

February 11, 2005

Mr Dante Ionata / Mr Michael McGonagle
CoChairs - RI Comprehensive Solid Waste Management Plan Committee
RI Resource Recovery Corporation
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Mr Ionata / Mr McGonagle,

Having heretofore spoken with a majority municipal representatives in the State of Rhode Island which deal with solid waste issues on a local basis, I have outlined the major concerns of the proposed regulations and/or proposals regarding Municipal Solid Waste practices and policies. There are several areas that should be addressed immediately because they impose a direct financial impact on a majority of the communities.

1. **MSW Composition Analysis:** The proposed plan is fundamentally flawed due to the incorporation of MSW data more than 14 years old. The municipalities recognize it may be financially infeasible to exercise a full analysis of each community's waste stream, however, an abbreviated analysis of two to four socioeconomically diverse communities representative of the State is essential to establish a basis of given percentages of various materials in the municipal waste stream. That basis will illustrate whether there is a fundamental capture rate deficiency of marketable recyclables in the collection process or if there is a lesser amount of materials actually in the waste stream.
2. **Calculation of Diversion Rates:** The proposed plan, and the current RIRRC policy regarding diversion rates, unjustly and inaccurately calculates the true diversion rates municipalities are achieving. The municipalities are not credited with independent recycling endeavors nor are they given credits for not exceeding their municipal caps notwithstanding the fact they did not achieve the 20% goal. A municipality may only have a calculable rate of 19% by the materials brought to the RIRRC facility but may have alternate programs in place to divert more than an additional 1% utilizing other avenues. If a community can remain under the established municipal cap by utilizing other diversion programs beside the RIRRC MRF, it should not be excluded from the

- financial benefits of the pooled participation grant allocation.
3. **The Municipal Tipping Fee:** *“The municipal tipping fee, which is artificially low because it has been subsidized by the commercial tipping fee for the past 24 years, serves as a disincentive to the implementation by municipalities of aggressive recycling or reduction programs.”* This statement is fundamentally wrong. The municipal tipping fee is set by legislation to provide a check and balance between the municipalities and the RIRRC. The disproportionate municipal and commercial rates, and the revenue they each produce, can be directly linked to the revenue directed to the State General Fund from the RIRRC. It would be more accurately stated that *the higher commercial tipping fee subsidizes the State General Fund.*¹ The commercial sector is not held to the recycling requirements of the municipal sector and subsequently should be charged a higher rate. The municipalities bear the increased collection expenses to divert a significant portion of the MSW per DEM regulations in lieu of a single stream disposal system.
 4. **Reduction of the Municipal Cap:** The plan calls for a 20% reduction in the municipal cap for each community in 2005 increasing to 40% by 2010. Given the assumed potential diversion rate of 61.1%^{2*} of the MSW which includes leaf & yard waste (15.9%*) and white goods (1.7%*), the capture rate for the remaining 43.5% of the municipal waste stream would require a 92% capture rate. According to a Malcom Pirnie study entitled Guide to Estimating Recycling Capture Rates, *“Current experience indicates that the net capture rate for a mature multi-material program is likely to be 40-60 percent of the theoretical composition of the targeted materials.”* I suggest the 40% diversion rate by 2010 is somewhat overly optimistic given the established guidelines.
 5. **Special Wastes:** The municipalities concur with the assessment and recommendations of the plan but submit that the independent programs to deal with these special wastes as implemented by each community should be factored into the 20% diversion goal, as in fact they are contributing to that said diversion from the landfill.
 6. **Chart 171-5-2 Commercial Sector Material Delivered to RIRRC:** This chart illustrates a mere 3.09% recycling rate in the commercial sector. It is referenced on pages 8.1 and 8.2 “...commercial tipping fees which ranged from \$50.00 per ton for haulers with disposal contracts...”; The municipalities question whether those contracts hold those commercial haulers to same recycling standards as the municipal contracts.

¹ Commercial tonnage 663,693 @ \$50.00/ton = \$33,184,650.00. Theoretically subtract \$6,000,000.00 (General Fund Contribution) leaves \$27,184,650.00 divided by 663,693 tons = \$40.95/ton. A difference of \$8.95/ton. Approx 28% more than the municipal rate.

^{2*} EPA - Characterization of MSW in the US: 1994 Update

In summation, the Municipalities feel the overall conceptual draft plan has tremendous merit. That given the municipalities have several issues with the plan as drafted specifically addressing the fiscal impact on the budgetary process in each community. I urge the committee to take into consideration all questions and points of contention brought forth by this correspondence and by comments during the committee meetings.

Thank you for your attention to these issues and for your diligence in forming this document.

Respectfully Submitted,

Steven Mutter
Municipal Recycling Sub-Committee Chair
Solid Waste Coordinator, City of East Providence