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California Resource Recovery Association

June 16, 2010

Senator Joe Simitian, Chair
Senate Committee on Environmental Quality
California State Capitol
Sacramento, CA 95814
(FAX: 916-322-3519)

RE: AB 1998 (Brownley) – Support if Amended

Dear Senator Simitian:

AB 1998 by Assembly Member Julia Brownley represents an historic opportunity to address the environmental impacts of single-use carry out bags in California. While CRRA supports most of the provisions in the current (May 28, 2010) version of this bill, we strongly oppose two (2) provisions:

1. The pre-emption of local jurisdiction action on all bags in covered stores. AB 1998 would repeal AB 2449 which requires stores to take back and recycle plastic bags, both single-use bags that AB 1998 would ban, but also the other plastic bags distributed in covered stores (such as produce bags) that are not covered by the ban. Thus AB 1998 as currently written would pre-empt local government action on bags for which there is no ban and no recycling program. We submit that the pre-emption should apply only to the bags covered by the ban, just as the pre-emption applies only to the stores covered by the ban.
2. The date for implementation of regulation of re-usable bags. As currently written the regulation of these bags begins one year after single-use bags are banned. This represents a loophole for the lowest quality re-usable bags to enter the market, bags that might have the same detrimental impacts on the environment that single-use plastic bags currently have. We submit that this loophole be closed by ensuring that re-usable bags are regulated from the same date that the single-use bags they would replace are banned.

We praise the efforts of the various interested parties to find acceptable common ground on such sensitive issues as the pre-emption of local jurisdiction action. CRRA would enthusiastically support AB 1998 if amended to address the above two issues.

Sincerely,

J. Muir
Julie Muir
President

Cc: Members, Senate Committee on Environmental Quality
Assembly Member Julia Brownley (FAX 916-319-2141)