

January 14, 2008

Counting Waste-to-Energy in Waste Diversion Goals

Issue

Whether agencies can count waste-to-energy as diversion in establishing waste diversion goals calculating waste diversion rates.

Implementing Instructions

When establishing and measuring progress toward waste diversion goals under Executive Order 13423, “Strengthening Federal Environmental, Energy, and Transportation Management,” agencies cannot count waste diverted from landfills to waste-to-energy (WTE) facilities. “Waste diversion” means source reduction and recycling.

Background

E.O. 13423, section 2(e), requires agencies to “increase diversion of solid waste as appropriate”. The implementing instructions direct agencies to establish “solid waste diversion goals,” which is a provision carried from E.O. 13101.

Traditionally, waste diversion meant keeping materials out of landfills via source reduction (reuse, donation) and recycling (including composting and remanufacturing). With the increased interest and emphasis on municipal solid waste-to-energy (WTE) as a “renewable” energy source, agencies asked the Office of the Federal Environmental Executive whether they can include their WTE data in their waste diversion rates.

The requirement to establish waste diversion goals pre-dates E.O. 13423 and is a carry-over from E.O. 13101. In the April 2000 guidance document, “Greening the Government: A Guide to Implementing E.O. 13101,” OFEE stated “...in accordance with the EPA National [35 percent recycling] goal, the national recycling goal for the Federal government is 35 percent diversion by 2005. This is to be accomplished by increased recycling and waste prevention efforts.....In order to meet these goals, Federal agencies must improve and expand diversion of solid waste through waste prevention, reuse, and recycling....” (For a copy of the April 2000 guidance document, go to www.ofee.gov/pubs/pubs.asp.)

OFEE does not believe that there is a compelling reason to change this longstanding policy.

OFEE recognizes that in some locations, WTE is the only viable option for diverting waste from landfills and that some Federal facilities use WTE units as a renewable energy source. OFEE believes that agencies should receive credit for these WTE activities and, therefore, when submitting the annual RCRA/FSRIA/E.O. 13423 data

reports to OFEE and the Office of Federal Procurement Policy, agencies may report WTE data. However, the WTE data must (1) be reported separately from source reduction and recycling data and (2) include only data on waste for which there is no cost effective source reduction and recycling option available.