

June 23, 2020

Martin Suuberg, Commissioner
MassDEP
1 Winter St.,
Boston, MA 02108

Dear Commissioner Suuberg:

We are writing to urge MassDEP to require transparency of and reporting by material recovery facilities (MRFs). Regulation is needed to maintain the viability of our municipal recycling programs.

Our municipal partnerships with the Material Recovery Facilities, on which we depend to sort and sell recyclables, have devolved into more adversarial relationships since the China Sword upended the industry. Our municipalities are at the mercy of MRFs to take the recyclables our residents generate.

- The costs MRFs charge our municipalities have continued to spiral upward since late 2019, despite relative market stability.
- Attempts to negotiate or enforce contracts that share risk between both parties are rebuffed.
- There is no transparency on the part of the MRFs regarding material compositions and “actual values” they charge when the index values don’t suit them.
- We have no recourse in verifying these compositions or charges. Attempts to obtain that information are either unsuccessful, or result in unsatisfactory or incomplete information.
- Recycling costs borne by municipalities have risen by about 50% since January 2019, with half of that increase since September. After peaking in February at over \$110, our municipalities now pay about \$100 for every ton of single stream recycling that our MRFs accept.
 - That increase amounts to about \$50,000/year for every 5,000 households served. This is not sustainable.

Fee increases are leading many residents to contract with **private haulers**, which are difficult to impossible for municipalities to regulate. Private haulers are incentivized to put trash and recycling in one truck compactor, and have been observed doing so. This is most likely bound for disposal, now that recycling is more costly, and the likelihood of getting penalized for waste ban violations is low.

If this trend continues, it will lead to more disposal, and less material recovery.

The crux of the problem is that processing facilities are **very lightly regulated**. This needs to change.

We ask that MassDEP consider the following regulatory requirements for Material Recovery Facilities by specifying the following in 310CMR 16.04 (2) (h), and 16.05 (4) (o):

1. regular reporting of the outbound weight of each commodity they sell or dispose
2. regular reporting of the destinations of each commodity or residue
3. the use of published indices in their blended value calculations when available.

We urge MassDEP to require more accountability by the MRFs. These measures would help get pricing in check, bring more balance and fairness to our relationships with them, and help to ensure that our municipal recycling programs can continue to operate.

Respectfully submitted,

Martin Golightly, Health Director
Abington Board of Health

Board of Health
Town of Hanson

Jason Marcotte, Director
Belmont Department of Public Works

Chase Berkeley, Director
Milton Department of Public Works

Patrick Sullivan, Refuse Contract
Administrator
City of Brockton

Benjamin Margro, Health Director
Norwell Board of Health

Chris White, Environmental Affairs
Coordinator
Franklin DPW

William Chenard, Town Manager
Town of Pembroke

Board of Selectmen (signed letter sent
separately)
Town of Halifax

Delshaune Flipp, Health Director
Rockland Board of Health

Joseph Domelowicz, Town Manager
Town of Hamilton

Claire Galkowski, Executive Director
South Shore Recycling Cooperative

Jodi Ross, Town Manager
Eric Heideman, Assistant Town Manager
Town of Westford