



OLD NORTH BRIDGE

TOWN OF CONCORD

TOWN MANAGER'S OFFICE
22 MONUMENT SQUARE - P.O. BOX 535
CONCORD, MASSACHUSETTS 01742

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CHRISTOPHER WHELAN, TOWN MANAGER

RE: Polystyrene Bylaw Information Meeting

Dear Concord Business Owner,

As you are likely aware Concord residents voted at Town Meeting last April to enact a polystyrene bylaw (Article 45). The bylaw, which goes into effect on January 1, 2017, bans polystyrene (EPS foam and #6 Rigid Plastic) food service ware and packaging in Concord food establishments. The bylaw also pertains to Concord retail establishments that sell polystyrene products. Retail establishments are permitted to sell polystyrene products as long as environmentally friendly alternative products are sold as well.

EPS foam products banned by the bylaw include but are not limited to: cups, bowls, plates, lunch trays, clamshells, meat trays, and egg cartons. Rigid #6 plastic products banned by the bylaw include but are not limited to: clear clamshells, snack containers, beverage cups & lids, utensils, and straws.

Alternative products generally include reusable, recyclable, biodegradable /compostable and paper products. A copy of the bylaw is attached along with a separate sheet of Frequently Asked Questions (FAQS) to help you fully understand the bylaw. Below are some highlights of this new bylaw and some key definitions:

Highlights:

1. FOOD ESTABLISHMENTS are prohibited from providing prepared food to customers in Foam Polystyrene or rigid Polystyrene (#6 Plastic) food service ware starting January 1, 2017.
2. All FOOD ESTABLISHMENTS using any disposable food service ware will use biodegradable, compostable, reusable or recyclable food service ware as of January 1, 2017. All food establishments are strongly encouraged to use reusable food service ware in place of using disposable food service ware for all food served on premises.
3. RETAIL ESTABLISHMENTS are prohibited from selling or distributing polystyrene or rigid polystyrene food service ware to customers unless equivalent biodegradable, compostable, reusable or recyclable food service ware products are available for sale and are clearly labeled as such.
4. Foods prepared or packaged outside Concord are exempt from the bylaw. Coolers and ice chests that are intended for reuse are exempt from the bylaw.

5. WAIVER. FOOD ESTABLISHMENTS and RETAIL ESTABLISHMENTS may seek an exemption from this bylaw by filing a request in writing to the Concord Health Department. The Concord Health Department may waive any specific requirement of the bylaw for a period of not more than one year if the FOOD ESTABLISHMENTS or RETAIL ESTABLISHMENT seeking an exemption has demonstrated that strict application of the specific requirement would cause undue hardship.

Key Definitions:

1. FOOD ESTABLISHMENT: An operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any establishment requiring a permit to operate in accordance with the State Food code, 105 CMR 590.000.
2. RETAIL ESTABLISHMENT: Any commercial business facility that sells goods directly to the consumer including but not limited to grocery stores, pharmacies, liquor stores, convenience stores, restaurants, retail stores and vendors selling clothing, food, and personal items, and dry cleaning services.

The Polystyrene Education and Outreach Committee has scheduled an information meeting for businesses and residents. **The meeting will be held in the Hearing Room at the Town House (22 Monument Square) on Wednesday, December 7, 2016 @ 7:00PM.** There will be ample time for any questions pertaining to the bylaw.

Thank you for your attention to this new bylaw and for your assistance. For questions, you can contact:

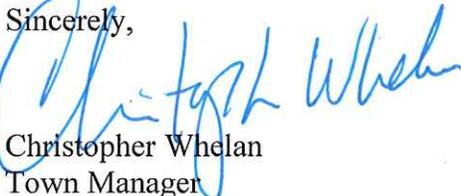
Scott Richardson, Chairman of the Polystyrene Education and Outreach Committee
(978) 337-6957 or via e-mail: scott@longwoodsoftware.com.

Rod Robison, Environmental Services Program Administrator (978) 318-3241 or via e-mail:
rrobison@concordma.gov.

Susan G. Rask, Public Health Director (978) 318-3275 or via e-mail: srask@concordma.gov.

You can also visit www.concord.ma.gov for additional information regarding the Polystyrene Education and Outreach Committee charge and the Polystyrene Ban Bylaw.

Sincerely,



Christopher Whelan
Town Manager