

00:00:00.000 --> 00:00:05.430

Andrejko, Judith [DEP]

Welcome everyone we're going to give it just an extra minute in case anyone is having technical difficulties. OK, I think we can get started. Good afternoon, we're going to start with just the general disclaimer for this presentation. The information within this presentation slated to facilitate discussions on various existing and potential regulatory mechanisms. No final decision regarding this information is expressed or implied by the Department. On behalf of NJDEP and site remediation and Waste Management Program, my name is Judith Andrejko. I'm the regulatory officer for the program and I'd like to welcome you to the NJDEP stakeholders meeting series. The first in a series regarding PL 2020 C 117, an act concerning single-use plastic bag ban, polystyrene foam foodservice product ban and single-use plastic straws by request. I am your moderator for today's presentation. We ask that you please keep your mics muted throughout the presentation and that you only use the chat function if you are experiencing technical issues. For example, if you don't have video if you don't have audio if you're having problems hearing someone. Please keep your chat function limited to those types of technical issues. We have someone on DEP staff that will be monitoring the chat to take care of those technical issues or help you address them as we go along. Just an inhouse friendly reminder if you are dialing into the meeting. We asked that you email Katie Greer at Katie Dot Greer at NJDEP dot nj.gov that's Katie Dot, Greer at DEP dot NJ Dot Gov ([katie.greer@dep.nj.gov](mailto:katie.greer@dep.nj.gov)) because when you're dialed in, we are unable to identify that you are the attendee. There's not the availability of having identifying language, we just get the phone number, so we'd like to make sure that our attendance sheet is most up to date and correct so we ask that you please email to let us know that you attended and let's go to the next slide. Let's talk logistics for MS teams with the chat function again. We're asking you to deal with that for technical difficulties. Only we found that in the past. If we have some type of a conversation going on in the chat, then people end up losing sight of what's going on in the actual presentation. We ask that you use the raise your hand function when it comes to the points in the presentations where we're going to be asking for comments and questions, please. Raise your hand if you would like to provide a response after the presenter concludes a particular part of a presentation. I'll then select the person to speak based upon when their hand was raised when you're selected to speak. We ask that you unmute your mic and lower your hand. In the interest of time a staff member may interject in the discussion with the queue to keep us on schedule and that will cause us to wrap up the discussion and move on to the next presentation or presentation point. Today we also want your opinion: we're going to have a question at the end of our meeting. Today, that poll question will appear in the chat function so at that point toward the end of the presentations were going to ask you to click on the link that you'll see in the chat function, which will redirect you to a question sheet at that point we ask that you type your name and affiliation before making your comment because we want to make sure that we know who you are, and with whom you're affiliated so we have our most accurate attendance record. To ensure accurate notes we ask that you type in full and complete sentences, you can vote by selecting an option and then clicking submit vote. At that link you can change your vote as many times as you like but only your final choices recorded, and the poll question will be open for answering for the next 24 hours. Today's goals of the meeting or simple, we want to hear from you. Our industry experts are local and community partners and are regulated community on how to craft our roles are experience is that final product is often far superior in the New Jersey Register the rule proposal if input is received from individuals, with diverse perspectives. As our moderator, I'll provide direction to ensure that all of you that are present have an opportunity to provide input and comment and to keep us on track. I'd like to introduce our

NJDEP rulemaking team from the assistant commissioner 's office again. I'm Judith Andrejko from our Bureau of planning and licensing we have Erin Jensen, Julia Rossi, Chris Mikulewicz, Dana Lawson, Seth Hackman, and Jill Aspinwall. From the Bureau of solid waste permitting, we have Katie Greer, and from compliance and enforcement, we have Sonya Silcox. Welcome everybody. At this point in the presentation. I would like to introduce Erin Jensen, who's going to be taking over the presentation from this point. Back to You Erin.

00:06:09.700 --> 00:06:13.680

Jensen, Erin [DEP]

Thank you, Judy and welcome everyone to our first stakeholder meeting. So, for the agenda for the day, we're going to cover all the material types covered in the law. We're going to go over the scope of the ban, going to talk a little bit about alternatives to those bags and the general impact. For polystyrene foam foodservice products will again talk about the scope of the ban alternatives and waivers and for the straw by request only rule will talk about definitions and the general impact. So, starting on November 4th of this year, the straw portion of the law became effective. What this means is that food service businesses shall only provide a single-use plastic straw to a customer upon request by the customer. Starting May 4th of 2022, the bags and polystyrene foam provisions of the law become effective for the bags. The law prohibits stores food service businesses and grocery stores from selling to or providing their customers with single-use plastic carryout bags. It will also prohibit grocery stores equal to or larger than 2500 square feet from providing single-use carryout paper bags to customers. Also, beginning May 4th, 2022, there will be a prohibition of polystyrene foam foodservice products from both foodservice businesses and individuals. This covers both providing customers with this material and being able to purchase it in store. Now with just a brief overview: So next we're going to just look at a couple of the general definitions that will apply to all the rest of the discussion today.

00:08:07.030 --> 00:08:15.520

Jensen, Erin [DEP]

So, in the law, the definition of store is any grocery store convenience store liquor store pharmacy drugstore or other retail establishment. For food service business, that would be anything that anyone that sells or provides food for consumption on or off the premises, including establishments, such as a restaurant, cafe, 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. And, a grocery store is a self-service, retail establishment that occupies at least 2500 square feet and sells household foodstuffs, or off-site consumption. A grocery store does not include any establishment than handles only prepackaged food that does not require time or temperature controls for food safety. Our first topic of discussion that's going to be these single-use carryout bags to begin. These are some of the definitions from this section. We have a definition for plastic, which means its 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 and various solid forms retaining their defined shapes during the life cycle and after disposal. A single-use plastic carryout bag means a carry out bag made of plastic that is not a reusable carryout bag. Same for paper is a carry out bag made of paper that is not a reusable carryout back and the definition for reusable carryout bag is a bag that is made of polypropylene PE T nonwoven fabric nylon cloth hemp product or other machine washable fabric, has stitched handles and it's designed and manufactured for multiple reuses. The single-use bag provision also includes some exemptions. These include 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 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, and any laundry dry cleaning or garment bag, a bag provided biopharmaceutical carry prescription drugs, a newspaper bag and any similar bag as determined by the Department pursuant to rule regulation or guidance.

00:11:00.550 --> 00:11:29.410

Jensen, Erin [DEP]

And we wanna know what ideas are out there as far as alternatives. So this is going to be our first discussion topic for the day and the question, we're going to start with is what materials are you considering as alternatives to single-use plastic and paper carryout bags? What are some ideas that you have are planned to use beginning May 4th so again as Judy had said if you would like to have any comment or question. Use the raise hand function and Judy will call on you.

00:11:31.100 --> 00:11:31.760

Andrejko, Judith [DEP]

Thanks, Erin. The first person we're going to hear from today is Mary Ellen Peppard.

00:11:40.680 --> 00:11:54.940

Mary Ellen Peppard (Guest)

Hi everyone, Hi Erin, thanks so much, we have been talking with our members in addition to the reusable bags that are currently considered reusable under the law and whether our members might be able to use plant-based bags. So, I know we've had some conversations with Erin and others deeply about this issue. The last couple of months and I'm not certain that any decisions have been made. But it is something that we do think could be a good a good alternative as well. Thank you.

00:12:20.240 --> 00:12:21.560

Andrejko, Judith [DEP]

Thank you very much Mary Ellen.

00:12:20.400 --> 00:12:20.840

Mary Ellen Peppard (Guest)

Thank you.

00:12:29.860 --> 00:12:30.670

Andrejko, Judith [DEP]

Anyone else? OK, in the vein of what materials are you considering as alternatives, let's discuss what other potential alternatives there are. Working in the Department, I personally don't know exactly how many different types of bags and carry out bags there are I mean; I've seen the kind of my local ShopRite. I've seen paper bags at my local Wegmans and plastic bags at Kohl's, I didn't know. What are some of the other materials that are out there to use? let's hear from Jason Wadsworth.

00:13:17.320 --> 00:13:25.490

Jason Wadsworth

Hi folks this is Jason from Wegmans food markets and the sustainability manager and one of the things that we have learned in kind of interpreting is that for our e-commerce business, the only way to be

compliant without using paper bags is to provide reusable bags to the E-Commerce customer, and this would be things like Instacart for groceries and just my comments here is that we know that putting reusable bags into E-commerce without a mechanism to accept that bag back for reuse is actually just putting more single-use plastic bag into the environment versus a paper bag, which is fully recyclable on curbside systems, so we think that is a step backwards with that we've had to come up with to comply with the law. And we hope that there is some room for discussion in the future about what other bag alternatives there could be to support the E-commerce system. Wegmans is fully committed to reusable bags for our general customers. We have a reuse rate North of 80% as a company and we're committed to that journey. We just feel like this particular issue with E-commerce isn't quite in the spirit of the law and his unintended consequence of having to use a reusable bag as a non-reusable bag if that makes sense and we be open to other folks' comments and concerns around that or other alternative materials.

00:15:03.450 --> 00:15:05.730

Andrejko, Judith [DEP]

Thank you Jason very insightful Next up? Let's hear from Linda Doherty. Hi Linda, how are you today?

00:15:23.830 --> 00:15:32.130

Linda Doherty

Yes, hi I would like to follow up on what Jason has added to the conversation because my other members grocery stores are having the same struggle. When this law was being considered you know more than 2 years ago, pre covid, it was a very different world and there was a traditional shopping experience. A customer would come in the anticipation was to eliminate paper and plastic bags single-use bags and move the customer to a reusable bag and now it's growing, but you know in the explosion of either curbside, or you know online shopping and home delivery is that is that shopping experience has changed dramatically in the past 21 months. So how do we as retailers now because some of our customers are no longer coming into the grocery store, yet they'll be purchasing these reusable bags. And what they'll do is they're not they won't have the capacity to bring them and use them back to the supermarket for reuse. Yet they'll accumulate at home. You know just think about how many times you go. The grocery store to same amount of times that people are having their groceries delivered so a customer now is accumulating, and will be accumulating once law goes into effect, tons of reusable bags, so we're creating even a larger problem, so that's the conundrum that we want to put out there is that you know what? What are these alternatives to you know to prevent that type of solid waste collection at our customers' homes?

00:17:08.690 --> 00:17:18.570

Andrejko, Judith [DEP]

This is just me personally, asking this question just off the cuff with these reusable bags would there be a like, not a recycling deposit return remember like how we used to have some like Coca Cola bottles used to be able to return. This was back in the 70s for a deposit. Would that ever be an option for some of these bags if people are just going to be accumulating them from say the E-commerce, part would they be able to return them to the store and get a deposit back so that they can be reused or are there still issues with whether the bags or cleaned or their sanitary issues and like the typical covid issues is that something that would be keeping you guys from doing something in that line.

00:17:55.770 --> 00:18:22.970

Linda Doherty

Yeah, I think you'll start to see some innovation in this space where there could be those types of programs and we are learning about some startups but again if the customer is not coming back to the store right. They're no longer coming to the supermarket that's the conundrum. They're not coming back in so if you do have a 3rd party like an Instacart or Door Dash. It's always a different driver, dropping off the groceries so they may not be going and they and their contractor with all different food retailers. So they may not be going back to Wegmans right to go pick up another order. You know they're going back to another store so they're not going to transfer right those reusable bags.

00:18:44.130 --> 00:18:44.660

Andrejko, Judith [DEP]

OK.

00:18:44.990 --> 00:18:47.950

Linda Doherty

So that's again, you know that's part of the conundrum.

00:18:49.230 --> 00:18:54.320

Andrejko, Judith [DEP]

OK, Linda. Thank you so much for your insight and I'd like to move on to Jason Wadsworth.

00:18:56.050 --> 00:19:18.400

Jason Wadsworth

Just to piggyback on that a little bit and also due to your jaw dropped when I said 80% reuse rate for Wegmans and I just want to clarify that is in New York State where we do have a bag ban in effect. Our reuse rate is North of 80%, so not they're in New Jersey yet, but we're committed to that just touch on what Linda is mentioned in your question about recycling. So currently there is no mechanism to recycle these reusable bags that we're aware of. We're working on that and hopefully we'll have a solution soon. But even whether it's cycling solution, just think about the bags are manufactured using plastic a thicker plastic so if we just go by the principles of reduce reuse recycle. We're increasing the amount of material being used compared to a paper bag and that supply chain from China, which is where these bags are manufactured in addition, and if they're designed for reuse. They're designed heavier thicker to meet those strength requirements. So, you're if you were just to use it once and recycle it, that becomes more problematic than a paper bag that gets recycled after one use so just making those comparisons. It's not the right thing. We believe the ultimate solution is that we work with our e-commerce partners to figure out the reuse model for E-commerce. We're just not there yet to Linda 's point and if there was any reprieve or a temporary solution such as I know the paper bag that from a sustainability standpoint is better than the reusable bag. The single-use bag and we'd be all for it, but committed to the long term, figuring out the reuse model. Thank you.

00:20:52.000 --> 00:20:55.730

Andrejko, Judith [DEP]

Jason thank you so much I'd like to move on to John Webber.

00:20:57.200 --> 00:20:58.870

John Weber (Guest)

Thank you Judith can you hear me OK?

00:20:59.120 --> 00:21:01.810

Andrejko, Judith [DEP]

Yep, could you let us know who you are affiliated with please.

00:21:01.550 --> 00:21:17.020

John Weber (Guest)

Sure, I'm with the Surfrider Foundation, a coastal environmental group and I should say that, given the legislative schedule today. There are a lot of environmental groups in Trenton. Today, that couldn't be on this call cause they're in Trenton today, so just.

00:21:16.580 --> 00:21:19.060

Andrejko, Judith [DEP]

Have No Fear this is just the first meeting.

00:21:17.620 --> 00:21:18.180

John Weber (Guest)

Alright terrific so to answer your original question you know, I just want to point out that of the dozens and dozens of towns that passed plastic bag laws before the state almost every one of those towns made an effort to get you know, reusable bags good. They're usually woven polypropylene bags with handles and distribute them in their towns. So, there's you know, there's thousands and thousands of those bags out there and because since you just asked about the material that I think that's probably the most common-sense material that people are going to use, you know woven polypropylene bags. So, to address this issue of that's being raised about well. Actually, the first issue I want to address is the question about bio plastic bags. You know if they're talking about filmed plastic bags, those should not be allowed. They're no better than regular old plastic bags. Once they're out in the environment in the coolness of the ocean, they don't break down, they don't. They just act like regular plastic. They might be slightly better on the production end using you know, vegetable base material instead of fossil fuels. But once they're made, they are no better than regular old plastic so let's please not allow bio bags. We have an entire toolkit I can share with you about our Surfrider Foundation 's deep dive into the whole bioplastics issue and in short, we don't allow it. We don't think it should be allowed and so this issue of the nature of the supermarket business has changed. There's more people not coming into the stores and that dilemma.

00:22:53.420 --> 00:23:02.770

John Weber (Guest)

You know, I think we have to get away from this idea that every single person that comes and picks up their groceries like that needs a branded bag by that supermarket you know, I think there's alternative to this and if the problem as stated as people are bringing so many of these home and they have now they're accumulating them because they never go shopping anymore. They just order online or whatever. There's no shortage of ways people can give those out OK. Like there's a food pantry in my town in Bradley Beach, New Jersey. They don't give away plastic bags. They tell all their patrons and they're serving 750 families a week; they say you need to bring reusable bags to get your food pantry supplies and take them home, and I think that's the trend in food pantries that are going to be moving

there. So, anyone that's accumulating a closet full of reusable bags from Wegmans or anywhere else. They can give them away to the organizations and agencies that serves low-income people. And I want to stress that we don't want to recycle these reusable bags. We want to reuse them. That's what they were made for and then like Wegmans, but I always go shop there. But right next to my Wegmans is a liquor store and guess what, if you are buying more than like 3 bottles of anything they reuse a cardboard container and they just put your items in a Cardboard box that they were just going to recycle otherwise and that's how you get them from the counter into your car and take it home and then it could recycle that box. It seems like a perfectly good solution for the grocery side of the Wegmans business if they're doing it. You know on the other side of the wall at the liquor store. I'm sure they could just put groceries in boxes like that, and hand boxes to people when they come and pick up their orders. It seems pretty simple to me.

00:24:50.180 --> 00:24:59.000

Andrejko, Judith [DEP]

John thank you for your input. I'd like to bounce back to DEP staff do any of you guys, Erin has any additional response or info to provide regarding any of the comments that we got so far?

00:25:08.310 --> 00:25:19.400

Jensen, Erin [DEP]

Not particularly, as a lot of these are things that either we've discussed before with different people or have come up in the past, but there is definitely some good information here, so I really appreciate everyone jumping on and having comments. I will definitely make sure to take all this in into our process for writing.

00:25:29.620 --> 00:25:36.400

Andrejko, Judith [DEP]

Alright, we're gonna go back to comments and questions Next up? Is Amanda Stone, Hi Amanda, good afternoon.

00:25:37.330 --> 00:25:53.260

Amanda Stone

Hi how are you Amanda with the New Jersey restaurant and hospitality Association. Just first wanted to thank you guys for being on the web and with us a couple weeks back to educate our members about the right. Then it was a plastic straw ban and then the upcoming bag ban. Just a just a quick comment on behalf of obviously the restaurant industry. I know it had been said there could be a possible delay to this and that's the only thing we're just considering right now is if that is possible just with the inflation and obviously the supply chain. That's just our concern is as our restaurants are already kind of still in the thick of it with Covid and all of that and staffing issues that's just our comment right now. But we're here to educate our members, so anything. We're taking away from this we will certainly let them know.

00:26:33.500 --> 00:26:37.670

Andrejko, Judith [DEP]

OK, Amanda. Thank you so much. Next up? Is John Heppner, good afternoon, John.

00:26:41.550 --> 00:26:42.660

Jon Hepner (Guest)

Hi you guys hear me OK.

00:26:43.040 --> 00:26:43.330

Andrejko, Judith [DEP]

Yep.

00:26:43.770 --> 00:26:46.150

Jon Hepner (Guest)

Great so I represent well, partly the Restaurant Association as well, but most of the Food Truck Association and in New Jersey and so obviously there are concerns with this whole thing. Yeah, I guess the challenge I've got is you know when you're with the restaurant. Let's start with the restaurant perspective. You know, we do, I would say 50% of our deliveries are Door Dash, grub hub, Uber eats. How do we get food out to these guys who are they walked in their door right? Now they take a bag, and they leave and if I can't use plastic so I can't use paper. I just don't know what else to do at this point, I'm really kind of at a loss as to how to? You know they if they carry their own bags. The other problem with that is that we seal our bags to ensure Product Safety when it goes out and so these guys have to carry their own bags come in load food into a bag leave. I have no guarantee of Product Safety anymore because I'm out my products are not sealed because it's their bags. That's the assumption. I'm guessing that they're going to use these reusable bags and go to every location every storefront that they go into so that's a concern of mine. Secondarily is the food trucks situation where you know, I mean, the expectation. I guess is that people will now everybody and I don't mean some I mean; every single person will be forced to walk around everyday everywhere carrying a reusable bag of some sort because otherwise they come to our food truck How do I even give them food? I mean I can give them in a in a sealed container. It's just I don't know I'm just confused about how to do this right now.

00:28:32.160 --> 00:28:34.290

Jensen, Erin [DEP]

I just wanna jump in and I appreciate your comments. Paper bags are only banned from large grocery stores equal to or larger than 2500 square feet. All other retail establishments are allowed to use paper bags, so the restaurant, the food service businesses. They will be banned from the single-use plastic bag. You also have to comply with the polystyrene and those straw portion, but the paper is only for larger grocery stores.

00:28:41.820 --> 00:28:42.230

Jon Hepner (Guest)

OK, Alright that's good that's good to hear. OK very good very good, I understood that does that helps a lot. I didn't understand that so that's very good.

00:29:00.660 --> 00:29:02.250

Jensen, Erin [DEP]

Hope that helps your concerns.

00:29:07.190 --> 00:29:14.030

Andrejko, Judith [DEP]

Alright, John. Thank you so much next we have Evan with Walmart. How are you?

00:29:14.610 --> 00:29:28.690

Evan - Walmart (Guest)

Good thank you for having me thanks everyone for your comments and I just wanted to mostly reiterate

What Jason Wadsworth and Linda Doherty had brought up I wanted to mention Walmart as part of a consortium along with CVS and Target and we've been working hard on trying to you know problem solve how to remove bags. We've gone bagless in a number of states, but again to the comments that Jason and Linda brought up most of those are for in store and for grocery pickup, which I think are a little bit easier to think through and reiterating a little bit about what John was saying, although maybe not applicable to his world. Have a smaller retailer's delivery really does pose a whole new challenge that I don't believe today there are any viable sustainability options for, so I piloted in in New York and New Jersey over the past 6 months or reusable bag model for delivery that was particular to a delivery type that Walmart offers, and it's a small section. it's called in home delivery where we actually own that entire chain. So the vehicles and the drivers are you know belong to Walmart. Walmart employees as soon as we expand outside of that to the points made earlier to the Door Dash as an Instacart 's. It really is not super feasible at this point we do have a pilot plan to start investigating what that would look like but again we haven't really done any meaningful sustainability analysis of what the reverse logistics look like? What's the percent bag loss so if we're only getting 75% of those bags back and I say only 75% does not make it worthwhile from a sustainability standpoint and then there's the sustainability costs of reverse logistics. Getting those bags to a cleaner and then the actual cleaning of them so I think this is all a very important conversation. We want to be moving this forward. I do worry that we're going to end up in New Jersey in a similar situation to what happened in Connecticut, which is we, we move from you know 0.8. Millimeter bags to 4. Millimeter bags in order to meet the requirements of that state and then the problem. Just became simply 5 times worse from both a cost standpoint and from an environmental standpoint, so I think if we don't really have viable options and I am speaking specifically to delivery. I do think I just wanted you know echo Jason and Linda 's comments that we're going to end up in a much worse situation and I think maybe together as a group we should outline what the options are what the alternatives are what those impacts would be and if we are actually achieving the goals that we all have in common here, which is to you know reduce waste and make a viable option for the future.

00:32:17.060 --> 00:32:39.400

Jensen, Erin [DEP]

Thank you Judy if you don't mind I'm gonna make just 2 quick comments on the first one. I just wanted to know I know you had brought up the thicker plastic bags and Connecticut so that is something that wouldn't happen in New Jersey because based on the way the laws were in the thicker plastic bags would not be allowable because they don't meet our definition of a reusable bag, so I just wanted to help your concerns there, but my second one is.

00:32:39.360 --> 00:32:50.730

Evan - Walmart (Guest)

So just to comment on that I mean, to me to have a bag that meets the requirements of New Jersey 's law would be a lot more plastic than a single-use plastic bag.

00:32:52.210 --> 00:33:12.030

Jensen, Erin [DEP]

True that is really the reusable bags tend to be made with more plastic, but because they are reused multiple times, similar to you know like other products like dinnerware at homes instead of paper plates at first. It's definitely heavier and but the more you reuse it. The more worth it I think it becomes an environmental standpoint.

00:33:12.310 --> 00:33:17.790

Evan - Walmart (Guest)

Right but the issue again just as from a delivery standpoint, there is no option to reuse it.

00:33:18.120 --> 00:33:24.730

Jensen, Erin [DEP]

Yes, so I'm speaking of that Judy I want to actually move on to the next question because we've sort of already started covering it.

00:33:25.220 --> 00:33:30.630

Andrejko, Judith [DEP]

I was gonna ask if you wanted to switch to the next slide because I have a feeling we were going in the same direction too. Let's go forward and then we'll pick up with all of you that have your hands raised from the order in which he raised them.

00:33:38.300 --> 00:33:52.120

Jensen, Erin [DEP]

Yes, so the next question, which we sort of already started covering is how the single-use plastic and paper bag ban will affect your e-commerce and or delivery service businesses. So we have already gotten some comments but now let's maybe jump back into the line of questions Judy.

00:33:52.550 --> 00:33:55.800

Andrejko, Judith [DEP]

OK, we're going to go to Jason Wadsworth.

00:33:59.040 --> 00:34:09.910

Jason Wadsworth

Yeah, I won't repeat all of what I said, just because you changed the slide. So I just had a clarifying question you mentioned before that restaurants are exempt from this. Grocery stores that operate a meal delivery service out of what we consider to be our restaurant within the store. We understand that that's also exempt can you clarify that?

Jensen, Erin [DEP]

Yeah, it comes down to the business type, but so you would still be considered a grocery store, even though a part of your building or your service includes food options for takeout your store is still a grocery store. So you would have to comply based on the definition of a grocery store, so you wouldn't be able to provide the paper bags.

00:34:49.270 --> 00:34:51.070

Jason Wadsworth

OK, that was not our understanding.

00:34:53.110 --> 00:34:54.800

Jensen, Erin [DEP]

Do you have any more details about?

00:34:55.660 --> 00:34:58.020

Jason Wadsworth

I guess I would turn that over to Linda. Linda was that your understanding as well?

00:35:13.990 --> 00:35:28.510

Linda Doherty

Yes, package or prepared foods are in the way we read the definition are exempt and would and they could be wrapped in and or use of the use of a paper bag. If you go back and look into those definitions, that is our interpretation.

00:35:33.840 --> 00:35:34.230

Jensen, Erin [DEP]

So, let me bring up my definition here. A bag used solely to contain food, sliced or prepared to order is typical to your bags that you see in a deli counter that the sliced meats and cheeses and usually they have a selection of cold foods like macaroni salad potato salad. That kind of stuff. Those are the types of smaller bags that this exemption includes and whereas it says including soups, or hot food that is describing those kind of small almost square plastic bags for example, that you may see it like a wall or if you order a container of soup that they place it in. It typically has like a Cardboard type base to it or a paper base to keep it sturdy. Those are the bags described in this area, but we can definitely take in everyone 's opinion with rules. I mean, we cannot change anything. That is wrong, but we can clarify things so we definitely want to keep getting their opinions on that.

00:36:40.230 --> 00:36:40.990

Linda Doherty

Right I.

00:36:40.390 --> 00:36:41.090

Jason Wadsworth

So, this is Jason again just real quick so we make the delineation of if you're contracting with a Door Dash who is also servicing restaurants that that is a restaurant food. We're not sending groceries out with Door Dash. We're sending restaurant foods out with Door Dash and using paper to do so. Whereas we're using Instacart for groceries. Instacart is not providing restaurant food to customers they're providing groceries so to me and maybe Wegmans is unique. I don't think so, but we're a restaurant within a grocery store if that makes sense.

00:37:23.000 --> 00:37:27.030

Jensen, Erin [DEP]

So is it 2 separate businesses or is it the same business.

00:37:27.220 --> 00:37:30.370

Jason Wadsworth

2 separate businesses under one roof is how I would describe it.

00:37:30.810 --> 00:37:37.840

Jensen, Erin [DEP]

So similar to like if you went into like for example, one of the Shoprites. You can go in and there's also a Dunkin' Donuts inside, but it's its own thing. It's just part of the stores or something like that.

00:37:41.900 --> 00:37:55.430

Jason Wadsworth

I would say akin to that, but again, I would make the delineation there with the service provider that we're using Door Dash is a restaurant service provider. Instacart is a grocery service provider, and so there are 2 very different models, and you know, we're competing with restaurants using Door Dash. So you're penalizing our restaurant business just because we're under the roof of a grocery store if that makes sense.

00:38:13.570 --> 00:38:24.790

Jensen, Erin [DEP]

I understand your concerns. The point of the meeting is to take in everyone's comments and thoughts and when we're considering the rules that we want to write, so we're going to keep doing that.

00:38:26.030 --> 00:38:33.420

Andrejko, Judith [DEP]

I think it's an interesting point that, although you know where you can take Door Dash and Instacart and group them into E-commerce, would it be worth splitting that hair into ecommerce grocery versus ecommerce retail, or ecommerce like restaurant versus grocery. I mean, I think that's something that that will definitely have to think about. I think that's a great point that the Jason and Linda you both brought up. We're definitely going to take that under advisement.

00:38:58.310 --> 00:39:28.190

Jensen, Erin [DEP]

yes, definitely thank you and just one last point is I think we definitely want to take that under advisement and it's an interesting thought Judy versus the grocery stores. The food delivery services. I think it can get a little bit dicey because all these businesses are expanding as Linda has said It's a big thing. So now your Door Dash was used to typically be food. Now does pickups from Bed Bath and Beyond. So they're expanding outside of their typical, so the splitting hairs maybe even more complicated now, but just to give awareness idea of like this is what we're all we have. We are considering all of this with rules could be wanna specify everything as best as possible.

00:39:37.550 --> 00:39:41.220

Andrejko, Judith [DEP]

We'll be going down all of those rabbit holes through the stakeholder process. Rest assured, I'm actually at this point, I'd like to move on to Timothy Ayres, he's been sitting in waiting patiently for the last couple minutes and then next in line after him will be Linda Doherty, so Timothy welcome? How are you?

00:39:58.410 --> 00:39:59.710

Timothy Ayres

I'm well thank you how are you?

00:40:00.000 --> 00:40:01.100

Andrejko, Judith [DEP]

I'm doing well thanks.

00:40:01.610 --> 00:40:04.960

Timothy Ayres

So I had 2 questions, well actually one question and one point. How does the law affect a facility I'm from 6 flags so we have retail and foodservice all under one large property. Would each business be judged individually or would it be based on the total property size because different laws affect those in different ways here at the park. So some affect us individually by business and other ones affect us on the park 's overall size.

00:40:34.910 --> 00:40:36.390

Jensen, Erin [DEP]

That's actually a very interesting question. I don't know if that has been brought up before so we will have to think about that. And probably discuss our thoughts in future stakeholder meeting.

00:40:48.500 --> 00:41:00.030

Aspinwall, Jill [DEP]

Erin can I just jump in and sorry I didn't. I didn't raise my hand. I'm sorry. Judy could you do you have a recommendation for the Department on how we should proceed or what we should consider? At this point if you don't have an idea right now that's fine. You could certainly email us like how your ideas on how we should apply these situations and incorporate them into the rules we would love to hear like how you think we should consider an impact how we should consider these topics to implement them in the rules.

00:41:23.660 --> 00:41:24.010

Timothy Ayres

OK.

00:41:23.760 --> 00:41:53.740

Andrejko, Judith [DEP]

Jill has a great point, especially because a lot of you are bringing up focuses that we haven't had yet and please. Do feel free to send us emails to send us a white paper dare. I say those to words together, but send us your ideas and basically what you're dealing with out there on the front line because with the changing community and retail market. Things may be going on that that we're not even sure of and you guys are bringing it all to light to us so again, Please bring us send us that information. We'd love to hear it, Jill Great Point.

00:42:05.770 --> 00:42:28.980

Timothy Ayres

And then my second concern and this is to back up what Jason is saying as a 3rd party deliver. I work with grub hub and Door Dash on the side. It's it is going to create some chaos from that side. Now I do it just every once in a while, for a little bit extra money on the side. But for the people that do it all the time I can definitely see the concerns that they're bringing up.

00:42:32.550 --> 00:42:35.760

Andrejko, Judith [DEP]

Alright Timothy thank you so much we appreciate your input.

00:42:37.180 --> 00:42:39.790

Andrejko, Judith [DEP]

Next will have Mary Ellen welcome back.

00:42:44.730 --> 00:42:47.180

Mary Ellen Peppard (Guest)

Hi Judy again thank you. To the earlier discussion, we were having a few minutes ago about the The restaurant type foods and it was our understanding that that section of the bill that references carryout bags and carry out bags shall not include, and then it goes through those iterations that that wasn't you know, there wasn't about what type of business. You were like whether you were grocery store or so a regular retail versus you know of restaurant, but then it had to do with the type of foods, so it was our understanding when this bill was going through the legislative process and then when we started working on the implementation that that meant that all you know of is prepared foods hot foods, sliced prepared to order, that was our understanding that that meant that those types of foods themselves were. Which would be restaurant type foods in which some of our members do have in their cafes that it was about the type of food that was exempt from that those provisions, not whether you were a grocery store because I think those when we had talked about a lot of those types of exclusions during the legislative process. A lot of that was for food safety or for you know for safety in terms of hot foods hot soup spilling things like that. And so that was the purpose of getting you know being able to make sure that you still had some you know, many options for those types of food. So yeah, we would definitely want to continue these conversations on that on that I think. Jason said that was our understanding and that's what we have shared with our members that that read those restaurant type foods that are specifically listed there would be. You know, providing you're not you know you can't take your you know, we understand you can take your gallon of milk and stick that in that they like we understand that it's just for those restaurants type food so thank you.

00:44:55.050 --> 00:44:55.650

Jensen, Erin [DEP]

Thank you I think you are correct in your assumption so the exemptions is for the bag type itself, not specifically the food itself, so those bags use at deli counters or for those smaller hot food individual items are exempted, whereas I think before we got into a little bit more of like more of a carryout situation like the paper bag portion is more of a carry out bag. So, I think that's sort of where the delineation comes but we're definitely going to discuss making that clear.

00:45:34.910 --> 00:45:36.380

Andrejko, Judith [DEP]

Alright I'd like to toss to Jill.

00:45:37.210 --> 00:45:55.660

Aspinwall, Jill [DEP]

If you have any suggestions or recommendations on how the Department could clarify that when we undertake rulemaking so that there is no misunderstanding as to what's exempt and what is not we would love to hear your feedback on that again. You don't have to answer it right now, but you could email us certainly we would like those ideas.

00:45:56.560 --> 00:45:57.270

Andrejko, Judith [DEP]

Indeed. Alright from Mary Ellen do you have anything further right now?

00:46:03.490 --> 00:46:10.560

Mary Ellen Peppard (Guest)

Oh, I'm sorry, no thanks. Thank you so much I think we'll look at to provide you clarifying language thanks so much.

00:46:10.170 --> 00:46:11.480

Andrejko, Judith [DEP]

That would be great thank you. Up next we have Linda Doherty.

00:46:15.000 --> 00:46:22.480

Linda Doherty

Hi yeah, I just wanted to make one more comment. That came up earlier about the cardboard boxes as an alternative for delivery. When you're comparing a liquor store to a major supermarket when we may have over hundreds or now during the busy holiday, 1000 online orders in a day and one grocery store. Just think about the viability right now of all those boxes if that was the alternative and also look at our you know freezers when you put food aside when you've done your shopping for the groceries. Where are you gonna put boxes those cardboard boxes in a freezer or refrigerator as you as you hold them before they go out to the customer. So, just the magnitude of what we're talking about when it comes to cardboard is just not a feasible option. So I just want to make that comment.

00:47:07.400 --> 00:47:13.660

Andrejko, Judith [DEP]

So really it's not just the material that would be an issue. It would be the volume of the material used for transport OK. Just want to make sure that we were on the same line. Thank you very much Linda. Up next, we have up Kari Martin from Clean Ocean Action.

00:47:26.860 --> 00:47:27.760

Andrejko, Judith [DEP]

Good afternoon, Kari.

00:47:28.510 --> 00:47:37.720

Kari Martin (Clean Ocean Action)

Good afternoon. Thank you, Kari Martin Clean Ocean Action Advocacy, campaign manager, just wanted to, you know raise up and second what John Webber had said earlier from Surfrider on the multiple good points, he made regarding the importance of this law, and how you know it can be done with some ingenuity and some creativity and the stakeholder process. We just wanted to also make sure that you know this bill went through quite a bit of you know back and forth. Obviously and consideration from multiple stakeholders in the process and you know it's past time to have this type of law because of the impacts. We're seeing from the litter that come from many of these types of that. That's being you know abandoned and regulated so you know as we've seen it on our beach cleanups twice a year over 37 years of history, and it's important to address the sources of these pieces' litter like the plastic bags and so forth. We just wanted to make sure that this law doesn't get pushed back in terms of coming into effect. Obviously, coming up with solutions that are doable is important. But you know, there are other

states you know, implementing such laws around the country, and I just had a specific question. I'm sorry I might have missed it in the beginning, but will you identify the specific areas or things that require rulemaking or is it you know? Where is that? What's going to come out of the stakeholder process?

00:49:09.270 --> 00:49:39.170

Andrejko, Judith [DEP]

I think that's going to be evolving from the stakeholder process because there's parts of the statute that are going to need clarification. So, we would be putting that information into rule. But in our general stakeholder process we'd like to get the information from you guys about how you're trying to implement the law while we don't have rules yet but then we take it to the next step. Where we talk about concepts of do you think we're going to need this particular idea or this restriction, or this clarification in the rule so that's something that we'll be discussing with you throughout this whole process and again. This is just our first meeting. We will be going onto probably more in-depth issues and questions because we're going to have questions as we go along too, so as long as we have that back and forth. We're probably going to be going down a lot of different rabbit holes, which will help us determine what it will eventually be put into the rule proposal. I hope that answers your question.

00:50:09.610 --> 00:50:17.540

Kari Martin (Clean Ocean Action)

So I was just wondering do you foresee the stakeholder process and the rule making process to end and be completed before the May 4th date that it becomes effective.

00:50:20.090 --> 00:50:50.130

Andrejko, Judith [DEP]

The rulemaking process will keep going because in fact, we, we need to sit down formulate the rule and talk to the stakeholders to find out what would be best to put within that rule tax then it must be proposed in the New Jersey Register. After that there would be a 60-day comment period for public comment most likely also have a public hearing during that time and then within a year of the publication of the proposal that's when the rule would be adopted. So, because we're probably not going to be having an effective rule as of the May 4th date. It's still going to be in process. We're going to be working within the confines of what the statute is spelling out and when it comes to the interpretation of the statute, that's basically up to all the different parties however you interpret the statute. That's it. It's up to your specific interpretation until we have our rules in place, so what we're hoping to do is throughout the stakeholder process. Get your ideas and interpretations and feelings about the statute and maybe meld all of those ideas together into a workable rule that not only benefits the regulated community, but also protects the environment and stays true to the intent of the statute.

00:51:46.320 --> 00:52:01.560

Kari Martin (Clean Ocean Action)

So, the rule the law becomes effective on May 4th, but the rulemaking will continue, and you go through the process that you just laid out so during after May 4th everyone needs to be complying but based on how they read the law and not necessarily how it will be. You know they won't will be enforced.

00:52:09.890 --> 00:52:14.990

Andrejko, Judith [DEP]

I'm gonna toss that question back to maybe Sonya or Erin.

00:52:24.000 --> 00:52:35.570

Jensen, Erin [DEP]

It's still an effective date even if there's no rules. The law still becomes effective, and compliance is expected so enforcement can and most likely will still happen after May 4th, and that'll look different depending on where you are, but again that's something we will specify more through the rule process about exact details. But the general nature of the law, everything still becomes effective on the day, and you need to comply. If you have specific questions about how they comply we do general guidance for now until rules are finalized if that sounds correct Judy.

00:53:02.420 --> 00:53:04.300

Andrejko, Judith [DEP]

The FAQs? Yes.

00:53:05.910 --> 00:53:08.280

Jensen, Erin [DEP]

And more FAQs will be coming soon.

00:53:13.410 --> 00:53:26.920

Silcox, Sonya [DEP]

Thank you. Erin this is Sonya with Compliance and Enforcement. You basically covered my response. Similarly, the Department has the authority through the statute as well as the County agencies and local governments to enforce the provisions of the statute rules just when adopted. The more formal process The Department typically follows but the authority will remain there with the effective date of the law.

00:53:45.300 --> 00:53:45.860

Jensen, Erin [DEP]

Thank you.

00:53:45.400 --> 00:53:56.080

Kari Martin (Clean Ocean Action)

Can I just can I just ask a note? I'm sorry. I don't have a lot of questions but is this typical that rulemaking happens after an effective date. Does it differ or I mean? I'm so sorry? It just seems like that stuff should be done before?

00:53:59.800 --> 00:54:00.940

Andrejko, Judith [DEP]

You would think but it's in the normal course of things.

00:54:07.630 --> 00:54:10.060

Jensen, Erin [DEP]

Yeah, rules are more there to clarify any possible vague points in a statute. So, it's we're not making any additional you know, or additional things on top of the law were just there to clarify what's in it, so I think it is typically a normal process. Rules are a long process.

00:54:32.540 --> 00:54:42.690

Lawson, Dana [DEP]

I also think having some time to implement the law and get an even greater understanding of what the challenges are will help inform us so that we can draft better rules for you.

00:54:51.170 --> 00:54:52.350

Kari Martin (Clean Ocean Action)

Thank you. I appreciate your time.

00:54:53.800 --> 00:54:54.390

Andrejko, Judith [DEP]

Thanks, Kari. Next up is Evan from Walmart.

00:54:58.730 --> 00:55:08.480

Evan - Walmart (Guest)

Hi everyone, thanks again. I'm just following up on Kari's point about other states or jurisdictions, having similar laws as curious just for my own knowledge. Are there any other places that have a similar ban on the delivery side that we can look to for inspiration and solutions or is it this groups understanding that this is the kind of the strictest law on the delivery side.

00:55:30.610 --> 00:55:40.760

Jensen, Erin [DEP]

I'm not sure if any of the other bag bands specifically banned from delivery or not or I think delivery just kind of gets put together with Commerce in general, so there's you know in person retail and ecommerce. But if you banned from retail. I don't think there's any specific delivery bans.

00:55:57.320 --> 00:55:58.210

Evan - Walmart (Guest)

OK thanks.

00:56:01.690 --> 00:56:06.360

Andrejko, Judith [DEP]

Do we have any further questions comments on the E-commerce issue.

00:56:12.510 --> 00:56:18.500

Andrejko, Judith [DEP]

OK, I think we may have exhausted that for now, Erin do you want to- wait we have Mary Ellen?

00:56:20.870 --> 00:56:40.520

Mary Ellen Peppard (Guest)

Yes, hi. I'm sorry just one more one more question that I think you are still thinking about, but I would love to know if you know sort of clarification has been reached. We're also trying to get some clarification for our members on the sort of the cross border online sale and delivery issue. You know regarding Interstate sales and when you know if a customer in New Jersey hasn't order and maybe it's packed at the fulfillment center across the river and so we're trying to get some answers on that. That's something that our multi state members have been asking about, thank you.

00:57:02.330 --> 00:57:06.360

Jensen, Erin [DEP]

I believe that it's still under discussion at on our side and review.

00:57:02.390 --> 00:57:03.230

Andrejko, Judith [DEP]

Thanks, Mary Ellen. I think we're still waiting for advice from our attorneys.

00:57:14.820 --> 00:57:16.270

Mary Ellen Peppard (Guest)

OK thanks so much.

00:57:25.110 --> 00:57:28.850

Andrejko, Judith [DEP]

Any further questions comments concerns. OK, Erin I think we can bounce back to you.

00:57:29.290 --> 00:57:39.200

Jensen, Erin [DEP]

Thank you, Judy. Alright, so now we are going to change topics a little bit and we are going to move on to a discussion on polystyrene foam food service products. I'm gonna start with the definition from the law is that a polystyrene foam foodservice product is defined as a product made in whole or in part of polystyrene foam that is used for selling or providing a food or beverage and includes but is not limited to a food container, plate, hot or cold beverage cup, meat or vegetable tray, cutlery, or egg carton. This section of the law also has exemptions. However, these exemptions are only valid for a period of 2 years after the implementation date so that would be until May 4th of 2024. These temporary exemptions include long handled polystyrene foam soda spoons when required and used for thick drinks, portion cups of 2 ounces or less if used for hot foods or foods requiring, meat and fish trays for butchered meat, including poultry or fish that is sold from a refrigerator or similar retail appliance. Any food product prepackaged by the manufacturer with a polystyrene foam foodservice product, and again, The Department does have the ability through rule guidance or regulation to add additional similar polystyrene foam food service products to this list. So our next topic of discussion is going to be what alternatives to polystyrene foam foodservice products are you considering? What's out there? What's available? What works for your business? Or just what are you considering in general?

00:59:13.510 --> 00:59:15.540

Andrejko, Judith [DEP]

Alright we are open for questions. Please raise your hand if you'd like to provide a comment. OK we don't see any hands yet but thinking about just from a consumer perspective: polystyrene foam foodservice products I've started seeing when I'm going out to like different restaurants. Every once in a while, I'll be getting black plastic containers for to go orders or for like the little doggie bag, sometimes you'll just get them. The paper containers that might be waxed lined, I've also seen the clear plastic lightweight containers. There's still some parts, at least over in Pennsylvania that still have the foam service containers, but are there any other ones that we may be missing?

01:00:11.930 --> 01:00:13.380

Jensen, Erin [DEP]

I know a lot of businesses over the last 2 to 3 years have already started going away from the polystyrene foam. You'll see, things like at the Dunkin' Donuts or other coffee shops, they no longer use these products.

01:00:27.950 --> 01:00:31.100

Andrejko, Judith [DEP]

They use the wax paper, the wax paper cups, yeah.

01:00:32.590 --> 01:00:33.820

Jensen, Erin [DEP]

So we wanna know if they're yeah, like you said there's something we're missing that we're not seeing that's out there.

01:00:40.160 --> 01:00:48.700

Andrejko, Judith [DEP]

Or is there an alternative that on behalf of your affiliation that you would like to see more prolific use of? Or are there cost issues when you're dealing with different alternatives? Are there any alternative materials that you might be aware of that you're not looking to use because they might be causing more of a cost problem affecting the bottom line. We have Maura Toomey welcome Laura good afternoon.

01:01:21.080 --> 01:01:34.690

Maura Toomey (Guest)

Hi this is Maura to me from clean water action come on this topic. I wanted to bring up a concern that we have which is that you know with a lot of these paper alternatives a lot of them are treated with PFAs or other harmful you know forever chemicals that are on emerging issue, and I know that the law doesn't specifically address this, but I was wondering if there is any way that you know recommendations can be made for preference for products that are free from PFAs and other toxic forever chemicals.

01:02:13.270 --> 01:02:37.440

Andrejko, Judith [DEP]

I would think that we'd love to hear your concerns. We'd like you to email us. Those issues, because that's something that I, this is this is just consumer Judy, that I hadn't even thought of. I know that, like they say that, like PFAs and those forever chemicals are basically in and around everyone and everything, but I hadn't thought about it from the food packaging side.

01:02:39.740 --> 01:03:06.930

Maura Toomey (Guest)

Yeah, they're very common on those materials because you know that stuff helps them be a little more water resistant and more durable so it's some of the products where it's very common on you know, obviously you know, we're happy that polystyrene foam is eliminated because that's also toxic, but we don't want to be replacing one with another we want to give folks and businesses you know actual real alternatives so yeah, I can send you some more information on that, if that's more helpful.

01:03:17.690 --> 01:03:34.750

Andrejko, Judith [DEP]

That would be great. I'm sure that's something that we'll be talking about in future stakeholder meetings to come at the end of this presentation. I think our general email address is going to be up where you'll be able to send all that information. But that's a good point, thank you. Thank you very much.

01:03:34.970 --> 01:04:04.860

Jensen, Erin [DEP]

Are we I just want to point out there is a resource online through the New Jersey Business Action Center called the vendor clearinghouse where businesses who sell products that are alternative to the ones being banned can apply to be added to the list. As a department, we don't make it specific recommendations for product types, though we are very concerned, obviously with food safety and we can put things like guidance on that website so anything that you provide for us, we can use for guidance to educate people if we won't be saying, hey, you should buy this specific product. Something like that, but it would be helpful for guidance on those that type of website.

01:04:19.230 --> 01:04:22.440

Andrejko, Judith [DEP]

Alright thank you Erin. Next up is Kari Martin.

01:04:24.080 --> 01:04:29.050

Kari Martin (Clean Ocean Action)

Just a quick follow up Erin could you tell me the name of that website again I'm sorry.

01:04:29.660 --> 01:04:32.990

Jensen, Erin [DEP]

Sure, so it's the New Jersey Business Action Center. They have a vendor clearinghouse, so on their on their page. You just go to their bag ban resource page. And there will be information on viewing the clearinghouse and for businesses to apply to be on it.

01:04:48.950 --> 01:04:54.480

Andrejko, Judith [DEP]

Is there any way someone from the DEP staff can get that information to Tyrone and he can post it in the chat?

01:04:56.730 --> 01:04:59.950

Kari Martin (Clean Ocean Action)

And then I also had a suggested resource as well. Have you checked out the blue standard by Oceanic global they to also have a blue list. You know for vendors for sustainable materials. I think even sometimes they have coupon codes for some of those products. So as a business you could check out there, but also for DEP for consideration for suggestions for moving forward. I think that go through a process to identify the best alternatives.

01:05:30.940 --> 01:05:37.940

Jensen, Erin [DEP]

Yeah, but please make sure to include that and when you reach out with further information on the alternative of safety products.

01:05:38.510 --> 01:05:40.380

Andrejko, Judith [DEP]

And Chris thanks for posting it in the chat. Alright I think we can move on to our next commenter Dini Checko, I think I pronounced that right, from ANJEC.

01:05:52.740 --> 01:05:54.290

N.Dini Checko, ANJEC (Guest)

Yes, she did, and hi.

01:05:54.220 --> 01:05:55.250

Andrejko, Judith [DEP]

Alright. How are you?

01:05:55.560 --> 01:06:01.100

N.Dini Checko, ANJEC (Guest)

I'm good thanks so I'm N.Dini Checko with the Association New Jersey Environmental Commissions. And you know as a as a consumer. I went to a local Thai restaurant in town. Small one and they were giving out foam and I made a comment to them. That's going to be ending May 4th and they said we know, but we don't know what to do. What is an alternative that is sustainable and economically feasible for these small restaurant stores. They are trying to do the right thing and that's definitely a concern. You know, I hear that with alternatives folks are offering plastic containers and now we're just creating another stream and that's concerning to me as well of waste. So what I'd love to do is see if there's a way to push for reusables that would be ideal. There's a lot of work being done in California and I love New Jersey to encourage a reusable marketplace for alternatives.

01:07:14.590 --> 01:07:24.580

Andrejko, Judith [DEP]

On the on the issue of Reusables, I think correct me if I'm wrong, I've been seeing some commercials with like reusable whether it's aluminum mugs that I don't know if it might be for your smaller mom and pop coffee shops that are starting to introduce that. I haven't seen any in New Jersey yet, but I'm starting to see ads for them on TV and just the fact that they're out there promoting that type of thing I think that's really great idea and thank you for bringing that up if there is any information that you might know of that you'd be able to let us know different whether it's different web links or how that is seen through like the small business community, Please send it to our email address because we'd love to have that information too.

01:08:02.640 --> 01:08:27.720

N.Dini Checko, ANJEC (Guest)

Sure, just to add onto that I think what would help in order to ease concerns. Vermont recently did this, where I think their Department of Health put out a statement. And they have a process involved as well, where Reusables are safe and that's going to go a long way to alleviate any concerns that businesses have about using reusables.

01:08:02.980 --> 01:08:03.390

Jensen, Erin [DEP]

Yeah, and I believe we do have a representative from the Department of Health for New Jersey on the call. If I'm not mistaken so I would definitely recommend getting in touch with them. If that's something you were interested in working on with them on.

01:08:42.950 --> 01:08:44.910

N.Dini Checko, ANJEC (Guest)

Yeah, I'd be happy to share that information.

01:08:46.430 --> 01:08:46.850

Jensen, Erin [DEP]

Thank you.

01:08:47.190 --> 01:08:47.830

N.Dini Checko, ANJEC (Guest)

Thank you.

01:08:50.110 --> 01:08:53.140

Andrejko, Judith [DEP]

Alright thanks, so much Next up is Mary Ellen.

01:08:55.520 --> 01:09:19.560

Mary Ellen Peppard (Guest)

Hi thank you. You just sort of talked about what I was gonna say, but just we have to be really careful and cautious when we're talking about reusable containers for food safety purposes for allergen cross contamination. You know, there might be some circumstances where it might be OK for somebody to you know refill their own cup, but I think we were talking about something where we're going to be handing an employee a container that we brought in from our home. I know members have discussed this issue in the past, but well. You know certainly I think from an environmental standpoint, you can certainly see the appeal. There's concern about cross contamination now. The employee has taken that container brought it into the back to fill like it's just there's a lot of food safety concerns that would need to be addressed so thank you.

01:09:47.790 --> 01:09:48.810

Andrejko, Judith [DEP]

Thank you, Mary Ellen. Do we have any additional questions concerns for polystyrene alternatives.

01:10:04.270 --> 01:10:06.700

Andrejko, Judith [DEP]

John Heppner how are you this afternoon?

01:10:07.660 --> 01:10:23.750

Jon Hepner (Guest)

Quite well the only thing I was gonna throw out. It's kind of saw it on TV the other day, but that's the edible cutlery. If you've seen that. It's a new thing kind of I think kind of new but where you can eat your spoon when you're finished. Just something to think about. I don't know how well it is, but if you Google search edible cutlery, you'll see what I'm talking about an interesting concept. Yeah, it was on Shark Tank so that's my point, but it's out there. There is business they're starting up. I'm not trying to promote anybody at all because I get nothing out of this, but to but it's just some to it. It may be the future who knows? I don't know, but just throwing it out there.

01:10:42.140 --> 01:10:42.580

Andrejko, Judith [DEP]

Yeah. I'd have to keep an eye out for that. And sounds kinda neat. But then it's like speaking of that. I keep thinking about remember decades ago, when you would get your little ice cream cups and you'd have that wooden spoon. Of course, the ice cream is in a plastic Cup but you have the wooden spoon

and in theory, you should be able to recycle that. I don't know how far we've come from that, but I'm sure there's more innovations being able to eat your spoon that's different.

01:11:24.250 --> 01:11:24.630

Jon Hepner (Guest)

I mean, yes, so I don't know like I said, I don't know what they taste like I'm not sure it's I wanna eat this spoon, but nonetheless it's there just a thought.

01:11:46.380 --> 01:12:00.120

Lawson, Dana [DEP]

It is great that we have everybody here engaged in this conversation. There's so much information that we are gathering. There's so much that we know there's a lot, that we don't know, and I really appreciate everybody 's comments. Thank you.

01:12:02.130 --> 01:12:04.340

Andrejko, Judith [DEP]

Alright John do you have anything further at this time?

01:12:11.190 --> 01:12:12.620

Jon Hepner (Guest)

I've nothing for me, I'm sorry.

01:12:12.920 --> 01:12:18.270

Andrejko, Judith [DEP]

OK, just wanted to make sure I just want to make sure we got everything there. Next up is Timothy Ayres.

01:12:20.530 --> 01:12:34.610

Timothy Ayres

Just going off what John just said about the edible spoons. We actually did get samples of those, and while some flavors are good and other flavors are not, they actually come prewrapped in plastic so it ends up creating more litter. That way, at least in our setting then it does provide a common good.

01:12:54.590 --> 01:13:00.470

Andrejko, Judith [DEP]

So do we have any further comments on the alternative discussion. Timothy do you have anything further?

01:13:06.680 --> 01:13:07.520

Timothy Ayres

Not this time.

01:13:07.910 --> 01:13:09.490

Andrejko, Judith [DEP]

It's OK, John Webber.

01:13:10.980 --> 01:13:42.040

John Weber (Guest)

Hi, John Webber again from Surfrider Foundation. I'll get this to the right person at DEP. But Surfrider

Foundation has an ocean friendly food ware guide and it just goes through the you know where restaurants normally use. This they can now use this and here's where you get it. And here's what it costs and here's how much money you're going to save or whatever and things like that, so this we did this, because we have a program called ocean friendly restaurants where they're not using plastic and they're not using Styrofoam and regardless of state laws or whatever and there's 750 of them across the country and they're serving you know 10s of thousands of if not more plastic free meals everyday probably more like hundreds of thousands of meals. I guess anyway, I'll get it to the right person at DEP. Just let me know if you the email goes in the chat. I'll email it to that person.

01:14:02.390 --> 01:14:17.440

Andrejko, Judith [DEP]

That would be great whether we put a specific person in the email or if you can send it to our general plastics, email address that will be on the last slide today. Thank you so much. Stay tuned to your chat so that should be posted shortly. John do you have any other comments questions?

01:14:32.480 --> 01:14:33.600

John Weber (Guest)

No, that's it for now, thanks.

01:14:33.810 --> 01:14:39.760

Andrejko, Judith [DEP]

Alright, thank you. Do any of you have any additional information or subjects that you'd like to talk about with alternatives to polystyrene. If not, I'll give it another couple seconds to see if any of you need to raise your hands. There we go single-use plastics at DEP.nj.gov Dana just posted it in the chat. Thank you, Dana. We don't have any more hands raised for this particular topic. I think we might be able to move on to the Next One Erin back to you.

01:15:05.110 --> 01:15:06.870

Jensen, Erin [DEP]

Great thank you Judy. So, our next discussion, I'm gonna go over a little bit of the waiver process. So, I'm on top of having some temporary exemptions, polystyrene foam also has a waiver option. This waiver is live on our website, and you can apply for a waiver at any time. Waivers are good for a period of one year with and then you would need to apply annually, if you continue to meet the parameters. For a waiver you would have to meet one of these 2 situations. The first is there is no feasible and commercially available alternative for a specific polystyrene foam foodservice product or the person or business has less than \$500,000.00 in gross annual income and there is no reasonably affordable commercially available alternative to polystyrene foam foodservice product, which I mentioned that this waiver is not for a business as a whole, but the waivers are for specific products as you could see here so if a business is going to submit a waiver because they meet these situations for multiple products. They would need to submit several waivers for the different product types, so plan on using one for each they plan on continuing to use. So, going on to the question what guidance would you like to see regarding and environmentally sound polystyrene foam foodservice alternatives?

01:16:38.670 --> 01:16:42.300

Jensen, Erin [DEP]

So that has to do with this law but also the general discussion posted as part of the law. The Department of State in consultation with the Department of Environmental Protection is charged with establishing a

program to assist businesses and complying with the provisions of the law. This includes establishing an online clearinghouse of vendors who provide environmentally sound alternatives to single-use plastic carryout bags, single-use paper carryout bags, polystyrene foam food service products, and single-use plastic straws. So, as you could see it says environmentally sound. We want to put some more guidance out there, of what that means and this goes along with the vendor clearinghouse that I did mention earlier that is hosted by the New Jersey Business Action Center, which is a part of the Department of State. So between that and the information in the waiver section, what guidance do you want from us regarding environmentally sound alternatives to polystyrene foam products?

01:17:48.820 --> 01:18:11.380

Andrejko, Judith [DEP]

And first just to note Tyrone has put in the chat that link for the bag ban waiver and cover letter forms so if you would like to copy that link or have direct access to that to be able to see the form now within our discussion. You can just go into the chat function and click on that link, thanks Tyrone. first up we have Mary Ellen.

01:18:12.720 --> 01:18:17.370

Mary Ellen Peppard (Guest)

Thank you again just one quick question about the waiver process. I do understand that it's a per product waiver that you have so you might have to submit multiples. When it comes to size is if you have the exact same product and say like 3 different sizes. Can you submit one application for that or does it does it do with those have to be 3 different applications?

01:18:36.300 --> 01:18:46.560

Jensen, Erin [DEP]

That's a good question that we could again we could use as guidance for the waiver at the moment I'm going to say if they're just different sizes, it would be one waiver, but based on our discussions that could change, but that's what my initial thought is on that.

01:18:52.150 --> 01:18:53.090

Mary Ellen Peppard (Guest)

Perfect thank you.

01:18:57.870 --> 01:19:04.810

Andrejko, Judith [DEP]

OK thanks Mary Ellen do any of you have additional questions or comments about what kind of guidance you would like to see regarding alternatives, and I know we've discussed that in a couple points already if there are some that we've discussed. I think it was the blue ocean with the links for that information. Please feel free to post that in the chat so we could access that and or email it to us at our general email address that will be talking about. That's also listed in the chat and also will be on one of our last slides.

01:19:39.970 --> 01:19:41.670

Andrejko, Judith [DEP]

Anyone else? N.Dini Checko, welcome back

01:19:57.140 --> 01:20:16.310

N.Dini Checko, ANJEC (Guest)

OK come along with the guidance anymore. I talked about PFAS alternatives. I discussed you know, having an alternative that's not creating more recyclables or certainly black plastics cannot be recycled so that's a concern as well. Reference lists would be really helpful. Just more from a you know what's acceptable for us. You know recycled materials and just trying to encourage folks to use foil, perhaps you know go back to wax and foil.

01:21:18.070 --> 01:21:48.210

Jensen, Erin [DEP]

Anyone just gonna grab some more attention on this topic. So one of our considerations is working through the vendor clearing house putting in guidance, saying, you know here's a bunch of people that say they have alternatives to polystyrene and based on the law. Anything that's not polystyrene is allowable. But we want to give people more information, saying maybe this type of product is more environmentally friendly than another type so comments like that. Maybe thoughts about what may be better than others would also be great.

01:21:50.130 --> 01:22:04.820

Andrejko, Judith [DEP]

And I'd like to thank a Kari and John, for putting in links for Blue Standard as well as the ocean friendly food where guide. Thank you for that information. Do we have any other questions concerns for this subject. I'm not seeing any more hands. I think we might want to move on to the Next One. Erin back to you.

01:22:17.430 --> 01:22:25.280

Jensen, Erin [DEP]

Alright let me bring up our next question here, so we are going to change topics and we are gonna move on to discussing straws. Our first topic of discussion is we don't have a definition for straw in the statute. So we are considering creating a definition for that in the rules. I want to get your opinion on how would you define a straw?

01:22:51.770 --> 01:22:56.120

Andrejko, Judith [DEP]

OK. Let me see if I can wait there. There's your common thing of you get a straw in a drink right. But you have like remember back in the day there were the big McDonald's straws that would be served with their shakes. If you go to a nightclub you're getting the little, stirring sticks that have holes in them, so are they a stirrer or they are straw? You might have some type of a paper stick is there a hole in it is there not. If it's not particularly used as a straw, is it still considered a straw? We'd like to know what your ideas on those particular materials are.

01:23:33.180 --> 01:23:40.980

Jensen, Erin [DEP]

Yeah, and based on our slide here the current interpretation we have a straw is a tube of any thickness or length that one may suck through, for anything and any food product.

01:23:43.870 --> 01:24:02.970

Andrejko, Judith [DEP]

So I mean, there's some if you think about it, there, you might go to your local coffee shop and you have a coffee stirrer or what is being marketed as a coffee stirrer, but it could be one of those the long sticks

In-house, we've been discussing these kinds of things and we need to know what all of you think about these types of materials and I know it sounds pedestrian that well a straw is a straw, but there's a lot of things to consider what it's made of? What size it is, where you get it, what it's being used for, so we'd like to have your input and your thoughts on that and first we're going to go with Jason. Welcome back.

01:24:35.520 --> 01:24:36.190

Jason Wadsworth

So, I guess then is what I've read in the law is its plastic that you're looking to ban correct.

01:24:44.570 --> 01:24:51.370

Jensen, Erin [DEP]

Yes, so these by request only rule is not quite a ban. It's just instead of automatically giving out straws, their customer has to request one, it, but that only applies to the single-use plastic straws. Other types of straws that are not plastic do not have to follow the upon request rule. Maybe even let us know does anyone agree with our interpretation that would also be helpful.

01:25:17.230 --> 01:25:23.040

Andrejko, Judith [DEP]

And if you think we're going down a rabbit hole that I mean, we'd love to hear your thoughts on that, too. Jason do you have any further question?

01:25:27.930 --> 01:25:28.760

Jason Wadsworth

Nope, Nope. Sorry.

01:25:28.960 --> 01:25:29.430

Andrejko, Judith [DEP]

OK. N.Dini Checko, share your thoughts.

01:25:39.950 --> 01:25:52.380

N.Dini Checko, ANJEC (Guest)

Great and I was also looking for clarification. It was my understanding that a business has to have plastic straws available upon request.

01:25:55.010 --> 01:26:06.350

Jensen, Erin [DEP]

Yes, the law, states that businesses must have an adequate supply of single-use plastic straws on hand and for the purpose of a customer requesting them, they have to have them available.

01:26:07.180 --> 01:26:31.580

N.Dini Checko, ANJEC (Guest)

I think that's there's room for making that much better. I'm concerned about having a plastic straw available. So, if you have a business that has migrated and has you know paper straws or another product type. It doesn't to me make a lot of sense to encourage having a plastic on the side available to customers.

01:26:33.490 --> 01:26:44.370

Jensen, Erin [DEP]

Thank you. I think it's important to know with rules, we can't change the way the law is written, but we can just clarify. So, that I think is our plan and we are working on some guidance in lieu of the rules at the moment for the straw provision as well, and hope that maybe we can cover this issue.

01:26:58.720 --> 01:27:11.710

N.Dini Checko, ANJEC (Guest)

OK, well in that case. May I recommend that if it is a plastic straw for it to be a flexible plastic straw up top, so it's bendable and that can be more that is ADA compliant.

01:27:13.270 --> 01:27:37.480

Andrejko, Judith [DEP]

I remember back in the day when the legislation was going through there were many interested parties that were concerned about the Flexible Straws and for that reason I know that at least I don't know if the last time I was in a hospital. We always called him the bendy straws and it seems that they would probably be the most effective and it would be more for the intent of why that was included in the law. So we're aware of some of that background too. If there's any further information or insight that you have on it, we would love to hear more.

01:27:51.210 --> 01:27:52.800

N.Dini Checko, ANJEC (Guest)

OK, thank you Judith.

01:27:53.010 --> 01:27:57.620

Andrejko, Judith [DEP]

Alright. Thank you. Next up? We have John Webber welcome back.

01:27:58.050 --> 01:28:03.790

John Weber (Guest)

Hey John Weber Surfrider Foundation. I think partial answer to N.Dini's question is I think the idea the reason we left having a supply of plastic straws on hand in the law is for a person with a disability. In many cases, a paper straw is not going to do and so for that reason that exception was left. I do like N.Dini's suggestion that well. They could just use a silicone straw reusable one or something like that. But my concern here is that you know the business owners. I hope they don't say well. I need to keep this supply of plastic straws because I don't know everybody that comes in my business in the next 3 months might ask for a plastic straw. I think that would be abusing it. I think one box should be fine and it should last a year, 10 years. But if somebody walks in and has severe cerebral palsy that needs a plastic straw. The place would be able to accommodate them, and I just want to make sure you know just make sure it doesn't get abused.

01:29:16.340 --> 01:29:34.880

Andrejko, Judith [DEP]

So, your biggest concern would be that there's that reasonable accommodation from the ADA sense, but not an abuse of the use of plastic when paper would otherwise do for someone who is not disabled.

01:29:35.770 --> 01:30:05.760

John Weber (Guest)

Yeah, that's I think that captures it, I mean, it almost sounds like the way the law is just interpreted that

sounds like a mandate like you have to keep a supply of plastic straws on hand for those exceptions and I just want to emphasize it would be for those exceptions. When you know it's really, really needed. I just think in general, most of these businesses that put a straw in every single drink. You know for the last 50 years. They're going to be like shocked and say, Oh my gosh. I wish we were wasting so much money on the Straws since we don't put a straw in every single drink now. For saving so much money so now we can afford to have these paper straws for when they are requested at or you know bamboo. Whatever is more environmentally friendly on the breakdown side. But yeah, if they have to keep like one small box of plastic straws on hand or like N.Dini said, a reusable silicone straw. They have to accommodate somebody with a disability. I think that you know, I think that's fair and that's fine, and that's why we've got those exceptions in the law.

01:30:34.510 --> 01:30:44.220

Jensen, Erin [DEP]

And would you think maybe we need to define adequate supply in a rule, is that something you think would be interesting to people to have that further defined.

01:30:45.910 --> 01:30:58.600

John Weber (Guest)

I think it wouldn't hurt, but I'm not the regulated community, I understand. I just you know, I mean. Let's face it things get abused and so maybe some clarity there would be good.

01:31:00.420 --> 01:31:03.910

Jensen, Erin [DEP]

Whenever if anyone else has thoughts on that as well. Feel free to raise your hand.

01:31:06.130 --> 01:31:09.300

Andrejko, Judith [DEP]

John thank you so much do you have anything further at this time?

01:31:10.000 --> 01:31:10.730

John Weber (Guest)

Nope, thanks.

01:31:10.980 --> 01:31:15.250

Andrejko, Judith [DEP]

Alright thank you. Next up, Jason Wadsworth welcome back Jason.

01:31:16.520 --> 01:31:23.500

Jason Wadsworth

I am Jason Wadsworth Wegmans food markets. So, we actually got rid of plastic stir sticks and plastic straws in our business. We still sell plastic straws but that's you know the grocery center store area. One interesting thing and we'd be interested in understanding what other alternatives for straws are out there just as an interest, but one of the things we heard from customers is their concern on Paper Straws. Since that's what we offer today about gluten sensitivities, so I'm just putting that out there that we actually went through and got ours certified gluten free, but there's another alternative called a wheat straw, if you've seen or heard of that. You know, I just don't know what the gluten issue is on

those or any of the alternatives quite frankly so. Rambling but I just thought that was an interesting point as I looked at alternatives. You know paper straws suck.

01:32:22.170 --> 01:32:36.810

Andrejko, Judith [DEP]

Well literally now well Jason thank you for your insight on that, if you can possibly email us or provide us with some of like the research that you've done, or like different web links for different materials. We'd find that very helpful.

01:32:38.960 --> 01:32:55.630

Jensen, Erin [DEP]

And what are your thoughts on how we should come further guide restaurants and food service businesses that have already gone plastic straw free in regards to having adequate supplies like? What do you suggest for how we should handle those situations?

01:32:57.130 --> 01:32:58.530

Andrejko, Judith [DEP]

Next up is Kari Martin. Welcome back.

01:33:04.060 --> 01:33:34.020

Kari Martin (Clean Ocean Action)

Hi. Thank you all Clean Ocean Action just as you're talking about defining the straw out something to consider during our beach cleanups over these years. There are other things that are kind of like straws, but they're not used as Straws. The stirrers that go along with coffee and other types of drinks. They're plastic. They actually have holes you could actually drink through. But you would get not much out of it, but that is really considered a straw, so I just want to make sure that whatever definition you choose. So I see here. It says any thickness or length that one may suck.

01:33:39.960 --> 01:33:41.650

Andrejko, Judith [DEP]

So you would consider that a straw.

01:33:41.960 --> 01:34:11.500

Kari Martin (Clean Ocean Action)

I would, but people call it a stirrer you know for your coffee and stuff like that, so just you know, someone may not interpret that though, as a straw. You know what I mean, so like if you put this in the guidance. They're like well, that's not a straw. 'cause nobody sucks through it, but it's a problem we find on our beaches and in way we code it in our data card is straws and Stirrers because they're pretty much the same type of cylindrical type of item.

01:34:14.360 --> 01:34:18.640

Andrejko, Judith [DEP]

Thank you for that, well welcome to my life since this law has been passed. Thank you up Next up is Cindy Zipf from Clean Ocean Action.

01:34:27.290 --> 01:34:28.590

Cindy Zipf (Clean Ocean Action)

Hi good afternoon.

01:34:28.790 --> 01:34:29.490

Andrejko, Judith [DEP]

How are you?

01:34:29.790 --> 01:34:33.130

Cindy Zipf (Clean Ocean Action)

Good a very interesting afternoon of conversation. Cindy Zipf from Clean Ocean Action. I just wanted to emphasize what John Webber from Surfrider was saying about you know, some people taking advantage of the upon request element. There's a lot of beverages that you know require a straw you know or have presented in a way that you need to poke a straw through in order to drink it and may lead people to you know requesting that straw, which will just perpetuate the huge amounts of straw usage that we're trying to reduce. It really was to accommodate folks with disabilities to allow them to have access to a needed tool for consuming beverages, so I just want to emphasize that having food providers have a product that whereas anyone has that straw access and then the person says the Straws aren't readily available, but they'll just automatically say well can I have a straw so that it is upon request, but there's no emphasis on the reduction so I don't know. How that is being evaluated but again the purpose of the allowance was for folks with disabilities and not to just let anyone because they want to drink a beverage request a straw, it's not the purpose.

01:36:16.420 --> 01:36:19.900

Jensen, Erin [DEP]

I believe that although no, I definitely get your concern. I think the way the laws written because even though we know based on the comment periods of the front of the legislation that that is the reasoning behind this exemption. It is written as a general statement, so you're not required to have a medical issue to request a straw. I don't know how we would limit that in a rule, but I'd love your suggestions.

01:36:49.610 --> 01:37:09.200

Andrejko, Judith [DEP]

And I love the fact that it's like a lot of these discussions that we're having with you, our regulated community are similar to the questions that we've had in-house and it's refreshing to see that you have the same concerns that we do, so I think that this exchange of information and ideas is really going to be helpful because really you guys are going to be the ones using the rule and we'd like to know what your viewpoints are on it, and the fact that you're having the same questions as us, it tells us OK, it might be the statute. But we have to work together to see how we can bring the in the original intent of that law into regulation, so thank you. Thank you very much. Next up, we have Mary Ellen.

01:37:41.380 --> 01:37:44.290

Mary Ellen Peppard (Guest)

Hello again, Erin did sort of touch upon this, but I just do think that we have to keep in mind during this conversation: No, we don't want to have just as many straws as we've always had but did the issue for an employer and employee or business, you can't in any way ask or imply whether somebody has a disability or why they might need a straw. You can't just you know, somebody says I want a straw you can't say why do you need? So, I just think that that's something that we have to keep in mind. You cannot discourage someone if they say I want a straw because maybe they do have a disability that you can't see so I just sort of want to you know, kind of put that out, there to make sure we don't restrict what people can or cannot do or ask I mean right now. If anybody says I want a straw, you have to give

them a straw and that's the end of conversation. No further discussion or questions should that associate have and then just you know, yeah, I think one of the questions and concerns that we've been getting in terms of customer service from our members is that in situations where if somebody is made you a milkshake and now they you know they don't give you a straw, you know, but it's something where you are by yourself at a self-serve station and if there is no readily available opportunity to have that straw, to ask for that straw because there's no employee there and so that's one of the questions I've talked about with some of the folks in DEP so far, that we would have in terms of that self service station and the opportunity to request or take a straw as needed. And so I gather those conversations are still happening, but just wanted to bring that into the discussion again.

01:39:48.960 --> 01:39:49.850

Andrejko, Judith [DEP]

Mary Ellen. Your timing is impeccable because it was like the perfect segue. I think we might want to move on to the next slide.

01:40:01.060 --> 01:40:03.040

Jensen, Erin [DEP]

Thank you I was thinking the exact same thing. So, it has been on just over a month since the implementation of the by request only regulation for this interview, plastic straws and as we discussed earlier you know, Rules are sometimes even better when we already know how it's being implemented, and we could see the issues, and use that to create the rules and make it better in the future. So, we want to know in your areas where you live where you work, where you go: How is the by request only rule working out in practice? Mary Ellen you still had your hand up do you wanna add a little bit more from the good segue that you gave us?

01:40:54.050 --> 01:41:24.040

Mary Ellen Peppard (Guest)

I'm sorry I forgot to go off but again, but no, I mean, thank you. I think I pretty much covered it, it's just a concern again about customer service and providing the opportunity to take extra again, particularly where somebody does need a straw for a medical reason and you don't want to force them into a situation where now they have to leave that station and go in search of an employee, particularly as now, you have more self-service, check out and things like that so Thanks so much.

01:41:25.340 --> 01:41:27.540

Andrejko, Judith [DEP]

Alright, thank you. Kari?

01:41:29.040 --> 01:41:42.390

Kari Martin (Clean Ocean Action)

Yes, Clean Ocean Action again just some initial feedback from either just personal experience or you know professional with people raising questions and I have a question also. Was there any outreach and education on this part of the law? I don't know if that was deliberate because of the timing of it, but for the pandemic and stuff like that, but I'm just thinking not many people heard about it from what I understand and at least locally in Monmouth County, here through friends, family and businesses that I go to? To sum up, you know the diner that I know didn't put it in the bag, which is good so maybe some of it's getting out there, but I think one instance was at a movie theater with a high school student that was an employee and was not aware of the law and wasn't told. And unfortunately, someone got angry,

and they had to get a superior there to clear up the situation, so I think there is a behavioral thing. People are used to getting it and there's no signage. There's no outreach. I think to make it known. I mean, it's in the papers right. But I don't know how many people read newspapers anymore and you know, I did see a lot on the bag at ShopRite. There are signs up at the checkout but it seemed really nothing about Straws and it may be a small part to some, but it's a huge behavioral thing. Unfortunately, I think it's doable. I just think it needs a lot more education awareness outreach. I will say to the credit of my town, I was very happy to be at a council meeting the day that on November 4th when it became effective that the business administrator announced it in minutes and to the council, which was I thought was really great and I don't know if that's happening across the state, but communication to the town so they announce it to their communities is step one you know for getting it out to communities and the businesses that are there and I just think from what I've heard and what I've seen there's still being given out people don't know about it. They may not get that upset but you know, I know that the person at the movie theater was requesting like a handful and the employee got confused, am I allowed to give one or multiple? It's not the amount right in the law. It's just to have them not readily available and upon request, only so there's a lot of confusion from what I've seen. I don't know if anybody else, has a similar feedback.

01:44:21.720 --> 01:44:27.260

Jensen, Erin [DEP]

Thank you for that, yeah, I think we have seen it's been a bit of a slow learning curve in my opinion. We have been doing a lot of outreach through and with the Business Action Center, who is charged with the business education component of the law. We have met with many business associations. We have contacted all the chambers. The BIDs the SIDs the downtowns. We've sent letters to mayors. We have websites. We've done social media campaigns. Clean Communities has a 'skip the a straw' campaign. So there is some information out there, and I have seen compliance at some of the larger places like the AMCs, Wawa, places like that, they have signs saying if you want something a straw, you have to ask for it. But you're right, I think it needs to get even further and that we're working on, but I'd love to get your suggestions on how to reach more people.

01:45:23.470 --> 01:45:39.800

Kari Martin (Clean Ocean Action)

Yeah, I just wanted to add that of course, where we are trying to educate others as well. In the people in our communities in our circles, so it will come from many different places. I just hadn't personally seen outreach specifically on the straw. I think I saw a couple of posts. So, I just wanted to just put it out there that with the bag law and the Styrofoam polystyrene. We need to also do the same sort of. You know if we want to make any indent whatsoever on reducing the straws, then we need more outreach.

01:45:59.760 --> 01:46:30.190

Andrejko, Judith [DEP]

It's a lot and it's really a big cultural shift. I've got to say that just seeing what's going on in New Jersey and a few other states in that same wave. It's refreshing from an Environmental Protection standpoint that we're reaching this point where things are coming into law and through stakeholdering and getting a chance to talk directly to our regulated community like yourselves, you guys are giving us the information that we need to be able to make it all work for everybody. Thank you very much Maura you're up.

01:46:45.580 --> 01:47:14.740

Maura Toomey (Guest)

Hi yeah, this is more from clean water action. Thank you for sharing about what kind of outreach has been done so far 'cause that's what I had wanted to ask about and obviously it seems as a lot more to be done. Clean Water Action is trying to do more of that in the communities that were involved with but just anecdotally in terms of what I've been seeing, since this part of the law is in effect a lot of places just don't seem like anyone's aware. Or there are a lot of places I've seen that are aware, it's just that they're switching to a paper straw or something else. There's no real indication that there's any by request policy happening and I know that that's in compliance with the law, obviously. You know paper, they could do whatever they want with, but I would just suggest that in outreach, it's communicated that the best practice overall is just adopting by request policy across the board because that's really number one in the true spirit of the law, which is reduction, number 2 doesn't add costs for businesses who are now feeling that they have to go ahead and purchase the more expensive alternative, while not seeing much of a reduction because people aren't aware of it yet so.

01:48:30.680 --> 01:48:42.410

Andrejko, Judith [DEP]

So do you think that it's not just it's not just a material issue? Which would be like plastic versus paper? But it's still just the volume is also an issue out there.

01:48:35.190 --> 01:48:35.720

Maura Toomey (Guest)

Right. Yeah, so for example, Clean Water Action, a few years ago, we did a pilot project with a few restaurants, where it was just a by request policy across the board and we provided signage that just basically just said: Do you really need a straw? It's a little turtle picture that was cute and then on the back it had just some facts and it was basically this establishment only serves straws by request, so it didn't put it on the servers to have to communicate it or anything, it was visible to the customers and it just kind of made them think oh OK. I'm aware. I'm going to think about it do I really need a straw. You know, I'll say yes, or you know, I'll decide yes or no for myself. But just doing that. You know in some of these restaurants that did participate. There was a huge reduction like 90% reduction. That's why I think a lot of it should be coming down to the outreach because there really can be a lot of reduction seen in both paper and plastic you know; I know the law only applies to plastic but their real impacts that we're going to see are from overall reduction, embracing the by request policy and helping educate people or just making them more aware but that's the new way.

01:50:16.740 --> 01:50:18.540

Andrejko, Judith [DEP]

Very thoughtful points thank you Mara.

01:50:18.200 --> 01:50:31.110

Jensen, Erin [DEP]

Thank you. I think that is in mind. Also, as I mentioned him a little bit ago, the New Jersey Clean Communities has a campaign currently for "skip the straw." That's what the campaign is called so it really focuses on more in scripting. So that's kind of in line with their campaign and they have some stuff on their website bag up nj.com for more resources and they have free signage for businesses to use in all different types for that, so I've got a in progress.

01:50:52.680 --> 01:51:08.960

Andrejko, Judith [DEP]

And just put in the chat Joanne thank you very much these skip the straw social media campaign information. There's the link in the chat. Thank you so much for posting that in there for us. Does anyone have additional comments questions opinions regarding the straws? OK, I don't see any more hands being raised. Erin Let's move on to the next slide.

01:51:18.820 --> 01:51:48.350

Jensen, Erin [DEP]

Alright, so this was actually our last slide based on material types. So now that we've gone over all the questions for our first stakeholder meeting, we'd like to get an idea of what you would like to discuss further in future meetings. We plan on having multiple meetings throughout this process before actually writing rules and going through the formal process. So the poll question can be found via link in the chat box once Tyrone posts it.

01:51:58.580 --> 01:52:00.780

Andrejko, Judith [DEP]

It's up there were good thanks Tyrone.

01:51:58.960 --> 01:52:21.760

Jensen, Erin [DEP]

So, click on the link. There's going to be multiple options for you to choose as well as another category. If you would like to add an additional thought that we didn't cover they're very general topics, but specific to materials. So, I'm going to give everyone about 2 minutes to go through and answer, you can choose multiple options, and then when you submit you can edit them, but we only record your final response.

01:52:30.400 --> 01:52:37.530

Andrejko, Judith [DEP]

And if there's something that's not on the list that you'd like to end up meeting with us about please type that into.

01:52:38.240 --> 01:52:45.920

Jensen, Erin [DEP]

Yep, into the other category and if you're if you want to think about it, some more. The poll will be open for 24 hours. So I'll give you guys about 2 minutes now to work on that.

01:52:50.960 --> 01:53:08.010

Andrejko, Judith [DEP]

So, in the event that you're really not sure or you haven't had a lot of time to think about it, you can actually come back click on the link to this Microsoft Teams meeting go into the chat function and you should be able to still access the poll question link at least for the next day.

01:54:49.300 --> 01:54:51.130

Jensen, Erin [DEP]

OK, I think we're going to move on to our last slide and closing remarks and I'm going to pass it on to Judy.

01:55:00.260 --> 01:55:30.950

Andrejko, Judith [DEP]

Alright, thank you Erin. On behalf of the New Jersey Department of Environmental Protection and the Site Remediation & Waste Management Program, I would like to thank all of you for attending our stakeholder meeting. Today, the first of many I would expect at this point summaries of the topics that we covered at the meeting and basically any other additional relevant information will be made available following the meetings at the DEP stakeholder website at [www.nj.gov/backslash/dep/backslash/workgroups/backslash/index.dot/HTML](http://www.nj.gov/backslash/dep/backslash/workgroups/backslash/index.dot/HTML). I would ask that someone on staff be able to put that in the chat. Following the New Jersey register publication of the rule proposal, which we talked a little bit about early on, there would be a 60-day formal comment period and most likely a public hearing where formal comments, written comments, can be made by anyone during that time. Lastly, we would ask that you direct your main questions via email at single-use plastics at DEP dot nj.gov. We ask that you please send us information about your experiences with how the laws been implemented. What you think about what a straw is and any other information that you think we should know about that you're dealing with on a daily basis because we need to keep hearing from you. Again, I'd like to thank you all for spending your afternoon with us on behalf of the Department. I hope you have a wonderful day and a great week thanks.

01:56:47.100 --> 01:56:47.890

Lawson, Dana [DEP]

Thanks, Judy.

01:56:48.070 --> 01:56:48.790

Jensen, Erin [DEP]

Thanks, Judy.