

PLASTICS ADVISORY COUNCIL MEETING

Tuesday, May 3, 2022, 9:00 a.m.

Meeting #2 - Minutes

Until further notice, council meetings will be held via Microsoft Teams.
The meeting agenda provides the planned action items of the Council to the extent known at the time of sending.

I. Roll Call

Members Absent:

Christine Cassidy

Members Present:

Nandini Checko

Jeanne Cretella

Judith Enck

Tim Fekete

Janine MacGregor

Charles Malaniak

Gary McElyea

Melissa Miles

Loel Muetter

Amanda Nesheiwat

Mary Ellen Peppard

Beth Ravit

Gary Sondermeyer

John Weber

Cindy Zipf

Others Present:

Julia Rossi (DEP)

Seth Hackman (DEP)

Jill Aspinwall (DEP)

Zak Klein (Clean Ocean Action)

Kari Martin (Clean Ocean Action)

II. Opening Remarks from Chair

Since the last council meeting on April 4, general subcommittees and the structure of future council meetings were discussed.

General voting practices were reviewed- vote yes if in agreement, no if in disagreement.
Abstentions are reserved for situations where ethics would be in consideration for an individual,

and in this case, the individual should recuse themselves from the discussion. This guidance is as per Robert's Rules.

III. April Meeting Minute Certification

Minute certification motion by Gary Sondermeyer, second by John Weber. Motion passes, verbal and unanimous

IV. DEP Report

From April 1 to May 3, the DEP has had 297 calls, 366 emails, social posts, and a governor signed proclamation, proclaiming May "Get Past Plastics Month". The DEP has also been encouraging left over plastic bags to be donated to food banks and pantries, due to the new 6-month extension. This also includes an educational campaign to encourage donations of excess reusable bags.

Members expressed concerns that reusable bags will be used as single-use bags. Council could work with NJ Food Council to discuss a bag collection plan. Collected bags could be included in metrics for effectiveness of the law. Education, Assessment, and Compliance Committee can review.

Food banks have been contacted. They will be putting out press this week about bag issues, and Community Food Bank will coordinate with local pantries and will have direct contact with them. They are also posting information on their website on donating bags and reusable bags. Food Council members are looking into drop-off/exchange programs, GOATOTE pilot company collecting and washing bags, and they track old bags for fresh ones, and could be good for the state in the future.

The DEP also reported granting 5 waivers, which were granted on increase of cost basis.

For excess foam stock, the DEP has been advising businesses to look into county/municipal level recycling programs. County recycling coordinators may have more information and can put this information in FAQs.

The Council also discussed the current enforcement process. The DEP is referring public complaints to county CEHA agents. Complaints through the WARN DEP hotline are tracked in NJEMs, with who made the complaint, where the noncompliance occurred, and if the complaint was inspected by the county agency.

Education committee will need to work on reusable bag abundance and information on a program to reuse/donate them. Education will be needed in order to prevent contamination. DOH pointed out provisions in chapter 24 regulations for returning reusable items, such as coffee cups, and DOH has stopped people from doing reuse programs without proper sanitation. DOH is writing revisions to give authority to local departments to enforce this and may need to add reusable bags into this chapter with some guidance regarding bag reuse. Stores could be required to collect, but also may not be required to deal with bags at all. Need to create a procedure to

sanitize bags, which may be a problem down the road, but will work with coordinator for retail food safety in DOH and present next meeting.

For the straw portion of the ban, DOH has a webpage for straws under retail food project and an email for complaints, only 6 complaints received, 2 questions from local health, 1 handwritten letter with a paper straw to praise a business. DOH will do regular reports for council meetings from now on.

The Council also discussed general reliance on single-use plastics, and how they may be an obstacle to equity. Plastics are linked to environmental justice concerns. While the law does not mention environmental justice, the council should take this into consideration. Perhaps the Education, Assessment, and Compliance committee can expand on this in their report.

V. Old Business

- a. Review of PAC – Organization and Ground Rules Draft (see attached)
 - i. Review of Council Membership list

If Council members have staff that may need to attend meetings, Julia will put them on a list for organizational purposes. Support staff must speak through Council member. Members may discuss meeting content with subject matter experts to gain input/insight.

- b. Review of Committees and identification of chairs and members (see attached)
 - i. Education, Assessment, and Compliance (John Weber nominated chair)
 - ii. Environment and Public Health (Beth Ravit nominated chair)
 - iii. Plastic Reduction & Recycling (Judith Enck nominated chair)

Cindy, as chair, may help or attend any subcommittee meetings as needed. Invited guests may participate in subcommittee meetings. Each committee must plan to meet at least once before next Council meeting. They will also need to set up a work plan for July meeting. Committee chairs also asked to try to identify regularly scheduled date and time of monthly meetings so non-committee Council members may attend at their discretion.

- c. Nomination and Certification of Committee structure

Motion to accept Council structure by Charles Malaniak, seconded by Nandini Checko.
Motion passes, verbal and unanimous

- d. Nomination and Certification of Committee Chairs
 - i. John Weber, Beth Ravit, Judith Enck

Motion for certification of committee chairs and recommendations by Gary Sondermeyer, seconded by Amanda Nesheiwat. Motion passes, verbal and unanimous

VI. New Business

- a. Metrics of Success for year one report
 - i. What do we need to measure to meet prescribed objectives?
 - 1. Year one report
 - ii. What existing data can we pull from?
 - iii. New data to be generated and in what format?
 - iv. Further data required

The Council discussed possible sources of data, including New Jersey Clean Communities data from the DEP, highway sweep from Department of Transportation, Clean Ocean Action beach sweeps, adopt-a-highway metrics, and local metrics. Local metrics could include less visible litter, effectiveness of single use reduction.

The DOH is also responsible for a report on the effectiveness of the straw provisions. 50k+ food establishments and 15 inspectors from state so DOH needs buy in from local health departments to collect data. The reporting system needs to be quick and easy since it is not funded and will reveal whether or not establishments are actually complying. Education will be important; inspectors will work with businesses to teach and not use a big stick to punish. Number of DOH reports and instances of compliance may be a good metric of success.

The Council also discussed measuring success through the public lens, for instance whether or not reusable bags are being used, and who has been engaged with the law. Training health inspectors to look out for law and distribute information may be helpful. If not health inspectors, the Council could reach out to 565 certified recycling coordinators or clean communities' coordinators.

Businesses could self-report data as well. Since major retailers are no longer giving bags, stores could use the number of bags they used to use as a baseline. The number of bags manufactured could also indicate success, but can also measure unintended consequences, such as increased sale of garbage bags, and foam alternatives that may not be much more environmentally friendly compared to foam.

Another metric of success is to try to see savings from stores that no longer need to buy bags, straws, or foam. The difference in cost could be informative.

- b. Recommendations for June meeting agenda

Initial committee reports held in May to be discussed. Will also invite NJCC and NJBAC for updates with implementation and input on the law.

VII. Adjournment

Meeting adjourned by Cindy Zipf at 11:02