
From: Rynders, Denice (DEQ) <Denice.Rynders@deq.virginia.gov>

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Subject: Expanded Polystyrene Ban / Information

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CAUTION: External email

Greetings,

We are sending this message as Phase II of the Expanded Polystyrene (EPS) ban will take effect on **July 1, 2026**. DEQ sent a similar communication last year to localities prior to the Phase I effective date of July 1, 2025. DEQ has included information for food establishments on our website, and we will also be sending an email early next week to food vendors operating in the Commonwealth with the information outlined below.

For outreach materials and guidance, food establishments may visit DEQ's Foam Free resources page:

<https://www.deq.virginia.gov/our-programs/land-waste/litter-prevention/foam-free-resources>

Locality Extensions

The statute allows food establishments to request an extension from their locality. Details on eligibility and procedures are available at:

<https://law.lis.virginia.gov/vacode/title10.1/chapter14/section10.1-1424.3/>

As part of Phase I last year, DEQ received contact information from some localities identifying personnel responsible for granting EPS-related extensions. This

information is posted on the DEQ website at <https://www.deq.virginia.gov/our-programs/land-waste/litter-prevention/foam-free-resources> (See "Additional Resources" menu)

Please review the list and notify us of any updates or additions by emailing us with subject line "EPS" at: va-landr@deq.virginia.gov.

Message to food vendors:

In 2021, the Virginia General Assembly passed legislation prohibiting food vendors and similar retail food establishments from using expanded polystyrene (EPS) food service containers beginning July 1, 2023. This legislation also encourages reducing the sale and use of EPS products and promoting alternatives.

The 2022 General Assembly postponed the ban until July 1, 2028. However, the 2024 budget bill accelerated the implementation dates to 2025 and 2026. The ban applies to any establishment that serves prepared food, including restaurants, cafeterias, food trucks, catering companies, and grocery store salad bars. As outlined in the 2021 legislation, implementation occurs in two phases.

Phase I: By July 1, 2025, [food vendors](#) with 20 or more locations must discontinue the use of EPS containers.

Phase II: By July 1, 2026, all remaining [food vendors](#) must comply.

The statute allows food establishments to request an extension from their locality. Please contact the locality where the food establishment is located for additional details. Additionally, the EPS contact list for some localities is available on DEQ webpage.

For information on the EPS outreach campaign, establishments may visit DEQ's Foam Free resources page: <https://www.deq.virginia.gov/our-programs/land-waste/litter->

[prevention/foam-free-resources](#) or email us with the subject line "EPS" at: va-landr@deq.virginia.gov

Best Regards,



Denice Rynders

Environmental Specialist II, Sara Title III –

Program Coordinator

Division of Land Protection & Revitalization

Virginia Department of Environmental Quality

1111 East Main Street, Suite 1400

Richmond, Virginia 23219

(804) 659-1541