

Taxpayers Face Burden Of Increased Trash Fees

Local residents likely to suffer the unintended consequences of state's campaign against imports

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Michigan legislators should dump a proposal to increase the charge trash haulers pay to unload waste into the state's landfills. No matter how it's presented, it's a tax increase on Michigan residents and businesses.

Details of the proposal are being finalized, but it would raise the fee from 21 cents a ton to \$7.50 a ton, taking Michigan from the cheapest dumping state in the nation to the most expensive, says Dianne Byrum, the state House Democratic leader. The increase is needed, she says, because Michigan is becoming a haven for everyone else's trash, including Canada's.

Last year, 64.3 million cubic yards of trash were dumped into Michigan landfills, up from 62.6 million in 2003. Imported trash accounted for about one-quarter of the amount. Canada's 11.6 million cubic yards accounted for about one-fifth of the total trash sent to Michigan in 2004.

An irrational fear of imported Canadian trash continues to drive the push for tighter regulation, though capacity in the state exists and regulations already monitor what crosses the border. The trucks that haul those loads here are no more onerous to the state's roads than the loads from any other industry that moves freight in and out of the state.

Additionally, trash travels both ways. Michigan sends more than 100 million pounds of hazardous waste to Canada each year.

Trash crosses Michigan's borders so freely because it is considered an article of commerce and is protected by the U.S. Constitution. The North American Free Trade Agreement and a U.S. Supreme Court decision paved the way for trash flow into Michigan. In 1992, the Supreme Court struck down a state law that allowed counties to outlaw out-of-state trash, saying the prohibition amounted to a barrier to interstate commerce.

Michigan has been grappling with the trash issue for some time. The state has proposed increases in the past and most recently supported a two-year moratorium on the creation of new landfills, requiring more inspections and restriction on waste such as tires and returnable cans.

Proponents of the trash fee increase say the only way to stem the trash tide is through the current proposal. To offset the burden placed on taxpayers, 90 percent of the money will be funneled back to the municipalities, says Patricia Spitzley, spokeswoman for the Michigan Department of Environmental Quality. The DEQ would get 5 percent as would each county.

However, that doesn't negate the impact it would have on every household and business in the state. Trash haulers eager to unload the 3,471 percent increase would charge municipalities more, which then would pass those increases on to residents. The Michigan Chamber of Commerce said the increased fees could bring in an estimated \$150 million in revenue.

How that money will be funneled back to residents is unclear. Byrum says local governments would be allowed to spend it as they see fit. Some communities would use it for recycling efforts. Others would use it for roads or other infrastructure needs. Inevitably some communities would build recreation centers or other non-essential items.

Any such legislation will find its way to the courts, which also would cost taxpayers.

Legislators should follow the law on out-of-state trash and not try to solve it by burdening taxpayers.