



September 10, 2012

Mr. John Muller
Chair, San Francisco Bay Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Re: Agenda Item No. 7 - Implementation of the Municipal Regional Stormwater
Permit Trash Load Reduction Requirements

Dear Chairman Muller:

On behalf of Omega Extruding Corp. and our 100+ employees, I am writing to express concern over proposed stormwater trash reduction policies that we believe could negatively impact the local economy. Certainly, my company supports efforts to reduce trash and litter. However, I understand that the regional water board may ultimately approve regional trash reduction policies that would incentivize cities and counties to adopt bans on certain plastic packaging.

As proposed, local governments that adopt bans on the use of polystyrene foam containers and plastic bags would receive a "credit" of upwards of 20% toward their trash reduction requirements. Unfortunately, it is not clear to me how a ban on one material type will reduce overall trash that may find its way into local waterways. In fact, evidence from the City of San Francisco shows that paper cup litter increased after that city banned polystyrene foam containers. I fail to see how the arbitrary credit being proposed helps local governments meet their trash load reduction objectives.

It is also unclear what scientific methods were used in creating the credits. If the accounting measures used are not based on empirically measured trash reductions, then it appears the credits are illusory and artificial. The credit system is supportive of plastic bag and polystyrene food service bans at the expense of other proven measures such as in stalling pollution controls with known quantifiable efficacy.

Furthermore, forcing local food providers or retailers to use more expensive products can have a negative impact on their operations, their customers, and local companies that may manufacture these products. In my view, the regional board has a responsibility to review policy proposals to ensure they are fair, based on credible evidence, and consider the economic impact on local businesses and manufacturing companies. As proposed, the "credit" proposal falls short of these criteria. I encourage the regional board to reject any suggested proposal that would incentivize local ordinances that "ban" individual packaging materials.

Sincerely,

Ed Miller
President