Memorandum of Opposition

S.7336 (Felder)/A.9904 (Cusick)

Title: Establishes a prohibition on the imposition of any tax, fee or local charge on carry out merchandise bags.

Purpose: This bill seeks to prohibit the imposition and/or collection of any tax, fee or local charge on carry out merchandise bags (i.e. plastic and paper one-time-use bags).

Statement of Opposition:
Disposable plastic bags are an environmental menace – littering our parks, despoiling our communities and clogging our waterways; all with the potential to strangled and poison wildlife. With the popularity, availability, and affordability of reusable bags today, municipalities now have the tools to address this unnecessary blight through deposit programs, bag taxes and prohibitions, which could eventually put an end to this unnecessary pollution. Intervention by the legislature to prohibit cities from enacting such restrictions on disposable carryout bags is unjustified – especially as the lack of leadership at the state level has forced municipalities to address the issue on their own.

Even beyond the external threat of bags littering our environment – the oil and gas consumption required to make disposable plastic bags can be quite staggering. The petroleum in 14 plastic bags alone supplies enough fuel to drive the average car one mile. Americans use and dispose of an estimated 100 billion plastic bags each year, and this many bags use at least 12 million barrels of oil in their manufacture\(^1\). The needless waste these bags generate can cause flooding issues (when stuck in storm drains)\(^2\), are the fourth most commonly found type of litter on U.S. beaches\(^3\), and in New York City alone, an estimated 91,000 tons of plastic and paper carryout bags in landfills cost the City an estimated $12.5 million each year\(^4\).

The Sierra Club Atlantic Chapter opposes S.7336/A.9904, a bill that would prohibit any locality from imposing their own ban/fee on carryout merchandise/one-time-use bags, and stands with municipalities that have decided to take this waste stream head on. If localities seek to act on this issue, they should be allowed to do so, without the state interfering. On May 5, 2016, the New York City Council passed a bill that would require a 5-cent fee on all carryout bags, and goes into effect on October 1, 2016 (Int. No. 209-A). Other cities around the state are looking to do the same, and they should be able to pass such legislation without the state prohibiting such laws.

Sierra Club Atlantic Chapter Urges Your Opposition Of S.7336/A.9904

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4 [http://bagitnyc.org/about/](http://bagitnyc.org/about/)
For more information on the lifecycle comparison of one-time use bags versus reusable bags, see the chart on the back of this page.

**Life Cycle Analysis Comparison Chart**

The information below is from “Plastic Shopping Bags—Analysis of Levies and Environmental Impacts” commissioned by Environment Australia, a department of the Government of Australia in 2002.¹

The following Life Cycle Analysis Chart documents the life cycle impact of different kinds of bags. It looks the impact of each kind of bag used over one year, assuming an average of 70 grocery items per week, or the equivalent load of 10 plastic bags per week.

<table>
<thead>
<tr>
<th>Bag Type</th>
<th>Life Span</th>
<th>Bags per Year</th>
<th>Material Consumed in production (lbs per year)</th>
<th>Greenhouse emissions (kg CO² equivalent)¹² in production</th>
<th>Primary Energy Use (MJ)¹³ in production</th>
<th>Litter (oz per year)</th>
<th>Litter (cubic feet per year)</th>
<th>Pounds of waste per year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traditional Plastic (HDPE)</td>
<td>1 trip</td>
<td>520</td>
<td>6.88</td>
<td>6.08</td>
<td>210</td>
<td>.55</td>
<td>.08</td>
<td>6.86</td>
</tr>
<tr>
<td>Recycled Plastic (LDPE)</td>
<td>1 trip</td>
<td>520</td>
<td>6.88</td>
<td>4.79</td>
<td>117</td>
<td>.55</td>
<td>5.08</td>
<td>6.86</td>
</tr>
<tr>
<td>Boutique Plastic (PE)</td>
<td>1 trip</td>
<td>650</td>
<td>25.94</td>
<td>29.8</td>
<td>957</td>
<td>2.07</td>
<td>6.88</td>
<td>25.9</td>
</tr>
<tr>
<td>Paper Bag</td>
<td>1 trip</td>
<td>550</td>
<td>48.83</td>
<td>11.8</td>
<td>721</td>
<td>3.91</td>
<td>5.08</td>
<td>28.8</td>
</tr>
<tr>
<td>Canvas bag¹</td>
<td>52 trips</td>
<td>9.1</td>
<td>2.51</td>
<td>2.52</td>
<td>160</td>
<td>.20</td>
<td>.14</td>
<td>2.5</td>
</tr>
<tr>
<td>PP Fiber bag</td>
<td>104 trips</td>
<td>4.15</td>
<td>1.05</td>
<td>1.96</td>
<td>46.3</td>
<td>.08</td>
<td>.066</td>
<td>1.05</td>
</tr>
</tbody>
</table>

¹ Chart prepared by Lisa Foster, 1 Bag at a Time, 888.478.3886, lisa@1bagatatime.com. Conversions from metric system done by ask.com.

¹² kg CO² equivalent is a standard measure for emissions. It measures the weight of greenhouse gases in kilograms expressed as the equivalent weight of CO² emissions per kilogram of base oil.

¹³ MJ stands for megajoule, a standard measure of energy. One megajoule is equal to the amount of energy it takes to heat 3 liters of water to boiling. Three liters is enough to make 12 cups of coffee or tea.

¹ The Australian government report noted that analysis of cotton bags should consider that “10% of the world’s pesticides and 25% of the world’s insecticides are used to grow cotton.” The report also noted that these bags require the frequent washing, therefore water and energy for drying the bags should be added to the overall impact. The difficulty of recycling cotton was another factor considered.