

# League of Women Voters of the Mid-Hudson Region

## Solid Waste Study Committee

Comments on *Rethinking Waste: Dutchess County Local Solid Waste Management Plan*

The League of Women Voters of the Mid-Hudson Region has been actively involved in studying Solid Waste Management for over 20 years. We recognize that we are at another pivotal point in New York State's efforts to direct Materials Management for the next 20 years. The League's Solid Waste Committee is studying the Solid Waste Management Plans of Ulster County and Dutchess County, and welcomes the opportunity to comment.

### Executive Summary

The executive summary asserts that the environmental impacts of land filling, with its export of waste and transportation components, outweigh the cost and environmental impacts of a waste-to-energy facility. Not only is this assertion in the summary worded poorly, it does not provide any supporting reasons for why this is the case.

This assertion needs additional supporting information. The League Study Committee would like to submit the following points that we have learned from Ulster County's 20 years of experience exporting waste to landfills located in Western New York State:

- The landfills currently have capacity, but they will eventually fill up, and then new landfills will need to be created, so this practice is ultimately not sustainable.
- In its "Beyond Waste" Plan, NYSDEC declared landfills to be the least desirable in the hierarchy of waste-disposal methodologies because of their potential impact on land and groundwater.
- The transportation of waste from Dutchess County to the available landfills would create large amounts of greenhouse gases, as the trucks would be burning fossil fuels to reach landfills that are located 200 miles or more from Dutchess County.
- Although tipping fees at the landfills are low enough that the combined cost of tipping and transportation is competitive with the tipping fee at the waste-to-energy facility, the County has no control over these fees, and transportation costs are wholly dependent on fluctuating fuel prices.
- The waste-to-energy facility is a major investment of taxpayer resources that would be wasted if it was not used.

- The electrical energy produced by the waste-to-energy facility reduces the need for Central Hudson to burn fossil fuels.

Negative impacts of the waste-to-energy process could be reduced by the redirection of organic and plastic materials.

The League Study Committee believes it is in the best interests of Dutchess County to accomplish the Schedule in Appendix D to lessen the burden of waste disposal into the future and onto future generations.

The report is not complete without a discussion of the concept of Zero Waste. Every attempt should be made in this report to use the term “material”, rather than “waste”. This will change thinking and attitudes to help identify materials as resources with energy and economic components.

## **Chapter 1**

The first paragraph under “Connections to Neighboring Planning Units” describes communication with adjoining Counties via the Hudson Valley Regional Council Solid Waste Committee. This is purely an information-sharing Council. The Council is not structured and does not have a mandate to create regional efficiencies.

Similarly, participation in the Mid-Hudson Regional Sustainability Plan was a one-time activity that might not result in any regional cooperation in the future.

If a regional landfill, a regional ash landfill, or regional composting is to occur, a much-stronger effort needs to be created. This can be initiated at the local level by creating an inter-municipal agreement between some of the Counties of the Mid-Hudson Region specifically to determine the feasibility of creating a regional landfill supported by the full borrowing power of those counties.

The “Historic Management Practices” section describes what was planned in 1992 and has not been achieved, such as an ash-residue disposal site, a residual solid-waste land disposal facility, a composting facility, and a permanent household-hazardous-waste facility. It does not adequately address why these items were not created in the last 20 years, and therefore does not explain how and why they are more likely to be created now that the County is the Planning Unit instead of the DCRRA.

It also does not discuss the lack of enforcement of the County-wide source-separation law adopted in 1990, and how and why this will be any different going forward.

## **Chapter 2**

Improving reporting requirements so that the County will be able to measure what is happening is an excellent and necessary goal.

### **Chapter 3**

Language in the report refers to December 2012 as being in the future. By the time the report is published, it will be 2013 and the MRF will already be closed.

The report describes the privately-owned and privately-run single-stream recycling facility, but does not describe the nature of the relationship between this facility and the County. Are all educational activities by the facility voluntary? Is there a contractual agreement between the facility and the County for educational activities?

The report describes some haulers as offering a reduced rate for a smaller waste bin. Relying on this voluntary activity is insufficient. This reduced rate is not advertised. Most residents are unaware of it. The incentives to reduce waste should be much greater if it is going to have a noticeable effect. As part of the relationship between the County and the haulers, the haulers should be asked to present their incentive plan for reducing waste, increasing recycling, and removing compostable materials from the waste stream.

The example referring to Girl Scout Troup 10205 is not clear. Are the gift cards recycled? Do people get rewarded with gift cards for recycling?

In the list of larger institutions, there are two Price Chopper locations in Dutchess County. Does only one of the two locations recycle?

Historically, the County received a share of the revenue from marketing recyclable materials. The paragraph describing this should be in the past tense. Again, this section of the report should be written from the perspective of a 2013 publication date.

Responsible disposal of electronic waste should be discussed. Electronic-waste disposers have different levels of certification. It is important that Dutchess County does not contribute to electronic waste being shipped to third-world countries, where it is disassembled in conditions that are harmful to the employees and to the environment.

The Dutchess County haulers don't include a third bin for composting. This results in a large amount of "wet" waste going to the waste-to-energy facility where it costs more energy to burn than it generates. Requiring a third bin and diverting this waste to existing composting facilities would divert a large amount of residential organic material. Similarly, restaurants should be provided with a dumpster for compostable materials by the commercial haulers.

Creating a number of Composting Facilities throughout Dutchess County, as suggested by Shabazz Jackson of Greenway Environmental Services, would be one way to provide the necessary processing capacity for organic waste.

## **Chapter 4**

The report refers to source separation as being mandatory. However, all containers are opaque and there is no way of observing whether the regulation is being complied with, and there appear to be no penalties for non-compliance or incentives for compliance.

The plan describes the position of Solid Waste Compliance Inspector, but does not indicate how this compliance will be increased.

The report mentions that staffing positions are dependent on County finances. As part of the implementation of a 10-year plan, the County should make a 10-year staffing commitment to ensure its realization.

In the section discussing flow control, the report should discuss the recent decision by Ulster County to pass updated flow-control legislation.

If the waste-to-energy facility cannot handle all of the County-generated waste, the County can temporarily contract with an adjacent County for the excess capacity. The County does not have to establish flow control over recyclables. Ulster County established flow control over waste, but not over recyclables. This would reduce the amount of waste being transported large distances to landfills and would allow the RRF to charge a tipping fee sufficient to fund solid-waste management staff, educational initiatives, and additional recycling containers at public facilities, and subsidize the creation of multiple local composting facilities.

Local Law No. 4 contained a Recyclables Oversight Committee. Some kind of civilian Oversight Committee, with responsibility for **all** issues of material recovery, would be beneficial to the County's long-term goal of maximum reuse of materials. One example of such a committee is the existing Dutchess County Environmental Management Council, which is not invested in existing facilities or past decisions, as the DCRRA or County staff might be.

The current agreement between the DCRRA and the Operator includes the requirement to provide a minimum of 140,000 tons of waste to the waste-to-energy facility. This is the opposite of an incentive to reduce waste and to increase reuse and recycling. The bid solicitations should clearly state that any contract will not include this minimum waste delivery component. Additionally, if the entire cost of ash disposal is borne by the Operator, there will be a huge incentive to find the most economical disposal method.

## **Chapter 5**

With respect to the possibility for a landfill location for ash residue, Dutchess County could establish an inter-municipal agreement with Westchester County, which also has ash residue to dispose of. The combined resources of two Counties could result in greater success and an economic advantage for Dutchess County.

Under the section on Recycling Programs, the RRA was not incentivized to decrease waste and increase recycling because it has had a minimum delivery requirement to its waste-to-energy facility. Money is the strongest incentive, and all programs should be planned so that there is a financial advantage to recycling and a financial disadvantage to waste disposal.

With regard to education, the materials that can be recycled have changed significantly since 1990. Many staunch and dedicated recyclers need updated information. Additionally, shredding of confidential information should be subsidized to increase the recycling of office paper, as many offices do not recycle office paper for fear of losing control over confidential or work product information.

The language of Chapter 5 needs to be more assertive – for example: “The County Solid Waste staff will do the following ... to ensure that County Solid Waste goals are achieved.”

The section on the City of Poughkeepsie needs to be updated to reflect the most recent decision. The City has not instituted a Pay-As-You-Throw system. The County should provide an incentive for one of the Dutchess County communities to become a Pay-As-You-Throw community as a local example of how this can be done.

With regard to medical and pharmaceutical waste, pharmacies should be provided with information to post for the public on the responsible disposal of pharmaceuticals.

With regard to yard waste, Westchester County has instituted a “Love 'em and Leave 'em” initiative to encourage homeowners to mulch their autumn leaves onto their own lawn and not put them out for municipal pickup (<http://www.leleny.org/>). A similar educational campaign in Dutchess County could greatly reduce the amount of lawn waste that needs to be disposed of. Similarly, using municipal equipment to grind storm debris and leave it on the property for homeowners to use as mulch would be preferable to collection.

## **Chapter 7**

The statement that the recycling rate of 40% was not reached should be followed by a list of reasons. The League Study Committee has a concern that the present incentive for the DCRRA to maximize tonnage for the waste-to-energy facility results in materials divergence to recycling and composting to be secondary.

Although changing the percentage of C&D recycling is discussed, there is no mention of which incentives will be used to increase this rate.

## **Appendix B**

Table 1 is not indicative of Dutchess County.

Using 5,000 people per square mile as a cutoff point for an urban density standard excludes the City of Beacon and the Villages of Fishkill and Wappingers Falls, which are all experienced as urban by their residents. A cutoff point of 2,500 would be more appropriate.

## **Appendix D**

In Table 1, consider changing the Legend as follows:

Asterisks (\*) indicate that the task could, or should, be done by a compliance officer, recycling coordinator, and/or an intern:

\* = compliance officer task

\*\* = recycling coordinator task

\*\*\* = intern task