

Trash Counterproductive Waste Disposal Policies

Solid waste. Many of the nation's current solid waste policies follow an outdated, politicized, and government-centered model. State and local regulators focus on deciding how much waste should be recycled, placed in landfills, or burned in incinerators. This approach fails to discover the most environmentally and economically sound mix of options. Policy makers lack the necessary information and therefore focus on misplaced perceptions about the various disposal options. As a result, they produce recycling programs that cost more than they save and use more resources than they save. In contrast, private sector competition between recycling, landfilling, and incineration produces a market that reduces costs and saves resources.

Federal policy makers should resist attempts to increase federal regulation in solid waste disposal. Local governments should seek ways to increase private markets in the waste disposal industry. They should change waste policies to allow market-driven competition between various disposal options—allowing recycling, landfilling, and incineration companies to compete so that the most environmentally and economically sound mixture of disposal options results.

Electronic waste. Increasingly, news reports and environmental activists claim that we are facing a new solid waste crisis. As a result of

such rhetoric, Europe has passed several “e-waste” laws, U.S. states have begun looking into their own regulations, and members of Congress have proposed federal legislation. Unfortunately, misinformation and the misguided notion that government is positioned to improve electronic waste disposal is leading to misguided policies and legislation.

- Despite claims to the contrary, there is no “e-waste crisis.” E-waste risks and costs are manageable by allowing private recycling and disposal efforts to continue.
- Manufacturers should not be forced to take back electronic equipment, since they are in the manufacturing, not disposal, business. Some firms have voluntary programs for recycling computers, which offer a market-based approach for some products.
- Congress should avoid creating new government e-waste programs, as they promise to promote inefficiencies, increase environmental problems, and hinder market solutions.
- Consumers should not be taxed when they purchase computers or other electronics, but they should be responsible for disposing of discarded products in a safe and legal fashion. Disposal may include paying somebody to dispose of the product via a voluntary private party agreement or disposal through local government trash collection.

Hazardous waste. Federal hazardous waste policy—as embodied in the Superfund law and the Resource Conservation and Recovery Act—has long been governed by federal mismanagement, perverse incentives, unjust liability schemes, and misuse of science. The Superfund regime of randomly taxing and suing parties not actually responsible for hazardous waste contamination needs reform. Policies should target those who have produced harm—an approach that rewards good behavior and discourages bad.

- Hazardous waste sites are exclusively a state and local concern. Given the demonstrated success of states in managing such sites locally, there is little reason for federal involvement. Thus, Congress should seek ways to further devolve the program to the states.
- Absent devolution, hazardous waste programs should be reformed to provide regulatory relief by setting standards that consider the use of the land and that are not needlessly onerous.
- Liability schemes should be reformed to ensure that only the parties directly responsible for polluting should be held liable. Currently, the Superfund law holds anybody remotely connected to a disposal site liable even if that party did not have any control over the site or the contamination. Parties unfairly held liable include generators of waste that was eventually disposed of at a site, parties that hauled waste to a site, and parties that gained ownership of polluted property.

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