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Bill to Allow Green Waste Incinerators Held as Senators Call for More Public Input

Supporters said the technology would reduce landfill fire risk and replace more toxic open pile burning, but lawmakers held the bill after raising questions about environmental safeguards, public consultation, and where the equipment would be placed.

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An air burner being utilized. By. GETTY IMAGES.

A proposal that would allow the V.I. Waste Management Authority to use air curtain incinerators to dispose of green waste drew support from agencies dealing with fires, landfill pressure, and emergency management, but senators ultimately held the measure Tuesday after concerns surfaced over public engagement, environmental safeguards, and how the technology would be

implemented.

Bill 36-0232, sponsored by Senator Clifford Joseph, divided lawmakers during committee debate. Senators Alma Francis Heyliger, Carla Joseph, and Ray Fonseca called for public engagement before approving the request, while others, including Senator Kenneth Gittens, said the use of incinerators represented “moving in the right direction.”

Senator Joseph, who previously served as director of the Fire Service, said the use of incinerators and the burning of green waste had been disallowed after the 2017 hurricanes, largely because of uncertainty about the environmental effects. He told lawmakers that newer technology has now practically eliminated harmful emissions during the incineration process.

“Properly managing debris reduction is essential so that our landfills do not continue to be a source for potential fires,” Senator Joseph declared. He argued that, when properly operated, “controlled incineration can be an effective and responsible component of not only of waste management authority, but [also] our emergency preparedness.”

Testimony in support of the bill came from several invited witnesses, including Antonio Stevens, director of the V.I. Fire and Emergency Medical Services. Mr. Stevens pointed to recent landfill fires, including the 2023 blaze at the Bovoni landfill that took days to battle and the fire just days ago at the Anguilla landfill. He requested that the final version of the measure include language specifying that “burning will occur during daylight hours only.”

Daryl Jaschen, director of the V.I. Territorial Emergency Management Agency, also backed the proposal. He said other approaches to managing green waste, including mulching and composting, “take up previous land area, are slow, and produce limited results.” He told lawmakers that air curtain incinerators are a “quick and environmentally friendly solution.”

The Waste Management Authority also strongly supported the bill and asked lawmakers to amend current law as Senator Joseph proposed.

WMA Chief Financial Officer Daryl Griffith described the equipment as a “modern, controlled, environmentally sound system for managing vegetative debris across the territory.” He said the authority’s long-term strategy “places significant emphasis on waste diversion.”

Mr. Griffith testified that most vegetative waste is still being directed to the territory’s “already constrained landfills,” creating fire hazards, space limitations, and operational inefficiencies. He described the incinerators as a “long-term, environmentally responsible solution” and said they would replace the practice of open pile burns at landfills.

According to testimony, the incinerators could be used for tree trunks, branches, stumps, other yard trimmings, and “clean, untreated lumber.” They could not be used for painted or treated wood, construction debris, household waste, plastics, engineered wood, or hazardous or medical waste.

Even with the support voiced for the technology, lawmakers also heard concerns about gaps in the legislation as written.

Dr. Gregory Guanell, director of the Caribbean Green Technology Center at the University of the Virgin Islands, said the bill authorizes controlled burning but does not specify a setback distance for use of the incinerator. He also called for “stronger air quality monitoring requirements and contamination control procedures.” Guanell said that while use of the air curtain incinerator

reduces pollution, it does not eliminate it. He also urged lawmakers to clarify whether the incinerator would be used regularly or only when the landfill is “overwhelmed.”

Despite those concerns, Senator Gittens said he was encouraged that the bill “preserves the environmental safeguards and the appropriate permitting processes through the Virgin Islands Fire Service.”

He also said he was pleased to hear that WMA had secured funding to purchase incinerators and other equipment for shredding and mulching waste. The authority is still determining where the machines would be located, though the two landfills are the first options under consideration.

That lack of a defined site became one of the central objections raised by Senator Ray Fonseca, who criticized the absence of public consultation, especially in the Bovoni community.

He said the Legislature was being asked to act before the public had been properly engaged. “You don’t even know exactly where it’s going to go...but you’re still coming before the Legislature to get approval,” he stated. “The residents of Bovoni needs to consider and review and give comments,” he insisted.

Fonseca also objected to the absence of the Department of Planning and Natural Resources from the hearing.

“We cannot treat our residents like that...That is not the way we conduct business in this community,” Senator Fonseca declared, before saying he could not support the bill.

Senator Carla Joseph also stressed the Legislature’s obligation to protect residents. She said lawmakers must “make sure we are protecting our people because we don’t want them to have to suffer.”

She repeatedly questioned whether operators would be able to reliably separate prohibited materials from green waste, especially sargassum. Waste Management officials assured her that sargassum would not be burned because it can release toxins into the environment.

Even so, Senator Joseph said her concern remained with whether the people carrying out the process would do so “with a level of fidelity and diligence.”

Senator Alma Francis Heyliger similarly questioned whether lawmakers should move too quickly.

“Do we just rush to do something because it’s now a mountain, or do we make sure that we still do our due diligence to try to protect those that might be affected the most?” she asked. She requested additional discussion about the “environmental impact” of the bill.

Although Senator Novelle Francis suggested those conversations could continue in the Committee on Rules and Judiciary, lawmakers ultimately decided to hold the measure.

Still, lawmakers were reminded during the hearing that without air curtain incinerators, the current practice of open pile burning continues, releasing significantly more toxins into the atmosphere. They were also told that as green waste continues to accumulate, the threat of landfill fires increases.