

HOUSE COMMITTEE ON NATURAL RESOURCES & OUTDOOR RECREATION

JUNE 9, 2020

Testimony on amendments to PART 115

Mr. Bill Whitley on behalf of the COMPOSTING COUNCIL OF MICHIGAN

My name is Bill Whitley and I am here today as the President of the Compost Council of Michigan. I am the owner and operator of Spurt Industries, a commercial compost operation in Wixom, MI and a partner in My Green Michigan, a food scraps hauling business. I also serve on the Board of Directors of the Michigan Recycling Coalition and on the Executive Committee of the Michigan Organics Council. We have been involved in conversations and negotiations about Part 115 for years now – and have had many positive conversations and helped to make improvements to the package. We hope to see further improvements which will allow us to fully support these bills.

At one point in time a compromise had been reached that we were comfortable with. Composters agreed to additional regulation, to new fees and to more oversight – this was agreed upon with the understanding that landfill tip fees would be increased, which was going to help level the playing field. Unfortunately, many things have changed since that time. We as a State have since funded recycling programs through another funding source – and an increased tip fee is no longer on the table. As such, we as composters are still being asked to assume the same increased regulation, burden and cost – but with little to nothing in return. We operate on slim margins in Michigan as a result of the low tip fee in the state of Michigan as it is. I have friends who operate compost companies in other parts of the country who receive 3x the revenue for the same service that we provide. What started as a give and take is now one sided – and we hope to return to a balanced approach with efforts to stabilize the industry and support end product markets.

By weight, yard waste recovery for compost manufacturing is the second largest type of recycling that takes place in the State of Michigan. Yard waste and other organics make up more than 1/3 of the household waste stream and there is no path to the state reaching a 35% goal without a vibrant compost industry. Composting and the use of compost improves our water quality, reduces our carbon footprint, decreases emissions of greenhouse gasses and creates a larger economic impact than alternative methods of managing organic wastes. We want to be a part of the solution.

We want there to be a level playing field in Michigan where all who compost are playing by the same rules. This bill does not achieve that goal – rules remain different for composters from landfills or farms processing the same material. We do not want bad actors and we want the state to have the ability to address bad actors – however this bill burdens the good without leveling the playing field and forcing all to play by those same rules.

We do not want yard waste to end up in a landfill – yet this bill leaves the door open for that to happen.

We want all who are composting to live under the same regulations - this bill does not do that.

This bill regulates where private companies take their yard waste, but does not address the need for municipalities to also follow the same rules and ensure their waste is managed under the same protocols.

We haven't fixed these existing problems which impact the industry and yet the proposal is to place new regulations on the good actors. These new regulations come without any progress or commitment on end market programs that have been successful in both economic and environmental impact in other parts of the country. We will share the specific language I referenced previously that we find objectionable along with our recommended solutions to these issues.

We thank the Committee for the time to share our views and look forward to further conversation so that we can develop a bill that will benefit the residents of our state, the public and private composting businesses critical to our recycling infrastructure and to the environment we share.