

Coalition to Keep Organics Out of Landfills

US Composting Council • Friends of the Earth • Natural Resources Defense Council • Sierra Club Michigan Campaign for Recycling • Center for a Competitive Waste • City of Madison • City and County of San Francisco Eco-Cycle • Ecology Center • Institute for Local Self Reliance • Michigan Recycling Association National Recycling Coalition • Northern California Recycling Association • StopWaste.org • Prof. Sally Brown

May 14, 2012

Dear Senator Nofs:

Twenty-two states, including Michigan, enacted laws in the 1990s banning yard trimmings from landfills, thereby saving landfill space, significantly reducing greenhouse gas emissions, and returning rich compost to our depleted soils. The Michigan Legislature, along with those in the nearly two dozen other states, can be proud of these bans, which have been responsible for one-third or more of our recovery today, and stand among the most important pieces of recycling legislation in America.

With respect, there are no valid beneficial arguments that could support passage of HB 4265 and 4266. Make no mistake: this bill would effectively repeal Michigan's yard ban, by creating an exception for landfills that claim to recover energy.

For whatever benefits exist with attempts to recover energy from landfills, none are produced by the methane from decomposing yard trimmings, because that occurs before and after power is generated. Grass clippings completely decay within weeks, long before there is any functioning gas collection system to capture it, as do the leaves, other than the woody parts that remain entombed long after the generating units have been removed.

Thus, there can be no dispute but that the claims of energy benefits are significantly overstated. The Environmental Protection Agency has repeatedly stated that "due to the documented inefficiencies in landfilling yard trimmings to generate methane for energy...the EPA supports the continuation of landfill bans for yard trimmings..."¹

The real reason that certain landfill companies are aggressively lobbying to repeal yard bans appears to have nothing to do with energy, and everything to do with their profitability. Simply, more material buried in landfills means more revenues. As the landfill industry previously reported to Wall Street, "recycling has long been the enemy of the solid waste industry, stealing volumes otherwise headed for landfills ... [L]ess recycling should lead to accelerating disposal volumes, which in turn should lead to pricing leverage for landfill operators."²

We strongly urge you to vote to reject HB 4265 and 4266 in order to preserve one of Michigan's most important recycling statutes. There is a real economic benefit to the state from composting yard trimmings that these bills would wipe out, in contrast to the false claims by the landfill industry about energy.

Sincerely,

Michael Virga, Executive Director
US Composting Council

Nick Lapis, Legislative Director
Campaign for Recycling

Peter Anderson, Executive Director
Center for a Competitive Waste Industry

George Dreckmann, Recycling Coordinator
City of Madison

David Assman, Deputy Director
Department of the Environment
City and County of San Francisco

Eric Lombardi, Executive Director
Eco-Cycle

Michael Garfield, Director
Ecology Center

Tim Brownell, Chief Executive Officer
Eureka Recycling

Ben Schneider, Climate and Energy Analyst
Friends of the Earth

Linda Christopher, Executive Director
Grassroots Recycling Network

Brenda Platt, Director
Institute for Local Self Reliance

Kerrin O'Brien, Director
Michigan Recycling Coalition

Mark Lichtensten, President
National Recycling Coalition

Allen Hershkowitz, Senior Scientist
Natural Resources Defense Council

Arthur Boone
Northern California Recycling Association

Dr. Bill Sheehan, Executive Director
Product Policy Institute

Mike Berkowitz, Legislative Director
Sierra Club Michigan Chapter

Tom Padia, Director, Source Reduct.&Rec.
StopWaste.Org

Prof. Sally Brown
College of the Environment
University of Washington*

*Affiliation listed for identification only.

cc: MI Senate Energy & Technology
Committee

¹Letter from EPA Region 4 to Georgia Department of
Natural Resources, February 25, 2010.

²Morgan Stanley Dean Witter, *Environmental Services*,
"Solid-Waste Pricing Debate Intensifies," March 2, 1998.