
SUBSTITUTE SENATE BILL 5855

State of Washington

52nd Legislature

1991 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Conner, Murray, Craswell, Hansen, Snyder, McMullen, Moore, A. Smith and Pelz).

Read first time March 6, 1991.

1 AN ACT Relating to the use of polystyrene products in ferryboats
2 and terminals; adding a new section to chapter 47.60 RCW; adding a new
3 section to chapter 81.84 RCW; creating a new section; prescribing
4 penalties; and providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
7 protect the air, land, water, wildlife, and people of the state of
8 Washington, to encourage prudent conservation of strategic natural
9 resources, to promote Washington's forest products and recycling
10 industries, and to encourage compliance with ordinances enacted by
11 Washington municipalities, by restricting the use of polystyrene
12 products aboard ferryboats and within ferry terminals operating within
13 the boundaries of the state of Washington. The legislature finds that:
14 (1) Polystyrene foam made with chlorofluorocarbons (CFC) releases
15 significant CFCs into the earth's atmosphere when burned or

1 incinerated, thus contributing to the serious problem of the depletion
2 of the ozone layer, which protects our planet from harmful levels of
3 ultraviolet radiation that can cause skin cancer, eye damage, and other
4 serious threats to public health and safety;

5 (2) Polystyrene foam products contribute to and greatly exacerbate
6 existing litter and solid waste disposal problems in Washington,
7 because such products are highly durable, buoyant, extremely resistant
8 to decomposition, substantially less dense than products composed of
9 paper or other alternative materials, and because the potential for
10 polystyrene recycling is limited and poorly used;

11 (3) Polystyrene litter in Washington's waters, shores, and lands
12 poses a serious and increasing threat to wildlife, especially
13 waterfowl, which suffer hazard through the ingestion of polystyrene
14 foam particles;

15 (4) The manufacture of polystyrene foam products is dependent upon
16 petroleum and other fossil fuels, and it is in the national and state
17 interest to discourage the unnecessary use of these strategic,
18 nonrenewable resources, thus reducing our reliance upon foreign sources
19 of energy and raw materials;

20 (5) Food service products made from polystyrene foam can be easily
21 and readily replaced by items made from paper and related products
22 manufactured by the forest products industry or recycled from forest
23 products, thus promoting Washington's important forest products and
24 recycling industries;

25 (6) Polystyrene foam products are currently used for the storage,
26 packaging, and serving of food and beverages in connection with food
27 service operations aboard ferryboats and within ferry terminals
28 operating within the state of Washington;

29 (7) The cities of Port Townsend and Winslow have enacted ordinances
30 greatly restricting the use of polystyrene foam products in food

1 service applications, and it is in the interest of the state and these
2 municipalities to mandate full compliance with these ordinances by
3 operators of ferryboats and ferry terminals serving these communities.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.60 RCW
5 to read as follows:

6 No restaurant, retail food vendor, food packager, nonprofit food
7 provider, or other food service operation located aboard a ferryboat or
8 within a ferry terminal operating within the boundaries of the state of
9 Washington, may serve or package prepared food in containers or
10 wrappers made in whole or in part of polystyrene foam products. A
11 restaurant, retail food vendor, food packager, nonprofit food provider,
12 or food service operator who violates this section is guilty of a
13 misdemeanor punishable under chapter 9A.20 RCW.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 81.84 RCW
15 to read as follows:

16 No restaurant, retail food vendor, food packager, nonprofit food
17 provider, or other food service operation located aboard a ferryboat or
18 within a ferry terminal operating within the boundaries of the state of
19 Washington, may serve or package prepared food in containers or
20 wrappers made in whole or in part of polystyrene foam products. A
21 violation of this section is a misdemeanor punishable under chapter
22 9A.20 RCW.

23 NEW SECTION. **Sec. 4.** This act shall take effect January 1,
24 1992.