

Radnor Environmental Advisory Council  
Public Meeting on Proposed Radnor Township Plastic Bag Ordinance March 23, 2022  
Proposed Answers to Anticipated Questions

1. **Why is the EAC doing this?**

- To reduce the use of single use bags by commercial establishments within the Township
- To curb litter on the streets, in the parks, and in the trees
- To protect the local streams, rivers, waterways, and other aquatic environments
- To reduce greenhouse gas emissions and reduce solid waste generation
- To promote the use of reusable, compostable, and recyclable materials within the Township
- To preserve the natural, scenic, historic, and esthetic values of the Township
- To relieve the pressure on recyclers, who cite single-use plastic bags as a major source of contamination and inefficiency within the recycling stream;
- To and reduce the incineration of plastic from the disposal of single-use products.

2. **What are the penalties?**

- There are no penalties against individual citizens. Citizens may choose to spend a small fee of 10 cents to purchase recycled paper bags or use reusable bags.
- For Commercial Establishments:
  - o A person or Commercial Establishment that violates the requirements of this Chapter shall be guilty of a summary offense and, upon conviction thereof in any District Justice Court of the Commonwealth of Pennsylvania, shall:
    - be subject to a civil penalty of not less than \$50.00 for a first offense;
    - be subject to a civil penalty of not less than \$100.00 for a second offense; and
    - be subject to a civil penalty of not less than \$200.00 for a third or any subsequent offense.
    - Under no circumstances shall a violator be liable to a fine or penalty exceeding \$600 for each offense.
    - In addition, a violator shall be responsible for the costs of prosecution thereof, including, but not limited to, attorney's fees.

3. **How long do Commercial Establishments have to comply?**

- The ordinance will take effect six months after the Effective Date under the proposed ordinance.

4. **Who else is doing it?**

- Philadelphia City, West Chester, Haverford, Narberth, the state of New Jersey, and others have already adopted plastic bag ordinances similar to this one.
- Tredyffrin Township will be voting in June; almost all other townships are proposing ordinances as well.

5. **What about the produce bags?**

- There are many categories of bags that are exempted or excluded from this regulation, and produce bags are among those that are exempted.
- Other exempted bags include:

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- “A bag without handles used inside a Commercial Establishment by a customer to deliver perishable items to the point of-sale at that establishment. Such bags shall include:
  - “(1) Bags used to package bulk items such as fruit, vegetables, nuts, grains, or candy; “
  - (2) Bags used to contain or wrap meats or fish; to contain or wrap frozen foods; or to contain unwrapped prepared foods or bakery goods; and
  - “(3) Bags used solely to contain live animals, such as fish or insects sold in a pet store.
  - “This definition also covers bags sold in packaging containing multiple bags and packaged at the time of manufacture of the bag.”
- In addition to exempted bags, the definition of plastic bag excludes:
  - Laundry or dry-cleaner bags;
  - Newspaper bags;
  - A bag without handles used to protect a purchased item from damaging or contaminating other purchased items when placed in a Reusable Bag, Recyclable Paper Bag, or Compostable Plastic Bag;
  - Any bags provided for use by a Commercial Establishment operated by the federal government, Commonwealth of Pennsylvania, or local government, or department or agency thereof; and
  - Any bags distributed by the federal government, Commonwealth of Pennsylvania, or local government, or department or agency thereof.

**6. Can I buy a plastic bag if I prefer it?**

- You may bring any bag to a store that you like. However, a Commercial Establishment will only be allowed to offer for purchase (aside from the exempted and excluded bags) recycled plastic bags or reusable bags.

**7. What about at restaurants?**

- Restaurants are defined as Commercial Establishments and would be subject to the prohibition in the ordinance:
  - Commercial Establishment is defined as: “Any person, corporation, partnership, business venture, or vendor that sells or provides merchandise, goods, or materials directly to a customer, whether or not for profit, including, but not limited to, restaurants (eat-in and/or take-out food), bars, pharmacies, convenience and grocery stores, seasonal and temporary businesses or markets, retail stores, or other similar nonresidential uses. For purposes of this Chapter, Commercial Establishments shall not include bazaars or festivals operated by nonprofit organizations or religious institutions.”
- If a particular business can prove to the Board of Commissioners that it would suffer an undue hardship as defined in the ordinance, it can request an exemption from the ordinance.
  - “The Board of Commissioners may, upon written request of a Commercial Establishment, exempt such Commercial Establishment from the requirements of this Chapter for a period up to one (1) year from the Effective Date, upon a

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finding by the Township that the requirements of this Chapter would cause undue hardship to that Commercial Establishment.”

8. **What about at retail stores besides grocery?**

- See previous response – Commercial Establishment would include nearly all retail establishments. Again, an exemption can be requested by a business that can establish it meets the requirements of suffering an undue hardship under the terms of the ordinance.

9. **Have you talked to Giant?**

- We are in the process of reaching out to Giant and many of the other Commercial Establishments that would be impacted by the ordinance change. The EAC sent a physical letter to all the Township’s Commercial Establishments.
- Many businesses have already adapted their practices in other jurisdictions where plastic bag ordinances are already in effect.

10. **How far geographically does this extend?**

- The ordinance would apply within the Township of Radnor.

11. **Will this make shopping more expensive?**

- The six-month window before implementation is intended to help both Commercial Establishments and customers transition to customers bringing reusable bags to stores. If a customer brings their own bags, shopping will be no more expensive and will benefit our environment by reducing plastic pollution.

12. **Does the ordinance include other plastics besides single use plastic shopping bags, such as Styrofoam containers, straws, take out containers, etc.?**

No, the ordinance only covers single use shopping bags.

13. **I reuse the single use plastic bags for things like pet waste and garbage. This is going to be inconvenient for me. What are the alternatives?**

Unfortunately, most people do not reuse their plastic shopping bags. Paper bags and purchased garbage bags are an alternative to the single use plastic bags. The advantage to using these is that people purchase them for a designated use, and so are unlikely to be throwing them out in the environment, or getting them into the recycling.

For pet waste, there are many environmentally friendly alternatives to single plastic bags. The EPA recommends picking up pet waste with newspaper (the flyers we get everyweek in the mail work nicely for this), and then flushing the waste down the toilet, and place the newspaper in the the garbage. An alternative to this is to just put the newspaper wrapped waste in a garbage bag, usable for the entire week. Another alternative is to purchase special thinner bags specifically designed for pet waste. Bags designed for pet waste disposal are less likely to be found in our natural spaces as litter. These companies are constantly working on improving these bags and making them more environmentally friendly by using alternaties to plastic like plant-based products. The EAC also

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encourages residents to purpose the use of pet waste composters and “pooper scoopers”, so that pet waste disposal results in the least amount of plastic was possible.

**14. As a retailer, once the plastic bag ban takes effect, what shall I do with the plastic bags that have not been distributed?**

You can donate them to an establishment that recycles plastic bags into products such as [recycle.trex.com](http://recycle.trex.com).

**15. Is this really necessary? Aren't there more important things to do?**

Plastic bags are a huge environmental problem in that they don't degrade, but simply break down into microparticles which end up in every animal and person. Entire states are going plastic-bag-free for a reason!. Also, this is one thing we at a municipal level can control; at other levels such as manufacturing, we can not control it as easily As stated in the draft of the ordinance:

- (1) The use of single-use bags has severe environmental impacts, including greenhouse gas emissions, litter, harm to wildlife, ground level ozone formation, atmospheric acidification, water consumption, and solid waste generation.
- (2) There are numerous commercial establishments within the Township that provide Single-Use Plastic Carry-Out Bags to their customers.
- (3) The majority of such single-use bags are made from plastic or other material that does not readily decompose.
- (4) Approximately one hundred billion single-use plastic bags are discarded by United States consumers each year. In the Township, such bags are not readily recyclable.
- (5) Numerous studies have documented the prevalence of single-use plastic bags littering the environment, blocking storm drains, entering local waterways, and becoming stuck in or upon natural resources and public property.
- (6) The taxpayers of the Township pay the costs related to the cleanup of Single-Use Plastic Carry-Out Bags from the roadways, trees, sewers, waters, and parks within the Township.
- (7) Recyclers cite single-use plastic bags as a major source of contamination within the recycling stream, leading to increased costs and decreased efficiency.
- (8) From an overall environmental and economic perspective, the best alternative to Single-Use Plastic Carry-Out Bags is a shift to bags that are reusable, compostable, or made from recyclable paper.

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- (9) There are several alternatives to Single-Use Plastic Carry-Out Bags readily available in and around the Township.
- (10) An important goal of the Township is to procure and use sustainable products and services and encourage the procurement and use of sustainable products and services by others.
- (11) An important goal of the Township is to preserve the natural, scenic, historic, and esthetic values of the Township.
- (12) It is the Township's desire to conserve resources; reduce greenhouse gas emissions, waste, litter, and water pollution; and to protect the public health and welfare, including wildlife; all of which increase the quality of life for the Township's residents and visitors.
- (13) Studies have documented that prohibiting the distribution of single-use plastic bags at the point of sale and placing a mandatory fee on other bags reduces plastic litter and the use of single-use bags.
- (14) As required by the Environmental Rights Amendment to the Pennsylvania Constitution, the Township seeks to conserve and maintain the natural, scenic, historic, and esthetic environmental values of the Township.