

Establishing A Policy That Ulster County Shall Be A Zero Waste Community

Referred to: The Energy and Environment Committee (Chairwoman Greene and Legislators Eckert, Heppner, Wawro, and Woltman), and The Ways and Means Committee (Chairwoman Archer and Legislators Donaldson, Gerentine, Maio, Joseph Maloney, Petit, and Ronk)

Legislator Laura Petit offers the following:

WHEREAS, Ulster County is in the process of updating its Ten-Year Solid Waste Management Plan and understands that materials management poses a real and increasing threat to our local and global environments and economy; and

WHEREAS, Ulster County has established itself as an energy and environmental leader through policies, resolutions and local laws including those establishing bans on plastic foam take out containers and single use bags; policies on single use straws, plastic ware and condiment packages; and the adoption of the Climate Smart Pledge; and

WHEREAS, New York State has established §Title 22 Food Donation and Food Scraps Recycling, §Title 27 Plastic Bag Reduction, Reuse and Recycling and §Title 28 Bag Waste Reduction laws as a means to modify consumer habits and post-consumer disposal methods; and

WHEREAS, the Ulster County Executive signed Executive Order Number 1 of 2019 establishing ambitious new goals for the New Green Deal for Ulster County and the Ulster County Sustainability Initiatives of 2013; and

WHEREAS, by diverting materials out of the solid waste stream there is the potential to create green jobs in manufacturing, the arts and fill pantries and shelters with valuable items such as clothing and food; and

WHEREAS, Ulster County can lead by making a commitment to materials management and zero waste which will contribute substantially to other community objectives and competitively position the County for funding through New York State Department of the Environment (hereinafter referred to as NYSDEC) Consolidation Funding Applications and other applicable future federal grant opportunities, such as Environmental Protection Agency Waste Reduction and Pollution Prevention which will reduce waste disposal costs while improving operational efficiency of an aging infrastructure and reduce the need for limited landfill space; now, therefore be it

RESOLVED, that the County of Ulster, as a Sustainability Initiatives and Climate Smart leader, shall adopt a policy to strive to reduce waste and promote reuse and zero waste; and, be it further

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RESOLVED, the Ulster County Department of the Environment and the Planning Department shall review and make recommendations on waste reduction, reuse and zero waste, and publicly present, on or before July 1st of each year, an annual report on its findings, and work cooperatively with similar task forces and organizations within Ulster County and in neighboring communities to ensure that efforts compliment and reinforce one another; and, be it further

RESOLVED, the Ulster County Energy and Environment and Recycling Oversight Committees shall be charged with investigating the following and making recommendations to the Ulster County Legislature regarding the same:

1. Reduce Solid Waste Disposal Through Zero Waste Initiatives

Set, goals, both short and long term to reduce solid waste destined for landfill or incineration by adopting and implementing sustainable materials management programs which will reduce GHG emissions, fill pantries and shelters and create green jobs.

2. Set Goals, Note Benchmarks, Move to Action

Using the Department of the Environment, County Solid Waste Authority, municipal and local organizations, establish baselines for County waste reduction. Development quantifiable targets consistent with local and state waste reduction goals and annually propose a schedule and financing strategy to meet them. Encourage stakeholder and public input and develop an action plan.

3. Focus on Solid Waste Components to Create Alternative Use And/Or Reduction

Municipal Solid Waste (including Household and Commercial)- Municipal solid waste (MSW) is generated by households, commercial activities and other sources whose activities are similar to those of households, business and governmental enterprises. It does not include other waste arising from industrial manufacturing activities, construction and demolition processes or agriculture. MSW is quantifiable waste created and measured through current disposal practices involving haulers and disposal.

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- Recyclables
- Textiles
- Electronics
- Food waste
- Yard waste and Brush
- Hazardous Waste
- Metal
- Reusables

Industrial Waste (including manufacturing) - Industrial waste including manufacturing is comprised of many different waste streams arising from a wide range of industrial processes. Some of the largest waste generating industrial sectors include: the production of basic metals, food, beverage and tobacco products, wood and wood products and paper and paper by products.

Hazardous Waste Source - Hazardous waste arises from a wide range of different sources including households, commercial activities and industry. Hazardous waste is classified as such depending on whether it exhibits particular characteristics.

Construction and Demolition Waste Source - Construction and demolition waste arises from activities such as the construction of buildings and civil infrastructure (Highways and Bridges). Demolition debris includes total or partial demolition of buildings and civil infrastructure including road planning and maintenance. Construction and demolition waste arising from the demolition and renovation of old buildings makes up a large proportion of the total solid waste stream. It is made up of numerous materials including concrete, bricks, wood, glass, metals, plastic, solvents, asbestos and excavated soil, many of which could be recycled in one way or another.

Waste from Electrical and Electronic Waste (EWaste) - The production of electrical and electronic equipment (EWaste) is one of the fastest growing manufacturing activities globally. This development has resulted in an increase of waste electric and electronic equipment. To address potential environmental problems that could stem from improper management of EWaste, NYSDEC passed legislation to improve the reuse, recycling and other forms of material recovery from EWaste. The State goal is to reduce the amount and types of materials disposed in landfills. The law became effective and mandated implementation began April 1, 2011.

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Biodegradable Solid Waste (Organics) - Biodegradable solid waste including food waste is waste from households and commercial activities that is capable of undergoing biological decomposition with proper aeration, ratio of carbon and nitrogen and moisture content. Organics is food, garden and yard waste, uncoated paper and cardboard are all classified as biodegradable municipal solid waste produced in retail, restaurants and other food service activities. A range of options are used to treat organics. Alternatives to landfilling include composting, mechanical-biological pre-treatment recycling and incineration (with and without energy recovery). This waste has been targeted by the EPA as one of the easiest portions of the solid waste stream to address, and one that will have the largest impact on waste reduction.

Packaging Waste Source - Packaging waste can arise from a wide range of sources including supermarkets, retail outlets, manufacturing industries, households, hotels, hospitals, restaurants and transport companies. Packaging is defined as any material which is used to contain, protect, handle, deliver and present goods. Items such as glass bottles, plastic containers, Styrofoam ®, aluminum cans, food wrappers, timber pallets and drums are all classified as packaging and represents up to 17% of the municipal solid waste stream.

End-of-Life Vehicles (ELVs) and Tires Definition -End-of-Life Vehicles (ELVs) are cars and light trucks that are considered waste and that must be disposed of. The ELV directives for the collection of end-of-life vehicles and vehicle tires have been in effect for decades. Due to the weight of a vehicle and regulations regarding disposition (i.e. registering, insuring, etc.) ELVs have been taken to scrap yards since the inception of junk yards for scrap. Tire collections took a bit longer and were for some time unregulated.

Agricultural Waste Source - Agricultural waste is composed of organic wastes (animal excreta in the form of slurries and farmyard manures, spent mushroom compost, soiled water and silage effluent) and waste such as plastic, scrap machinery, fencing, pesticides, waste oils and veterinary medicines. Agricultural waste, under a Zero Waste initiative, is for the most part recyclable through a best practices policy. Because of the manner of operations, most agricultural material can be managed on site and sustainably.

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4. Materials Management Practices and Options

Landfill Prevention and Minimization - All generators of solid waste are included in this category and is the preferred method for sustainable materials management practices by both the EPA and NYSDEC. Prevention can take the form of reducing the quantities of materials used in a process or reducing the quantity of harmful materials which may be contained in a product. Prevention can also include the reuse/diversion of products.

Prevention means eliminating or reducing the quantity of waste which is produced in the first place, thus reducing the quantity of waste which must be managed. Prevention is the most desirable waste management option as it eliminates the need for handling, transporting, recycling or disposal of solid waste. It provides the highest level of environmental protection by optimizing the use of resources and by removing a potential source of pollution. Both the EPA Sustainable Materials Management and NYSDEC Beyond Waste endorse waste prevention through diversion and reuse.

Minimization includes any process or activity that avoids, reduces or eliminates waste at its source or results in re-use or recycling. Although most waste prevention and minimization measures can be applied at all stages in the lifecycle of a product including: the production process, marketing, distribution, or utilization stages (using the entire product up), discarding the product at the end-of life stage, there should be an aggressive public campaign to alter consumption habits.

ReUse Source - Reuse avoids discarding a material to a waste stream when its initial use has concluded. Reuse is preferable to recycling as the item is reused or repurposed without going through a detailed treatment process thus helping to save on energy and material usage. It is a method of sustainable materials management that can be used by all solid waste generators. Reuse means the use of a product on more than one occasion, either for the same purpose or for a different purpose, without the need for reprocessing. It is preferable that a product be re-used in the same state i.e., returnable pallets, using an empty glass jar for storing items and using second hand clothes.

Recycling - Recycling is generated by both consumers and manufacturers. Many different materials can be recycled. Waste materials can either be recycled for use in products similar to their original use (i.e., paper recycling) or can be recycled into a product which is different than the original use (i.e., recycling plastic bottles into fleece jackets or using construction and demolition waste as road aggregate. Definition: Recycling involves the treatment or reprocessing of a discarded waste

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material to make it suitable for subsequent reuse either. It benefits the environment by reducing the use of virgin materials. It includes recycling of organic wastes but excludes energy recovery. Composting is also considered recycling. Yard waste (brush and yard clippings) has been banned from landfilling for years due to the production of methane gas resultant of decomposition.

ReUse Mid-Stream Wastes – “Discarded Reusables or Rescued Materials”
Generally, the definition of mid-stream wastes are the unusable by-product of industry typically involving oil and/or natural gas industries (waste water, lye from bio-fuel, etc.) For the purpose of municipal zero waste, mid-stream waste is generated locally by every household, school, business, and governmental office, through material wasting inefficiencies (purchasing too much product/duplication of services), excess packaging, and unnecessary product discard. The biggest roadblock for diversion in this category is liability concerns even though there are State and federal “Good Samaritan” laws.

Recycle Down-Stream Wastes – “End of Pipe Diversion” Down-stream wastes are generated locally by every household, school, business, and governmental office, with the intent to dispose of unwanted packaging, products, and other wastes created. Wastes at this level must be collected, processed and sent to a final disposal facility. Down-stream captured wastes are a direct financial burden to the local government for collection and processing, and include landfilling, green waste composting, recycling and disposal of household hazardous wastes.

Energy Recovery Definition- Energy Recovery includes any technique or method of minimizing the input of energy to an overall system by the exchange of energy from one sub-system of the overall system with another. Energy recovery can be a natural process done during the decomposition stage of food waste or manure composting facility. Of course, there are many other sources for recovery of renewable energy such as solar, wind, and water, however, under solid waste energy recovery would be energy processed while processing waste.

Landfill - A disposal site where solid waste is dumped on a liner and covered daily with a layer of dirt and other materials in such a way as to reduce contamination of the surrounding land. Modern landfills are often lined with layers of absorbent material and sheets of plastic to keep pollutants from leaking into the soil and water.

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5. Focus on Materials Management and Handling

A comprehensive Zero-Waste Plan addresses the actions local consumers, businesses, and government can take to reduce the impact of pre-stream, mid-stream and downstream wastes created at the local level through more aggressive reuse and conservation measures. To be a truly environmentally friendly and sustainable community, it is necessary to develop a Zero Waste action plan that encompasses all aspects of community, business and government functions. To have a truly successful program, every community member needs to participate and take on responsibilities.

6. Green Innovation Strategy

Identify opportunities to incorporate waste reduction through materials management that will create local green job growth and support social services programs/organizations working with the Department of the Environment Green Business Initiative and the Department of Economic Development. Encourage workforce development training and school curricula that support the emerging green collar job sector, including manufacturing, repurposing and reuse as well as smart materials management practices.

7. Inform and Inspire the Public

Lead by example. Highlight local government, business and organizations commitment to reduce waste generation. Demonstrate the benefits of waste reduction and reusable materials savings by communicating community goals and progress to constituents through various means including “open house” forums, workshops/charrettes and use of the County website: www.sustainableulster.org.

Continuously update and enforce materials management education through local advertising and signage.

8. Commit to an Evolving Process

Acknowledge that research, policy, consumer habits and markets are constantly changing and evolving. Be willing to consider new ideas and commit to update plants and policies as needed. Compare successes, cooperate and collaborate with neighboring communities to redirect less effective actions and amplify positive results.

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9. Return on Investment

Continue to actively support and implement the financing framework for ongoing performance improvements established in the adoption of the Green Procurement Policy, Sustainability Initiatives and this Zero Waste policy. New measures should be funded in part with savings derived from waste reduction and reuse practices while encouraging the Ulster County Solid Waste Authority to reinvest in their infrastructure and other public benefit outreach,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 1
(Noes: Legislator Ronk)

Passed Committee: Energy and the Environment on November 7, 2019

Postponed in Committee: Ways and Means for One Week on November 12, 2019

Passed Committee: Ways and Means on November 19, 2019

FINANCIAL IMPACT:

NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 19th Day of November in the year Two Thousand and Nineteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21st Day of November in the year Two Thousand and Nineteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
21st Day of November, 2019.

Returned unsigned by the County Executive and
deemed adopted this 26th Day of November, 2019.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

|unsigned|
Patrick K. Ryan, County Executive