

Foaming It In

San Luis Obispo, Morro Bay, Pismo Beach, Arroyo Grande, Grover Beach and SLO County need to start enforcing the law

*By Janine Rands, Chapter Executive Committee;
Chair of the Santa Lucia Chapter's Zero Waste Task Force*



Still here for some reason The County banned Styrofoam food containers five years ago, but...

The distribution and sale of expanded polystyrene products -- aka Styrofoam -- was banned ten years ago by the city of SLO. Morro Bay and Pismo Beach followed suit in 2015, Arroyo Grande in 2016, Grover Beach in 2018, and SLO County in 2019. They are now part of a network of municipalities -- including New York, Seattle, Washington DC, Miami Beach, Minneapolis, Portland, Baltimore, and 130 cities and counties in California -- that have banned polystyrene foam in foodservice products, including take-out containers, trays, cups, and cutlery, over the last three decades. (Here's [a quick primer](#) on the reasons why, for anybody who needs one.)

Just one problem. No jurisdiction in San Luis Obispo County has seen fit to enforce their ban.

In SLO County, the Integrated Waste Management Authority (IWMA) has jurisdiction over unincorporated towns. And those coastal areas like Cambria, Cayucos, Los Osos, Avila Beach, Oceano, etc. are where polystyrene can do the most harm. (Restaurants and food trucks over the July 4th events in Cambria and Cayucos were using PS foam). The County Polystyrene

Ordinance, passed on October 15, 2019, was to go into effect on April 9, 2020. But COVID hit in March. The IWMA Board met without the broad public's knowledge and postponed the effective date to 2021. The IWMA Attorney had already been paid to rewrite a new ordinance canceling the IWMA Polystyrene Ordinance! But miracles happen, and the original IWMA Polystyrene Ordinance passed by a 1-majority vote, thanks to Supervisor Bruce Gibson.

In what can best be described as a retaliatory temper tantrum, County Supervisor Debbie Arnold, joined by John Peschong and Lynn Compton, led the charge to withdraw the County from the IWMA in 2021. With Supervisor Compton's timely departure, the County was finally able to rejoin the IWMA last February. The IWMA then adopted "minimum measures of enforcement" – basically, no enforcement until IWMA Director Peter Cron can get "legal guidance to figure out what they can enforce."

Mr. Cron, this looks like pretty clear guidance:

SECTION 4. Polystyrene and EPS Disposable Food Containers are Prohibited.

A. Food and Beverage Providers within the IWMA Region may not provide Prepared Food and Beverages in or provide separately any Disposable Food and Beverage Container made from Polystyrene or EPS except as exempted in Section 7.

B. Disposable Food Containers made from Polystyrene or EPS are prohibited from use in all IWMA Member Jurisdiction stores or businesses which sell or offer goods, services, or merchandise.

This failure of enforcement is the triumph of politics over the environment and public health.

City code enforcement officers and council members routinely claim they don't have the staff to enforce their bans except on a complaint basis and they don't have enough employees for education and outreach.

So, it's up to you, folks. Complain!

TAKE ACTION: Protect yourselves and choose what to eat out of, including all plastics being used for take-out. Report polystyrene violations, refuse your business, tell the restaurant why, take photos, and send a violations report to each city's code enforcement office (Google the city's Polystyrene Ordinance and Code report link).

Link to SLO City Ordinance: <https://sanluisobispo.municipal.codes/Code/8.06>

IWMA Ordinance: <https://www.iwma.com/polystyrene-ordinance>

IWMA Code Violation Report: <https://www.iwma.com/ordinances>

Best suggestion: take your own container to the restaurant.