



TO: Chairman Spencer Black and Members of the Special Committee on Single-Use
Plastics

FROM: John Kelly

DATE: November 16, 2010

RE: WLC: 0025/1

This draft bans the landfilling or incineration of certain plastic films. We ask that the ban be restructured so that waste haulers and waste facility operators are not required to retrieve films from mixed loads of waste.

The proposed ban applies to "large volume" plastic films used for agricultural or horticultural purposes that are also of a specific thickness and dimension. The individuals who collect and handle waste, however, will not know how a particular film was used, nor can they tell at a glance whether it meets the thickness and dimensional criteria.

Only the person disposing of the film can reliably determine whether it falls within the definition. For that reason, we recommend that any disposal restriction be imposed in the form of a requirement that the generator of the material ensure it is recycled.

As drafted, WLC: 0025/1 would require that a waste collector or waste facility operator remove film from mixed waste loads if doing so is safe and practical and the film is not too damaged to recycle. We appreciate the recognition of the difficulty and perils of retrieving materials from waste loads. In the case of this particular ban, however, retrieving film from mixed waste loads at transfer stations, landfills and incinerators would always be impractical for the reasons explained above.