


Government of the District of Columbia
Office of the Chief Financial Officer



Jeffrey S. DeWitt
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jeffrey S. DeWitt
Chief Financial Officer 

DATE: December 10, 2019

SUBJECT: Fiscal Impact Statement – Polystyrene Food Service Product and Packaging Prohibition Amendment Act of 2019

REFERENCE: Bill 23-191, Draft Committee Print as shared with the Office of Revenue Analysis on November 15, 2019

Conclusion

Funds are sufficient in the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill.

Background

Beginning in 2016, the Council banned the use of expanded polystyrene (Styrofoam) containers by food service businesses¹ in the District.² The Department of Energy and Environment (DOEE) implements and enforces the ban on these products as well as a ban on other food service products that cannot be recycled or composted.

The bill expands the polystyrene ban to prohibit the sale of polystyrene food service products, packaging materials,³ and other containers⁴ at retail establishments in the District. Retail establishments must stop selling these products by July 1, 2020.

¹ These businesses include restaurants, cafes, delis, coffee shops, supermarkets, food trucks, etc. regardless of whether the food is for consumption on or off the premises.

² Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531 et seq.).

³ Polystyrene packaging materials includes packing peanuts and other Styrofoam products used to hold, cushion, or protect shipped items.

⁴ This includes containers such as coolers or ice chests that are not encased in a more durable material.

The Honorable Phil Mendelson

FIS: Bill 23-191, "Polystyrene Food Service Product and Packaging Prohibition Amendment Act of 2019,"
Draft Committee Print as shared with the Office of Revenue Analysis on November 15, 2019

Financial Plan Impact

Funds are sufficient in the fiscal year 2020 through fiscal year 2023 budget and financial plan to implement the bill. DOEE enforces the current bans related to food service businesses and will utilize this same enforcement staff to enforce this bill's prohibitions on retail sales of polystyrene products. DOEE can absorb any costs associated with enforcement, advertising, and education with its existing budgeted resources. The prohibition begins on July 1, 2020, giving DOEE time to fully establish its enforcement policies and processes for the recently implemented polystyrene and disposable food service product bans before beginning enforcement of the bill's retail business ban.