

Flow Control Fact Sheet

What is Flow Control?

Typically, when a local government, usually a county or an unelected solid waste authority, owns a landfill, transfer station, or waste-to-energy facility and can no longer compete in the marketplace, that government tries to keep “feeding” their facility with trash to cover the costs of construction and operation. “Flow control” is a scheme that forces haulers to transport trash to a specific, “designated” site.

Why Should Our Community Be Concerned about Flow Control?

1. Flow control **creates a monopoly** for trash disposal. Monopolies are insulated from competition and free markets. Monopolies have no need to be efficient, service oriented or cost effective because they have a captive customer base. Any scheme which favors a garbage processor at the expense of others is unfair and discriminatory.
2. Flow control **creates a hidden tax** that makes trash disposal more expensive. A study by the National Economic Research Associates showed that flow control increases the cost of disposal, on average, by 40 percent. With flow control, residents and businesses will be forced to pay above-market disposal costs. Without flow control, government-owned disposal facilities are forced to compete with more efficient, private sector disposal facilities. In a competitive market, the consumer will be able to shop for the best deal.
3. Flow control has a significant financial impact with **increased cost** to all concerned. Increased disposal costs for garbage collectors mean increased costs for local businesses and residents for the collection and disposal of trash. Flow control restrictions would harm some consumers by denying them access to the most cost-effective disposal options.
4. Flow control **can prevent communities that currently receive financial benefits** from landfills from receiving those benefits if trash is diverted to other facilities. As a result, these communities may be forced to raise taxes or cut important local programs.
5. Flow control **can hurt a community’s ability to attract new businesses and jobs** as the cost of trash disposal is often a significant factor for many businesses looking to relocate.
6. Flow control **does not provide additional health or environmental benefits**, according to the U.S. EPA’s study of flow control. The EPA also said that enforcement of federal and state regulations, not flow control, protects the public health and the environment.
7. Flow control **does not help recycling**. The EPA study also said that flow control is not needed to meet recycling goals. In addition, the amount of material recovered for recycling was 23 percent higher in 2005, than in 1994, the year of the Supreme Court’s original ruling against flow control.
8. Flow control **can interfere with the development and operation of modern landfills** that collect and sell methane and the ability of solid waste companies to reduce greenhouse gas emissions and global warming.
9. **As the U.S. EPA noted, state and local governments can manage solid waste without engaging in flow control.** Thousands of communities in the United States provide environmentally protective and cost-effective solid waste services, including recycling, without using flow control.
10. **Local governments are better able to provide environmental regulation than to provide services.** As former New York Governor Mario Cuomo once said, “It is not government’s obligation to provide services, but to see that they are provided.”
11. Local governments can **set standards for trash collection and recycling that private haulers will meet.**