

November 23, 2004



Karen Karchner
Recycling Coordinator
Borough of Berwick
344 Market Street
Berwick, PA 18603

Subject: Evaluation of Recycling Program

Dear Ms. Karchner:

This draft report summarizes R. W. Beck's review and evaluation of the Borough of Berwick's (Borough) recycling program and provides recommendations for the Borough to consider for improving the program and increasing the quantities of recyclable materials collected.

Overview

The Borough is mandated to recycle per the Commonwealth of Pennsylvania's 1988 Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) which states, "each municipality other than a county that has a population of 10,000 or more people shall establish and implement a source-separation and collection program for recyclable materials".

According to the 2000 census, the population of the Borough of Berwick was 10,774, and the number of households was approximately 4,595. Section 147-3 of the Borough's Code of Ordinances states, "there is hereby established a program for the mandatory separation of recyclable materials from municipal waste by all persons". The Borough does not strictly enforce this ordinance, due to lack of staff.

The Borough has an open hauling system in which residents subscribe directly with a licensed hauler for the disposal of refuse. The haulers are licensed by Columbia County. Per the County's website, there are 26 licensed haulers in Columbia County. Not all refuse haulers offer recyclable materials collection. In its 2002 "Application for Municipal Recycling Program Performance Grant", the Borough listed eleven hauling companies that collect residential recyclables in the Borough of Berwick. In the early 1990's, the Borough purchased curbside recycling containers for the residents.

Residential recyclable materials are collected once per month. The Borough publishes the annual curbside recycling dates in the local newspaper at the beginning of each year, as well as a list of acceptable materials. In 2004, the types of recyclable materials accepted in the program were: tin, aluminum, plastics 1 & 2, glass, newspapers, cardboard and office paper.

Table 1 lists the tons of residential recyclable materials collected in the Borough in 2002 and 2003.

Table 1
Residential Recyclable Material Collected
2002 and 2003 Tons¹

Material	2002 Tons	2003 Tons
Old Newsprint (ONP)	73.4	64.11
Corrugated Cardboard	.05	10.13
Other Marketable Grades of Paper (Mags, Office)	0	.02
Aluminum Cans	.26	.21
Steel/Bimetal Cans	5.66	5.18
Mixed Cans	0	4.32
Amber Glass	3.77	5.17
Clear Glass	23.65	5.17
Green Glass	2.29	3.46
PET Plastics	2.37	.30
HDPE Plastics	.02	.12
Commingled ²	68.37	69.22
Total:	179.84	167.41

¹ Source: PA DEP Application for Municipal Recycling Program Performance Grant, tonnage summary forms.

² Two or more of the above materials collected together.

The Borough's 2003 recycling tonnage of 167.41 is much lower than the national average. With a population of 10,774, this equates to an average of 31.08 pounds per person per year, or 2.6 pounds per person, per month. The national average is 39 pounds per person, per month¹.

Options

There are several options for the Borough to consider for improving its recycling program and increasing the amount of recyclable materials collected. Each of the following options will be discussed in detail:

- Public Collection of Recyclable Materials;
- Contracting or Franchising the Collection of Recyclable Materials;

¹ Source: U.S. Environmental Protection Agency report, "Municipal Solid Waste in the United States: 2001 Facts and Figures". The U.S. recycling rate in 2001 was 1.3 pounds per person per day.

- Volume-Based Refuse Collection;
- Improved Public Education; and
- Revised Recycling Ordinance.

Public Collection of Recyclable Materials

If the Borough has support from its local government officials, it may want to consider entering into the recycling collection business. Similar to the Town of Bloomsburg (located approximately 15 miles from Berwick), the Borough could purchase a recycling vehicle and collect residential curbside recyclable materials.

Some of the benefits to the Borough operating its own recycling program include:

- Increased control over the program;
- Consistent public education and promotion (details regarding preparation of recyclables are the same for all residents rather than varying instructions by each hauler in an open system); and
- Ease of implementing program changes, such as adding materials to the list of accepted recyclables.

In R. W. Beck's experience, programs with public collection and/or contracted recyclable materials collection collect more materials, by volume, than subscription-based systems. Also, many municipalities believe they provide better customer service than a private hauler. Drawbacks to a municipally-operated program are that it may be more expensive than a subscription-based system, because of the added capital costs (which are usually amortized), as well as the cost of customer billing and program administration.

R. W. Beck has estimated annualized costs for one recycling collection vehicle and associated collection staff, assuming the recyclable materials would continue to be collected in a source-separated manner, but would be collected every other week, rather than once per month. These costs are based on industry standards as well as recent collection efficiency work that R. W. Beck has conducted for other municipalities. The details of our estimates are outlined below and in Table 2. These cost estimates exclude administrative costs associated with the operation of a recycling collection program such as customer service, billing, and public education.

Annualized Capital Costs

The annualized capital costs assume one source-separated (compartmentalized), trough-loading recycling collection truck (see Figure 1) at an average cost of \$120,000. The industry standard useful life of a collection vehicle is approximately seven years; therefore we estimated the annual amortization of one recycling truck for seven years at an interest rate of five percent. The Borough could expect to recoup approximately \$10,000 in salvage revenue at the end of the vehicle's useful life. Please note that this analysis is based on only one vehicle (i.e., no spare

trucks were included). The Borough should research the availability of leasing a spare truck, when needed, so that the collection of recyclable materials would not be adversely impacted due to scheduled and unscheduled down time. Truck leasing costs could range from \$15,000 to \$20,000 per year. Another option for the Borough to consider that may be less expensive than leasing, is to purchase a used compartmentalized curbside collection vehicle to have available as a spare. In either case, the Borough may want to consider a four-day work week (four ten-hour days) in which to collect the recyclable materials, to provide one day per week for routine vehicle maintenance and repairs.



Figure 1. Trough-loading recycling vehicle.

The purchase of curbside recycling bins is another capital cost that the Borough may or may not choose to amortize. The per bin cost could range from \$4.00 to \$7.00 depending on the quantity ordered, whether or not the bins are heat-stamped with wording and/or a logo, and the size of the bin (the 14-gallon, rectangular bin is most common, however the 18-gallon bin is becoming more popular because of its larger capacity).

As stated above in the Overview section, the Borough purchased curbside recycling containers in the early 1990's for each household. In 2001, the newly hired Recycling Coordinator realized the Borough still had an inventory of recycling bins, so they were made available to the residents. The number of requests for bins exceeded the inventory, so in 2004 the Borough applied for a grant to purchase enough recycling bins to provide each single-family household with two bins. At this writing, the Borough has not received word as to whether or not the grant will be awarded.

Labor Costs

The labor cost was estimated at \$45,000 (including benefits) per year. This is based on a wage of approximately \$17.00 per hour for a driver with a commercial driver's license (CDL). The benefits equal approximately 29% of the total salary. Labor costs in the Borough may be less than this estimate.

Vehicle Operation & Maintenance (O&M) Costs

The average annual maintenance cost per vehicle was estimated to be approximately \$18,000 based on the industry standard of 15% of the purchase price. This includes parts, labor, and fuel. These should be considered planning level estimates. Actual costs will depend on several factors including the type of vehicle, the age of the vehicle, and the maintenance service provider.

Table 2
Estimated Annual Costs for Recycling Collection
Equipment and Staff

Annualized Capital Costs per Vehicle	
Purchase Price of one Recycling Vehicle	\$120,000
Interest Rate	5%
Term (years)	7
Annual Vehicle Amortization Subtotal	\$20,738
Labor Cost	
Average Annual Salary, Including Benefits	\$45,000
Crew Size	1
Labor Cost Subtotal	\$45,000
Vehicle Operations & Maintenance (O&M) Cost	
Average O&M Cost per Truck ¹	\$18,000
O&M Cost Subtotal	\$18,000
Total Annual Cost for Recycling Collection (est.)²	\$83,738
Initial Cost for Curbside Recycling Bins	
5,000 bins at \$5.50 each	\$27,500
Useful Life (years)	7

¹ Estimated at 15% of the purchase price.

² Excludes initial cost of recycling bins.

Collection Frequency

We recommend the Borough collect the recyclable materials every other week, rather than once per month. Using the 2000 census number of 4,595 households (HH), we have assumed a 65%

participation rate for a total of 2,987 HHs every other week, or 1,494 HHs per week which equates to 299 HHs per day for a five-day work week (or 374 HHs per day for a four-day work week). This is a feasible number of collection stops in one day for one driver for a source separated collection system, assuming some materials are allowed to be collected commingled (see “Preparation and Collection of Recyclable Materials” section below) and the housing density is standard for an average city block. In the future, the Borough may need to purchase a second collection vehicle if the participation rate increases over time and/or the number of housing units in the Borough increases over time.

Monthly collection would be less expensive than bi-weekly collection, but the cost break is not linear. This means if the Borough estimates the cost for bi-weekly collection will be \$2.00 per household per month, the cost for monthly collection will not be reduced to \$1.00 per household per month, because there are fixed costs that will apply, regardless of the frequency of collection.

Less frequent collection may actually deter some residents from recycling because once their recycling bin is full, they may throw the excess materials into the garbage if they don’t have adequate storage space. Residents should be allowed to set out extra bags of recyclable materials or use their own boxes or containers for excess materials.

Also, if a full-time staff person (driver) is assigned to curbside collection, but the recyclables are collected once per month, at a 65% participation rate, that equates to 747 HHs per week or 149 HHs per day. The driver would be able to complete that route in less than 8 hours and would either be paid for downtime, or would need to be assigned other duties.

Preparation and Collection of Recyclable Materials

The way in which recyclable materials are set-out, and subsequently collected (source-separated versus commingled), depends on the processing and marketing options that exist in the region. If the Borough considers getting into the collection business, one of the initial items to research would be the options for delivering and processing the recyclable materials. Local materials recovery facilities (MRFs) should be contacted to discuss the feasibility of delivering recyclables to the facility and to ascertain how much commingling is allowed (i.e., can certain materials be mixed together such as: aluminum and metal cans; newspaper and residential mixed paper; different colors of glass, etc.?). Also, the way in which the recyclable materials are to be prepared and collected will be a factor in the type of collection vehicle to be purchased. (The more commingling allowed, the less compartments will be needed on the truck.)

Depending on which MRF the Borough delivers its recyclable materials, there may or may not be a processing charge. Some MRFs charge a certain dollar amount per ton of material delivered, similar to a tipping fee at a landfill. The Town of Bloomsburg does not charge a processing fee for most materials delivered to its MRF, however there is a \$5.00 per ton quarterly handling fee for the recycling of glass. Some cities that generate a large amount of recyclable materials negotiate a revenue sharing arrangement with a MRF and are able to obtain revenue from the sale of their recyclable materials.

Contracting or Franchising the Collection of Recyclable Materials

If the Borough continues to have the recyclable materials collected by the private sector, R. W. Beck recommends the Borough consider contracting or entering into a franchise agreement for the curbside collection of recyclable materials. Either option would provide the Borough with more control over the recycling program. Both franchising and contracting are described in detail below.

Franchising

A franchise agreement between a municipality and one or more haulers gives private haulers in a territory the right to provide collection services to the customers within that territory. The following bullets describe characteristics of a franchise system:

- Franchises may be awarded through negotiation or competition;
- Franchises may be exclusive (i.e., the franchise hauler has the sole right to provide service) or non-exclusive (multiple franchise holders may serve the same territory and compete against one another);
- Franchises may apply to residential customers, commercial customers, or a combination of both;
- Franchises are typically established for a relatively long period of time (10-20 years is not uncommon);
- Franchises typically place the burden of billing and collections on the franchise hauler, who is required to collect fees directly from their customers;
- If the municipality issuing the franchise transfers the responsibility for billing to the franchise holder, it typically results in a loss of control over the materials collected. In other words, the franchise holder and not the municipality may determine the end markets for the recyclable materials; and
- For the right to hold the franchise, a franchise fee is customarily paid to the municipality and may be calculated based on the number of customers served, a percentage of gross revenues, or on the number of vehicles operated by the franchisee.

Contracting

Many cities contract with private haulers to provide a specific, contractually-defined set of services with associated performance criteria. Contract collection is very similar to franchise collection, with the following notable characteristics.

- Contracts typically last for a base period (usually between three and seven years), and have one or two optional renewal periods;
- Contracts are most often the result of a competitive selection process;

- Contracts usually apply to residential collection service at a minimum, and may extend to commercial service;
- With most contracts, the municipality typically has the responsibility for billing and collections for at least the residential components of the service area. By retaining billing responsibility, the local municipality remains a “market participant” and therefore can require the contract holder to dispose of collected materials to a specified MRF (i.e., the municipality retains control of the collected recyclables); and
- Usually, the local government pays the hauler directly based on the number of customers and/or the type of services provided. Because billing and collection risks are borne by the local government, contracting sometimes results in lower fees paid to the hauler.

Contracting, or franchising collection services to a private hauler or hauler(s) would be similar to the current system in that the Borough would not have the burden of purchasing, operating, and maintaining collection equipment. The costs to the Borough would be limited to those incurred in managing the contracts, monitoring hauler(s) performance, and depending on the contractual arrangement, billing the residents.

An added benefit to contracting or franchising, is the reduction of the number of collection vehicles that travel on the Borough’s streets each week or month. This may reduce the amount of street repairs required or perhaps prolong the need for street repairs and assessments. Currently, the Borough has approximately eleven hauling companies collecting recyclables in the Borough.

Competitive Procurement Process

If the Borough chose to change its recycling collection service from a subscription-based system to either of the service delivery options (contracting or franchising), it would most likely require undergoing a competitive procurement process. The procurement process should, at a minimum, include the following phases:

Phase 1 - Background Research and Stakeholder Consensus Building: Contracting or franchising will have impacts on the haulers and residential customers. It is strongly recommended that the Borough be prepared to involve stakeholders (i.e., residents, homeowners’ associations, multi-family property owners, haulers, etc.) relatively early in the planning process to build political consensus for the desired program.

Phase 2 - Procurement Planning/Decision-Making: Armed with stakeholder consensus and the data needed to proceed with the procurement process, key Borough decision-makers must make some critical decisions as to the procurement format and scope of services. Examples of decisions that must be identified include:

- Will the procurement be conducted assuming a single collection district or multiple districts?

- Will a one-step or two-step procurement process be utilized (i.e., will contractors first be short-listed based on qualifications and then those who qualify be asked to submit a proposal)?
- How will the proposals be evaluated?
- What is the term of the contract?
- What, if any, problems or failures will result in the assessment of liquidated damages and what are the specific penalties and dollar amounts?
- Who will be responsible for billing (Borough or collection contractor)? and
- What reports must the contractor submit to the Borough and how frequently?

Phase 3 - Procurement Implementation: During this phase, the various steps to execute the procurement would occur. Examples of the steps required include:

- Developing a draft (or multiple drafts) of the Request for Proposals (RFP) or Request for Bids (RFB) and the contract for review;
- Noticing the RFP/RFB as required by local ordinance/state law;
- Facilitating a pre-bid meeting;
- Responding to vendor questions following the pre-bid meeting;
- Evaluating vendor qualifications and costs proposals;
- Facilitating a meeting of Selection Committee members to rank proposals;
- Presenting Selection Committee recommendation to Borough elected officials (as necessary);
- Negotiating a contract with the top-ranked vendor(s);
- Execution of collection contract(s);
- Determining the public education responsibilities (what is the Borough responsible for and what is the contractor responsible for); and
- Contract monitoring (to ensure the selected contractor has, or will obtain, the necessary equipment to provide service on the commencement date).

Phase 4 - Program Commencement: Despite the Borough's best efforts to educate residents regarding program changes, significant feedback (in the form of questions, complaints, etc.) can be expected. The Borough (especially elected officials) must be prepared during the initial stages of program commencement to handle the volume and type of feedback that may occur.

Phase 5 - Contract(s) Management: Perhaps the most forgotten step in procuring collection services is ensuring appropriate staffing to administer the contract(s) following commencement. Activities associated with this step include ensuring that the contractor is handling complaints in a timely manner, ensuring that franchise fee payments are made accordingly (if applicable),

meeting with the collection contractor(s) frequently to discuss relevant issues, ensuring that contractor reports (regarding service levels, routes, tonnages, etc.) are provided on a timely basis, etc.

The five phases above will all need to be considered by the Borough during the implementation phase.

Procuring private collection for recyclable materials is an effective way to receive well-defined services at a market competitive price. More specifically, procurement of these services from the private sector will generally assure a high level of operating efficiency.

Many municipalities that privatize, especially larger cities, purposefully retain public collection in at least one section of the municipality as a matter of policy. Retention of public collection in at least one collection area is believed to provide greater flexibility and leverage in the event private collections are found not to meet the municipality's needs.

Volume-Based Refuse Collection

One way to increase the quantities of recyclable materials collected from the residents is to implement a volume-based collection system for refuse. This collection system is also referred to as "Pay-As-You-Throw" (PAYT). Offering different levels of service through varying sizes of refuse containers creates a financial incentive for residents to reduce the amount of refuse they set out each week which can result in an increase in the amount of recyclable materials set at the curb. It should be noted that PAYT programs can only be successful where mandatory refuse collection is enforced.

The U.S. Environmental Protection Agency (EPA) "supports this approach to solid waste management because it encompasses three interrelated components that are key to successful community programs:

1. Environmental sustainability – reduces solid waste and increases recycling;
2. Economic sustainability – allows communities to cover their solid waste costs and allows residents to take control of their solid waste bill; and
3. Equity – PAYT systems are more fair. Residents who recycle are not subsidizing those who do not recycle".²

If the Borough chooses to continue with a subscription-based system, an ordinance revision is recommended that would require haulers to provide variable rates for varying quantities of refuse. Another option would be for the Borough to consider contracting or franchising for refuse as well as recyclable materials collection and requiring that refuse be collected and billed based on volume.

² Source: U.S. EPA, Pay As You Throw website: <http://www.epa.gov/epaoswer/non-hw/payt/intro.htm>

Volume-based systems typically use plastic bags, stickers or tags, or permanent containers – or a combination - as the unit(s) of measure by which fees are charged for solid waste collection and disposal.

- **Bags** – Bag-based systems require residents to purchase and use special plastic bags in order to discard their household waste. Bags are distributed through local retail outlets or by the public works or solid waste department. Typically, the price set for the bags covers both waste collection and disposal costs.
- **Tags/Stickers** – With this system, a tag or sticker is required to be attached to each bag of waste disposed and can be designated for specific size bags (i.e., 13 gallon, 30 gallon, etc.). Tags and stickers can be distributed and priced the same way that specialized bags are distributed and priced in a bag-based PAYT system. In addition, tags or stickers can be attached to large items that do not fit in bags.
- **Permanent Containers** – In container (or can) PAYT systems, households pay according to the size and number of permanent containers that they use for waste disposal. In some communities, containers are supplied by the service provider, while in other communities, households supply their own containers in accordance with approved guidelines. In many communities, containers of various sizes are offered on a subscription basis by the service provider, and residents choose what size and number of containers they want to use. To save money, customers must reduce their can size (and/or number of cans) to see any savings.

Volume-based systems are gaining in popularity across the country. According to the Pennsylvania Department of Environmental Protection (DEP) website, there are now 213 PAYT communities in Pennsylvania. Volume-based systems are very effective at reducing solid waste and increasing recycling participation, however, there are also potential barriers/issues that must be addressed to successfully implement this system. These potential barriers/issues include:

- Illegal dumping;
- Ensuring full recovery of expenses;
- Controlling/covering administrative costs;
- Perception of increased cost to residents; and
- Building public consensus.

Illegal dumping may require stricter enforcement of existing ordinances and greater penalties for violations. Cost issues can be resolved with careful planning, a clear understanding of total service cost, and communicating to the public that the program could reduce their cost of service, depending on household size. Including public input early in the process can help to build public consensus and understanding of the real benefits to the residents.

Improved Public Education

Residential recyclable materials are collected once per month in the Borough of Berwick. The Borough publishes the annual curbside recycling dates in the local newspaper at the beginning of each year, along with a list of acceptable materials. R. W. Beck recommends that more detailed recycling information be distributed more frequently and in different forms.

Detailed information should be provided regarding each type of recyclable material accepted in the program, including a list of “Yes” and “No” items, for example:

Plastics #1 & #2 with a Neck	
Yes	No
■ Milk jugs	■ Yogurt containers
■ Soda bottles	■ Margarine tubs
■ Laundry detergent bottles	■ Ice cream pails
■ Shampoo bottles	■ Plastic bags, toys, etc.

Residents need regular reminders about the “hows” and “whys” of the Borough’s recycling program. Marketing studies have reported that a message needs to be seen at least seven times to have any impact, and at least 20 times to change a consumer habit.

Regardless of the type of recycling collection system (public or private, subscription or contracted), the Borough should provide detailed recycling information directly to its residents and approve any public education pieces distributed to residents by private haulers.

Examples of other methods (besides newspaper ads) that can be used to educate residents include:

- **Brochure** – A recycling brochure should explain the Borough’s recycling program, including what materials are accepted in the program, how to prepare the items for collection, when the materials will be collected, and why it is important to recycle. The brochure could be directly mailed to residents, but the cost of postage is prohibitive. Other options include hand delivering, or if new recycling bins are distributed, a brochure can be delivered with each bin. Brochures are most effective when they are printed in more than one color and have pictures or drawings to emphasize the message. Also, in communities with large populations of non-English speaking residents, brochures printed in additional languages help to spread the word about recycling.
- **Newsletter** – If the Borough has a community newsletter, recycling information should be included in every issue. Article topics should vary and could include general recycling information, as well as information on household hazardous waste, problem waste (tires, batteries, appliances, used motor oil, electronics, etc.), leaf collection, composting, and illegal dumping.

- **Billboards** – If the Borough chooses to make a change to the current recycling collection system, a billboard is an effective way to communicate the message to the residents.
- **Website** – Many people look for community information on the Internet. At this time, the Borough does not have a website, but there are plans to create a site in the future. It is recommended that detailed solid waste, recycling, and waste reduction information be included. Another option is to create a website exclusively for the Borough's recycling program.
- **Video** – A recycling video, tailored to the Borough, would be very effective in getting the recycling message out to the residents. Usually, a municipality is able to air public information, such as a video, on the local public access television channel at no cost.
- **Promotional Items** – Promotional items such as pens, magnets, calendars, etc. are an inexpensive way to get the recycling message out to residents in a way that has the potential to be seen over and over again.

The development and printing (but not postage) of public education pieces may be eligible for funding under the DEP's Recycling and Waste Management Grants, Section 902.

Provided below are recommendations for improving public education, regardless of who collects the recyclable materials (public or private haulers). Some of these options may not be financially feasible for the Borough, but they are included here for future consideration.

- When designing public education brochures and information pieces, consider using a consistent "look" in all pieces (i.e., use the same font, colors, logo, mascot, etc.). Residents will eventually recognize these as waste reduction and recycling information pieces and will hopefully save them and reference them when needed.
- Include disposal options for other materials such as tires, appliances, scrap metal, electronics, etc. in all printed materials.
- Ensure that the language in the public education pieces is consistent with the language in the Borough's ordinance.
- Document community recycling efforts. Currently, a portion of the Borough's residents participate in recycling. However, if the Borough is going to increase participation rates, it will need to:
 - Document participation rates;
 - Determine areas with low participation rates;
 - Target individual neighborhoods or communities;
 - Determine why residents within these neighborhoods or communities do or do not recycle; and
 - Develop specific strategies for increasing recycling within these neighborhoods or communities.

- Increase the public education budget to expand the visibility of the recycling and waste diversion programs. It is recommended that at least \$1.00 per household, per year, be budgeted for public education.
- Hire a dedicated staff person to devote time to recycling. If possible, research grant opportunities to pay for part or all of this person's salary. Also, consider hiring a college intern to help with recycling-related tasks. With a dedicated staff person, the Borough could develop a plan to educate school children through regular school presentations.

If the Borough chooses to get into the recycling business, or if the subscription-based system is replaced by a contracted or franchised system, it is very important that the residents are made aware of any changes and how it will affect them.

If the Borough chooses to stay with a subscription-based system, it is recommend the Borough:

- Standardize the method of residential recyclable materials collection by requiring all haulers to collect recyclables in the same manner (i.e., recyclables should be placed in an approved recycling bin, materials should be placed in paper bags, not plastic bags, etc.).
- Develop standardized educational materials to educate residents on how to prepare items for recycling, regardless which hauler collects their materials.
- Purchase curbside recycling bins for all Borough residents. This would help standardize the program, and give the Borough a more uniform "look".
- Require the haulers to add separate line items on their collection bills indicating what the fees are, for both recycling collection and yard waste collection. This would ensure that residents realize that recycling is a separate component of their refuse collection service and if they are paying for the service, they should be recycling.
- Enforce proper recycling setouts, to reduce contamination and amount of unacceptable materials. Require haulers to educate the residents by leaving reminder tags when inappropriate or contaminated items are set out for recycling. Repeat offenders should be reported to the Borough.

Revised Recycling Ordinance

Chapter 147 of the Borough's Code of Ordinances addresses solid waste and recycling collection and related issues. Article I, "Recycling", was adopted in 1996 and R. W. Beck recommends that the ordinance be revised, at a minimum, to:

- Comply with Act 101 which requires that an ordinance or regulation include language requiring persons to separate at least three materials from their solid waste;
- Clarify the definitions of "Applicant" and "Hauler" to clarify who licenses the haulers (the County, not the Borough);

- Provide more detail to Section 147-13 as it pertains to recycling as a condition of hauler license to clarify who licenses the haulers;
- Establish hours of collection to limit how early and how late haulers can operate within the Borough;
- Provide a list of responsibilities of the private haulers, such as:
 - maintain collection vehicles to ensure they are in good operating condition (i.e., trucks are not leaking fluids or emitting noxious fumes);
 - ensure the company name and phone number is visible on each vehicle; and
 - comply with hours of operation, as set by the Borough.

R. W. Beck recommends the Borough look at other local municipalities' ordinances for examples of language pertaining to Act 101 and the requirements of haulers. Many ordinances were revised as part of the DEP's Technical Assistance program and can be found at the following link:

http://www.dep.state.pa.us/dep/deputate/airwaste/wm/RECYCLE/Tech_Rpts/Proj_Sum.htm

R. W. Beck revised the Town of Bloomsburg, Pennsylvania's ordinance in November of 2002 to include language requiring residential curbside recycling (as well as commercial and multi-family recycling), eliminating the licensing program, and providing language to strengthen the Town's ability to regulate recycling collection. It includes more details and has higher penalties than the Borough's current ordinance. The revised draft ordinance is attached as Appendix A.

Conclusions and Recommendations

Based on our review of the Borough's recycling collection system, we offer the following recommendations for consideration by the Borough:

- Consider public collection of curbside residential recyclable materials, if feasible. As stated earlier, the benefits of public collection include increased control (leverage) over the program, consistent public education/promotion, and ease of implementing future program changes. If public collection is not feasible, R. W. Beck recommends the Borough procure a contract for the curbside collection of recyclable materials through a competitive RFP process. A contract with one private hauler should provide the Borough with a high level of service and consistent public education. It also reduces the number of collection vehicles traveling on the Borough's streets.
- Move towards a volume-based refuse collection system. PAYT programs allow residents to control their garbage fees by providing an incentive to reduce the amount of waste placed at the curb. Increasing the amount of recyclable materials removed from the waste stream has a direct link to the amount of money spent on refuse collection services.

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- Increase public education efforts. The current recycling public education program is inadequate. Recycling messages should be conveyed to the public more frequently than the current once per year newspaper advertisement. With an increase in the amount and the types of recycling messages, the residents of the Borough would not only be reminded to recycle, but would also come to realize that the Borough as a governmental entity is serious about recycling and cares about protecting the environment.

Thank you for the opportunity to assist the Borough of Berwick. Please contact me at (651) 994-8415 to discuss this report in detail.

Sincerely,

R. W. BECK, INC.

A handwritten signature in blue ink that reads "Mary Chamberlain".

Mary Chamberlain
Environmental Analyst

Appendix A

Town of Bloomsburg – Draft Ordinance Revision

**CHAPTER 20
SOLID WASTE****COLLECTION, STORAGE, TRANSPORTATION, PROCESSING AND DISPOSAL
OF
MUNICIPAL SOLID WASTE AND MANDATORY RECYCLING PROGRAM****A. General**

- §20-101. Scope
- §20-102. Definitions
- §20-103. Dumping/Litter
- §20-104. Preparation and Storage of Municipal Waste
- §20-105. Required Collection and Hours of Collection
- §20-106. Transportation of Municipal Waste and Recyclables
- §20-107. Dumpster Permits
- §20-108. Public Litter Baskets
- §20-109. Property Owners to Furnish Name and Address of Collector
- §20-110. Disposal of Leaf Waste

B. Recycling

- §20-111. Separation of Recyclables
- §20-112. Disposal or Placement for Removal of Recyclables - Residential (Other than Multi-Family Housing Properties)
- §20-113. Disposal or Placement for Removal of Recyclables - Multi-Family Housing Properties
- §20-114. Disposal or Placement for Removal of Recyclables - Commercial, Municipal and Institutional and Community Activities
- §20-115. Recycling Plan and Reports for Multi-Family Housing Properties
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- §20-120. Responsibilities of Private Haulers Collecting within the Town
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- §20-123. Private Hauler to Provide Recyclable Removal Service for Multifamily Housing Properties and Commercial, Municipal and Institutional Establishments and Properties
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D. Miscellaneous Provisions

- §20-127. Violations and Penalties

**COLLECTION, STORAGE, TRANSPORTATION, PROCESSING AND DISPOSAL
OF MUNICIPAL SOLID WASTE AND MANDATORY RECYCLING PROGRAM****A. General****§20-101. Scope.**

This Chapter shall govern and control all aspects of the collection, storage, transportation, processing and disposal of municipal waste and recycling in the Town of Bloomsburg. It contains regulations applicable to haulers of municipal waste, collectors of recyclables, individuals, commercial, municipal and institutional establishments and community activities.

(*Ord. 722, 3/5/1990, §1*)

§20-102. Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

AGENT - one who performs an act for his immediate family or for another person gratuitously (without any form of monetary or material compensation therefore).

ALUMINUM CANS - empty, all-aluminum beverage and food containers.

AUTHORIZED COLLECTOR - a Private Hauler (as defined herein), or a person who, being so authorized by the terms of this Chapter, removes municipal waste or recyclables from his own premises, as owner of the building or commercial, municipal or institutional establishment or community activity conducted therein, or as an agent (as defined herein) of another person.

BI-METALLIC CANS - empty food or beverage containers consisting of both steel and aluminum.

COLLECTOR - a general term referring to any person who collects, for removal from premises, municipal waste or recyclables.

COMMERCIAL - of or pertaining to any wholesale, retail, industrial, manufacturing, transportation, or financial or professional service or office enterprise, business, or establishment.

COMMERCIAL, INSTITUTIONAL, MUNICIPAL SOURCE of WASTE GENERATION - a store, office, commercial establishment, industrial establishment, or a municipal or institutional establishment which generates waste. [*Ord. 732*]

COMMUNITY ACTIVITY - an activity or event sponsored or organized by a public or private nonprofit organization for recreational, educational, cultural or

civic purposes, which may be attended by members of the public, whether or not an entrance or participation fee is charged therefore.

CORRUGATED PAPER - structural paper material with an inner core shaped in rigid parallel furrows and ridges, of the type normally used to make packaging cartons and boxes.

CURBSIDE COLLECTION - a method of collection of residentially generated recyclables by which the owners or occupants of certain residential properties may dispose of their recyclables by placing them at curbside (or similar place along the public right-of-way fronting along their property), at times designated by the Bloomsburg Town Council, for collection and removal by an authorized collector thereof for delivery to a recycling center.

DISPOSAL - the incineration, deposition, injection, dumping, spilling, leaking, or placing of municipal waste into or on the land or water in a manner such that the municipal waste or a constituent thereof enters the environment, is emitted into the air, or is discharged to the waters of the Commonwealth of Pennsylvania.

DISPOSAL AREA - any site, location, area, building, structure, transfer station or premises to be used for municipal waste disposal.

DORMITORY SOURCE of WASTE GENERATION - a structure containing one or more rooms used for living and sleeping purposes having no kitchen or kitchenette with fixed cooking facilities. This term does not include a hotel or motel or similar place of transient lodging. [Ord. 732]

DWELLING UNIT - one or more rooms, including an "apartment," used for living and sleeping purposes, having a kitchen or kitchenette with fixed cooking facilities and a bathroom with a toilet and bathtub or shower. This term does not include a room within a dormitory, boarding house or hotel (or similar place of transient lodging). [Ord. 732]

DWELLING UNIT SOURCE of WASTE GENERATION - a dwelling unit. [Ord. 732]

GARBAGE - all putrescible animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food.

GLASS CONTAINERS - all empty food and beverage jars or bottles made from silica or sand, soda ash, and limestone, the product being transparent or translucent (either clear, green or brown) excluding; however, blue glass, flat glass, plate glass, glass commonly known as "window glass," automotive glass and ceramic and porcelain products.

HIGH-GRADE OFFICE PAPER - any white paper other than newsprint, magazines or other chemically coated paper or corrugated paper, of the type commonly used for letter-writing stationery, note paper, plain paper

photocopying machines, computer printers and other general-purpose paper, whether or not any printed or written matter is contained thereon.

INSTITUTIONAL - of or pertaining to any establishment engaged in service to persons including, but not limited to, hospitals, nursing homes, orphanages, schools, universities, churches and social or fraternal societies and organizations.

LANDLORD - the owner of residential property or such owner's authorized agent.

LEAF WASTE - leaves from trees, bushes and other plants, garden residues, chipped shrubbery and tree trimmings and similar material capable of composting, but excluding grass clippings.

MAGAZINES - printed matter, also known as "periodicals," containing miscellaneous written pieces published at fixed or varying intervals, printed on glossy or chemically coated paper. Expressly excluded are newspapers and all other paper products of any nature whatsoever.

MULTI-FAMILY HOUSING PROPERTY - a type of residential property either under single ownership or organized as a condominium or cooperative form of housing, which contains five or more dwelling units.

MUNICIPAL - of or pertaining to any office or other property under the control of any branch or arm of the Federal government of the United States of America, the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth of Pennsylvania including, but not limited to, the Town of Bloomsburg, any Counties, Cities, Boroughs, Townships and municipal authorities.

MUNICIPAL WASTE - an all-encompassing, most general term meaning any garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material, resulting from operation of residential, municipal, commercial or institutional establishments and from community activities, except farm-produced manure, other agricultural waste and food processing waste used on land where such materials will improve the condition of the soil, the growth of crops or the restoration of the land for the same purposes and any sludge not meeting the definition of "residual or hazardous waste" as defined in Commonwealth of Pennsylvania Solid Waste Management Act; but, excluding recyclables.

NEWSPAPER - paper of the type commonly referred to as "newsprint" and distributed at fixed or stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest. The term "newspaper" expressly excludes glossy advertising inserts, magazines, glossy or other chemically coated paper, office paper and any other paper products of any nature.

PERSON - any individual, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, Federal Government or agency, State institution or agency or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. In any provisions of this Chapter prescribing a fine, imprisonment or penalty, or any combination of the foregoing, the term "person" shall include the officers and directors of any corporation or other legal entity having officers and directors.

PLASTIC BEVERAGE CARRIER - plastic rings or similar plastic connectors used as holding devices in the packaging of beverages including, but not limited to, all carbonated beverages, liquors, wines, fruit juices, mineral waters, soda and beer.

PLASTIC CONTAINERS - empty plastic food and beverage containers, the specific types of which may, from time to time, be designated by resolution of the Bloomsburg Town Council.

PLASTIC #1 (PET) CONTAINER – plastic containers imprinted with the SPI code No. 1, such as beverage bottles, dishwashing soap bottles, shampoo bottles and similar items.

PLASTIC #2 (HDPE) CONTAINER – plastic containers imprinted with SPI code No. 2, such as plastic milk jugs, water bottles, detergent bottles, and similar items. Motor oil bottles are not acceptable.

PRIVATE HAULER – a person licensed by the State per the amended Title 27 (Environmental Resources), Waste Transportation Safety Program, of the Pennsylvania Consolidated Statutes, to collect, haul, transport and dispose of municipal waste and/or recyclables. All such haulers shall comply with the provisions of the aforementioned Program, as well as all Federal, State, and local laws, rules and regulations.

PROCESSING - any technology used for the purpose of reducing the volume or bulk of municipal waste or any technology used to convert part or all of such waste materials for offsite reuse. Processing facilities include, but are not limited to, transfer stations, composting facilities and resource recovery facilities.

RECYCLABLES - materials designated as recyclable in this Chapter or required by the terms of this Chapter (or any amendment hereto) to be kept separate from municipal waste, and recycled.

RECYCLING - the collection, separate maintenance, separation, recovery and sale or reuse of recyclables which would otherwise be disposed of or processed as municipal waste, or the mechanized separation and treatment of municipal waste other than through combustion) and creation and recovery of reusable materials other than a fuel for the operation of energy.

RECYCLING CENTER - a facility designed to, and which does, act as a collection center for the processing, storage and shipment of recyclables. The term specifically excludes transfer stations and landfills for solid waste and composting

facilities and resource recovery facilities and, specifically excludes charitable organizations that accept recyclables for collection but do not process such recyclables.

RESIDENTIAL - of or pertaining to any dwelling unit used as a place of human habitation and which is not commercial, municipal, institutional or a community activity. Home occupations incidental to a residential use within a building are considered "residential."

RESOURCE RECOVERY FACILITY - a processing facility that provides for the extraction and utilization of materials or energy from municipal waste that is generated offsite including, but not limited to, a facility that mechanically extracts materials from municipal waste, a combustion facility that converts the organic fraction of municipal waste to usable energy and any chemical and biological process that converts municipal waste into a fuel product. The term also includes any facility for the combustion of municipal waste that is generated offsite, whether or not the facility is operated to recover energy. The term does not include:

- A. Any composting facility.
- B. Methane gas extraction from a municipal waste landfill.
- C. Any separation and collection center, drop-off point or collection center for recycling or any source separation or collection center for composting leaf waste.
- D. Any facility, including all units in the facility, with a total processing capacity of less than 50 tons per day.

RUBBISH - leaves, branches, trees, sawdust, chips, shavings, wood, woodenware, leather, rags, grass, straw, manure and all solid combustible matter not included in this Section under the definition of "garbage."

STATE - The Commonwealth of Pennsylvania.

STEEL CANS - empty food or beverage containers made of steel, tin-coated steel, or other ferrous metal food or beverage containers.

STORAGE - the containment of any municipal waste on a temporary basis in such a manner as not to constitute disposal of such municipal waste. It shall be presumed that the containment of any municipal waste in excess of 1 year constitutes disposal. This presumption can only be overcome by clear and convincing evidence to the contrary.

STRUCTURE - anything constructed or erected, the use of which requires a permanent location on the land or that is attached to something having a permanent location of the land. [Ord. 732]

TOWN - the Town of Bloomsburg, Columbia County, Pennsylvania.

TRANSPORTATION - the offsite removal of any municipal waste at any time after generation thereof.

WASTE - a material whose original purpose has been completed and which is directed to a disposal or processing facility or is otherwise disposed of. The term does not include source-separated recyclable materials or material approved by the Commonwealth of Pennsylvania Department of Environmental Protection for beneficial use. [Ord. 841]

(*Ord. 722, 3/5/1990, §2; as amended by Ord. 732, 12/27/27, 1990, §1; and by Ord. 841, 12/19/2001*)

§20-103. Dumping/Litter.

1. It shall be unlawful for any person to store, dump, discard, or deposit, or to permit the storage, dumping, discarding or depositing of, any municipal waste or recyclables upon the surface of the ground or underground within the jurisdictional limits of the Town, except in proper containers for purposes of storage or collection, and except where the waste or recyclables are of such size or shape as not to permit their being placed in such containers. It shall be unlawful for any person to dump or deposit any municipal waste or recyclables in any stream or body of water within the jurisdictional limits of the Town.
2. Every owner of property or occupant thereof responsible for such property's day-to-day operation or maintenance shall pick up and discard in an appropriate receptacle any municipal waste, recyclables or other debris deposited or accumulated on the sidewalk or gutter area in front of or adjacent to such property. All owners or operators of commercial, industrial, institutional and municipal establishments in the Town's downtown business district shall take all reasonable precautions to prevent the deposition and accumulation of debris in front of their premises, and in furtherance of that end, may place appropriate waste containers on the sidewalks in front of or adjacent to their premises at a point which will not create a hazard to traffic or pedestrians. Any such receptacles so placed shall be emptied on a regular basis and maintained in a neat and clean appearance.
3. Nothing contained herein shall be deemed to prohibit any person from hauling municipal waste on an irregular and unscheduled basis to any facility permitted by the Commonwealth of Pennsylvania, Department of Environmental Protection and listed as designated facility in the Columbia County Solid Waste Plan, provided that such hauling shall be in addition to, and not in place of, the regular removal of municipal waste as required in §20-105, below. [Ord. 841]
4. Nothing contained herein shall prohibit a farmer from carrying out the normal activities of his farming operation, including composting and spreading of manure or other farm-produced agricultural wastes.

(Ord. 722, 3/5/1990, §3; as amended by Ord. 841, 12/19/2001)

§20-104. Preparation and Storage of Municipal Waste.

1. The storage of all municipal waste shall be practiced so as to prevent the attraction, breeding or harborage of insects or rodents and to prevent conditions which may create potential hazards to the public health or which may create fire and other safety hazards, odors, unsightliness, or public nuisance.
2. Any person accumulating or storing municipal waste on private or public property in the Town for any purpose whatsoever shall place the same, or cause the same to be placed, in sanitary closed or covered containers in accordance with the following standards:
 - A. Containers used for the storage of municipal waste shall be of metal, plastic or fiberglass construction, rust and corrosion resistant, equipped with lids and waterproof and leak-proof (except that lids shall be optional on large bulk containers commonly known as "dumpsters"). B. All garbage shall be drained of excess liquids and wrapped in paper or be placed in plastic bags before being placed in the waste storage containers described above, and all ashes shall be free of any burning material before being deposited for collection.
 - B. No person, except the occupants of the property on which a waste container is placed, an authorized Private Hauler, and the Town Code Enforcement Officer shall remove the lids of the container and/or remove the contents thereof.
 - C. All hazardous waste including, but not limited to, municipal waste of a highly flammable or explosive nature or highly infectious or contagious municipal waste, shall not be stored for ordinary collection, but shall be specially disposed of in accordance with the directions of the Town or of any State or Federal authority having jurisdiction thereof.
 - D. Containers, other than bulk containers, shall be placed at such locations as may be agreed upon by the person and the authorized Private Hauler.
 - E. Bulk containers (such as dumpsters) shall be placed, whenever possible, at ground level and at a point on the property being serviced by the collector which will enable clear and easy access to the container by the collector's vehicle.
 - F. Bulk containers shall not be permitted to overflow or to have waste strewn or left about them on the ground. A violation of this provision shall be deemed a violation of this Chapter by the person on whose property the bulk container is located, if it is located on private property.

(Ord. 733, 3/5/1990, §4)

§20-105. Required Collection and Hours of Collection.

1. All owners of property within the Town of Bloomsburg shall provide for the regular preparation, collection and removal of all municipal waste generated at such properties in one of the approved manners set forth herein.
2. If a person or establishment (being so authorized by the terms hereof) collects and removes their own municipal waste, they shall do so at intervals short enough to prevent accumulations of refuse or garbage that may be unsafe, unsightly or potentially harmful to the public health. Any municipal waste so removed shall be disposed of only in the manner required by §20-122, below.
3. Every owner or occupant of residential property and every other person who, or establishment which, does not collect and remove their own municipal waste, as aforesaid, shall contract with a Private Hauler for the regular, scheduled collection and removal of the municipal waste at least once each week. Municipal waste shall be prepared for collection and be collected and removed from such persons or establishments properties at least once each week, except where conditions beyond the control of the Private Hauler prevent it
4. No person other than a Private Hauler shall collect or remove municipal waste from any other person's property. All agreements for collection, transportation and disposition of municipal waste shall be by private contract between the owner or occupant of the property where the waste is generated and the Private Hauler who is to collect such waste.
5. Private Haulers shall collect municipal waste and recyclables from properties within the Town limits only between the hours of 5 a.m. and 5 p.m. on any given day.
6. Nothing herein shall limit the right of the Town to implement public collection of municipal waste or residential recyclables either by entering into contracts or by engaging in any collection practice permitted by law.
7. Nothing in this Section shall modify the requirements in this Chapter pertaining to separation and disposal of recyclables. Nothing in this Section shall impair the ability of the Town to provide a system of placement for removal and public collection of leaf waste, or for Town residents to utilize such system of public collection of leaf waste, anything herein contained to the contrary notwithstanding.

(Ord. 722, 3/5/1990, §5)

§20-106. Transportation of Municipal Waste and Recyclables.

1. Any person transporting municipal waste or recyclables within the Town shall prevent or remedy any spillage from vehicles or containers used in the transport of such municipal waste or recyclables.
2. All persons authorized to collect municipal waste or recyclables shall do so in vehicles that are provided with either closed, covered containers or which have measures taken to prevent waste from being blown or falling from the vehicle.
3. The transfer of waste or recyclables from one collection vehicle to another may not take place in the Town of Bloomsburg, except on private property in those areas of the Town which are located within the Industrial Park zoning districts. No such transfer may take place on any public right-of-way and no such transfer operation may block traffic, create litter or in any other manner constitute a nuisance, create a health hazard or violate any other ordinance of the Town or provision of statutory law.

(Ord. 722, 3/5/1990, §6)

§20-107. Dumpster Permits.

Any collector or other person who desires to place any large bulk container, commonly known as a "dumpster," on a street or other public right-of-way in the Town of Bloomsburg shall, prior to such placement, obtain from the Town of Bloomsburg Police Department a permit authorizing such placement. One such permit shall be obtained for each dumpster to be placed on any public street or right-of-way. A fee shall be collected by the Town of Bloomsburg Police Department for each such permit issued, in an amount to be established, from time to time, by resolution of the Bloomsburg Town Council. The permits required hereunder shall be in the form of a sticker or other device capable of being affixed to the dumpster for which the permit is issued, and the permit shall be so affixed to the dumpster by the permittee in accordance with instructions of the Police Department pertaining thereto. The permits issued pursuant to this Section shall be nontransferable and may be used only by the permittee to whom originally issued, for the dumpster and at the location for which originally issued.

(Ord. 722, 3/5/1990, §7)

§20-108. Public Litter Baskets.

The Town is hereby authorized to collect municipal waste from Town property, to provide public litter baskets on sidewalks in the Town and to dispose of such waste in either a receptacle of a Private Hauler or at designated disposal sites.

(Ord. 722, 3/5/1990, §8)

§20-109. Property Owners to Furnish Name and Address of Collector.

1. All owners of residential property within the Town of Bloomsburg shall furnish to the Town, on a form to be provided therefore, the name and address of the Private Hauler servicing the property in question.
2. The landlord of every multi-family housing property shall furnish such information as is required of other residential properties, plus all other information which is requested by the Town on a form to be provided therefore, in the manner required by §20-115, below.
3. Every commercial, municipal and institutional establishment and community activity shall furnish information to the Town in the manner required by §20-116, below.

(*Ord. 722, 3/5/1990, §9*)

§20-110. Disposal of Leaf Waste.

Leaf waste shall be kept separate from all other forms of municipal waste and separate from recyclables, and shall be disposed of in a manner to be designated from time to time by resolution of the Bloomsburg Town Council.

(*Ord. 722, 3/5/1990, §10*)

B. Recycling**§20-111. Separation of Recyclables.**

1. Recyclables shall be kept separate from and disposed of separately from municipal waste, to the extent required by the following provisions:

A. Owners and occupants of all residential properties shall keep separate the following recyclables:

- (1) Clear glass containers.
- (2) Brown glass containers.
- (3) Green glass containers.
- (4) Aluminum and bi-metallic food and beverage cans.
- (5) Steel food and beverage cans.
- (6) Newspaper.
- (7) Plastic #1 (PET) Containers.
- (8) Plastic #2 (HDPE) Containers.

Owners or occupants of all residential properties shall separate the recyclables listed above from municipal waste generated at residences and shall store the materials until they are collected for recycling in accordance with the provisions of Section §20-112 and §20-113 below.

An owner, landlord, or agent of an owner or landlord, of a multifamily housing property shall be deemed to have complied with its separation responsibilities if it establishes a collection system at each property in accordance with §20-113 below.

B. Owners and occupants of all commercial, municipal and institutional establishments and properties and sponsors or organizers of community activities shall keep separate the following recyclables:

- (1) Clear glass containers.
- (2) Brown glass containers.
- (3) Green glass containers.
- (4) Aluminum and bi-metallic food and beverage cans.
- (5) Steel food and beverage cans.

- (6) Corrugated paper and high-grade office paper.
- (7) Newspaper.

Owners and occupants of all commercial, municipal and institutional establishments and properties and sponsors or organizers of community activities shall separate the recyclables listed above from municipal waste generated at the properties or locations of community activities, respectively, and shall store the materials until they are collected for recycling in accordance with the provisions of Section §20-114 below.

An owner, or agent of an owner, of a commercial, municipal or institutional establishment or property, or a sponsor or organizer of community activities, shall be deemed to have complied with its separation responsibilities if it establishes a collection system at each property, or location of community activities, respectively, in accordance with Section §20-114 below.

[*Ord. 732*]

2. Newspaper shall be placed in easy-to-manage bundles in paper bags or corrugated paper boxes, and kept dry. Glass containers shall be emptied, cleaned and separated into clear, brown and green and double-paper-bagged or placed in corrugated paper boxes. Food and beverage cans (including plastic, aluminum, steel, and bi-metallic) shall be emptied, have both ends removed (if possible), cleaned and placed in paper bags or corrugated paper boxes. Aluminum and bi-metallic cans may be mixed together, but steel cans and plastic containers shall be kept separate. High-grade office paper shall be placed in boxes. Recyclables may be placed in any type of rigid and water-proof open top container that does not exceed 30-gallons. Each category of recyclables listed in subsections (1) and this subsection shall be kept separate from one another.

(*Ord. 722, 3/5/1990, §11; as amended by Ord. 732, 12/27/1990, §2*)

§20-112. Disposal or Placement for Removal of Recyclables - Residential (Other than Multi-Family Housing Properties).

1. For residential properties other than multi-family housing properties, all recyclables which are required to be kept separate in residential properties pursuant to §111(1)(A), above, shall either be placed at the curbside to be collected at times designated by the Town. Materials not accepted at curbside may be taken directly to Bloomburg's recycling center.
2. The Town Council or its agent is empowered to designate the day(s) of each month on which recyclables shall be collected, removed and disposed of from a particular area.

(*Ord. 722, 3/5/1990, §12*)

§20-113. Disposal or Placement for Removal of Recyclables - Multi-Family Housing Properties.

1. For multi-family housing properties, all recyclables which are required to be kept separate in residential properties pursuant to §20-111.1.A above, shall either be delivered directly to a recycling center, or shall be picked up by a Private Hauler separately from municipal waste, in a pre-arranged manner, as shall be provided in the recycling plan required pursuant to §20-115 below.
2. Unless arrangements have been made in accordance with §20-121(3), recyclables generated in multi-family housing properties shall not be placed at the curbside for collection by the Town or its agent, such curbside collection being intended solely for the placement of recyclables generated in residential properties other than multi-family housing properties.
3. The landlord of every multi-family housing property shall require, by a clause in the lease or other enforceable rule or regulation, that the tenants in such property comply with the requirements of this Chapter governing separation and disposal or placement for removal of recyclables in multifamily housing properties. Every such landlord shall set up a convenient and practical system in such properties for the collection, storage and regular disposal or placement for removal of recyclables generated by the residents of such properties. A Code Enforcement Officer will verify that a recycling system exists during annual inspection visits.

(Ord. 722, 3/5/1990, §13)

§20-114. Disposal or Placement for Removal of Recyclables - Commercial, Municipal, Institutional and Community Activities.

All recyclables which are required to be kept separate in commercial, municipal and institutional establishments and properties and community activities pursuant to §20-111.1.B above, shall either be delivered directly to a recycling center or shall be picked up by a Private Hauler separately from municipal waste, in a pre-arranged manner, as shall be provided in the recycling plan, required pursuant to §20-116 below. Commercial, municipal, and institutional establishments and community activities shall not place recyclables at the curbside for collection by the Town or its agent, such curbside collection being intended solely for the placement of recyclables generated in residential properties other than multi-family housing properties.

(Ord. 722, 3/5/1990, §14)

§20-115. Recycling Plan and Reports for Multifamily Housing Properties.

1. The landlord of every multi-family housing property shall annually complete a form to be designated "Recycling Plan for Multifamily Housing Properties," to be provided by the Town, on which the landlord shall set forth his planned method

for removal of recyclables. One such plan shall be completed and submitted for each property. All pertinent information requested on the plan shall be provided prior to submission. Each such recycling plan shall set forth the name and address of the landlord, the address of the property to which the plan pertains, and the name and address of the Private Hauler who regularly services the property. The recycling plan shall further set forth the name and business address of the employee or other person responsible for arranging disposal or removal of municipal waste and recyclables within the property, the method by which recyclables will be removed from the property, who will remove the recyclables, and the destination of the recyclables. The recycling plan required hereby must be submitted annually to the Town at its designated office , and shall be acted upon and either approved or disapproved by the Town's designated official within 60 days of proper filing thereof. If no action is taken within 60 days, then the plan shall be deemed approved. Any person required by this Section to complete and submit a recycling plan and obtain approval thereof, and who fails to do so, shall be guilty of a violation of this Chapter. If, during any calendar year, the identity of the landlord, the method of disposing of recyclables, or the identity of the Private Hauler regularly servicing the property shall change, then the landlord of such multi-family housing property shall, at the time of such change(s), submit a revised recycling plan for the balance of the calendar year, accurately setting forth such change(s).

2. In addition to the recycling plan, the landlord of every multi-family housing property shall submit a form to be designated "recycling report" in accordance with the following terms:
 - A. If the recyclables generated at the property in question are delivered or taken to Bloomsburg's recycling center, then a recycling report, indicating that the property's recyclables were delivered or taken there, shall be submitted annually to the Town at its designated office, on or before January 31, of each calendar year. In such cases, Bloomsburg's recycling center shall be the agent of the property's landlord for purposes of reporting the actual delivery of the property's recyclables to Bloomsburg's recycling center.
 - B. If the recyclables generated at the property in question are delivered or taken to any facility other than Bloomsburg's recycling center, then a recycling report and all weigh slips obtained from the facility or facilities to which the recyclables were delivered or taken, shall be submitted quarterly to the Town at its designated office. For purposes of submitting such weigh slips quarterly to the Town, the collector who removed the recyclables from the property shall be the agent for the landlord. Each such quarterly recycling report shall be submitted on or before the 20th day of the first month of each quarter, for the preceding quarter. Quarters shall run on a calendar-year basis, thus; January through March, April through June, July through September and October through December.

(Ord. 722, 3/5/1990, §15)

§20-116. Recycling Plan and Reports for Commercial, Municipal and Institutional Establishments and Community Activities.

1. Every commercial, municipal and institutional establishment and community activity sponsor or organizer shall annually complete a form to be designated "Recycling Plan for Commercial, Municipal and Institutional Establishments and Community Activities," to be provided by the Town, on which the establishment or sponsor shall set forth its planned method for removal of recyclables.
 - A. On the recycling plan, each establishment shall set forth its name, the address of the premises to which the plan pertains, the name and address of the building owner, the name and address of the Private Hauler who regularly services the establishment, the method of municipal waste disposal utilized by the establishment if no Private Hauler is used, and, in such case, where the waste is disposed of.
 - B. The recycling plan shall further set forth the name and business address of the employee or other person responsible for arranging disposal or removal of municipal waste and recyclables within the establishment, the method by which recyclables will be removed by the establishment, who will remove the recyclables, and the destination of the recyclables.
 - C. The operator of the business or other establishment occupying the premises, whether or not such person is the owner of the building, shall be responsible for filing the recycling plan. For community activities, the sponsor or organizer shall be responsible for filing the recycling plan.
 - D. The recycling plan required hereby must be submitted annually to the Town at its designated office , and shall be acted upon and either approved or disapproved by the Town's designated official within 60 days of proper filing thereof. If no action is taken within 60 days, then the plan shall be deemed approved. Any person required by this Section to complete and submit a recycling plan and obtain approval thereof, and who fails to do so, shall be guilty of a violation of this Chapter.
 - E. If, during any calendar year, the identity of the commercial, municipal, or institutional establishment or community activity sponsor, the method of removing recyclables, or the identity of the Private Hauler regularly servicing the property shall change, then the establishment or sponsor shall, at the time of such change(s), submit a revised recycling plan for the balance of the calendar year, accurately setting forth the change(s).
2. In addition to the recycling plan, the operator of every commercial, municipal, and institutional establishment and the sponsor or organizer of every community activity shall submit a form to be designated "recycling report" in accordance with the following terms:

- A. If the recyclables generated at the property in question are delivered or taken to Bloomsburg's recycling center, then a recycling report, indicating that the property's recyclables were delivered or taken there, shall be submitted annually to the Town at its designated office, on or before January 31, of each calendar year. In such cases, Bloomsburg's recycling center shall be the agent of the establishment or sponsor for purposes of reporting the actual delivery of the establishment's or activity's recyclables to Bloomsburg's recycling center.
- B. If the recyclables generated at the property in question are delivered or taken to any facility other than Bloomsburg's recycling center, then a recycling report and all weigh slips obtained from the facility or facilities to which the recyclables were delivered or taken, shall be submitted quarterly to the Town at its designated office. For purposes of submitting such weigh slips quarterly to the Town, the collector who removed the recyclables from the property shall be the agent for the operator of the establishment or sponsor of the activity. Each such quarterly recycling report shall be submitted on or before the 20th day of the first month of each quarter, for the preceding quarter. Quarters shall run on a calendar-year basis, thus; January through March, April through June, July through September and October through December.

(Ord. 722, 3/5/1990, §16)

§20-117. Collection by Unauthorized Persons.

1. From the time of placement for collection of residentially generated recyclable items for collection by the Town of Bloomsburg, whether the Town collects or contracts for collection, in accordance with the terms of this Chapter, the items shall be and become the property of the Town of Bloomsburg or its authorized agent. It shall be a violation of this Chapter for any person unauthorized by the Town to collect or pick up or cause to be collected or picked up any such items. Any and each such collection in violation hereof from each location shall constitute a separate and distinct offense punishable as hereinafter provided.
2. It shall be unlawful for a person to collect, remove, or dispose of municipal waste which contains recyclables, required by that person to be separated, combined therewith.

(Ord. 722, 3/5/1990, §17)

§20-118. Presumption of Ownership of Municipal Waste.

The presence of any articles containing a person's name among municipal waste or recyclables shall create a rebuttable presumption, for purposes of this Chapter, that said municipal waste or recyclables are the property of the person whose name is found

therein. This presumption can only be rebutted by clear and convincing evidence to the contrary.

(*Ord. 722, 3/5/1990, §18*)

C. Collectors Duties**§20-119. Authorization of Collectors.**

With the exception of those persons who directly deliver (self-haul) their municipal waste and/or recyclables, it shall be unlawful for any person, other than such persons as are duly authorized by the State, to collect and to transport municipal waste of any nature or recyclables within or from the Town.

§20-120. Responsibilities of Private Haulers Collecting within the Town.

1. All Private Haulers shall have an affirmative duty to follow and conduct themselves in accordance with their current license or permit, as provided by the State, and to service each of their customers in accordance with each customer's recycling plan (where applicable), failure of which shall be a violation of this Chapter.
2. All Private Haulers contracted for the collection of municipal waste within the Town shall offer such customers the service of recyclables collection as described in Section §20-123 below. Failure to offer such customers recyclables collection shall be a violation of this Chapter.
3. Private Haulers shall have the window sticker issued for each vehicle with the license displayed on the vehicle for which it is issued as directed by the amended Title 27 (Environmental Resources), Waste Transportation Safety Program, of the Pennsylvania Consolidated Statutes.
4. Private Haulers shall have placed on the doors or each side of the body of each vehicle the name of the hauler, the telephone number of the hauler's office or headquarters, and the type of waste being transported therein (or, if recyclables are being transported therein, then such to be indicated). The size of such lettering shall be no less than 6 inches in height and clearly legible. Vehicles shall be so marked within 10 days after the commencement of their use in the Town.
5. Private Haulers shall be responsible for maintaining each vehicle used for collection in the Town in good operating condition to assure that the schedule of collections can be maintained. The vehicles must be kept clean and painted so as to present a favorable appearance. The Town shall have the right to inspect all vehicles collecting municipal waste and/or recyclables within the Town.
6. Private Haulers shall be responsible for the manner in which their employees perform work pertaining to collection, hauling and disposal of municipal waste and recyclables under the terms of this Chapter.
7. Private Haulers shall comply with the limitations on hours of collection set forth in §20-105 of this Chapter.
8. Private Haulers shall pay all costs charged for the use of any disposal facilities which he utilizes.

9. Private Haulers shall empty bulk containers (such as dumpsters) which have been provided by them to their customers when such bulk containers become full.
10. Upon request of the Town, a Private Hauler shall provide to the Town, or make available for inspection and copying by the Town, any and all of the Private Hauler's records, pertaining to customer lists, collection records, and weight slips and receipts from landfills, transfer stations, and recycling centers (as applicable). The Town shall have the right to request and receive such records to the extent it may deem same to be necessary to the furtherance of the purposes, administration and enforcement of this Chapter. Once a written request for records is made by the Town pursuant hereto, the Private Hauler to whom the request is directed shall comply therewith and supply the requested records in accordance herewith within 10 calendar days from the date of the request, failure of which shall be a violation of this Chapter. [Ord. 750]

§20-121. Recycling Fee.

1. Owners of multifamily housing property may elect to have recyclable materials collected by the Town in a manner established by Town Council [Ord. 823]
2. All owners of residential properties except multifamily household properties who are required to recycle pursuant to this Chapter shall pay to the Town a recycling fee for each dwelling unit in the property in an amount and in a manner as determined, from time to time, by resolution of Town Council.
3. All owners of multifamily housing property who elect to have the Town collect its recyclable materials shall pay to the Town a recycling fee for each dwelling unit in the property in an amount and in a manner as determined, from time to time, by resolution of Town Council. [Ord. 841]

(Ord. 722, 3/5/1990, §19; as amended by Ord. 732, 12/27/1990, §3; by Ord. 740, 12/26/1991; by Ord. 750, 7/6/1992; by Ord. 776, 12/28/1994, §§1,2; by Ord. 823, 6/12/2000; and by Ord. 841, 12/19/2001)

§20-122. Agreement Between Columbia County and Bloomsburg

1. All collectors and/or haulers of municipal solid waste who handle such waste which has as its place of origin the Town shall deliver such waste only to solid waste facilities or transfer stations designated in the Columbia County Solid Waste Plan from which it will thence be disposed of at Columbia County designated facility. In the event no Columbia County designated facilities can accept certain waste (e.g., hazardous waste), then such waste shall be properly disposed of at any permitted facility which accepts such waste.

2. As a condition of such collectors and/or haulers right to collect and haul such wastes, such collectors and/or haulers shall pay to Columbia County designated facilities upon such terms of cash and/or credit as Columbia County designated facilities shall approve all fees charged by Columbia County designated facilities in connection with the disposal of the collectors and/or haulers solid waste.
3. All haulers and/or collectors of municipal solid waste generated in the Town will be permitted to deliver and deposit such waste at Columbia County designated facilities only during the period of time that such collectors and/or haulers have issued to them a valid existing license issued by the State. Such license shall be a prerequisite of any depositing of such municipal waste in Columbia County designated facilities.
4. All collectors and/or haulers of municipal solid waste generated in the Town must comply with all regulations listed in the Columbia County Solid Waste Plan.
5. It is the intention of this Section that all collectors and/or haulers of municipal solid waste generated in the Town shall deliver such waste only to municipal solid waste facilities, in accordance with the terms of the Columbia County Solid Waste Plan for so long as the said Plan shall be in force and effect. Any collector and/or hauler of municipal solid waste which has as its place of origin the Town, who delivers such waste to any solid waste facility or facilities other than Columbia County designated municipal facilities shall be in violation of this Chapter. Any collector and/or hauler who violates any of the terms of this Section shall be subject to any other applicable penalties which may be imposed by the Town of Bloomsburg.

(Ord. 722, 3/5/1990, §20)

§20-123. Private Haulers to Provide Recyclable Removal Service for Multifamily Housing Properties and Commercial, Municipal and Institutional Establishments and Properties.

1. Every Private Hauler shall be required to provide to its commercial, municipal, institutional and multifamily housing property customers the service of removing recyclables from their properties. Any such recyclables so removed by Private Haulers shall be kept separate from municipal waste, and shall be taken to a recycling center.

(Ord. 722, 3/5/1990, §21)

§20-124. Private Haulers Not to Accept Unlawfully Disposed of Recyclables.

No Private Hauler shall accept, pick up or remove any bag or other container of municipal waste which the hauler knows, or has reason to believe contains recyclables, required to be separated, combined with municipal waste or placed for collection as and

with municipal waste. Upon discovery of such recyclables combined with municipal waste placed at curbside or otherwise placed for pick-up, the hauler shall affix a tag or sticker to the container containing the recyclables (which tag or sticker will be provided by the Town), retain a duplicate for his records and deliver a triplicate to the designated office of the Town within 48 hours. When the hauler utilizes a tag or sticker pursuant to this Section, he shall fill in the information requested thereon, including the address at which the container is located and the nature of the suspected violation or the reason which led him to know or believe the container contained recyclables (e.g., he saw newspapers or he heard bottles rattling). The hauler shall leave such container with the tag or sticker placed thereon where he found it.

(Ord. 722, 3/5/1990, §22)

§20-125. Unlawful to Terminate Services of Private Hauler for Compliance with this Chapter.

No person shall terminate the services of a Private Hauler because of such hauler's compliance with the requirements set forth in §20-124 above. No Private Hauler shall accept as a new customer any person who has terminated the services of any other Private Hauler for compliance with the provisions of §20-124 above.

(Ord. 722, 3/5/1990, §23)

§20-126. Private Haulers to Provide White Goods Removal Service.

All Private Haulers doing business within the Town of Bloomsburg shall make available to their customers the service of removal of "white goods" (discarded major appliances, television sets, and similar articles)

(Ord. 722, 3/5/1990, §24)

D. Miscellaneous Provisions

§20-127. Violations and Penalties.

Any person who shall violate any provision of this Chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Chapter continues or each Section of this Chapter which shall be found to have been violated shall constitute a separate offense. For purposes of this Section, the Doing of any act or thing prohibited by any provision of this Chapter, or the failure to do any act or thing as to which any provision of this Chapter creates any affirmative duty, shall constitute a violation of this Chapter, punishable as herein stated.

Private Haulers who shall violate any provision of this Chapter may be reported to the State of Pennsylvania Department of Environmental Protection, by the Town, and may be subject to the revocation of the State authorization to transport municipal waste, as

described in the amended Title 27 (Environmental Resources), Waste Transportation Safety Program, of the Pennsylvania Consolidated Statutes.

(*Ord. 722, 3/5/1990, §25; as amended by Ord. 782, 11/6/1995, §7; and by Ord. 841, 12/19/2001*)