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SENATE BILL 5855

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State of Washington

52nd Legislature

1991 Regular Session

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

Read first time February 26, 1991. Referred to Committee on Transportation.

1 AN ACT Relating to the use of polystyrene products in ferryboats  
2 and terminals; adding a new chapter to Title 47 RCW; and providing an  
3 effective date.

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

5 NEW SECTION. **Sec. 1.** It is the intent of the legislature to  
6 protect the air, land, water, wildlife, and people of the state of  
7 Washington, to encourage prudent conservation of strategic natural  
8 resources, to promote Washington's forest products and recycling  
9 industries, and to encourage compliance with ordinances enacted by  
10 Washington municipalities, by restricting the use of polystyrene  
11 products aboard ferryboats and within ferry terminals operating within  
12 the boundaries of the state of Washington. The legislature finds that:

13 (1) Polystyrene foam made with chlorofluorocarbons (CFC) releases  
14 significant CFCs into the earth's atmosphere when burned or  
15 incinerated, thus contributing to the serious problem of the depletion

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

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

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

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

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

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

28 (7) The cities of Port Townsend and Winslow have enacted ordinances  
29 greatly restricting the use of polystyrene foam products in food  
30 service applications, and it is in the interest of the state and these

1 municipalities to mandate full compliance with these ordinances by  
2 operators of ferryboats and ferry terminals serving these communities.

3 NEW SECTION. **Sec. 2.** No restaurant, retail food vendor, food  
4 packager, nonprofit food provider, or other food service operation  
5 located aboard a ferryboat or within a ferry terminal operating within  
6 the boundaries of the state of Washington, may serve or package  
7 prepared food in containers or wrappers made in whole or in part of  
8 polystyrene foam products.

9 NEW SECTION. **Sec. 3.** The department of transportation is  
10 responsible for proper notification and enforcement of section 2 of  
11 this act aboard ferryboats and within ferry terminals that are under  
12 the supervision of the department. In all other cases, notification  
13 and enforcement of section 2 of this act is the responsibility of the  
14 utilities and transportation commission and of the prosecutors of  
15 counties where the ferryboats and ferry terminals operate.

16 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act shall  
17 constitute a new chapter in Title 47 RCW.

18 NEW SECTION. **Sec. 5.** This act shall take effect January 1,  
19 1992.