

General Disclaimer for this Presentation:

The information within this presentation is slated to facilitate discussions on various existing and potential regulatory mechanisms. No final decision regarding this information is expressed or implied.

Any pictures or trade names of equipment, companies or services should not be construed to indicate an endorsement by the New Jersey Department of Environmental Protection of any product or service derived from same.



Welcome to the NJDEP Stakeholder Meeting for P.L. 2020, c. 117

SINGLE-USE PLASTIC BAG BAN, E-COMMERCE, AND
ALTERNATIVE BAGS

FEBRUARY 23, 2022

1 PM - 4 PM

In-House Rules Friendly Reminder

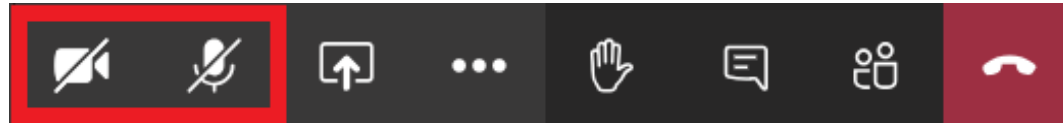
Attendance:

If you have dialed into the meeting, please email Katie Greer at katie.greer@dep.nj.gov . We are unable to identify the names of dialed in attendees.

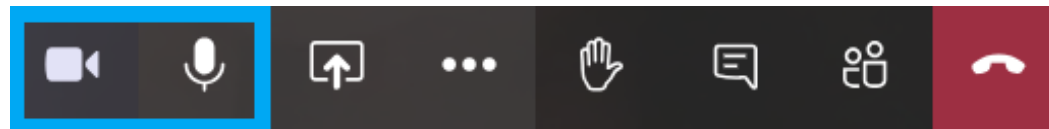
In-House Rules Friendly Reminder

Questions/Speaking Etiquette:

1. Please make sure your microphone is muted and your camera is off.



2. When called on to speak, you may un-mute yourself and, if you would like, turn on your camera.



3. When you have finished speaking, please re-mute yourself and turn off your camera.

Opening Remarks- Goals for Stakeholder Meetings

1. Comments
2. Closing Remarks

NJDEP Rulemaking Team

- Assistant Commissioner's Office, Site Remediation & Waste Management
 - Judith Andrejko, Esq.
- Bureau of Planning and Licensing
 - Erin Jensen
 - Julia Rossi
 - Chris Mikulewicz
 - Dylan O'Brien
 - Lauren Nazario
 - Dana Lawson
 - Seth Hackman
 - Jill Aspinwall
- Bureau of Solid Waste Permitting
 - Katie Greer
- Compliance and Enforcement
 - Sonya Silcox

Agenda Outline

1. E-commerce
2. Exempt Plastic Bags
3. Alternatives to Plastic
4. Closing Remarks
5. Additional Questions, time allowing

General Definitions

1. "Store" is any grocery store, convenience store, liquor store, pharmacy, drug store or other retail establishment
2. "Food Service Business" sells or provides food for consumption on or off the premises, including establishments such as a restaurant, café, delicatessen, coffee shop, convenience store, grocery store, vending truck or cart, food truck, movie theater, or business or institutional cafeteria, including those operated by a government entity
3. "Grocery Store" is a self-service retail establishment that occupies at least 2,500 square feet and sells household foodstuffs for off-site consumption
 - It does not include an establishment that handles only pre-packaged food that does not require time or temperature controls for food safety

Single-use Bag Ban Definitions

- “Plastic” means a synthetic material made from linking monomers through a chemical reaction to create an organic polymer chain that can be molded or extruded at high heat into various solid forms retaining their defined shapes during the life cycle and after disposal
- “Single-use plastic carryout bag” means a carryout bag made of plastic that is not a reusable carryout bag
- “Single-use paper carryout bag” means a carryout bag made of paper that is not a reusable carryout bag
- “Reusable carryout bag” means a carryout bag that:
 - Is made of polypropylene, PET nonwoven fabric, nylon, cloth, hemp product, or other machine washable fabric
 - Has stitched handles; and
 - Is designed and manufactured for multiple reuse

E-Commerce Questions

With the single-use bag ban, is your store or business switching to an alternative bag or no bags at all?

DISCUSSION

Please use the “Raise Hand” function if you would like to participate and wait to be called on.

Thank You!

What alternatives to single-use carryout bags are third party shoppers considering?

DISCUSSION

Please use the “Raise Hand” function if you would like to participate and wait to be called on.

Thank You!

Bag Exemption Questions

Single-use carryout Bag Exemptions

- A bag used solely to contain or wrap uncooked meat, fish, or poultry;
- A bag used solely to package loose items such as fruits, vegetables, nuts, coffee, grains, baked goods, candy, greeting cards, flowers, or small hardware items;
- A bag used solely to contain live animals, such as fish or insects sold in a pet store
- A bag used solely to contain food sliced or prepared to order, including soup or hot food
- A laundry, dry cleaning, or garment bag
- A bag provided by a pharmacy to carry prescription drugs
- A newspaper bag
- Any similar bag, as determined by the department pursuant to rule, regulation, or guidance.

A bag used solely to contain food sliced or prepared to order, including soup or hot food



How does your interpretation of this “bag used solely to contain food sliced or prepared to order, including soup or hot food” align with the department’s interpretation?

DISCUSSION

Please use the “Raise Hand” function if you would like to participate and wait to be called on.

Thank You!

For further information regarding alternatives to single-use plastic carryout bags, visit the NJ Business Action Center Vendor Clearinghouse.

<https://business.nj.gov/bags/vendor-list>

Should the department further define or clarify single-use plastic carryout bags or any exempt plastic bags?

DISCUSSION

Please use the “Raise Hand” function if you would like to participate and wait to be called on.

Thank You!

Alternatives to Plastic Questions

“Plastic” means a synthetic material made from linking monomers through a chemical reaction to create an organic polymer chain that can be molded or extruded at high heat into various solid forms retaining their defined shapes during the life cycle and after disposal

The Department will not be able to approve alternative plastic on a case-by-case basis; Businesses may have to decide for themselves if their product meets this definition or not, and what information is needed for this decision.

DISCUSSION

Please use the “Raise Hand” function if you would like to participate and wait to be called on.

Thank You!

Closing Discussion

- Any further comments/questions?

Additional Questions

IF TIME ALLOWS, HERE ARE ADDITIONAL QUESTIONS THE
DEPARTMENT WOULD LIKE INPUT ON:

What should the process be for obtaining a polystyrene waiver? What information do you think is important?

DISCUSSION

Please use the “Raise Hand” function if you would like to participate and wait to be called on.

Thank You!

Are there any other parts of the law that need further definition and/or clarification?

DISCUSSION

Please use the “Raise Hand” function if you would like to participate and wait to be called on.

Thank You!

Closing Remarks

1. E-mail: singleuseplastics@dep.nj.gov Phone: (609) 984-4250
2. Visit <https://nj.gov/dep/dshw/plastic-ban-law/>
 - A. FAQs
 - B. Full Legislation
 - C. Timeline
 - D. Establishments and applicable provisions chart
3. NJ Business Action Center live chat Monday thru Friday, 8am to 5pm on <https://business.nj.gov/>
4. NJ Clean Communities <https://www.njclean.org/>
 1. Bag Up NJ <https://bagupnj.com/index.php>