

SENATE BILL REPORT

SB 5855

AS REPORTED BY COMMITTEE ON TRANSPORTATION, MARCH 6, 1991

Brief Description: Restricting polystyrene products in ferryboats and terminals.

SPONSORS: Senators Conner, Murray, Craswell, Hansen, Snyder, McMullen, Moore, A. Smith and Pelz.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5855 be substituted therefor, and the substitute bill do pass.

Signed by Senators von Reichbauer, Vice Chairman; Barr, Conner, Madsen, McMullen, Oke, Skratek, Snyder, and Vognild.

Staff: Vicki Fabre (786-7313)

Hearing Dates: March 6, 1991

BACKGROUND:

Critics of polystyrene foam products (or styrofoam) maintain that because polystyrene is non-biodegradable and less dense than alternative materials such as paper, the careless disposal of styrofoam cups, plates, and packaging can contribute to the litter problem and can take up an inordinate amount of space in public landfills. Additionally, concern has been expressed about the burning of polystyrene products which release chlorofluorocarbons (CFCs). The release of CFCs into the atmosphere contributes to the depletion of the ozone layer.

The McDonald's Corporation, in recognition of these concerns, recently decided to phase out the use of styrofoam from its worldwide operations. Furthermore, the cities of Port Townsend and Winslow have passed ordinances which restrict the use of polystyrene products for food service operations within their jurisdictions. Vendors, however, operating on Washington State Ferries and in state ferry terminals are not required to comply with these local ordinances.

SUMMARY:

Legislative intent to safeguard the health, safety and natural environment of Washington by restricting the use of polystyrene products is declared.

Restaurants, retail food vendors, food packagers and non-profit food providers operating on a state or commercial ferry boat or within a state or private ferry terminal are prohibited from serving or packaging prepared food in containers or wrappers made of polystyrene foam products.

The Department of Transportation (DOT) is responsible for notification and enforcement aboard state ferries and ferry terminals. Notification and enforcement on private ferries is the responsibility of the Utilities and Transportation Commission and the county prosecutors where private ferry boats and terminals operate.

The act takes effect January 1, 1992.

EFFECT OF PROPOSED SUBSTITUTE:

The provision placing notification and enforcement responsibilities on DOT, the UTC and county prosecutors is deleted.

Violation of the prohibition against serving or packaging prepared food in containers or wrappers made of polystyrene foam products on ferry boats and in ferry terminals is a misdemeanor.

Appropriation: none

Revenue: none

Fiscal Note: none requested

Effective Date: January 1, 1992

TESTIMONY FOR:

The deleterious effects of polystyrene foam (or styrofoam) products on the marine environment and wildlife warrant restricting the use of such products on both state and private ferry boats and in ferry terminals. This legislation is needed to insure that local ordinances banning styrofoam products are observed. The legislation will aid the troubled timber industry by indirectly promoting the use of alternative packaging products such as paper.

TESTIMONY AGAINST:

The state has preempted local bans on products and packaging until 1993 to give industry, environmental groups and local government an opportunity to work out a statewide solution to the problem.

The state Legislature is currently addressing the problem of solid waste disposal as it pertains to packaging through comprehensive legislation which embodies the recommendations of the Packaging Task Force.

TESTIFIED: Michael Kenna, City of Port Townsend (pro); Terry McCarthy, DOT (pro); Mark Greenberg, Council for Solid Waste Solutions (con)