

ANTI-VINYL, -PBT AND -DIOXIN ADOPTED ACROSS AMERICA AND AROUND THE WORLD

Compiled by Washington Toxics Coalition www.watoxics.org and PVC Free Futures, a Greenpeace report, supplied data for this document www.greenpeaceusa.org

Governments across America and around the world are adopting anti-vinyl, -PBT and -dioxin resolutions. Why? Because the production and disposal of vinyl (also known as polyvinyl chloride or PVC) leads to persistent bioaccumulative toxics like dioxin that are harmful to the environment and public health. PBTs are chemicals that are exactly what they say they are: persistent, bioaccumulative and toxic. They don't degrade easily, build up in our bodies, and have toxic properties that can adversely impact our health. In other words, exposure to these chemicals can cause harm. Governments, including the United States and the European Union have signed a treaty to eliminate the worst of all PBTs, known as the Dirty Dozen. (The U.S. still needs to ratify this treaty.) Among the Dirty Dozen is dioxin, which is an unintended byproduct of vinyl manufacture and disposal by municipal or medical waste incineration and barrel burning. Below is a catalog of resolutions that aim to eliminate incineration and purchasing of vinyl and other products (such as chemically treated wood poles and chlorine-bleached paper) that are linked to dioxin formation. As one can see, eliminating vinyl is a fast moving, worldwide movement.

Included elsewhere in this toolkit are sample resolutions to help you introduce similar initiatives at your town, city, county or state governments or even at your church, synagogue, mosque, university or school.

I. RESOLUTIONS TO REDUCE OR ELIMINATE PVC PRODUCTS, WHICH ARE LINKED TO DIOXIN FORMATION.

A. Existing Policies and Resolutions¹. UK- Newhaven Town Council

Council Policy on the use of PVC: -

The Council will seek to avoid PVC in all products it purchases, including office equipment and furniture, electrical cables and miscellaneous items.

The Council will make their policy known to suppliers and contractors and give priority to those that offer products that do not use PVC.

When refurbishing or constructing public buildings or those, for which public money is made available, the Council will specify to the designers/contractors that PVC should not be used except where an alternative cannot be found at a reasonable cost. In this case details of attempts to find such alternatives will be required by the Council. This applies to all construction materials including doors and windows, floors electrical cabling, interior and exterior drainage and waste systems, underground piping and fixtures and fittings.

The Council, by implementing this policy and by other means, will work to educate the public on the environmental hazards of PVC and to lead by example.

- *The Council will actively encourage and aid other Local Authorities and other agencies with which the Council works to implement PVC restrictions.*

- *The Council recognizes that it is the chlorine content of PVC that causes the most serious environmental damage and so will also avoid the use of other chlorinated products, such as chlorine bleached paper and chlorinated disinfectants*

2. Chicago Medical Society No. 98-28 RESOLUTION –PVC Plastic Use by Health Care Facilities

- **RESOLVED**, *that the CMS encourage the study and evaluation of alternative products and practices that will lead to the reduction and elimination of dioxin release into the environment from medical products composed of chlorinated hydrocarbons.*

3. Rahway, New Jersey (Ordinance Number: 0-53-96)

- *Prohibits the use of PVC or polystyrene by retail food vendors located within the city and requires them to use degradable packaging.*

4. Lake in the Hills, IL (Building Commissioner memo to President and Board of trustees)

- *Banned the use of CPVC pipe for construction in March 1996, citing problems with using pipe-thawing equipment for non-metal piping, worker exposure to glues and solvents during installation and other issues.*

5. Glen Cove, New York

- *Banned city retail food establishments from selling, giving or providing eating utensils or food containers to any consumers if such eating utensil or food container is composed of polystyrene or PVC.*

6. Minnesota Medical Association (October 1998)

- *Resolution in support of PVC substitution which says, “that the Minnesota Medical Association acknowledge the role that PVC plays in the production of dioxins, acknowledge the environmental and physical threats associated with dioxins, acknowledge the need to reduce the of PVC products, and support the efforts to address dioxin as a pollutant through strategies including but not limited to, material substitution of PVC products.”*

7. California Medical Association (February 1998)

- *Resolution to “encourage the study and evaluation of alternative products and practices that will lead to the reduction and elimination of dioxin release into the environment from medical products composed of chlorinated hydrocarbons.”*

8. Maine Hospital Association (March 2001)

- *Member hospitals agreed to continuously reduce the use and disposal of PVC plastic in hospitals. The highest priority is placed on reducing PVC use in disposable healthcare products and office products. Longer term replacement of PVC in durable medical products, construction material, and furniture is to be considered when opportunities present themselves.*

9. International Efforts to Eliminate PVC/ Dioxin

- *Ban on the sale of children's items, including toys, made of PVC*
- **Austria-** *January 1999- ban on the sale of phthalate plasticizers in toys for children under three years old.*
 - **Cyprus-** *November 12, 2000- ban on baby toys made of PVC*
- **Czech Republic-** *February 2001- emergency ban on phthalates in PVC Toys entered into force.*
- **Denmark-** *April 1, 1999- ban on phthalate plasticizers in toys and childcare articles for infants under three years old. Companies are given one year to clear existing stock, and inflatable toys are allowed until Jan. 1, 2003.*
- **Figi Islands-** *October 24, 2000- ban on the sale of children's items made of PVC. The ban extends beyond soft PVC toys intended for children's mouths to include other articles such as stroller covers and mattress covers.*
- **Greece- 1999-** *Bans the import and sale of PVC toys containing phthalates for children under three years old.*
- **Mexico- November 30, 1998-** *Health Ministry announced that it would stop the import of soft PVC toys for small children and withdraw these products from sale.*
- **Norway- July 1, 1999-** *Ban on the production, distribution, import and export of toys and other products aimed at children under three years old and containing phthalate plasticisers.*
- **Tunisia- July 18, 2000-** *Ban on the importation, selling and distribution of all PVC toys and childcare articles intended for children under the age of three and which contain more than 0.1% of one of the six mentioned categories of phthalates (DINP, DEHP, DNOP, DIDP, BBP, DBP)*
- **PVC Bans on other Products**
- **Aachen, Germany- 1996-** *First Community to include a ban on the use of PVC in cables.*
- **Japan- July 27, 2001-** *an ordinance on "Standard on Food, Additives, and related Products" was amended to stop the phthalate DEHP being used in Food utensils and*

vessels and to stop the use of DEHP and DINP in toys (covers all toys up to the age of six):

- *In the production of resin baby toys intended to be put in the mouth, PVC which contains DEHP should not be used.*

- *In the production of resin toys, PVC which contains DEHP should not be used.*

- **Restrictions on PVC packaging**

- **Czech Republic- Waste Bill signed in February 2000-** Bans the use of PVC packaging after 2008.

- **Catalunya, Spain- May 1996- Parliament approved a non-law proposition to phase out PVC in food packaging:**

- *“The Parliament of Catalunya urges the Generalitat Government to, starting from their proper competence on industry, commerce and food matters, forbid the manufacture and use of PVC, in any type of packaging for food.”*

- **Policies, Recommendations, and Resolutions for the phase out of PVC**

- **Denmark- 1996- “Proposal for Parliamentary Resolution for the phasing out of PVC.”**

- *Places restrictions on the manufacture, use, and disposal of PVC. Also calls for the elimination of heavy metal stabilizers and phthalates, the minimization of PVC construction material use in public buildings and the reduction of the incineration of PVC waste.*

- **Bonn, Germany- December 13, 1995-** Committee for the environment announced a policy which would phase out most major uses of PVC in public construction.

- **Berlin, Germany-** Since 1989, over 130 public building projects have been built with the restrictions on the use of PVC.

- **International Society of Doctors for the Environment (ISDE)- October 1999- Resolution on PVC:**

- *ISDE is concerned that the chlorinated plastic polyvinyl chloride (PVC) represents a large amount of the plastic used in the health care industry...*

Therefore ISDE:

- *Urges all health care facilities to explore ways to reduce, with aim to eliminate, their use of PVC plastics.*

- *Calls upon health care professionals to encourage health care institutions with which they are associated to adopt policies that will reduce, with the aim to eliminate, the use of PVC plastics.*

- *Strongly urges medical suppliers to develop, produce, and bring to market appropriate cost competitive and safe products that can replace PVC and other chlorinated plastics*

- *Urges governments to take action that encourage the phase out of PVC in medical devices.*

- **World Health Organization- 1992- “Recommendations For the Protection of Human Health and the Environment...”**

- *Measures must be taken to reduce the release the DEHP to the environment.*

- *Medical devices and products that contribute to the body burden of DEHP must be scrutinized to reduce exposure to DEHP via the intravenous route.*

- **Luxembourg- 1991- Technical Resolution-** *No new pipes will be allowed for sewage systems in the capital. It covers the public as well as private sectors.*

- **Bergen, Norway- 1991-** *Decision to phase out PVC in public buildings.*

- **Andalucia, Spain- November, 1996-** *Approved a Resolution on PVC that includes several measures, including a phase-out of PVC in health care institutions.*

- **Toronto City Council –1996- PVC Resolution**

- **PVC Strategies**

- **Denmark- 1999 “Action Plan for the Reduction and Phasing out of Phthalates in Soft Plastic.”**

- *A tax on PVC of two Danish Kroner per kilogram (Approx. 0.3 USD/kg) (entered into force 1 July 2000)*

- *A tax of 7 Danish Kroner per kilo of phthalates (Approx. 1.2 USD/kg) (entered into force 1 July 2000)*

- *New PVC products must be free of additives containing environmental contaminants and substances which are harmful to health*

- *PVC products which are difficult to separate must be substituted as far as possible*

- *As far as possible PVC must be kept away from incineration plants*

- *Relevant treatment technologies must be developed*

- *Recyclable PVC must be collected and regenerated*
- *Recycling PVC containing heavy metals must be limited and only occur in controlled system.*
- **European Union- Green Paper on PVC [the excerpt below is taken directly from the website: <http://www.europa.eu.int/comm/environment/pvc/index.htm>]**
- *A number of issues regarding PVC and its impact on the environment have been identified and analysed in the Green Paper:*
 - **The PVC industry and its products:** *structure of the industry, production processes, range of products, economic importance*
 - **Additives:** *quantities used, hazards, and risks of additives, in particular heavy metal stabilisers and phthalate plasticisers*
 - **Management of PVC wastes:** *current quantities and treatment routes, future development*
 - **Recycling of PVC wastes:** *processes and potential quantities for mechanical and chemical (feedstock) recycling and other technologies*
 - **Incineration of PVC wastes:** *technologies, residues, costs of incineration, evaluation of a potential diversion of PVC from incineration*
 - **Landfilling of PVC wastes:** *behaviour under landfill conditions.*
- *The Green paper lists a range of measures, mandatory as well as voluntary, that are available to implement a horizontal Community strategy on PVC in order to address the problems that have been identified during the above mentioned analysis. The European PVC industry has signed a voluntary commitment on the sustainable development of PVC, which among others addresses the reduction of the use of certain heavy metal stabilisers, the mechanical recycling of certain post consumer wastes and the development of further recycling technologies. Legislative measures, such as a Proposal for a Directive on PVC, or a mix of instruments such as the adaptation of existing Directives, Recommendations to the Member States and further voluntary commitments could also be adopted.*
- **Other Groundbreaking Laws and Initiatives**
 - **Philippines- June 23, 1999- Approved “The Clean Air Act.” This Act includes a total ban on incinerators.**
 - *First country in the world to approve a nationwide ban on incineration.*
 - *Relevant measures contained in the Act:*

- *Ban incineration totally (incineration being defined as the burning of municipal, bio-medical and hazardous waste for disposal), exempting cremation (for carcasses and body parts only) and traditional forms of burning for agricultural purposes;*
- *Within three years, phase out the use of existing medical waste incinerators, provided that such units shall be limited to the burning of pathological and infectious wastes and subject to close by monitoring by the Department;*
- *Local government units are mandated to promote, encourage and implement a comprehensive ecological waste management scheme that includes waste segregation, recycling, and composting; and*
- *Mandate the Department of Environment and Natural Resources to promote and encourage the use of ecologically safe NON-BURN technologies for the handling, treatment, and destruction and disposal of unsorted, unrecycled, uncomposted municipal, bio-medical, and hazardous waste.*
- **Singapore-** *According to national legislation, waste PVC and PVC coated cables are hazardous waste, thus imports are banned under the Basel Convention.*

- **Spain – PVC Free Cities**

- *62 Spanish Cities have been declared PVC free cities.⁵*

The “standard” measures approved are:

- *To subscribe to the decision of the Spanish Senate of 19-12-95, which asked for a state regulation on PVC.*
- *To ask the regional and central government to consider the risks for public health of the consumption of food packed in PVC, as well as the risks from its production and disposal, and therefore, in order regulate its uses.*
- *That the municipality, or its entities, will not buy or use mineral water or other drinks or food packed in PVC, in any of their activities. In first instance, glass bottles are recommended followed by PET or other alternative plastics that don't harm public health.*
- *To recommend to all its citizens not to buy food products packed in PVC, due to the risk it may cause to humans and other living organisms.*
- *To elaborate a municipal strategy that will allow in the medium term the substitution of PVC construction materials with other alternatives such as wood, in new installations, constructions, renovations, etc., carried out or funded by the municipality, with the objective that the city of...will become PVC-FREE.*
- *To communicate this agreement to all institutions, and departments affected by it.*

- **Shiga City, Japan- 1999- PVC Banishment Policy-**

- *Beginning in fiscal 2000, Shiga City will, in principle, cease using PVC pipes in municipal water-supply works.*
- *It also launched a campaign to encourage households to switch to PVC-free products for everyday use. (February 2000).*
- **Slovakia- May 15, 2001- PVC Ban**
- *As part of the new Waste Management Act, Slovakia called for a “total PVC ban for all products, including packaging.”*

II. RESOLUTIONS THAT SEEK TO ELIMINATE OR REDUCE DIOXIN

- **Chicago, IL (Chapter 2-92-590- Recycled Product Procurement)**
- **City Council Ordinance-** *purchasing agents shall “promote, wherever practicable, the purchase of paper and paper products made with post consumer and chlorine free materials.”*
- **Oakland, Ca**
- **City Council Resolution-** *seeks to eliminate the production of dioxin, wherever possible.*

San Francisco, CA

- **City Council Resolution-** *seeks to eliminate the production of dioxin.*
- **Ann Arbor, MI**
- **Resolution D-7-234-** *prescribes all city departments to favor the purchase of non-chlorine paper up to prices 10% above the price of chlorine bleached paper. According to information on the Government Purchasing Project web-site (<http://www.gpp.org>), there is no PCF of TCF paper being purchased at this time.*

· **Oregon Executive Order 98-97- Reduce Waste And Reuse or Recycle Materials**

- *The Executive Order was created for the purpose of directing state government to continue setting a good example in regards to reducing waste and using recycled materials.*
- *In regards to chlorine paper, the EO calls for a preference for paper products not bleached with chlorine.*

· **Vermont Executive Order NO. 06-94, The “Clean State Program”**

- *The Vermont EO orders state agencies, departments, and offices to “manage wastes by giving preference to pollution prevention, source reduction, and recycling strategies in advance of those representing treatment and disposal.”*

- The EO establishes a Vermont Clean State Council to help state government achieve these goals.
- In regards to chlorine-free paper it calls for “practices and procedures to maximize the use of chlorine-free recycled paper with the highest post-consumer content feasible.”
- **SEATTLE, WA, Seattle Municipal Code (Section 3.38.918) Ordinance #116270**
- Relevant language includes: ***In addition, the Director of Finance and departments shall purchase recycled-content photocopy paper that has not been bleached with a chlorine-based lighting process, including elemental chlorine gas, chlorine dioxide, or hypochlorite when nonchlorinated bleached photocopy paper is readily available and similarly priced.***
 - **BELLEVUE, WA- Administrative order NO. 94-01 (Pursuant to Resolution No. 5386) Procurement of Recycled and Recyclable Products**
 - “All city departments, whenever practicable, shall use paper that has not been bleached with a chlorine based lightening process.”

III. EXISTING GENERAL DIOXIN/PBT RESOLUTIONS

1. Washington State: Proposed Strategy to Continually Reduce Persistent, Bioaccumulative Toxins (PBTs)

- **The Washington strategy proposes to identify PBTs in Washington State. It envisions “continually reducing risks to human health and Washington’s environment from exposures to PBTs, by the year 2020.”**
- **Mechanism: Chemical action plans for high priority chemicals. These plans will be the primary means by which specific reduction actions and activities will be developed and implemented. The strategy identifies a “Starter List’ of 9 PBTs and includes a screening process to identify additional chemicals.**

2. The New Hampshire Dioxin Reduction Strategy

Recommended Regulatory Actions

A. Hospital/Medical/Infectious Waste Incinerators

- **Draft legislation by Nov. 1, 2001 (effective date July 1, 2005) to prohibit the disposal of PVC containing products and materials in medical waste incinerators**
- Draft legislation by Nov. 1, 2001 (effective date July 1, 2002)
 1. Ban the construction of medical waste incinerator [in NH]
 2. Phase out the operation of all existing HMIWIs in the state by 2010

B. Backyard Burning of Domestic Waste

- *Draft legislation by Jan. 1, 2001 to ban all backyard burning of household wastes [in NH]*
- *As an alternative, draft legislation by Nov. 1, 2001 to ban all backyard burning of PVC containing plastics*

C. Residential Wood Combustion

- *Draft legislation by Jan. 1, 2002 prohibiting the burning of treated wood in residential woodstoves*

D. Pulp and Paper Mills

- *Continue to support and implement federal rules requiring air and water pollution reductions from large pulp and paper manufacturing facilities*
- *Re-institute periodic fish tissue monitoring ...with the goal of measuring environmental improvement and lifting fish consumption restrictions....*

E. Municipal Waste Combustors

- *Assure that federal requirements for dioxin emissions controls for both large and small MWCs are fully implemented and enforced*
- *Draft legislation by Nov. 1, 2001 to study the impact of implementing a moratorium on the construction of new MWCs [in NH] not subject to federal New Source Performance Standards*

3. Oakland, CA “Establishing a Regional Task Force and Policy in Dioxin, Public Health, and the Environment.” Feb. 2, 1998

4. San Francisco: Resolution NO. 021-98-COE March 22, 1999 [Dioxin Resolution]

5. Screening Evaluation of Dioxins Pollution Prevention Options- San Francisco

This report was prepared for the San Francisco Bay Area Dioxins Project. It is a comprehensive document that sets forth dioxin sources in the Bay Area followed by Dioxins pollution prevention options. It is an excellent resource for groups and individuals looking for a detailed evaluation of available options. The full document can be found at the following internet address: <http://dioxin.abag.ca.gov>.

6. Oregon Executive Order NO. EO-99-13 Elimination of Persistent, Bioaccumulative, and Toxic Pollutants

- *...the Oregon DEQ shall lead a statewide effort to eliminate the releases of PBTs into the environment.*
- *Oregon's initial goals shall be:*
- *Outline a range of approaches that might be undertaken in Oregon to identify, track, and eliminate the release of PBTs into the environment by the year 2020*
- *Evaluate state, national, and international efforts to eliminate PBTs*
- *Use available information to identify which PBTs are generated in Oregon, determine what activities generate PBTs, estimate the amounts being generated, and identify missing data;*
- *Identify ways to utilize education, technical assistance, pollution prevention, economic incentives, government procurement policies, compliance, and permitting activities to eliminate PBTs.*

IV. RESOLUTIONS RESTRICTING PENTACHLOROPHENOL (PENTA) POLES, WHICH HAVE LINKS TO DIOXIN CONTAMINATION.

1. *San Francisco, CA Resolution NO. 004-01-COE Wood Preservatives (May 21, 2001)*

RESOLVED, that the Commission on the Environment urges the Mayor and the Board of Supervisors of the City and County of San Francisco to urge PG&E, Pacific Bell, and manufacturers of non-wood utility poles, including steel, fiberglass, and concrete utility pole manufacturers, to conduct a feasibility study, within six months of the passage of this resolution, of alternatives to chemically treated wood utility poles, including an analysis of the effectiveness of wrapping chemically treated wood poles to prevent leaching of chemicals into the environment, a plan for the safe disposal of chemically treated wood poles, and an explanation as to why alternatives to chemically treated wood poles cannot be used in particular situations...

2. PBT-Free Procurement Policies

- i. *Erie County, New York Environmental Management Council- RESOLUTION FOR PBT PURCHASING*
- *THEREFORE, BE IT RESOLVED: That the Erie County Environmental Management Council requests that Erie County will continually strive to purchase non-PBT-containing products. In cases where a PBT-free alternative is not available or practicable, the County will purchase lower PBT-containing products where possible. In cases where no PBT alternatives are available, the County will include clauses in its purchasing contracts to encourage product manufacturers to take back and recycle used PBT-containing products.*

Be it resolved that the ECEMC requests that all Departments of the County cooperate with the efforts of this grant which will protect the health of County residents as well as the environment.

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