

## **PROP Offers Testimony on Yard Waste Composting & Disposal (July 12<sup>th</sup>, 2000)**

PROP Executive Director John Frederick and Executive Committee member Joyce Hatala testified before the Pennsylvania State House of Representatives Committee on Environmental Resources and Energy on July 12, 2000. The testimony was in response to proposed legislation on the banning of yard waste from landfills but also discussed yard waste composting programs in the Commonwealth.

On behalf of the Board of Directors and membership of the Professional Recyclers of Pennsylvania (PROP), I wish to express our appreciation for the opportunity to testify before the House Committee on Environmental Resources and Energy. As many of you know, PROP is a non-profit professional organization of nearly 300 members representing close to 1,000 recycling programs and businesses in the Commonwealth. PROP is Pennsylvania's affiliate to the National Recycling Coalition and an Advisory Member of the Northeast Recycling Council. We have had productive and cooperative relationships with the Pennsylvania Chapter of the Solid Waste Association of North America (SWANA); the state's grassroots anti-dumping organization, PA CleanWays; and the Pennsylvania Resources Council. The Pennsylvania Composting Association (PACA) will be cooperatively sponsoring several sessions at our annual conference this August here in Harrisburg.

As an organization, we are extremely interested in the future of both recycling and composting in the Commonwealth. We have been very vocal in voicing our concerns over the long-term funding of these initiatives and have convened a Strategic Planning Task Force to address this and related issues. We welcome the opportunity to discuss yard waste diversion in particular and are especially interested in commenting on changes that might be made to the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988.

### Yard Waste Management in Pennsylvania

In order to fully understand yard waste management in the Commonwealth, one must look back and review where we have gone since Act 101 was enacted more than a decade ago. While, in retrospect, we might like to change a few of the details, the legislation is fundamentally sound. Among a great many success stories, is a radical re-thinking of how we look at, and handle, yard waste. Cities and counties throughout the state have developed yard waste composting facilities, private sector operations have expanded, and many smaller municipalities have implemented programs, even when they were not mandated to do so. These programs divert over 300,000 tons of yard waste annually to be composted. Prior to 1990, most of this was landfilled or went up in flames and smoke.

At the same time, yard waste reduction has made great inroads. Local and statewide educational efforts and improvements in mower technology have revolutionized the way Pennsylvanians handle grass clippings. There has been a similar explosion in home and on-farm composting. If the waste reduction realized through grasscycling and home composting is placed in the equation, the reduction in yard waste going to landfills and being burned may be Act 101's greatest success story.

### The Challenges

Yet, like many other aspects of Pennsylvania's recycling story, the leaf and yard waste chapter is an unfinished piece. Among the happy endings are some sad stories.

- Many places in Pennsylvania, especially in rural regions and small towns, do not have convenient access to composting facilities.

- Some mandated communities have ignored the spirit, if not the letter, of the law regarding yard waste collection. Collections are infrequent, public notice is sub-par, or composting is done poorly.
- Far too many communities still allow the open burning of yard waste, even when composting opportunities are available to them.
- Some collections and drop-off programs have been discontinued or scaled back because of high costs, low participation, discontinued funding, or contamination problems.

Even the successful composting journeys have encountered bumps in the road.

- Collections can be plagued by a number of problems. Vacuuming is impractical in older parts of communities with dense on-street parking, yet emptying plastic bags is very laborious work. Paper bags are a logical and biodegradable option but are sometimes three or four times more expensive for the user than the plastic alternative.
- Determining the best collection frequency for a community is challenging. Is biweekly collection of leaves too infrequent during peak leaf fall? Is weekly collection too expensive? Do spring collections make sense? How do you handle grass collections? There are never easy answers to these questions and what works in one community might not make sense in another.
- Processing brings its own set of challenges. Beyond the constant battle to remove contaminants, operators must vigilantly keep moisture and oxygen at optimal levels. Grass complicates things further. While it is a rich source of nitrogen that helps accelerate the decomposition of high carbon materials (like leaves), it can quickly go anaerobic and create serious odor problems.
- Like any local government service, there is an ongoing struggle to find funding or minimize operational costs. DEP's policy to give higher priority to multi-municipal programs has lessened the impact of this problem but it continues to be an issue in many programs. Operational costs are often a greater problem than equipment purchases since those operational costs are not eligible for Act 101 grant funding.
- The future of capital equipment funding is uncertain. With the many demands now placed on the Recycling Fund, recyclers and composters are finding that competition for grant dollars is becoming more intense each grant round. The current legislation terminates the Act 101 funding in 2004, casting an even darker cloud on the future of composting in the Commonwealth.
- While these operational challenges may appear overwhelming to many, they are seldom a serious problem at well-managed facilities. Even some aspects of the financial struggles can be addressed if facilities can produce saleable, high quality compost. The problems presented by the evaporation of the Recycling Fund are another matter. If we wish to move to the next level of organic material recovery, this equipment and facility funding is even more crucial.

### The Questions

So how do we move to this next level? This is a complicated question with no simple answer. A survey of PROP Board Members and Proxies from around the state raised many concerns and generated more questions than answers. Through our initial discussions, one thing rose above everything else. We simply do not know the impacts of changing current policy and law. If we do institute an outright ban on yard waste disposal, a number of difficult questions arise.

- Where will these materials go if they cannot be landfilled? Many communities in Pennsylvania have no convenient access to facilities.
- If we want to improve the processing infrastructure shortcomings, how do we fund them? Grant dollars are increasingly difficult to secure and the Recycling Fund may be bankrupt in less than five years.

- Even if the capital costs of such facilities are funded, how will smaller communities fund the labor and operational costs of the facilities?
- How will materials be transported to these facilities? Even under the best of circumstances, some communities will have to ship materials dozens of miles
- Would a disposal ban increase open burning and illegal dumping of yard waste? If these undesirable options would become problems, how could smaller communities enforce regulations to control dumping and burning?

### Moving to the Next Level

As recyclers in a perfect world, we would welcome disposal bans on a number of materials and commodities. Yard waste would certainly be at the top of the list. But we do not live in a perfect world and the logistical challenges of dealing with a complete ban are staggering. Should we move toward a zero yard waste disposal goal? Certainly. But it would seem to be something that we must do with far-sighted planning, extensive research, widespread consensus building, and long-term funding. None of that is in place as we speak.

- Any significant change in the law should be part of a comprehensive, well thought-out strategic plan that charts a road map to the future, rather than a series of piecemeal amendments that ignore the funding and logistical problems that such change can bring about. PROP is currently in the middle of just such a process, drawing input from both public and private recycling professionals and municipal government organizations.
- We cannot and should not make changes in the law or DEP policy until we have a firm grip on what is really left in our trash. There are many unanswered questions that will not be answered until DEP completes its anticipated Waste Characterization Study next year.
- Just like the original passage of Act 101, significant changes in the law should not be made without consensus of the affected stakeholders.
- The long-term funding of these initiatives must be in place before we take any steps to enhance or go beyond what we are doing now. As it stands right now, grant funding will end before my 12-year-old son reaches his senior year in high school.

Like many other recyclable materials, it makes sense to recover yard waste because a valuable end product can be produced. A zero yard waste disposal goal seems worthwhile but it is clear that this is not something we should jump into without some forethought and planning. In the meantime, there appears to be merit in working within the framework of the current legislation and policies. Pennsylvania has some excellent tools that we could use better to bring substantive improvement.

- Require mandated municipalities to meet the letter of the law regarding curbside collection of leaf waste. This means that, at a minimum, municipalities should offer monthly collections, as the law requires. Just like the curbside recyclables, no leaf waste should be disposed of or burned in any of these communities.
- Encourage municipalities to fulfill the spirit of the law as well. Drop-off options should be given to residents of mandated communities throughout the year. Counties should strive to provide those same opportunities to as many non-mandated communities as possible and practical.
- Mandated communities must fulfill their educational and enforcement responsibilities. That means written notice and instructions on yard waste collection must be distributed as part of a municipalities' public education outreach efforts twice a year. When it is necessary to enforce provisions of municipal ordinances, communities must fulfill those responsibilities.
- Communities must find innovative ways to fund the collection of materials through collection contracts and municipal fees. Composting facilities must be operated as efficiently as possible

and produce marketable material so as to be as financially stable as possible. DEP must continue an aggressive policy to encourage multi-municipal programs.

Perhaps most importantly, the legislature must consider legislation to fund the capital costs of such a program beyond 2004. If we are striving to reach anything that approaches a zero yard waste disposal goal, we must provide the financial tools to do so. Most of these programs will flounder and die without long term funding of these costs.

Pennsylvania has made tremendous strides in diverting this valuable resource from landfills and returning it to the soil as a valuable commodity. But the composting story is an unfinished work that will remain so if we do not collectively work toward the long-term sustainability of the program. The Governor has set a new recycling diversion goal of 35% and we cannot meet that goal without an aggressive and adequately funded organics recycling program. The Professional Recyclers of Pennsylvania are anxious to be part of this effort and again express our thanks for the opportunity to address the committee today.

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