

# The State of Recycling in Chicago

Updated May 04, 2020



To Major Lori Lightfoot,

Chicago's notoriously ineffective Blue Bag Program, which applied to residential buildings with 1- 4 units, began in 1995 and ended in 2008. Also, in 1995, the Chicago High Density Residential and Commercial Source Reduction and Recycling Ordinance went into effect. That ordinance required all other buildings (5+ residential units and all commercial buildings) to implement recycling programs that met certain thresholds of effectiveness. City officials failed to enforce the ordinance, even though the legislated penalties were minimal (\$25 - \$100 per violation). In 2017, the ordinance was "updated" (and the title of it changed to the Chicago Recycling Ordinance) to apply to all buildings, significantly increase fines for failure to comply (\$500 - 5,000) and to do away with standards of effectiveness, as well as to reduce recycling haulers' reporting requirements. Information obtained via FOIA requests since 2017 indicate only three building owners have been fined for failure to comply since the updated ordinance went into effect. Also, despite multiple FOIA requests from the Chicago Recycling Coalition (CRC) over the last two years and the ordinance's minimal reporting requirements, the City has failed to provide the legally required information from waste and recycling haulers.

The current Blue Cart Program for 1 - 4 unit residential buildings was first piloted by the City in 2005 and rolled out to all eligible households in 2011. Also in 2011, former Mayor Emanuel began the managed competition of the Blue Cart Recycling Program. (For detailed information on this managed competition, see CRC's Blue Cart Recycling Program Managed Competition Issue Paper.) Also during Emanuel's tenure, the City began to landfill yard waste in direct violation of the Illinois state law that prohibits yard waste from being disposed of in landfills. In 2015, CRC sent a demand letter to the City calling for compliance with the state law regarding yard waste disposal. In a tepid response, the City implemented an ad hoc and little-known system to pick up residents' yard waste only when they submit a pick-up request via the 311 system. The City claims that such yard waste is diverted from landfills, though it has provided no evidence to support that claim.

Since the implementation of the Blue Cart Recycling Program managed competition, CRC met with Department of Streets and Sanitation (DSS) officials on numerous occasions and made repeated written requests for the criteria on which the competing recycling haulers (including DSS) were being judged and how success was to be defined. That information has never been provided. The only "information" provided was an unsubstantiated claim made by Emanuel only a few months after the beginning of the competition proclaiming savings of \$1 million in the first three months of the competition. Despite this alleged success, Emanuel implemented a \$9.50/month garbage tax beginning in 2016.

Over the last two years, CRC has submitted numerous FOIA requests to DSS for comprehensive information on waste and recycling services, as well as on the Blue Cart Recycling Program managed competition. DSS's responses have been consistently incomplete. The City last published Blue Cart recycling and yard waste diversion rates in July 2018; the recycling rate was less than 9%, and the yard waste diversion rate was 0%. [[https://www.chicago.gov/city/en/depts/streets/supp\\_info/recycling1/about\\_blue\\_cart\\_recycling.html#results](https://www.chicago.gov/city/en/depts/streets/supp_info/recycling1/about_blue_cart_recycling.html#results)]

Since 1990, the Chicago Recycling Coalition (CRC) has championed environmentally and fiscally sound management of solid waste through research, education, and advocacy, emphasizing waste reduction, reuse, recycling, composting, and buying recycled.

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Contracts with the haulers participating in the managed competition ended last year. Despite a Better Government Association investigation that showed that one of those haulers, Waste Management, has been double-dipping by being paid for blue carts they mark as contaminated and being paid a second time when the contents of those carts are disposed of in landfills owned by Waste Management, the City has extended Waste Management's blue cart recycling services contract twice, as opposed to a transparent RFB process. [<https://projects.bettergov.org/2018/recycling-chicago/>]

Chicago's last waste characterization study was published in 2010 based on information for the year 2007. Given significant changes in factors likely to impact the City's waste stream since 2007 (which include a multi-year trend of decreasing population and shifting consumer behaviors from shopping at brick-and-mortar locations to shopping online) a new waste characterization is long overdue. Without benchmarking the waste stream, significant improvement will be impossible.

Other areas of CRC's focus as it has advocated for improving Chicago's recycling rates include:

- Improving waste and recycling haulers' reporting requirements, as well as the City of Chicago's use of reported information in decision-making, and commitment to making such information accessible and transparent.
- Having an independent third-party thoroughly review the 8+ years of data for the managed competition. The scope of this review should include: (1) a full accounting of all services provided by DSS with respect to the Blue Cart Recycling program including its oversight of the performance of Waste Management and Midwest Metals Management (which is the other competitor); (2) a conflict of interest analysis of DSS's oversight of the other competitors while also being a competitor; (3) the effectiveness of the managed competition in reducing greenhouse gases and providing other environmental benefits to the residents of Chicago in light of the cost of the managed competition; and (4) an evidence-based determination of the effectiveness of the managed competition in achieving environmental and fiscal benefits. The results of this review should be made public.
- If the review of the Blue Cart Recycling Program managed competition shows conclusively that the managed competition should continue, have an independent third party create a request for bids (RFB) for new contracts that clearly show the criteria on which the competition will be based, and ensure that environmental and public health benefits criteria are weighted greater than strictly financial criteria to avoid a bifurcated trash pick-up system partially disguised as a recycling program (which seems to be what is currently in place).
- Vigorously enforcing the Chicago Recycling Ordinance. CRC recommends that enforcement powers be removed from DSS and transferred to Chicago's Department of Buildings to leverage its more robust enforcement activities and expertise.
- Reestablishing Chicago's Department of Environment and transferring oversight and operation (including all educational activities) of Chicago's recycling programs to DOE.

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