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Abortions drop, but foes not done yet

TIM SMITH
TCSMITH@GREENVILLENEWS.COM

COLUMBIA - Almost 16 years after South Carolina lawmakers passed the first abortion bill requiring parental consent, the number of abortions performed in the state has been cut in half and pro-life supporters are celebrating a "groundbreaking" year in the General Assembly.

That's because of a law authored by Rep. Wendy Nanney of Greenville, the Pain-Capable Unborn Child Protection Act, which bans abortions after 19 weeks.

That law followed a string of abortion restrictions passed by South Carolina lawmakers in the last decade, including the Ultrasound Act and the 24 Hour Waiting Period Act.

But abortion foes want more and are focused on a bill for the next legislative session that would ban dismemberment in abortions, a method used on second-trimester procedures.

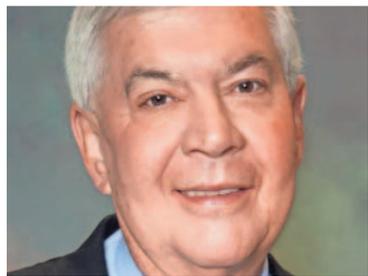
Both sides recognize that each bill that is passed on the divisive issue is an incremental step but that remains the battleground until and unless the U.S. Supreme Court revisits its decision in Roe vs. Wade.

"We're saving every life that can be saved until Roe versus Wade can be overturned," Holly Gatling, executive director of South Carolina Citizens For Life, told *The Greenville News*. "What is being done to unborn children is savage."

Sen. Brad Hutto, an Orangeburg Democrat and attorney who has served in the Senate for 20 years, questions the need to pass an abortion bill each year.

"At this point, unless some higher court acts and undoes the federal law, most of the restrictions that can be in place are in place," he said. "And most of these new, dreamed-up restrictions have been knocked down right and left in federal courts across the country, which means the states, ours will be the

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Election 2016

» Steve Loftis is the top choice in Greenville County sheriff's race, **Page 2E**.

GLASS BE GONE?

RECYCLING ISSUE TRICKLES DOWN TO RESTAURANTS AND BARS



"It was a difficult pill to swallow."

Kevin Feeny
whose restaurant, Kitchen Sync, is set to open in June

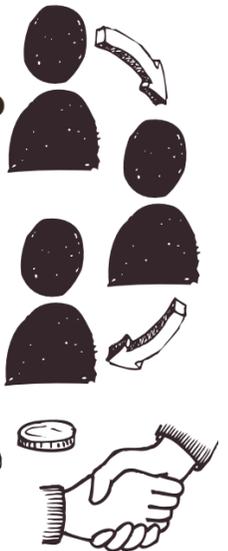
COSTLY PROCESS

The cost of glass has gone down, meaning processors receive less money. In SC, there are no more processors.



MULTI-PRONGED SYSTEM

People are needed to pick up the glass, separate it, and process it and turn it into a useable material.



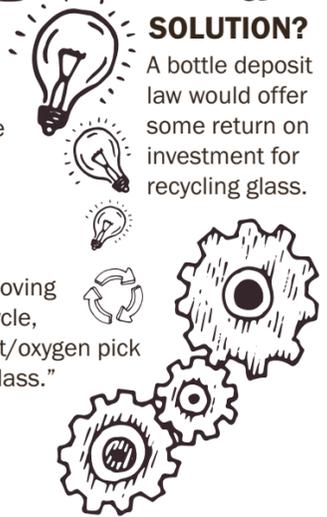
"If we're going to bring glass back, we have to have an ABC bill or a bottle deposit bill. That tells the processor to come and invest in South Carolina."

Shelley Robbins
project manager, Upstate Forever

REVOLUTION!

"I think (at least in terms of craft beer) that we are moving towards a canned beer revolution. It's easier to recycle, greener and easier on the Earth, cuts down on light/oxygen pick up, plus you can take cans more places than you can glass."

Will McCameron
owner, Brewery 85



SOLUTION?

A bottle deposit law would offer some return on investment for recycling glass.



LAUREN PETRACCA/STAFF

Ed Buffington, co-owner at Community Tap, pours a glass of pinot noir from a can. He says "it tastes the same. It's the same juice, it's just a different delivery vehicle."

LILLIA CALLUM-PENSO
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Kevin Feeny knew he had to change his plans. After the city's provider of glass recycling stopped its glass services in April, Feeny, who is opening a restaurant on Laurens Road with his sister, Karin Farrell and his brother-in-law, John Farrell, decided he just wouldn't use glass.

The three partners put their heads together and came up with a new plan, one that retooled the beverage program to use only beer and wine packaged in non-glass packaging.

"First, it hit us from a personal standpoint because we'd gotten so used to recycling glass," says Feeny, whose res-

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Glass

Continued from Page 1A

restaurant, Kitchen Sync, is set to open in June. "It kind of struck us that 'holy cow, if this is difficult on a personal level, can you imagine how much glass we're going to end up sending to the landfill through our restaurant?'"

"It was a difficult pill to swallow."

Feeny is not alone in his concern. While the elimination of glass recycling in April is affecting individual households, the impact is even greater for those in the hospitality industry, where the scale of waste produced is much more.

Containers and packaging is more than 23 percent of the material in landfills in the U.S., according to the Environmental Protection Agency.

"Wine is in bottles, liquor is in bottles, beer is in bottles," says Elizabeth Abbott, owner of On the Roxx and the recently opened The 05 on Augusta Street. "We're an entire business dealing with glass."

The changes have left many questioning how best to proceed, but the solution is not yet clear. Most restaurant and bar owners are handling the issue on an individual basis, investing in larger Dumpsters, looking for more products in alternative packaging and just trying to be aware of how much glass is consumed.

"Waste is a big component of the restaurant industry, not just how we dispose of it but minimizing it," Feeny says. "We're really scrutinizing our waste stream and how to reduce our carbon footprint."

Counterintuitive

While the city handles residential recycling, restaurants and bars pay for the service separately, so not every business participates.

But for many owners, it's still worth it. Abbott recalls the previous bar she worked at did not recycle, so she and business partner, Heather Frechette, would gather the bottles to take to one of the city's drop off sites themselves. With On the Roxx, though they paid a monthly fee to have their glass and cardboard picked up and recycled.



Ed Buffington, co-owner at Community Tap, pours a glass of wine from a tap.

LAUREN PETRACCA/STAFF

The decision by Pratt Industries, the last Materials Recovery Facility (MRF) in the area handling glass, to stop accepting glass has hit those like Abbott and Frechette hard.

For one, the amount of waste produced has risen considerably. Where once they recycled about two cases of liquor bottles a week at On the Roxx, now those 48 glass bottles are going in the trash.

"We are seeing the Dumpster overflow because where are the bottles going to go?" Abbott says. "I hate it though. But with us being a bar, there's not much left to recycle."

A costly process

Why? Greenville City Councilwoman Gaye Sprague said there is no more glass recycling in the city "because our processors said they wouldn't take it anymore."

Shawn State, a representative with Pratt Industries de-

clined to comment for this story saying the company has sufficiently explained the issue.

The city has worked with Pratt Industries for its recycling needs, and Pratt recently announced that it would no longer accept glass.

But the build up to this decision has been in the works for several years, says Shelley Robbins, a project manager with Upstate Forever, who has worked extensively on the issue.

Glass recycling is a multi-pronged system. It requires someone to pick up the glass, someone to separate it and then someone to process it and turn it into a useable material, Robbins says. Pratt Industries, considered a Materials Recovery Facility (MRF) is one piece of the puzzle. The company is responsible for receiving the recyclable materials and then sorting them and finally, hauling them to a processor that will turn the

materials into something usable.

In South Carolina, there are no more processors, Robbins says. The last one, was in Pacolet, South Carolina, and closed its doors earlier this year, Robbins says. This has meant having to haul the glass further distances, a costlier endeavor with such a heavy material.

Glass also requires more care with separating because it is more likely to be contaminated (think unrinsed jars of mayonnaise, sticky labels, broken pieces).

It is also hard on equipment, Robbins says.

Couple that with changes to the commodities market. Over time, the cost of glass has gone down, meaning processors receive less money post-processing. In the past, the cost of other items has offset the low return on investment that glass creates, Robbins says.

But now, with oil process low,

the cost of other recyclables like plastic and aluminum have dipped. Companies like Pratt receive less money for them and there is no longer a cushion.

"As long as there was a good market for glass and the price for other materials were good, it was worth it to take glass," Robbins says. "But glass in some respects was propped up."

"I can't fault Pratt for this," Robbins says. "To keep everything else in the stream, we had to lose glass."

While Sprague says the city has discussed possible solutions, none are viable at this point.

"I think my message is if we'll do a good job on the elements that we can recycle that will go a long way," Sprague says. "I don't want us to throw the baby out with the bathwater when there is so much to be done."

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LAUREN PETRACCA/STAFF

The Community Tap has found success in selling canned and quality boxed wines.

Process

Continued from Page 6A

And that's sound advice, Robbins said. Glass accounts for just 2 to 4 percent of waste in landfills. So if restaurants really want to make an impact in the meantime, she suggests focusing on organics and cutting down on food waste.

A contentious solution

It's not just a Greenville issue, Robbins says. Other cities around the Upstate have slowly halted glass recycling as well. Greer, Simpsonville, Travelers Rest, all have halted service. And nationally, cities like Houston, Texas have faced similar issues.

Other states have found avenues around ceasing glass recycling, but not without a cost. Perhaps the closest model when it comes to the hospitality industry is North Carolina's ABC law, which requires that businesses must recycle in order to get an ABC permit. Businesses are responsible for paying the associated fee, which covers the cost of recycling, a fee they otherwise would have paid to have glass hauled away as trash, Robbins says. This model ensures processors have a steady stream of products coming in, which makes it more lucrative for them to remain in an area.

There also are bottle deposit laws, which gives people and businesses an incentive to recycle their glass with the promise of receiving money back.

Three years ago, Robbins, along with others in the conservation community,

tried, though unsuccessfully, to get an ABC law passed in South Carolina. The law would have mandated recycling, ensuring processors both a steady stream of products and a steady stream of income.

While some owners like Abbott and Feeny say they'd gladly pay the fee, others see potential issues.

"I think that it's something that could be done, but it can't be done with a stick, it needs to be done with a palm," said Rick Erwin, owner of Rick Erwin Dining Group, who does recycle at his five restaurants. "In other words, don't make people do things, incentivize them to do things that are important to the overall wellbeing, to the environment and to the state of South Carolina."

One way to do that could be a bottle deposit law that would offer some return on investment for recycling glass. A bill was introduced in the Legislature just last month, Robbins says.

"If we're going to bring glass back, we have to have an ABC bill or a bottle deposit bill," Robbins says. "That tells the processor to come and invest in South Carolina."

New options

On a Monday afternoon at The Community Tap, owner, Ed Buffington is just wrapping up a meeting with distribution rep, Danny Baker. Baker, who works with Advantage Distributing has just sold Buffington on some new canned wines.

"My first reaction, like a lot of people

See **OPTIONS**, Page 8A

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LAUREN PETRACCA/STAFF

Pinot noir is sold in a can at Community Tap. Restaurants are turning to alternative packaging for beverages since Greenville County does not recycle glass.

Options

Continued from Page 7A

when they first hear about wine in a can, was a little skeptical," Buffington admits. "But it tastes the same. It's the same juice, it's just a different delivery vehicle.

And, he adds, "it's a lower carbon footprint."

The Community Tap regularly sells out of its canned Underwood rose from Union Wine Co. The store also carries a canned pinot noir and a pinot gris from the Oregon-based company, and the store has also found success with quality boxed wines.

On the beer side, cans have been steadily growing in popularity, thanks to better technology and shipping costs. In Greenville, Brewery 85 only uses cans or kegs, said owner, Will McCameron.

"I think (at least in terms of craft beer) that we are moving towards a canned beer revolution," McCameron says. "It's easier to recycle, greener and easier on the Earth, cuts down on light/oxygen pick up, plus you can take cans more places than you can glass."

The glass decision has pushed Quest Brewing Co. to rethink some of their future beers. Owners Don Richardson and Andrew Watts are looking to use cans for a special release product this

fall.

"We're definitely not going to be putting them in glass bottles now, because of our home market, and the place we sell the most beer, doesn't recycle glass," Watts says. "And being a steward of the environment and caring about our waste product we're just not going to go in that direction."

Finding a solution

Luckily, Feeny and his partners, since they are starting from scratch, have been able to retool their approach before they even open. Instead of the list of bottled beers and bottles of wine they had planned for Kitchen Sync, they will instead have a beverage program that utilizes only beers in cans and on tap, as well as boxed wines and wines on tap.

But the changes are not without some consequence, Feeny said. For one, options, while better, are still limited. They had to cut the wine list by about half, for instance, he says.

But in the long run, it's a small price to pay.

"To be honest, much of what we're doing is coming at a cost in terms of operational adjustments or upfront investments," Feeny said. "But I also think the mindset of people is changing and we're hoping there will be some appreciation for the way we're choosing to go about business too."

Abortion

Continued from Page 1A

next in line, have to fork out money for legal fees in a losing battle to make an ideological point."

The peak of abortions in South Carolina occurred in 1988, when more than 14,000 were performed according to Citizens for Life. Last year, that number stood at 5,778, the first increase since 1988.

Sen. Mike Fair, a Greenville Republican who has fought against abortion for years, said he believes the string of pro-life victories in the Legislature and the drop in abortions have their root in the advent of the ultrasound, which allowed pregnant women and the public to see images of fetuses for the first time..

"They could see it was a child we're talking about, not a blob of tissue," he said.

Gatling says that the drop in abortions correlates with the passage of restrictions in South Carolina, starting with the Parental Consent Act in 1990.

"It was before the public, it was on the front burner," she said of the issue then. "Underage girls could get an abortion without their parent's knowledge or consent. They couldn't get their ears pierced or get an aspirin at school but they could get an abortion."

Four years later, lawmakers passed the Women's Right To Know Act, which required abortion providers to give women information, including how pregnant she was, alternatives to abortion and where she could go to get help. They also passed abortion clinic regulations that year, considered the most comprehensive such regulations in the nation, Gatling said. That law was challenged in court but upheld on appeal.

Other bills followed, including a ban on partial birth abortions in 1997, the Ultrasound Act in 2008, requiring women to be told they can view an ultrasound of their fetus before an image is taken and to wait an hour for the abortion once an ultrasound is taken.

In 2010, lawmakers passed a bill that gives women considering an abortion 24 hours to review information about alternatives before an abortion can be performed.

In 2012, Nanney began working on the Pain Capable Act, which argues that scientific evidence shows a fetus can experience pain beginning at 20 weeks, evidence that pro-choice supporters contest.

Gatling calls the bill landmark legislation in the state because she said until it passed there was no state law actually outlawing abortion on demand.

"Our General Assembly and our governor have recognized a compelling state interest in protecting the lives of unborn children who are capable of feeling pain," she said. "This is a groundbreaking year for the pro-life movement in South Carolina because for the first time since 1973, since Roe vs. Wade, abortion on demand is not legal in South Carolina."

Nanney called the bill's passage, which has exceptions to save the life of a mother, to prevent substantial physical impairment or if the fetus would not survive outside the womb, a "great victory."

"I think it gives the courts the ability to recognize that is a child in the womb at 20 weeks," she said.

Some legislators have fought the legislation, arguing it is unconstitutional and deals with medical situations that are best resolved by the mother and her physician. Similar laws have been passed in more than a dozen states. In three, courts have overturned the laws.

Rep. Mia McLeod, a Columbia Democrat who opposed the Pain Capable bill, filed a bill that was debated on the House floor but did not pass to regulate erectile dysfunction, an attempt to highlight what she called the hypocrisy of male legislators repeatedly regulating women's health issues.

In South Carolina, lawmakers say less than 40 women a year have abortions after 20 weeks and they are done in hospitals, not in abortion clinics.

Alyssa Miller, SC Director of Public Affairs for Planned Parenthood South Atlantic, has described the law as "dangerous."

"The reality is that abortion later in pregnancy is extremely rare and often takes place in complex and difficult situations where a woman and her doctor need every medical option available," she said. "In states that have passed similar abortion bans, some women and their families have been put into unimaginable situations — needing to end a pregnancy for serious medical reasons, but unable to do so."

Gatling and Nanney say the focus next year will be on a bill to ban dismemberment, what's part of what is medically known as a dilation and evacuation procedure, a common method of abortion after 14 weeks.

The ban has been passed by lawmakers in several states, Louisiana being the latest. Opponents, including Hutto, say the bill is not constitutional. And because abortion advocates argue such laws ban abortion before a fetus is viable, they say it violates a major component of Roe vs. Wade.

A dismemberment bill was filed in the South Carolina House in January but did not make it to the House floor. Physicians who knowingly perform such procedures, under the bill, would be guilty of a felony. The bill also provides some civil relief for certain family members of the mother in certain circumstances.

Another bill that made some progress this year was the personhood bill, which offers the unborn legal rights beginning at conception, an act which in theory could outlaw abortion, though no state has yet passed the measure. The bill, authored by Sen. Lee Bright, a Spartanburg County Republican, made it to the floor of the Senate this year but failed to get the necessary votes for a debate.



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