

Reshaping Buffalo's Recycling Initiatives

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Introduction

The city of Buffalo recycles approximately eight percent of its curbside waste per year. This is far below the national average of 27% and pales by comparison with cities such as San Francisco, which recycles at a rate of 72%. Within Western New York, there is also great disparity in regard to recycling. The Town of Tonawanda, to give one example, currently recycles 13.5% of its curbside waste.

Potential Savings

The City has to pay to tip its garbage, but it gets paid for its recyclables; thus, the City estimates that it saves about \$150,000 for every 3,500 tons of waste recycled, and that every one percent increase in the recycling rate will save the City between \$70,000 and \$100,000.

New System in the Works

Buffalo hopes to double its recycling rate with a new initiative starting in March 2012. The City is replacing its blue recycling bins with larger, lidded, wheeled carts similar to its garbage carts. Residents with 65 or 95 gallon garbage carts will receive 64 gallon recycling carts; those with 35 gallon garbage carts will receive 35 gallon recycling carts. Seniors may use smaller containers if they do not wish to switch. The new carts contain radio frequency tags that allow the City to track the amount of weight in each cart.

The City is also getting new collection trucks with better emission standards. The City will

continue its contract with Allied Waste, which won a new five-year contract in November 2011. The new plan includes \$105,000 for education and the creation of a recycling panel to provide the City with input.

The City had been spending some \$1.9 million per year on its recycling program; it expects to save about \$500,000 per year in the first four years of its new programs, with increased savings after that (the City is buying the new carts in a four-year lease-to-own deal).



Legal Framework

New York State law requires that each municipality create a local law or ordinance mandating that garbage be “separated into recyclable, reusable or other components for which economic markets for alternate uses exist.” By “economic markets” the New York State law refers to instances in which the “full avoided costs of proper collection, transportation and disposal of source separated materials are equal to or greater than the cost of

collection, transportation, and sale of said material less the amount received from the sale of said material.” Although Buffalo does have an ordinance regarding recycling (Article X, §216-43 of the Buffalo Code), this provision complies only partially with state law.

Buffalo’s ordinance instructs commercial and multi-residential users to separate out recyclable material but does not effectively require occupants of single family homes to do so. The Code contains only the following provision regarding residential recycling: “All recyclable materials... placed for collection at the curblin or pursuant to this chapter shall be prepared for collection in accordance with regulations promulgated by the commissioner.” There do not appear to be any regulations promulgated by the commissioner that require recycling, and so Buffalo’s ordinance violates state law.



For multi-residential complexes, Buffalo’s law requires the owner or manager of the complex to provide and maintain in neat and sanitary condition a recycling collection area. Once the area has been constructed, the law requires residents to use it.

Commercial and multi-family users who violate the law are subject to fines of no less than \$25 and no more than \$250, and/or imprisonment of 15 days or community service. It does not

appear, however, that the City has ever enforced the law or levied penalties, nor does the City appear to have publicized the law requiring commercial and multi-residential properties to recycle on its web site or in its communications.

Buffalo’s law does not require that waste hauling companies serving multi-family and commercial businesses include recycling in their services. The City of Buffalo currently does not offer dumpster services, so larger businesses and apartment buildings typically use one of three large services: Allied Waste / Republic, Waste Management, and Modern. While all three offer recycling, they are also permitted to offer only garbage hauling to a customer. Many customers apparently find it cheaper or more convenient to contract only for garbage service and throw out all their recyclables. Others may contract for office paper and cardboard recycling (these are the highest values recyclables) but not necessarily for plastic, glass, metal, or mixed paper. Buffalo’s law requires the waste hauling companies to submit quarterly reports on the tonnages of materials collected for recycling and for waste.

Buffalo’s law does not require that any construction and demolition debris must be recycled. Oakland, by contrast, requires that 100% of asphalt and concrete and 65% of other materials be recycled, with exceptions for demolition of single family homes and for projects of less than \$50,000. Chicago requires that 50% of construction and demolition debris be recycled.

Best Practices from Other Cities

As Buffalo moves to design and implement its new system, there are many lessons to be learned from other cities. Anaheim, for example, increased its recycling rate from 13.5% to 46% from 1987 to 1996. Oakland has boosted its rate by 33% since 2000. Seattle

reached a rate of 44% in 2007 and plans to reach 60% by 2012 and 72% by 2025.

Warnings and Fines

One tool many cities use is a system of warnings and fines for residents and businesses that fail to recycle. As noted above, Buffalo's law has no fines for residential customers; it does have fines for commercial and multi-family users but these have never been enforced.

- **Cleveland** has imbedded its recycling totes with microchips that report whether the tote has been brought to the curb. After a three month amnesty period while the new system is implemented, it will assess \$100 fines on those whose garbage carts include more than 10 percent recyclable material.
- **Minneapolis** has fines ranging from \$100 (first offense) to \$700 (fourth offense) for owners of buildings with two or more units who fail to recycle.
- **Pittsburgh** has fines from \$15 to \$5,000 for recycling violations. Residential violations start at \$15; multi-family complexes start at \$100; and commercial establishments may be fined up to \$1,000 for first violations and up to \$5,000 for further violations.
- **Washington, D.C.**, recently passed a new ordinance with fines of up to \$200 for the first offense and fines of up to \$600 and \$1,500 for subsequent offences.
- **Albany** fines violators from \$25 to \$325 and may even sentence violators to up to 15 days in jail or community service.
- **Onondaga County**, including Syracuse, uses fines that start at \$15 for the first violation and \$30 for the second, with 50% of the fine revenue to go toward

enforcement of the law, and 50% to go toward education programs, including incentive awards.

- **Rochester** issues a warning for the first offence, a \$25 fine for the second offence, and a \$50 fine for the third offence.
- **New York City** fines violators \$25 for the first offence, \$50 for the second offence, and \$100 for the third offence. Buildings with ten or more units that receive four or more violation notices within six months can be fined \$500 per bag or up to \$10,000 per day.



Buffalo should consider warnings and enforcement of fines, at least for commercial and multi-family properties, if not for single family homes.

Incentives

Many cities offer rewards or incentives for residents who recycle. A good example is Cincinnati, another medium-sized Rust Belt city (population, 296,943). Since partnering with RecycleBank, Cincinnati has increased its residential recycling participation rate from 40% of residents to over 70%, and increased its percentage of waste recycled to some 14%. Cincinnati has added radio-frequency identification tags to its recycling totes, which measure the amount recycled. Residents then receive rewards and gift cards for local and national businesses. Buffalo is planning to start

a RecycleBank program with Allied Waste in the coming year.

Fee Structure

Another way to incentivize recycling is to adjust the fee structure to encourage residents to use smaller garbage totes, with the notion that if residents can fit less in their garbage totes, they will put more in their recycling totes. An analysis of Buffalo's fee structure for garbage totes by Ryan Haggerty concluded that the prices for the big totes were artificially low, compared to those for the smaller totes, such that the small tote users were essentially subsidizing the big tote users. Buffalo should raise the fees for 95-gallon totes (currently \$47.57, or \$0.50 per gallon), and lower the fees for 35-gallon totes (currently \$24.54, or \$0.70 per gallon).

Education and Marketing

Many cities aggressively market their recycling programs.

- **Pittsburgh** partners with a non-profit, Zero Waste Pittsburgh, on a host of programs, including two mascots, Buster the Recycling Raccoon and Baby Buster, who appear at special events.
- **New York City** offers its schools an RRResource Kit with lesson plans and activity sheets that comply with Dept. of Education standards, ideas for hands-on projects and long-term activities, videos, coloring books, and comic books.
- **Raleigh** employs a recycling education specialist who visits schools, produces programs on government access television, sends out brochures with utility bill mailings, and runs ads on local TV and newspapers.
- **Tampa's** staff includes the Recycling Coordinator, the Urban Environmental Coordinator, the Residential Services & Residential Recycling Manager, and the Commercial/Special Services & Commercial Recycling Manager. They run many programs, including a t-shirt design competition and poetry competition.
- **St. Louis** works with a non-profit, St. Louis Recycling, which offers free consultations to businesses on reducing waste and boosting recycling.
- **Oakland** offers an annual recycled art contest with prizes valued at \$1,000 and a display at the Museum of Children's Art.
- **Anaheim** featured an initiative in which free tickets to baseball games were given in exchange for 30-gallon bags of recyclable plastics.
- **Austin** offers local businesses tip sheets on waste reduction covering hotels/motels, restaurants, offices, junk mail, paper, starting a recycling program, and waste assessment.

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