

# **A SOLID WASTE ACTION PLAN FOR THE NORTHEAST STATES**

**Principles, Goals and Commitments**

**FY 2001 & 2002**

**Northeast Waste Management Officials' Association  
129 Portland Street, Suite 602  
Boston, MA 02114  
(617) 367-8558**

**Connecticut - Maine - Massachusetts - New Hampshire - New Jersey - New York - Rhode Island - Vermont**

## **A Solid Waste Action Plan for the Northeast States**

### **Basis for the Action Plan**

Solid waste generation is increasing in the U.S., despite the advent of successful recycling programs across the country, and the Northeast states' experience is consistent with this trend. At the same time, adding new solid waste management and disposal capacity has become more controversial than ever for state and local governments. A growing portion of the public is concerned that the toxic constituents of some solid wastes can pose an unacceptable threat to human health and the environment, not just locally, but regionally and globally as well. Acceptance that ever-more waste and toxic chemicals are unavoidable by-products of economic progress has given way to a resolve that more environmentally friendly solutions are not only possible but essential.

Accordingly, recent state plans to ensure adequate solid waste disposal capacity, are tempered by the public's insistence that state governments work toward a sustainable future and minimize the environmental problems caused by solid waste. Leadership in the movement toward a greener society has broadened in recent years to include prominent business and financial figures, who recognize that the environmental bottom-line is extremely important. State leaders are optimistic that the new environmental perspective will continue to grow, providing an opportunity to engage all who participate in waste generation, including consumers, manufacturers, distributors, retailers, and government in finding better solutions.

Major changes have already begun to occur in the traditional roles and responsibilities of stakeholders, who are able to affect the quantity and character of solid waste. There are, for example, an increasing number of manufacturers that are establishing programs to take back and recycle the products they produce at the end of their life. Some are committed to eliminating toxic constituents from their products in the immediate future. Many communities have established "pay as you throw" programs to create incentives for improving consumers' awareness of the waste they generate and how to make reductions. Laws have been enacted in some states, and are under consideration in others, restricting toxics in packaging, batteries, thermometers, and other products and providing consumers with labels containing information about toxics contained in products. State governments are providing an increasing amount of information and leadership to set priorities, define options, and ensure that all are treated fairly in the solutions that are developed. Nevertheless, most state environmental agencies are convinced that they will have difficulty progressing much further in reversing waste quantity increases and reducing toxicity without additional active participation from manufacturers, recycling firms, consumers, and the other stakeholders.

The NEWMOA member-state environmental agencies believe that a coordinated regional approach to solid waste will enhance information exchange, help to build consensus and accelerate progress toward the common goal of reducing the quantity and toxicity of solid waste to the maximum extent practicable, so that a minimum amount of waste requires disposal. Simply stated, the regional goal of "achieving the irreducible minimum amount of waste for disposal" is the intent of all the NEWMOA states as they strive to create policies and programs

that will: eliminate or reduce the toxic constituents in the solid waste stream, reduce the amount of waste produced, reuse and recycle as much waste as possible, and dispose of what is left in a way that protects public health and the environment.

### **Purpose of the Action Plan**

The purpose of this Solid Waste Action Plan is to facilitate regional cooperation and coordination of state-based efforts and initiatives in order to:

- assist member states in their efforts to develop and implement programs and policies aimed at reducing the quantity and toxicity of the solid waste stream;
- provide a planning framework for interstate cooperation and coordination on solid waste issues;
- engage state leaders, senior managers, and others involved in setting/affirming state solid waste program priorities for the region;
- stimulate the identification of waste issues/problems that would benefit from an interstate approach to information gathering, consensus building, and problem solving/strategy development; and
- assist efforts to secure appropriate funding and other resources required to advance high priority projects.

The Action Plan first presents a set of overall guiding principles to provide context for the goals and recommendations for actions that follow. The combination of these principles, goals, and recommendations provide an overall road map for future state solid waste activities in the Northeast.

### **Guiding Principles**

- **Following the Waste Management Hierarchy** The Northeast States are committed to supporting the waste management hierarchy in their policy and program development. The waste management hierarchy, in order of priority, is:
  - reduce/eliminate the toxicity of waste
  - reduce the amount of waste produced
  - re-use and recycle as much as possible
  - dispose of what is left in a way that protects public health and the environment
- **Pollution Prevention** The Northeast States are committed to policies that promote the elimination of harmful/toxic constituents in products, wastes, and processes, focusing on persistent and bio-accumulative toxins as a high priority, along with reducing the overall quantity of waste generated.
- **Leading by Example** State government agencies should develop and initiate the best possible practices regarding pollution prevention, procurement, use, re-use, recycling, and management of waste materials and products to provide a model for others to follow. States should also advocate, support and facilitate adoption of the best possible practices by other branches of government, including federal, county and local government, in order to secure the full benefit of government purchasing power.
- **Improving Measurement** States require accurate information on the generation and

movement of solid waste to improve solid waste planning, measure the results of programs and policies, and anticipate problems.

- **Increasing Toxics Awareness** States should develop and support policies that will promote better understanding and communication with the public and other stakeholders concerning the toxicity of wastes and the products and processes contributing to that toxicity.
- **Sharing Resources** States can learn a great deal from each other about what approaches to solid waste reduction and management are effective. The Northeast states are committed to sharing educational and training materials developed by individual states and to coordinating and sharing the development and use of such materials whenever practicable with other groups/organizations having similar objectives.
- **Benefitting from a Regional Approach** Products and services are often distributed and sold and on a regional basis. Consequently, the Northeast States recognize that regional approaches to information gathering and research, stakeholder engagement, consensus building, information sharing, training, and development and implementation of policy proposals and recommendations are likely to be beneficial to all stakeholders. To avoid trade barriers, regulatory efforts should be coordinated among states and countries because so many products are manufactured on a national or international basis.
- **Inviting the Views of Stakeholders** Providing opportunities for open dialogue and information exchange helps to ensure that the views and concerns of the various stakeholders are understood and considered.
- **Commitment to Education** Education and information sharing builds the awareness, sense of responsibility, and initiative that is needed to solve contemporary solid waste problems.

#### **Action Plan Goals**

- Focus on persistent and bioaccumulative toxic constituents in solid waste and eliminating them from the waste stream.
- Target particular waste streams for multi-state, regional action strategies to reduce the quantity and toxic constituents of waste requiring disposal to the irreducible minimum.
- Coordinate the efforts of NEWMOA member-states with other organizations/stakeholders in order to facilitate communication, avoid duplication of effort, increase impact, and improve results
- Improve the measurement of waste generation, transportation, and management

## **Operating Approach and Commitments**

### Establish Priorities

Identify “Regional Priority Wastes” and review and update priorities bi-annually.

### Plan and Manage

Develop annual work plans and budgets for “Regional Priority Wastes” and for general support activities.

### Coordinate With Other Organizations and Stakeholders

Identify other organizations and stakeholders that share member-state goals regarding “Regional Priority Wastes” and establish and maintain communications and cooperation, where appropriate, in order to avoid duplication of effort and improve results.

### Conduct Research /Gather Information

Survey states and stakeholders regarding issues of importance to “Regional Priority Wastes.” Consolidate and report on information available in literature and from other organizations. Share information on innovative technologies.

### Education and Outreach

Share successful state and local strategies and materials for outreach and assistance for solid waste reduction and recycling. Develop outreach and assistance materials and products on a regional basis for “Regional Priority Wastes.”

### Model Legislation/Regulations/Policies/Guidance

Develop models that incorporate the features that states have adopted or proposed, or that state staff have devised to illustrate a particular concept or option, to assist state legislators, policy makers and other stakeholders in their deliberations.

### Provide for Exchanging Information and Building Consensus

Hold workshops and conferences to exchange views, define common ground, develop solutions and build consensus.

### Improve Waste Measurement

Periodically update and improve NEWMOA’s report on solid waste generation, flow and management in the Northeast. Identify opportunities for creating common ways of measuring solid waste generation and recycling rates.

## **FY 2001-2002 Regional Solid Waste Priorities and Actions**

Combining member-state resources with those of other organizations and stakeholders to solve the problems posed by Regional Priority Wastes is a central purpose of the NEWMOA Solid Waste Action Plan. The Action Plan constitutes a long-term commitment that will be reviewed and updated biannually.

The waste streams selected as Regional Priority Wastes in this Action Plan are already demanding considerable attention from member-state environmental agencies. They may be

generated in large, and increasing, volumes that should be reduced through source reduction and reuse/recycling. Some may contain toxic materials that are increasing the cost of re-use or recycling, or they may have other characteristics that present obstacles to safe, economical management, or disposal. In designating a waste as a priority, the NEWMOA-member-states recognize that solving the waste management problem will be aided by an interstate strategy and the participation of the appropriate partners and stakeholders. These partners/stakeholders may include manufacturers of the product that is being discarded, those who distribute or sell the product, those environmental or community organizations with an interest in the issues, those who recycle and manage the wastes, and those who use the commodity or product that is producing the "problem waste." The relationship envisioned between NEWMOA-member states and these partners is one based on a mutual desire to prevent and mitigate environmental problems.

### **Wastes Containing PBT's**

Wastes Containing Mercury In September of 2000 the New England Governors signed a resolution formally acknowledging "the need for and benefits of coordinated legislation in the management of mercury containing products, and recommends that each state commit to working with their respective legislatures in the upcoming session in pursuit of those aspects of the Northeast Waste Management Officials' Association model legislation that are appropriate for each state and that will best advance a coordinated approach in support of joint regional efforts." This recognition and support from the Governors' has paved the way for the introduction of at least some portions of the Mercury Education and Reduction Model Legislation in most of the Northeastern states in fiscal 2001.

NEWMOA plans to continue to facilitate state agency collaboration on the Model Legislation during fiscal year 2001 and 2002 to help states maintain consistency as the legislation is proposed and debated in the state legislatures. The states will continue to share ideas and information through NEWMOA's Mercury Workgroup on the Model Legislation. NEWMOA will also work with the states to develop the Interstate Mercury Clearinghouse so that it will be able to provide support for those states that are able to pass portions of the Model Legislation starting in fiscal year 2002.

NEWMOA's FY 2001-2002 Work Plan on Mercury and Other Persistent Bioaccumulative and Toxic (PBT) Wastes includes:

1. Assisting States With Implementation of the Model Mercury Legislation;
2. Establishing an interstate clearinghouse to assist states with implementing the mercury legislation;
3. Sharing effective outreach and assistance strategies for mercury reduction;
4. Targeting schools, municipalities, small business, and others for mercury reduction outreach and assistance activities; and
5. Prioritizing other PBTs in the solid waste stream and developing action plans to address those constituents of concern.

### **Electronics**

The term electronics refers to a broad range of appliances and products, including computers and their peripherals, cell-phones, televisions and radios. The rate of replacement-of some of these products has escalated sharply in recent years because of consumer demand for the improved technology that has become available. Many of the products contain significant amounts of toxic

materials that may be released to the environment, either immediately or over an extended period, when they are incinerated or landfilled. Consequently, serious public policy questions have been raised concerning who should be responsible for ensuring the safe management and recycling of these products at the end of their service life; and, how best to ensure that the toxic content of these products is reduced and, where possible, eliminated in the future. The goal is not only to avoid adverse end-of-life product impacts but also the environmental damage associated with obtaining and using the toxic materials in the first place.

NEWMOA's FY 2001-2002 Workplan for electronics includes:

1. Participating in the dialogue that the National Electronics Product Stewardship Initiative has established among stakeholders to develop an environmentally sound program for electronics;
2. Identifying regulatory barriers to reuse/recycling of used electronic wastes and facilitating interstate cooperation on reducing those barriers;
3. Identifying successful strategies for encouraging environmentally friendly product design, providing outreach and assistance on electronics waste reduction and reuse/recycling and facilitating information sharing on those strategies; and
4. Coordinating with and supporting other organizations with the same or similar goals, such as the Northeast Recycling Council and the Product Stewardship Institute.

### **Construction and Demolition (C&D) Waste**

The capacity to properly manage construction and demolition waste is fast becoming a critical issue. These wastes can contain dioxin precursors and hazardous constituents, including lead, mercury, PCBs, and asbestos.

NEWMOA's FY 2001 and 2002 Workplan for C&D wastes includes:

1. Developing a regional system for tracking and measuring C&D waste and analyzing the available data in a regional report
2. Sharing information on effective strategies for reducing and recycling C&D waste and developing markets
3. Developing assistance programs to help all states with improving the reduction and recycling of C & D waste

### **Scrap Tires**

Several NEWMOA states are concerned that the current capacity for the management of scrap tires in the region includes facilities that have ongoing environmental compliance problems and uncertain long-term management stability. Because large tire piles can pose significant threats of fires and the spread of infectious diseases, NEWMOA is targeting used tires as a Regional Priority Waste.

NEWMOA's FY 2001-2002 Workplan for Scrap Tires includes:

1. Developing an inventory of existing un-managed tire piles;
2. Conducting a review and analysis of state data on the number of scrap tires generated per year, the locations to which they are sent, and their ultimate disposition;
3. Developing an inventory of scrap tire management facilities, including the characteristics of each facility;
4. Summarizing existing and alternative scrap tire management technologies and markets; and
5. Establishing dialogue with potential stakeholders.

### **NEWMOA's General Solid Waste Program Support Activities**

In addition to its work on specific Regional Priority Wastes NEWMOA will conduct a number of activities that support the overall Action Plan Goals.

NEWMOA's FY 2001-2002 Workplan for Solid Waste Program Support includes:

1. Sharing successful state and local strategies for outreach and assistance for solid waste reduction and recycling;
2. Developing outreach and assistance materials and products on a regional basis for state solid waste programs;
3. Conducting an annual report on the flow of municipal solid waste in the Northeast;
4. Compiling and sharing information on state systems for tracking and measuring solid waste generation, transportation, and management;
5. Identifying opportunities for creating common ways of measuring solid waste generation and recycling rates; and
6. Compiling and sharing information on state policies and activities concerning beneficial use of wastes.