KEEP PENNSYLVANIA Beautiful

Keep Pennsylvania Beautiful
Illegal Dumping in Pennsylvania: A Decade of Discovery
Executive Summary

"If everyone sweeps before his own front door, then the street is clean."
–Johann Wolfgang van Goethe

Pennsylvania has made great strides in municipal waste management over the last four decades. The eradication of nearly 1,500 open municipal dumps, followed by the permitting and construction of safer, state-of-the-art disposal facilities has prevented pollution and created a cleaner and healthier environment.

Yet despite these advancements, the behavior of a select segment of the population – namely, illegal dumping – continues to plague the Commonwealth and have a costly impact. Between 2005 and 2013, more than 6,200 of these illegal dumpsites were identified. Investigating illegal dumping crimes is time-consuming and labor-intensive for both state and local governments, with each site costing $619 per ton for an average total of $2,947 to remediate.* However, it is not unusual for costs to be significantly higher.

Illegal Dumping in Pennsylvania: A Decade of Discovery represents the final stage of ongoing efforts of Keep Pennsylvania Beautiful (KPB) to identify where and how illegal dumping occurs. This report offers practical, cost-effective solutions and accountability measures to address a statewide issue.

The purpose of the study, prepared in cooperation with Nestor Resources, Inc., is to document the full extent of illegal dumping, beginning with information gathered by KPB and supplemented by other sources, including surveys, cleanups, stakeholder focus groups and a public opinion poll. Based on the conclusions of the analysis, the project provides recommendations to minimize, if not halt, the situation. These include mechanisms to raise awareness, provide universal access to convenient and affordable waste disposal and recycling, and apprehend illegal dumpers.

Background

Illegal dumping is not an isolated problem, as active dump sites have been identified in every county. Certain commonalities were found both in the materials left at dump sites, and also in the conditions and circumstances that facilitate the behavior.

There are four categories of illegal dumping: inactive legacy sites, active commercial waste dumping, active dumping of household waste and theft of service. Illegal dumping occurs most frequently where the risk of detection and penalties is low, and where there is a lack of acceptable disposal or recycling outlets. Items frequently found in these sites include construction and demolition waste, tires, and bulky items such as furniture, appliances and mattresses. In addition, where theft of service occurs, household trash is commonly found.

The public has a poor understanding of what constitutes illegal dumping, and even elected officials are often uncertain how they can ensure that cost-effective, universal access options are available. Even law enforcement and judicial officials may not always be aware of the full impact or the costs to the community.

Cleaning up illegal dump sites does not in and of itself stop illegal dumping, and tangible proof is necessary for prosecutors to successfully land a conviction. However, both responsibility for enforcement and actions taken are inconsistent throughout Pennsylvania, due, in part, to a lack of resources at the local level. Current penalties and fine structures are also poor deterrents because they are disproportionate to the actual costs of legal disposal and site remediation.

There is less illegal dumping in areas where there is universal access to waste and recycling collection. Approximately 85 percent of Pennsylvania's residents claim to have curbside waste collection. Cost per home is actually lower where there is a community wide waste and recycling collection program, than where residents personally contract these services. If it were made available, more than 87 percent of Pennsylvanians would be willing to take their household waste, recyclables, or ▸

Office: (724) 836.4121 | Fax: (724) 836.1980
105 West Fourth St., Greensburg, PA 15601
keeppabeautiful.org
gacofpa.org

◂ other items not collected at the curb, to a convenient outlet and pay for the service.

When individuals place household waste in receptacles paid for by businesses and individuals, as well as at the drop-off recycling sites of local governments, they are technically stealing service and can cause legitimate customers' prices to increase in order to handle this extra volume of waste. To cover the fixed cost of services, honest citizens end up paying more per home for waste and recycling collection to subsidize the loss of revenue.

Actions to Prevent and Enforce Against Illegal Dumping

At the residential level, possible solutions include: ensuring that all residents have universal access to waste and recycling collection; expanding curbside collection; developing staffed, convenient drop-off facilities; providing for collection of bulk items and appliances at curbside or at convenient drop-off facilities; shifting county municipal waste planning from disposal capacity to universal access; promoting municipal contracts to control costs and universal services; and instituting a subsidy for eligible low income households.

Requiring proof of disposal for all building or demolition projects and prior to granting local occupancy permits would most likely mitigate commercial dumping. Likewise, waste transporter authorization should be expanded to include small contractors, remodelers and roofers. Other solutions include requiring waste tire transporters to submit logs, or for transporters, processors and retailers to utilize a manifest system to track loads of tires.

Raising Awareness, Recommendations for Enforcement

The implementation of a statewide multimedia education campaign on proper waste management and the establishment of an environmental law training program for enforcement officers and justices would raise awareness of the issue. On the physical level, installing barriers and crime scene tape at dumpsites would further emphasize the criminal nature of the activity.

Expanding the use of surveillance cameras at illegal dump sites throughout the state, as well as establishing a consistent fine structure that significantly outweighs the avoided cost of disposal, would serve as the primary methods of enforcement.

Recommendations for prosecution include revoking transporter licenses, forfeiture of equipment, requiring community service for certain violations, and dedicating penalties to a cleanup fund. Establishing a Joint Code Enforcement Officer Program to support local governments, building an Expert Witness Bureau, creating an "Environmental Law Court Day" or dedicating a District Justice would serve to expedite cases.

Finally, there is a recommendation to amend the Covered Device Recycling Act (CDRA) to require scrap dealers to report on receipt of certain components from covered devices, and improve and simplify other elements of implementation.

Future Benefits

- Honest citizens and business owners whose monthly collection rates have been made artificially high to subsidize those who ignore the law could finally realize a price break.
- Without the added cost of illegal dumping, local governments could put public works budgets to better uses such as improving local infrastructure.
- Resources could be dedicated to enhancing parks and recreational services instead of removing illegally dumped tires, furniture, appliances and construction debris.
- By eliminating the contamination from illegally dumped trash, local recycling drop-off collection programs could be more sustainable.

A decade has been devoted to discovering the intricacies of what motivates illegal dumping practices. The added conveniences and affordable disposal outlets recommended in the study should eradicate any excuse for improper disposal. We encourage stakeholders at all levels to use the findings and recommendations of this report as a catalyst to launch a statewide campaign to Keep Pennsylvania Beautiful.

* *Statewide Illegal Dump Survey Program (2005-2013),* Keep Pennsylvania Beautiful and MSW Consultants

Funded in part by the Pennsylvania Department of Environmental Protection and the Richard King Mellon Foundation.

© 2014 Keep Pennsylvania Beautiful