



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

GAIL FARBER, Director

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

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IN REPLY PLEASE

REFER TO FILE: EP-4  
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TO: Each Supervisor

FROM: Gail Farber  
Director of Public Works

### **EXPANDED POLYSTYRENE FOOD CONTAINERS – FEASIBILITY OF ADOPTING A RESTRICTION AT BUSINESSES IN UNINCORPORATED COUNTY AREAS QUARTERLY PROGRESS REPORT NO. 3**

On September 21, 2010, your Board adopted a prohibition on the purchase and use of expanded polystyrene (EPS) food containers at County operations to take effect 60 days following your action. Your Board also instructed the Director of Public Works and County Counsel to report back, within 12 months of implementing the prohibition, on the feasibility of implementing a restriction on the use of EPS food containers at food service establishments and retail stores in the County unincorporated areas, including potential recommended changes to the County Code. Consistent with your Board's direction, the goal of this effort is to obtain input from affected stakeholders before a recommendation is presented to your Board.

Your Board further directed Public Works to look at appropriate infrastructure to handle alternative materials as part of its feasibility study, and to provide quarterly updates to your Board as to the progress that is being made. This is the third quarterly report.

#### **Stakeholder Process**

Public Works continues to work collaboratively with stakeholders to evaluate the feasibility of restricting EPS food containers in the unincorporated County areas. We anticipate providing this conclusion, as well as a recommendation for your consideration, as part of our fourth quarterly report, due to your Board on September 21, 2011. Since the last report on March 21, 2011, the stakeholders working group (Working Group), consisting of representatives from restaurants and retailers, manufacturers of EPS and alternative food containers, business advocacy organizations, consumer advocacy groups, environmental organizations, waste management agencies, and government agencies, continued its constructive discussions and evaluation.

The Working Group discussions have provided valuable insights regarding opportunities and challenges for restricting EPS and using alternative food containers. Industry

representatives have expressed concerns regarding the financial impact a ban might have and have also raised issues regarding the effectiveness of a ban in reducing EPS litter and other environmental impacts from EPS food containers. Environmental representatives have conveyed the importance of banning EPS food containers and the availability of alternative products that are already widely used. Working Group members have recommended that a number of elements be considered in developing the recommendation to be submitted to your Board. Based on discussions with the Working Group, the following elements will be evaluated as part of Public Works' development of a recommendation to your Board:

- Expansion of the current EPS prohibition at County operations to certain retailers
- Recycling of food containers
- Composting of alternative products
- Education
- Disposal and litter maintenance
- Conversion technologies (waste to energy)
- EPS fee on disposable food containers

There was a general consensus by the members that an educational element as well as a litter disposal and maintenance element should be part of a comprehensive solution presented to your Board. Public Works' staff, with the assistance of the Working Group, continues to compile and evaluate additional information on the environmental impact of EPS food containers at local beaches and rivers. In addition to expanding the case studies to include retailer efforts to reduce EPS food containers, together with the Working Group, we are evaluating the recycling of food containers and composting of alternative food containers.

### **Evaluation of Prohibition at County Operations**

Concurrently, Public Works' staff is evaluating the success of the prohibition of EPS food containers at County operations. Staff contacted departments that have completed their transition to alternative products. To date, Departments report that they have successfully transitioned to alternative products on schedule, as provided to your Board on September 21, 2010. The alternative products have not resulted in any significant financial or operational impacts, and County employees at the affected facilities have responded positively to the change.

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cc: County Counsel  
Chief Executive Office