



**Testimony to Committee on the Environment, Natural Resources &
Agriculture in support of H3420, An act to reduce solid waste and
provide universal recycling access;
Comment on H671/S454, H687/S438
6/23/2015**

The South Shore Recycling Cooperative is composed of the municipal solid waste managers in fourteen towns. All provide comprehensive recycling service to households that avail themselves of municipal trash service. They report their participation, disposal and recycling tonnage data to MassDEP annually. The eight SSRC towns that operate municipal transfer stations are under further DEP scrutiny to maintain their operating permits and comply with the Waste Ban regulations.

The SSRC Board asked me to draft this bill last session (H765) as an alternative to legislation that added another level of accountability to municipalities (redrafted and refiled as H687/S438). The Board's main objection was that **their waste programs are already subject to close scrutiny by MassDEP, yet the private sector, which accounts for a much larger piece of the disposal pie, enjoys very little oversight or reporting requirements, and has lower recycling participation.**

The Commonwealth has much more to gain by bringing the commercial sector up to the level of recycling access and performance that most municipalities already provide.



Commercial vs. Municipal sector data:

- In 2011, about 5.2 million tons of “municipal solid waste” (MSW) was disposed in Mass. This includes both residential and institutional/commercial/industrial (ICI) waste. ¹ (This number does not include recycled and composted MSW.)
- Less than 2 million tons of that was disposed through municipal programs in 2011³. The balance, well over 3 million tons, was (by extension) under the control of private haulers.
∴ Less than 40% of disposed “municipal solid waste” (MSW) in Mass. is under the control of municipalities. The private (commercial) sector manages over 60%.
- 45% of disposed MSW is generated by the residential sector², including 1.4 million residents not served by municipal programs³. The rest comes from the ICI sector.

How much valuable material is recovered, and how much is disposed?

- In 2011, 2.2 million tons of MSW was recycled. Another 0.75 million tons was composted.¹
- In 2010, about 32% (1.7 million tons) of disposed MSW was recyclable paper, cardboard, bottles, containers, textiles and electronics. Another 23% (1.2 million tons) was compostable food and soiled paper.²

Why does it matter that we get usable material out of the trash?

- Our **in-state disposal capacity is dwindling, and projected to be 3.2 million tons/year (TPY) by 2020**⁵
- If 2/3 of the recyclable commodities, **and 2/3 of the compostable organic waste** currently disposed were recycled and composted, disposed tonnage would drop **to 3.2 million TPY**. This would enable Mass. to manage all its discards in-state by 2020.
- There is demand and value for recyclables as feedstock for new products.
- Consumer products and food account for 42% of US greenhouse gas emissions⁶
- Ton for ton, recycling employs 20 times more workers than disposal. **Diverting 1 million TPY from disposal to recycling would create about 2000 jobs in Massachusetts.**⁴
- **310CMR 19.017 prohibits the disposal of recyclable materials** (including paper, cardboard, bottles and cans) at disposal facilities. Compliance with this is a condition of disposal facility and transfer station permits to operate, as authorized under MGL Ch 111, sec. 150A. However, enforcement at disposal facilities is not very effective.

Why do we need the Universal Recycling Law?

- Most private haulers offer recycling to their customers as an **optional service**, but will provide trash-only service due to competition. A small hauler that agreed to share data with me reports that **only 22% of commercial customers opt in**. The hauler's overall recycling rate is 10%. (The average recycling rate of municipalities in 2011 was 27%.³) It is likely, but not known (due to the lack of a reporting requirement) that this is typical.
- H3420 requires that residents, businesses and waste haulers comply with this regulation from the **point of generation**. Currently, the bans can only be enforced at the **point of disposal**, when it is **too late**, and often too difficult, to identify the source.
- 76 municipal **Boards of Health require private haulers to provide recycling service** to their customers as a condition of their permit to operate. However, most encounter staunch **resistance** to this, and very **few have the bandwidth to actively enforce** the

provision. H3420 would give them another tool, and some assistance in education about and enforcement of these provisions.

- H3420 would provide DEP with the regulatory authority to enforce the Waste Bans at the **beginning of the pipe** rather than at the end.
- Low route density due to low participation contributes to the cost of optional recycling service. H3420 should increase collection efficiency and **reduce cost**.
- H3420 would provide **more, valuable feedstock to our recycling processors**, and prolong the availability of our few remaining landfills.
- The MassDEP 2010-2020 Solid Waste Master Plan, required by MGL Ch. 16, s. 21, lists as a priority passage of legislation that would do just what H3420 does:

❖ **Require Waste Haulers to ...:**

- Register with MassDEP,
- Provide or arrange for recycling services for each customer that contracts for trash hauling/disposal,
- Educate customers about recycling opportunities and how to recycle (e.g., specific discarded materials may need special handling prior to pickup), and
- Report periodically to MassDEP on waste quantities delivered to recycling and disposal facilities.

Before adding more requirements to public sector programs, it is only fair that the businesses, institutions and the many residents who are not served by municipal waste programs achieve the level of recycling access, participation and diversion that municipalities already have done. **Please level the playing field between municipalities and the private waste sector, and report H3420 out favorably.**

Comment on H671/S454, H687/S438

In addition to previous remarks regarding further regulation of municipal programs, municipalities have been reporting on a **calendar year** cycle for several years. If any of these bills are released, I suggest adjusting to that time frame, with a due date of **March 1** rather than September 1.

Sincerely,

Claire L. Galkowski, Executive Director
South Shore Recycling Cooperative

- 1 MassDEP 2011 Solid Waste Update, Table 2 www.mass.gov/eea/docs/dep/recycle/priorities/11swdata.pdf
- 2 Summary of Waste Combustor Class II Recycling Program Waste Characterization Studies, June 2011
www.mass.gov/eea/docs/dep/recycle/priorities/wcsummm.pdf
- 3 MassDEP 2011 Municipal Solid Waste & Recycling Survey Responses
www.mass.gov/eea/docs/dep/recycle/priorities/mudata11.xls
- 4 “More Jobs, Less Pollution: Growing the Recycling Economy in the US” Tellus Institute, 2010, page 5
www.tellus.org/publications/files/More_Jobs_Less_Pollution.pdf
- 5 MassDEP 2011 Solid Waste Update, Table10 www.mass.gov/eea/docs/dep/recycle/priorities/11swdata.pdf
- 6 Opportunities to Reduce Greenhouse Gas Emissions through Materials and Land Management Practices”, U.S. EPA Office of Solid Waste and Emergency Response, Fig. 3, September 2009



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