



## Legislation Text

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The official copy considered by the City Council is the first reader copy.

### 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.

**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.