

TO: Beyond Waste IWG members

FROM: Preston Horne-Brine

I want to reiterate again, my concerns with the draft Proposal:

1. Optimizing the Current Collection System and Getting the Paper Out

as it was presented and discussed at the Wednesday, July 21, 2007 meeting.

I cannot support the current draft of the Proposal. It contains fatal flaws.

Below in this statement, I will state my specific objections to the current draft and then make suggestions for language that would address the areas of immediate concern.

The mandated aspects of this proposal are a very blunt instrument and if wielded carelessly will have many unintended consequences. Moreover they will draw significant opposition from the retail and wholesale business sectors.

Many recycling companies will oppose the implementation of this approach as well, given that it would lead, as currently proposed, to a single-provider, non-competitive recycling system.

Moreover the approach would drive increased collection of paper but would not necessarily correlate its impact and activity with the marketplace for recycled materials; such a disconnect could easily harm or weaken recycling systems. Increases in overall recycling system costs would be another likely unintended consequence.

Objection:

The draft-Proposal states: *“The solution to the problem identified in AW-3 that Task 1 is answering with this proposal is “Optimizing the current collection system services”.*

As Brad often says, and it is a WSRA position as well, we should build upon the existing services and infrastructure that is in place and working well now. There are a wide variety of very effective recycling services being provided in the commercial, industrial, and institutional sectors now. Many, if not most, of the existing service providers in these sectors are providing different types of collection service than the curbside collection service that is piggybacked on top of residential curbside collection. These other types of recycling collection service are tailor-made to the materials, space-configuration, and access limitations of the commercial accounts.

This proposal should not recommend that we eliminate or drive these existing service providers out. Nor should they be put at a competitive disadvantage. Rather they should be included in the solution. Commercial generators need and want the competitive choices that they have now.

The proper intent of this Proposal should be to **provide/insure effective recycling service to all, to engender full participation, and hence to facilitate at-least-minimum threshold levels of recycling activity by the participant generators.**

Mandatory requirements should **NOT:**

1. require a sole method of collection service especially when other methods are working quite well for most generators now, and which are custom-tailored to the account needs and logistics.
2. modify the overall recycling infrastructure to make it non-competitive and potentially more expensive and less innovative.
3. supplant existing service providers with another, without any reference to efficacy in achieving threshold levels of recycling activity.
4. remove the choice of a recycling service provider and recycling method from the commercial generator, so long as threshold levels of recycling activity are being achieved.
5. disconnect increased supplies of recycled materials, with specific considerations of contamination levels and logistics requirements from market considerations of price and material demand.

As an example, one could look at the existing recycling system in place for any grocery store in Washington state now like a Safeway or a PCC store. They are currently achieving recycling levels of over 60 -80% in each and every of their stores; it's mostly OCC and organic waste; with some plastic to boot. Mandating that a local grocery store subscribe to curbside collection service would not improve their overall recycling effort one whit and could damage it by causing the loss of some of their existing services and the elimination of their internal processing. The current system involves haul-back of recyclables to the grocery chain's regional distribution center where they are accumulated and processed for sale. This is done at the company's expense because there is value in the materials once consolidated and processed, with care, for sale at the best prices.

If the mandatory requirements in draft Proposal #1 were implemented as is, they would likely damage the existing service method and type of service for this grocery store chain. This would have a detrimental impact on the existing recycling effort that curbside service could not replace. Such a consequence would be extremely objectionable to the store-business. Rightfully so. Effective recycling programs are now generating net cost savings and operational benefits to such stores and their parent businesses. Such programs require cost and staff outlays by the store but these expended cost are offset by the high value of recycled materials and the avoided disposal cost savings They also generate all the environmental benefits, including GHG reductions, of material diverted from disposal and recycled instead..

Suggestions:

I will quote from the Proposal #1 language and add suggestions in the color, red.

Beyond Waste Implementation Working Group – Task 1

PROPOSAL TITLE: Optimizing the current collection system and getting the paper out.

What is the problem? The problem identified in AW-3 (Mitigation Option Description) that Task 1 tackles is “*expanding source **recycling and composting** of household, business, industrial and agricultural and construction-related waste streams.*”

The solution to the problem identified in AW-3 that Task 1 is answering with this proposal is “**Optimizing the current collection system services**”.

First we should **maximize** and expand the current services to residences and businesses that already have curbside services, and then we should **optimize** and expand the system by getting those same services to those currently not being served **by effective recycling services, be they curbside or other types of commercial collection service. Effectiveness can be determined by ability to recover a threshold recycling rate or by providing a minimum level of service. If a service level criteria is used it should be performance-based and not prescriptive.**

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What are the target materials? AW-3 Goals are to “*recycle at least 50% of the remaining waste and capture 90% of organics, following source reduction strategies.*”

The highest priority of Task 1 is currently **paper (fiber)**. Additionally any increase in **the number of** collected residences and businesses would additionally increase the amount of all collected recyclables (*metals, organics and plastics*) produced by residences, businesses and public buildings.

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What action is needed (specifically)?

1) Local government adoption of minimum service level ordinances that require a minimum level of recycling be provided to all residences and business -- via a mandatory pay/voluntary subscription program (i.e., existing Pierce County Program).

Businesses, organizations, and institutional generators with effective and/or existing recycling services, other than curbside, shall be allowed to opt out of this mandatory recycling service. Such generators shall provide a simple plan to implement new service, in lieu of the mandatory requirement and given a reasonable period of time to achieve threshold recycling rates.

- with a \$1.00 penalty per garbage can per month per customer for residents who are unwilling to sign up to receive recycling (paper) and yard waste (organics) receptacles and recycle. Under this scenario everyone pays for recycling service, **unless they opt out**, whether they use it or not and the \$1.00 penalty per garbage can of service if they choose not to recycle. The important thing here is that they still have a choice. The Pierce County program currently has a 94% sign-up rate and a 90% set-out rate and is offered county-wide to all residents.

- 2) Updating county solid waste plans to require recycling & organics collection;
- 3) Establishing business and office recycling programs, targeting fiber (paper).
 - a. Require at time of city/county business license/permit
 - b. **Ability to opt out of the mandated recycling plan if proof of effective, alternate service, from the curbside method, is shown**
- 4) Tie enactment of these collection programs to qualifying or additional consideration for \$'s (i.e., Grant of other new green program dollars, CPG Grants, Public Works Trust Account Dollars, , etc.,)
- 5) Disincentives self-hauling through increased minimum tipping fees. Increased fees to be used to promote local curbside collection programs and Paper Wasters Program. This will have benefit of combating litter, unsecured loads, illegal dumping and local government cost associated with servicing self-haulers.
- 6) Financial incentives for haulers **and recycling service providers**, i.e., current WUTC program to promote recycling.
- 7) Initiate an aggressive, statewide campaign to promote paper recycling by residences, businesses, and government. Campaign would target “paper wasters” and self-haulers.
- 8) Provide **and insure the provision of effective** recycling and organics collection services, **of all types**, to the commercial accounts (including businesses, institutions, and public sector facilities) that currently employ 80% of Washington’s labor force (through service level ordinances and municipal contracts).
- 9) Establish minimum standards for residential curbside collection in 70.95 (pay-as-you-throw (PAYT), broad range of materials including all grades of recyclable paper, commingled collection, aggressive education programs, etc.).
- 10) Provide a meaningful “price signal” to all customers, which will motivate waste reduction and recycling (PAYT systems have resulted in 15% to 20% increases in WR/R behavior).
- 11) Require all public sector facilities to recycle at least paper.
- 12) Consider penalties for businesses that fail to recycle paper, if CAT paper diversion goals are not met within five years.

What mechanism should be used to put the action in place (legislation, executive order, regulations, policies, etc.)?

1. Cities and counties could currently enact minimum service level ordinances and/or update county/city solid waste plans requiring subscription and/or collection within their current authorities. **In all cases, business, organizations and institutional generators shall be able to opt out of the mandated recycling plan if proof of effective, alternate service, from the curbside method, is shown**

2. State legislation that amends 70.95 RCW to provide a Model Minimum Service Level Ordinance for mandatory pay/voluntary subscription service. **In all cases, business, organizations and institutional generators shall be able to opt out of the mandated recycling plan if proof of effective, alternate service, from the curbside method, is shown**
3. State legislation that amends 70.95 RCW, and other statutes, that includes best management practices for both regulated and commercial recycling activities for adoption by local governments and/or enforcement by state agencies.
4. State legislation to require/mandate adoption of local ordinances statewide. **In all cases, business, organizations and institutional generators shall be able to opt out of the mandated recycling plan if proof of effective, alternate service, from the curbside method, is shown**
5. State legislation to require statewide mandate within urban growth areas only to deal with rural county issues.
6. State legislation and to provide for increasing financial incentive for UTC haulers **and recycling service providers** or to grow recycling programs.
7. Compliance and enforcement activities that will dissuade sham recycling and other activities that undermine the **comprehensive recycling** collection system **including curbside and other collection methods..**
8. State legislation (70.95 RCW) Provide effective curbside collection (60% – 80% capture rates for principal recyclables including all paper grades) and organics collection services to the 80% of residents that live in “urban” areas (to be defined in 70.95).