

# Waste Control & Cleanup

## Solid Waste

### Aluminum Can Recycling Rate Drops Despite Increased Curbside Collections

**T**he national recycling rate for aluminum beverage cans has dropped by at least 15 percentage points over the past eight years, from a high of 65 percent, industry and environmental groups told BNA June 1.

The Container Recycling Institute (CRI), a group that promotes waste reduction, reported a recycling rate of 44 percent in 2003, the lowest aluminum can recycling rate in the past 25 years, according to Pat Franklin, CRI executive director.

The Aluminum Association, an industry group, found a 50 percent recycling rate for aluminum beverage cans in 2003, according to association spokesman Patrick Kelly.

The two rates differ because the industry association includes imported aluminum, while CRI's rate does not, Kelly said. The institute said the methodology used by the Aluminum Association inflates the rate because it includes imported scrap cans.

A spokesman for the Environmental Protection Agency said the aluminum can recycling rate in the United States was 49 percent in 2001, the last year for which the agency had complete statistics.

**Nearly 100 Billion Cans Produced in 2003.** In the United States, 99.7 billion aluminum cans were produced in 2003, with 49.9 billion of these recycled, some 1.48 billion pounds, according to a statement by the Aluminum Association Inc., the Can Manufacturers Institute, and the Institute of Scrap Recycling Industries Inc.

For 22 out of 23 years, the rate has equaled or exceeded 50 percent, the three industry groups said in the May 21 statement, adding that the aluminum beverage can is 100 percent recyclable back into new cans indefinitely.

The groups said the aluminum can is "by far" the most recycled consumer beverage package in the United States, amounting to twice the recycling rate for beverage packages of other materials.

The statement said the aluminum industry paid about \$800 million for the used aluminum beverage cans.

According to CRI, about 1 trillion cans have been thrown out instead of recycled since 1972, when the industry started keeping records. This amount weighs about 17.5 million tons, a quantity of scrap aluminum worth about \$21 billion at today's market prices.

"The cumulative environmental damage from the failure to recycle this metal is the real issue," Franklin said in a CRI statement May 24. "Very few Americans realize that while we are trashing millions of tons of cans that could be used to make new cans, multinational companies like Alcoa and Alcan are forging

ahead to build brand new aluminum smelters in pristine environments all over the world."

Jenny Gitlitz, CRI research director, said in the statement, "Over the last four decades, the damages from aluminum manufacturing and associated infrastructure include thousands of square miles of habitat loss on every major continent, the displacement of tens of thousands of indigenous people, and the emission of tens of millions of tons of greenhouse gasses and other toxic air and water pollutants."

"We're calling on the beverage companies to step forward and do something to stop the problem," Franklin told BNA June 1. "We think there's a very simple answer working in 10 states: Put a mandatory deposit on [the beverage containers] to provide a financial incentive to recycle."

Gitlitz told BNA that recycling rates for states that have implemented mandatory beverage container deposit laws range from 70 percent to 95 percent. Michigan has the highest recycling rate, 95 percent, because it has a mandated a 10 cents recycling redemption incentive for aluminum, glass, and beverage containers, compared to the typical 5 cents per container deposit, Gitlitz said.

An 11th state, Hawaii, which enacted a beverage container deposit or so-called "bottle bill," in 2002, will begin implementing the law in January 2005, Gitlitz said.

**Federal Legislation.** A federal bottle bill would provide an even better boost to the recycling rate, according to CRI.

The organization supports legislation proposed by Sen. James Jeffords (I-Vt.) in November 2003 to set a 10-cent deposit on beverage containers and require the beverage industry to develop a system with an 80 percent recycling rate.

"If a federal bottle bill were passed, it would certainly solve our problems a lot more quickly," Gitlitz said, adding that a national bottle bill could achieve a recycling rate of up to 90 percent.

Soft drink manufacturers, however, have opposed what they consider any form of forced container deposit, saying they are costly to the industry and add costs for consumers.

To increase the recycling rate, a number of municipalities have initiated curbside recycling programs. In fact, their number has tripled from 1990 to 2001, Gitlitz said. Despite this, she said, the aluminum can recycling rate has still declined.

Gitlitz attributed the declining rate to several factors. More people consume beverages in cans while away from home, so even if they have recycling bins, they do not use them, she said. In addition, she said, scrap values have not kept up with recycling.

Also the use of industry-sponsored "buyback centers" have been largely discontinued as the use of curbside recycling has risen. The value of the 5-cent deposit also has not kept pace with inflation, she added.

**Industry Opposes Mandatory Deposits.** Kelly said the industry supports voluntary efforts to increase recycling but not mandatory deposit laws.

"Our members are not in favor of deposit legislation because it does not benefit aluminum over other packages," he told BNA.

State mandatory deposit laws and pending federal legislation do not distinguish between deposit fees for aluminum, glass, and plastic beverage containers, Kelly said. Because aluminum is more valuable than these other materials, he said, the mandates do not "reflect the true value of the can."

The reason for the recycling rate decline "is a question we've been asking ourselves," Kelly said. He speculated that perhaps people are less concerned about environmental issues than they were three decades ago.

Kelly said the Aluminum Association has encouraged voluntary efforts through public service announcements, a charitable recycling program with Habitat for Humanity, and a pilot curbside program in three areas—Orlando, Fla., Cincinnati, Ohio, and Brevard County, Fla.—to promote and coordinate efforts by local governments, waste haulers, and consumers for curbside recycling.

BY LINDA ROEDER

## **Hazardous Waste**

### **Planned 'Ghost Ship' Export Shelved; Negotiations With U.S. Recyclers Continue**

**T**he U.S. Maritime Administration is shelving for this year its plan to send nine additional obsolete naval vessels from the James River in Virginia to the United Kingdom for dismantling and recycling, MARAD officials told BNA June 2.

MARAD is negotiating with domestic ship recyclers, while still maintaining its contract with the British shipyard Able UK, Wes Irvin, director of MARAD's Office of congressional and public affairs, told BNA June 2.

In view of delays preventing the company from beginning work on vessels currently berthed at Able UK's reclamation and recycling center in Graythorp, "it is clear that it would not be practicable to transfer other vessels during this summer's 'weather window' but we are looking forward to further transfers next year," said Able UK Managing Director Peter Stephenson in a statement May 28.

Meanwhile, environmental groups have stepped up their efforts to prevent the planned transfer of the so-called "ghost ships," which they say contain contaminants such as polychlorinated biphenyls, asbestos, mercury, lead, chromate-based paints, and fuel oil.

**Legality of Imports Questioned.** The Basel Action Network and the Sierra Club filed a brief June 2 in U.S. District Court for the District of Columbia alleging the vessels contain hazardous waste regulated under the Resource Conservation and Recovery Act. The groups said it is illegal under international agreements for the United Kingdom to import hazardous waste for disposal.

The two groups sued MARAD and the Environmental Protection Agency in September 2003 over the issue (*Basel Action Network v. Maritime Administration*, D.D.C., No. 03-CV-02000, 10/2/03).

The court Oct. 2 granted and partially denied the groups' request for a temporary restraining order, ruling that MARAD could tow four of 13 naval ships from Virginia to Great Britain for dismantling and recycling under a pilot program. A hearing on the disposition of the nine ships is scheduled for Aug. 6 in the federal district court.

According to the brief, each vessel contains wastes that meet the federal definition of hazardous waste. Under the Able UK contract, the majority of the onboard hazardous wastes are destined for recovery. However, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal "prohibits the United Kingdom, as a state party, from importing hazardous waste from a non-party like the United States unless, . . . there is an applicable bilateral or multilateral agreement governing the import form the non-party."

While the Organization for Economic Cooperation and Development constitutes such an agreement, it is "limited to transfrontier movements of hazardous wastes destined for recovery, and it is illegal for the United Kingdom to import hazardous waste for disposal."

**Failure to Secure Consent.** MARAD has failed to obtain the consent of the importing and transit nations, or to ensure that the proposed disposal facility is permitted under UK law, prior to exporting the vessels, the brief said.

The planned vessel transfer also violates the Toxics Substances Control Act and the National Environmental Policy Act, the environmental groups charged.

In addition, they said MARAD's environmental assessment failed to include a detailed analysis of the toxic and hazardous substances and environmental risks.

"Similarly, MARAD chose not to assess the reasonable alternative of domestic disposal of the nine vessels at issue in the 2004 [environmental assessment]," the brief said.

While environmentalists have pushed for stronger protections, legislation recently was introduced in Congress May 19 to temporarily bypass these protections in order to encourage domestic scrap steel reclamation.

Rep. Philip S. English (R-Pa.) introduced a bill (H.R. 4397) that would exempt for six years the scrapping of naval and MARAD vessels from environmental laws governing the handling of hazardous materials. Laws cited are the Toxic Substances Control Act, the Resource Conservation and Recovery Act, the Clean Air Act, and the Clean Water Act.

Bob Holste, the representative's staff director, told BNA June 3 that English, who heads the congressional Steel Caucus, proposed the bill to make it easier to allow domestic manufacturers to have access to affordable steel scrap.

"There is an international shortage of steel scrap right now. Prices are the highest in history, if you can get it," he told BNA.

"Meanwhile, we have millions of tons of high grade steel rusting away in ships and harbors throughout the country."

Environmental laws have created a "logjam" in getting the ships broken and scrapped, Holste said, adding, "They are an environmental hazard sitting where they are now."