

THE SAVE THE PLASTIC BAG COALITION

TO THE CITY OF MANHATTAN BEACH, CALIFORNIA

SUPPLEMENTAL FORMAL OBJECTIONS BY THE SAVE THE PLASTIC BAG COALITION TO PROPOSED NEGATIVE DECLARATION AND CLAIMS OF EXEMPTION REGARDING PROPOSED ORDINANCE NO. 2115 TO PROHIBIT THE USE OF PLASTIC CARRY-OUT BAGS, AND TO THE PROPOSED ORDINANCE

The Save The Plastic Bag Coalition (the “Coalition”) is an unincorporated association. It is a new group that will include plastic bag manufacturers, plastic bag distributors, retailers, and concerned citizens. The founding members are Elkay Plastics and Command Packaging. The coalition is growing quickly and includes several other companies.

The Coalition has previously filed objections, which are attached to the Staff Report dated July 1, 2008. The Coalition supplements those objections as follows:

A. Objection to statement regarding marine mammals and seabirds

The July 1 Staff Report states:

“Although the impacts of plastic bags on the ecosystem are not precisely quantified, reports [footnotes] have documented the numerous health impacts on wildlife attributed to plastic carry-out bag litter. Plastic bags pose a particular problem for wildlife that mistake bags for food, and as a result, ingest the bags thereby choking, starving or suffocating. Whales and birds often swallow plastic bags inadvertently during feeding. Turtles swallow the bags since they resemble their main food source, jellyfish.”

This information is false. We have provided the London Times report which is in the record. (“Series of blunders turned the plastic bag into global villain,” March 8, 2008) The city has chosen to ignore the London Times report and is repeating unfounded myths.

One of the most published photographs on the Internet regarding plastic bags shows a turtle with a blue plastic bag in its mouth. The same photograph of the same turtle is shown over and over again on the Internet.

Some plastic bags were apparently found inside a whale in 2007 or early 2008. A picture appeared in the world’s press in February 2008 along with calls for a ban on plastic bags.

There does not appear to be photograph of another turtle or mammal or a seabird eating a plastic bag anywhere on the Internet. That is one turtle and one whale.

We have found photographs of just two birds that may have been tangled in plastic bags.

There may be photographs of more turtles, mammals, or birds on the Internet that the Coalition has not been able to find. The number of such photographs is small, perhaps six to ten. They could have been taken at any time over the past 30 years since plastic carryout bags were introduced.

We encourage the Council to conduct to search for “turtle plastic bags” or “marine mammal plastic bags” or “seabird plastic bags” or “bird plastic bags” on Google images. Photographs of large numbers of turtles, mammals, or seabirds ingesting or entangled in plastic bags simply do not exist.

The Coalition objects to the quoted statement as it is baseless and misleading and requests that it be stricken from the record.

B. Objection to statement regarding additives

The July 1 Staff Report states:

“Plastic pieces have also been shown to contain additives such as PCBs, DDT and nonylphenols and in turn can seep into marine mammals that inadvertently ingest them, which endangers their health and potentially impacts the larger food chain.” [Footnote]

This statement has nothing to do with plastic bags and should not even be in the July 1 Staff Report. “Plastic pieces” does not mean plastic bags. Plastic bags do not contain PCBs, DDT or nonylphenols. Plastic bags are non-toxic.

The Coalition objects to the quoted statement as it is misleading and not relevant to plastic bags. The Coalition requests that it be stricken from the record.

C. Objection to non-disclosure regarding Swedish study

The July 1 Staff Report a study “prepared by an independent Swedish Environmental Consulting Group” published in 2000. The report apparently makes unfavorable findings about plastic bags compared to paper bags.

The Swedish study is not attached to the July 1 Staff Report and is not in the record. However, a document is attached to the July 1 Staff Report that contains a summary of the Swedish study. Page 48 is missing from that document. We found it on the Internet. It is attached hereto.

The following sentence appears on missing page 48:

“The study was undertaken by CIT Ekologik, an independent Swedish environmental consultancy, on behalf of Eurosac and CEPI Eurokraft.”

A copy of the homepage of the Eurosac website is attached hereto. Eurosac is described as the “European Federation of Multiwall Paper Sack Manufacturers.”

A copy of the homepage of the CEPI Eurokraft website is attached hereto. CEPI Eurokraft is described as the “European Kraft Paper Producers for the Flexible Packaging Industry.”

Page 48 is clearly highly relevant. It shows that the Swedish report is not independent at all.

The Coalition objects to the omission of page 48 and requests correction of the Staff Report to indicate that the Swedish report was prepared on behalf of the paper industry.

D. Objection to Swedish study based on relevance

According to missing page 48, the Swedish study compared LDPE plastic bags with a thickness of 140 microns with paper bags. A 140 micron bag is 5.6 mils thick. Grocery bags in the United States are made of HDPE, LDPE, or LLDPE and are generally about 13 microns thick, which means that they contain approximately 90% less material than the bags studied in the Swedish report.

The following statement appears on page 48: “It is noted that the products analyzed in this study are fundamentally different products to checkout carrier bags – they are bigger bags.”

The Coalition objects to the omission of page 48 and requests that all references to the Swedish report be stricken from the record as they are misleading and irrelevant.

CONCLUSION

No arguments or objections are waived. All rights are reserved.

We believe that the June 3 and July 1 Staff Reports are intellectually dishonest. The city is knowingly presenting myths and distorting information about plastic bags.

The omission of page 48 from the record is particularly troubling. The Coalition requests that the City of Manhattan Beach conduct a full investigation into why page 48 was omitted from the record.

The Coalition continues to request and demand that an Environmental Impact Report be prepared in good faith, pursuant to CEQA. In the event that an EIR is not prepared, the Coalition will file a lawsuit against the city. We will not accept the continuing disparagement and stigmatization of plastic bags based on myths and misinformation.

Dated: July 1, 2008

STEPHEN L. JOSEPH

A handwritten signature in black ink, appearing to be 'S. L. Joseph', with a long horizontal line extending to the right from the top of the signature.

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Study 2: Title: "Distribution in Paper Sacks," CIT Ekologik, Chalmers Industriteknik, 2000.

The study was undertaken by CIT Ekologik, an independent Swedish environmental consultancy, on behalf of Eurosac and CEPI Eurokraft.

Goal

To compare the environmental performance of distribution in 25kg paper sacks with alternative distribution systems. The alternatives include bulk distribution, 25kg Plastic sacks and 1000kg 'big bags'. It is noted that the products analysed in this study are fundamentally different products to check out carrier bags – they are bigger bags.

Objectives

The primary objective of the study was to compare the environmental impacts of distribution in paper sacks with those of distribution in other systems for filling goods in Europe.

Scope

All of the systems studied include extraction of natural resources, production of raw materials, production of sacks/big bags/silos, after use treatment and all associated transport.

On the comparison of the distribution systems, it became clear that the distribution system transport itself gave the highest impact of the studied systems. This was due to the assumed distribution of 1000kg of filling goods over a distance of 300km. It was also noted that the environmental effects were of the same size regardless of the packaging system and were therefore removed from the presentation of the study results.


The paper and plastics sacks are described as follows:


Bag type	Micron/ g/m ²	Dimensions (cm)
LDPE	140	37 x 72 x 13
Paper	2 x 110	50 x 70 x 13

The lifecycle phases covered in this report are explained in the table below

Life cycle stage	Explanation
Raw material production	Production of paper and LDPE from original source
Conversion	The conversion of paper and resin into Sacks
Waste management	Waste management, incineration, land filling or composting were considered as separate scenarios. The recycling scenario has assumed 100% recycling for both paper and plastic. Note for ease of comparison only reflected the recycling waste management scenarios have been reflected, however where relevant reference is made to other scenarios.
System expansion	The systems are expanded to include parts of other life cycles that are affected by the compared systems. The purpose of this system expansion is to avoid allocation problems that arise at waste incineration or at open loop recycling of material from one life cycle to another. The systems are expanded to include parts of other systems that are affected by the recycling of major materials after use in the distribution system.



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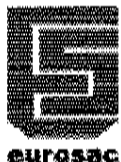


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Welcome to CEPI Eurokraft
 European Kraft Paper Producers for the Flexible Packaging Industry

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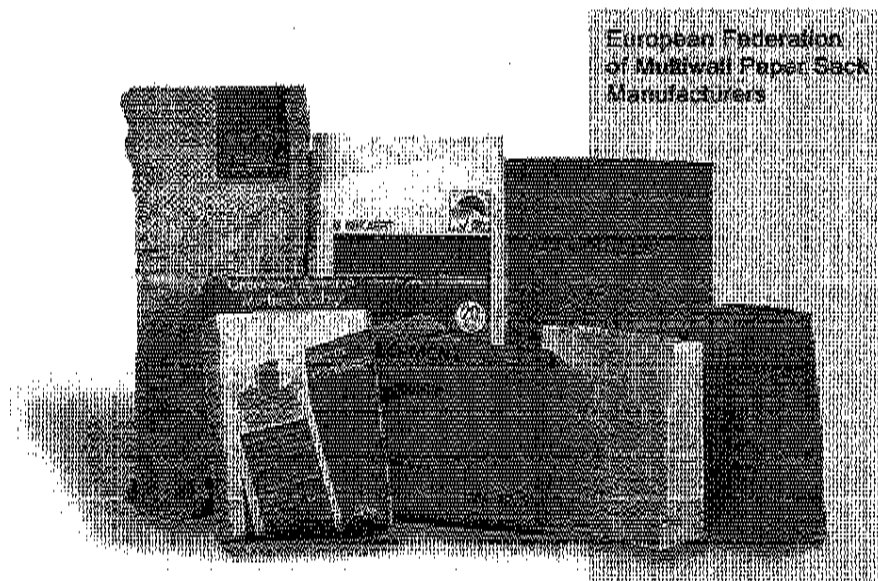
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European Federation of Multiwall Paper Sack Manufacturers

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