

The Honorable Sheila Dixon, Mayor of the City of Baltimore
The Honorable President and Members of the City Council
The Honorable James B. Kraft, Committee Chair
 Judiciary and Legislative Investigations Committee, Baltimore City Council
The Honorable Rochelle "Rikki" Spector
 Baltimore City Council Member (District 5)
 Baltimore City Hall, 100 N. Holiday Street, Baltimore, Maryland

April 14, 2009

Ladies and Gentlemen,

I am writing to you today regarding the proposed **city council bill # 09-0284** establishing the “One Plus One” Sanitation program. While understanding the severe economic difficulties faced by the city as well as potential revenue opportunities afforded by recycling, I believe that the bill as currently written has several major flaws, which will severely impeded the intent of the law. In this letter, I would like to address these flaws in hope that they maybe remedied during the legislative process.

Additionally, I urge you to consider referring this matter to the Office of Council Services which is charged under Article 1, Subtitle 2-1(b) with analyzing legislation pending before the City Council to analyze the impact of this law as well as evaluating other alternatives.

LIMIT OF 64 GALLONS PER WEEK IS NOT REASONABLE FOR THE CITY

The proposed law limits the amount of garbage collected to 64 gallons,. This will discriminate against larger families which is a significant number within the city. Although the average household size in Baltimore City is 2.63 people, over 45% of the city's population resides in households of more than 4 people in size as shown in the chart below derived from the *2005-2007 American Community Survey* for Baltimore City, produced by the US Census Bureau:

Household Size	Number of Households	Percentage	Number of People	Percentage of City Population
1 persons	93,822	39.8%	93,822	15.14%
2 persons	67,891	28.8%	135,782	21.91%
3 persons	34,888	14.8%	104,664	16.90%
4 or more	39,131	16.6%	285,329 ¹	46%
Total:	235,734		619,597	

Chart 1 – Households/Population Percentages in Baltimore City.

¹ Calculated by taking the total population of the city as per the 2003-2007 survey at 619,957 and subtracting estimated numbers of people living in 1, 2 and 3 person households.

According to the EPA², an average person within the United States produced 4.6 pounds of garbage daily, totaling about 32.2 pounds of trash weekly. A gallon stores about 0.80 pounds of garbage³, which would necessitate about 40 gallons of garbage storage per person weekly⁴, citywide. This would mean that the current allowed limit of 160 gallons allows for enough garbage for 4 people⁵, while the reduced limit of 64 gallons would not even let a 2 person household enough disposal capacity. The chart below shows how much garbage will be produced by different types of households weekly:

Household Size	Weekly Trash/lbs	Weekly Trash/Gallons
1	32.20	40.48
2	64.40	80.96
3	96.60	121.44
4	128.80	161.92
5	161.00	201.25
6	193.20	241.50
7	225.40	281.75
8	257.60	322.00

Chart 2 – Household size and weekly trash produced.

Additionally, once we take the actual city population into account, the average amount of trash produced by a 4 member household would actually need more than the current limit of 160 gallons as shown in chart 3 below.

Household Size	Number of People	Total Weekly Trash/lbs Citywide	Average Weekly Trash/lbs per Household⁶	Average Weekly Trash/Gallons per Household
1	93,822	3,021,068	32.2	40.48
2	135,782	4,372,180	64.4	80.96
3	104,664	3,370,180	96.6	121.44
4 or more	285,329	9,187,593	234.79	293.49

Chart 3 – Average Trash Amounts per Household Size Based on Population Size.

2 *Quantity of Municipal Waste Generated and Managed* (<http://cfpub.epa.gov/eroe/index.cfm?fuseaction=detail.viewInd&ch=48&IShowInd=0&subtop=312&lv=list.listByChapter&r=188238>)
3 Based on “How To Calculate How Many Waste Containers You Will Need For Your Community”, Zender Environmental Consultants (<http://www.zendergroup.org/docs/container.pdf>)
4 $32.2/0.80 \sim 40.25$
5 $160 / 40 \sim 3.9$, $64 / 40 \sim 1.59$
6 Calculated by taking total trash generated and divided by number of households

NO EXCEPTION MECHANISM FOR SINGLE FAMILY DWELLINGS..

The law as currently written allows the Director of Public Works to make exceptions to the garbage limit upon written request from owners and managers of multiple family dwellings. However, no such mechanism is included in the law for single family dwellings. Additionally, some of the requirements are too strict for regular families. Amending the law to include single family dwellings and relaxing some of the requirements would go a long way towards reducing the impact of the proposed law on larger families.

Additionally, while commercial entities and landlords have ability to hire private garbage services, that option is prohibitive for regular families. This too should be taken into account.

Also, the law as written does not account for exception around holiday times when many host parties within their homes. Rather than increase garbage collections during those times, the net result is that collection is decreased by skipping to the next collection date. During the summer the smell will certainly make its impact.

USE ECB ENFORCEMENT, NOT GARBAGE LIMITS

As the Mayor has stated publicly as well as some of the comments submitted on the bill by City agencies seem to indicate that the intent of the bill is to force more households towards recycling by providing unlimited recycling pickups and also force commercial entities and landlords to use private hauling services as opposed to relying on the city trash collection. However, the same goal can be accomplished by making recycling mandatory and increasing enforcement of ECB violations by commercial entities and landlords.

TOO MUCH RELIANCE ON RECYCLING

Another fatal flaw of the plan is its reliance on unlimited recycling pickup. As stated in the comments provided by city agencies, there is no guarantee that unlimited recycling will stay in place in the future and not be cut by another mayor or the council in the future.

Additionally, while the City relies on the plan bringing in revenue from recycling, no evaluation has been made as to whether the costs involved in providing unlimited recycling pickup are sufficiently recovered via revenue provided by recycling and reduced costs in regular trash pickup. The CitiStat system provides detailed financial statistics on the Department of Public Works and it would be easy to make such evaluation. Once again, I implore the Council to have the Office of Council Service or another city agency evaluate the financial aspects of the unlimited recycling pickup.

Also, no provisions have been made in the proposed budget to allow for increase in recycling costs caused by increase in recycling drop-offs generated by the new plan nor has any sort of evaluation has been made as to the projected growth of recycling drop offs. As a matter of fact as the matter currently stands, “unlimited recycling pickup” is really “limited” to whatever is being budgeted for the coming year.

LIMITS ON RESIDENTIAL GARBAGE WILL LEAD TO INCREASED STREET TRASH

The legal authority for this law derives from the City Charter which allows for passage of laws encouraging health and public welfare. HOWEVER, having an unreasonable blanket limit will lead to increased illegal dumping, thus being against the intent of the Charter. People faced with limits may choose to dump their extra trash on their neighboring properties or city streets. While the proposed budget does allow for extra inspectors, they may not working at night when the dumping will most probably take place, and if they do work at night, the potential revenue will probably be outweighed by the cost of overtime.

EXPLORING OTHER ALTERNATIVES

There are thousands of cities within the United States who collect and dispose of garbage daily. There are numerous examples of other alternatives that these cities are using which have not been implemented by the Council or the Administration within the scope of this law. Some examples include:

- Automated pickup trucks with special containers, reducing personnel costs
- Charging residents for how many containers they use weekly
- Basing the weekly garbage limits on household sizes
- Increased illegal dumping penalties

Even the federal EPA does not list the model espoused by the proposed law within their Pay as You Throw program⁷. Instead the EPA encourages various other models where residents pay for the amount of garbage that they dispose of, instead of setting a blanket city wide limit without any exceptions. Additionally, participation in the Pay as Your Throw program may allow the City to benefit from federal grants and experience of other cities.

In conclusion, I encourage the City Administration and the Council to amend the law to to keep the existing 160 pound limit in place while exploring alternatives that have been tested and found successful by other cities, and are supported by EPA research.

Sincerely,

Yakov Shafranovich

⁷ <http://www.epa.gov/epawaste/conserve/tools/payt/index.htm>