

Implementation and Enforcement of Plastic Pollution Prevention Programs in the District of Columbia

Lillian Power
Partnering and Environmental Conservation Branch

Mid-Atlantic Marine Debris Summit
June 18, 2019

Who We Are

The Enforcement Team with the Partnering & Environmental Conservation Branch, Watershed Protection Division:

- Lillian Power
- Orpheus Williams
- Zachary Rybarczyk
- John Maleri



Environmental Impacts of Single-Use Plastics

- Single-use plastics and other types of trash are blown by wind or washed by stormwater into local waterways, where they can remain for hundreds to thousands of years.

- 2008 trash study of the Anacostia River
- Microplastics as a danger to human health and wildlife
- Non-recyclable or compostable items
- Citywide goal of 80% waste diversion by 2032



Photo taken by Matt Robinson, 2014

The Anacostia Clean Up & Protection Act (“Bag Law”)



Effective January 1, 2010, all District retailers that sell food or alcohol must charge \$0.05 for each paper or plastic disposable bag provided to customers at point of sale.

- Businesses responsible for remitting portion of fees charged to Anacostia Clean Up and Protection Fund (“Bag Fund”)
- Bag fund can only be used for projects protecting and improving District waterways
- Approximately \$2,000,000 collected per year

The Anacostia Clean Up & Protection Act (“Bag Law”)

Bag Law Compliance Rates Over Time

| FISCAL YEAR | OVERALL COMPLIANCE |
|-------------|--------------------|
| FY11 | 41% |
| FY12* | 47% |
| FY13 | 54% |
| FY14 | 63% |
| FY15 | 66% |
| FY16 | 70% |
| FY17 | 76% |
| FY18 | 73% |

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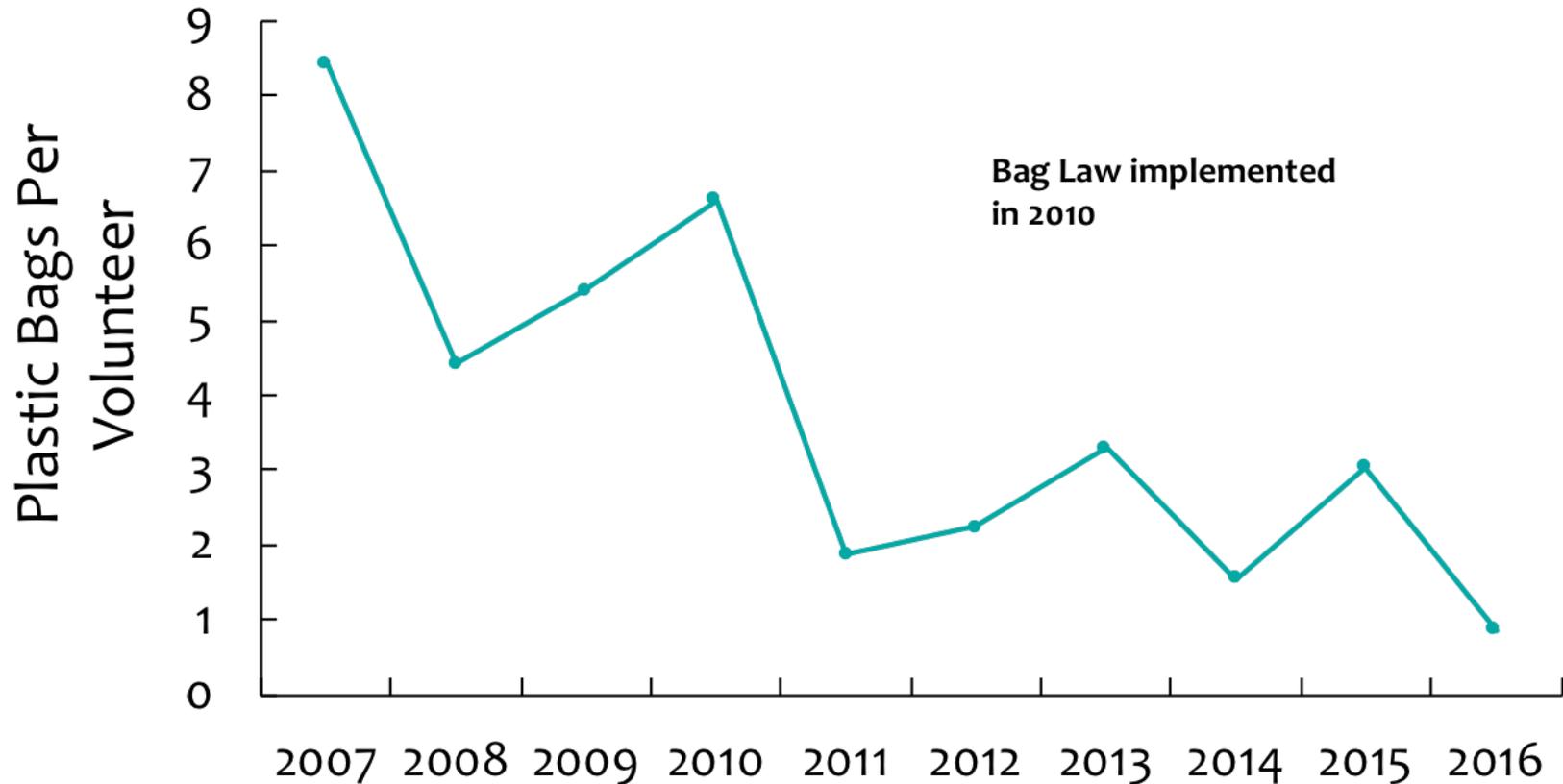
- Minimum of 550 inspections per year:
 - Random inspections assigned by ANC
 - Tips solicited from the public via 311, DOEE website

The Anacostia Clean Up & Protection Act (“Bag Law”)

Since the law has been in effect, the Anacostia Clean Up and Protection Fund has generated over **\$19 million** in revenue, supporting projects specifically designed to improve and protect the health of the District’s waterways. Outcomes include:

- Over **2900 feet** of Ward 7 streams have been restored
- Over **70,000 pounds** of trash and debris have been removed as a result of the installation of 7 trash traps
- More than **7500 people** experienced the Anacostia River through guided boat tours
- Planted over **3000 trees** and installed over **2300 rain barrels** through RiverSmart Homes
- Fully funded overnight MWEEs for over **9700 5th graders**
- Over **100,000 reusable bags** purchased and distributed to District nonprofits, businesses, and residents

The Anacostia Clean Up & Protection Act (“Bag Law” Evidence of Progress



Number of plastic retail bags seen per volunteer at trash cleanups in DC since before and after passage of the Bag Law – Data courtesy of Alice Ferguson Foundation, 2017

The District's Food Service Ware Requirements



The Sustainable DC Omnibus Amendment Act of 2014 regulates the type of food service ware District businesses and organizations selling or serving food or beverages can provide consumers:

- Effective January 1, 2016: Expanded polystyrene (foam) food containers banned
- January 1, 2017: Only recyclable or compostable food service ware products can be used

The District's Food Service Ware Requirements

Foam Ban Compliance Rates

| FISCAL YEAR | OVERALL COMPLIANCE |
|-------------|--------------------|
| FY16* | 77.50% |
| FY17 | 88.03% |
| FY18 | 91.72% |

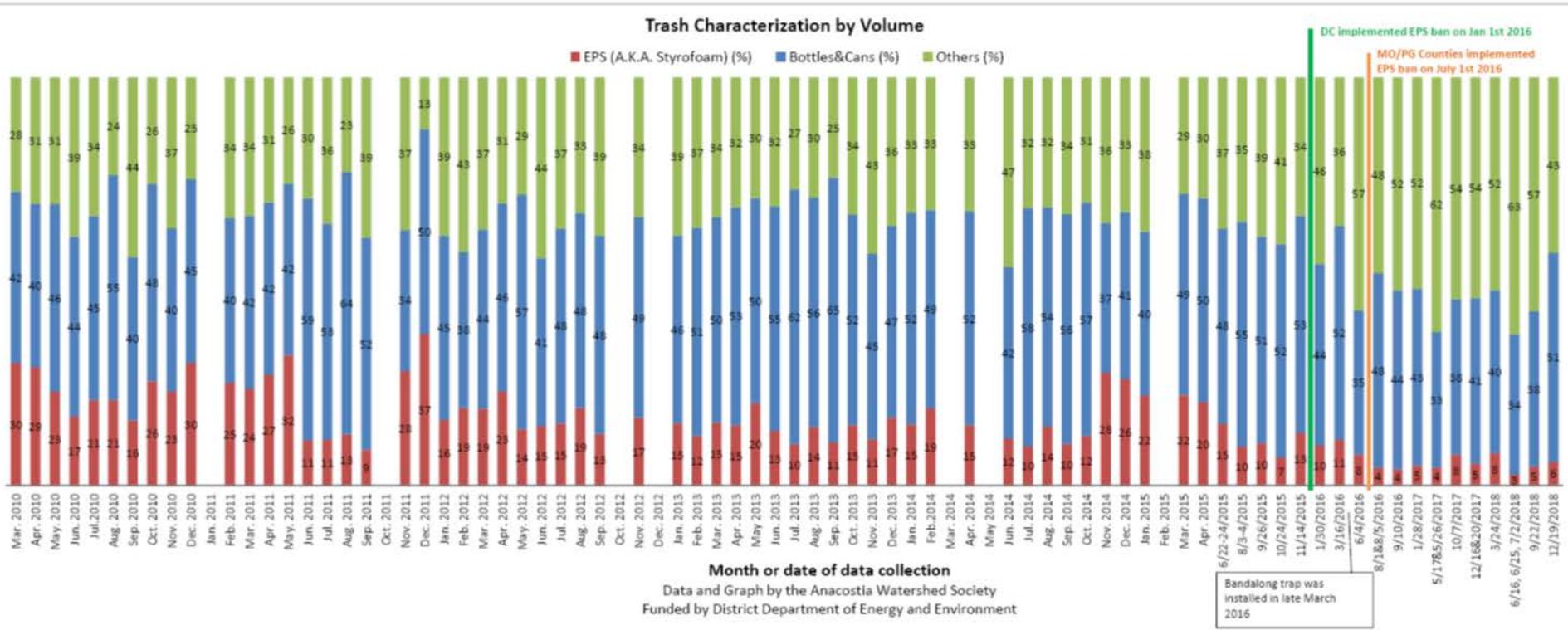
Rec/Comp Compliance Rates

| | |
|------|--------|
| FY18 | 96.73% |
|------|--------|

The Sustainable DC Omnibus Amendment Act of 2014 regulates the type of food service ware District businesses and organizations selling or serving food or beverages can provide consumers:

- Minimum of 300 businesses and regulated entities inspected every year
 - Random inspections
 - 311 and DOEE website tips

The District's Food Service Ware Requirements: Evidence of Progress



Beginning to see a declining trend in volume of foam captures by the Nash Run Trash Trap (Anacostia Watershed Society, 2019).

Recyclable and Compostable Food Service Ware Requirements and the Single-Use Plastic Straw and Stirrer Ban

The Sustainable DC Omnibus Amendment Act of 2014 states:

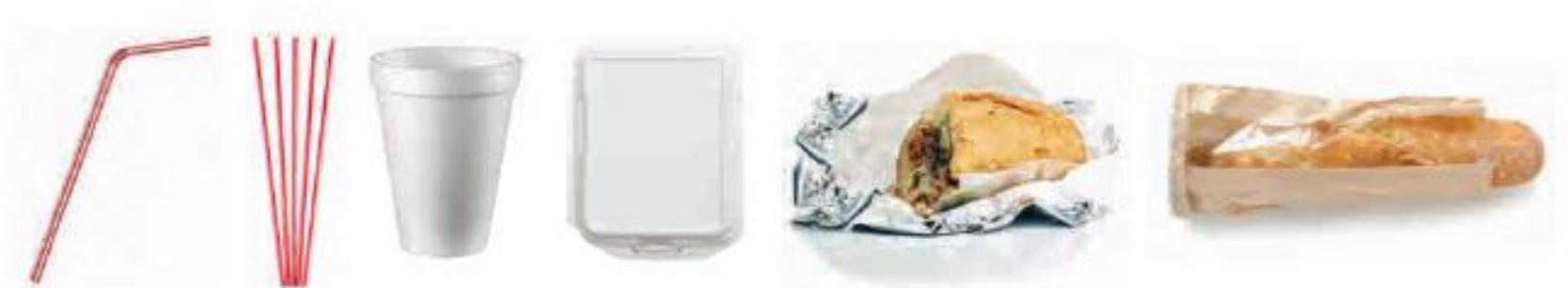
- “By January 1, 2016, no food service entity shall sell or provide food in expanded polystyrene food service products, regardless of where the food will be consumed
- By January 1, 2017, no food service entity shall sell or provide food or beverages... **in disposable food service ware unless the disposable food service ware is compostable or recyclable”**

DOEE defined recyclable and compostable food service ware according to the Mayor’s List of Recyclables and Compostables. When first published in 2016, an exemption was included for plastic straws. The exemption was removed in the updated list, published October 2018.

Recyclable and Compostable Food Service Ware Requirements and the Single-Use Plastic Straw and Stirrer Ban

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Why target plastic straws next?

- Opportunity to harness public attention to help meet environmental goals
- Common pollutant found on beaches and in communities
- Low-hanging fruit for behavior change
- Market of compostable items quickly evolving



The District's Ban on Single-Use Plastic Straws and Stirrers

What can regulated entities provide?

- Any material considered compostable by the Mayor's List of Recyclables and Compostables or,
- Reusable straws



The District's Ban on Single-Use Plastic Straws and Stirrers

What can regulated entities provide?

- Any material considered compostable by the Mayor's List of Recyclables and Compostables or,
- Reusable straws

Pursuant to the Americans with Disabilities Act and the DC Human Rights Act, some customers may request single-use plastic straws to consume food and beverages. Regulated entities must keep a stock of plastic straws available to meet these needs and remain complaint.

The District's Ban on Single-Use Plastic Straws and Stirrers

How's it going so far?

- Inspections began January 2019
- Fines begin July 1, 2019
- Over 140 inspections completed so far
 - Every inspection ends with conversation with business owner, manager, or employee

| Inspection Month | % Compliance |
|-------------------------|---------------------|
| January | 41.5 |
| March | 47 |
| May | 57.5 |

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D.C. Politics

On patrol with the enforcer of D.C.'s plastic-straw ban

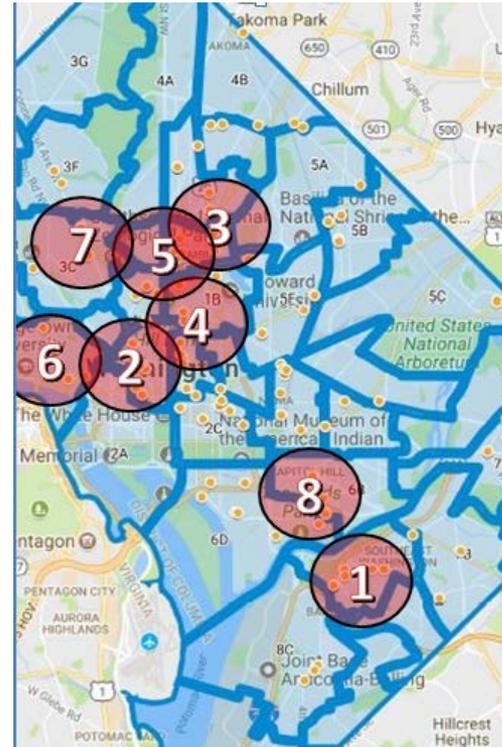


Zach Rybarczyk, who works for the D.C. Department of Energy and Environment, inspects restaurants in Union Station on Jan. 8 to see whether they are still using plastic straws after the city's ban went into effect this year. Cava passed its inspection. (Calla Kessler/The Washington Post)

By [Fenit Nirappil](#)

Keys Components of Successful Program Implementation

- Targeted outreach and education campaigns
 - Collaboration and partnerships within regulated community
 - Door-to-door outreach



Keys Components of Successful Program Implementation

- Targeted outreach and education campaigns
 - Collaboration and partnerships within regulated community
 - Door-to-door outreach
- Direct guidance and clear timelines
 - What are the requirements?
 - When do they become effective?



ZERO WASTE
DC

STRAWS AND STIRRERS NEW REQUIREMENTS

Enforcement
Begins
January 1,
2019

Effective October 29, 2018, the Mayor's List of Recyclables and Compostables requires the use of compostable and/or reusable straws and stirrers when serving and selling food or beverages in the District.

COMPLIANT PRODUCTS FOR USE IN THE DISTRICT INCLUDE BUT ARE NOT LIMITED TO:
- PAPER - BAMBOO - HAY - STAINLESS STEEL - GLASS - PLA (BPI-CERTIFIED)

To reduce waste and cut costs, the District advocates for businesses to only offer compliant straws by request. Pursuant to the Americans with Disabilities Act and the DC Human Rights Act, some customers may request single-use plastic straws to consume food and beverages. Regulated entities must keep a stock of plastic straws available to meet these needs and remain compliant.

HOW TO GET & STAY IN COMPLIANCE



HAY/BAMBOO PAPER STAINLESS STEEL GLASS
COMPOSTABLE AND/OR REUSABLE



LOOSE AND INDIVIDUALLY WRAPPED
SINGLE-USE PLASTIC STRAWS AND STIRRERS

Why is this happening?

Banning plastic straws and stirrers will help reduce plastic waste and litter that pollutes District communities and waterways. Plastic straws and stirrers are easily blown and washed into local waterways, where they can remain for hundreds of years before breaking down.

GET AHEAD OF THE GAME & TAKE THE PLEDGE

As major distributors of plastic straws, the food service industry can contribute to the District's effort to reduce plastic waste. Join the growing community of businesses and organizations taking action with the OUR LAST STRAW Coalition. **Unite in the effort to reduce plastic waste in the District and pledge to #StopSucking at ourlaststraw.org.**

For more information on compliant products and District food service ware requirements, visit:
doee.dc.gov/foodserviceaware



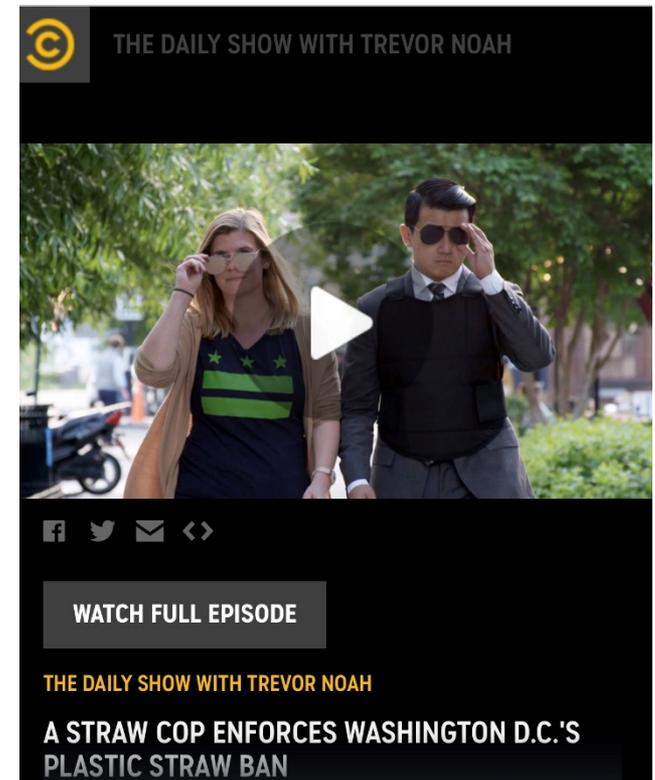
GOVERNMENT OF THE
DISTRICT OF COLUMBIA
DC MURIEL BOWSER, MAYOR

 **Language Assistance**

Si necesita ayuda en Español, por favor llame al (202) 671-0080 para proporcionar un intérprete de manera gratuita. Nếu cần giúp đỡ bằng Tiếng Việt, xin gọi (202) 671-0080 để cung cấp cho bạn cơ hội nói chuyện với nhân viên hỗ trợ miễn phí. Si vous avez besoin d'aide en Français appelez le (202) 671-0080 et l'assistance d'un interprète vous sera fournie gratuitement. 如果您需要中文協助，請電 (202) 671-0080 並安排免費中文人員協助。 如果您需要中文協助，請電 (202) 671-0080 將為您提供免費中文人員服務。

Keys Components of Successful Program Implementation

- Targeted outreach and education campaigns
 - Collaboration and partnerships within regulated community
 - Door-to-door outreach
- Direct guidance and clear timelines
 - What are the requirements?
 - When do they become effective?
- Authority and plan for enforcement



Questions?

Lillian Power

Environmental Protection Specialist
Watershed Protection Division

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(202) 671-0080

Bag Law information:

<https://doee.dc.gov/bags>

Food service ware information:

<https://doee.dc.gov/foodserviceware>

Zero Waste DC

<https://zerowaste.dc.gov/>

ZERO WASTE DC
STRAWS AND STIRRERS
NEW REQUIREMENTS
Enforcement Begins January 1, 2019

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To reduce waste and cut costs, the District advocates for businesses to only offer compliant straws by request. DOEE recognizes some customers with disabilities require plastic straws as a reasonable accommodation to consume food or beverages.

Regulated entities must keep a limited stock of plastic straws available to meet these needs and remain compliant with local and federal disability rights laws.

HOW TO GET & STAY IN COMPLIANCE

HAY/BAMBOO PAPER COMPOSTABLE AND/OR REUSABLE STAINLESS STEEL GLASS

LOOSE AND INDIVIDUALLY WRAPPED SINGLE-USE PLASTIC STRAWS AND STIRRERS

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MURIEL BOWSER, MAYOR