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## Garbage rates to rise as recyclables market falls

By Sora O'Doherty

Although the news that garbage rates will rise because China and other countries have stopped taking in U.S. materials for recycling might be regarded as bad by some, Orinda Mayor Inga Miller sees a silver lining. She sees it as an opportunity to ask two questions: how can we do our own recycling in the U.S. using clean methods that are allowed? And how can we stop generating so much waste? She explained that it used to be profitable for China to take recycling materials from the U.S. because there were so many shipping containers that return to China empty. But as China has grown economically, the country no longer wanted to take in "dirty" materials. Miller says that Orinda materials are very clean and of good quality. "Let's recycle here, or reuse," she suggests. Miller also pointed to current legislation in Sacramento to make plastic producers more responsible.

According to Recycle- Smart, the first rate adjustment related to changes in the recycling markets will take effect in March. There will be a second rate adjustment in March of 2021. No further adjustments related to changes in the markets are anticipated for the remaining term of the agreement with Mt. Diablo Recycling, which runs until 2025, except for cost-of-living adjustments. Rate adjustments are projected to be modest, likely no more than a total of a few dollars a month per household. These estimates are based on a single-family dwelling using a 32-gallon cart and are in line with adjustments other communities are experiencing. The rate increases come out of a settlement with Mt. Diablo Recycling. RecycleSmart has a franchise agreement with MDR under which MDR pays for each ton of recyclables. This agreement was unique in how favorable it has been for the community. More than a year ago, MDR explained that it is not viable for the company to fulfill the existing terms of its agreement with RecycleSmart. RecycleSmart's outside independent consultant validated the adverse effects of changes in the recycling market. RecycleSmart - represented by outside special counsel Tamara Galanter at Shute, Mihaly & Weinberger LLP - and MDR engaged in mediation with an outside third party to help come to the settlement.

RecycleSmart believes the settlement is the best outcome because it caps fee increases related to changes in the recycling market at a modest amount for the next five years and avoids the cost and uncertainty of litigation. "The recycling fees we will be paying are much lower than what most other jurisdictions are paying and less than we would pay if we tried to contract with a new recycling company right now. And the settlement will allow us to continue to comply with state law and its requirement to keep recyclables out of landfills," according to RecycleSmart.

RecycleSmart says that its customers are already doing a great job at recycling and are among the best recyclers in the state. Over 60% of the waste stream is being recycled, but to be better recyclers, it says, customers need to keep their recyclables clean. The company has asked customers to take a few extra steps to keep their recycling clean - a challenge when all materials are going into the same blue cart. An Empty, Clean and Dry campaign is seeking to assist and remind customers that taking those few extra steps will make a huge difference in helping to ensure a longer life cycle for materials.

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