

Introduced by: Councilmembers Clarke and Reisinger

*Henry, Schleifer, J. D. Doherty, Young, Bullock, Branch*

Prepared by: Department of Legislative Reference

Date: May 9, 2018

Referred to: **RESOLUTION**

Committee *Cohen, Middleton, Stokes, Speed, Pritchard*

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL *18-0086R*

A RESOLUTION ENTITLED

A COUNCIL RESOLUTION concerning

**Improving Development of a Baltimore City Recycling and Solid Waste Management Master Plan**

FOR the purpose of supporting Baltimore City's local team of Zero Waste experts and environmentalists in calling upon the Northeast Maryland Waste Disposal Authority, and the City's representatives to that Authority, to honor the Baltimore City Council's express commitment to Zero Waste policies by reissuing its recent Request For Proposals (RFP) to allow responses from a nationwide universe of experienced Zero Waste consultants; and calling on the Authority to adopt RFP amendments reflecting the City's Zero Waste goals and the urgency of progress through this Master Plan process.

*Handwritten signatures: Howard Miller, Edward Reisinger, John Clarke, Robert Stokes, Young, J. D. Doherty, Henry, Leo Lawrence, Richard Clarke, Paul J. Young, Britt*

NO. \_\_\_\_\_

**\*\*The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

**Agencies**

_____	Baltimore City Public School System
_____	Baltimore Development Corporation
_____	City Solicitor
_____	Comptroller's Office
_____	Department of Audits
_____	Department of Finance
_____	Department of General Services
_____	Department of Housing and Community Development
_____	Department of Human Resources
_____	Department of Planning
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Department of Public Works
_____	Department of Real Estate
_____	Department of Recreation and Parks
_____	Department of Transportation
_____	Fire Department
_____	Health Department
_____	Mayor's Office of Employment Development
_____	Mayor's Office of Human Services
_____	Mayor's Office of Information Technology
_____	Office of the Mayor
_____	Police Department
_____	Other: _____
_____	Other: _____

**Boards and Commissions**

_____	Board of Estimates
_____	Board of Ethics
_____	Board of Municipal and Zoning Appeals
_____	Comm. for Historical and Architectural Preservation
_____	Commission on Sustainability
_____	Employees' Retirement System
_____	Other: _____
_____	Other: _____
_____	Other: _____
_____	Environmental Control Board
_____	Fire & Police Employees' Retirement System
_____	Labor Commissioner
_____	Parking Authority Board
_____	Planning Commission
_____	Wage Commission
_____	Other: _____
_____	Other: _____
_____	Other: _____



**Council Bill 18-0086R**

1           “Baltimore City suffers from high rates of asthma. The state Department of Health  
2           and Mental Hygiene reports 12.4% of Baltimore City adults have asthma, four  
3           points higher than the statewide average. Moreover, 1 in 5 children under the age  
4           of 18 in Baltimore City suffer from asthma, double the national average. These  
5           high rates lead to large losses of productivity through missed school and work  
6           days. Reduced air pollution realized through a Zero Waste plan could help the city  
7           lower its asthma rates.”

8           **WHEREAS**, according to the U.S. Environmental Protection Agency’s National Emissions  
9           Inventory, Wheelabrator Baltimore is the city’s single largest air polluter, releasing 57% of the  
10          industrial emissions of nitrogen oxides (NOx) in Baltimore City, equivalent to emissions from  
11          half of the cars or half of the trucks in the city, and is also the city’s largest source of air pollution  
12          from benzo[a]pyrene, chromium VI, formaldehyde, hydrochloric acid, lead, mercury, and sulfur  
13          dioxides.

14          **WHEREAS**, in March 2018, the Northeast Maryland Waste Disposal Authority released a  
15          Request for Proposals (RFP) for a Baltimore City Recycling and Solid Waste Management  
16          Master Plan with responses due April 26, 2018.

17          **WHEREAS**, scheduled negotiations between community advocates and the Department of  
18          Public Works on Tuesday, May 8, 2018, were terminated by DPW at the end of that day when  
19          DPW determined to proceed with its original bid document text and the 2-week extended bidder  
20          due-date of Thursday, May 10, 2018.

21          **WHEREAS**, The current RFP fails to honor or reflect Baltimore City’s Zero Waste policies  
22          by:

- 23          • limiting responses to only a narrow selection of on-call bidders who lack appropriate  
24          experience in Zero Waste planning;
- 25          • disregarding City residents already at-risk of the health and environmental effects of  
26          major incineration sources within the City itself;
- 27          • studying the continued use of the Wheelabrator Baltimore trash incinerator through 2040,  
28          and biasing those studies by looking only at supposed benefits of incineration;
- 29          • studying new incineration schemes such as trash gasification (an expensive and failed  
30          technology) and converting trash into pellets to be burned, as was proposed by the  
31          controversial Energy Answers incinerator that Baltimore community members had to  
32          spend five years fighting before it was stopped;
- 33          • considering the privatization, mining, or rapid filling of the City’s public Quarantine Road  
34          Landfill, none of which are in the public interest; and
- 35          • considering mixed waste processing, which entails no longer source separating recyclable  
36          materials from trash, expecting machines to sort it all out, ending up with poor quality of  
37          recyclables and fewer marketable materials

38          **WHEREAS**, community leaders and environmentalists object to the RFP and request that it be  
39          revised and reissued to:

**Council Bill 18-0086R**

- 1 • include a broader diversity of potential bidders, with special consideration paid to  
2 including Zero Waste consultants in the United States who have experience developing  
3 comprehensive Zero Waste plans without incineration, to ensure that a truly sustainable  
4 plan is developed;
- 5 • amend the Statement of Work to reflect City policies, environmental concerns of  
6 Baltimore residents, and greater commitments to public communication and  
7 accountability throughout the project; and,
- 8 • schedule and undertake focused discussion with local environmentalists and City agency  
9 representatives on specific amendments proposed by the local environmental team.

10 **WHEREAS**, in addition, the Baltimore City Council supports the local advocates' insistence  
11 that, for Baltimore City's benefit, "All work done to develop this Master Plan must abide by  
12 these City directives [Resolutions referenced above] by planning for an end to the use of  
13 incineration by 1/1/2022, and must strictly abide by the internationally peer-reviewed Zero Waste  
14 Hierarchy as codified by the Zero Waste International Alliance" .

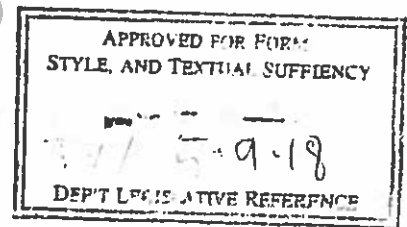
15 **WHEREAS**, the Council requests that amendments to the RFP specifically require that the  
16 Zero Waste Hierarchy (as codified by the Zero Waste International Alliance) be strictly followed;  
17 that the Plan not consider any use of incineration beyond 12/31/2021 and plan for Wheelabrator  
18 Baltimore to be closed after that time; that the Plan not consider privatizing, mining or rapidly  
19 filling Quarantine Road Landfill, mixed waste processing, "solid recovered fuel production", or  
20 gasification; and that the plan focus on implementing Zero Waste, with closure of the incinerator  
21 by 1/1/2022, replacement of the steam loop's needs with non-burn alternatives, and setting up the  
22 needed Zero Waste policies and infrastructure as rapidly as possible in order to maximize the life  
23 of Quarantine Road Landfill.

24 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, That the  
25 Council supports Baltimore City's local team of Zero Waste experts and environmentalists in  
26 calling upon the Northeast Maryland Waste Disposal Authority, and the City's representatives to  
27 that Authority, to honor the Baltimore City Council's express commitment to Zero Waste  
28 policies by reissuing its recent Request For Proposals (RFP) to allow responses from a  
29 nationwide universe of experienced Zero Waste consultants; and calls on the Authority to adopt  
30 RFP amendments reflecting the City's Zero Waste goals and the urgency of progress through this  
31 Master Plan process.

32 **AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor, the  
33 Executive Director of the Northeast Maryland Waste Disposal Authority, the Director of Public  
34 Works, the Chief of the Department of Public Works' Bureau of Solid Waste; and the Mayor's  
35 Legislative Liaison to the City Council.



**INTRODUCTORY\***  
**CITY OF BALTIMORE**  
**COUNCIL BILL \_\_\_\_\_ R**  
**(Resolution)**



---

Introduced by: Councilmembers Clarke and Reisinger

---

A RESOLUTION ENTITLED

A COUNCIL RESOLUTION concerning

**Improving Development of a Baltimore City Recycling and Solid Waste Management Master Plan**

FOR the purpose of supporting Baltimore City's local team of Zero Waste experts and environmentalists in calling upon the Northeast Maryland Waste Disposal Authority, and the City's representatives to that Authority, to honor the Baltimore City Council's express commitment to Zero Waste policies by reissuing its recent Request For Proposals (RFP) to allow responses from a nationwide universe of experienced Zero Waste consultants; and calling on the Authority to adopt RFP amendments reflecting the City's Zero Waste goals and the urgency of progress through this Master Plan process.

**Recitals**

**WHEREAS**, on June 5, 2017, after a detailed hearing on initial achievements for Zero Waste policies across Baltimore City agencies, City Council unanimously adopted City Council Resolution 17-22R *Informational Hearing - Moving Baltimore to Zero Waste*.

**WHEREAS**, on June 17, 2017, the City Council unanimously adopted Resolution 17-29R *Request for City Action - Supporting the Paris Accord* in which a list of pledges were listed on behalf of City government, notably including:

- "Baltimore City will strive to disincentivize energy generation from incineration technologies, a source of greenhouse gases, and mitigate health harms associated with pollution from combustion." and,
- "Baltimore City will develop a solid waste management plan that will curtail the use of waste incineration, with the explicit aims of eliminating waste incineration and protecting the workers involved."

**WHEREAS**, on October 11, 2017, the City Council unanimously adopted Resolution 17-34R *Request for State Action - Set a Strong Nitrogen Oxides Limit for the Wheelabrator Baltimore Incinerator* in which the Council called on the state to adopt a standard 3 times more protective than the state has chosen to require, with the intent to protect Baltimore residents from unnecessary asthma attacks.

\* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.  
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

**WHEREAS**, in its report on the Wheelabrator nitrogen oxide standard, the Baltimore City Health Department commented:

“Baltimore City suffers from high rates of asthma. The state Department of Health and Mental Hygiene reports 12.4% of Baltimore City adults have asthma, four points higher than the statewide average. Moreover, 1 in 5 children under the age of 18 in Baltimore City suffer from asthma, double the national average. These high rates lead to large losses of productivity through missed school and work days. Reduced air pollution realized through a Zero Waste plan could help the city lower its asthma rates.”

**WHEREAS**, according to the U.S. Environmental Protection Agency’s National Emissions Inventory, Wheelabrator Baltimore is the city’s single largest air polluter, releasing 57% of the industrial emissions of nitrogen oxides (NOx) in Baltimore City, equivalent to emissions from half of the cars or half of the trucks in the city, and is also the city’s largest source of air pollution from benzo[a]pyrene, chromium VI, formaldehyde, hydrochloric acid, lead, mercury, and sulfur dioxides.

**WHEREAS**, in March 2018, the Northeast Maryland Waste Disposal Authority released a Request for Proposals (RFP) for a Baltimore City Recycling and Solid Waste Management Master Plan with responses due April 26, 2018.

**WHEREAS**, scheduled negotiations between community advocates and the Department of Public Works on Tuesday, May 8, 2018, were terminated by DPW at the end of that day when DPW determined to proceed with its original bid document text and the 2-week extended bidder due-date of Thursday, May 10, 2018.

**WHEREAS**, The current RFP fails to honor or reflect Baltimore City’s Zero Waste policies by:

- limiting responses to only a narrow selection of on-call bidders who lack appropriate experience in Zero Waste planning;
- disregarding City residents already at-risk of the health and environmental effects of major incineration sources within the City itself;
- studying the continued use of the Wheelabrator Baltimore trash incinerator through 2040, and biasing those studies by looking only at supposed benefits of incineration;
- studying new incineration schemes such as trash gasification (an expensive and failed technology) and converting trash into pellets to be burned, as was proposed by the controversial Energy Answers incinerator that Baltimore community members had to spend five years fighting before it was stopped;
- considering the privatization, mining, or rapid filling of the City's public Quarantine Road Landfill, none of which are in the public interest; and
- considering mixed waste processing, which entails no longer source separating recyclable materials from trash, expecting machines to sort it all out, ending up with poor quality of recyclables and fewer marketable materials



**WHEREAS**, community leaders and environmentalists object to the RFP and request that it be revised and reissued to:

- include a broader diversity of potential bidders, with special consideration paid to including Zero Waste consultants in the United States who have experience developing comprehensive Zero Waste plans without incineration, to ensure that a truly sustainable plan is developed;
- amend the Statement of Work to reflect City policies, environmental concerns of Baltimore residents, and greater commitments to public communication and accountability throughout the project; and,
- schedule and undertake focused discussion with local environmentalists and City agency representatives on specific amendments proposed by the local environmental team.

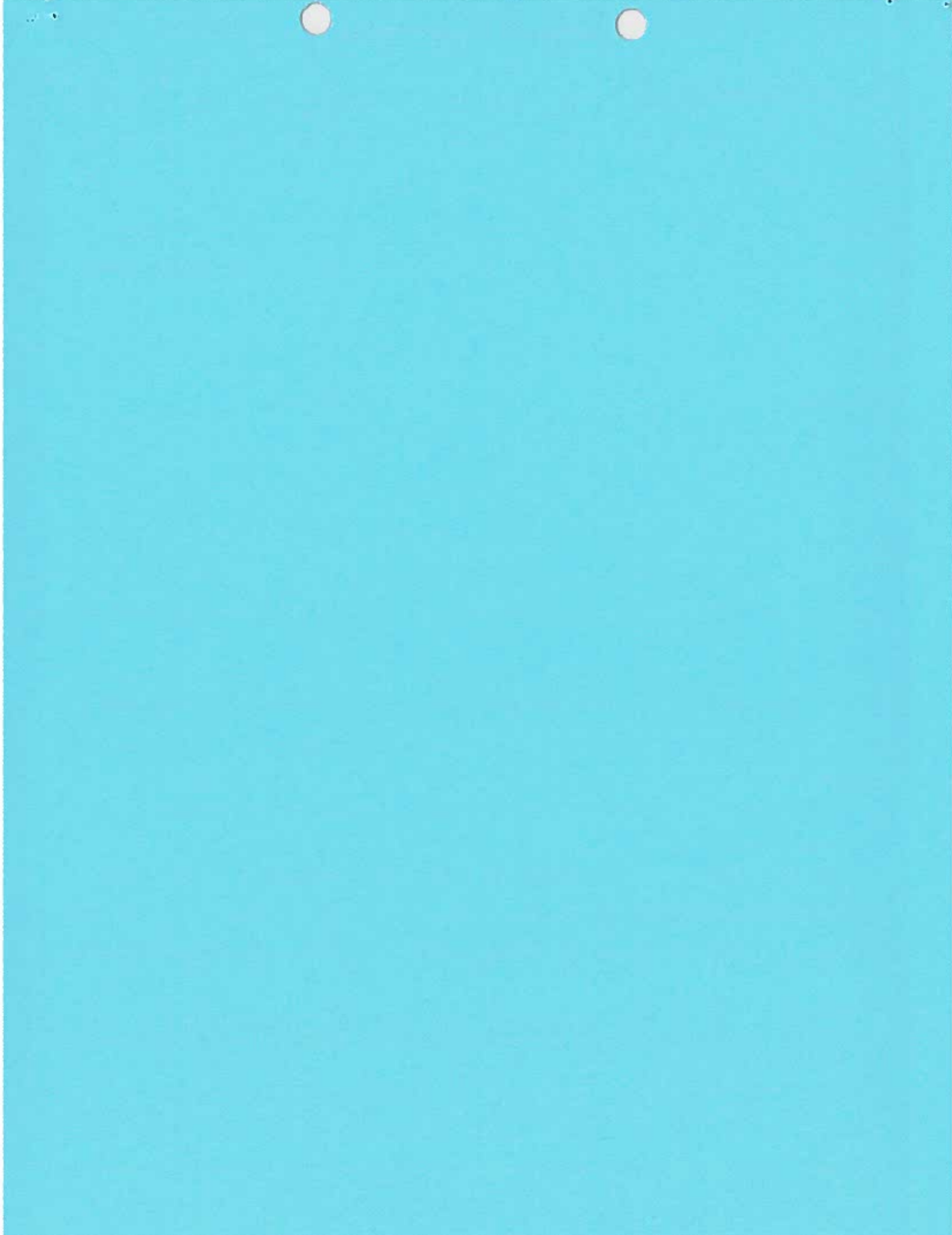
**WHEREAS**, in addition, the Baltimore City Council supports the local advocates' insistence that, for Baltimore City's benefit, "All work done to develop this Master Plan must abide by these City directives [Resolutions referenced above] by planning for an end to the use of incineration by 1/1/2022, and must strictly abide by the internationally peer-reviewed Zero Waste Hierarchy as codified by the Zero Waste International Alliance".

**WHEREAS**, the Council requests that amendments to the RFP specifically require that the Zero Waste Hierarchy (as codified by the Zero Waste International Alliance) be strictly followed; that the Plan not consider any use of incineration beyond 12/31/2021 and plan for Wheelabrator Baltimore to be closed after that time; that the Plan not consider privatizing, mining or rapidly filling Quarantine Road Landfill, mixed waste processing, "solid recovered fuel production", or gasification; and that the plan focus on implementing Zero Waste, with closure of the incinerator by 1/1/2022, replacement of the steam loop's needs with non-burn alternatives, and setting up the needed Zero Waste policies and infrastructure as rapidly as possible in order to maximize the life of Quarantine Road Landfill.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE**, That the Council supports Baltimore City's local team of Zero Waste experts and environmentalists in calling upon the Northeast Maryland Waste Disposal Authority, and the City's representatives to that Authority, to honor the Baltimore City Council's express commitment to Zero Waste policies by reissuing its recent Request For Proposals (RFP) to allow responses from a nationwide universe of experienced Zero Waste consultants; and calls on the Authority to adopt RFP amendments reflecting the City's Zero Waste goals and the urgency of progress through this Master Plan process.

**AND BE IT FURTHER RESOLVED**, That a copy of this Resolution be sent to the Mayor, the Executive Director of the Northeast Maryland Waste Disposal Authority, the Director of Public Works, the Chief of the Department of Public Works' Bureau of Solid Waste; and the Mayor's Legislative Liaison to the City Council.





**ACTION BY THE CITY COUNCIL**

MAY 14 2018  
20

FIRST READING (INTRODUCTION) \_\_\_\_\_ 20 \_\_\_\_\_

PUBLIC HEARING HELD ON \_\_\_\_\_ 20 \_\_\_\_\_

COMMITTEE REPORT AS OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ FAVORABLE \_\_\_\_\_ UNFAVORABLE \_\_\_\_\_ FAVORABLE AS AMENDED \_\_\_\_\_ WITHOUT RECOMMENDATION

\_\_\_\_\_  
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

\_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

WITHDRAWAL \_\_\_\_\_ 20 \_\_\_\_\_

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

\_\_\_\_\_  
President

\_\_\_\_\_  
Chief Clerk