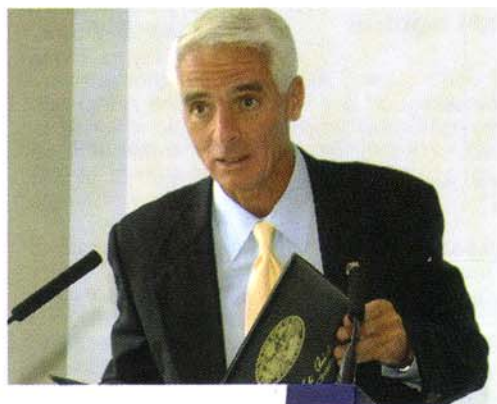


FLORIDA GOVERNOR VETOES REPEAL OF YARD TRIMMINGS DISPOSAL BAN



Exercising his veto power, Florida Governor Charlie Crist says “no” to yard waste in landfills.

FLORIDA Governor Charlie Crist utilized the awesome power of his veto pen on June 1 to strike down legislation that would have allowed disposal of yard trimmings in Class I landfills equipped to recover methane. HB 569, passed by Florida’s House and Senate in the waning hours of the spring legislative session, would have reversed a 20-year-old law prohibiting landfill disposal of yard trimmings. The legislature had also passed an aggressive recycling bill, HB 7234, designed to meet the governor’s own stated goal of 75 percent waste reduction by 2020. In urging the governor to veto HB 569, repeal opponents said it was completely at odds with the landmark recycling legislation and goals.

“We’re real pleased that the governor did this,” says Patrick Bell, whose firm Capital Solutions had lobbied to defeat the legislation on behalf of the U.S. Composting Council (USCC) and Florida’s composting industry. “There has been a lot of inconsistency in Florida this year. They passed the largest recycling bill ... in the past 20 years,

Eleventh-hour decision to repeal landfill ban highlights inconsistency with Sunshine State’s recycling goal of 75 percent by 2020.

Dan Sullivan

and then they turn around and do something that is dreadfully harmful to recycling and the [compost] industry.”

While many were surprised by the governor’s decisive action, Bell suggested that both the Deepwater Horizon oil spill and Crist’s recent switch to independent status, accompanied by his announced bid for a U.S. Senate seat, played into that decision. “With the oil spill, the environment is high on everybody’s mind,” Bell says. “And now that he’s an independent, he’s evaluating his policies not from a Republican standpoint but from an independent standpoint.”

Bell and other opponents of HB 569 have been quick to point out that a small number of large municipal waste haulers, who currently have to send extra trucks out to pick up source separated yard trimmings, stood to gain financially while the environment — as well as 264 commercial composters who have set up shop, and become significant employers in Florida — came out the losers. Supporters of the repeal included Waste Management, Inc. and the Solid Waste Association of North America. Opponents included the Sierra Club Florida, Hillsborough County and the Southern Alliance for Clean Energy.

RATIONALE FOR VETO

In striking down the legislation, Crist stated: “Although the bill requires landfills to capture and make beneficial use of methane gas to qualify to accept yard trash, it directs materials to landfills that would otherwise be recycled. I am concerned about the lack of Florida-specific data to support a conclusion that the proposed practice would result in net reduction of greenhouse gases or a savings to consumers.”

The governor’s veto letter continued: “Florida is a leader in recycling. I am concerned that this bill will be a step backward in our efforts. Additionally, maintaining a

ban on yard trash disposal in a Class 1 landfill means it will extend the life of these costly and difficult to site facilities. I have not been presented with reasons to abandon this long-standing state policy that provides an opportunity to reach our recycling goals.”

Darren Midlane, technical director for Harvest Quest International, who works out of the company’s Florida office near Orlando, was asked as a member of the USCC to spearhead on-the-ground efforts to defeat the yard trimmings ban repeal. Midlane raised \$15,000 statewide, which was matched dollar for dollar by the USCC. Both Midlane and Bell say their case before the governor — who vetoed the bill in the final hours of the last day he had the power to do so — was significantly bolstered by a May 2010 *BioCycle* news story (“Bad News, Good News On Yard Trimmings Disposal Bans”) and special report (“Putting the Landfill Energy Myth To Rest”) included in a briefing packet shared with the governor and his top aide.

Midlane and Bell also reference a “team effort” in the bill’s ultimate defeat, adding that some of the players wished to remain anonymous because they continue to do business with entities that supported the legislation. Midlane also commended Capital Solutions, which he says could have thrown in the towel and walked away after the bill passed but instead went the extra mile in seeking the veto. Additional support for the veto in the form of letters generated to the governor’s office came from Green Florida and a number of other web-based environmental groups. “Green Florida is proud to have led the ‘Mulch Not Methane’ campaign to secure the governor’s veto,” says Andrea Hildebran, the group’s executive director. “Our community gardening members sent more than 400 letters to the governor and community gardens wrote a joint letter as organizations urging a veto.” Parties supporting Crist’s decision expect the fight to continue next year. Hildebran said her organization is prepared to resurrect the “Mulch Not Methane” campaign in Florida or wherever else it might be needed.

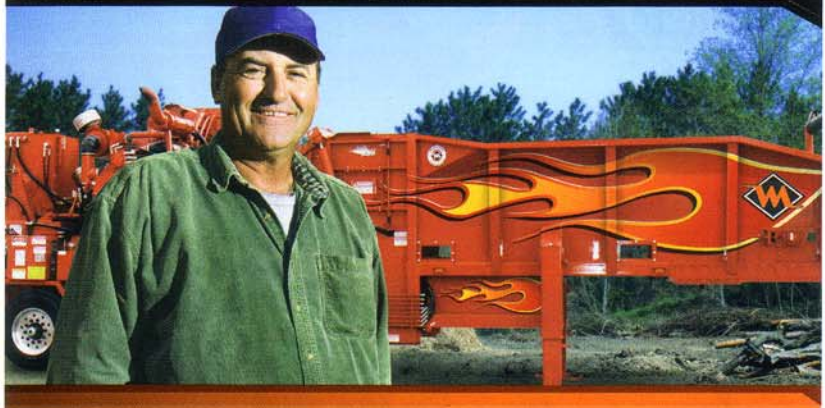
Couching the passing of an aggressive recycling bill in tandem with a bill encouraging the landfilling of yard trimmings as “one step forward and three steps back,” Midlane suggests that such organic materials are going to become ever more critical as Florida moves to significantly shrink its waste stream. “If they’re going to start diverting all kinds of food waste and composting biosolids, they’re going to need that yard waste for carbon and as a bulking agent.” While the state is fortunate not to have been hit by a major hurricane or tropical storm over the past few years, Midlane says that means less woody debris, which already receives heavy resource competition from waste-to-energy facilities.

Florida’s tropical climate and soils, as well as year-round growing season, make continued replenishment of organic matter

critical to agricultural production. “Farmers really struggle with keeping that organic matter in the soil,” explains Midlane. “With the tropical heat and humidity, once you clear vegetation from an area, it’s very difficult to reestablish fertility unless you put some sort of amendment there.” Heightened environmental legislation to protect groundwater dictates cutting back on chemical fertilizers, he adds. “Organics are going to play a major part in keeping agriculture here. It’s the second largest contributor to the economy.” ■

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