-complaint bags that are only needed on a temporary basis.
- Retailers may use their own discretion regarding the use of reusable bags by customers.
- Retailers should return to using compliant bags and packaging as soon as possible.
- Grocers should not use green-tinted, non-compostable plastic bags, as required by the ordinance. It is very important that we not pollute our compost system due to customer confusion about compostable and non-compostable bags.
- As stated above, during the COVID-19 crisis, our policies remain in place. However, there will be no enforcement action taken on businesses that are unable to remain in compliance.

SPU will continue to work with bag stakeholders to provide them with the support they need to protect the health and safety of customers and employees and to return to compliance with the ordinance when public health and supplies allow them to do so.

As covered above, some work related to expanding retail collection of bags and films to support additional collection has also been delayed due to business closures and travel restrictions and will recommence when it is safe and timely to do so.

Recommendations to Seattle City Council

SPU will continue to work as described above, including coordinating with Ecology and others for the transition from bag rules based on local ordinances to bag rules based on state law.

SPU has two recommendations to Council:

- Though preempted by state law as of January 1, 2021, Seattle’s bag ordinance should remain in place, though not implemented and enforced, as “back-up” in case the state law is repealed or delayed.
- Assist in opposing preemption of local authority in future legislation.

While the desire for statewide consistent rules are understandable, state legislation should establish a floor, not a ceiling, for rules meant to reduce plastics and single-use products in the environment. Local governments have been the driving force addressing these issues and have provided pilot opportunities to test innovative and effective approaches. Strategies for the reduction of single-use products are rapidly evolving and local governments must be able to continue to innovate.

There are different approaches to achieve consistency in state law while allowing for innovation and shared implementation and enforcement at the local level. Because SB 5323 embraces many important innovations and best practices, and due to careful negotiations, local preemption in this case will be less harmful than it might have been. We can work within the parameters of SB 5323, though preemption as included in the law could have been done in such a way as to establish strong state rules while preserving local authority.

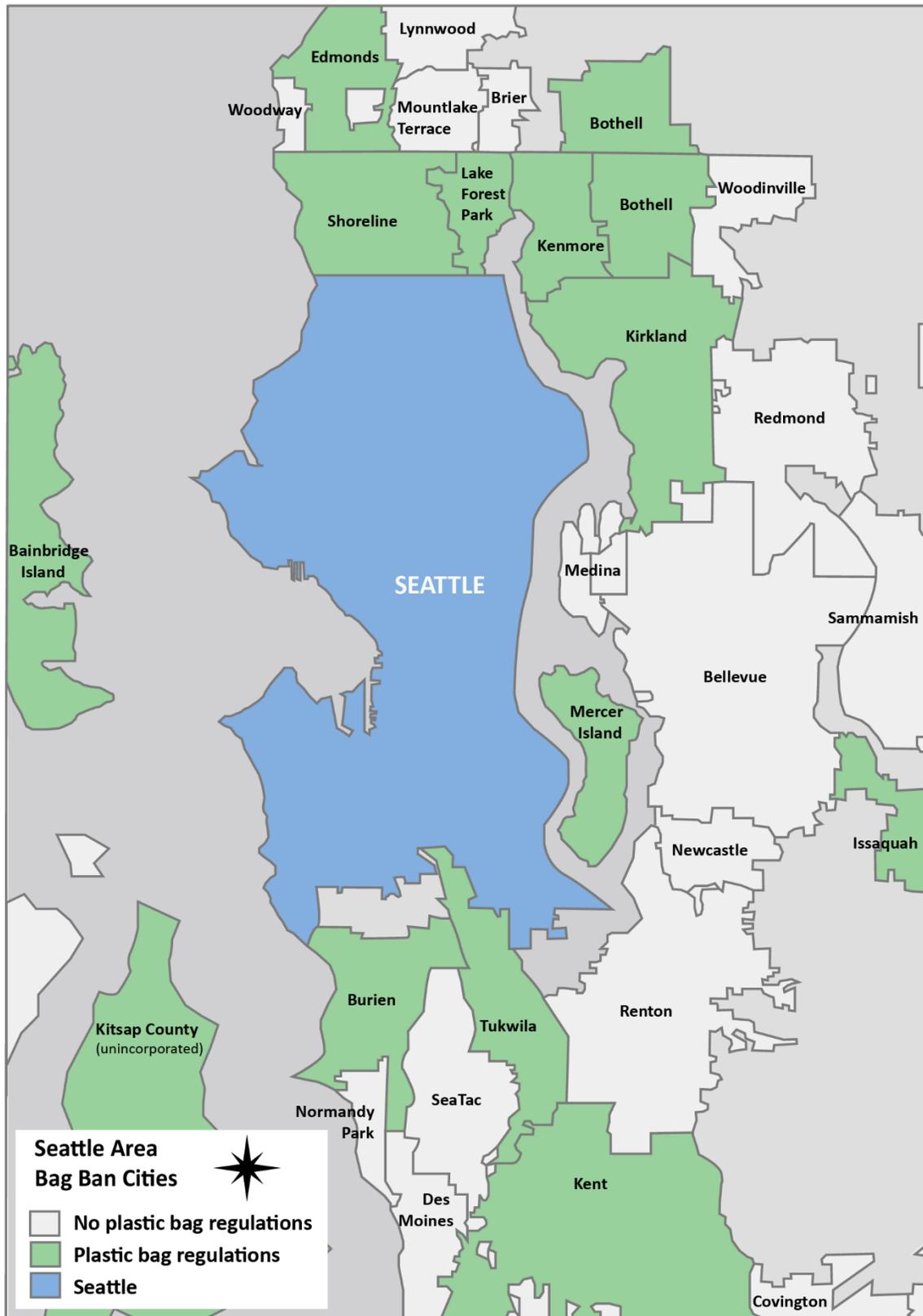
However, in 2019 and 2020 Legislative Sessions, there were multiple bills addressing single-use packaging or products that included very harmful preemption language and would have restricted and diminished advancements already achieved through Seattle’s ordinances. Fortunately, these bills did not pass, but similar bills are anticipated in the future.

SPU recommends that the Council, through the Association of Washington Cities and other means, assist in opposing harmful local preemption provisions in future legislation.

Appendices List

Appendix A1	Neighboring Cities with Bag Bans
Appendix A2	Bag Bans Enacted in Washington State
Appendix B	SB 5323 Reducing pollution from plastic bags by establishing minimum state standards for the use of bags at retail establishments Final Bill Report
Appendix C	70.360 RCW Plastic Product Degradability
Appendix D	Original translation of bag ban flyer and new Spanish-language transcreated bag ban flyer
Appendix E	Seattle Solid Waste Advisory Committee Letter
Appendix F	Seattle Public Utilities Response Letter to SWAC
Appendix G	SPU Bag Out Communications Plan
Appendix H	Joint Press Release <i>King County, Seattle recycling experts ask customers to recycle plastic bags, wrap separately from curbside recycling materials</i>
Appendix I	Stakeholder emails from March 27 and April 6
Appendix J	Screen shot of bag ban web page with guidance and revised graphics

Appendix A1. Neighboring Cities with Bag Bans

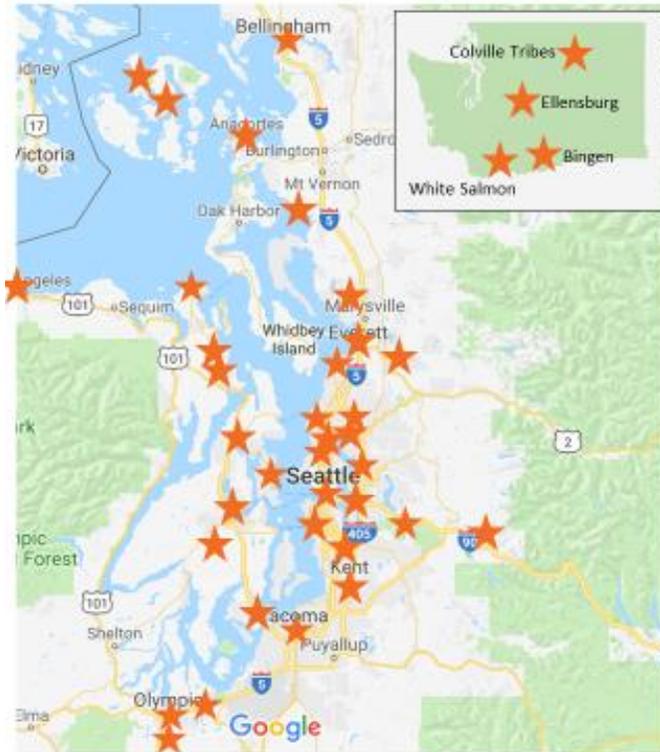


Appendix A2. Bag Bans Enacted in Washington State

Figure 1. List of bag bans enacted in Washington State.

(Zero Waste Washington, personal communication, May 6, 2020)

39 WA Reusable Bag Ordinances



- Tacoma (2016)
- Friday Harbor (2017)
- Quil Ceda Village (2017)
- Port Angeles (2018)
- La Conner (2018)
- Kenmore (2018)
- North Bend (2018)
- Everett (2018)
- Gig Harbor (2019)
- Burien (2019)
- Snohomish (2019)
- Bremerton (2019)
- Kitsap Co-unincp (2019)
- Port Orchard (2019)
- Kent (2019)
- Bingen (2019)
- White Salmon (2019)
- Anacortes (2019)
- Colville Tribes (2019)
- Tukwila (2019)
- Bothell (2019)
- Poulsbo (2020)
- Edmonds (2009)
- Seattle (2011)
- Bellingham (2011)
- Mukilteo (2011)
- Bainbridge Island (2012)
- Port Townsend (2012)
- Issaquah (2013)
- Shoreline (2013)
- Thurston Co-unincp (2013)
- Tumwater (2013)
- Olympia (2013)
- Lacey (2014)
- Lake Forest Park (2018)
- Mercer Island (2014)
- Kirkland (2015)
- Ellensburg (2016)
- San Juan Co-unincp (2016)

Appendix B. SB 5323

The full text of the bill SB 5323 can be accessed here: [http://lawfilesextra.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session Laws/Senate/5323-S.SL.pdf#page=1](http://lawfilesextra.leg.wa.gov/biennium/2019-20/Pdf/Bills/Session%20Laws/Senate/5323-S.SL.pdf#page=1).

FINAL BILL REPORT ESSB 5323

C 138 L 20

Synopsis as Enacted

Brief Description: Reducing pollution from plastic bags by establishing minimum state standards for the use of bags at retail establishments.

Sponsors: Senate Committee on Environment, Energy & Technology (originally sponsored by Senators Das, Carlyle, Kuderer, Palumbo, Hunt, Rolfes, Frockt, Keiser, Pedersen and Saldaña).

Senate Committee on Environment, Energy & Technology

Senate Committee on Ways & Means

House Committee on Environment & Energy

House Committee on Finance

House Committee on Appropriations

Background: The plastic shopping bag was first developed in Sweden in 1965. It quickly replaced cloth and paper bags in Europe and became commonplace in the United States after 1982.

Many countries around the world have banned single-use plastic carryout bags. Several Washington State municipalities have adopted ordinances addressing single-use plastic carryout bags. Some of these ordinances require retailers to charge customers for providing paper bags and specify bag performance.

ASTM International (ASTM) is a non-profit organization that develops voluntary consensus standards for materials, products, systems, and services. ASTM standards are used by individuals, companies and other institutions.

The federal government implements programs to assist low-income individuals and families. The U.S. Department of Agriculture administers Women, Infants, & Children (WIC) and Supplemental Nutrition Assistance Program (SNAP) to assist with access to food. The Department of Health and Human Services provides block grants to states to run the Temporary Assistance for Needy Families (TANF) to assist families with children to provide basic needs. Additionally, under the State Food Assistance Program (FAP), Washington state provides assistance to legal immigrants who are not eligible for SNAP.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Pollution Control Hearings Board (PCHB) hears appeals of certain decisions, orders, and penalties issued by the Department of Ecology (Ecology) and several other state agencies. Parties aggrieved by a PCHB decision may obtain subsequent judicial review.

Summary: Beginning January 1, 2021, a retail establishment is prohibited from providing a customer, or to a person at an event, a single-use plastic carryout bag, or a paper or reusable plastic carryout bag that does not meet recycled content requirements. A retail establishment in areas without local ordinances restricting plastic carryout bags may provide single-use plastic bags from existing inventory until one year after the effective date of the act. Food banks and food assistance programs are not considered retail establishments but are encouraged to take actions to reduce single-use plastic carryout bags. A retail establishment is defined as any person, corporation, partnership, business, facility, vendor or organization that sells or provides food, merchandise, or materials directly to a customer.

Carryout bags do not include bags used inside stores by customers to:

- package bulk items;
- contain or wrap items where dampness or sanitation may be a problem;
- contain unwrapped prepared foods or bakery items;
- contain prescription drugs; or
- protect an item from damaging other items when placed inside a carryout bag.

Until December 31, 2025, retail establishments must collect an \$0.08 pass-through charge when providing a reusable plastic film bag or carryout paper bag that is at least 882 cubic inches provided. Beginning January 1, 2026, the pass-through charge for reusable carryout plastic film bags is \$0.12. A retail establishment is prohibited from reimbursing a customer any portion of the pass-through charge. Retail establishments may not collect a pass-through charge from a person using a voucher or electronic benefits card issued under WIC, SNAP, TANE, or FAP. The pass-through charge is a taxable retail sale and must be shown as such on a receipt provided to customers. Retail establishments may deduct from business and occupation taxes the amounts collected from pass-through charges. This tax deduction is not subject to the tax preference performance statement or automatic expiration date.

Compostable film bags provided to customers by retail establishments must meet statutory requirements for compostable products and film bags. Retail establishments, food banks, and other food assistance programs may not use or provide polyethylene or other non-compostable carryout bags that do not meet statutory requirements for non-compostable products and film bags.

A recycled content paper carryout bag must:

- contain a minimum of 40 percent postconsumer recycled materials;
- be capable of meeting ASTM composting requirements; and
- display the minimum percentage of the recycled content in print on the exterior of the bag.

A reusable carryout bag must:

- have the capacity to carry at least 22 pounds, over a distance of 175 feet, for a minimum of 125 uses;
- be durable so it can be washed and disinfected; and

- if made from film plastic, contain a minimum of 20 percent postconsumer recycled material until July 1, 2022, and thereafter a minimum of 40 percent postconsumer recycled material;
 - the film plastic bags must be at least 2.25 mils thick until December 31, 2025, and thereafter 4 mils thick;
 - the minimum postconsumer recycled content and the thickness of the bag, as well as that the bag is reusable, must be displayed in print on the outside of the bag.

Enforcement of carryout bag requirements must be based primarily on complaints filed with Ecology and local governments. Ecology must establish a forum for filing complaints. The forum may include a complaint form on its website, a telephone hotline, or electronic social media. Local governments and any person may file a complaint on Ecology's forum. Local governments may review complaints for purposes of carrying out education and outreach to retail establishments.

Ecology, in collaboration with local governments, must provide education and outreach activities to inform retail establishments, consumers and other interested individuals about the restrictions on single-use plastic carryout bags. Ecology or local governments must work with retail establishments, retail associations, unions, and other organizations to create educational elements regarding the benefits of reusable bags. Retail establishments are encouraged to educate their staff to promote reusable bags as the best option for carryout bags and to post signs encouraging customer to use reusable carryout bags.

A violation of the carryout bag requirements is subject to a \$250 penalty. The penalty is appealable to the Pollution Control Hearings Board.

Local governments may not implement local carryout bag ordinances. Local government carryout bag ordinances enacted as of April 1, 2020 are preempted as of January 1, 2021. If a local ordinance has established a pass-through charge of \$0.10, the pass-through charge is not preempted until January 1, 2026.

Until June 1, 2025, Ecology must prioritize expedited processing of applications for permits to expand or reconfigure existing pulp and paper mills for the purpose of manufacturing paper bags or materials to manufacture paper bags.

The Department of Commerce, in consultation with Ecology, must submit a report to the Legislature by December 31, 2024. The report must address the effectiveness of the pass-through charge, the availability and pricing of various types of carryout bags, and the sufficiency of the pass-through charge relative to the cost of authorized bags to retail establishments. The report must also include recommendations for revisions to carryout bag requirements.

An intention is declared for the 2025 Legislature, taking into consideration the report, to reconsider changes to the amount of the pass-through charge, mil thickness requirements for reusable bags made of film plastic, and other carryout bag provisions.

A severability clause is included.

Votes on Final Passage:

2019 Regular Session

Senate 31 14

2020 Regular Session

Senate 30 19

House 67 29 (House amended)

Senate 33 15 (Senate concurred)

Effective: June 11, 2020
June 30, 2021 (Section 11)

Appendix C. 70.360 RCW

5/19/2020

Chapter 70.360 RCW: PLASTIC PRODUCT DEGRADABILITY

Chapter Listing

Chapter 70.360 RCW

PLASTIC PRODUCT DEGRADABILITY

Sections

- 70.360.010 Findings—Intent.
- 70.360.020 Definitions.
- 70.360.030 Use of terms on label.
- 70.360.040 Requirements for a product labeled "compostable."
- 70.360.050 Film bags—Identification.
- 70.360.060 Food service products/film products—Identification.
- 70.360.070 Manufacturer or supplier of film or food service products—Prohibited, discouraged, and encouraged acts.
- 70.360.080 Submission of information demonstrating compliance with chapter—Other information.
- 70.360.090 Enforcement of chapter—Penalties—Enforcement costs.
- 70.360.100 Manufacturers and suppliers in violation of chapter.
- 70.360.110 Compostable products revolving account.
- 70.360.900 Effective date—2019 c 265.

RCW 70.360.010

Findings—Intent. *(Effective July 1, 2020.)*

*** CHANGE IN 2020 *** (SEE 2246-S.SL) ***

(1) The legislature finds and declares that it is the public policy of the state that:

(a) Environmental marketing claims for plastic products, whether implicit or implied, should adhere to uniform and recognized standards for "compostability" and "biodegradability," since misleading, confusing, and deceptive labeling can negatively impact local composting programs and compost processors. Plastic products marketed as being "compostable" should be readily and easily identifiable as meeting these standards;

(b) Legitimate and responsible packaging and plastic product manufacturers are already properly labeling their compostable products, but many manufacturers are not. Not all compost facilities and their associated processing technologies accept or are required to accept compostable packaging as feedstocks. However, implementing a standardized system and test methods may create the ability for them to take these products in the future.

(2) Therefore, it is the intent of the legislature to authorize the state's attorney general and local governments to pursue false or misleading environmental claims and "greenwashing" for plastic products claiming to be "compostable" or "biodegradable" when in fact they are not.

[2019 c 265 § 1.]

RCW 70.360.020

<https://app.leg.wa.gov/RCW/default.aspx?cite=70.360&full=true>

1/7

Definitions. (Effective July 1, 2020.)

*** CHANGE IN 2020 *** (SEE 2246-S.SL) ***

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "ASTM" means the American society for testing and materials.
- (2) "Biodegradable mulch film" means film plastic used as a technical tool in commercial farming applications that biodegrades in soil after being used, and:
 - (a) The film product fulfills plant growth and regulated metals requirements of ASTM D6400; and
 - (b)(i) Meets the requirements of Vincotte's "OK Biodegradable Soil" certification scheme, as that certification existed as of January 1, 2019;
 - (ii) At ambient temperatures and in soil, shows at least ninety percent biodegradation absolute or relative to microcrystalline cellulose in less than two years' time, tested according to ISO 17556 or ASTM 5988 standard test methods, as those test methods existed as of January 1, 2019; or
 - (iii) Meets the requirements of EN 17033 "plastics-biodegradable mulch films for use in agriculture and horticulture" as it existed on January 1, 2019.
- (3) "Federal trade commission guides" means the United States federal trade commission's guides for the use of environmental marketing claims (Part 260, commencing at section 260.1), compostability claims, including section 260.8, and degradation claims (subchapter B of chapter I of Title 16 of the Code of Federal Regulations), as those guides existed as of January 1, 2019.
- (4) "Film product" means a bag, sack, wrap, or other sheet film product.
- (5) "Food service product" means a product including, but not limited to, containers, plates, bowls, cups, lids, meat trays, straws, deli rounds, cocktail picks, splash sticks, condiment packaging, clam shells and other hinged or lidded containers, sandwich wrap, utensils, sachets, portion cups, and other food service products that are intended for one-time use and used for food or drink offered for sale or use.
- (6) "Manufacturer" means a person, firm, association, partnership, or corporation that produces a product.
- (7) "Person" means individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.
- (8) "Plastic food packaging and food service products" means food packaging and food service products that is composed of:
 - (a) Plastic; or
 - (b) Fiber or paper with a plastic coating, window, component, or additive.
- (9) "Plastic product" means a product made of plastic, whether alone or in combination with another material including, but not limited to, paperboard. A plastic product includes, but is not limited to, any of the following:
 - (a) A product or part of a product that is used, bought, or leased for use by a person for any purpose;
 - (b) A package or a packaging component including, but not limited to, packaging peanuts;
 - (c) A film product; or
 - (d) Plastic food packaging and food service products.
- (10) "Standard specification" means either:
 - (a) ASTM D6400 – standard specification labeling of plastics designed to be aerobically composted in municipal or industrial facilities, as it existed as of January 1, 2019; or
 - (b) ASTM D6868 – standard specification for labeling of end items that incorporate plastics and polymers as coatings or additives with paper and other substrates designed to be aerobically composted in municipal or industrial facilities, as it existed as of January 1, 2019.
- (11)(a) "Supplier" means a person, firm, association, partnership, company, or corporation that sells, offers for sale, offers for promotional purposes, or takes title to a product.

(b) "Supplier" does not include a person, firm, association, partnership, company, or corporation that sells products to end users as a retailer.

(12) "Utensil" means a product designed to be used by a consumer to facilitate the consumption of food or beverages, including knives, forks, spoons, cocktail picks, chopsticks, splash sticks, and stirrers.

[2019 c 265 § 2.]

RCW 70.360.030

Use of terms on label. (Effective July 1, 2020.)

*** CHANGE IN 2020 *** (SEE 2246-S.SL) ***

(1) Except as provided in this chapter, no manufacturer or supplier may sell, offer for sale, or distribute for use in this state a plastic product that is labeled with the term "biodegradable," "degradable," "decomposable," "oxo-degradable," or any similar form of those terms, or in any way imply that the plastic product will break down, fragment, biodegrade, or decompose in a landfill or other environment.

(2) This section does not apply to biodegradable mulch film that meets the required testing and has the appropriate third-party certifications.

[2019 c 265 § 3.]

RCW 70.360.040

Requirements for a product labeled "compostable." (Effective July 1, 2020.)

*** CHANGE IN 2020 *** (SEE 2246-S.SL) ***

(1)(a) A product labeled as "compostable" that is sold, offered for sale, or distributed for use in Washington by a supplier or manufacturer must:

- (i) Meet ASTM standard specification D6400;
- (ii) Meet ASTM standard specification D6868; or
- (iii) Be comprised of wood, which includes renewable wood, or fiber-based substrate only;

(b) A product described in (a)(i) or (ii) of this subsection must:

- (i) Meet labeling requirements established under the United States federal trade commission's guides; and
- (ii) Feature labeling that:
 - (A) Meets industry standards for being distinguishable upon quick inspection in both public sorting areas and in processing facilities;
 - (B) Uses a logo indicating the product has been certified by a recognized third-party independent verification body as meeting the ASTM standard specification; and
 - (C) Displays the word "compostable," where possible, indicating the product has been tested by a recognized third-party independent body and meets the ASTM standard specification.

(2) A compostable product described in subsection (1)(a)(i) or (ii) of this section must be considered compliant with the requirements of this section if it:

- (a) Has green or brown labeling;
- (b) Is labeled as compostable; and

(c) Uses distinctive color schemes, green or brown color striping, or other adopted symbols, colors, marks, or design patterns that help differentiate compostable items from noncompostable materials.

[2019 c 265 § 4.]

RCW 70.360.050

Film bags—Identification. (Effective July 1, 2020.)

*** CHANGE IN 2020 *** (SEE 2246-S.SL) ***

(1) A manufacturer or supplier of a film bag that meets ASTM standard specification D6400 and is distributed or sold by retailers must ensure that the film bag is readily and easily identifiable from other film bags in a manner that is consistent with the federal trade commission guides.

(2) For purposes of this section, "readily and easily identifiable" products must meet the following requirements:

(a) Be labeled with a certification logo indicating the bag meets the ASTM D6400 standard specification if the bag has been certified as meeting that standard by a recognized third-party independent verification body;

(b) Be labeled in accordance with one of the following:

(i) The bag is made of a uniform color of green or brown and labeled with the word "compostable" on one side of the bag and the label must be at least one inch in height; or

(ii) Be labeled with the word "compostable" on both sides of the bag and the label must be one of the following:

(A) Green or brown color lettering at least one inch in height; or

(B) Within a contrasting green or brown color band of at least one inch in height on both sides of the bag with color contrasting lettering of at least one-half inch in height;

(c) Meet industry standards for being distinguishable upon quick inspection in both public sorting areas and in processing facilities.

(3) If a bag is smaller than fourteen inches by fourteen inches, the lettering and stripe required under subsection (2)(b)(ii) of this section must be in proportion to the size of the bag.

(4) A film bag that meets ASTM standard specification D6400 that is sold or distributed in this state may not display a chasing arrow resin identification code or recycling type of symbol in any form.

(5) A manufacturer or supplier is required to comply with this section only to the extent that the labeling requirements do not conflict with the federal trade commission guides.

[2019 c 265 § 5.]

RCW 70.360.060

Food service products/film products—Identification. (Effective July 1, 2020.)

*** CHANGE IN 2020 *** (SEE 2246-S.SL) ***

(1)(a) A manufacturer or supplier of food service products or film products that meet ASTM standard specification D6400 or ASTM standard specification D6868 must ensure that the items are

readily and easily identifiable from other plastic food service products or plastic film products in a manner that is consistent with the federal trade commission guides.

(b) Film bags are exempt from the requirements of this section, and are instead subject to the requirements of RCW 70.360.050.

(2) For the purposes of this section, "readily and easily identifiable" products must:

(a) Be labeled with a logo indicating the product has been certified by a recognized third-party independent verification body as meeting the ASTM standard specification;

(b) Be labeled with the word "compostable," where possible, indicating the food packaging or film product has been tested by a recognized third-party independent body and meets the ASTM standard specification; and

(c) Meet industry standards for being distinguishable upon quick inspection in both public sorting areas and in processing facilities.

(3) A compostable product described in subsection (1) of this section must be considered compliant with the requirements of this section if it:

(a) Has green or brown labeling;

(b) Is labeled as compostable; and

(c) Uses distinctive color schemes, green or brown color striping, or other adopted symbols, colors, marks, or design patterns that help differentiate compostable items from noncompostable materials.

(4) It is encouraged that each product described in subsection (1) of this section:

(a) Display labeling language via printing, embossing, or compostable adhesive stickers using, when possible, either the colors green or brown that contrast with background product color for easy identification; or

(b) Be tinted green or brown.

(5) Graphic elements are encouraged to increase legibility of the word "compostable" and overall product distinction that may include text boxes, stripes, bands, or a green or brown tint of the product.

(6) A manufacturer or supplier is required to comply with this section only to the extent that the labeling requirements do not conflict with the federal trade commission guides.

[2019 c 265 § 6.]

RCW 70.360.070

Manufacturer or supplier of film or food service products—Prohibited, discouraged, and encouraged acts. (Effective July 1, 2020.)

*** CHANGE IN 2020 *** (SEE 2246-S.SL) ***

A manufacturer or supplier of film products or food service products sold, offered for sale, or distributed for use in Washington that does not meet the applicable ASTM standard specifications provided in RCW 70.360.050 and 70.360.060 is:

(1) Prohibited from using tinting, labeling, and terms that are required of products that meet the applicable ASTM standard specifications under RCW 70.360.050 and 70.360.060;

(2) Discouraged from using coloration, labeling, images, and terms that confuse consumers into believing that noncompostable bags and food service packaging are compostable; and

(3) Encouraged to use coloration, labeling, images, and terms to help consumers identify noncompostable bags and food service packaging as either: (a) Suitable for recycling; or (b) necessary to dispose as waste.

[2019 c 265 § 7.]

RCW 70.360.080**Submission of information demonstrating compliance with chapter—Other information. (Effective July 1, 2020.)**

*** CHANGE IN 2020 *** (SEE [2246-S.SL](#)) ***

(1) Upon the request by a person, a manufacturer or supplier shall submit to that person, within ninety days of the request, nonconfidential business information and documentation demonstrating compliance with this chapter, in a format that is easy to understand and scientifically accurate.

(2) Upon request by a commercial compost processing facility, manufacturers of compostable products are encouraged to provide the facility with information regarding the technical aspects of a commercial composting environment, such as heat or moisture, in which the manufacturer's product has been field tested and found to degrade.

[[2019 c 265 § 8.](#)]

RCW 70.360.090**Enforcement of chapter—Penalties—Enforcement costs. (Effective July 1, 2020.)**

*** CHANGE IN 2020 *** (SEE [2246-S.SL](#)) ***

(1) The state, acting through the attorney general, and cities and counties have concurrent authority to enforce this chapter and to collect civil penalties for a violation of this chapter, subject to the conditions in this section. An enforcing government entity may impose a civil penalty in the amount of up to two thousand dollars for the first violation of this chapter, up to five thousand dollars for the second violation of this chapter, and up to ten thousand dollars for the third and any subsequent violation of this chapter. If a manufacturer or supplier has paid a prior penalty for the same violation to a different government entity with enforcement authority under this subsection, the penalty imposed by a government entity is reduced by the amount of the payment.

(2) Any civil penalties collected pursuant to this section must be paid to the office of the city attorney, city prosecutor, district attorney, or attorney general, whichever office brought the action. Penalties collected by the attorney general on behalf of the state must be deposited in the compostable products revolving account created in [RCW 70.360.110](#).

(3) The remedies provided by this section are not exclusive and are in addition to the remedies that may be available pursuant to chapter [19.86](#) RCW or other consumer protection laws, if applicable.

(4) In addition to penalties recovered under this section, the enforcing government entity may recover reasonable enforcement costs and attorneys' fees from the liable manufacturer or supplier.

[[2019 c 265 § 9.](#)]

RCW 70.360.100**Manufacturers and suppliers in violation of chapter. (Effective July 1, 2020.)**

*** CHANGE IN 2020 *** (SEE 2246-S.SL) ***

Manufacturers and suppliers who violate the requirements of this chapter are subject to civil penalties described in RCW 70.360.090. A specific violation is deemed to have occurred upon the sale of noncompliant product by stock-keeping unit number or unique item number. The repeated sale of the same noncompliant product by stock-keeping unit number or unique item number is considered a single violation. A city, county, or the state must send a written notice and a copy of the requirements to a noncompliant manufacturer or supplier of an alleged violation, who will have ninety days to become compliant. A city, county, or the state may assess a first penalty if the manufacturer or supplier has not met the requirements ninety days following the date the notification was sent. A city, county, or the state may impose second, third, and subsequent penalties on a manufacturer or supplier that remains noncompliant with the requirements of this chapter for every month of noncompliance.

[2019 c 265 § 10.]

RCW 70.360.110

Compostable products revolving account. (Effective July 1, 2020.)

*** CHANGE IN 2020 *** (SEE 2246-S.SL) ***

The compostable products revolving account is created in the custody of the state treasurer. All receipts from civil penalties or other amounts recovered by the state in enforcement actions under RCW 70.360.090 must be deposited in the account. Expenditures from the account must be used by the attorney general for the payment of costs, expenses, and charges incurred in the enforcement of this chapter. Only the attorney general or the attorney general's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

[2019 c 265 § 11.]

RCW 70.360.900

Effective date—2019 c 265.

*** CHANGE IN 2020 *** (SEE 2246-S.SL) ***

This act takes effect July 1, 2020.

[2019 c 265 § 13.]

Appendix D. Original Spanish translation of bag ban flyer and new Spanish-language transcreated bag ban flyer



Requisitos para las bolsas



Lo que Exige la Ley de la Ciudad de Seattle:

<p>Bolsas de plástico para llevar las compras</p>  <p>SE PROHIBE</p>	<p>Bolsas grandes de papel para las compras</p>  <p>40%</p> <p>5¢ (Se exige un cobro mínimo).</p>	<p>Bolsas de papel más pequeñas</p>  <p>GRATIS (Cobro opcional).</p>	<p>Bolsas de plástico ecológicas* (tales como para productos agrícolas)</p>  <p>SE PROHIBE</p> <p><small>*El requisito entra en vigor el 1 de julio de 2017</small></p>	<p>Bolsas para productos agrícolas/ alimentos a granel de plástico transparente</p>  <p>SE PERMITE</p>
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Tiendas de Seattle:

- No se puede proporcionar a los clientes bolsas de plástico de un solo uso ni bolsas para llevar (para compras), ni bolsas etiquetadas como "biodegradables", "degradables", "descomponibles" o similares.
- No se puede proporcionar a los clientes bolsas de plástico (tales como bolsas para productos agrícolas) que tienen tinte verde o marrón.* Las tiendas pueden proporcionar bolsas compostables aprobadas y deben ser de color verde o marrón*.
- Pueden proporcionar a los clientes bolsas para llevar de papel, reciclables o reutilizables, de cualquier tamaño. Las tiendas deben cobrar un cargo mínimo de 5 centavos por bolsas de papel grandes de 1/8 barril (bolsas de papel de 882 pulgadas cúbicas o más).
 - › El cobro por bolsas de papel se debe mostrar en los recibos de los clientes. Se aplica el impuesto sobre las ventas. Las tiendas retienen el cargo por bolsas de papel.
 - › Las bolsas de papel grandes por las cuales se cobra a los clientes deben contener por lo menos 40 por ciento de fibra reciclada postconsumo y el mínimo contenido de fibra reciclada debe estar impreso en el exterior de la bolsa.
 - › Se recomienda el contenido de fibra reciclada y el etiquetado para las bolsas de papel de todos los tamaños.
 - › Las tiendas pueden proporcionar bolsas de papel más pequeñas en forma gratuita o cobrar a los clientes por ellas.
- Las bolsas de plástico de 2,25 milésimas de pulgada o más gruesas se consideran bolsas reutilizables. Las tiendas pueden proporcionarlas en forma gratuita o cobrar a los clientes por ellas.

*El requisito entra en vigor el 1 de julio de 2017



EXENCIONES Y DETALLES ADICIONALES



Para más información: www.seattle.gov/plasticbagban

206-684-3000

Exenciones e Información

Exenciones de la Prohibición:

- Los clientes que usan cupones o tarjetas de beneficios del programa de asistencia de alimentos estatal o federal están exentos de la tarifa de 5 centavos por las bolsas de papel grandes.
- Las bolsas de plástico que se utilizan en las tiendas para artículos a granel o para proteger verduras, carne, alimentos congelados, flores y artículos similares están exentas. Las bolsas de plástico no pueden ser de color verde o marrón.* Se permiten bolsas compostables aprobadas para este propósito.
- Se permiten bolsas de plástico o compostables aprobadas para llevar pedidos de comida preparada de restaurantes.
- Se permite bolsas de limpieza en seco, de periódicos y para colgar en la puerta pero no pueden tener tinte color verde o marrón.*

Bolsas que aún se permiten



Se alienta:

Elegir bolsas reutilizables

- Las bolsas de un solo uso son un desperdicio. Estas también terminan con frecuencia obstruyendo los desagües pluviales, ensuciando nuestras calles, contaminando nuestras vías fluviales, contaminando el compost y creando más basura.



*El requisito entra en vigor el 1 de julio de 2017



የአስተርጓሚ አገልግሎት ለማግኘት በ 206-684-3000 ይደውሉ።
 如需口譯服務請電 206-684-3000。
 통역 서비스를 원하시면 206-684-3000 번으로 전화해 주십시오.
 Wixii adeegyada turjubaanka fadlan wac 206-684-3000.
 Para servicios de traducción, por favor llame al 206-684-3000.
 Para sa serbisyong tagapagpaliwanag, tumawag sa 206-684-3000.
 Muốn yêu cầu dịch vụ thông dịch xin gọi số 206-684-3000.

Para más información: www.seattle.gov/plasticbagban

206-684-3000

Requisitos para las bolsas

😊 Bolsas que están permitidas:



Bolsas de papel grandes

- Los negocios pueden darle a los clientes bolsas de papel reciclable de cualquier tamaño.
- Estas bolsas deben contener al menos **40 por ciento de fibra reciclable**.
- Hay un costo mínimo de 5 centavos por bolsas de 1/8 barriles (aproximadamente 35 galones o 160 litros).
- Este costo debe ser indicado en los recibos que se les dan a los clientes.



Bolsas de papel pequeñas

- Los negocios pueden darle a los clientes bolsas de papel gratis o con un costo.
- Recomendamos dar bolsas de fibra reciclada.



Bolsas de plástico transparente para frutas, verduras y alimentos de venta a granel

- Los negocios pueden darle a los clientes las bolsas gratis o con un costo.



Bolsas "compostable"

- Los negocios pueden darle a los clientes bolsas "compostable".
- Las bolsas "compostable" son bolsas especiales de color verde o café, hechas de materiales a base de plantas, estas pueden ser degradadas por bacterias y otros organismos vivos.

☹️ Bolsas que no están permitidas:



Bolsas de plástico

- Los negocios no deben darle a los clientes bolsas de plástico o bolsas etiquetadas con la palabra "biodegradable", "degradable", "decomposable" o alguna palabra parecida.
- Las bolsas de plástico de 2.25 mil (calibre) o de más grosor son consideradas reusables y están permitidas.



Bolsas de plástico verde para frutas y verduras

- Los negocios no deben darle a los clientes bolsas de plástico de color verde o café que no sean "compostable".



Información y excepciones

Excepciones:

- Los clientes que utilizan vales de asistencia alimentaria estatales o federales o tarjetas de beneficios están exentos de pagar el costo de la bolsa de papel grande de 5 centavos.
- Las bolsas de plástico de tintorería, periódico y colgadores de puerta y las bolsas usadas para proteger verduras, carnes, alimentos congelados, flores o artículos parecidos están exentas. Estas bolsas de plástico no deben ser de color verde o café.
- El uso de las bolsas de plástico o bolsas "compostable" para pedidos de comida para llevar está permitido.



¡Recomendamos que los negocios promuevan el uso y consideren darle a los clientes bolsas reusables o cajas de cartón usadas!



*Requisitos válidos a partir del 1ro de julio, 2017



Para más información, visita: seattle.gov/plasticbagban (sitio web en Inglés)

206-343-8505 (servicio traducción e interpretación disponible)

Appendix E. Seattle Solid Waste Advisory Committee Letter

Date: March 6, 2019

Mami Hara
CEO/General Manager of Seattle Public Utilities
700 5th Ave
P.O. Box 34018
Seattle, WA 98124-4018

General Manager Hara,

The Seattle Public Utilities (SPU) Solid Waste Advisory Committee (SWAC) has received briefings and discussed responsible recycling and issues around the export of mixed plastics and contaminated plastic bags and film over the last year. At the [May 2018 SWAC meeting](#), SWAC members unanimously agreed that removing plastic bags from curbside recycling would be a good policy for SPU to adopt.

At the February 2019 SWAC meeting, SWAC members reviewed the Responsible Recycling Task Force (RRTF) recommendation that plastic bags be removed from curbside collection due to their many negative impacts. We learned that loose plastic bags regularly get caught in the machinery when sorted at the Material Recovery Facility (MRF). Further, for the plastic bags that are successfully sorted, there is a lack of domestic markets for low-grade contaminated film. We advise against exporting low-grade plastic film to international markets, i.e. Southeast Asia, due to adverse environmental impacts, particularly the emission of greenhouse gases.

We support, as an alternative to curbside, retailer take-back of clean, dry bags so long as those bags can be responsibly recycled domestically. The plastic bag and film industry must lead the way through expanding their [Wrap Recycling Action Program \(WRAP\)](#) in the greater Seattle area, so that take-back locations are widely available and ensuring that the collected film is responsibly recycled. WRAP is a project of the American Chemistry Council that promotes retailer collection of a wide range of clean plastic films and bags.

In future SWAC meetings we will continue to review additional RRTF recommendations. We appreciate the work of the RRTF and commend SPU for its involvement.

-

Respectfully,

Dirk Wassink: Chair
Alessandra Pistoia: Vice Chair

Appendix F. Seattle Public Utilities Response to SWAC



March 29, 2019

Dirk Wassink, Chair
Alessandra Pistoia, Vice Chair
Seattle Public Utilities Solid Waste Advisory Committee
Hand Delivered by Sheryl Shapiro

Dear Mr. Wassink and Ms. Pistoia:

Thank you for your March 6, 2019 letter concerning Seattle Public Utilities' approach to responsible recycling and issues surrounding the export of mixed plastics and contaminated plastic bags and film. I appreciate that the Solid Waste Advisory Committee (SWAC) members have unanimously agreed to support the removal of plastic bags from Seattle's curbside recycling mix. I too support this recommendation that came directly from the thoughtful work of the Responsible Recycling Task Force (RRTF), whose recommendations were published in their January 10, 2019 report.

As the RRTF Report indicates, plastic bags and film impede our ability to successfully recycle other materials. Removing plastic bags and film from the mix of materials run through our local Material Recovery Facility (MRF) will have an immediate positive impact on our ability to recycle responsibly. SPU staff and I will aim for the removal of plastic bags and film from the curbside collection mix in Q1 2020. As part of our planning we will look to SWAC to provide suggestions on how to best expand drop-off collection options for plastic bags and film, such as the Wrap Recycling Action Program that you refer to in your letter. We will also need to roll-out an education program to inform customers regarding the change and will welcome your input.

As you review additional recommendations contained in the RRTF Report, I welcome your ideas and feedback on what SPU should pursue and best implementation approaches. You can always reach me directly, or work with Sheryl Shapiro or Sego Jackson, the Solid Waste Line of Business SWAC liaisons.

I look forward to working with you all on ways we can more responsibly recycle and even better, prevent waste.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mami Hara".

Mami Hara, General Manager/CEO
Seattle Public Utilities

700 Fifth Avenue | PO Box 34018 | Seattle, WA 98124-4018 | 206-684-3000 | seattle.gov/util

Appendix G. SPU Bag Out Communications Plan

Summary

In 2017, the Chinese government imposed new restrictions on processing for recycling that put U.S. recycling markets under duress. In response, a diverse group of representatives from King County, the City of Seattle, cities in King County, and garbage and recycling collection companies formed the Responsible Recycling Task Force (Task Force) in 2018 to address advancing recycling in the region.

One of the Task Force's final recommendations was that the region will not accept plastic bags and wrap in the residential curbside recycling bins. This material is extremely problematic for Material Recovery Facilities where it contributes to contamination and jams up machinery, increasing costs.

Seattle Public Utilities' currently allows plastic bags and wrap to be collected in the curbside recycling bin, if bundled together. SPU will communicate to residents that effective January 1, 2020 plastic bags and plastic wrap are *not allowed* in the curbside recycling bin, even if bundled. Through the Recycle Right Communications Consortium (RRCC), Seattle and King County jurisdictions will begin to communicate with residents about this change in October 2019. This outreach campaign will not only benefit Seattle but having the same message across the region will reduce contamination to the benefit of all curbside recycling programs.

Program Goal

Divert plastic bags and plastic wrap from Seattle's residential curbside recycling programs.

Communication Goal

To increase knowledge, beliefs and behavior change intentions related to keeping plastic bags and plastic wrap out of curbside recycling bins.

Target Audience

Single-family and multifamily Seattle residents with access to recycling collection at home.

Campaign Focus

Inform households that plastic bags and plastic wrap are not allowed in their curbside recycling bin.

Messaging Strategy

The RRCC developed and launched the Recycle Right brand in 2018/19 for use with any campaign in the region that addresses residential curbside recycling contamination. Therefore, this campaign to address plastic bags and wrap will be branded with Recycle Right, alongside SPU.

Plastic bags and wrap will no longer be allowed in curbside recycling in Seattle as of January 1, 2020. Late 2019 will be spent raising awareness of the upcoming change, why these materials are problematic, and what customers should do. This phase will include communications focused on news media, social media, and direct outreach to residents by SPU and waste collection companies.

In early 2020, it's proposed that the region officially announce the new acceptance policy and follow up in the spring with a broad marketing campaign to encourage behavior change in partnership with the WRAP program (American Chemistry Council), retail and potentially other partners.

Primary Messages

1. Recycle Right: Keep plastic bags and wrap out of your curbside recycling bin.
2. Plastic bags don't belong in your recycling bin. And plastic wrap—like what comes on paper towels or toilet paper—doesn't belong in there either.
3. When thin plastics, like bags and wrap, get tangled in recycling equipment, the processing facility shuts down. Stopping the recycling process to remove the tangled materials makes recycling more expensive and puts workers' safety at risk.
4. What can you do instead? Take them back or throw them out.
 - a. Take them back to be recycled. Go to plasticfilmrecycling.org to find a drop-off location near you.
 - b. Throw them out. It may feel wrong, but it will actually help make recycling work for everyone.
5. As of January 1, 2020, all types of plastic bags — from grocery bags to sandwich and garbage bags — are no longer allowed in your recycling bin. Plastic wrap packaging — like what comes around paper towels or toilet paper — is also not allowed.

Secondary Messages

1. There is no plan to fine residents for putting plastic bags or wrap in their recycling bin.
2. The best option for the environment is to use less plastic in the first place:
 - a. Switch to durable bags and containers
 - b. Buy fruits and vegetables loose
 - c. Reuse the plastic bags you already have - lining trash cans or picking up pet waste
3. Don't bag recyclables. Keep them loose in your bin. Bagged recyclables are more likely to end up in the landfill because workers cannot see what's inside to properly sort them.
4. Do not put any type of plastic bag or wrap in your recycling bin at home. This includes produce and bread bags, food storage bags (like Zip-Locs), cling wrap, dry cleaning bags and the plastic packaging that wraps around products like paper towels or toilet paper.
5. Unsure whether a plastic bag or wrap can be recycled at a take back location? Look for the How2Recycle Store Drop-Off Label and you'll know it can be recycled at a participating retail location [use with logo].

SPU Activity Schedule

The following timeline and table of activities outlines communication activities led by Seattle Public Utilities. SPU staff in the SWLOB Outreach programs along with SPU Community Affairs Staff will carry out these activities. SPU's Communication Tactics are detailed on the following page for each Phase. The activities align with regional efforts which are detailed in the Regional Activity Schedule at the end of this document.

Activity	Timing	Communication Tactics
Phase 1: Prepare residents for upcoming change	Oct – Dec 2019	<ul style="list-style-type: none"> • Coordinate messaging with regional partners • Press event with King County and Recology • Media outreach • Social marketing campaign • Work with regional partners on Phase 3 for 2020
Phase 2: Announce change is in effect	January 2020	<ul style="list-style-type: none"> • 2nd press release and possible press event • Media outreach • Social marketing (organic and promoted)
Phase 3: Continue social marketing and reinforce messaging	February 2020 - beyond	<ul style="list-style-type: none"> • Continued social marketing • Possible partnerships with retail and take back locations • Possible assessment of communications strategy through cart tagging in key communities with haulers (TBD)

SPU's Communication Tactics

Phase 1: October 2019 – December 2020

Media Event & Press Release

SPU will partner with King County Solid Waste Division (KCSWD) to announce to residents via regional news media that plastic bags and wrap will no longer be accepted for recycling in Seattle and all King County cities effective January 1, 2020. Media will be invited to attend an announcement event at the Recology MRF in October given the facility's proximity to Seattle media. Reporters will be invited to tour the MRF specifically to show the problems that plastic bags and wrap cause to the recycling process. Spokespeople will be identified from each agency, as well as someone from Recology and MRF operations to interview with reporters prior to, during or after the event. A joint press release between the City of Seattle and King County will go out the morning of the event. The team will pitch media under embargo prior to the event along with a media advisory. The team will pitch local TV (KOMO, KIRO, KCPQ, KING, KUNS), radio (KOMO, KIRO, KUOW, KNKX), and print/online/blogs (Seattle Times, community/Reporter newspapers, etc.). SPU Community Affairs will staff and attend the media event to gather images and potentially video footage that can be used to support communication efforts, including social content in 2019 and 2020.

Webpage Content

The SWLOB website is an important tool to ensure that customers can find accurate information about the recycling process and how to Recycle Right. The new Recycle Right webpage (www.seattle.gov/utilities/recyclerright) will be updated to reflect key messages and FAQs including:

- Main message: keep plastic bags and wrap out of your curbside bin
- Link visitors to WRAP site for take back locations
- Show what can be taken back to retail (examples of all types of film/wrap)
- Post FAQs (i.e. Are plastic bags really getting recycled?, etc.)
- Encourage prevention actions: refuse, reduce, reuse

Where Does It Go? Tool Entries

The *Where Does it Go?* Tool (WDIG) is a customer favorite with 11 entries that touch on how to dispose of plastic bags, plastic wrap, and plastic packaging. The WDIG Tool and corresponding entries will be updated to reflect disposal options for customers: Trash or Take Back, along with messaging on re-use and waste prevention.

Outreach at Community Events

SPU will generate ¼ page handouts for SWLOB and other SPU community events in October. For the October 19th gas canister special item collection at REI, information will be added to back of the Special Item pick-up flyer. On November 15, SPU will participate in American Recycles Day with tabling at Grocery Stores and supporting events across the region from our Commercial Outreach program. Flyers or messaging around proper plastic bag and plastic wrap disposal will be available at these events.

Social Media: Twitter, Facebook, Nextdoor

Throughout October, November, and December, SPU will be posting content about the change to not accept plastic bags in the curbside cart (what, why and how) on its social media pages including Facebook & Twitter. This will both include original content from SPU, along with amplifying messaging from Recycle Right, C+C, King County, and Haulers. Social Media content will feature a variety of messages including what is changing, why it is changing, and how customers can participate. Anticipate 3-4 posts per month starting with live posting from the Media Event. Following topics will include:

How to take back to retail, how to reuse plastic bags, how to refuse or “bring your own”, and why throwing them away is okay. A recap of the Press Event with Video and FAQs will be shared with customers and on the Nextdoor social app in October. In addition, we have the opportunity to change the Facebook banner for a period of time.

Newsletters

One of SPU’s most effective customer education tools is regular newsletters. We will be including key messaging in these newsletters if dates can be aligned. Messaging will include link to more information on SPU’s website.

- At Your Service Online Blog post for October – recap of Media event with video and FAQs
- At Your Service Print/Online Edition for November/December

Cross LOB Opportunities & Additional “Touches”

SWLOB will work with the Customer Service Center to make the request to add messaging to all automated signatures from Customer Service including a recorded message for the Customer Call center. Other opportunities include the e-billing notifications. Messaging will focus on the top Recycle Right messaging with plastic bags and plastic wrap added in:

- Recycle Right – keep items clean, empty, and dry
- Plastic Bags and plastic wrap do not belong in the recycling cart – take them back or put them in the trash

- Know what to throw – when in doubt, find out using our Where Does It Go Tool

Ask Evelyn

In addition to the customer call center, messaging will be added to the Ask Evelyn automatic email, email signature, and voice mail.

Recycle It App

We will share messaging and operational change via App notifications and campaign setting once per month in October, November, and December.

Phase 2: January 2020

Press Release

SPU will issue a Press Release in January 2020 letting customers know that the new changes are now in effect and plastic bags and plastic wrap are no longer accepted in the recycling cart curbside. Messaging will also detail how customers can properly dispose of plastic bags and wrap by putting them in the garbage cart or taking them to retail locations participating in the take back program. Additional information on SPU's work supporting retail take back and industry initiatives may also be shared.

Webpage Content

The new Recycle Right webpage (www.seattle.gov/utilities/recyclerright) may be updated to reflect changes to key messages and updated FAQs. Additional information on the W.R.A.P. Program and retail take back will be shared.

Social Media: Twitter, Facebook

SPU will continue posting content about the change to not accept plastic bags in the curbside cart (what, why and how) on its social media pages including Facebook & Twitter. This will both include original content from SPU, along with amplifying messaging from Recycle Right, C+C, King County, and Haulers. In addition, we have the opportunity to change the Facebook banner for a period of time.

Nextdoor & At Your Service Blog Post

A follow-up post with additional information on correct disposal of plastic bags and wrap along with the retail take back program will be shared via blog post with customers and on the Nextdoor social app in January.

Cross LOB Opportunities & Additional "Touches"

SWLOB will work with the Customer Service Center to make the request to add messaging to all automated signatures from Customer Service including a recorded message for the Customer Call center. Messaging will focus on the top Recycle Right messaging with plastic bags and plastic wrap added in:

- Recycle Right – keep items clean, empty, and dry

- Plastic Bags and plastic wrap do not belong in the recycling cart – take them back or put them in the trash
- Know what to throw – when in doubt, find out using our Where Does It Go Tool

Ask Evelyn

In addition to the customer call center, messaging will be added to the Ask Evelyn automatic email, email signature, and voice mail.

Recycle It App

We will share messaging and operational change via App notifications and campaign setting in January.

Phase 3: February 2020 – ongoing

Newsletters

SPU will be including key messaging in newsletters if dates can be aligned. Messaging will include link to more information on SPU's website.

- Your Service Print/Online Edition for March/April and for May/June
- 2020 Collection Calendars & Customer Guidelines
- 2020 Where Does It Go Flyer

Outreach at Community Events

SPU will generate ¼ page handouts for SWLOB and other SPU community events in Spring of 2020. For Community Recycling and Reuse events, information will be added to back of the Special Item pick-up flyer. There will be at least four events scheduled with Waste Management and Recology per contract in spring of 2020 and at least two Community Compost Giveaway Events with Lenz and Cedar Grove.

On April 22, SPU will participate in the 40th anniversary of Earth Day with tabling at Grocery Stores and supporting events across the region from our Commercial Outreach program. Flyers or messaging around proper plastic bag and plastic wrap disposal will be available at these events.

Social Media: Twitter, Facebook

Throughout Spring 2020, SPU will be posting content about the change to not accept plastic bags in the curbside cart (what, why and how) on its social media pages including Facebook & Twitter. This will both include original content from SPU, along with amplifying messaging from Recycle Right, C+C, King County, and Haulers. Social Media content will feature a variety of messages including what is changing, why it is changing, and how customers can participate. Anticipate 2-3 posts per month. Following topics will include: How to take back to retail, how to reuse plastic bags, how to refuse or “bring your own”, and why throwing them away is okay. In addition, we have the opportunity to change the Facebook banner for a period of time.

Cross LOB Opportunities & Additional “Touches”

SWLOB will continue to explore other cross-LOB and SPU-wide opportunities to promote messaging including working with the Customer Service Center. Will also explore work that is being done around other SPU initiatives including the Strategic Business Plan and DWW Systems Plan.

Ask Evelyn

In addition to the customer call center, messaging will be added to the Ask Evelyn automatic email, email signature, and voice mail.

Recycle It App

We will share messaging and operational change via App notifications and campaign setting once per month in February, March, April, and May.

Regional Activity Schedule

The following timeline and table of activities outlines communication activities led by King County consultant C+C on behalf of the Recycle Right Communications Consortium. SPU will be taking part in these activities, but is not the lead. SPU’s Communication Tactics are detailed on the following page for each Phase.

Activity	Timing	Communication Tactics
Phase 1: Prepare residents for upcoming change + determine baseline for evaluation	Oct – Dec 2019	<ul style="list-style-type: none"> • Media outreach and event • Update city recycling guides/websites/work with haulers and cities • RRCC City toolkit • Social media plan and execution • Website updates • Newsletters & blog postings • Determine baseline evaluation metrics • Prep media plan/creative/materials for Phase 3
Phase 2: Announce change is in effect	January 2020	<ul style="list-style-type: none"> • 2nd press release • Media outreach • Post to social media (organic and promoted)
Phase 3: Launch marketing campaign	April/May 2020	<ul style="list-style-type: none"> • Retail and WRAP partnership • Paid media • RRCC City toolkit (expanded) •
Phase 4: Reinforce message	Q3 2020 and ongoing	<ul style="list-style-type: none"> • Cart tagging in key communities (King County only)
Phase 5: Evaluate performance	Q3/Q4 2020	<ul style="list-style-type: none"> • Gather or generate post-campaign data to determine communication/policy effectiveness

Plastic Bag/Film Communications	Aug 2019	Sept	Oct	Nov	Dec	Jan 2020	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
PHASE 1 - Announce upcoming change																	
Planning																	
Recycling guides updated																	
Media pitching																	
Media event/press release out																	
Survey recycling coordinators																	
Develop city toolkit																	
Social content calendar/promo plan																	
Develop social content																	
Update/create web page																	
Waste Less News																	
Prep media plan for Phase 3																	
Prep materials for Phase 3																	
Determine baseline for evaluation																	
PHASE 2 - Ban Takes Effect																	
Planning																	
Press release/media pitching																	
Social media posts																	
PHASE 3 - Marketing Campaign																	
Recruit partners																	
Develop retail materials																	
Media planning																	
Media buying																	
Develop creative assets																	
Develop additional toolkit items																	
Campaign runs																	
PHASE 4 - Cart Tagging																	
Planning																	
Cart Tagging in key communities																	
PHASE 5 - Evaluation																	
Evaluate performance																	

Appendix H. Joint Press Release



King County

Department of Natural Resources and Parks
Solid Waste Division



**Seattle
Public
Utilities**

News Release

October 17, 2019

King County, Seattle recycling experts ask customers to recycle plastic bags, wrap separately from curbside recycling materials

SUMMARY

To improve the quality of recycling in Seattle and King County, plastic bags and wrap will no longer be accepted in curbside recycling beginning Jan. 1, 2020, and customers will be asked to take these materials to recycling locations or place them in the garbage.

STORY

Changes are coming next year to how materials are collected for recycling in Seattle and King County.

Beginning Jan. 1, garbage and recycling collection programs will no longer accept plastic bags and plastic wrap in curbside recycling carts and bins. Instead, customers will be asked to take those separated materials to a drop-off location for remanufacturing or place them in the garbage for disposal.

Plastic bags and wrap are often wet or have food waste on them when placed in the curbside recycling and contaminate other materials. Additionally, at recycling facilities, these plastics can jam sorting and processing equipment, leading to frequent shutdowns so workers can remove the tangled materials.

Bringing plastic bags and wrap to a drop-off location keeps the bundled recyclables cleaner and easier to manufacture into new products.

“Recycling is one of the best ways to protect the environment and fight climate change, but to make it work we have to do it right,” said King County Solid Waste Division Director Pat McLaughlin. “Keeping problem items out our bins at home will save money because we won’t have to throw out good recyclable materials that get contaminated from dirty plastic bags.”

“Our goal is to ensure what goes into the recycling cart gets recycled at its highest value. We want everyone to Recycle Right,” noted Jeff Fowler, Seattle Public Utilities Solid Waste Deputy Director.

“Removing plastic bags and wrap from our curbside recycling mix will have a positive impact on the quality of our other recyclable materials and the efficiency of the facilities that process those materials.”

The changes were recommended by a task force of city, county and solid waste industry representatives that was established to research improvements that could be made to the recycling system following China’s change in allowable levels of contamination in bundled recyclables.

Find plastic bag and wrap drop-off locations at plasticfilmrecycling.org. King County and Seattle Public Utilities are working to expand take back locations that accept plastic bags and plastic wrap for recycling.

While throwing plastic bags and wrap in the garbage is the least desirable action, it’s better to toss them out rather than contaminate other recyclables..

Quote from King County

“Recycling is one of the best ways to protect the environment and fight climate change, but to make it work we have to do it right,” said King County Solid Waste Division Director Pat McLaughlin. “Keeping problem items out our bins at home will save money because we won’t have to throw out good recyclable materials that get contaminated from dirty plastic bags.”

Quote from Seattle Public Utilities

“Our goal is to ensure what goes into the recycling cart gets recycled at its highest value. We want everyone to Recycle Right,” noted Jeff Fowler, Seattle Public Utilities Solid Waste Deputy Director. “Removing plastic bags and wrap from our curbside recycling mix will have a positive impact on the quality of our other recyclable materials and the efficiency of the facilities that process those materials.”

Links

To learn more about the proposed changes, read the Responsible Recycling Task Force recommendations, or how to “Recycle Right,” visit:

- To find a drop-off location visit: plasticfilmrecycling.org
- Seattle Public Utilities information on plastic bags and plastic wrap: TBD
- Where Does It Go Tool: seattle.gov/util/wheredoesitgo
- Responsible Recycling Task Force: kingcounty.gov/depts/dnrp/solid-waste/about/advisory-committees/recycling-task-force.
- Recycle Right: kingcounty.gov/depts/dnrp/solid-waste/garbage-recycling/recycle-right.

FOR MORE INFORMATION, CONTACT:

Doug Williams, Department of Natural Resources and Parks, 206-477-4543
Sabrina Register, Seattle Public Utilities, 206-446-8267

Appendix I. Stakeholder emails from March 27 and April 6

Stakeholder Email for All Stakeholders

Subject line: Seattle's Bag Ban and Food Packaging Requirements: COVID-19 Crisis

Sending from: greenbusiness@seattle.gov

Sending to: All contacts on the stakeholder list (516 email addresses)

Attachments: None

Hello City of Seattle food service and bag stakeholders,

Thank you for all you are doing in these unprecedented times. The COVID-19 crisis is impacting grocery and other food service retailer operations and may temporarily affect compliance with Seattle's bag and food service packaging requirements. Seattle businesses have been great partners in implementing Seattle's bag and food service packaging rules and we trust you will do the best you can during these challenging times. Our policies remain in place, but we will not be enforcing on these policies during the crisis. Our intent is to provide you with flexibility and assistance at this difficult time.

Seattle Public Utilities is providing the following guidance to assist you in your actions:

Bags

- If available, [compliant bags](#) should be used.
- If non-compliant bags are substituted on a temporary basis because of a lack of supply, we encourage posting simple signage informing the customer that the change is temporary.
- Care should be taken to not overstock non-complaint bags that are only needed on a temporary basis.
- The 5-cent, pass-through bag fee will continue to apply to paper carryout bags. The retailer may charge the pass-through fee for non-compliant, thin plastic carryout bags at their discretion.
- Retailers may use their own discretion regarding the use of reusable bags by customers. Retailers may choose to forgo the 5-cent fee if they are not allowing customers to use their reusable bags.
- Retailers should return to using compliant bags and packaging as soon as possible.
- Grocers should not use green-tinted, non-compostable plastic bags, as required by the ordinance. It is very important that we not pollute our compost system due to customer confusion about compostable and non-compostable bags.
- As stated above, during the COVID-19 crisis, our policies remain in place. However, there will be no enforcement action taken on businesses that are unable to remain in compliance.

Food Service Packaging and Products

- If available, [compliant packaging](#) should be used.
- If non-compliant packaging is substituted on a temporary basis because of a lack of supply, we encourage posting simple signage informing the customer that the change is temporary.

- Care should be taken to not overstock non-compliant packaging that is only needed on a temporary basis.
- Food service businesses should return to using compliant packaging as soon as possible.
- As stated above, during the COVID-19 crisis, our policies remain in place. However, there will be no enforcement action taken on businesses that are unable to remain in compliance.

We understand that you may have additional questions or need assistance on these matters. If so, please reach out to 206-343-8505 or reply via email to greenbusiness@seattle.gov and we will get you directed to someone as quickly as possible.

Otherwise, continue to do your good work, make your best decisions, and stay healthy.

As always, for additional information on Seattle's bag requirements and food packaging program, including free resources and technical assistance, please contact 206-343-8505 or reply via email to greenbusiness@seattle.gov.

If you do not want to continue receiving emails regarding Seattle's bag requirements and food service packaging, or have contact corrections, please contact 206-343-8505 or reply to greenbusiness@seattle.gov.

Thank you,

Sego Jackson, Strategic Advisor

Waste Prevention and Product Stewardship

Seattle Public Utilities www.seattle.gov/util/

Office: Seattle Municipal Tower 700 5th Ave. Floor 59

Mail: 700 5th Ave., Suite 4900, P.O. Box 34018, Seattle, WA 98124-4018

206-615-0706

sego.jackson@seattle.gov

Appendix J. Screen shot of bag ban web page with guidance and revised graphics


Seattle.gov
 Mayor Jenny A. Durkan

 Choose a language ▼
 Search ☰ Menu

⚠️ Help prevent the spread of COVID-19 in King County
 Help prevent the spread of COVID-19 in King County. [Find out more at King County Public Health.](#)

⚠️ COVID-19 utility payment relief and discounts
 To help mitigate the impact of COVID-19, Seattle Public Utilities (SPU) and Seattle City Light (SCL) are offering relief to utility customers. Financially impacted residential and commercial customers can set up deferred payment plans by calling (206) 684-3000 or [sending an email 24/7](#). Additionally, income-eligible residential customers can self-certify to join the [Utility Discount Program \(UDP\)](#) and access heavily discounted utilities by simply signing a short form that attests to their household income rather than providing income documentation.

Seattle Public Utilities

Mami Hara, General Manager/CEO

[Services](#)
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[WATER](#)
[DRAINAGE & SEWER](#)
[RATES](#)
[WHERE DOES IT GO?](#)
[GIS](#)

🏠 > [Home](#) > [Services](#) > [Recycling](#) > [Reduce, Reuse, and Recycle](#) ▼

RECYCLING

- RECYCLE IT APP
- LOOK UP COLLECTION DAY
- WHERE DOES IT GO?
- REPORT MISSED COLLECTION
- RECYCLE AT HOME
- DUMP/TRANSFER STATION
- REDUCE & REUSE
- STOP PHONE BOOKS
- PLASTIC BAG BAN
- FAQS SHOPPERS
- FAQS RETAILERS
- BAG BAN FLYER
- KEEP OUT OF LANDFILL
- PREVENT FOOD WASTE
- DONATE OR RESELL
- BUILDING SALVAGE
- BLDG OWNERS/MANAGERS

Bag Requirements

Compliance during the COVID-19 crisis

The COVID-19 crisis is impacting grocery and other retailer operations and may temporarily affect compliance with Seattle's bag requirements. In an effort to keep community and essential workers safe during the crisis, we will be temporarily suspending enforcement of these requirements. Seattle Public Utilities is providing the following guidance to assist our business community during these challenging times:

1. For the duration of the COVID-19 civil emergency declaration by Mayor Durkan issued March 3, 2020, the City will suspend enforcement of the requirement that retail establishments collect a 5-cent, pass-through charge on recyclable paper bags provided to customers.
2. If available, compliant bags and packaging should be used.
3. If non-compliant bags or packaging are substituted on a temporary basis because of a lack of supply, we encourage posting simple signage informing the customer that the change is temporary.
4. Care should be taken to not overstock non-complaint bags or packaging that are only needed on a temporary basis.
5. Retailers may use their own discretion regarding the use of reusable bags by customers.
6. Retailers should return to using compliant bags and packaging as soon as possible.
7. Grocers should not use green-tinted, non-compostable plastic bags, as required by the ordinance. It is very important that we not pollute our compost system due to customer confusion about compostable and non-compostable bags.
8. As stated above, during the COVID-19 crisis, our policies remain in place. However, there will be no enforcement action taken on businesses that are unable to remain in compliance.

New Seattle bag requirements, effective July 1, 2017

- Printable bag ban flyer

AT A GLANCE

Plastic Carryout Shopping Bags



New Seattle bag requirements, effective July 1, 2017

- [Printable bag ban flyer](#)

What the requirements mean

- Prohibits all Seattle retail stores from providing customers with single-use plastic carryout (shopping) bags, including bags labeled "biodegradable," "degradable," "decomposable" or similar.
- Allows retail stores to provide customers with any size recyclable paper or reusable carryout bags.
- Requires retail stores to charge a minimum of 5 cents for large paper carryout bags of 1/8 barrel (882 cubic inches) or larger. These are typical grocery bags with a flat bottom greater than 60 square inches.
- Prohibits all Seattle retail stores from providing customers with plastic bags (such as produce bags) that are tinted green or brown.
- Allows stores to provide approved compostable bags, and they must be colored green or brown.
- Requires retail stores to show all bag-charges on customer receipts; stores keep all revenue. The charge is a taxable retail sale.
- Allows retail stores, at their discretion, to charge for smaller bags or provide them free.
- Allows retail stores to provide carryout bags made of plastic 2.25 mil or thicker, with or without charge at their discretion.
- Requires that bags to which the 5-cent charge applies contain at least 40 percent post-consumer recycled fiber and display the minimum recycled content on the outside of the bag. Use of recycled fiber and labeling is encouraged for all sizes of paper bags.
- Imposes a \$250 fine for violations.
- Promotes reusable carryout bags as the best alternative to single-use plastic bags.

Exemptions

- Customers using vouchers or electronic benefit cards from state or federal food assistance programs for grocery purchases are exempt from the 5-cent large paper bag fee.
- Plastic bags used in stores for bulk items or to protect vegetables, meat, frozen foods, flowers and similar items are exempt. Plastic bags cannot be green or brown tinted. Approved compostable bags are permitted for these purposes.
- Plastic or approved compostable bags used for take-out orders of prepared food from restaurants are allowed.
- Plastic dry-cleaner, newspaper and door-hanger bags are allowed but cannot be tinted green or brown.
- Plastic bags sold in packages containing multiple bags intended for use as garbage bags or to contain pet waste, or approved compostable food and yard waste bags are exempt.

AT A GLANCE

Plastic Carryout Shopping Bags



Large Paper Shopping Bags



Enforcement Suspended During COVID-19 Crisis

Smaller Paper Bags



(Charge optional.)

Green Plastic Bags (such as produce)



Requirement is effective July 1, 2017

STILL ALLOWED

Clear Plastic Produce / Bulk Food Bags



- Plastic bags sold in packages containing multiple bags intended for use as garbage bags or to contain pet waste, or approved compostable food and yard waste bags are exempt.

Additional information

- [2019 Bag Ban Compliance Report](#) (pdf)
- [2018 Bag Ban Compliance Report](#) (pdf)
- [2017 Bag Ban Update Report](#) (pdf)
- [Read ordinance 123775](#)
- [Read ordinance 125165](#)
- [Point of purchase card](#) (pdf) – For retailers who carry paper bags
- [Point of purchase card](#) (pdf) – For retailers who only have acceptable plastic bags
- [Bag supplier list](#) (pdf) – For retailers who are seeking paper and thick plastic bag alternatives
- [2013 retail survey results summary](#) (pdf) – Survey questions and response data
- [2013 retail store survey and six-month progress report](#) (pdf) – Survey report to City Council

A call to Seattle Green Business Program, (206) 343-8505, will forward store names to outreach staff who will visit the location. Strong plastic bags (2.25 mils thick or greater) are considered reusable and some stores such as department stores and book stores use them. You may also call (206) 343-8505 if you see a store not charging for large, recyclable paper bags. (No charge is required for small paper bags.)