



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 19, 2022

IN REPLY PLEASE

REFER TO FILE: **EP-4**
10369-2-1F

TO: Each Supervisor

FROM: Mark Pestrella, PE 
Director of Public Works

**BOARD MOTION OF APRIL 5, 2022, AGENDA ITEM 7
SINGLE-USE PLASTICS ORDINANCE COMPLIANCE ASSISTANCE
RESOURCE LIST OF PRODUCTS, OPPORTUNITIES TO ASSIST
SMALL BUSINESSES, AND SUPPLY CHAIN ISSUES**

On April 5, 2022, the Board adopted a motion directing measures be taken to provide outreach and compliance assistance to businesses affected by the Single-Use Plastics Ordinance. In response to Directive No. 2, Public Works in coordination with the Department of Internal Services, Department of Consumer and Business Affairs, Department of Economic Opportunity, and the Chief Sustainability Office prepared the attached summary.

The summary details findings from engagement with industry groups, large chain restaurants, food serviceware manufacturers, and environmental groups. It addresses supply chain concerns and next steps including education and outreach to businesses impacted by the Ordinance. One of the resources developed to assist businesses in complying with the Ordinance is a comprehensive list of compliant single-use products. A link to the product list is included in the summary report and will be distributed to effected businesses in the coming months as part of a comprehensive outreach effort.

If you have any questions, please contact me or your staff may contact Deputy Director Coby Skye at (626) 458-4016 or cskye@pw.lacounty.gov.

CS:er

P:\SEC\BR\SUP ORD COMPLIANCE ASSISTANCE RESOURCE LIST MEMO

Attach.

cc: Chief Executive Office
Consumer and Business Affairs
County Counsel
Executive Office
Internal Services
Public Health

SINGLE-USE PLASTICS ORDINANCE COMPLIANCE ASSISTANCE RESOURCE LIST OF PRODUCTS, OPPORTUNITIES TO ASSIST SMALL BUSINESSES, AND SUPPLY CHAIN ISSUES

Resource List of Food Serviceware Items

Public Works led efforts to develop an initial list of single-use food serviceware products meeting the requirements of the Single-Use Plastics Ordinance, which allows impacted businesses to quickly compare prices. The list includes information about the product manufacturer, size, order quantity, unit price, contact information, and origin of the manufactured product.

Large wholesale retailers were contacted to inquire about products available for purchase. With increasing demand and supply chain issues, availability may fluctuate. Food establishments were engaged to provide feedback on the type of food serviceware products needed for their operations and any special food serviceware products for very specific or unique needs.

The product list will be distributed to affected businesses and made available online. It will continue to be a living document that can be updated as necessary throughout the life of the Ordinance. The current list can be viewed at the following link: https://pw.lacounty.gov/epd/tf/Draft_Product_List.pdf.

Opportunity for Suppliers to Assist Small Businesses

Public Works met with manufacturers of food serviceware products, who acknowledged that there is a general cost savings for businesses that can purchase products in bulk due to economies of scale. It is an advantage for manufacturers to offer discounts for bulk purchases to save on individual transaction and processing costs and to sell more products. One suggestion from the manufacturers is for small businesses to join together in a collective to make bulk purchases and receive a discount. Some business associations may be able to partner with small businesses and other food facilities to establish collective purchasing agreements.

Wholesale warehouse stores also present an opportunity for small businesses and other food facilities to purchase products at reduced prices since the wholesale warehouse is able to make bulk purchases and pass the discounts to their customers. The resource list of food serviceware items compiled by Public Works contains many products that can be purchased at wholesale warehouse stores in addition to being purchased directly from the manufacturer.

As described in the Chief Executive Office's recent report dated July 13, 2022, the Department of Economic Opportunity is also continuing to explore direct assistance to small business including grants to assist with purchasing new compliant products.

Supply Chain Issues

Public Works also met with food serviceware distributors to discuss supply chain issues that may impact the availability of compostable or recyclable food serviceware items. Product manufacturers confirmed recent supply chain issues have been impacting the availability of certain fiber-based products and plastics made from polylactic acid. The lack of supply is being driven in part by the demand caused by ordinances like the County's that are going into effect around the Country. Considering the complexity of the supply chain and issues that may arise in the foreseeable future, Public Works will continue to monitor supply chain issues throughout the implementation phase of the Ordinance and make any necessary adjustments to the approved product list based on availability.

If Public Works determines that there is a specific food service application for which no compostable or recyclable single-use product can feasibly be used, an alternative product can be offered temporarily.

Next Steps

Public Works will work with other County departments, including Public Health, over the coming months leading up to the earliest effective date of the Ordinance, May 1, 2023, to conduct an extensive outreach and education campaign. The components of this campaign include the following:

- Launch a public outreach and education website dedicated to the Single-Use Plastics Ordinance including the following:
 - brochures, flyers, and fact sheets for businesses and the public
 - list of compliant products
 - links and information to the Bring Your Own program located at <https://pw.lacounty.gov/epd/drp/BringYourOwn.aspx>
- Distribute education and outreach resources to food facilities through routine inspection conducted by the Department of Public Health during annual health inspections of permitted facilities under their jurisdiction.
- One-on-one meetings with small businesses and other food facilities to explain the requirements of the Ordinance, assist with education and outreach, and provide other resources.
- Implement a waiver process as described in our report dated June 22, 2022, and ensure it is clear and accessible. The waiver process will be opened in early 2023 to allow impacted businesses to obtain a waiver prior to the effective date for their business type.
- Pursue grant opportunities for third-party environmental groups to assist with in-person education and outreach.

MOTION BY SUPERVISORS HAHN AND SOLIS

April 5, 2022

Amendment to # 7 by Supervisor Mitchell: Single Use Plastics Ordinance Compliance Assistance

1. Direct the Department of Public Health, Department of Consumer and Business Affairs, Department of Public Works, Department of Economic Opportunity, and Chief Sustainability Office to plan and launch an extensive outreach and education campaign in the year leading up to the ordinance compliance period and the phase-in period that provides information about the single use plastics ordinance to food facilities, including the environmental benefits of the ordinance, products that meet the definition of compliant materials, and alternatives and exemptions available for business experiencing hardship. The education and outreach campaign should include materials in multiple languages and designed to address the needs of the diverse types of restaurants throughout the County. The plan should include an initial report back in 30 days with a clear and accessible process for businesses experiencing hardship to obtain waivers or exemptions.

MOTION

SOLIS	_____
KUEHL	_____
HAHN	_____
BARGER	_____
MITCHELL	_____

MOTION BY SUPERVISORS JANICE HAHN
AND HILDA L. SOLIS

April 5, 2022

Single Use Plastics Ordinance Compliance Assistance

On October 15, 2019, the Board of Supervisors (Board) voted unanimously to approve a motion directing the Chief Sustainability Office (CSO), in coordination with various County departments to draft a recommended ordinance that would reduce the use of single-use plastics in the unincorporated portions of Los Angeles County. The motion requested language that would reduce and/or eliminate the use of single-use plastic food service ware by ensuring that materials used for disposable products are recyclable or compostable and promoting the use of reusables as alternatives to single use disposable food service ware.

Since the motion passed the CSO has engaged stakeholders to support development of the draft ordinance language. Stakeholder workshops have included representatives from environmental and environmental justice organizations, the plastics industry, the restaurant industry, the waste industry, academic institutions, and local jurisdictions. After COVID-19 related delays, development of the ordinance was restarted

MOTION

SOLIS _____

KUEHL _____

HAHN _____

BARGER _____

MITCHELL _____

at the end of 2021. Since then, stakeholders have been invited to listening sessions and were given the opportunity to submit written comments.

A final recommended ordinance is before the Board today for the first reading. This ordinance requires disposable food service ware provided with ready-to-eat food, food trays, or egg cartons to be either compostable or recyclable. The ordinance will go into effect on May 1, 2023 for “brick and mortar” business, November 1, 2023 for food trucks, and May 1, 2024 for temporary food facilities, such as community events, caterers, and farmers markets. The ordinance will be enforced primarily by the Department of Public Works (DPW), in collaboration with the Department of Public Health (DPH), and DPH will assist with education and outreach. Enforcement will initially be complaint-based through the DPW.

By adopting this ordinance, we will help reduce non-degradable items entering the County’s waste stream and crowded landfills. However, we must recognize that requiring our businesses to transition to compostable or recyclable products may present initial challenges and some. The County should do its part in assisting our businesses as this ordinance is implemented.

WE THEREFORE MOVE that the Board of Supervisors:

1. Direct the Department of Public Health, Department of Consumer and Business Affairs, Department of Public Works, Department of Economic Opportunity, and Chief Sustainability Office to plan and launch an extensive outreach and education campaign in the year leading up to the ordinance compliance period and the phase-in period that provides information about the single use plastics ordinance to food facilities, including the environmental benefits of the ordinance,

products that meet the definition of compliant materials, and alternatives and exemptions available for business experiencing hardship. The education and outreach campaign should include materials in multiple languages and designed to address the needs of the diverse types of restaurants throughout the County;

2. Direct the Department of Public Works in coordination with the Department of Internal Services, Department of Consumer and Business Affairs, Department of Economic Opportunity, and Chief Sustainability Office, to compile a resource list of businesses that supply compostable or recyclable food ware items including their cost, work directly with suppliers to explore opportunities to assist small businesses and other food facilities, and actively monitor supply chain issues that may impact the availability of compostable or recyclable food ware items, and provide a written report back on these findings in 120 days; and
3. Direct the Chief Executive Officer, in coordination with the Chief Sustainability Office, Department of Consumer and Business Affairs, and Department of Economic Opportunity to report back in writing in 60 days on the feasibility of creating programs, such as mini-grants, to support small businesses in responding to the ordinance requirements, including providing small businesses with financial assistance as they transition to purchasing new compostable or recyclable food ware items for their business, and providing financial assistance and technical resources to small businesses that manufacture alternative products that meet the requirements of the ordinance. The report should include possible funding streams for this program.

#