



Prepared by
The Lawrence-Mercer Counties
Recycling/Solid Waste
Department

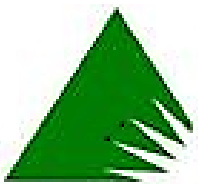
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Valencia, PA

**LAWRENCE COUNTY
MUNICIPAL SOLID WASTE MANAGEMENT PLAN
UPDATE AND REVISION 2014**

INSIDE COVER



This project was paid for in part with funding made possible by an Act 101, Section 901 Planning Grant provided by the Pennsylvania Department of Environmental Protection, Bureau of Planning and Waste Minimization.



Nestor Resources, Inc.

**LAWRENCE COUNTY
MUNICIPAL SOLID WASTE MANAGEMENT PLAN
UPDATE & REVISION 2014**

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TABLE OF CONTENTS

INTRODUCTION	11
History and Purpose	11
Background	13
CHAPTER ONE	15
Sources & Types of Lawrence County Waste.....	15
Developing a Locally Appropriate Plan.....	17
Diverse Characteristics of Lawrence County	17
<i>Figure 1-1 Location of Lawrence County and the Municipalities.....</i>	<i>18</i>
<i>Figure 1-2 Lawrence County Population Density 2010.....</i>	<i>19</i>
Shifting Population	21
<i>Table 1-2 Lawrence County Population Changes by Municipality 2000-2010.....</i>	<i>21</i>
<i>Table 1-3 Lawrence County Changes in Geographic Residence 2005-2009</i>	<i>22</i>
Impact on solid waste management	23
Common Elements of Solid Waste	23
Characterizing Lawrence County’s Municipal Waste	24
<i>Table 1-4 USEPA Categories of Products and Non-Products in Municipal Solid Waste.....</i>	<i>25</i>
Current Trends in Municipal Solid Waste Generation	26
<i>Figure 1-3 Composition of Municipal Solid Waste Generated in the USA 2010</i>	<i>27</i>
Evolution of the Municipal Solid Waste Stream.....	28
Waste Generation, Composition, and Recovery	28
<i>Figure 1-4 Municipal Waste Generation in the USA 1960- 2010.....</i>	<i>28</i>
Impact of Recycling on Disposal	29
<i>Figure 1-5 National Population, Municipal Waste Generation, Recovery and Disposal 1960- 2010</i>	<i>29</i>
.....	29
.....	29
<i>Figure 1-5 Changes in the Composition of Municipal Waste Generated.....</i>	<i>30</i>
Proportional Differences	31
Source: USEPA	31
<i>Figure 1-7 Comparative Composition of MSW Generated, Recovered, or Disposed in the USA 2010</i>	<i>31</i>
.....	31
Determining Lawrence County’s Generation, Recovery and Disposal Rates	32
<i>Figure 1-8 National and Lawrence County MSW Per Capita Rates 2010</i>	<i>32</i>
<i>Figure 1-9 Lawrence County MSW Reported Compared to Expected based on National Statistics</i>	<i>33</i>
<i>Table 1-5 Multi-County Disposal Activity in PADEP Northwest Region 2010</i>	<i>34</i>
<i>Comparative Disposal Activity In Northwest Region 2010</i>	<i>34</i>
Categories and Sources of Municipal Solid Waste	35
Defining the Generators.....	35
Ratio of Residential and Commercial MSW in Lawrence County.....	36
<i>Table 1-6 Estimated Residential & Commercial Municipal Waste Generation by Municipality.....</i>	<i>37</i>
<i>Figure 1-10 Lawrence County Housing Units-Types and Percentages 2010.....</i>	<i>38</i>
Lawrence County Residential Municipal Waste Generators.....	39
Lawrence County Commercial Municipal Waste Generators	39
<i>Figure 1-11 Commercial Establishments in Lawrence County 2010</i>	<i>40</i>
Select categories of commercial generators	41

Government Facilities	41
Educational Institutions.....	41
Residential Care Facilities.....	41
Municipal Waste from Lawrence County Community Events.....	41
Solid Waste from Construction and Demolition Activities.....	42
Local Trends	43
Special Handling Municipal Waste Streams and Sources.....	44
Septage and Sewage	44
Regulated Medical Waste	46
<i>Source: US Census Bureau and Pennsylvania Infectious and Chemotherapeutic Waste Plan.....</i>	<i>46</i>
<i>Figure 1-12 Estimated Annual Tons Lawrence County Regulated Medical Waste Generation 2010</i>	<i>46</i>
.....	46
Summary	47

CHAPTER TWO..... 49

The Municipal Solid Waste Infrastructure.....	49
Integrated Services.....	51
Flow Control of Municipal Waste.....	51
Collecting and Transporting Municipal Waste	51
Regulating Transporters of Municipal Waste.....	52
<i>Table 2-1 Waste Transporters Operating Within Lawrence County.....</i>	<i>54</i>
Lawrence County Municipal Waste Transporter Requirements	55
Court Rulings and Regulatory Requirements	55
Requirements for Transporters of Special Handling Waste	55
Septage Transporters	56
<i>Table 2-2 Septage Transporters Located in Lawrence County.....</i>	<i>56</i>
Regulated Medical Waste Transporters.....	56
<i>Table 2-3 Regulated Medical Waste Transporters Operating in Lawrence County.....</i>	<i>57</i>
Disposal and Processing Facilities	57
<i>Table 2-4 Designated Disposal Facilities for Lawrence County 2004-2014</i>	<i>58</i>
Reported Disposal Activity	59
Reporting Issues	59
<i>Table 2-5 Pennsylvania Facilities Reporting Disposal of Lawrence County Waste 2010 thru 2012</i>	<i>60</i>
Competition for Disposal Capacity.....	61
Disposal Destinations	61
Arden Landfill	61
Carbon Limestone Landfill.....	61
Greentree Landfill.....	61
Imperial Landfill.....	62
Joseph J. Bruner Landfill	62
Lakeview Landfill	62
Lycoming County Landfill	63
Northwest Sanitary Landfill.....	63
Sanitary Landfill	63
Seneca Landfill.....	63
Valley Landfill	64
Undesirable Disposal Practices	64
Illegal Dumping Activities	65
Remedial Efforts.....	66
Public consequences	67
<i>Figure 2-1 Illegal Dump Sites Identified in Lawrence County 2008.....</i>	<i>68</i>

Open Burning	69
Disposal Methods for Special Handling Waste.....	70
Management of Sewage Sludge, Biosolids and Residential Septage	70
Waste Management in the Wake of Disaster	71
Trends in Lawrence County’s Disposal Rate.....	73
<i>Figure 2-2 Lawrence County Population vs. Tons Disposed 2004-2012</i>	75
<i>Figure 2-3 Lawrence County Disposal Rate 2004-2012</i>	76
Assessment of and Recommendations for the Disposal System	76

CHAPTER THREE..... 79

Forecast of Future Needs	79
Regulatory Requirements for Capacity Assurances	81
Current Market Conditions	81
Effect of Disposal and Operating Practices	82
New and Growing Competition For Disposal Capacity.....	82
Solicitation For Disposal and Processing Capacity	83
Population	83
Disposal Capacity Needs	83

CHAPTER FOUR..... 85

Measuring Recycling Performance	85
Recycling in Lawrence County.....	87
Overview of PREVAILING CONDITIONS	87
Economic and Environmental Benefits	87
Financial Risks and Rewards of Local Recycling Efforts.....	88
Local Regional Employment	88
Environmental Effects of Recycling.....	89
<i>Figure 4-1 Reduction in Emissions and Energy Consumption</i>	89
Programs Sponsored by Lawrence County.....	90
The Big Blue Bin Drop-Off Collection Program.....	90
<i>Figure 4-2 Big Blue Bin Recycling Drop-off Collection Municipal Site Locations</i>	91
Special Collection Events.....	92
<i>Figure 4-3 Sample Promotional Flyer for Special Collection Event</i>	93
<i>Table 4-1 Special Collection Events Sponsored by LMCRSW 2004-2011</i>	94
Household Hazardous Waste	95
Electronic Scrap	96
Covered Device Recycling Act	96
Tires and Appliances.....	97
Major Appliances (White Goods)	98
Technical ASSISTANCE and Education	98
Municipal Recycling Programs	99
Mandated Municipal Programs.....	99
Methods of Compliance	99
<i>Figure 4-4 Act 101 Minimum Requirements for Mandated Municipalities</i>	100
Recycling in Mandated Municipalities	101
The Big Blue Cart Program	101
Infrastructure and Performance	101
<i>Figure 4-5 Lawrence County Residential Curbside Recycling Pounds Per Home Per Week</i>	103
<i>Glass Bottles, Aluminum & Bi-Metal Cans, Mixed Plastics, Mixed Papers, Cardboard</i>	103
Characteristics of top performing programs	103

Reported Overall Achievements	105
Defining Collection & Processing Methodologies	105
Accounting For the Composition of Mixed Loads	106
Documented Data	107
<i>Table 4-2 Lawrence County 2008-2010 Total Tons Reported Recyclables</i>	<i>108</i>
<i>Figure 4-6 Lawrence County Reported Tons of Materials Recycled 2008-2010</i>	<i>109</i>
Measuring Up	110
Defining the Types of Sources and Materials	110
Benchmarking	111
Overview of the Criteria and Comparative Analysis	111
<i>Figure 4-7 Guide to the Data and Column Categories in Table 4-2</i>	<i>112</i>
<i>Table 4-3 Lawrence County Recycling Performance Compared to National Data</i>	<i>113</i>
Determining the Recycling Rate	114
Comments and Observations	115
Summary and Conclusions	116

CHAPTER FIVE..... 117

Targeted Goals and Strategies	117
Visions and Priorities	119
Overview of the Recommendations	119
Programs and Services	120
Future Expectations	120
Fostering Public Acceptance	120
PAY-AS-YOU-THROW	121
Facilitating Change	121
Regulations and Enforcement	121
Recycling on the Go	121
Beyond Bottles and Cans	122
Concluding Comments and Future Actions	122
<i>Figure 5-1 Recommended Goals for Municipal Waste Management 2014 to 2024</i>	<i>123</i>
<i>Figure 5-2 Implementation Timeline</i>	<i>124</i>

CHAPTER SIX 127

Dedicated Disposal Capacity	127
Future Disposal Guarantees	129
Determining Disposal Capacity Requirements	129
Solicitation and Proposal Process	130
Selection Criteria	130
Operational Status and Remaining Capacity	130
Financial Strength and Risk Assessment	130
Facility Design and Operation	130
Industry Qualifications and Experience	131
Regulatory Compliance	131
Minimum and Maximum Allowable Disposal Requirements	131
Maximum Gate Rates and Potential Cost to County	131
Review and Evaluation	132
Section 1 Contractors, Proposed Facilities, Legal Formalities	133
Section 2 Permit Status and Conditions of Operations	134
Section 3 Facility Design, Regulatory Compliance, and Financial Assurances	135
Section 4 Daily and Annual Capacity Guarantees	136

Section 5 Schedule of Maximum Charges.....	137
Recommendations for Disposal Facility Designation	138
CHAPTER SEVEN.....	139
Implementation and Enforcement.....	139
Administration and Oversight	141
Collaboration and Cooperation.....	141
Department Organizational Structure and Functions.....	143
Staffing	143
Professional Development	144
CHAPTER EIGHT.....	145
Public Sector Roles and Functions.....	145
Equal Contributors	147
County Level Facilities and Functions.....	147
Municipal Level Facilities and Functions.....	147
Future Programs and Facilities.....	148
CHAPTER NINE.....	149
Legal Mechanisms and Documents	149
Purpose and Need.....	151
County Solid Waste and Recycling Ordinance.....	151
Request for Proposals for Disposal Capacity Agreement.....	151
Executed Disposal Capacity Agreements	152
Petition to Add A Future Disposal Facility.....	152
Intergovernmental Cooperation Agreement Ordinance.....	152
Intergovernmental Cooperation Agreement	152
Motion to Adopt the Plan Revisions.....	152
CHAPTER TEN	153
Impact of Recommendations & Transition.....	153
Continuity of Programs and Services	155
Administration and Oversight	155
Universal Participation in Municipally Contracted Collection Services.....	155
Countywide Enforcement	155
CHAPTER ELEVEN	157
Cooperative Use of Facilities.....	157
Mutual Needs and Obligations.....	159
A Regional Waste Shed	159
Market Stability.....	159
CHAPTER TWELVE.....	161

Stakeholder Participation	161
A Plan Customized for the Local Community	163
Formation of the Solid Waste Advisory Committee.....	163
<i>Figure 12-1 Lawrence County Municipal Waste Advisory Committee.....</i>	<i>164</i>
Presentations and Discussions	165
Meeting Records	165
Committee Dialogue	165
Outcome.....	165
APPENDIX A	167
Common Words and Acronyms.....	167
APPENDIX B	183
Background Resources & Acknowledgements	183
Reference Materials	185
APPENDIX C.....	187
Public Solicitation for Disposal Capacity.....	187
APPENDIX D	191
Disposal Capacity Request for Proposals.....	191
APPENDIX E.....	239
Process to Add Future Disposal Facilities	239
APPENDIX F.....	246
Ordinances, Rules and Regulations	246
Solid Waste Ordinance	248
Lawrence County Solid Waste Rules & Regulations	260
Intergovernmental Cooperation Agreement Ordinance.....	281
APPENDIX G	285
Intergovernmental Agreement	285
APPENDIX H	293
Resolution to Approve the Plan	293
APPENDIX I.....	297
Meeting Minutes and Public Comments	297

SWAC Meeting Minutes December 7, 2011..... 299
SWAC Meeting Minutes September 12, 2012..... 305
SWAC Meeting Minutes May 9, 2013 311
SWAC Meeting Minutes June 4, 2013 313
SWAC Meeting Minutes June 25, 2013 317

APPENDIX J..... 318

Executed Capacity Agreements..... 318



INTRODUCTION

History and Purpose

Background

Since the enactment of the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) in 1988, Pennsylvania counties have had the primary responsibility to plan for future disposal needs, to ensure the use of proper waste management practices, and to promote recycling and waste minimization efforts to attain the goals of the Commonwealth. Although planning for municipal waste management had occurred in some fashion prior to the enactment of Act 101, the early plans were efforts to coordinate the waste management responsibilities of the municipalities. These had minimal effect, because the County had no statutory powers of enforcement. Act 101 shifted the authority for municipal waste management to the County. The purpose was to give the County the ability to implement the recommendations developed in the planning process.

In 1992, the Lawrence County Municipal Solid Waste Management Plan, developed in accordance with the provisions of Act 101, was ratified by the municipalities, adopted by the Board of County Commissioners and approved by the Pennsylvania Department of Environmental Protection. (PADEP) An update to the original Plan in 2004, represents the most current version of Plan. Therefore, this project will result in the second revision to the Plan since it was adopted in 1992. It will evaluate the effectiveness of the existing tenets of the Plan.

The efforts of Lawrence County to implement the Plan and its subsequent revisions have produced tangible and substantial benefits over the last 20 years. By securing disposal capacity in a number of state of the art disposal facilities, the County avoided future potential environmental liabilities. In addition, the use of multiple facilities encouraged competition in the marketplace, thus offering its citizens fair and equitable disposal costs. The prevalence of illegal dumping in the County, although it still occurs, has been greatly reduced due to the County's tracking and monitoring efforts. Remediation of existing dumpsites has improved public health and safety. The previous revision to the Plan also resulted in the implementation of a countywide recycling drop-off collection program to conserve valuable natural resources.

As expected, conditions and circumstances have continued to evolve since 1992. New technologies, collection, and processing mechanisms, along with contemporary expectations are different now than in 2004. The current regulatory climate, the changing demographics, the characteristics of the waste stream, the combination of mandated and voluntary recycling initiatives and the resources of Lawrence County have also varied throughout time. It is reasonable to expect that in this Plan update will make revisions and alterations to certain components and programs to complement current goals. Descriptions of these improvements and a schedule by which the revised Plan will be implemented are vital parts of the document.



CHAPTER ONE

Sources & Types of Lawrence County Waste

Developing a Locally Appropriate Plan

Although there are certain assumptions and premises upon which municipal solid waste management plans are developed, none of these standards can be used effectively without incorporating the unique characteristics and prevailing conditions of the local jurisdiction. Recommendations and programs proposed in the planning process must be designed specifically for the people who live and work in the local area. It is important to use a variety of data to gain insight into current waste management practices, utilization of basic services, and factors that could motivate change. The social history and heritage of a community can significantly influence its views and expectations on any number of public issues. Economic factors such as occupation, income, education, and employment play a role in the level and frequency of product purchases and discards. Likewise, these same factors strongly determine an individual's ability and/or willingness to pay for services, including waste management.

This first chapter outlines Lawrence County's basic physical and demographic characteristics. A brief historical perspective is used to illustrate the lingering influence on current behaviors and expectations. Narratives and tables present an overview of the sources, types and amounts of various categories of municipal solid waste generated within Lawrence County. Finally, the chapter offers commentary on notable trends and conditions.

Diverse Characteristics of Lawrence County

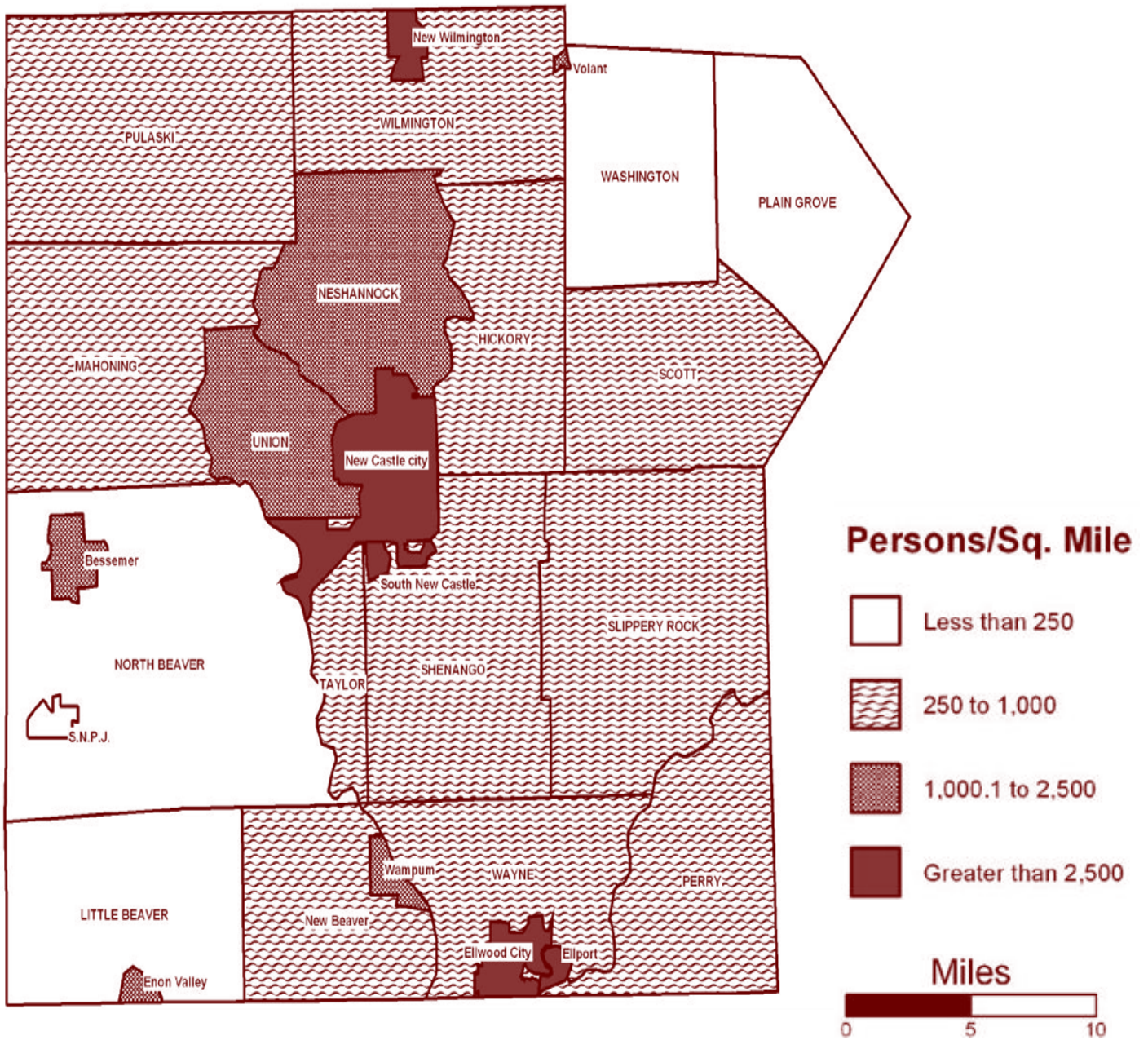
Lawrence County has a complex characteristic profile. Geographically, the County is located midway between the New York border to the north and the West Virginia border to the south. To the west, Lawrence County also directly borders Mahoning County in Ohio. Contiguous Pennsylvania counties include Butler, Mercer, and Beaver. Figure 1-1 shows Lawrence County and its municipalities.

Table 1-1 shows how the overall County population is distributed. The determination is made based on population and population density. Figure 1-2 illustrates the concentrations of population in Lawrence County.

County	Total Population	Urban Population		Rural Population	
		Total	Percent	Total	Percent
Lawrence	91,108	54,375	59.7%	36,733	40.3%

Source: Center for Rural Pennsylvania and PA Data Center

Figure 1-2 Lawrence County Population Density 2010



Source: Penn State Data Center

Based on the rural complexion of the County, agriculture continues to play an important role in the local economy. According to the *Pennsylvania Abstract, A Statistical Fact Book: 2011*, \$46,834,000 in revenue is generated from crops, livestock and other related agricultural activities in Lawrence County.



In addition to agriculture, Lawrence County has a long-standing industrial heritage. On a broader sense, Lawrence County is part of the greater Pittsburgh/Cleveland industrial corridor. This vast part of what was once deemed the “rust belt,” continues to share significant social and economic similarities well after the catastrophic losses of iron and steel jobs in the last decades of the twentieth century. Today new opportunities for these lagging industries exist to fulfill the demands of exploration, drilling, production and transmission in the Marcellus Shale gas fields.



One modern noted difference is that the relationship between workforce, job opportunities, and end markets are no longer limited to small closely grouped clusters of population. Improvements to major State roadways and the expansion of the Interstate highway system, which provide easy access throughout the region, continue to blur the established political boundary lines and make them less relevant.

Studies have shown that the economies of the Pittsburgh/Cleveland industrial region are so closely intertwined that given the political will, consolidation of the political jurisdictions could create one of the largest and most powerful cities in the nation.

Lawrence County’s back roads may still be peppered with the sights of horse drawn buggies from its traditional Amish and Mennonite communities, but a strong mechanized transportation system is arguably the catalyst behind change in the County. In fact, the recently created “Oh-Penn Interstate Region” is the first officially designated interstate region in the United States. It includes Interstates 76, 79, 80 and



376, linking Lawrence County to a growing distribution and manufacturing network in Western Pennsylvania and Eastern Ohio. With the City of Youngstown only 19 miles away, the City of Cleveland about a 90-minute drive, and the ability to get to Pittsburgh in just short of an hour commuting to other places within the Pittsburgh/Cleveland metropolitan areas is common. A growing number of new residential housing plans have developed to accommodate a breed of individuals who reside here for lower taxes and affordable housing and are willing to commute.

SHIFTING POPULATION

Lawrence County's population is projected to continue on a downward trend, but the loss is not expected to be as dramatic as the decline seen between 1980 and 1990 due to the devastation of the steel industry. Table 1-2 lists the 2010 population for Lawrence County by municipality and compares it to the population in 2000.

Table 1-2 Lawrence County Population Changes by Municipality 2000-2010

Geographic Area	Population 2010	Population 2000	Numeric Change	% Change
Lawrence County	91,108	94,643	-3,535	-3.7%
Bessemer Borough	1,111	1,172	-61	-5.2%
Ellport Borough	1,180	1,148	32	2.8%
Ellwood City Borough	7,289	7,956	-667	-8.4%
Enon Valley Borough	306	387	-81	-20.9%
Hickory Township	2,470	2,356	114	4.8%
Little Beaver Township	1,411	1,310	101	7.7%
Mahoning Township	3,083	3,447	-364	-10.6%
Neshannock Township	9,609	9,216	393	4.3%
New Beaver Borough	1,502	1,677	-175	-10.4%
New Castle City	23,273	26,309	-3,036	-11.5%
New Wilmington Borough	2,466	2,452	14	0.6%
North Beaver Township	4,121	4,022	99	2.5%
Perry Township	1,938	1,930	8	0.4%
Plain Grove Township	813	854	-41	-4.8%
Pulaski Township	3,452	3,658	-206	-5.6%
Scott Township	2,347	2,235	112	5.0%
Shenango Township	7,479	7,633	-154	-2.0%
Slippery Rock Township	3,283	3,179	104	3.3%
S.N.P.J. Borough	19	0	19	-
South New Castle Borough	709	808	-99	-12.3%
Taylor Township	1,052	1,198	-146	-12.2%
Union Township	5,190	5,103	87	1.7%
Volant Borough	168	113	55	48.7%
Wampum Borough	717	678	39	5.8%
Washington Township	799	714	85	11.9%
Wayne Township	2,606	2,328	278	11.9%
Wilmington Township	2,715	2,760	-45	-1.6%

Source: US Department of Commerce, Bureau of Census and Penn State Data Center

Being located in the middle of the broad Pittsburgh/Cleveland socio-economic complex may be decelerating Lawrence County's overall losses. Nearly all of the urban municipalities continue to experience an exodus of residents at a greater pace than the more rural municipalities. It is important to note that sixty percent of those who moved from an existing residence remained within Lawrence County. It appears that domestic migration is transplanting clusters of people from more urban settings into to the newly emerging and suburbanized townships, which not so long ago were predominantly rural municipalities. Table 1-3 shows a recent snapshot of geographic mobility of the local population.

Table 1-3 Lawrence County Changes in Geographic Residence 2005-2009

Area	Population Living In Area 1 Year Ago	Percent			
		Non-Movers County	Intra County Movers	Inter-County Movers	Inter-State Movers
Lawrence County	90,508	90.3	5.9	2.9	1.0
Bessemer Borough	1,143	90.5	3.8	2.1	3.6
Ellport Borough	1,092	99.5	0.5	-	-
Ellwood City Borough	7,849	80.0	7.4	11.2	1.4
Enon Valley Borough	374	74.3	13.9	11.8	-
Hickory Township	2,758	95.3	0.3	4.5	-
Little Beaver Township	1,018	96.5	1.8	-	1.8
Mahoning Township	3,390	91.2	7.4	0.1	1.3
Neshannock Township	9,174	95.4	2.8	0.7	1.1
New Beaver Borough	1,213	97.3	1.1	1.6	-
New Castle City	24,601	84.5	12.4	2.0	1.1
New Wilmington	2,163	77.9	6.8	13.9	1.4
North Beaver	3,909	96.1	0.7	2.9	0.3
Perry Township	1,682	99.0	1.0	-	-
Plain Grove Township	572	96.5	0.5	2.3	0.7
Pulaski Township	3,339	96.5	0.4	1.0	2.0
Scott Township	2,232	98.6	1.4	-	-
Shenango Township	7,762	92.6	4.3	2.3	0.9
Slippery Rock	3,062	97.7	0.4	1.9	-
S.N.P.J. Borough	-	-	-	-	-
South New Castle	791	91.5	1.5	7.0	-
Taylor Township	1,031	91.1	2.7	0.8	5.4
Union Township	4,780	99.1	0.7	0.2	-
Volant Borough	327	33.3	22.0	44.6	-
Wampum Borough	981	79.5	19.7	0.6	0.2
Washington Township	610	96.7	-	2.3	1.0
Wayne Township	2,157	96.8	3.2	-	-
Wilmington Township	2,498	95.6	0.7	1.7	2.1

*Note: Movers are persons age 1 and older who moved out of that location in the previous year.
Non-Movers are persons age 1 and older who lived in the same location in the previous year.*

Source: U.S. Bureau of the Census, 2005-2009 American Community Survey

IMPACT ON SOLID WASTE MANAGEMENT

It is common for transplanted residents to bring with them greater expectations for public services than have been traditionally offered in a rural setting. It is just as common for the new residents to have little understanding of the challenges. Distance and travel time have a huge impact on the overall cost of providing waste and recycling collection services. Therefore, understanding these variables is important in developing sustainable and affordable programs to which these transplanted residents have become accustomed. Often local governments are ill prepared to deal with these service demands, and the infrastructure for waste and recycling services, may not be fully developed. Changes in methods for collection from drop-off to curbside often make sense when convenience and customer satisfaction are concerned. Regionalization and/or coordination of contracted services is a viable solution in many of these scenarios. During the planning process, how these types of conditions may be addressed in Lawrence County was examined.

Common Elements of Solid Waste

An extensive set of laws and regulations exist at the national and state level to ensure proper management of solid waste. The full scope of materials and categories considered solid waste can become rather complex due to inconsistent definitions and regulatory requirements throughout the nation. Equally complicated is the ability to identify and understand the various sources where it is generated.

There are a number of categorized sub sets of solid waste. In general, USEPA considers discards from residential, commercial, and institutional establishments to be the “municipal” subset of solid waste. For the most part, municipal waste is recognizable and readily familiar.



Most of us are more familiar with municipal solid waste than we realize. We all generate municipal solid waste. We produce it where we live, where we work, where we shop, in our schools, in our medical facilities and in a host of other community activities. It is estimated that as a nation in 2010, each person generated an average of 4.43 pounds of municipal solid waste per day.

Municipal solid waste consists of everyday items such as product packaging, grass clippings, furniture, clothing, bottles, food scraps, newspapers, appliances, and batteries. In addition to identifying specific groups of materials, broad categories of products are also used in analyses of municipal solid waste. These include durable goods, non-durable goods, containers and packaging, organic wastes such as food and yard trimmings, and miscellaneous inorganic wastes. Although each of the same materials still exist in the

waste stream, categorizing them by product more clearly illustrates the relationship between product design, purchasing habits, and waste generation. With the emergence and growth of product stewardship legislation and regulations, there is increasing demand for sustainable design that allows for remanufacturing, reuse, and recycling. A description of the USEPA product categories is shown in Table 1-4 on the following page.

There are some other subsets of the solid waste stream with unique characteristics or which require special handling. USEPA along with many states do not factor these particular types of materials into the overall quantities of municipal waste. In Pennsylvania, however, waste from construction and demolition activities, medical waste from health care facilities, biosolids, and sludges from wastewater treatment all fall within the regulatory framework of municipal solid waste. In the planning process, Pennsylvania counties must address how each is managed.

It should be noted that within the Plan, discussions of and projections for residential and commercial/institutional municipal waste generation and recycling, materials designated as “special handling wastes” are not included. Estimates for these special handling wastes and detailed discussions of how they are managed are provided separately.

CHARACTERIZING LAWRENCE COUNTY’S MUNICIPAL WASTE

As one can see from Table 1-4, municipal waste contains a mixture of materials and products. The types of materials in the waste stream remain relatively the same; however, certain changes can occur in the proportionate value that each material represents in the total waste stream. A number of circumstances can cause the content to fluctuate. From region to region, income, education, geography, and other demographics influence the types and amounts of items purchased and ultimately disposed. The source of the material can also influence the composition. Waste from strictly residential settings tends to differ slightly in composition from waste generated only by commercial establishments.

Before examining the current conditions in Lawrence County, it is necessary to have a much broader awareness and understanding of municipal solid waste issues and trends. Knowing what is common or normal in the majority of communities across the nation, provides a benchmark for evaluating local data. It also offers explanations for changes that challenge previously held assumptions. Finally, it provides insight into prevailing trends and evolving conditions that could affect future solid waste management capacity needs and the development of treatment and processing methodologies.

Table 1-4 USEPA Categories of Products and Non-Products in Municipal Solid Waste

PAPER AND PAPERBOARD

Collectively, the many products made of paper and paperboard materials comprise the largest component of MSW. The paper and paperboard materials category includes products such as office papers, newspapers, corrugated boxes, milk cartons, tissue paper, and paper plates and cups.

GLASS

Glass is found in MSW primarily in the form of containers, but also in durable goods like furniture, appliances, and consumer electronics. In the container category, glass is found in beer and soft drink bottles, wine and liquor bottles, and bottles and jars for food, cosmetics, and other products.

METALS

Ferrous By weight, ferrous metals (iron and steel) are the largest category of metals in MSW. The largest quantities of ferrous metals in MSW are found in durable goods such as appliances, furniture, and tires. Containers and packaging are the other source of ferrous metals in MSW.

Aluminum The largest source of aluminum in MSW is aluminum cans and other packaging. Other sources of aluminum are found in durable and nondurable goods.

Other Nonferrous Other nonferrous metals (e.g., lead, copper, zinc) are found in durable products such as appliances, consumer electronics, etc. Lead in lead-acid batteries is the most prevalent nonferrous metal (other than aluminum) in MSW.

PLASTICS

Plastics are a rapidly growing segment of MSW. While plastics are found in all major MSW categories, the containers and packaging category (bags, sacks, and wraps, other packaging, PET bottles, jars and HDPE natural bottles, and other containers) has the most plastic tonnage.

RUBBER AND LEATHER

The predominant source of rubber in MSW is rubber tires from automobiles and trucks. Other sources of rubber and leather include clothing and footwear and other miscellaneous durable and nondurable products. These other sources are quite diverse, including such items as gaskets on appliances, furniture, and hot water bottles, for example.

TEXTILES

Textiles in MSW are found mainly in discarded clothing, although other sources were identified to be furniture, carpets, tires, footwear, and other nondurable goods such as sheets and towels.

WOOD

The sources of wood in MSW include furniture, other durable goods (e.g., cabinets for electronic equipment), wood packaging (crates, pallets), and some other miscellaneous products.

OTHER MATERIALS

Generation of "other materials" waste is mainly associated with disposable diapers. The only other significant sources of materials in this category are the electrolytes and other materials associated with lead-acid batteries that are not classified as plastics or nonferrous metal.

OTHER WASTES (NON-PRODUCT):

Food Scraps

Food scraps included here consist of uneaten food and food preparation wastes from residences, commercial establishments such as grocery stores and sit-down and fast food restaurants, institutional sources such as school cafeterias, and industrial sources such as factory lunchrooms. Pre-consumer food waste generated during the manufacturing and packaging of food products is considered industrial waste and therefore not included in MSW food scrap estimates.

Yard Trimmings

Yard trimmings include grass, leaves, and tree and brush trimmings from residential, institutional, and commercial sources. Although limited data are available on the composition of yard trimmings, it is estimated that the average composition by weight is about 50 percent grass, 25 percent brush, and 25 percent leaves. These are "ballpark" numbers that will vary widely according to climate and region of the country.

Misc. Inorganic Wastes

This relatively small category of MSW is derived from sampling studies. It is not well defined and often shows up in sampling reports as "fines" or "other." It includes soil, bits of concrete, stones, and the like.

Often a physical sort of the local waste stream is conducted to provide precise data. However, for general planning purposes, the time and cost to initiate that process is rarely justifiable. Additionally, with an ever-changing waste stream, the data gathered from a waste sort tends to have a short life. Instead, reliable information from national sources can be utilized to conduct a reasonable analysis of local conditions.

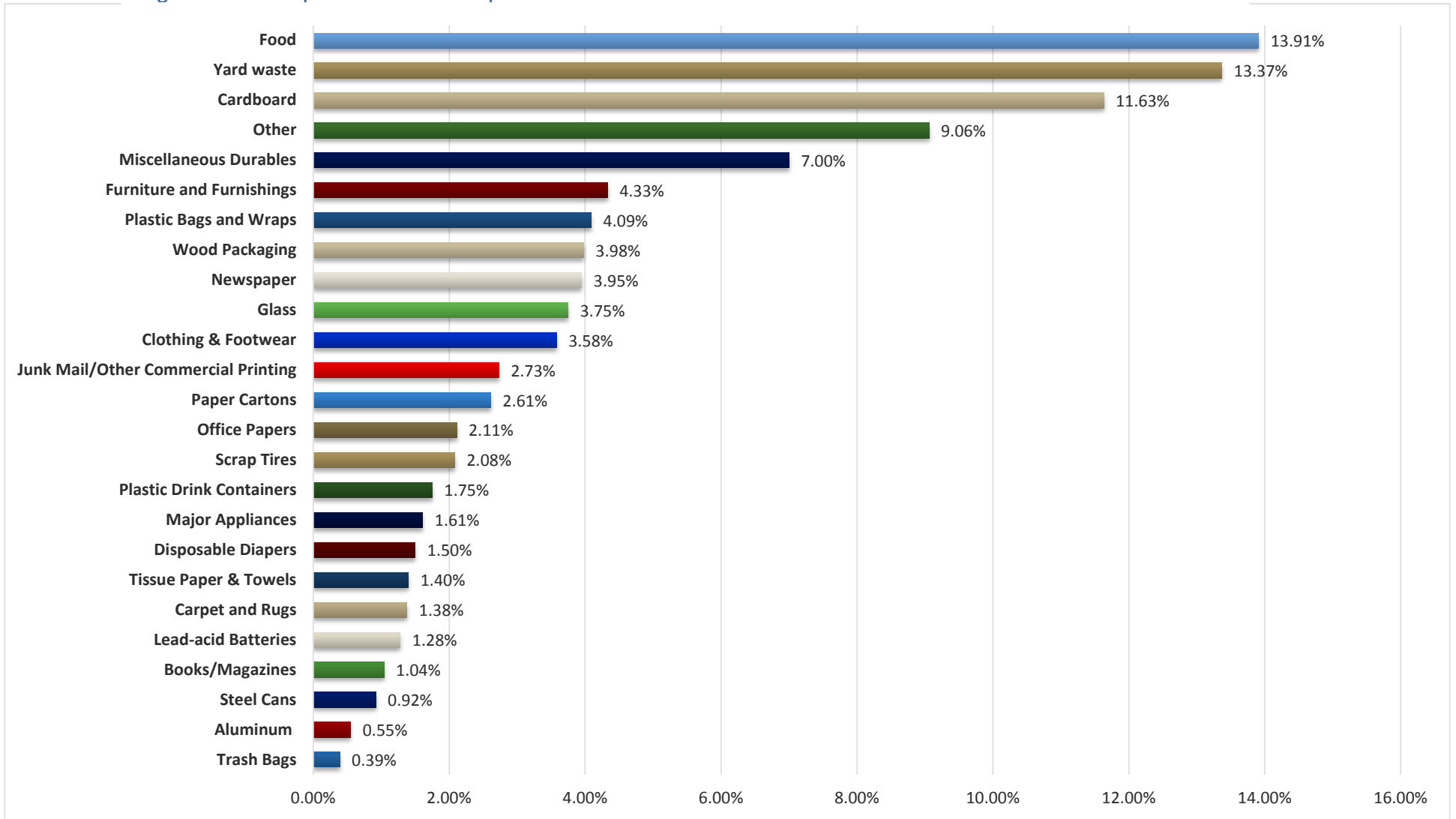


Current Trends in Municipal Solid Waste Generation

The United States Environmental Protection Agency (USEPA) has collected and analyzed data on waste generation, disposal, and diversion from 1960 through 2010. Therefore, historic trends and changes, as well as yearly snapshots are available. The Franklin Associates of Kansas were commissioned by the USEPA to conduct this ongoing study and issue a series of publications. It continues to serve as the definitive survey on the characterization and composition of the national waste stream. Until recently, the reports were published as “*Characterization of Municipal Solid Waste in the United States.*” The most current iteration is titled “*Generation, Recycling, and Disposal in the United States: Facts and Figures for 2010.*” publications are commonly referred to as “The Franklin Study.” The series focuses on municipal solid waste generated by residential and commercial sources. It is a useful tool to make initial assumptions and to reveal significant differences and/or anomalies in local programs based on national behaviors and performance.

Figure 1-3 provides a detailed breakdown of the composition of municipal solid waste in 2010 according to the USEPA’s study. The chart represents the total waste generated prior to recovery of materials for recycling and prior to disposal.

Figure 1-3 Composition of Municipal Solid Waste Generated in the USA 2010



Source: USEPA

Evolution of the Municipal Solid Waste Stream

Since Lawrence County’s original Plan was adopted in 1992, many of the basic premises widely held then have changed during the past 20 years. Understanding these changes is important because they will form the foundation for assumptions used throughout the planning process to assess the validity or anomalies of local data and programs. This section provides a brief overview of nationally documented changes in the amounts, types and components of municipal solid waste generated, compared to those which have been discarded.

WASTE GENERATION, COMPOSITION, AND RECOVERY

The USEPA has documented through its studies that over the past 50 years the quantities, composition, and recovery of municipal solid waste have varied considerably. In contrast, over the past 5 years, the quantity of material generated and discarded has been relatively constant.

Figure 1-4 Municipal Waste Generation in the USA 1960- 2010

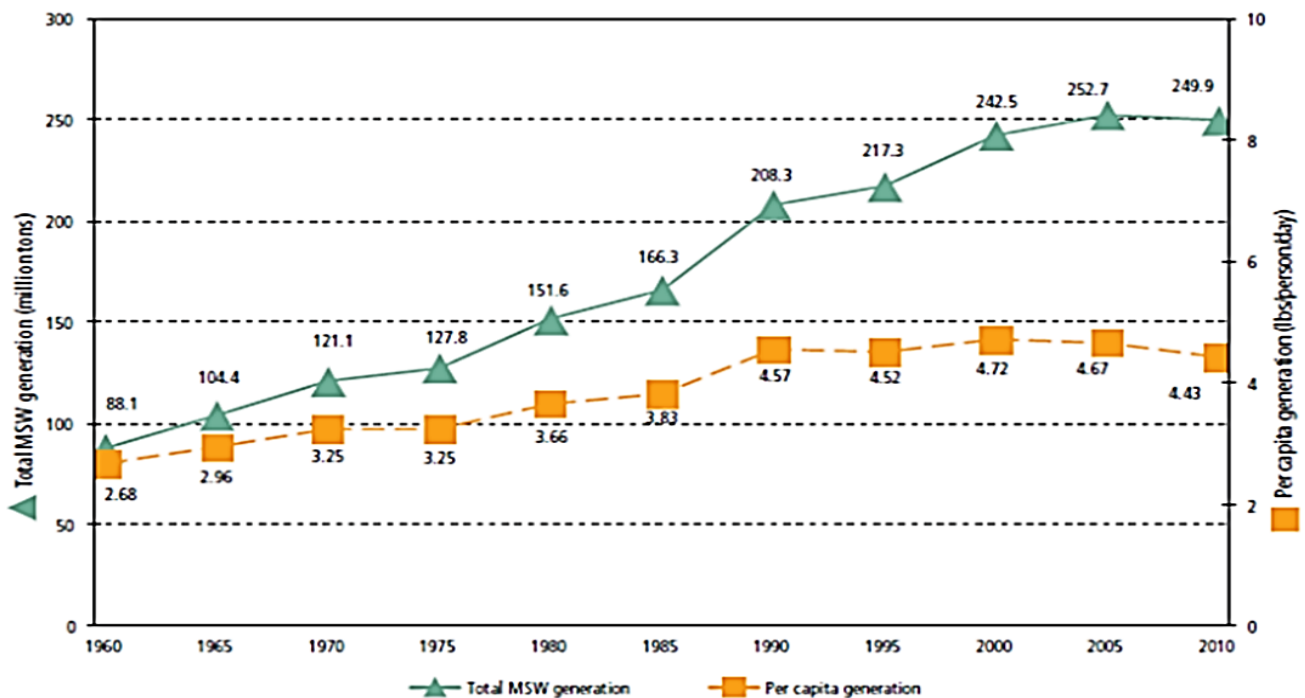


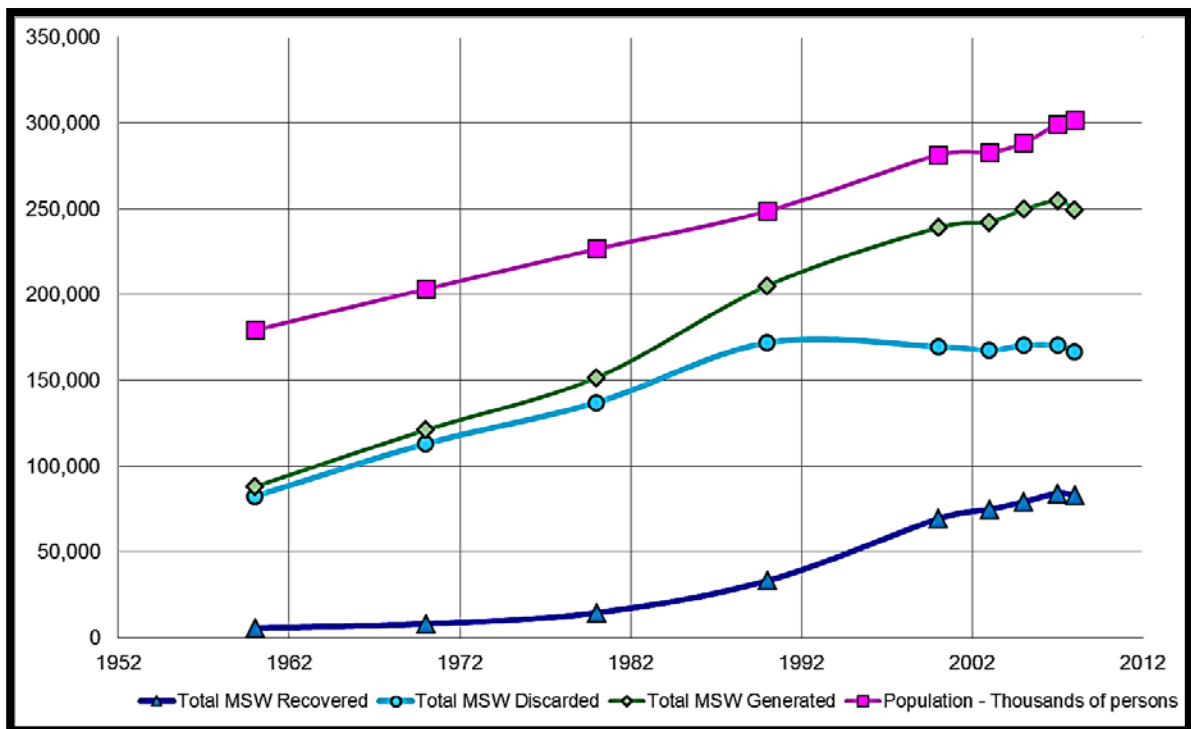
Figure 1-4 presents the amounts of municipal solid waste generated nationally from 1960 thru 2010. It is shown in the total amount of waste generated as well as the amount of waste generated on a per capita basis. The total amount of municipal solid waste generated in the United States has approximately tripled over this 50-year period. Part of the increase is directly related to the increase in the population during

that same period. However, individual consumer patterns were also a contributing factor. From 1960 to 1990 the amount of municipal solid waste generated on a per capita basis exceeded the population rate. That pattern has stabilized and, since 1990, the per capita rate has slowed and in fact appears to be moving on a downward trend.

IMPACT OF RECYCLING ON DISPOSAL

Discards include the municipal solid waste remaining after recovery for recycling and compost processing. Of the municipal solid waste generated in the United States, about 33% is recovered through recycling and composting programs. The remaining 66% falls into the category that USEPA labels “discarded” also commonly referred to as “disposed.” While the total quantity of municipal solid waste generated has nearly tripled over the past 50 years, the quantity disposed has only doubled. This variation is because the proportion recovered through recycling has grown from less than 7% of total MSW in 1960 to about 34% in 2010. Figure 1-5 illustrates the relationship between the quantities of municipal solid waste generated, recovered, and disposed during this period.

Figure 1-5 National Population, Municipal Waste Generation, Recovery and Disposal 1960- 2010

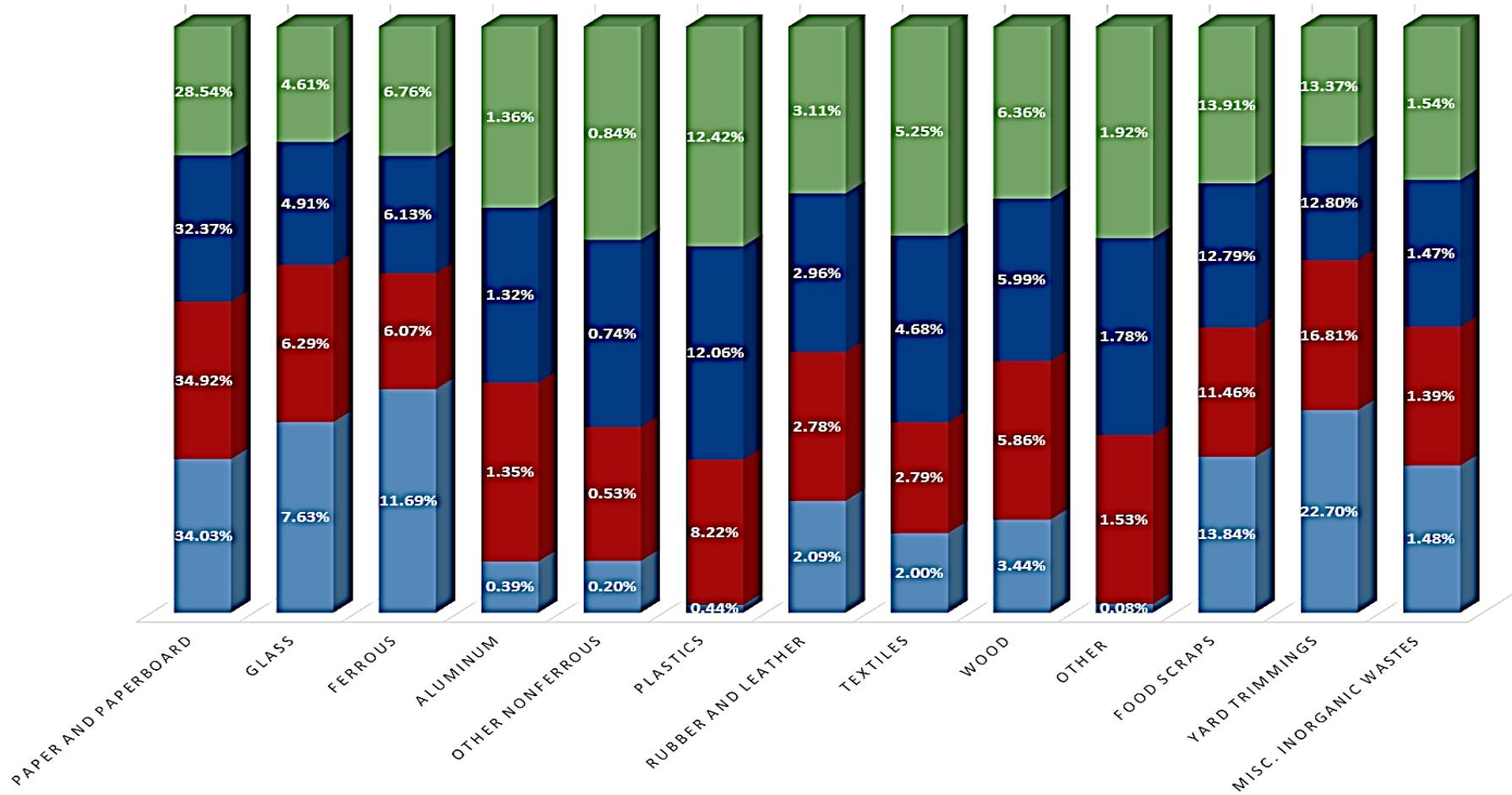


Source: USEPA. Totals are shown in Thousands. Waste is shown in Tons.

Figure 1-5 Changes in the Composition of Municipal Waste Generated

MUNICIPAL WASTE SOLID WASTE COMPOSITION IN THE USA 1960-2010

■ 1960 ■ 1990 ■ 2007 ■ 2010



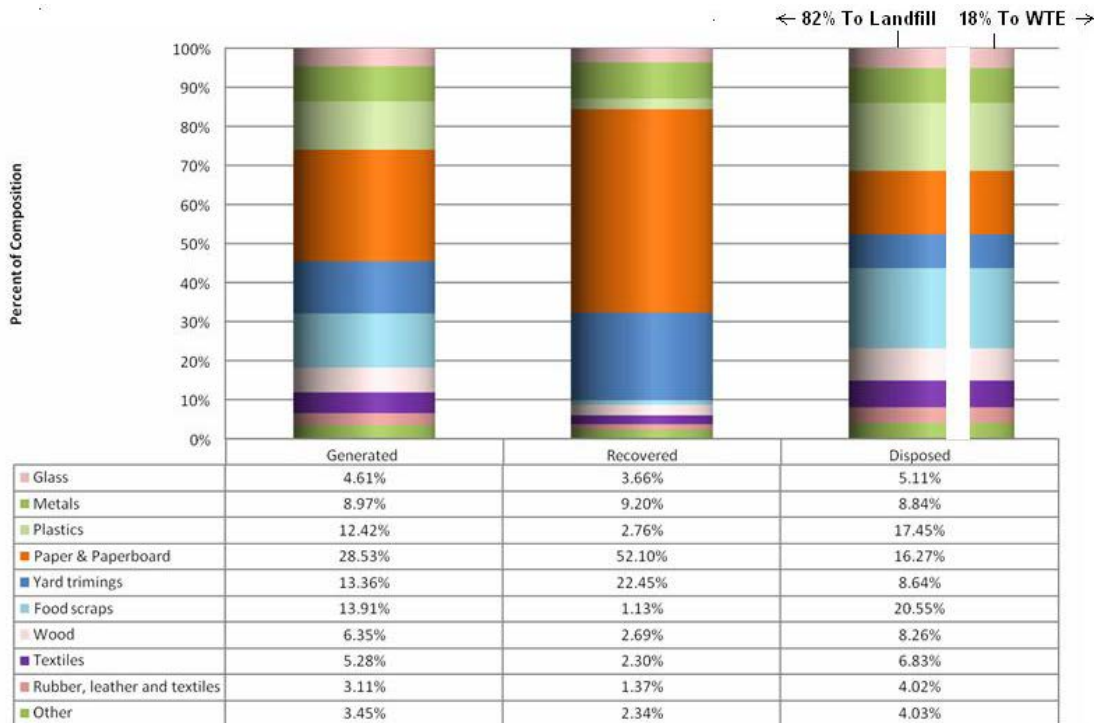
PROPORTIONAL DIFFERENCES

Not only the quantity of municipal solid waste generated changed since 1960, but also the proportion that each individual component represents in the overall waste stream. For example, in 1960 paper represented about 34% of the municipal solid waste stream. It has declined to about 28.5% in 2010. Plastic, which was less than 1% of the total municipal solid waste stream generated in 1960, has increased to over 12% of the total municipal solid waste stream in 2010

For the last decade, due to changes in material usage, packaging and economic effects, among other factors, the total quantity of municipal solid waste generated nationally has been relatively constant. With increasing recovery, the quantity of municipal solid waste disposed has actually been constant to slightly declining for the past 20 years. Paper (including paperboard) is the largest category of material in MSW as generated. However, due to recycling, the quantity of paper disposed has been declining since about 1990. Recently, plastic and food scraps have surpassed paper as the principal components in discarded MSW.

Figure 1-6 offers a graphic representation of the historic trends in the composition of municipal waste generated. A visual representation that compares the composition of waste generated, recovered, and discarded during 2010 is shown in Figure 1-7.

Figure 1-7 Comparative Composition of MSW Generated, Recovered, or Disposed in the USA 2010



Source: USEPA

DETERMINING LAWRENCE COUNTY'S GENERATION, RECOVERY AND DISPOSAL RATES

In 2010, the Franklin Study estimated that 249.86 million tons per year of municipal solid waste (MSW) as defined by the USEPA was generated in the United States. Of the MSW generated, 164.91 million tons per year were discarded. An estimated 84.95 million tons were recovered, establishing for 2010 a national recovery rate of 34%. This approximates Pennsylvania's current recycling goal of 35%. Therefore the national data is a reasonable standard to use as a measure of Lawrence County's performance to attain the state's goals.

In 2010, Lawrence County reported 19,238 tons of municipal waste disposed and 11,275 tons recovered. Thus, the estimated amount of municipal waste generated in Lawrence County in 2010 was 30,512 tons.

Population is used calculate the generation, disposal and recovery rates on a per capita basis. It is also used to estimate generation, recovery, and disposal when a per capita rate is assumed. In 2010, the population of the United States was 309.05 million persons. For Lawrence County the population in 2010 was 91,108. Figure 1-8 compares the national municipal waste per capita generation, disposal and recovery rates to those calculated from Lawrence County reported disposal and recovery tonnages for 2010.

Figure 1-8 National and Lawrence County MSW Per Capita Rates 2010

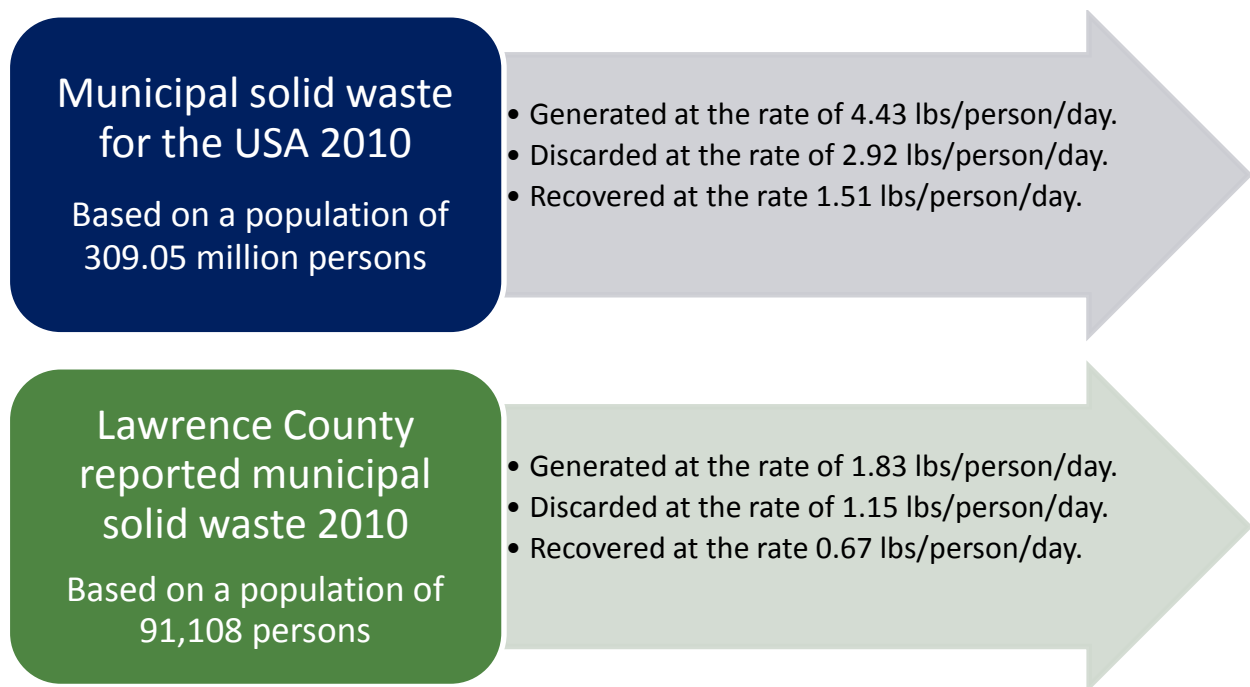
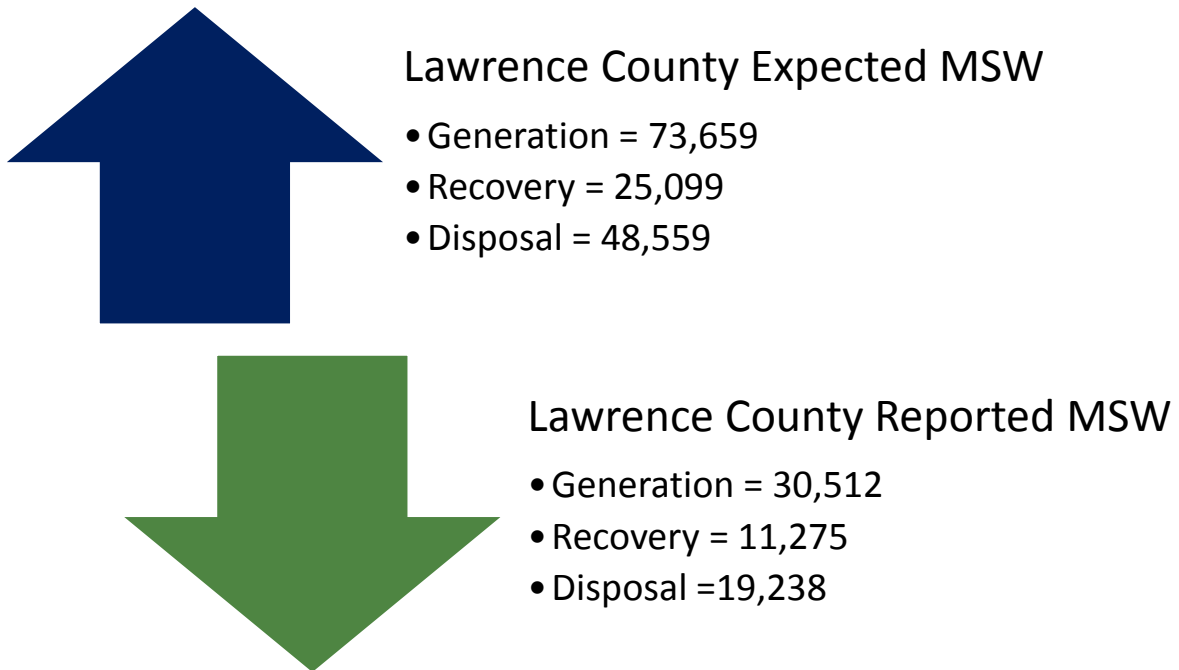


Figure 1-9 shows the 2010 estimated waste generation, recovery and disposal for Lawrence County compared to the reported data for the same year. The estimates were calculated using the national waste generation criteria, the estimated 2010 population of 91,108 persons, and assumes the same national level of performance in recovery programs.

Figure 1-9 Lawrence County MSW Reported Compared to Expected based on National Statistics



Lawrence County's reported tonnages and calculated per capita rates for municipal waste generation, recovery, and disposal all fall significantly short of the expected results if Lawrence County were to perform the same as the national norms. In fact, Lawrence County's data is more than 50% less in every category. This presents a different anomaly than if the County had discrepancies in different categories that compensated for one another. For instance, if Lawrence County had lower than normal disposal tonnages reported, but also had significantly higher rate of recovery, the overall data could result in a logical conclusion. This would be particularly true if the sum of the categories came close to the expected overall total of municipal waste generated based on the national norms. Because all of Lawrence County's categories show dramatically less than anticipated results, in the many of the exercises and analyses performed during the planning process, nationally accepted assumptions will have to override the locally reported results.

It is likely that the lower than average reported tonnage is due to misreported data or from landfills and/or processing facilities that failed to report. Table 1-5 shows reported disposal activity for Lawrence as well as five other counties located in the PADEP Northwest Region of Pennsylvania. Based on population, each county's total reported municipal solid waste disposed as defined by PADEP, including the sub categories municipal, sewage sludge and construction demolition, was used to determine a daily disposal rate per person. In addition, a per capita disposal rate per day was calculated on just the sub category municipal, which is the equivalent of municipal solid waste as defined by USEPA, and is primarily generated by residential and commercial sources.

Table 1-5 clearly shows disparities between the counties even where the population would suggest there should be similarities. The higher than anticipated figures for Mercer County and the lower than normal data reported for others suggests that the source of waste is misidentified at the landfill or during transfer operations. Conspicuously missing from the landfill reports is tonnage disposed at facilities located in out-of-state. Primarily located in Ohio, out of state facilities are known to accept Lawrence County's waste for disposal, but for a variety of reason have failed to report in recent years. Further investigation is warranted. Future recommendations should address the need for better reporting practices along with enforcement mechanisms to ensure compliance

Table 1-5 Multi-County Disposal Activity in PADEP Northwest Region 2010

Comparative Disposal Activity In Northwest Region 2010						
	Lawrence	Reported Landfill Disposal in Tons				
		Mercer *	Crawford	Venango	Clarion*	Butler*
Municipal	19,238	130,437	15,234	2,778	42,016	106,113
Sewage Sludge	298	603	4,040	1,810	1,835	8,035
Construction	298	1,091	826	1,088	184	12,054
Total	19,834	132,131	20,100	5,676	44,035	126,202
Population 2010	91,108	116,638	88,765	59,984	39,988	183,862
lb/person/day	1.19	6.21	1.24	0.52	6.03	3.76
MSW only lb/person/day	1.16	6.13	0.94	0.25	5.76	3.16

*Counties with Transfer Stations

MSW only National Average = 2.92 lb/person/day

Rounding in the calculations may cause the totals in some columns to appear to be in error

Source: PADEP Annual Facility Reports, US Census Bureau

Another contributing factor to the lower than average reported tonnage could be poor waste management practices, including illegal dumping and open burning.

Enforcement methods to deter these behaviors and prosecute violators should also be considered

Categories and Sources of Municipal Solid Waste

It is common at the federal and state levels to categorize and regulate waste more by who and where a material is generated than by its actual characteristics or environmental impact. It is important to understand the regulatory and practical basis for categorizing the sources of municipal waste because, while the overall contents of the waste stream remains the same, the proportion of the materials differs in each category. This becomes a major consideration in developing recycling and other waste management technologies and diversion programs. A very detailed discussion of specific materials in the waste stream and the sources where they are most likely to be found is provided in Chapter 4. The purpose of the discussion in Chapter 1 is to clearly describe and identify each source of municipal waste in Lawrence County.

DEFINING THE GENERATORS

Two basic sources or generators of municipal solid waste will be discussed throughout the Plan, residential and commercial. Residential sources include single-family detached homes as well as townhouses, condominiums, apartments, mobile home parks, etc. According to the USEPA and PADEP studies, at least 54% of municipal waste is generated by a community's residents. In rural communities, the studies show the proportion of residential waste to be even higher.

Commercial sources include all types of businesses, offices, government facilities, and institutions. Community events are typically included in this category as well. The remaining 46% of the general municipal waste stream is the result of commercial activities. Within the commercial classification there are special wastes generated by select operations. These materials, which include sewage sludge, regulated medical waste and construction & demolition waste, are considered apart from general commercial waste for planning and management purposes. Industrial, mining, and manufacturing activities are also excluded from the definition of municipal solid waste generators.

RATIO OF RESIDENTIAL AND COMMERCIAL MSW IN LAWRENCE COUNTY

Approximately 75% of the population in the United States, including Pennsylvania, resides in urban areas. According to the Pennsylvania Data Center, approximately 59%



of the residents in Lawrence County live in urban areas. The greatest concentration of the urban population is found within nine of the 27 municipalities. These include the City of New Castle and surrounding townships of Union, Taylor, South New Castle, Neshannock, and Shenango, and the boroughs of Ellwood City, Ellport and New Wilmington. The remaining 16 municipalities with 41% of the population are considered rural areas.

According to the USEPA, an average of 46% of the municipal waste generated nationally is from commercial sources with 54% from residential generators. A difference in the proportion of wastes from residential and commercial sources in rural compared to urban areas was identified by Pennsylvania's waste disposal characterization study. Statewide, the ratio was 64% residential to 36% from commercial sources. In rural areas, the ratio was 72% to 28%. Because, Lawrence County falls below the overall national and state distribution of people in urban areas, in analyzing data from Lawrence County, a ratio of 70% residential to 30% commercial was used. Table 1-6 shows Lawrence County and the municipalities with an estimate of the residential and commercial waste that would be expected to be generated in each. The estimates are based on local population and the national generation rate of 4.43 pounds per person per day.

It should be noted that the proportion of commercial to residential waste would change slightly depending on the actual make-up of each community. Just as the central core of the municipalities has the most densely populated and urban characteristics, it also has the most visible commercial sector. Therefore, it is likely that more commercial waste would be generated there. Understanding the ratio of commercial to residential sources in Lawrence County is useful in designing cost efficient and realistic collection programs. It also helps in identifying potential sources of recyclable materials. Some recyclable wastes such as cardboard and office paper come



Table 1-6 Estimated Residential & Commercial Municipal Waste Generation by Municipality

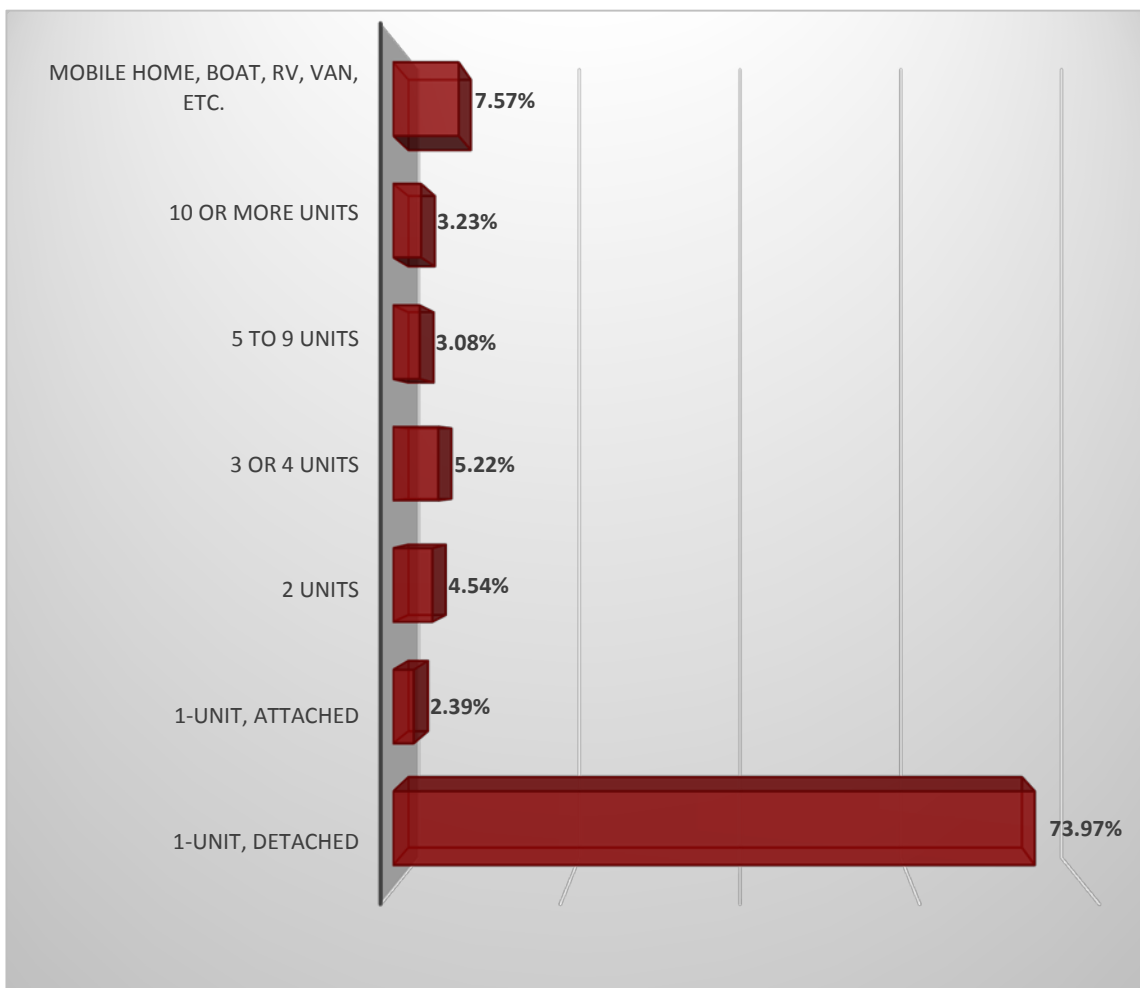
	Population 2010	Percent of Population	Expected Total Tons MSW Generated	Estimated Tons Residential MSW Generated	Estimated Tons Commercial MSW Generated
Lawrence County	91,108	100.00%	73,659	51,561	22,098
Bessemer Borough	1,111	1.22%	898	629	269
Ellport Borough	1,180	1.30%	954	668	286
Ellwood City Borough	7,289	8.00%	5,893	4,125	1,768
Enon Valley Borough	306	0.34%	247	173	74
Hickory Township	2,470	2.71%	1,997	1,398	599
Little Beaver Township	1,411	1.55%	1,141	799	342
Mahoning Township	3,083	3.38%	2,493	1,745	748
Neshannock Township	9,609	10.55%	7,769	5,438	2,331
New Beaver Borough	1,502	1.65%	1,214	850	364
New Castle City	23,273	25.54%	18,816	13,171	5,645
New Wilmington Borough	2,466	2.71%	1,994	1,396	598
North Beaver Township	4,121	4.52%	3,332	2,332	1,000
Perry Township	1,938	2.13%	1,567	1,097	470
Plain Grove Township	813	0.89%	657	460	197
Pulaski Township	3,452	3.79%	2,791	1,954	837
Scott Township	2,347	2.58%	1,897	1,328	569
Shenango Township	7,479	8.21%	6,047	4,233	1,814
Slippery Rock Township	3,283	3.60%	2,654	1,858	796
S.N.P.J. Borough	19	0.02%	15	11	5
South New Castle Borough	709	0.78%	573	401	172
Taylor Township	1,052	1.15%	851	595	255
Union Township	5,190	5.70%	4,196	2,937	1,259
Volant Borough	168	0.18%	136	95	41
Wampum Borough	717	0.79%	580	406	174
Washington Township	799	0.88%	646	452	194
Wayne Township	2,606	2.86%	2,107	1,475	632
Wilmington Township	2,715	2.98%	2,195	1,537	659

Based on Lawrence County 2010 population, USEPA municipal generation rate of 4.43 pounds per person per day, and 70/30 residential/commercial ratio based on urban and rural population

primarily from commercial sources. Others, like newspapers and magazines are primarily generated from residential sources. Table 1-6 is meant to serve as a preliminary evaluation of where recycling programs could get the largest return. It is not meant to be a definitive and accurate account of the waste generated in each municipality.

Chapter 4 provides a detailed discussion of material recovery from residential and commercial sources. It also addresses the overall economics of recycling, and future recommendations for Lawrence County.

Figure 1-10 Lawrence County Housing Units-Types and Percentages 2010



Source: US Department of Commerce, Bureau of Census and Penn State Data Center

LAWRENCE COUNTY RESIDENTIAL MUNICIPAL WASTE GENERATORS

As shown in Figure 1-10, almost 74% of Lawrence County's residential generators of municipal waste live in single-family detached housing units. Mobile homes rank a distant second at 7.5%. The other unit types represent negligible amounts. Both of the major types of units can easily be serviced in curbside collection programs. This is an important fact to consider as solutions to expand waste and recycling collection services within the County are explored. These services are typically provided either by municipal employees or in the majority of scenarios by a private contractor. In some municipalities, the private hauler is selected through a competitive bidding process. Private subscription, in which residents arrange for services with the hauler of their choice, is still quite prevalent in Lawrence County. In the municipalities where private subscription is offered local ordinances may or may not require resident participation. Even in those that have mandates, enforcement is negligible.

Ensuring that proper waste management practices are implemented throughout the County is an important part of the Lawrence County Municipal Solid Waste Management Plan. Exploring the effectiveness of local programs is an important element of the planning process. Motivating and/or mandating desired behaviors and encouraging participation in the services and programs made available was a focal point of the Solid Waste Advisory Committee members.

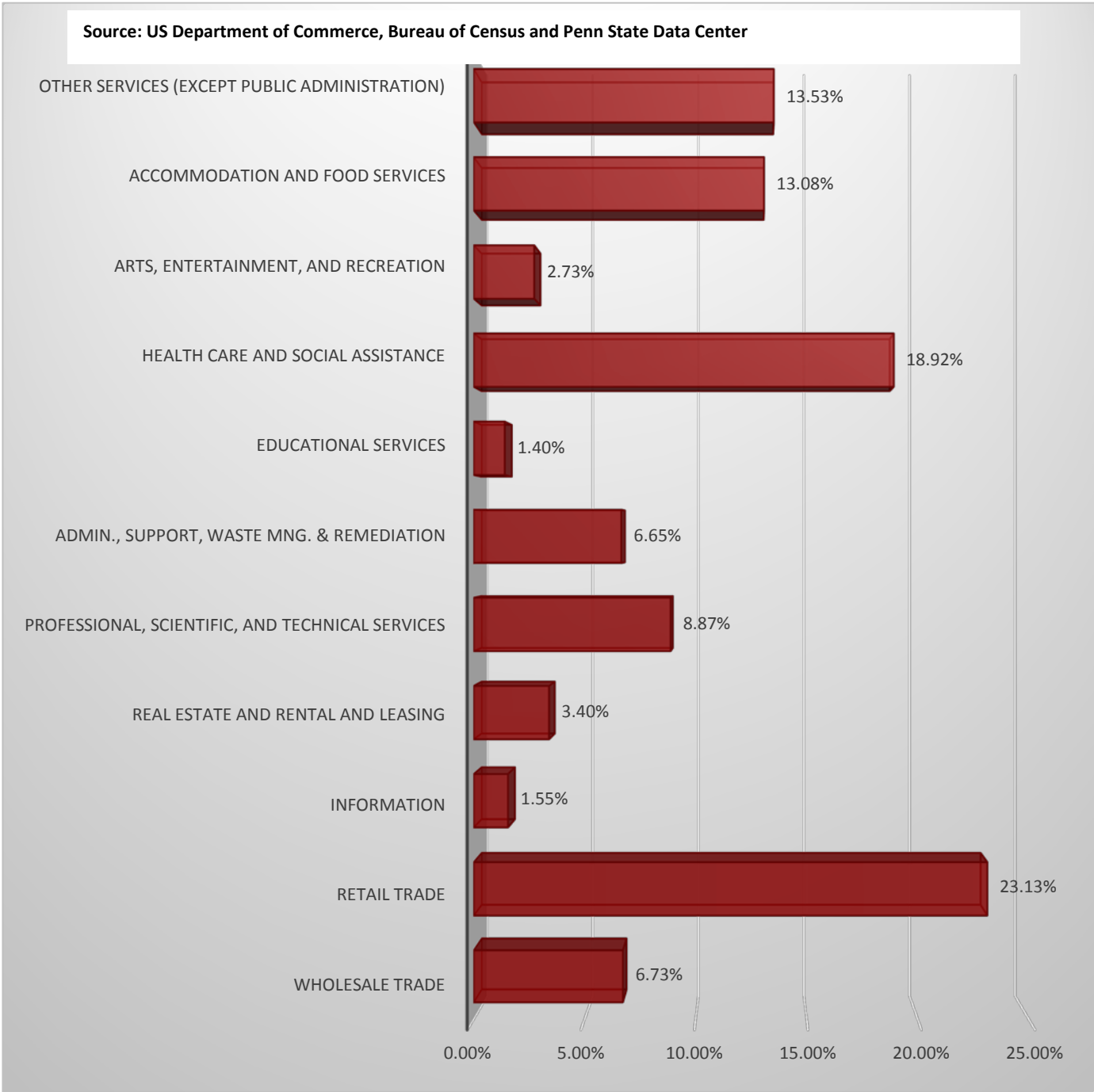
LAWRENCE COUNTY COMMERCIAL MUNICIPAL WASTE GENERATORS

Identifying the number and nature of commercial establishments is helpful in planning for municipal waste management. Overall, the commercial waste stream is relatively similar to residential municipal waste. However, proportionately the distribution of each material is decidedly different. Additionally, certain types of businesses may produce the bulk of one type of material over another.

Approximately 1354 employers were located within Lawrence County in 2010. Figure 1-11 shows the types of employers that existed in 2010. The retail trade represents the largest portion of these establishments. Health care, hospitality, food and other service oriented categories follow in the rankings. Each of these categories are sources of materials that lend themselves to recovery and thus where successful commercial recycling programs could be developed.

Employers in the categories of agriculture, mining, manufacturing, utilities, construction, and other industrial related operations are not considered commercial waste generators. Therefore, they have been excluded here. According to the USEPA, ninety percent of these materials are highly recyclable. Identifying the sources of the materials can make a difference between a successful and a mediocre recycling program. Chapter 1 simply identifies the sources of municipal waste. In Chapter 4, an examination of the materials generated by commercial sources and the potential to recover them for recycling is explored in more detail.

Figure 1-11 Commercial Establishments in Lawrence County 2010



SELECT CATEGORIES OF COMMERCIAL GENERATORS

Aside from retailers, office buildings and other service-oriented businesses there are commercial municipal solid waste generators that are mentioned specifically by category in Act 101. Following is a brief description of each.

Government Facilities

Included in the numbers of commercial establishments are government facilities. Based on the types of government functions, these may be offices, parks and recreational venues, garages and maintenance buildings, retail outlets, and service centers. Municipal and county facilities as well as those of the state and federal government are included. Examples of government agencies that operate facilities located in Lawrence County include: the US Postal Service, the PA Liquor Control Board, the Veteran's Administration Offices, the Social Security Administration, the PA State Police, state and federal legislator's, the PADEP, and correctional facilities.

Educational Institutions

Lawrence County is served by eight major public school districts. Other learning centers also exist. These include private and charter schools, colleges, technical and vocational schools. Educational and other institutions are considered commercial waste generators.

Residential Care Facilities

Included in the category of commercial generators of municipal waste sometimes referred to as institutional are skilled nursing, personal care, and assisted living facilities in the County. While these facilities produce municipal waste commonly found in most residences, they also generate materials that require special handling. Due to the nature of their operations, a portion of the municipal waste generated in these facilities falls into a special category of regulated medical waste, previously known as infectious chemotherapeutic waste. These special handling wastes are discussed in the next section.

MUNICIPAL WASTE FROM LAWRENCE COUNTY COMMUNITY EVENTS

Municipal waste is also generated at sporting events, fairs, festivals, and other celebrations. Attendees and vendors produce food scraps, cups, bottles, cans, flyers,



boxes, etc. in varying quantities at these community events. Studies have shown that an average of 3 lbs. of waste per attendee per day can be expected for daylong events. However, no precise generation rate would apply to every event or location. Smaller events and venues may have differing quantities. The types of food

served, the manner in which beverages are dispensed and the volume of promotional materials also factor into the equation. Recovering recyclables and organic waste from these activities is becoming more common, and in some communities is mandated. Some examples of the types of events in Lawrence County where municipal waste is generated and where recycling could occur include the Lawrence County Fair, the Annual Back to the Fifties Weekend, the Fireworks Festival, the Ellwood City Arts, Crafts and Food Festival, as well as other smaller local community events, including sporting events.

Solid Waste from Construction and Demolition Activities

Construction and Demolition (C&D) waste is a perfect example of a waste stream that is defined and regulated as municipal waste in Pennsylvania, but viewed differently by USEPA and in other states. Construction and Demolition projects in residential, commercial, and industrial establishments generate a highly variable composite waste stream. The name itself suggests the different activities that can occur depending on the specific project or job site. Work may include construction, renovation, and/or demolition and any or all of a number of related activities.

On a load-by-load basis, C&D waste can vary dramatically based on the mix of materials and physical characteristics. Demolition projects tend to generate asphalt, concrete, earth, sand, trees, steel, brick, lumber, roofing materials, flooring, plaster, dry wall, and other similar materials. Typically, unless the project requires deconstruction of a building, demolition loads contain larger quantities of these materials since essentially entire structures are being discarded. Alternatively, new construction projects generally are comprised of trimmings from dry wall, framing, carpet remnants, etc. Efficient builders have very little trimming waste, as they measure and purchase accordingly. Loads bound for disposal resulting from new construction activities might also include packaging materials such as cardboard boxes, Styrofoam, nylon or plastic strapping, pallets, etc.



Numerous variables influence C&D waste generation and disposal rates. Construction and demolition projects are subject to seasonal weather conditions. Swings in the economy can stimulate or deter new development and construction. The amounts of C&D waste from month to month and year to year are less consistent than municipal waste as a whole. For all of these reasons, it becomes easier to understand the difficulties in projecting C&D quantities for the long term.

Two studies were recently conducted in the Northeastern United States, for the purpose of characterizing the C&D waste stream and calculating a generation rate. The first study was conducted by the Northeast Waste Management Officials' Association (NEWMOA). The Massachusetts Department of Environmental Protection commissioned the second study.

The studies revealed a wide difference in C&D generation rates from the survey's participating states. These ranged from 0.19 tons per person per year to 0.42 tons per person per year. When variables such as definitions of C&D and materials included were filtered, the generation rate of 0.31 tons per person per year seemed to reflect a reasonable median.

Asphalt, brick, and concrete (ABC) wastes generated from road and bridge projects are included in their generation rate calculations. These wastes are disproportionately heavier than many of the other C&D components. In addition, much of the material from road and bridge projects is used as clean fill on site. Trees and rocks from land clearing and grubbing were also excluded.

LOCAL TRENDS

Using the median generation rate of 0.31 tons per person per year derived from the two studies, Lawrence County would be expected to generate approximately 28,243 tons of C&D waste per year. Another measure to gauge the amount of C&D waste generated in Lawrence County is the ratio of C&D waste compared to the total amount of municipal waste disposed. According to the Pennsylvania Department of Environmental Protection, 17.5% of the material disposed in Pennsylvania landfills can be categorized as C&D waste.

In 2010, according to facility reports, Lawrence County disposed 298 tons of C&D waste in Pennsylvania landfills. No data was available for C&D waste that might have been disposed in out-of-state facilities. This represents approximately 1.5% of all Lawrence County municipal waste reportedly disposed in Pennsylvania facilities. Both methods indicate that Lawrence County should generate and dispose significantly more C&D waste than the reported 298 tons.

There are several explainable reasons for at least a portion of the discrepancy. First, much of the brick and concrete and other masonry materials are utilized as clean fill, similar to the manner in which state highway projects manage this material. Contractors also reuse doors, windows, hardware, etc. in other project applications.

The cost of disposal is a major factor. The proximity of Lawrence County to the Ohio border, where disposal fees for C&D waste are much lower could serve as an incentive for a transporter to drive the added distance. Since reporting requirements for Ohio facilities are not as structured as Pennsylvania's regulations, C&D material may not be reported separately from municipal waste and in most instances, the state, but not the

county of origin, will be only source recorded. Adding to that is the fact that Ohio landfills stopped reporting to the County several years ago.

Cost also plays a role in the mismanagement of C&D waste. Much of C&D waste is handled by construction/demolition contractors, or homeowners and businesses that generate the waste. Whether due to lack of awareness, weak regulations, and/or enforcement, the material does not always make its way to a proper disposal facility. Some of the material is burned on construction sites and is never accounted. Surveys of illegal dumping sites in the County and Pennsylvania revealed an alarming amount of C&D waste, most of which originated from commercial sources.

Determining an accurate C&D waste generation rate is difficult. There are reasons to improve the tracking and monitoring of these materials. Such data would prove useful in the development of a C&D recycling program in Lawrence County. It could also serve as a form of deterrent against illegal dumping. Consideration of these potential solutions was part of the revision planning process. Further discussion on this issue is provided in Chapter 4.

Special Handling Municipal Waste Streams and Sources

Certain types of municipal waste have properties or characteristics that require them to be managed in a different fashion or may provide opportunities for enhanced reuse or recycling. The physical nature of the waste may not be appropriate to transport in a conventional collection vehicle. The composition or amounts may present risks to those using traditional collection practices. Therefore, these categories of municipal solid waste are controlled and regulated differently.

SEPTAGE AND SEWAGE

Connecting the homes and businesses in Lawrence County that generated the wastewater to wastewater treatment plants (WWTP) can be costly. Facilities are typically built to service households in more densely populated municipalities to reduce the cost per mile of the extensive network of pipelines. Lawrence County follows this trend as its treatment facilities are located within or in close proximity to the municipalities classified as urban. Seven wastewater treatment plants (WWTP) service the needs of Lawrence County communities. Some of the facilities are dedicated to the needs of a single municipality. However, most serve one or more municipalities or portions of municipalities. Table 1-7 shows each Lawrence County WWTP and the municipalities within their service area.

Table 1-7 Lawrence County Wastewater Treatment Facilities

Municipal Wastewater Treatment Agencies	Service Area
Ellport Sewer Authority	Ellport Borough Wayne Township (portions)
Ellwood City Sewage Department	Ellwood City Borough Wayne Township (portions) Franklin Township North Sewickley Township
New Castle Sanitation Authority	City of New Castle South New Castle Borough Neshannock Township (portions) Shenango Township (portions)
New Wilmington Borough	Wilmington Township New Wilmington Borough
North Beaver Sewer Authority,	North Beaver Twp.
Wampum Borough	Wampum Borough Wayne Township (portions)
Union Sewer Authority	Union Township

Where the cost of connecting sewage lines is prohibitive, on-lot septic systems must be installed by private homeowners. Septic systems must be periodically pumped by septic system service companies and the septage is either land applied or transported to a WWTP for treatment. Multi-family dwellings, such as mobile home parks and residential care facilities, as well as industrial operations may operate private pre-treatment systems, with the sewage being transported for final treatment.

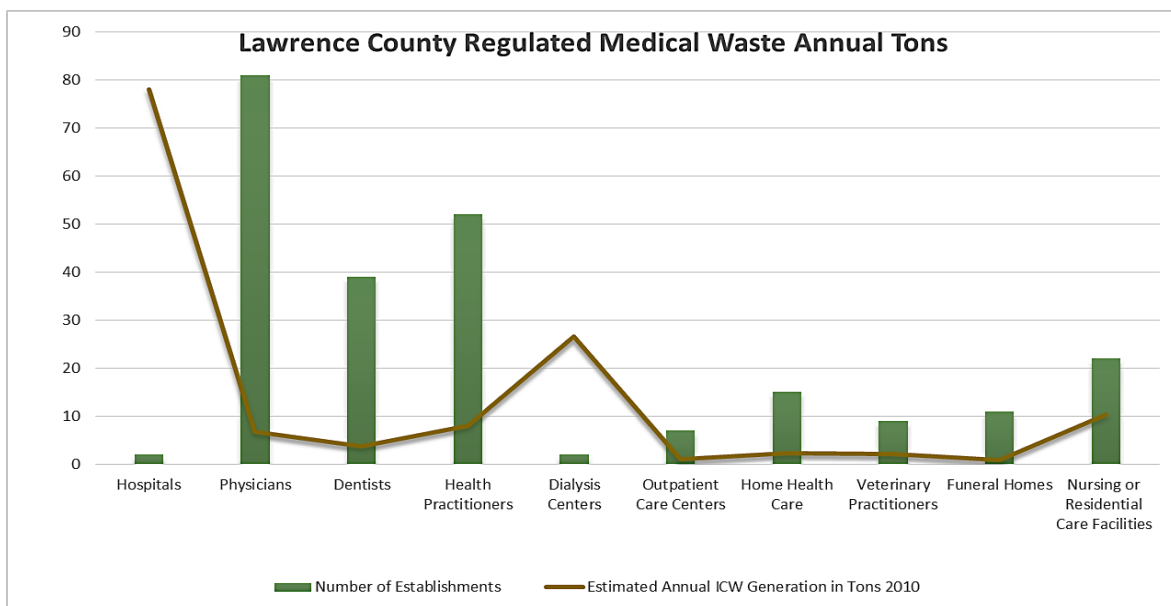
Both the raw sewage and septage, which is treated at WWTP's eventually, is dewatered sufficiently to become sewage sludge or biosolids. These materials require a management outlet. In Lawrence County, sewage sludge is typically disposed in landfills. Overall, according to landfill reports, approximately 299 tons of Lawrence County sewage sludge were disposed in 2010. No reporting of septage or biosolids is required. Therefore, the quantities are unknown. However, the companies that transport septage and biosolids within Lawrence County are regulated and monitored by PADEP. Thus, it is assumed that these materials are managed adequately. These transporters along with the facilities that manage Lawrence County sewage sludge are addressed in Chapter 2.

REGULATED MEDICAL WASTE

Similar to other institutional settings hospitals and resident care facilities generate significant quantities of municipal waste. Much of the material resembles waste found in the hospitality industry, where people are temporarily housed and fed. However, due to the nature of their operations, hospitals and other health care facilities also produce waste, which is required by federal and state regulations to be treated and handled separately from other materials. This waste is identified in Pennsylvania “regulated medical waste,” and is a direct result of medical procedures, treatments and other activities. Regulated medical waste generated in Lawrence County is typically transported to commercial treatment facilities. Service providers operating within Lawrence County are identified in Chapter 2.

Figure 1-12 shows the number of health care facilities by category and the estimated tons of Lawrence County regulated medical waste generated by each in 2010. The amount of waste, which is shown in Figure 1-11, was calculated using the expected rate of generation by type of facility or medical practice, documented in the 1990 *Pennsylvania Infectious and Chemotherapeutic Waste Plan*. The estimates show a total of 140 tons of medical waste. As shown on the chart, hospitals generate the bulk of the regulated medical waste, with dialysis treatment ranking second. Residential care facilities are the third largest source of the estimated amounts of medical waste generated. However, with an ever-increasing aging population, a growing demand for skilled nursing and resident rehabilitation centers is anticipated, which in turn will increase the amount of waste generated in these facilities.

Figure 1-12 Estimated Annual Tons Lawrence County Regulated Medical Waste Generation 2010



Source: US Census Bureau and *Pennsylvania Infectious and Chemotherapeutic Waste Plan*

Summary

During the planning process, the information presented in this chapter served as a foundation and catalyst for discussions and decisions. The Solid Waste Advisory Committee reviewed how municipal waste is generated, who generates it, and the resulting quantities from various sources. Because municipal solid waste is an ordinary and ongoing result of our daily activities, stricter enforcement of proper waste management practices in Lawrence County should be a priority. The Committee also determined that many components of the waste stream provide opportunities to capture and conserve natural resources. The Committee members were proponents of universal mechanisms to ensure that all residents and businesses had access to and utilized waste and recycling collection services. It was determined that failure to manage municipal waste properly not only harms the environment, but also jeopardizes public health, safety and the overall quality of life in Lawrence County. Recommendations and solutions resulting from the Committee's discussion, and the findings of the planning process are provided in detail in Chapter 5.



CHAPTER TWO

The Municipal Solid Waste Infrastructure

Integrated Services

The core of a municipal solid waste management plan is to ensure that adequate resources are available for the collection, transportation, and disposition of the various waste streams. In addition, the plan must review and assess the management practices of the residents and businesses that generate the waste. This chapter focuses on the broad infrastructure of transporters and disposal/processing facilities that have developed to meet the needs of Lawrence County. It discusses how and where those services are utilized and points to issues that require added attention and/or remedies.

Flow Control of Municipal Waste

One of the first determinations made in municipal solid waste planning is whether or not to direct the flow of the waste commodity. This control, specifically where waste can be disposed, is a power offered to local jurisdictions. A series of federal and state court rulings have consistently supported this authority, when implemented under specific circumstances. In a straightforward interpretation and enforcement of flow control, governmental laws or policies require waste materials to be disposed at one designated disposal facility. Typically, this occurs when the government entity has assumed full responsibility for waste management and has a vested interest (ownership and/or operation) in a landfill, transfer station, and/or waste-to-energy facility. Public investment in a facility has been a proven and effective tool to ensure proper municipal waste management and guarantee funding of related solid waste and recycling programs. Other forms of flow control are also allowable, even when the local public entity has no stake in the operation. When contractual arrangements are obtained through a fair open and competitive procurement process, waste disposal may be flow-controlled to designated third party facilities, public or private sector.

The latter form of waste flow control exists in the Lawrence County Municipal Solid Waste Management Plan. Support for the policy is evidenced by the ratification of the 1991 Plan by the municipalities.

Collecting and Transporting Municipal Waste

Residents, businesses, institutions, and municipal facilities throughout Lawrence County have ready access to a variety of service providers for the collection and transport of municipal solid waste. Primarily, collecting and transporting waste in Lawrence County is a function of the private sector. Only one municipality employs workers to collect residential municipal solid waste and transport it for disposal. Other municipalities periodically haul waste from clean-ups or seasonal collections of yard waste.

Each company offers differing types of services ranging from curbside collection to commercial dumpster service and roll-off containers for large volumes. Some transporters also provide dump trucks and /or trailers for construction demolition and remediation projects. Specialty services are also available for materials that are difficult or potentially dangerous to handle.

Although the collection and transportation network is well developed, overwhelmingly utilization of the available services by residents and businesses occurs on a voluntary basis. Only a few communities require local residents to use the contractor, who through a competitive bidding process was selected and entered into an agreement with the municipality for the exclusive rights to provide residential collection services. The remaining communities allow residents voluntarily to arrange for collection with the service provider of their choice. Even in the instances where ordinances that require waste collection exist, enforcement is lax or non-existent. Where municipal employees provide the curbside collection, it is conducted on a pay by the bag system. Because there is no accountability for those who do not purchase bags, participation in the program remains strictly voluntary. The reported waste and recycling tonnages fall far less than the population suggests, and along with other indicators confirms that participation is less than optimal.

Lawrence County has never conducted a formal survey of the number of homes that through a municipal contract or by their own choice participate in a curbside waste-collection program. The County, however, has conducted other studies that provide sufficient evidence to suggest that those who do not utilize collection services find other undesirable outlets for their waste. The extent to which municipal waste goes uncollected or is disposed illegally is an issue that must be examined and considered in policies resulting from the planning process.

REGULATING TRANSPORTERS OF MUNICIPAL WASTE

Owners of waste transportation vehicles that transport municipal or residual waste to a processing or disposal facility in the Commonwealth are required to obtain written authorization from PADEP. Municipal or residual waste processing or disposal facilities are prohibited from accepting waste from vehicles that do not have a valid authorization sticker. These requirements were created by the Waste Safety Transportation Program, Act 90, which was enacted in 2002. The Act does allow certain processing and/or disposal facilities to accept material from transporters without the Act 90 Authorization. These include:

- Facilities where municipal or residual waste is being land applied through agricultural utilization or land reclamation.
- Facilities that operate under a permit-by-rule.
- Facilities that are not required to obtain a permit under §271.101 (relating to

- permit requirement).
- Cement kilns burning waste tires as fuel.
 - Facilities that process electronic waste and components by sorting, disassembling or mechanical processing for beneficial use.
 - Composting facilities.
 - Facilities that process municipal or residual waste for beneficial use under an individual or general permit.

Transporters that collect waste in Pennsylvania but utilize an out of state disposal facility are also exempt, as are those with a registered gross vehicle weight less than 17,000 lbs., and trailers with a registered gross vehicle weight less than 10,000 lbs.

Table 2-1 lists the waste transporters known to operate within Lawrence County. The current PADEP Waste Transportation and Safety Program database, as well as local and online business directories were used to compile Table 2-1. Transporters with currently active Act 90 Authorization are shown with an identification number.

Only a few of the listed companies provide traditional residential curbside and commercial dumpster collection services. The majority of these have Act 90 Authorizations. The remaining companies fall into two categories. Some offer roll-off or dump truck service, primarily for construction and demolition waste. Others are small independently owned and operated businesses that haul junk and other goods resulting from household clean-outs of basements, attics, garages, etc.

Close proximity to the Ohio border combined with the exemptions for transporters that use out of state disposal facilities, suggests that fewer companies feel compelled to obtain the Act 90 Authorization. Lower disposal costs across the state lines is another contributing factor to the number of companies that opt to utilize Ohio landfills. Also absent from the authorizations listed for Lawrence County in the PADEP Act 90 database, are the large numbers of home remodelers, roofing companies and general contractors prevalent in other counties. Because the primary focus of their business is not waste transportation, it might seem reasonable for them not to be included. However, these operations do generate and control a significant volume of construction and demolition waste.

Discards from household clean-outs and construction and demolition waste represent the types of materials commonly found to be disposed illegally. The majority of transporters, who are known to operate in Lawrence County and who handle these types of waste, do not have Act 90 Authorizations. Additionally, any number of others continue to handle similar materials, yet remain unknown. Due to the potential for poor operating practices, methods to track and monitor these activities, as well as to enforce local rules and regulations, must be considered in policies that result from the planning process.

Table 2-1 Waste Transporters Operating Within Lawrence County

Transporter	PA Act 90 Authorization Id #	Street Address	City	State	Zip Code	Phone
Advanced Waste Carriers, Inc.	WH0157	1001 Sampson Street	New Castle	PA	16101-8913	724-657-8777
Advanced Waste Service		1901 Old Butler Road	New Castle	PA	16101	724-657-1501
Aiken Refuse, Inc.	WH13342	615 Katie Houk Road	New Castle	PA	16101-6753	724-758-9400
All Pro Roll Off Svc		4665 Perry Highway	New Castle	PA	16101	724-674-1619
Allied/Republic Waste of Youngstown		3870 Hendricks Road,	Youngstown	OH	44515	
American Waste Services		1 American Way	Warren	OH	44484	330-856-8800
Bessemer Supply, Inc.	WH13049	315 E. Poland Avenue	Bessemer	PA	16112-0006	
Blaine Forbes LLC	WH7927	3340 Us 422,	New Castle	PA	16101-7962	724- 658-4267
Bob's Trucking, Hauling And Demo		1031 E. Washington Street	New Castle	PA	16101	724-658-7894
Bryan Whiting Roll-Off Service		1215 W State Street	New Castle	PA	16101	724-971-0447
CFS Waste Service, LLC		Route 422 E	New Castle	PA	16101-9437	724-924-1886
City Of New Castle			New Castle			
Container Hauling Inc		60 Council Road	Wheatland	PA	16161	
Dalton's Service Company, LLC	WH13247	Route, 65	Ellwood City	PA	16117-5122	
Daniel Nagy		825 Savannah Road	New Castle	PA	16101-5513	724-658-0048
Ferrari's General Hauling		1006 Service Street	New Castle	PA	16101	724-654-8488
G. W. S. Trucking	WH8207	227 Stickle Drive	Volant	PA	16156-6621	
James W. Gilliland Hauling		77 Auction Road	New Wilmington	PA	16142	724-946-2170
Jesus Loves You Hauling		708 N Cedar Street	New Castle	PA	16102	724-658-0329
KC's Hauling And Clean-Up			Ellwood City	PA	16117	724-758-0446
LGH Dumpster Service			New Castle	PA	16101	724-651-2370
Seredays Dumpsters		7591 Warren-Sharon Road	Brookfield	OH	44403	330-448-4000
Spartan Specialty Services, Inc	WH2402	4316 Ellwood Road	New Castle	PA	16101-6420	724-752-1896
Star Disposal		401 South Jefferson Street	New Castle	PA	16101	724-652-9703
State Line Roll-Off Service		3350 Route 224	Edinburg	PA	16116	724-654-4408
Tri-County Industries, Inc.	WH0618	159 TCI Park Drive	Grove City	PA	16127-4347	724-748-4705
Valley Waste Service, Inc.	WH7766	261 Wallace Run Road	Beaver Falls	PA	15010	724-843-9373
Waste Management Of Pennsylvania	WH1436	2097 Duss Avenue	Ambridge	PA	15003	724-266-2604
William F Clayton	WH14208	195 Northwestern Drive	Ellwood City	PA	16117-6533	724-758-8484
Wright's Hauling		412 Old Zelenople Road	Ellwood City	PA	16117	724-752-1460

LAWRENCE COUNTY MUNICIPAL WASTE TRANSPORTER REQUIREMENTS

In addition to Act 90 Authorization, transporters of all types of Lawrence County municipal solid waste, inclusive of septage, sewage sludge, construction demolition, and regulated medical waste have been regulated by the Lawrence County Municipal Waste Ordinance, Ordinance No. 600 of 1991. The purpose of the ordinance was to establish a licensing program for municipal waste transporters, enforce flow control, monitor and control illegal dumping, and to acquire the necessary data to fulfill the Act 101 reporting requirements.

The flow control policy originally instituted by the Lawrence County Municipal Waste Ordinance was a mechanism to assure that on a daily basis the waste collected in and transported from the County would be delivered to a secure permitted disposal outlet. The ordinance also included provisions for the development and enforcement of a licensing program and rules and regulations necessary to define and to carry out the law. Ordinance No. 600 of 1991 required that all municipal waste, which was generated in Lawrence County and that was acceptable under the permitted operational criteria must be delivered to one of the landfills designated in the most recent version of the Lawrence County Municipal Waste Management Plan.

Certain types of municipal waste that require special handling could be disposed or processed at any facility permitted to accept the material by the appropriate state regulatory agency. These included sewage, septage, and regulated medical waste.

COURT RULINGS AND REGULATORY REQUIREMENTS

In 2005, based on the provisions of the Waste Safety Transportation Program, the Pennsylvania Supreme Court ruled that the licensing program established by local county and municipal ordinances were no longer valid. Therefore, the transporter-licensing clause of the Lawrence County Municipal Waste Ordinance has been superseded by Act 90. A review of Ordinance No. 600 of 1991 to determine the need for these and other revisions and amendments was a necessary part of the planning process. The resulting changes are presented in Chapter Nine.

REQUIREMENTS FOR TRANSPORTERS OF SPECIAL HANDLING WASTE

Most of the control and monitoring of municipal waste transporters once resulted from numerous local county and municipal licensing programs. Prior to the enactment of the Waste Safety Transportation Program in 2002, which now supersedes all of these programs, there was no statewide registration required for municipal waste transporters, except for those who managed special handling wastes, such as septage and regulated medical waste. These transporters are regulated under separate requirements and conditions.

SEPTAGE TRANSPORTERS

In Pennsylvania, transporters of residential septage must register with the PADEP. Information for each load of septage that is collected and transported is recorded by each transporter. Required information, at a minimum, includes: the county and state where the septage was collected; the name and address of the hauler transporting the septage; the name and location of the transfer, processing, or disposal facility where the septage has been or will be delivered; the weight or volume of the septage; and a description of any handling problems or emergency disposal activities. Although a report is not filed, the information must be made available upon request to PADEP inspectors.

Septage cleanouts are done on a periodic as-needed basis. Therefore, homeowners contact the transporter of choice. It is common for transporters to cross county lines to provide such services. The PADEP can only identify haulers based on the location of their business, not on their service area. Therefore, many counties also require septage transporters to report on the activities conducted within their borders. Lawrence County does not currently require special reports from septage haulers.

Table 2-2 lists the known septage transporters who are located in Lawrence County.

Company	Address
A. E. Pullium Sanitary Service	258 Glass Road New Castle, PA 16101
Countywide Sanitary Service	202 E Moody Ave New Castle, PA 16101
Dalton's	1230 Mercer Road, Ellwood City, PA 16117
Ferguson's Septic Tank	532 Grange Hall Road New Castle, PA 16101
R Nesbit Septic Tank Cleaning	910 Center Church Road New Castle, PA
Rooter Man	1429 New Butler Road New Castle, PA 16101
Tom McCann Sanitary Service	91 Fairground Road New Castle, PA 16101
Zeigler's Sanitary Service	301 Fairground Road New Castle, PA 16101

REGULATED MEDICAL WASTE TRANSPORTERS

Transporters of regulated medical waste (formerly called infectious chemotherapeutic waste) also fall within the ranks of those requiring a license in Pennsylvania. A stipulation

of the license is that each transporter must report the origin and ultimate destination of the waste to PADEP. Lawrence County has no additional reporting requirements for medical waste transporters.

Table 2-3 lists the regulated medical waste transporters known to service the Lawrence County area.

Table 2-3 Regulated Medical Waste Transporters Operating in Lawrence County	
Company	Address
B & J	309 Rhodes Place, New Castle, PA 16101
Genesis Environmental Ltd	380 Locust Street McKeesport, PA 15132
Stericycle, Inc.	1901 Pine Ave SE Warren, OH 44483
Stericycle, Inc.	100 35th Street Pittsburgh, PA 15201
Veolia Environmental Services	6330 Route 219 Brockway, PA 15824
Weavertown Transport Leasing Inc	2 Dorrington Road Carnegie, Pa 15106

Disposal and Processing Facilities

Landfills remain the predominant method of management for municipal solid waste in Lawrence County. Although there are no disposal facilities located within the County, a large concentration of landfills is located in Western Pennsylvania, Eastern Ohio and West Virginia. There are at least ten facilities within a 50-mile radius of New Castle, the County seat. Additionally, one transfer station is situated near the Lawrence/Mercer County border. Transfer stations accommodate small collection vehicles that cannot cost effectively deliver long distance loads. Instead, at the transfer station, these small loads can be consolidated into larger trailers and delivered to remote facilities at a lower cost. Thus, cost effective access to a greater number of potential disposal sites is possible.

Table 2-4 lists the landfills, which were designated to receive municipal solid waste generated in Lawrence County in the 2004 Plan. It also includes the transfer stations that agreed to receive Lawrence County municipal waste and transport it to the designated facilities. Table 2-2 lists the permit number, location, owner/operator, and the overall daily volume that can be accepted at each facility. These agreements are nearing expiration beginning in 2010.

Table 2-4 Designated Disposal Facilities for Lawrence County 2004-2014

Landfill	Permit	Volume Daily Average/ Maximum Tons	Municipality /County	Address	Owner/Operator
Arden Landfill, Inc.	100172	2400	Chartiers Township/Washington	200 Rangos Lane Washington, PA 15301	Waste Management
		2800			
Carbon-Limestone Sanitary Landfill	CID 28726	6500	Lowellville/Mahoning (Ohio)	8100 South Staline Road Lowellville, OH 44436	Republic Services dba BFI of Ohio
		NA			
County Land Development	CID 28776	NA	Salem/Mahoning (Ohio)	9960 South Range Road Salem, OH 44460	Republic Services dba BFI of Ohio
		NA			
Imperial Landfill	100620	3100	Findlay Township /Allegheny	11 Boggs Road, Imperial , PA 15126	Allied Waste Systems of PA LLC Republic Services
		4666			
Northwest Sanitary Landfill	100585	2500	Clay Township/Butler	1436 West Sunbury Road West Sunbury, PA 16061	Waste Management
		2500			
Seneca Landfill, Inc.	100403	3000	Jackson/Lancaster/Butler	421 Hartmann Road Evans City, PA 16033	Vogel Inc.
		3000			
Tri-County Landfill	101295 (Pending)	TBD	Pine/Liberty Townships/Mercer	159 TCI Park Drive Grove City, PA 16127	Vogel Inc.
		TBD			
USA Valley Facility, Inc.	100280	2600	Penn Township/Westmoreland	6015 Pleasant Valley Rd Irwin, PA 15642	Waste Management
		4000			

Transfer Stations For Lawrence County 2004-2014

Transfer Station	Permit	Volume Daily Average/ Maximum Tons	Municipality /County	Address	Owner/Operator
Tri County Transfer Station		800	Pine Townships/Mercer	159 TCI Park Drive Grove City, PA 16127	Vogel Inc.
Seneca Transfer Station		800	Jackson /Butler	421 Hartmann Road Evans City, PA 16033	Vogel Inc.

REPORTED DISPOSAL ACTIVITY

To comply with Act 101, Pennsylvania landfills are not permitted to accept municipal waste originating from counties with flow control provisions in their solid waste management plans, unless the facility is one of the designated disposal sites. Based on annual reports submitted to the Pennsylvania Department of Environmental Protection for 2010 thru 2012, four different landfills received some type of municipal waste, which was generated in Lawrence County. Nearly all of the Lawrence County municipal solid waste reported was delivered to Northwest Sanitary Landfill. It is one of the eight landfills guaranteeing the County disposal capacity and therefore designated in the Lawrence County Municipal Solid Waste Management Plan. Five of the designated facilities either received no type of Lawrence County waste, or failed to report it. Seneca Landfill reported the second highest quantities of municipal waste from Lawrence County. Negligible amounts of municipal and/or residual waste were reported from other facilities.

REPORTING ISSUES

Some Lawrence County municipal waste is known to be disposed in one or more Ohio landfills. At one time, the County received reports on a regular basis from these facilities, along with their payment of administrative fees assessed for each ton of Lawrence County municipal waste disposed at the sites. In 2005, the Pennsylvania court system deemed that counties had no statutory authority to impose such fees. Upon the discontinuation of the fee payments, the Ohio landfills also stopped tracking and reporting any Lawrence County disposal activity. Therefore, that data has been unavailable for a number of years.

In the future, to ensure that landfills and transporters comply with the flow control and reporting requirements of the Lawrence County Municipal Solid Waste Management Plan, stricter enforcement of the County's ordinances and the terms and conditions of the capacity agreements will be necessary.

Table 2-5 shows the Pennsylvania landfills that reported quantities of municipal and/or residual waste from Lawrence County from 2010 thru 2012.

Table 2-5 Pennsylvania Facilities Reporting Disposal of Lawrence County Waste 2010 thru 2012

2010 Reported Disposal Destinations														
Disposal Facility Receiving Waste	Municipal (MSW)	% Total Municipal	Residual	% Total Residual	Sewage Sludge (MSW)	% Total Sewage Sludge	Construction Demolition (MSW)	% Total C&D	Asbestos	% Total Asbestos	Total MSW all categories	% Total MSW all categories	Total Lawrence Waste	% Total Lawrence Waste
Lake View Landfill	0	0%	410	8%	0	0%	0	0%	0	0%	0	0%	410	2%
Seneca Landfill	1,561	8%	4,424	90%	113	38%	231	0%	0	0%	1,905	9.60%	6,328	24.89%
Northwest Sanitary Landfill	17,490	91%	37	1%	0	0%	54	0%	1	0%	17,544	88%	17,582	69%
Imperial Landfill	1	0%	5	0%	0	0%	12	0%	17	2%	13	0.07%	35	0.14%
Joseph J. Brunner Landfill	187	1%	26	1%	186	62%	0	0%	0	0%	373	2%	399	2%
Waste Totals:	19,238	100%	4,902	100%	299	100%	298	1%	689	100%	19,835	100%	25,426	100%

2011 Reported Disposal Destinations														
Disposal Facility Receiving Waste	Municipal (MSW)	% Total Municipal	Residual	% Total Residual	Sewage Sludge (MSW)	% Total Sewage Sludge	Construction Demolition (MSW)	% Total C&D	Asbestos	% Total Asbestos	Total MSW all categories	% Total MSW all categories	Total Lawrence Waste	% Total Lawrence Waste
Sanitary Landfill	0	0%	4	0%	0	0%	0	0%	0	0%	0	0.00%	4	0.01%
Seneca Landfill	1,738	9%	6,171	99%	1,016	85%	268	72%	0	0%	3,021	14.10%	9,192	33.12%
Northwest Sanitary Landfill	17,795	90%	46	1%	0	0%	78	21%	5	4%	17,873	83%	17,924	65%
Imperial Landfill	77	0%	4	0%	0	0%	25	7%	108	96%	103	0.48%	215	0.77%
Joseph J. Brunner Landfill	244	1%	0	0%	180	15%	0	0%	0	0%	423	2%	423	2%
Waste Totals:	19853	100%	6224.7	100%	1195.3	100%	371.1	100%	112.5	100%	21419.4	100%	27756.6	100%

2012 Reported Disposal Destinations														
Disposal Facility Receiving Waste	Municipal (MSW)	% Total Municipal	Residual	% Total Residual	Sewage Sludge (MSW)	% Total Sewage Sludge	Construction Demolition (MSW)	% Total C&D	Asbestos	% Total Asbestos	Total MSW all categories	% Total MSW all categories	Total Lawrence Waste	% Total Lawrence Waste
Seneca Landfill	2,115	12%	3,388	46%	0	0%	342	73%	0	0%	2,457	14%	5,845	23%
Northwest Sanitary Landfill	15,066	86%	3,977	54%	0	0%	112	24%	7	15%	15,178	83.90%	19,162	75.06%
Imperial Landfill	29	0%	19	0%	0	0%	15	3%	32	73%	44	0	95	0%
Lycoming County Landfill	0	0%	0	0%	0	0%	0	0%	5	12%	0	0.00%	5	0.02%
Greentree Landfill	0	0%	9	0%	0	0%	0	0%	0	0%	0	0.00%	0	0%
Joseph J. Brunner Landfill	0	0%	0	0%	138	100%	0	0%	0	0%	138	0.76%	138	0.54%
Waste Totals:	17484.8	100%	7393.1	100%	138	100%	468.1	100%	43.6	100%	18090.9	100%	25527.6	100%

Source PADEP

Competition for Disposal Capacity

Act 101 does not provide counties with the jurisdiction to regulate the collection, transportation, and disposal of residual waste. Nevertheless, residual waste factors into the development of the Lawrence County Municipal Solid Waste Management Plan, because it consumes disposal capacity that otherwise could be available for Lawrence County municipal waste. For the same reason, municipal and residual waste generated in other counties and other states must be considered. The results of those findings supported the need to use an open menu system of flow control. This system continues to serve the County.

DISPOSAL DESTINATIONS

Following is a brief description of each of the Pennsylvania facilities where varying types and amounts of Lawrence County generated waste were disposed from 2010 thru 2012. The narratives describe the landfills that are either designated in the 2004 Lawrence County Municipal Solid Waste Plan and/or reported the disposal of waste originating from Lawrence County from 2010 thru 2012. It also provides a snapshot of historical trends. Finally, it illustrates how some of the special handling waste streams and/or residual wastes factor into the overall operation and capacity of the facilities.

Arden Landfill

Arden Landfill is owned and operated by Waste Management. The facility is located in Chartiers Township, Washington County near Canonsburg. Although listed as one of the landfills currently reserving disposal capacity, it reports no waste of any type that originated in Lawrence County from 2010 thru 2012..

Carbon Limestone Landfill

One of the out-of-state landfills designated to receive Lawrence County municipal waste is the Carbon Limestone Landfill. Situated just across the Ohio border near the town of Lowellville in Mahoning County, it is the facility in closest proximity to the County. Although the site is currently owned by Republic Waste Services, it still does business under the corporate name Browning Ferris Industries or BFI of Ohio. Carbon Limestone traditionally reported significant amounts of the municipal and residual waste generated in Lawrence County. The company's own hauling division, the City of New Castle and other local haulers are known to utilize the facility for disposal. Nevertheless, no Lawrence County waste was reported by Carbon-Limestone during 2010-2012.

Greentree Landfill

Advanced Disposal currently owns and operates the Greentree Landfill located in Fox Township, Elk County. The facility has long been one of the largest landfills in the northwest Pennsylvania region. In 2012, Greentree reported disposal activity for 65 of the 67 Pennsylvania counties. It also received waste from nine states, with New Jersey

delivering the most significant quantities. Waste is delivered to the landfill by a transportation division of Advanced Disposal (previously Veolia), local independent haulers, and long-haul broker transporters. As drilling and exploration continues to develop in the Marcellus Shale Gas Formation, it is anticipated that residual waste tonnages will increase exponentially at Greentree.

A minimal amount, 9 tons, of residual waste was received from Lawrence County at the landfill in 2012, but no waste of any type were reported from the County in other years. Greentree was not one of the landfills designated in the 2004 Lawrence County Municipal Solid Waste Management Plan.

Imperial Landfill

In addition to the Carbon Limestone Landfill, Republic Services also owns the Imperial Landfill located near Carnegie in Allegheny County. Imperial executed a capacity agreement with the County and was designated to receive municipal solid waste the County's 2004 Plan. From 2010 thru 2012, the site reported the disposal of small but consistent quantities of municipal, construction and demolition and asbestos waste originating in Lawrence County.

Joseph J. Bruner Landfill

Although it has not executed a capacity agreement with Lawrence County, the Joseph J. Bruner Landfill reported disposing of small quantities of municipal waste, including sewage sludge, from Lawrence County in 2010 and 2011. Only sewage sludge was reported in 2012. Pennsylvania annual facility reports before 2010 indicate that the Joseph J. Bruner Landfill has historically reported relatively the same quantities of Lawrence County municipal waste. This could be an indication that the waste originated either from the same source or from the same transporter. The facility is privately owned and operated by Joseph J. Bruner Inc. The landfill is located in New Sewickley Township in Beaver County near the borders of Butler and Lawrence Counties.

Lakeview Landfill

Another facility owned and operated by Waste Management, Lakeview Landfill is located in Summit Township, Erie County. Approximately 410 tons of residual waste from Lawrence County was reportedly delivered to the Lakeview site in 2010. Lakeview reported neither residual nor municipal waste from Lawrence County in 2011 or 2012. Ten other counties, as well as four other states, compete for disposal capacity at Lakeview. By far the most tonnage comes from Erie County, host to the landfill. In the past, Lakeview Landfill received greater quantities of out-of-state waste. However, it now represents less than 1% of the total tons disposed there.

Lakeview is not one of the facilities that guaranteed capacity to Lawrence County and consequently is not a designated disposal facility in the 2004 Lawrence County Municipal Solid Waste Management Plan.

Lycoming County Landfill

As the name suggests, the Lycoming County Landfill is located in Lycoming County near Williamsport, Pennsylvania. Lycoming is not a designated disposal facility in the 2004 Lawrence County Municipal Solid Waste Management Plan. A small amount of asbestos originating in Lawrence County was reportedly disposed at the facility in 2012. However, no municipal or residual waste from Lawrence County was listed on the report. Lycoming did not report the disposal of any types or quantities of Lawrence County waste in 2010 or 2011. Lycoming County is not in close proximity to Lawrence County. Therefore, except for special circumstances and/or projects, the cost to deliver waste to the facility from Lawrence County is typically cost prohibitive.

Northwest Sanitary Landfill

Waste Management's Northwest Sanitary Landfill received significantly greater quantities of Lawrence County waste than any other landfill during the period 2010 thru 2012. It is one of the eight designated disposal facilities in the 2004 Lawrence County Municipal Solid Waste Management Plan. An average of 85% of Lawrence County's municipal solid waste was reportedly disposed at Northwest within that same timeframe. When all types of waste are considered, Northwest reported an approximate average of 70% of Lawrence County's disposal activity. Northwest is located in Clay Township in northern Butler County. Nineteen other counties utilize the facility for disposal. In tons disposed at Northwest, Lawrence is second only to Butler County, which is the largest disposer of not only municipal but also of all types of waste. Armstrong, Clarion, Allegheny, and Venango counties also dispose of respectable quantities of municipal waste at the facility. Ohio was the sole source of out-of-state waste disposed at Northwest from 2010 thru 2012.

Residual waste represents approximately 40% of the total quantity of waste disposed at Northwest.

Sanitary Landfill

Sanitary Landfill is owned and operated by Westmoreland Waste, LLC. The facility, located in Rostraver Township, Westmoreland County, only reported 4 tons of residual originating from Lawrence County in 2011. According to reports from other years, the facility does not regularly receive waste from Lawrence County. The site is not designated to receive municipal waste from Lawrence County.

Seneca Landfill

Located in Butler County in the Townships of Jackson and Lancaster, Seneca Landfill accepted roughly 27% of Lawrence County's total reported disposed waste during the years 2010-2012. Overall, Seneca received for disposal an average of 10% of Lawrence County's municipal waste in that same period. The landfill guarantees capacity to Lawrence County through a contractual agreement. It is listed as one of the designated

facilities in the 2004 Lawrence County Municipal Solid Waste Management Plan. Seneca serves fifteen counties including Lawrence, Mercer, Butler, and Allegheny counties, in that order, typically have the greatest quantities of waste reported as disposed at the site. Aside from Pennsylvania, the only other state, which delivers waste to the landfill, is Ohio.

Residual waste accounts for roughly 16% of the overall tonnage accepted at Seneca. In Butler County drilling and exploration continues to develop in the Marcellus Shale Gas Formation. The same is true in the surrounding area. Therefore, it is anticipated that residual waste tonnages will continue to increase significantly at Seneca within the next decade.

Valley Landfill

Another Waste Management owned and operated facility, Valley Landfill is located near Irwin in Westmoreland County. The site reported no Lawrence County waste from 2010 thru 2012 although it does have a capacity agreement with the County. Distance is likely a major factor as direct haul to this facility could be cost prohibitive. Westmoreland and Allegheny counties deliver close to 96% of all waste received at the facility. Residual waste represents a considerable amount of that overall tonnage.

Undesirable Disposal Practices



The PADEP annual facility reports do not fully represent the true extent of waste disposal activity for Lawrence County. First, the reports do not capture waste, which is disposed out of state. In addition, a number of indicators suggest that that more waste is generated than is properly disposed.

The voluntary nature of much of the residential waste collection infrastructure allows residents in the County to avoid utilizing (i.e. pay for) the available services for proper waste removal and disposal. Many of these individuals dispose of their waste at the expense of others, by leaving it in commercial dumpsters and/or at recycling drop-off sites. Others leave it along roadways, streams and remote areas. Some openly incinerate the material in their backyard.

The lack of regulatory control and monitoring for transporters with smaller vehicles that are exempt from Act 90 Authorization, particularly roofers, home remodelers and junk collectors, provides the temptation and opportunity to increase profits by abandoning or burning waste, thus avoiding the cost of disposal.

Undesirable disposal methods create pollution; endanger public health and safety; and lower property values. Ironically, those who fail to pay for proper removal of their waste, may subsequently experience increased taxes to cover the expenses of remediating the situation. They certainly create extra costs for honest citizens.

Often, responsible individuals and businesses that do pay for collection and proper disposal are victimized by this behavior. When unauthorized users place material in another's waste receptacle for disposal, it is considered theft of service. Not only do the offenders avoid payment, their waste can result in price increases for the paying customer due to the need for more frequent service or larger containers.



The elimination of drop-off recycling programs frequently occurs due to contamination and the time and cost of removing unwanted materials.

Therefore, by their actions, offenders of the system can destroy the very service designed to provide a cost saving alternative for waste disposal, when utilized properly.

This section discusses the types and prevalence of undesirable disposal practices in Lawrence County. It outlines current efforts to remediate existing dumpsites along with suggestions to modify this behavior and prevent future occurrences and minimize the effects.

ILLEGAL DUMPING ACTIVITIES

Studies and surveys have shown that the mere existence of dumpsites breeds more dumping. Although unwillingness to pay is a significant reason for people to dump illegally, often a more compelling issue is simply the lack of reasonable and convenient disposal outlets. In communities where curbside collection of waste and recyclables is not mandatory, the incidents of illegal disposal activity increase. The abuse is even more noticeable when such services are unavailable at all. This is also true where normal household waste is collected, but bulk waste and white goods are not.

In 2007, Keep Pennsylvania Beautiful (formerly Pa CleanWays) completed a study, which identified the location of illegal dumping sites within Lawrence County. This study is one in a series of similar surveys conducted by Keep Pennsylvania Beautiful in each of Pennsylvania's 67 counties. The statewide project will cumulate in 2013 as the final surveys are near completion.

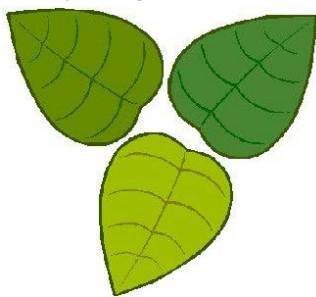
Keep Pennsylvania Beautiful's surveys have shown that illegal dumping tends to be more prevalent in rural areas. This pattern holds true in Lawrence County, where 68% of the

identified sites were located in areas categorized as rural. In Lawrence County, 31 sites were identified. One or more sites were located in 41% of the County's municipalities. With one exception, the City of New Castle, all of the illegal dumping occurred in municipalities without some mechanism to promote proper waste management practices. Either the municipality with a dumpsite had no ordinance that required waste collection and/or the municipality did not provide collection services with municipal employees or through an outside contractor. Although the City of New Castle has both an ordinance and provides collection services, its pay by the bag system has no accountability measures to ensure that all residents participate by purchasing sufficient quantities of bags. Consequently, the City was one of the urban locations with a number of dumpsites.

Figure 2-1 shows the location of the sites and illustrates how population density plays a role. A total of 112 tons of waste were estimated to exist at the sites. A significant amount of the waste cataloged consisted of bulky items such as tires, furniture, and appliances. Among the discarded items, construction & demolition waste and regular household trash were found consistently. Because comprehensive surveillance of the entire land area of the County was not possible for this study, it is suspected that the findings are representative of an even greater problem.

REMEDIAL EFFORTS

Groups like Keep Pennsylvania Beautiful periodically organize local volunteers to remediate illegal dumping areas. Tri-County CleanWays, representing Butler, Lawrence & Mercer Counties, is an affiliate of Keep Pennsylvania Beautiful. Having formed a chapter in 1993, Lawrence County has been active in the original CleanWays efforts for the longest duration of the three counties. Two of the three counties represented by Tri-County CleanWays are under the direction of the Lawrence-Mercer Counties Recycling/Solid Waste Department for solid waste related issues. Therefore, the strong



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collaborative partnership between the Department and Tri-County CleanWays is highly productive and cost effective.

The Keep Pennsylvania and CleanWays programs are a perfect complement to the overall goals and objectives of the Recycling/Solid Waste Department. Tri-County CleanWays focuses on cleanups of illegal dumpsites, special collection events for disposal of hard-to-dispose items, and educating the public on the detriments of illegal dumping and littering. An extensive network of volunteers donates countless hours to implement these programs.

The volunteer efforts of Tri-County CleanWays are helpful in remediating some of the problem. The value of in-kind services to supplement and support the clean-ups should never be discounted. According to actual expenditures attributable to local cleanups, the combined cost of labor, transportation and disposal can easily tally up to \$1,000 per ton.

Because clean-ups draw public attention, often overlooked is the reality that local municipalities bear the ongoing cost for cleaning up illegal dumpsites. Public works or road crews are often dispatched at significant taxpayer's expense to remove and dispose of abandoned waste.

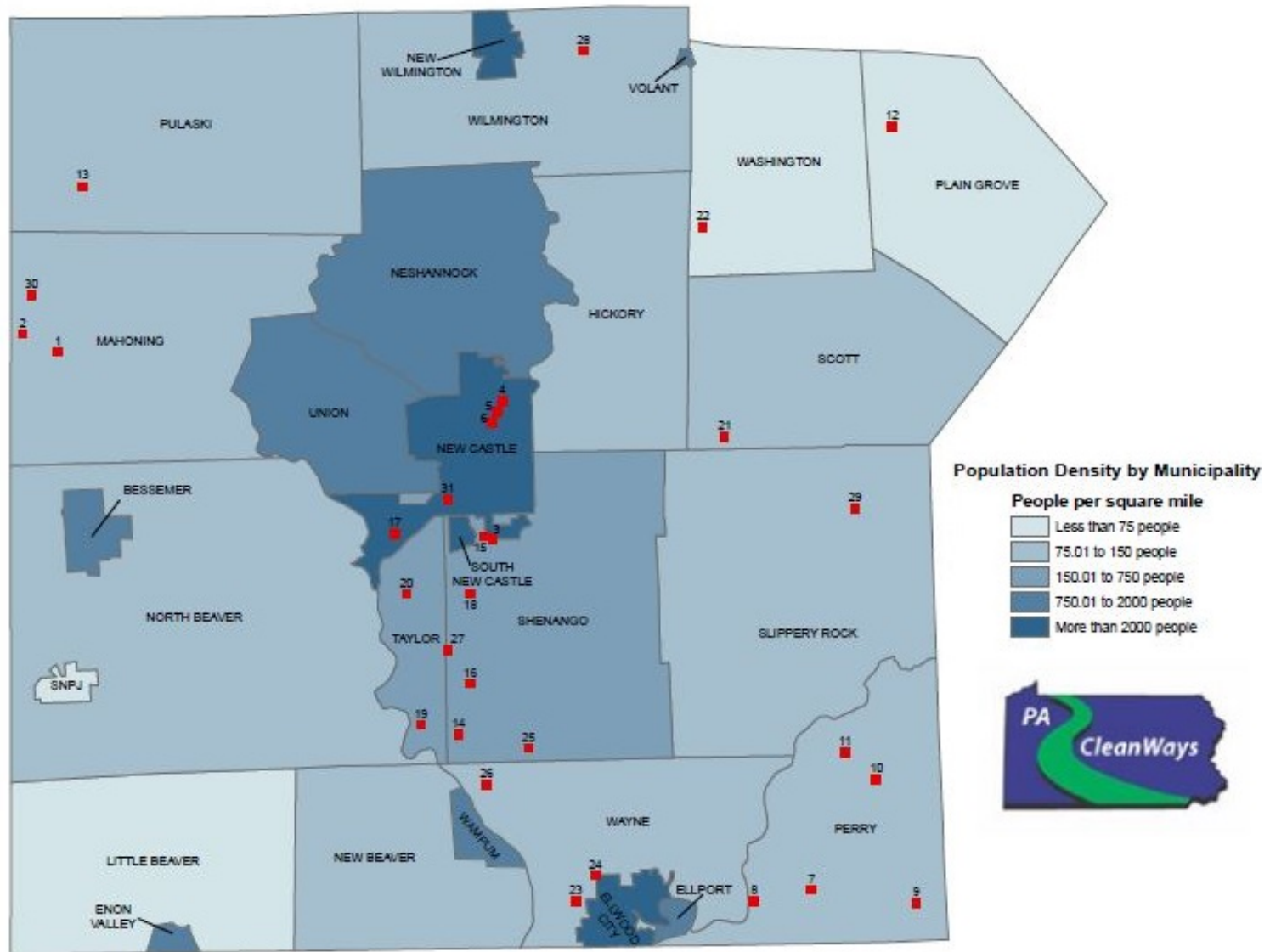
PUBLIC CONSEQUENCES

Low risk of discovery and prosecution fuels illegal dumping. In areas where enforcement is weak or non-existent, the fear factor has little or no impact on those seeking to abandon their unwanted materials on the property of others. On the other hand, where enforcement and prosecution for illegal dumping is strong, consistent and done in conjunction with public acknowledgement of offenders, it is shown to be an effective deterrent. Neither can be accomplished without all of the proper mechanisms in place. A combination of ordinances, rules and regulations, and surveillance tools, along with the cooperation of law enforcement officials and the judicial system are needed to identify, cite and penalize offenders.

The Lawrence-Mercer Counties Recycling/Solid Waste Department recently launched an initiative to prosecute illegal dumpers. Due to the staff's efforts local magistrates now have a greater understanding and appreciation for the severity of the offense in relationship to the costs of clean-ups and the impact on public health and safety. Several cases have been decided in favor of the County and fines were issued.

Although the program has been successful in identifying offenders, the Department must rely on law enforcement personnel to issue the actual citations. Enabling the Department with the authority to issue citations directly to offenders could result in a higher level of convictions.

Figure 2-1 Illegal Dump Sites Identified in Lawrence County 2008



OPEN BURNING

Perhaps the most contentious topic, which typically surfaces during the municipal solid waste management planning process, is the practice of open burning. People burn for a variety of reasons. The motivations and behaviors associated with the burning of waste are relatively consistent, regardless of region. Convenience, habit, and the avoided cost of trash collection rank high on a list of factors that continue to foster the practice. Open burning, remains a common occurrence in Lawrence County. Neighborhood tolerance and lack of effective deterrents can inadvertently translate into acceptance, even when the practice is not condoned by local governments.



The public in general has little to no awareness of the dangers of open burning. Yet it has been shown that open burning of municipal waste poses a significant health hazard. The increasing volume of plastics and other synthetics in the waste stream release dangerous carcinogenic emissions when combusted.

In some areas the fall revives a nostalgic affinity for burning leaves. A misconception exists that this is a safe and natural activity. However, smoke from any fire can affect the health of a community. The smoke from backyard burning is released close to the ground where people can easily breathe it. Smoke can trigger asthma attacks. People with heart and lung conditions are vulnerable, as are those with other chronic health problems. An often-overlooked consequence of backyard burning is that unattended burn barrels can cause accidental fires. Therefore, it poses an immediate as well as a long-term danger to the public health and welfare.

A beginning to minimizing the practice is the adoption and enforcement of burning ordinances. Some communities kick off the implementation of the ordinance with buy-back programs for the barrels. Enforcing existing ordinances requiring mandatory waste collection could effectively eliminate the practice.



LITTERING

Littering is a behavior that occurs on a regular basis. It seems to have no age, gender, education, or financial boundaries. Motorists as well as pedestrians are guilty of littering. It is as common in Philadelphia, Pittsburgh, and Harrisburg as it is in the most remote communities of the Commonwealth. Even the most sincere and devoted conservationist has, at a minimum, been tempted to toss a gum wrapper to the ground. Cigarette butts alone account for trillions of pieces of litter each year according to studies conducted by Keep America Beautiful. For an individual that would never consider dumping garbage over the hillside, these seemingly tiny littering indiscretions often don't equate to the same level of offense. However, the cumulative toll on the environment is just as devastating.

The visible effects of littering exist in Lawrence County. Littering can result from limited availability of waste and recycling receptacles in public places. Where pedestrian traffic is dominant it has been shown that littering occurs most often, at the juncture of activities. In other words, entrance and exits of buildings, street corners, crosswalks, parking areas, etc. Keep America Beautiful often has grant funding available to its affiliates for purchasing public venue containers. The Lawrence-Mercer Counties Recycling/Solid Waste Department stays informed of these opportunities. The staff encourages and supports local municipalities in their efforts to initiate anti-litter campaigns.

Disposal Methods for Special Handling Waste

Specialized methods of processing and disposal are required for select portions of the municipal waste stream. These include land application of biosolids, and thermal treatment or incineration of regulated medical waste.

MANAGEMENT OF SEWAGE SLUDGE, BIOSOLIDS AND RESIDENTIAL SEPTAGE

Wastewater from our homes and businesses contains properties that can be beneficial if managed correctly. On the other hand, the material can also pose health and environmental problems if not properly managed. In cities and suburban developments, the wastewater flows through a network of pipelines to centralized treatment facilities. Special physical, chemical, and biological processes sanitize the wastewater and remove the solids. The results are sewage sludge.

In areas that are more rural, wastewater is held in a septic tank and periodically emptied by a septage transporter. There are essentially two acceptable methods of managing residential septage. The first option is to transport the septage to a municipal or private wastewater treatment facility or a septage treatment facility where it can be properly treated prior to final disposal. Because facilities within a reasonable driving distance may not be permitted to accept septage, this is not

always a viable option. An alternative then is to beneficially use the septage by land application at an agricultural or reclamation site

The term “biosolids” was introduced by the wastewater treatment industry to distinguish sewage sludge from industrial sludge by emphasizing that the former is produced by a biological process. The term “biosolids” also helps to distinguish this material from raw sewage and from those sewage sludges that contain large quantities of environmental pollutants. Biosolids are the nutrient-rich organic materials derived from sewage that have been stabilized to meet specific processing, pathogen reduction and quality control standards. Biosolids can be land-applied as a fertilizer to help rejuvenate farmland, forests and minelands.



Although land application is a viable alternative, significant volumes of biosolids often are still disposed in landfills in many areas. As previously shown in Table 2-3 quantities of sewage sludge originating in Lawrence County are consistently reported by Pennsylvania landfills. Because of the rural nature of the County land application of biosolids could be occurring. however a search for permitted sites produced no results from the PADEP e-facts database.

Waste Management in the Wake of Disaster

On a day-to-day basis, municipal solid waste generation, disposal, and composition remains stable and relatively predictable. However, there are times when rapid spikes occur in the volume of material that must be managed. Floods, tornados, ice storms, fires and other natural or manmade catastrophes can quickly cause unimaginable devastation and destruction. The resulting massive quantities of debris from damaged structures and contents must be removed as rapidly as possible, yet in an efficient and responsible manner. In fact, the removal of debris can become an impediment to the provision of other emergency services, if it is not executed immediately. Access to victims and vital components of the infrastructure are often dependent on the existence and implementation of an organized debris

management plan. Essentially, until the clean-up occurs, the process of remediation and rebuilding is stalled.

After a small storm, municipalities may have public works crews or contractors load and haul truckloads of branches and trees to a processing facility. During a major crisis, debris removal becomes much more complicated. Damaged structures must be demolished; cars, trucks, boats and refrigerators must be carted away, along with rotting food, decaying vegetation and molding mattresses, upholstered furniture, draperies and carpeting. Workers must continually check for hazardous chemicals, gas leaks, and substances like asbestos.



With the nature of the disaster the expected types and amounts of debris varies. Therefore, strategic plans need to consider a number of scenarios to determine if existing diversion programs and commonly used disposal facilities will be adequate in every instance. In the past, disaster debris management was solely focused on removing the material without regard to its composition and characteristics, and delivering it to a disposal facility. Federal agencies have been known to burn large quantities of material on site. Contemporary wisdom suggests that much of the debris can be recovered and diverted from disposal. Methods to incorporate reuse and recycling into a disaster recovery process are discussed in Chapter Four.

Regardless of the type of event or the extent of destruction, Lawrence County must be poised to provide outlets for materials either at the designated disposal sites or at other appropriate contingency facilities. The County's disposal capacity agreements require these sites to demonstrate how they could handle excess disaster waste from Lawrence County, including the provision of a back-up facility.

Although the County arranges for disposal outlets, the initial burden of providing for and paying for disaster debris removal typically falls on local municipalities and private property owners. The County could help reduce some of the costs by also identifying and/or promoting the development of



outlets for the recovery/recycling of materials from these events. While disaster relief is often available from state and federal agencies, failure to follow proper protocol can reduce the amount of reimbursement due to a community. It is necessary to have procedures in place to document and monitor the invoicing process, the handling procedures, and ultimate disposition of the material. Therefore, planning for such emergencies is important from a financial as well as public health and safety perspective. The best plans are cooperative and collaborative efforts between municipalities, service providers, and emergency management agencies.

The Lawrence-Mercer Counties Recycling/Solid Waste Department should promote the development of a countywide disaster debris management plan designed to divert as much waste as possible from disposal. Working together with the municipalities and other County agencies, will ensure that the plan will be recognized in advance of such situations and that can be implemented readily throughout the County.

Trends in Lawrence County's Disposal Rate

Table 2-6 shows the reported waste disposed from Lawrence County over the past nine years. At the national level, although the per capita waste disposal rate continues a gradual decline, population is increasing. Therefore, nationally the total tons of waste disposed has not fluctuated much in recent years. In Lawrence County, the downward trend is twofold. Both the tons of Lawrence County municipal waste and the County's population have steadily declined since 2004. In 2012, the County's population was 2.99% less than in 2004. During that same period, Lawrence County's reported municipal waste disposal decreased by nearly 30%.

This trend is not unique to Lawrence County. In general, Pennsylvania counties in rural areas and those whose economic base was previously dependent on heavy

Table 2-6 Lawrence County Disposal Reported Activity 2004-2012

	Population	Municipal	Sewage Sludge	Construction Demolition	TOTAL MSW	Tons MSW Disposed Per Capita Per Year	Pounds MSW Disposed Per Capita Per Day	National Average lbs disposed per capita per day = 2.93	Residual
2004	92,637.00	20,109.70	981.00	2,483.40	23,574.10	0.25	1.39		7,231.00
2005	91,929.00	19,469.60	1,010.50	1,036.10	21,516.20	0.23	1.28		5,513.40
2006	91,795.00	19,124.10	1,041.60	647.80	20,813.50	0.23	1.25		6,795.20
2007	90,901.00	18,745.70	874.90	501.90	20,122.50	0.22	1.21		4,987.70
2008	90,555.00	13,764.00	466.40	427.20	14,657.60	0.16	0.89		4,270.90
2009	90,160.00	7,831.50	492.60	246.40	8,570.50	0.09	0.50		2,982.90
2010	91,108.00	19,238.30	298.90	297.80	19,835.00	0.22	1.19		4,901.90
2011	90,399.00	19,853.00	1,195.30	371.10	21,419.40	0.24	1.30		6,224.70
2012	89,871.00	17,484.80	138.00	468.00	18,090.80	0.20	1.10		7,393.10

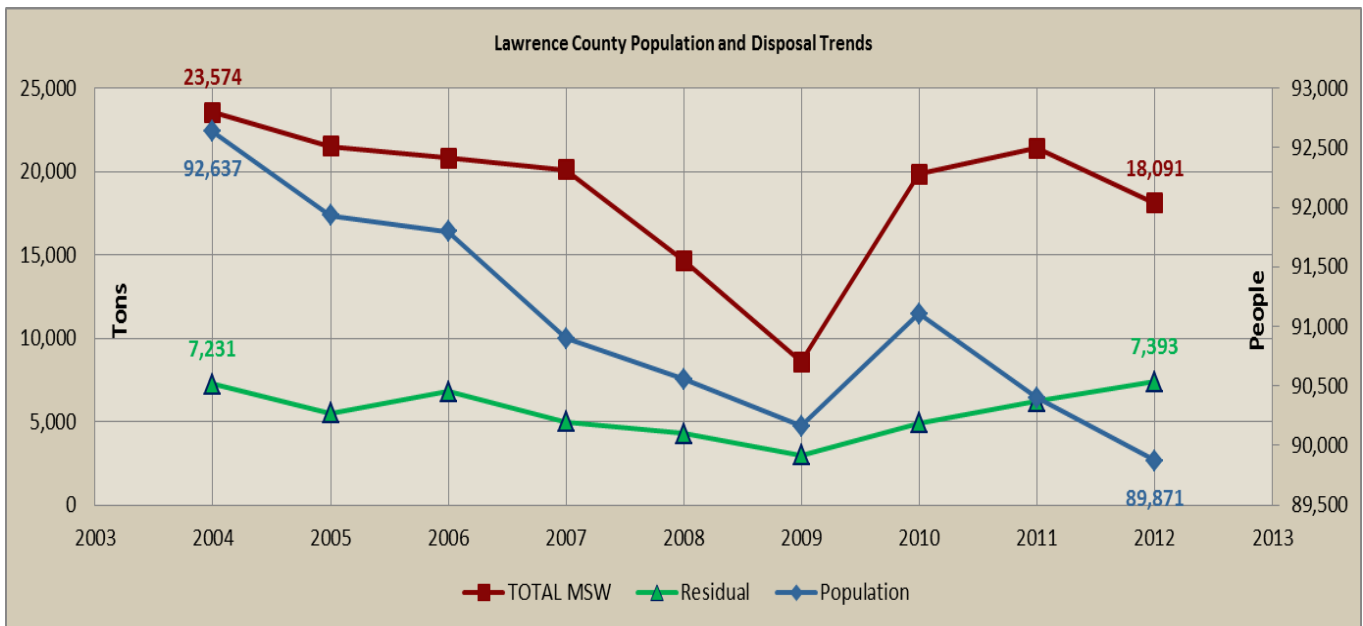
1. **Apparent errors are due to rounding**
2. **Sources:**
 - a. **PADEP Annual Facility Reports,**
 - b. **Penn State Data Center Population Estimates,**
 - c. **US Census Bureau,**
 - d. **USEPA- Municipal Solid Waste in the Unites States: Facts & Figures 2011**

industry tend to have declining populations. Both in Pennsylvania and at the national level the waste generated and disposed per capita has decreased.

Industry forecasters predict this trend will continue with minor but insignificant shifts up and down in the overall scheme before gradually leveling off.

Figure 2-2 is a graphic representation that illustrates the County’s annual population along with the tons of waste from Lawrence County reportedly disposed each year since the adoption of the 2004 Lawrence County Municipal Solid Waste Management Plan.

Figure 2-2 Lawrence County Population vs. Tons Disposed 2004-2012



Sources:

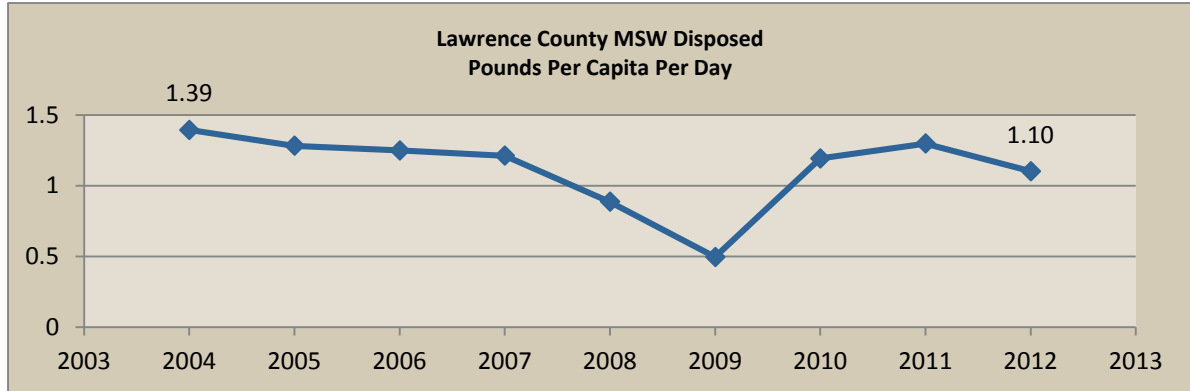
PADEP Annual Facility Reports, Penn State Data Center Population Estimates, US Census Bureau

Although the trend for decreasing waste generation and disposal appears to be the national and state norm, a unique aspect of Lawrence County’s results is the significantly lower than average rate of disposal per capita. This is particularly true because the County does not necessarily exhibit a higher than normal recycling rate.

In 2004, Lawrence County residents reportedly disposed of 1.39 pounds per person per day. In 2012, the reports indicate that individuals in Lawrence County now dispose of 1.10 pounds per person per day, a decrease of nearly 21%. In 2010, the national rate of disposal was 2.93 pounds per person per day. That represents a difference between Lawrence County and the national average of almost 63%.

Figure 2-3 shows on a per capita basis the changes in Lawrence County municipal solid waste disposed from 2004 to 2012. The measurement is shown in pounds per person per day.

Figure 2-3 Lawrence County Disposal Rate 2004-2012



Sources:

PADEP Annual Facility Reports, Penn State Data Center Population Estimates, US Census Bureau

The discrepancy between the national statistics and Lawrence’s County’s performance could be due to the unreported quantities of waste currently disposed in Ohio landfills, which consequently are not included in the calculations and data presented. That Lawrence County varies so significantly from the national trends could also be indicative of the existence of a number of improper waste management practices. Both scenarios are worthy of added consideration. Comprehensive data, and therefore accurate reporting, is necessary for informed decision making, performance evaluation, and planning. Poor disposal practices affect public health and safety, pollute the environment, and lower property values.

Assessment of and Recommendations for the Disposal System

Overall, Lawrence County and its municipalities have established policies and programs that provide a good foundation to encourage proper municipal solid waste management. The majority of residents and businesses respect the environment and strive to handle their waste properly. Unfortunately, decades after the development of Lawrence County’s original Plan, there is evidence that for some, irresponsible disposal habits persist. Whether from a lack of awareness and/or the absence of community pride, roadside dumping, littering, and open burning still occur. In spite of an adequate network for collection, transportation, and disposal, some citizens of Lawrence County remain reluctant to utilize (i.e. pay for) these services.

The purpose of a municipal solid waste management plan is to develop guidelines that promote pollution prevention, and protect the health and safety of the community. Additionally a plan must provide the mechanisms to ensure that the rules and regulations can be enforced. Several areas for improvement were identified in this review of current waste management trends.

The County is fortunate to host Tri-County CleanWays, one of the premier affiliates of Keep Pennsylvania Beautiful. The volunteers of Tri-County CleanWays have launched an ongoing attack on illegal dumping and littering in Lawrence County. Although their efforts at clean-ups are notable, the County must do more than react to illegal dumping. Actions are also necessary to complement these remedial efforts, by preserving the results and preventing future occurrences.

Moving forward, the County should revise its solid waste ordinance to provide for tracking and monitoring of transporters, better reporting requirements, and greater enforcement capabilities. Specifically, on solid waste related issues, the Lawrence-Mercer Counties Recycling/Solid Waste Department should be empowered to act as an enforcement agent of the County, with full police powers. Joint enforcement powers should be considered to enable the staff to act on behalf of the municipalities when violations occur.

Municipalities should also revisit local ordinances governing property maintenance, zoning, solid waste, and open burning to ensure that their requirements are consistent and that deterrents to non-compliance are substantial. The Lawrence-Mercer Counties Recycling/Solid Waste Department should establish and maintain a library of municipal ordinances for reference and periodic review. The County should develop an updated educational campaign on the benefits of proper waste collection and disposal to support the need for revisions to local ordinances. Model ordinances could be developed to assist municipalities make necessary improvements.

The most significant objective at the municipal level is to emphasize that homes must utilize regular waste collection services. Additionally it is inherent that future efforts must focus on decreasing the overall amount of residents involved with open dumping and burning. Entering into municipal contracts for waste and recycling services is a vital tool in attaining these goals. The County should help to facilitate intergovernmental cooperation in the development of joint collection programs and contracts.

These and other recommendations along with potential methods of implementation are discussed in more detail in Chapter 5.



CHAPTER THREE

Forecast of Future Needs

Regulatory Requirements for Capacity Assurances

The enactment of the Municipal Waste Planning, Recycling, and Waste Reduction Act (Act 101 of 1988) came at a time of transition and uncertainty in the waste industry. The introduction of more stringent federal and state landfill regulations prompted the closure of many small private and municipal landfills. The expense of permitting, engineering design and construction as well as bonding for post closure care was cost prohibitive to continue operating. Larger conglomerates with more resources recognized this as a business opportunity. Intent on internalizing the disposal of waste, which was collected by their hauling divisions, the acquisition of facilities became a high priority.

The closures and perceived corporate monopolization of the remaining landfill capacity created a sense of crisis throughout the environmental and regulatory community. They projected that in short time the nation would have no place to dispose of the ever-increasing municipal waste stream. For those reasons, Act 101 specifies that securing long-term disposal capacity is the top priority for Pennsylvania counties during the development of a municipal solid waste management plan. Act 101 also places mandates for recycling on the municipalities in order to decrease the capacity demand by diverting waste material from disposal. Counties are required to seek disposal capacity commitments approximately every ten years or at the time when their disposal capacity agreements expire. Lawrence County's capacity contracts will be expiring during the planning process.

This chapter projects Lawrence County's generation and disposal requirement for the next decade. It compares it to the rate at which capacity is being consumed at landfills currently receiving the County's waste. Factors, which could influence the availability of landfill capacity to the County, and alternative methods of disposal and processing are considered. Finally, the decision and justification to solicit for added capacity is discussed.

Current Market Conditions

In some respects, the conditions in the waste industry in 2013 are dramatically different from those in 1988. In many respects, the sense of uncertainty and transition prevails, but for opposite reasons than existed 25 years ago. The prediction that the nation would run out of landfill space never materialized. Although the number of disposal facilities are indeed fewer, the multitude of small local dumps were replaced by mega landfills able to accommodate large volumes of waste. Businesses and industries are more cognizant of the impact of waste minimization and source reduction practices on their bottom line. Products are

produced with lighter materials, fewer non-functional ornamental parts and less packaging. Recycling programs succeeded in removing post-consumer waste from the landfill.

Unlike the escalating generation of municipal waste witnessed from the mid to late 20th century, national studies currently show the direction of those rates to be reversed. Most recently, PADEP annual facility reports show a clear downward trend in tons received for most if not all of the landfills designated in the Lawrence County Municipal Waste Management Plan. In many cases, the decrease in tonnage has been dramatic. From that perspective, an initial conclusion could be that the landfills currently designated should have no lack of current or future disposal capacity. It is prudent, however, to explore other factors before making such a determination.

EFFECT OF DISPOSAL AND OPERATING PRACTICES

The acreage, elevations, and permitted daily volumes of specific landfills do not equally reflect the capacity that is remaining in each facility. Site conditions, management, company policies, and the regulatory climate can all determine whether or not a facility optimizes the capacity that could be made available at a location.

A number of operational practices such as compaction ratios; density of material received; poor use of daily cover material; and unforeseen construction difficulties can decrease the space available for disposal. Increases in permitted volumes due to windfall contracts, catastrophic events, economic conditions, or company policies can also have an impact. Changes in ownership are common in the waste industry. Integrated companies that own hauling operations prefer to internalize disposal at their own facilities. It is not uncommon to see waste redirected to facilities, which were obtained in mergers and acquisitions. Such shifts can accelerate the consumption of capacity.

NEW AND GROWING COMPETITION FOR DISPOSAL CAPACITY



Lawrence County relies primarily on disposal facilities owned and operated by the private sector. These operations represent profit centers for the owners and in many cases, the shareholders. It is necessary for these facilities to continually seek out new sources of waste. A growing lucrative market for landfills in the tri-state area of Ohio, West Virginia, and Pennsylvania is acceptance of drill cuttings generated from exploration in the Marcellus Shale Gas Formation. The amount of waste generated at each drill site differs somewhat and is dependent on the depth and horizontal distance of the drilling activity. It is difficult to predict accurately the impact

on any given landfill. It is however safe to say that the results will be significant when the number of drill sites projected is considered along with the average drill cuttings generated per well site. Acceptance of this material would accelerate consumption of the excess disposal capacity currently thought to exist.

Solicitation For Disposal and Processing Capacity

The potential impact of one or more of the issues presented in this chapter, justifies a need to seek out and secure disposal capacity for Lawrence County for the next decade. The PADEP was notified of the Authority's intent to solicit proposals from interested disposal and processing facilities. A formal request was posted in the Pennsylvania Bulletin and was advertised in Waste and Recycling News, a national industry trade journal, on October 25, 2010. A copy of the published notification is provided in Appendix C Results of the solicitation process are provided in Chapter 6.

Population

The US Census Bureau conducted a national census in 2010. This was the most recent available census data published at the time the Plan was being developed. The Pennsylvania State Data Center at the Pennsylvania State University provides historical and current demographic information on counties and municipalities throughout the Commonwealth of Pennsylvania, much of it gathered from local sources. The Plan bases its population assumptions on the Data Center's projections. Over the period 2010 through 2020, the population of Lawrence County is projected to decrease by 4.24% from 91,108 persons to 87,247 persons. For the period 2020 through 2030 the population decrease is projected as an additional 3.25%.

DISPOSAL CAPACITY NEEDS

Table 3-1 presents projected disposal capacity requirements in tons for the years 2012 through 2023. The figures are based on a constant per capita generation rate with adjustments due to projected population changes. The initial waste disposal quantities are based on the PADEP facility reported data for Lawrence County for the year 2012 from PA DEP landfill reports. To ensure that sufficient capacity assurances were obtained, the Request for Proposals used slightly greater quantities on the capacity agreement forms to account for unreported quantities of waste disposed in Ohio landfills.

Table 3-1 Lawrence County Disposal Capacity Projections 2012-2023

Year	Population	MSW	C&D	Sludge	Total
2012	90,336	17,484.8	468.1	138.0	18,090.9
2013	89,950	17,410.1	466.1	137.4	18,013.6
2014	89,564	17,335.3	464.1	136.8	17,936.2
2015	89,178	17,260.6	462.1	136.2	17,858.9
2016	88,792	17,185.9	460.1	135.6	17,781.6
2017	88,405	17,111.2	458.1	135.1	17,704.4
2018	88,019	17,036.4	456.1	134.5	17,627
2019	87,633	16,961.7	454.1	133.9	17,549.7
2020	87,247	16,887.0	452.1	133.3	17,472.4
2021	86,964	16,832.2	450.6	132.8	17,415.6
2022	86,681	16,777.3	449.2	132.4	17,358.9
2023	86,397	16,722.5	447.7	132.0	17,302.2



CHAPTER FOUR

Measuring Recycling Performance

Recycling in Lawrence County

Lawrence County has always considered recycling an important element in its overall waste management hierarchy. Since the adoption in 1991 of the first Lawrence County Municipal Solid Waste Management Plan developed under the provisions of Act 101, recycling has continued to expand. Opportunities now exist for residents, businesses, government agencies, and other institutions to recycle. However, access to recycling outlets and the convenience of curbside collection may not be equitable in every municipality.

This chapter describes the achievements made by the County, the municipalities and the private sector service collection and processing providers in developing a countywide recycling infrastructure. The current performance of the recycling activities and a comparison to national trends is included. Examples are given of model programs that motivate recycling behaviors as well as circumstances that result in poor performance. Cost effectiveness in relationship to recovery rates are also discussed.

OVERVIEW OF PREVAILING CONDITIONS

Based on recommendations made in the 2004 Plan update and revision, Lawrence County implemented a drop-off recycling collection program. The drop-off program was intended as a supplement for those areas of the County where recycling opportunities were lacking. This program continues to evolve as needs and circumstances change. Since the inception of the drop-off recycling collection program, new methods of collection and processing have developed, which allow for an expanded menu of materials to be recovered more efficiently, even in rural areas. Currently, for most service providers, offering curbside recycling collection as a service option is becoming the norm rather than the exception. However, in a significant number of Lawrence County communities, subscribing to a waste and recycling collection service is still strictly voluntary. A number of uncertainties and variables exist where participation is voluntary that affect the cost of collection. Compared to programs where services for an entire municipality are procured through a competitive bidding process, in voluntary programs, the cost of collection is higher and serves as a disincentive to participation. Thus, in spite of many advances, with the prevalence of voluntary programs, Lawrence County has yet to reach the full potential recovery of recyclable materials.

Economic and Environmental Benefits

Recycling is one thing that the average citizen can do that has a direct impact on the conservation of energy, natural resources, pollution prevention, and climate change. It also creates jobs and reduces the costs of manufacturing. Recyclers in Lawrence County helped to divert 11,715 reported tons of material from disposal in 2010.

Considerable value was derived from those efforts. Before discussing the intricacies of local programs, it is worth noting how the recovery of materials from our homes, businesses, and factories is vital to the sustainability of our economy and our environment.

FINANCIAL RISKS AND REWARDS OF LOCAL RECYCLING EFFORTS

In the United States, early residential recycling programs ignored the basic premise of supply and demand. Often, the decision to recover materials was and for decades continued to be disproportionate to the available outlets for their reuse. Current market conditions differ from those that were common 25 years ago. We participate in a global economy, which presents opportunities along with challenges. The need for affordable raw materials in developing countries has fueled interest in recovering greater volumes of recyclable materials from our waste stream. Similarly, as has been the prevailing policy in the European Union, waste materials are becoming widely recognized as a renewable source of energy recovery.

In recent years, recyclables have exceeded manufactured products as the top U.S. exports. True to its origins, business opportunities and economics are the contemporary drivers for material recovery rather than regulatory mandates. The industrial growth of our nation, as well as the personal wealth and fortunes of many, resulted from such resourcefulness.

Because many understand that recyclable materials are brokered as commodities, there is often resistance from residents that must share the direct cost of a recycling collection and processing program. Similar to all commodities dealing in the recyclables markets is not without risks. At various times and sometimes quickly, the resale value of recyclable materials can surge or plummet, based on the whims and business practices of global participants. Whether published rates are high or dramatically low, the notion prevails that recycling services should be free. Conveniently forgotten and little mentioned in the media are the costs of operations. Processing as well as transportation remains an expense rather than revenue to the generator and collector. In some instances, the economic “value” of recovering certain recyclable materials is primarily the avoided cost of disposal. In other words, the cost of processing the material for recycling may be less than disposing of it in a landfill.

LOCAL REGIONAL EMPLOYMENT

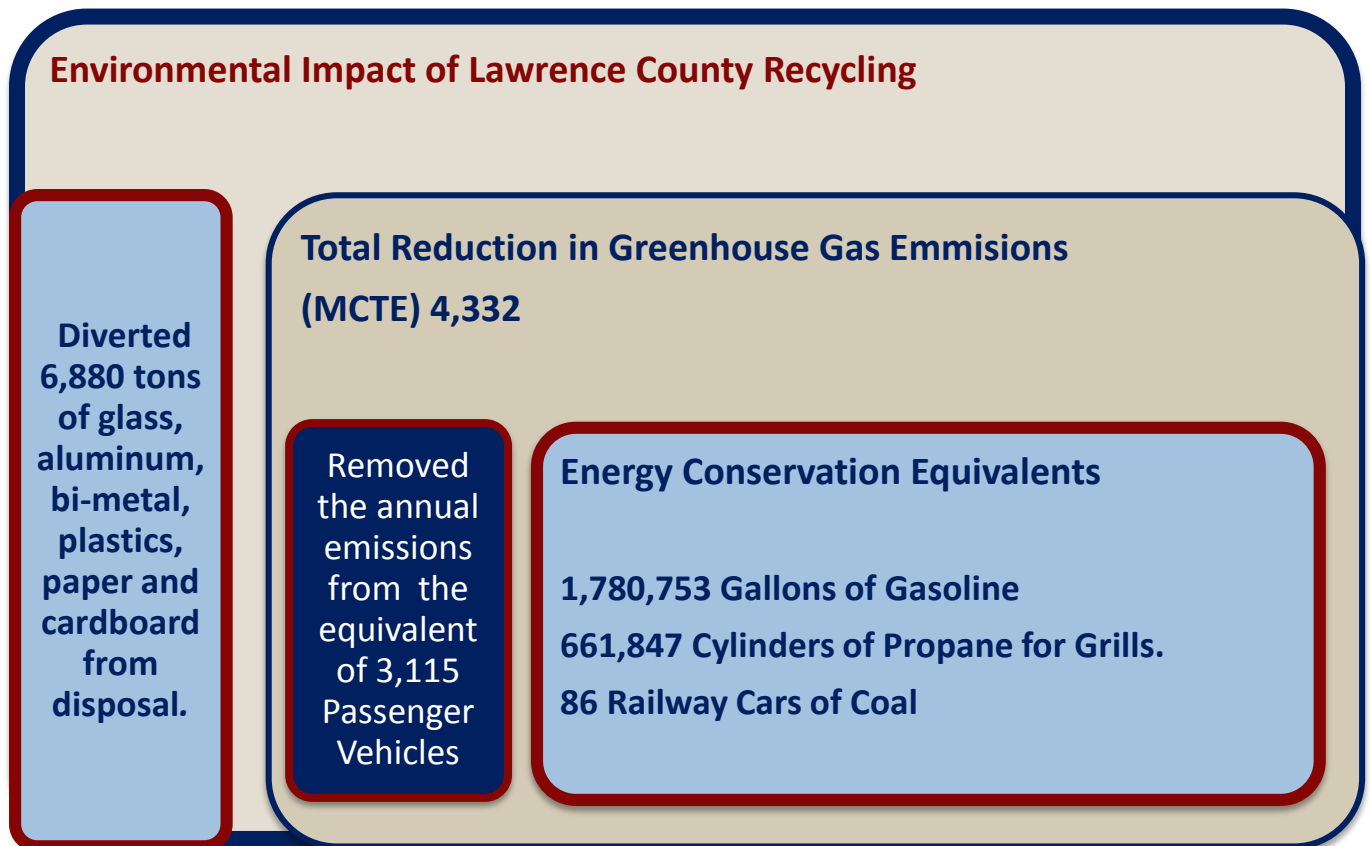
In Western Pennsylvania, private-sector companies have invested millions of dollars in new recycling facilities, high-tech sorting and processing equipment, consolidation and transfer facilities, along with collection vehicles and containers. Likewise, grants and other sources of public funding have supported the development and implementation of educational programs, equipment purchases, and a number of special collection services. A variety of re-use and re-manufacturing ventures, all of which produce sustainable jobs, operate in Western Pennsylvania. These include but

are not limited to facilities that incorporate recycled glass, plastics, fiber and fiberboard, and metals as feedstock in their manufacturing process. The recycled materials are used to create new packaging, insulation, pallets, crates, flooring, and other products. In addition, the savings from replacing virgin materials with recycled feedstock helps these businesses to remain competitive in the marketplace and sustain employment.

ENVIRONMENTAL EFFECTS OF RECYCLING

Until recently, it has been difficult to measure and quantify the environmental effects of recycling. Because the impact of these benefits is not immediate and direct to the recycler, the gains are often overlooked. Figure 4-1 shows the environmental benefits of recycling in Lawrence County based on the Waste Reduction Model (WARM) a tool created by the USEPA to track and evaluate greenhouse gas (GHG) emissions reductions. WARM can be used to assess the performance of a variety of waste management practices. These include source reduction, recycling, combustion, composting, and landfilling.

Figure 4-1 Reduction in Emissions and Energy Consumption



The model calculated emissions in metric tons of carbon dioxide equivalent (MTCO₂E), and energy units (million BTU) based on material types commonly found in municipal solid waste collection programs in Lawrence County. GHG savings for Lawrence County were calculated by comparing the emissions associated with the current form of disposal versus recycling over 6,800 tons of glass, cardboard, aluminum and bi-metal cans, mixed plastic containers, newspapers, magazines, cardboard, and mixed papers reported in local curbside and drop-off collection programs during 2010.

Programs Sponsored by Lawrence County

Although the primary county level responsibility under Act 101 is to provide for disposal capacity, counties must also demonstrate that mechanisms are in place and opportunities are available to support attainment of the State's recycling goals. The Lawrence-Mercer Counties Recycling/Solid Waste Department (LMCRSW) offers a variety of programs and services designed to enhance the recovery of a wide spectrum of recyclable materials and difficult to manage items. In addition, LMCRSW, in conjunction with Tri-County Cleanways, focuses on remediating illegal dump sites and preventing future occurrences through education and enforcement. This section highlights the types of programs currently implemented by LMCRSW.

THE BIG BLUE BIN DROP-OFF COLLECTION PROGRAM

One of the most visible and popular services offered by LMCRSW is the countywide recycling drop off collection program. Implemented in 2004, the Big Blue Bin program offers residents the opportunity to recycle plastic, glass and metal food and beverage containers along with other plastic packaging. Newspapers, magazines, and cardboard are also accepted.

The Big Blue Bin sites are hosted by local municipalities who agree to maintain and monitor the collection areas. The sites are generally accessible seven days per week 24 hours per day. LMCRSW contracts with a local hauler who services the bins one to two times per week depending on the volume of material and storage capacity at the site. These materials are transported to a local facility for processing and resale on the recycling commodities market.



The Big Blue Bins
Countywide Recycling

Figure 4-2 Big Blue Bin Recycling Drop-off Collection Municipal Site Locations

Pulaski •Township Building on Route 208
Lawrence County Courthouse •430 Court Street, New Castle. Bins in parking lot near County Jail on corner of Court and Walnut street
Volant •Municipal Building
North Beaver Township •Municipal Garage on Kyle Rd
Enon Valley Borough •Route 351, Main Street, Musguires Feed Mill
Wampum Borough •Church Street by Fire Dept. and Post Office
Wayne Township
Ellport Borough
Perry Township •Municipal Bldg on Reno Rd
Slippery Rock Township •Municipal Building on Route 422
Plain Grove Township •Municipal Building on Plain Grove Road
Scott Township •At Fire Dept. on Harlansburg Road, Route 108
Hickory Township •Municipal Bldg off Rt 168, Eastbrook-Neshannock Falls Road
SNPJ •Martin Road

SPECIAL COLLECTION EVENTS

Since 1997, Lawrence County has sponsored a series of special collection events for those materials that have unique handling requirements. These events are implemented in partnership and with the volunteer support of Tri County Cleanways. Most of the events accept a broad spectrum of materials, however, occasionally; the events are dedicated to specific categories or items in the waste stream. Some of these items are household goods that without a proper outlet tend to be disposed of at illegal dumpsites. Others due to their chemical makeup have hazardous characteristics that are harmful to the environment or have the potential to create public health and safety issues. Although in Pennsylvania, it is currently legal for the majority of these materials generated by residential sources to be disposed in permitted landfills, there are practical reasons to handle the items in special programs.



The events have been funded in part by user fees and by grants made available by the Pennsylvania Department of Environmental Protection. A consistent level of traffic has been recorded throughout the decades of accepting materials from Lawrence County households. Fluctuations tend to occur when more than one event is scheduled per year. The user fees have not been a deterrent to participation as feared by many program managers. In fact, Lawrence County shows participation rates equal to if not higher than surrounding counties.

Figure 4-3 shows the types of materials and recent fees charged for the collection, handling and processing services. Table 4-1 lists the results of these events since the last update of the Plan 2004.



Figure 4-3 Sample Promotional Flyer for Special Collection Event

Hard to Recycle Item Event

and Shoes!

Appliances, Batteries, Electronics, Fluorescent Lights, Tires

Saturday, September 28, 2013
10 a.m. to 1 p.m.
Lawrence County Fairgrounds

Terms are **CASH ONLY**,
 day of event.
 No personal checks accepted,
 no exceptions.



The following items are being collected for FREE:

- Cell Phones
- Computer Parts (*boards, cards, fans, power supplies, burners, hard drives, etc.*)
- Computer Speakers
- Computer Towers
- Keyboards
- Laptops
- Mice
- Printers
- Scanners
- Shoes
- Tablets

(all hard drives are destroyed by shredding)




The following FEES APPLY (per item) to these materials:

APPLIANCES		SMALL ELECTRONICS \$1	
Freon-containing:	\$20	Stereos, VCRs, Telephones, Fax Machines, Radios, Typewriters, Copiers, Digital Cameras, Sweepers, Tape Players, Microwaves, Gaming Systems, etc.	
<i>[refrigerators, freezers, air-conditioners, dehumidifiers, etc.]</i>			
All others:	\$5		
<i>[washers, hot-water tanks, stoves, etc]</i>			
BATTERIES		TIRES	
Alkaline & Rechargeable	0.10	Passenger Vehicle:	\$2
Lead Acid	\$5	Light Truck:	\$3
		Tires on Rims:	\$5
		Tractor Trailer:	\$10
COMPUTER MONITORS	\$1 per inch (screen measured bottom left corner to top right corner)	Tractor Trailer on Rims:	\$20
		<i>LIMIT—10 Tires per Person</i>	
LIGHTS		TVS	
Fluorescent Lights – Compact	\$1	ALL TVs	\$1 per inch (screen measured bottom left corner to top right corner) up to \$30 max.
Fluorescent Lights – 4' and less	\$1		
Fluorescent Lights – 5' and up	\$2		
High Intensity Discharge	\$2		

We can accept a wide variety of electronics. If something you have is not listed, call us.
 All Pricing Subject to Change Without Notice.



Tri-County CleanWays
 Serving Butler, Lawrence, and Mercer Counties
 724-658-6925
tcleanways@comcast.net



724-658-6925
recycling@co.lawrence.pa.us
www.co.lawrence.pa.us/recycling

Table 4-1 Special Collection Events Sponsored by LMCRSW 2004-2011

Lawrence County Special Collection Events - Historical Statistics 2004-2011											
Materials Collected	2004**	2005	2006	2007	2008	2009		2010		2011	Totals
							HHW Specific Event		HHW Specific Event		
HHW Weight (lbs)	24,000			15,381	17,224		9,228		9,779		75,612
Electronics Weight (lbs)	9,600	6,227	9,310	11,900	17,210	12,545	1,846	13,205		20,000	101,843
Count by Type of Electronic Device											
TV's - Console		11	10	12	18	7		12	1	16	87
TV's - 19"+		12	17	29	40	35		38	13	63	247
TV's - 19"-		8	20	25	47	50		28	2	68	248
Computers - System		0	21	20	27	18		23	1	21	131
Computer Monitors		31	28	33	62	41		34	5	40	274
Computer Towers		23	14	26	27	18		14	6	19	147
Computer Speakers		2	0	2	3	3		6		4	20
Keyboards & Mice		10	12	22	35	35		14	4	18	150
Laptop Computers		0	1	3	6	11		4		3	28
Printers - Small		24	20	39	42	33		37	6	32	233
Printers - Floor Model		2	0	0	1						3
Fax Machines		2	4	2	2	3		2		4	19
Copiers - Small		1	0	3	6	2				8	20
Typewriters		2	7	6	6	3		6		8	38
Microwaves		11	13	16	26	15		22	1	22	126
Stereos - Console		1	0	5	7			4		1	18
Stereos - All Others		11	7	11	19	6		6	1	14	75
Speakers (Set)		3	3	6	11	2		3	1	7	36
VCRs		9	21	24	34	30		22	3	35	178
DVD Players		4	4	10	10	3		9	3	15	58
CD Players		0	0	3	3	6		6		16	34
Tape Players		3	5	4	13	3		7		4	39
Telephones		1	34	10	16	23		17	1	32	134
Pagers		2	0	0						2	4
Remote Controls		1	0	1	3	2		19	1	10	37
Misc. Electronics		1	20	23	83	53		96	18	216	510
Batteries						532		415	234	592	1,773
Fluorescent Lights						193	83	102	25	166	569
Paper (lbs)						2,800		2,280			5,080
Paper (per box)						123		115		46	284
Total Pounds All Materials Collected	33,600	6,227	9,310	27,281	34,434	15,345	11,074	15,485	9,779	20,000	182,535
Tires Count	287		307	253	1,187	212		414		553	3,213
Appliances - NonFreon Count	24	25	20	26	14	26		12		20	167
Count Vehicles Serviced	156	85	186	210	263	200	132	209	86	267	1,794
**Total for three separate events											

Table 4-1 clearly illustrates the value and positive impact of the events in diverting these problematic materials from the landfill and illegal dumping grounds. Following is a description of the types of materials and the value of having them collected in the LMCRSW/Tri-County CleanWays programs.

Household Hazardous Waste

Because they are generated in a residential setting, a variety of products that would otherwise be considered hazardous materials if found in an industrial operation, are classified as Household Hazardous Waste (HHW). Cleaning agents, pool chemicals, paints, petroleum based products, herbicides, pesticides and other materials may be ignitable and/or poisonous. All are considered HHW.

The Pennsylvania Department of Environmental Protection, estimates that each person in Pennsylvania generates an average of four pounds of Household Hazardous Waste (HHW) each year. Using the 2010 US Census data, with a population of approximately 91,108 Lawrence County could expect to produce approximately 182 tons of HHW per year.

Without adequate disposal outlets, the accumulation of these materials within each home can eventually become a liability in the community. Many of these materials create a serious health and safety hazard to children and the elderly. Due to their flammability, not only can they create house fires, but also make them difficult for firefighters to manage and control. Costly damage to public wastewater treatment systems can occur when oils, solvents, and other HHW are poured into the sanitary sewer systems.

According to the Oklahoma State University Extension Fact Sheet *Household Hazardous Waste Handling Procedures to Prevent Environmental Contamination*, more than two percent of all garbage collectors are injured by chemical burns, explosions, etc. each year from HHW in trash. Unexpected dangers occur when HHW combines with regular household trash; for example, soft drinks mixed with swimming pool dry chlorine can ignite.

In municipalities where residents remain at the same location for many years, the expected annual volume of HHW accumulates in homes over time rather than being disposed on a regular basis. Based on data derived from HHW collection events in Pennsylvania, it is estimated that the average household may have up to 16 pounds of HHW in storage. Using data recorded by Lawrence County since 2004, an average of 15,122 pounds of HHW has been collected locally per event. Participation is tracked by vehicle rather than by persons. Therefore, each vehicle could bring to the event more than one household's HHW. Based on Lawrence County's figures, an average of 169 vehicles each bring typically 89 pounds of HHW to an event. It is unlikely that each participant continues to accumulate those quantities of materials per year. Therefore,

it would appear that Lawrence County's events are having a positive effect on reducing the amount of materials that could remain in storage or be disposed improperly.

Electronic Scrap

When discarded electronic equipment is disposed, it can pose environmental hazards. Mercury, lead and other metals can leach from the equipment and contaminate the soil and groundwater. To decrease the potential harm, Lawrence County has been offering computer and electronics collections as part of its special collections or separate HHW collection events. The reported results from the events indicates that the volume of discarded televisions, computers, monitors, and cell phones continues to increase. An average of 11 316 pounds has been collected per event since 2004. Most recently, 20,000 pounds of electronic scrap was collected at a single event.



The time span from product purchase to obsolescence grows ever shorter. Current trends show that these items are replaced by newer and better models every few years. For smaller devices, this happens as soon as every few months. Many states have adopted extended producer responsibility policies and laws to force manufacturers to manage some portion of the cost or recovery logistics for end of life products.

Covered Device Recycling Act

Pennsylvania legislators recently adopted the Covered Device Recovery Act (Act 108 of 2010 or CDRA). This piece of legislation provides for extended producer responsibility for discarded electronics, including computers and televisions, and bans these items from disposal beginning in 2013. The Act establishes a fund to pay for the recycling of these items based on manufacturers' goals of recovering a percentage of their market share. Because Lawrence County already had a role in electronic recycling events, it has developed a program to coordinate the collection of discarded covered devices.



To facilitate the collection of devices between collection events, LMCRSW has created a year round drop-off collection program where residents can take their discarded electronics. Pre-registration is required to participate and registered participants are notified when and where to deliver their electronic devices. Because space is limited to one full transporter load per collection, participation is on a first come first served basis. The number and types of devices accepted are also more limited than at the special collection events.

Consumers in Pennsylvania sometimes reject the convenience offered by tire retailers, for a small fee, to accept old tires at the time of replacement purchase. Consequently, scrap tires often accumulate in garages, sheds, and residential properties. Even worse, unscrupulous transporters often remove scrap tires from retail outlets, but fail to deliver them to tire recyclers or waste to energy facilities. These tires are illegally dumped in piles that serve as the breeding grounds for mosquitos that can carry West Nile Virus. In addition, tire piles can combust spontaneously and are often the fuel for lingering fires.



Collection Events



Cleanups

The Scrap Tire Management Council uses a standard assumption that waste (also known as scrap) tires are generated at a rate of one tire per person per year. Passenger car tires comprise 80 percent of the national annual waste tire generation. According to the Rubber Manufacturers Association, car tires weigh approximately 22 pounds each. Based on population and data reported by USEPA it is estimated that 1,530 tons of waste tires were generated in 2010 in Lawrence County. If recycled at the national recycling rate, about 542 tons would be recovered. The reported quantity recycled was 742.7 tons, about 137% of the national norm. The higher than average recovery is due in part to the County's frequent tire collection events. LMCRSW records indicate that an average of 459 tires have been accepted per collection event since 2004. In addition, the volunteers from Tri-County CleanWays also support these efforts. Tires have been removed during the cleanup of virtually every illegal dumping site remediated throughout Lawrence County. Finally, Pennsylvania's tire retail take back program does recover a significant amount of scrap tires.

Recovered tires are used as fuel in cement kilns and related applications. They are often ground to make a crumb rubber that can be used as a mulch on playgrounds. Crumb rubber is also used in the manufacturing of asphalt.

Major Appliances (White Goods)

Based on population it is estimated that 1,185 tons of discarded major appliances were generated in 2010 in Lawrence County. If recycled at the national recycling rate, about 769 tons would be recovered. The ReTRAC reporting system failed to show any recycled white goods reported. However, since 2004, LMCRSW has collected an average of 24 major appliances per event.

According to USEPA's ongoing waste generation and composition studies, the greatest percentages of major appliances recycled are more commonly from commercial sources. Major retailers often outsource the take-back collection and Freon removal service. Therefore, it could be assumed that significantly more appliances are recycled than reported to the County. To capture these quantities in the future, LMCRSW should identify how local retailers handle old appliances. If these services are outsourced, the retailers could be asked to identify their service providers or the retailers could agree to report these activities directly to LMCRSW.



TECHNICAL ASSISTANCE AND EDUCATION

A staff of experienced and knowledgeable waste management and recycling professionals represents LMCRSW in the community. They offer a host of free and informative programs to schools, municipalities, businesses, civic organizations, and other community groups. LMCRSW staff conduct seminars on a variety of issues. They



offer school assembly programs and classroom training. Customized presentations to organizations can be developed upon request. In addition, LMCRSW offers technical assistance to municipalities and businesses to help them comply with Act 101 or to improve their recycling programs. Staff members also help to motivate and mobilize volunteer participants in a number of events.

Municipal Recycling Programs

In Pennsylvania, the Municipal Waste Planning, Recycling, and Waste Reduction Act (Act 101) shifted the responsibility for municipal solid waste planning from municipalities to counties. However, it did not leave municipal governments without specific duties and responsibilities. While counties are required to focus on disposal, municipalities are directed to address municipal waste and recycling collection issues. This section discusses basic regulatory requirements for Pennsylvania municipalities that meet the criteria of Act 101.

MANDATED MUNICIPAL PROGRAMS

Act 101 places unique mandates upon municipalities with populations of 10,000 or more, and those with populations of 5,000 or more with a population density of greater than 300 people per square mile. The Act requires these communities to implement mandatory residential curbside collection programs for recyclables and leaf waste. The municipality must also have mechanisms to ensure that commercial, institutional, and government establishments recycle and manage leaf waste accordingly. In addition to the original requirements, mandated communities are subject to amendments to Act 101 resulting from the provisions of Act 140 of 2006. Figure 4-4 outlines the responsibilities of the municipalities mandated by Act 101.

METHODS OF COMPLIANCE

The responsibilities of communities that meet the population criteria of the Act are direct and straightforward. To ensure compliance by residents and businesses, municipalities meeting the criteria are required to pass ordinances that mandate waste and recycling collection. Certain services and standards for collection frequency are required.

The Act allows municipalities choices in how these services can be provided. Municipal employees and equipment can perform the collections or communities can enter into contracts with an outside service provider for these functions. Provisions of the Act are inclusive of commercial, institutional, and municipal establishments, which are located in mandated municipalities. These entities must recycle and separate leaf waste for composting. The municipality is not required to ensure the service to commercial establishments; however, they are expected to enforce the mandate.

Figure 4-4 Act 101 Minimum Requirements for Mandated Municipalities

-  An ordinance that requires all residents to have waste and recycling collection service.
-  Curbside collection of residential recyclables must occur at least once per month;
-  An ordinance that requires a commercial recycling program
-  Collection of three recyclable materials designated in the Act (glass, aluminum, or bi-metal containers, plastics #1 or #2, newspaper, office paper and cardboard)
-  Curbside collection of leaf waste must occur once per month, or alternatively, twice per year collection if a drop-off collection area for leaf waste is accessible between collections.
-  Implementation of a residential and business recycling education program.
-  Implementation of an enforcement program that monitors participation, receives complaints and issues warnings and provides fines, penalties, or both,
-  Participation in a program for the recycling of special materials.
-  Sponsors or facilitates a program to prevent illegal dumping and/or littering problems.
-  Designation of a person or entity as the recycling coordinator

RECYCLING IN MANDATED MUNICIPALITIES

There are five Lawrence County communities, which have initiated recycling programs due to Act 101 mandates. These include the City of New Castle, the Ellwood City Borough, and the Townships of Neshannock, Shenango and Union. The municipalities approach compliance with Act 101 in slightly different ways. Municipal employees collect waste and recyclables in the City of New Castle. Waste collection is a pay by the bag system. Ellwood City Borough and Shenango Township contract with private service providers selected through a competitive bidding process. In Neshannock and Union Townships residents must contract with a service provider of their choice.

THE BIG BLUE CART PROGRAM

Although the remainder of the municipalities in Lawrence County are not mandated to recycle, curbside recycling opportunities are available in many communities. With the exception of New Wilmington, where a single hauler has a contract with the municipality to collect waste and recyclables, recycling services are provided by individual subscription agreements between residents and the service provider. Residents in many of these areas have access to the Big Blue Cart Program in which large wheeled recycling containers were made available to haulers willing to provide curbside collection services in rural areas of the County. In this program, a wide range of recyclables, bottles, cans, jugs, and paper, are all mixed together in the cart for collection.



With no need to sort material and with a large volume of storage capacity in the cart between collections, the program is convenient and cost effective for rural routes. The Big Blue Carts were purchased with funding made available through the PADEP Act 101 Section 902 Grant program. To date, only a few thousand carts have been purchased. However, LMCRSW hopes to expand this program as funding becomes available.

INFRASTRUCTURE AND PERFORMANCE

It is important for counties to consider how certain components of municipal collection systems ultimately affect the performance of the county as a whole. A great focus of LMCRSW is to assist municipalities in attaining the recycling goals of Act 101. The development of a widespread recycling infrastructure has always been a primary objective of LMCRSW. During the planning process, the SWAC targeted the need for growth in curbside collection programs and the shift from voluntary private subscription programs to mandatory participation in municipally contracted services as a goal. Moving forward, to build upon their success LMCRSW should help municipalities focus not only on ensuring that opportunities for recycling are made available, but also on whether or not municipal collection systems cost effectively capture the optimal types and amounts of recyclable materials.

In the past LMCRSW has assisted the municipalities to facilitate access to recycling. However, the ultimate measure of a program is whether people participate and recycle the optimal amount of materials available. In the future, LMCRSW will need to help municipalities to understand the strengths and weaknesses that exist in current programs. Comparing similar metrics for each municipality that offers a recycling collection program is a step to determine trends in programs that may be succeeding and for ones that may need to be revised.

For evaluation purposes, the ratio of material recovered should be compared to the total amount generated, and therefore potentially recoverable, from all serviceable occupied housing units in the community. To put this in perspective, assume that a total of 100 tons were recovered from a borough with 400 homes and a total of 3000 tons were recovered from a city with 18,000 homes. Although the city clearly collected more total tons of material, the borough collected a greater portion of the amount of material available for recovery from sources within its jurisdiction. Therefore, the borough would be considered to have a more effective and successful program than the city. Converting the actual tons collected into a per unit measure based on all potential housing units provides an accurate view of overall performance. This metric creates an equal standard for large and small communities and is more commonly becoming the basis for performance driven monetary incentive plans and grants that deliver the highest results. This criterion was applied to Lawrence County municipalities that reported curbside recycling activity in 2011.

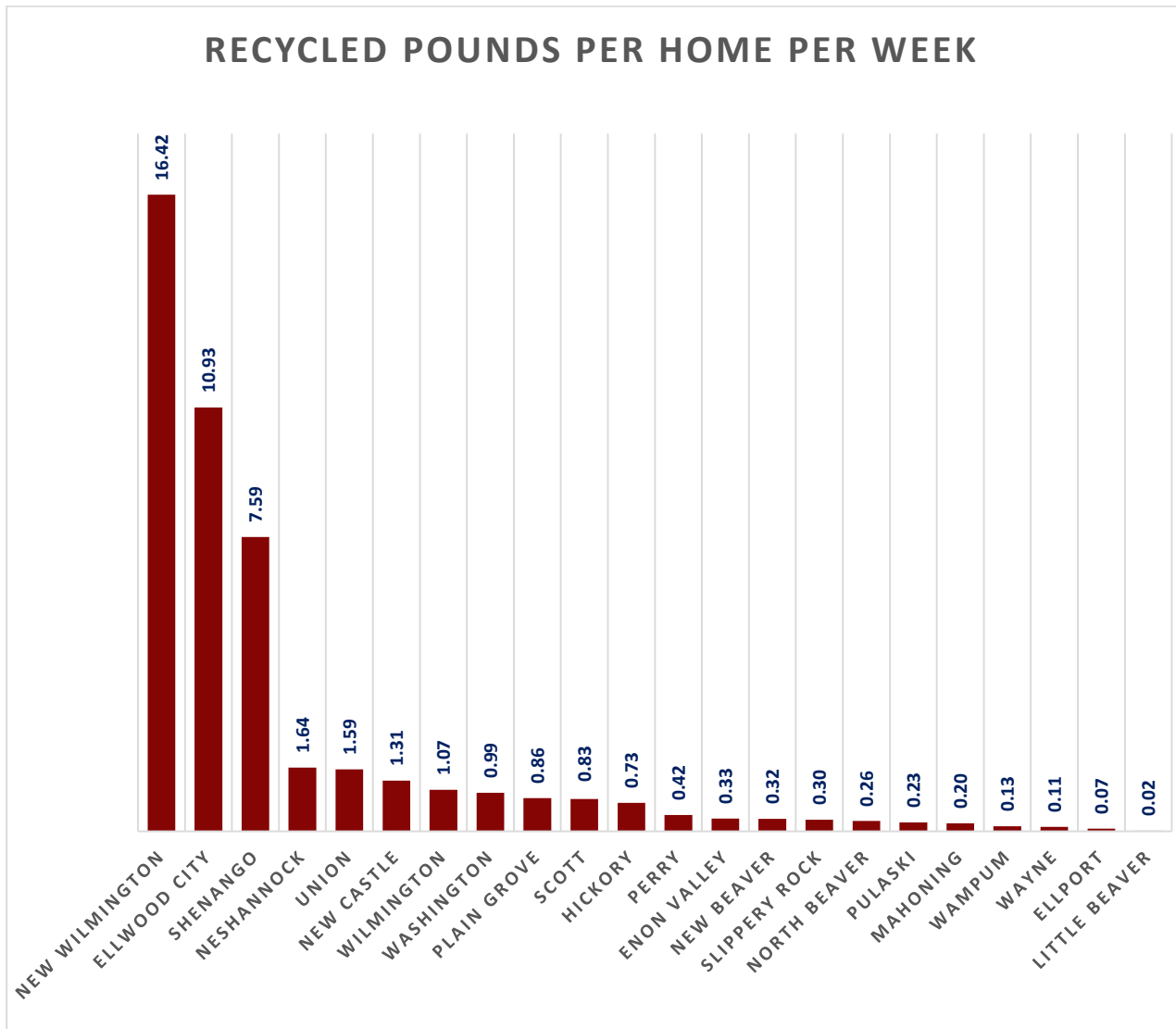
The reported recovery spans a difference of 16.41 pounds per home per week. The apparent highest results were reported in New Wilmington at 16.42 pounds per home per week. It should be noted however, that New Wilmington includes the tonnage from its local businesses and the local college in its residential reported data. The inclusion of those figures does skew the results, however,

New Wilmington is still known to have a successful recovery program. On data derived purely from residential sources, Ellwood City leads with 10.93 pounds per home per week and Shenango Township follows with 7.59 pounds per home per week. The County's average is roughly 2.11 pounds per home collected per week. However, when the three top performers are removed from the equation, the average for the remaining



municipalities lowers to 0.60 pounds per home collected per week The Hickory and Perry Townships perform nearest to the County’s average performance with Hickory slightly above and Perry slightly lower. Actual results are ranked and shown in Figure 4-5.

Figure 4-5 Lawrence County Residential Curbside Recycling Pounds Per Home Per Week
Glass Bottles, Aluminum & Bi-Metal Cans, Mixed Plastics, Mixed Papers, Cardboard



NOTE: New Wilmington did not distinguish between residential and commercial sources. Its reported data includes businesses and the local college.

CHARACTERISTICS OF TOP PERFORMING PROGRAMS

Shenango is the only township among the higher-ranking municipalities, ranking third after the Boroughs of New Wilmington and Ellwood City, respectively. Boroughs tend

to perform better than townships in other locales as well. Studies have shown that housing density, where residents can see when their neighbors recycle, not only serves as a reminder for residents to recycle, but also creates peer pressure with recycling established as the social norm. All three municipalities implement some form of a Pay-As-You-Throw (PAYT) system. Ellwood City's residents pay by the bag for waste collection, a volume based PAYT program is available in New Wilmington where residents receive two 96-gallon carts, one for trash and one for recyclables. Shenango Township has the only hybrid PAYT multi-cart and pay by the bag collection system. Shenango allows for a choice in the size of the waste collection cart as well as the option of not using a waste cart but buying tags that attach to bagged waste.

The vast discrepancies between the other communities and these top performing municipalities reinforces the value that these common elements contribute to the success of their programs. The results of this comparison clearly support the SWAC's recommendations to improve municipal recycling programs and define LMCRSW's objectives moving forward.

Commercial Recycling

Within the Act 101 mandated municipalities, recycling in commercial establishments is required. Commercial accounts include retail stores, restaurants, offices, schools, institutions, and government facilities. In 2011, roughly half of Lawrence County's municipalities, only thirteen of the twenty-seven, reported some type of commercial recycling activity. The County collects data in municipalities that do not report and consolidates it under a countywide total with no municipal source identified. Together they reported a total of 4,909 tons resulting from commercial recycling efforts in 2011. It is suspected that more recycling occurs throughout the County than what is currently reported. The process of gathering and organizing data from local businesses is low on the priority list for municipal staffs that have added functions besides oversight of the recycling program. In non-mandated areas, where no ordinances exist to stipulate recycling and/or reporting requirements, businesses may have no incentive to submit this information. Complicating the matter is that local transporters and processors do not break down their reported tonnage by municipality. Therefore, it is not surprising that a little less than half of the municipalities had no commercial recycling to report.

As would be expected, corrugated cardboard represented the single largest commodity recovered in Lawrence County's commercial sector. Ninety percent of all of the cardboard generated comes from commercial sources. Its recovery rate is high. Large retail chains, grocers and other types of product distributors recycle cardboard as a standard operating practice. Lawrence County follows those trends. There are challenges in motivating small businesses, schools, and rural locations to recycle. For these operations, recycling can be perceived as an added cost. Space constraints for outside recycling containers can be limited in urban settings. Although services are

available in more remote locations of the County, due to the lack of route density, the costs are higher than in urban areas. When recycling is a voluntary option, the immediate costs may be considered prohibitive by some business owners. Ironically, if more businesses opted to recycle in a geographic area, prices would be lower.

Reported Overall Achievements

Recycling activities in Lawrence County are tracked and monitored by the Lawrence-Mercer Counties Recycling/Solid Waste Department. Since 1991, the recovery of materials for recycling has steadily increased. Residents, businesses, government offices, and institutions are all responsible for the success of local recycling programs. This section includes the overall combined reported results of those programs. The reported data is presented first to help the reader understand what has been attained and the degree of effort which may remain to meet state and local goals. Descriptions of individual municipal and county programs are offered later in this chapter along with discussions on the level of effectiveness of various models.

DEFINING COLLECTION & PROCESSING METHODOLOGIES

Recyclables are collected and processed in a variety of ways. Traditionally, materials were collected by type and each material was placed for collection in a separate bin. The materials were also transported in individual compartments of the body of the collection vehicle. This method is referred to as source separated recycling. Because of the pre-sorted condition, the weight of each material collected was easier to determine and report. At this time, no Lawrence County municipalities are known to conduct source separated collection programs.

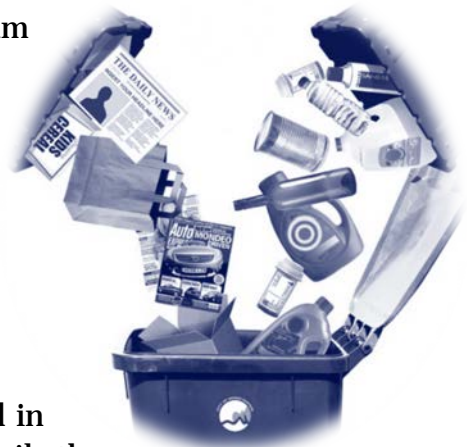


It is more common for Lawrence County commercial establishments to source separate their recyclables. In many instances this is done to improve the marketability and/or because the materials may be handled by different vendors. Therefore, some of the materials collected in Lawrence County were reported on an individual or separated basis.

Unlike source separated collection systems, there are other recycling collection and processing programs, where certain materials are collected and transported together in the same bin and within the body of the collection vehicle. One system is commonly referred to as commingled or dual stream collection and the other as single stream. Although there are similarities, there are some distinct differences between these two collection methods.

In commingled/dual stream programs, it is generally thought that glass, plastic, and metal, bottles, cans and jugs are mixed together, while whatever forms of paper and cardboard that are accepted in the program are collected separately. Typically, a more narrow selection of plastics and paper are included in these commingled/dual stream programs.

In a single stream recycling program, wider varieties of plastics are mixed in the bin with the glass and metals for collection, along with all forms of paper and cardboard. Larger bins, typically wheeled carts, are beneficial to provide to residents under this type of collection system



The majority of the residential recycling data reported in Lawrence County includes materials collected in primarily the single stream method, but the 2010 recycling reports still showed a mix of commingled loads. Lawrence County has traditionally maintained a commingled/dual stream drop-off collection program, although the option to transition to a single stream collection does exist.

ACCOUNTING FOR THE COMPOSITION OF MIXED LOADS



Providing an individual weight for each material is more complicated, if not impossible on in-bound commingled or single stream loads, the source of data from which most Lawrence County recycling performance is reported. However, waste composition and characterization studies of commingled and single stream systems provide relatively consistent data that can be applied to Lawrence County's reported figures. This makes sense where the cost and time to conduct a local composition study is prohibitive. The composition of single stream and commingled recyclables differs depending on the items accepted by local processors. Other contributing factors include local demographics, economic conditions, frequency of collection, types of vehicles and processing equipment, and if materials are from a

residential or a commercial source. Because the number of transporters and recycling processors that accept material from Lawrence County programs is limited, these factors were easily identifiable and were taken into consideration in the adjustments applied to the Lawrence County reported data.

DOCUMENTED DATA

The recycled materials reported for Lawrence County from 2008 through 2010 from County and municipal programs, as well as directly from commercial establishments. Three years of data were used to ensure that the Plan's baseline year 2010 was not somehow unique or skewed from the norm in Lawrence County. The purpose of this exercise in the planning process is to evaluate the effectiveness of residential and/or commercial recycling efforts. Therefore, Table 4-2 lists only those materials, which are designated as source-separated recyclables by Act 101, and thus are commonly collected in these programs.

In Lawrence County, residential curbside and drop-off collection services are known to be single stream and/or commingled/dual stream systems. To account for individual materials assumed included at specific ratios in the commingled and single stream composition, the figures shown in Table 4-2 were adjusted. Based on the assumed composition actual reported single stream and commingled values were converted to individual material weights and redistributed. The assumptions were based on a review of collection guidelines published by local municipalities and hauling companies, published data from USEPA, as well as accumulated professional experience with the materials encountered in material processing facilities and subsequently marketed.

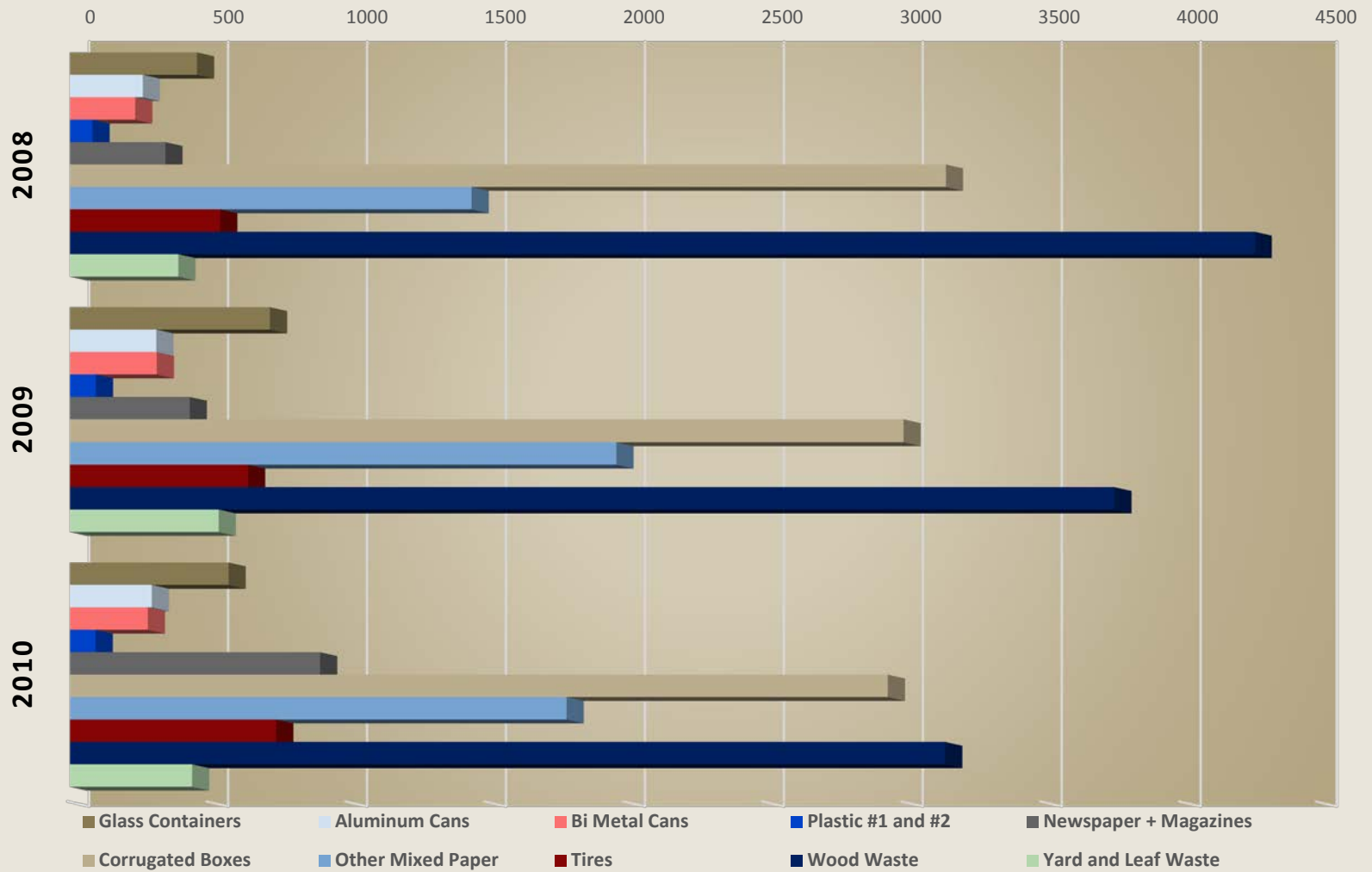
Figure 4-56 shows the data contained in Table 4-2 in a graphic format. It illustrates the shifts in total quantities and types of materials over the time period from 2008 thru 2010.

Table 4-2 Lawrence County 2008-2010 Total Tons Reported Recyclables

2008- 2010 Lawrence County Total Reported Recyclables Adjusted for Single Stream and Commingled Loads				
Material	2008 Adjusted tons per year	2009 Adjusted tons per year	2010 Adjusted tons per year	Average 2008 to 2010 tons per year
Glass:				
Glass Containers	457.6	720.1	571.2	583.0
Total Glass	457.6	720.1	571.2	583.0
Metals:				
Aluminum Cans	262.7	311.2	295.1	289.7
Bi Metal Cans	235.1	312.8	280.6	276.2
Total Metals	497.8	624	575.7	565.9
Plastics:				
Plastic #3 thru #7	5.8	6.2	5.6	5.9
Plastic #1 and #2	81.5	93.7	92.7	89.3
Total Plastics	87.3	99.9	98.3	95.2
Paper and Paperboard :				
Newspaper	315.2	418.0	880.5	537.9
Magazines	28.4	13.3	20.1	20.6
Books	13.7	5.4	7.4	8.8
Telephone Books	5.9	3.9	0.0	3.3
Standard Mail	76.3	50.1	70.2	65.5
Commercial Printing	74.4	39.3	52.8	55.5
Office-type Papers	325.9	366.1	460.6	384.2
Corrugated Cardboard (all sources)	3,152.8	3,000.3	2,943.8	3,032.3
Corrugated Boxes (from Single Stream)	77.3	37.3	56.8	57.2
Corrugated Boxes (from Commercial Sources)	3,075.5	2,963.0	2,886.9	2,975.1
Folding Cartons	63.6	42.2	37.4	47.8
Bags and Sacks	14.7	7.9	12.0	11.5
Other Mixed Paper	890.9	1,461.1	1,154.4	1,168.8
Total Paper and Paperboard	4,961.8	5,407.6	5,639.3	5,336.2
Other Recycled Items				
Tires	540.9	641.0	742.7	641.5
Batteries	30.0	38.6	421.2	163.2
Consumer Electronics and Computers	8.3	6.8	67.1	27.4
Total Other Items	579.2	686.4	1231	832.1
Organics:				
Food Waste	0.0	0.0	9.0	3.0
Wood Waste	4,266.0	3,758.7	3,150.0	3,724.9
Yard and Leaf Waste	390.6	535.6	440.0	455.4
Total Organics	4656.6	4294.3	3599	4183.3
Total Reported Recyclable Materials	11,240	11,832	11,715	11,596

Figure 4-6 Lawrence County Reported Tons of Materials Recycled 2008-2010

Changes in Lawrence County Recycled Material Quantities and Composition 2008-2009



Measuring Up

Although for counties the planning process is prompted by the need for disposal capacity, Act 101 also requires a review and justification of the overall waste management programs, including recycling. A broad spectrum of historic and current reported data from all sources in Lawrence County was reviewed and analyzed. The local reported statistics were compared to national figures to evaluate the overall performance of those combined recycling activities in relationship to expected results.

The following sections explain the evaluation and comparison process and discuss the findings of that exercise. Any anomalies, positive or negative, found during the process are explored with potential explanations described in detail.

DEFINING THE TYPES OF SOURCES AND MATERIALS

It is not unusual for county and municipal recycling reports to include extraneous materials that are not commonly collected in residential and commercial recycling programs. Likewise, materials reported from industrial concerns may be incorporated. Significant quantities are recovered, reused, and recycled from these efforts. Gathering and documenting this data may serve the purpose of identifying where end users can obtain recycled feedstock or provide insight on outlets. In addition, these figures may be beneficial in illustrating the broad impact of recycling in an area. However, that data has nothing to do with whether or not a residential curbside or drop-off recycling collection program is performing successfully. In fact, including those other sources and materials in an evaluation of a municipal recycling program distorts the data and indicators of a local operation's strengths and/or weaknesses. In addition, it can lead program managers into poor decisions.

The narratives and tables that will be found throughout the Lawrence County Municipal Solid Waste Management Plan include and evaluate only those materials commonly found in residential and commercial recycling programs. For example, rather than consider all sources and types of aluminum (siding, fencing, gutters, etc.) that might have been recovered in Lawrence County, the Plan will simply address aluminum cans. Instead of measuring all potential types and forms of plastics (piping, siding, toys, etc.), the Plan is concerned with plastics primarily found in bottles, jugs and other forms of packaging.

By limiting the analysis to specific components of the municipal waste stream, it is easier to establish a true comparison of one program to another and between local and national results. In addition, it quickly reveals anomalies and quirks that require additional investigation.

BENCHMARKING

One way to interpret data is to establish some sort of benchmark against which it can be compared and measured. Recycling statistics from local programs are generally compared to national information gathered and compiled on behalf of the United States Environmental Protection Agency (USEPA). Since 1986, the USEPA has commissioned the Franklin Associates of Prairie Village, Kansas to research, analyze, and compile a report on municipal solid waste trends. The study is commonly known as “The Franklin Study” however, the most recent version available during the planning process is titled *“Generation, Recycling, and Disposal in the United States: Facts and Figures for 2010.”* This ongoing project tracks municipal solid waste data back as far as 1960. Approximately, every two years a new report is issued. Therefore, it tends to stay more current than periodic state waste composition studies. It is considered to be the definitive expert resource on waste characterization and composition. The study is a useful tool to make initial assumptions in a recycling analysis. Such an evaluation often raises questions, which prompt further observations and more in-depth investigations. It also helps to create greater awareness and understanding of the local data, which ultimately leads to program enhancements.

OVERVIEW OF THE CRITERIA AND COMPARATIVE ANALYSIS

Because raw data can be interpreted in a variety of fashions to demonstrate any number of findings, the USEPA requires states to utilize certain standards in reporting recycling performance. These requirements are largely based on the findings of the Franklin Study. Pennsylvania utilizes these criteria in its annual reporting requirements. This section reviews the results of the 2010 reported recycling efforts in Lawrence County and compares the performance of the program to the 2010 national figures, which were derived by using the background data and methodology from the USEPA for a true “apples to apples” evaluation.

A snapshot of municipal waste generation, disposal, and recovery for Lawrence County as compared to the national averages is provided in Table 4-2. It focuses on those materials designated in Act 101 for municipal recycling programs as well as reported recyclables that are found in municipal curbside drop-off programs and collection events in Lawrence County. Since Pennsylvania landfill report by categories of waste and not by individual materials, it was necessary for this exercise to calculate Lawrence County’s generation and disposal figures for each material using population and national rates established in the Franklin Study. Lawrence County’s actual reported recycling quantities for each material are then compared to the estimated results, which would be expected if Lawrence County performed similarly to the national average. Figure 4-7 provides a stepwise guide to assist readers in understanding and comparing the information that is presented in Table 4-3

Figure 4-7 Guide to the Data and Column Categories in Table 4-2

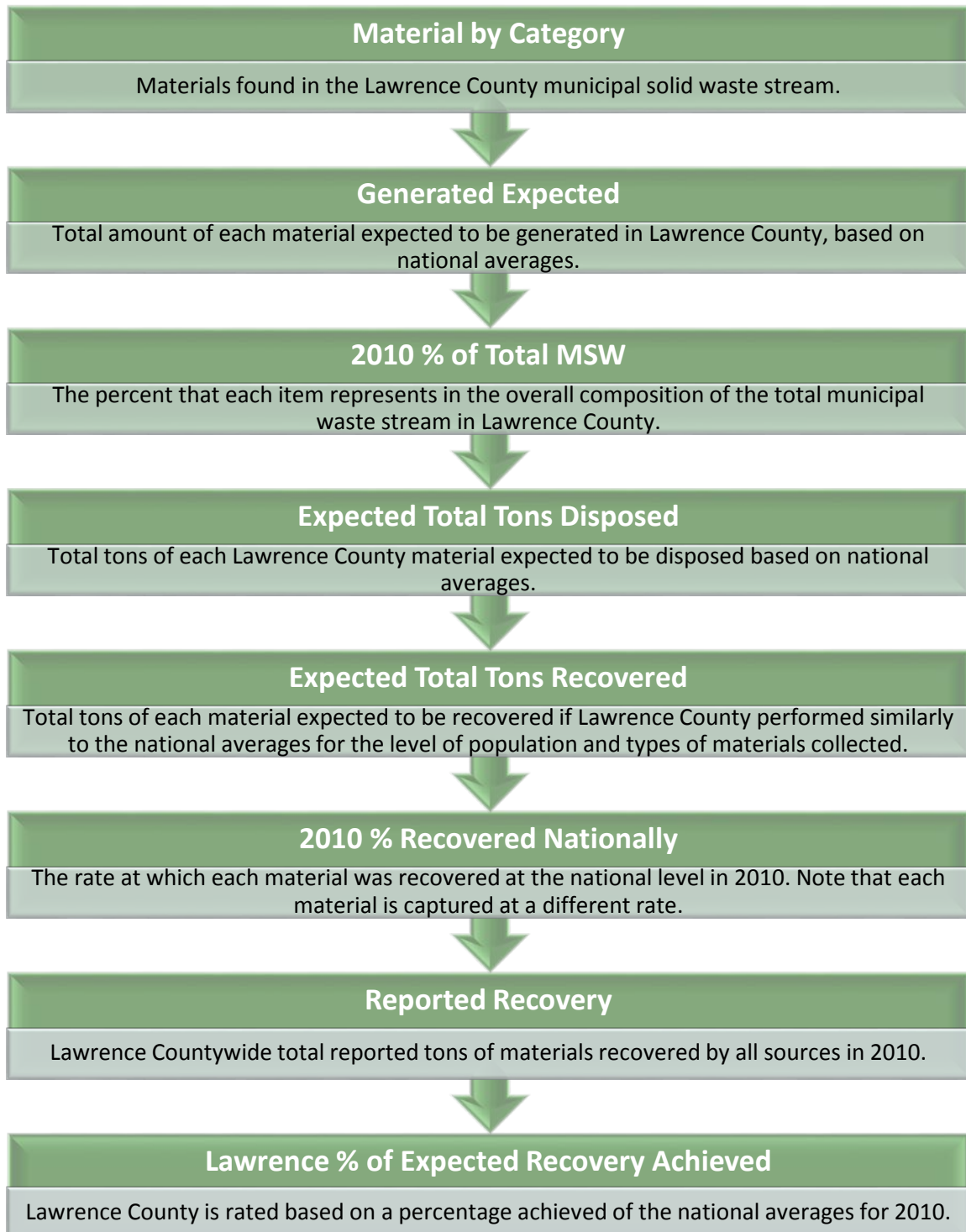


Table 4-3 Lawrence County Recycling Performance Compared to National Data

Recycled Material by Category	Expected Total Tons Generated	2010 % of Total MSW	Expected Total Tons Disposed	Expected Total Tons Recovered	2010 % Recovered Nationally	Reported Total Tons Recovered	Lawrence % of Expected Recovery Achieved
Traditional Recyclable Items:							
Glass Containers	2,759	3.75%	1,837	923	33.44%	571.2	61.90%
Aluminum Cans	404	0.55%	203	200	49.64%	295.1	147.20%
Bi Metal Cans	678	0.92%	224	454	66.96%	280.6	61.80%
Plastic Packaging #1 thru #7	4,033	5.48%	3,487	545	12.13%	98.3	18.00%
Plastic Packaging #1 and #2	1,023	1.39%	728	295	28.82%	92.7	31.40%
Paper:							
Newspaper	2,913	3.95%	828	2,084	71.56%	881	42.20%
Magazines	469	0.64%	209	259	55.35%	20.1	7.70%
Books, Standard Mail, Commercial Printing	2305	0.40%	628	1674	32.32%	130.4	7.79%
Office-type Papers	1,551	2.11%	345	1,206	77.76%	461	38.20%
Corrugated Boxes	8564	11.63%	1,285	7,279	84.99%	2,944	40.44%
Folding Cartons, Bags and Sacks	1920	2.19%	1,282	636	29.98%	37.4	5.88%
Total Mixed Paper	4222	29.00%	1912	2310	54.00%	1327	57.40%
Subtotal Traditional Items:	25502	34.74%	10,330	15,262	59.42%	7,045	57.40%
Other Recyclable Items:							
Textiles	3019	4.10%	2,585	433	14.36%	0	0.00%
Carpeting	1020	1.38%	929	91	8.96%	0	0.00%
Furniture	3190	4.33%	3,187	3	0.09%	0	0.00%
Rubber Tires	1530	2.08%	988	542	35.45%	742.7	137.03%
Batteries	940	1.28%	35	905	96.24%	421.2	46.54%
Major Appliances	1185	1.61%	416	769	64.93%	0	0.00%
Small Appliances	469	0.64%	436	32	6.92%	0	0.00%
Consumer Electronics	979	1.33%	787	192	19.58%	67.1	34.95%
Other Misc. Durables	5156	7.00%	5,015	142	2.74%	0	0.00%
Yard Waste	9846	13.37%	4,186	5,660	57.49%	440	7.77%
Steel Drums	130	0.18%	27	103	79.55%	0	0.00%
Total Traditional and Others:	53055	72.03%	28,920	24,135	45.39%	0	0.00%
Wood Packaging	2930	3.98%	2,252	678	23.14%	3150	464.60%
Food Scraps	10247	13.91%	9,961	286	2.79%	9	3.15%
Total of Recyclable Items:	66233	89.92%	41,133	25,099	37.81%	0	0.00%
Total Unrecyclable Items:	7426	10.08%	7,426	0	N/A	0	0
Total Municipal Solid Waste:	73659	100.00%	48,559	25,099	34.00 %	11,875	47.00%

Understanding the Ratings

The last column in Table 4-2 shows a percentage rating for each material. It does not represent the percentage of the total materials recovered, or what is often known as the “recycling rate.” Rather, it shows for each material whether Lawrence County’s performance is:

- average (100%),
- better than average (more than 100%) or
- less than average (less than 100%)

It is worth noting that large quantities of materials are recycled outside of the municipal recycling programs. Therefore, for some of the materials shown on the table, substantial quantities may be recycled through other means and not reported. For example, considerable amounts of corrugated cardboard and white goods are normally recycled directly by commercial entities. It is safe to assume that at least a portion of these materials go unreported.

Meeting the State’s Goals

Nationally the rate of recovery for all municipal waste generated in 2010, including recyclable and non-recyclable material, was approximately 34%, which is close to the targeted goal of 35% recovery for Pennsylvania. Therefore, a comparison of the County’s performance to the national norm, can demonstrate to what degree Lawrence County has attained Pennsylvania’s goal. This is the purpose of Table 4-2. It combines the results of not only Act 101 designated materials, but also other items reported locally. By comparing those totals to the national totals, Lawrence County can demonstrate its success in attaining the recycling goals of the Commonwealth.

DETERMINING THE RECYCLING RATE

It is important to remember that as shown on Table 4-2 each material is recovered at a different rate. For instance newspapers are recycled nationally at the rate of 71.56% but glass containers are only recycled at a rate of 33.44%. It is the cumulative total recovery of all tons of materials, which are typically accepted in municipal recycling programs, that determines the national rate and the state’s goal. Based on the reported data for 2010 Lawrence County falls considerably short of the 35% recycling rate for all municipal solid waste. Currently, the reported data shows that Lawrence County has an overall recycling rate of approximately 16%. That represents 47% of the national recovery rate of 34%. For the items that are designated by Act 101, however, Lawrence County has attained a 34% recycling rate or 57% of the national recovery rate of approximately 60% for those specific items.

COMMENTS AND OBSERVATIONS

The purpose of data management, benchmarking, and the whole planning process is to identify strengths and weaknesses in the system. It should be noted that the results can only be calculated based on the data that is reported. The Lawrence–Mercer Counties Recycling/Solid Waste Department puts forth considerable effort in obtaining this information. They have developed a systematic and efficient approach to notify and monitor the potential sources of recycling activity. However, there are always those reluctant to comply. Therefore, the actual rate of recovery may be slightly higher than shown. This exercise helps to point out those areas where opportunities for improvements in recovery and or reporting may exist.

For instance, commercial sources generate about 90% of corrugated cardboard packaging contained in municipal solid waste and it is recovered nationally at the notably high rate of 84.99%. The total estimated OCC recycled in Lawrence County was only 40.44% of the national norm. Similarly, commercial establishments are the source of 75% of the office paper generated, which is recovered nationally at the rate of 77.76%. Lawrence County only attains 38.2% of the national norm. Based on the data collection efforts of LMCRSW, both of these examples could be clear indications that a high number of Lawrence County commercial establishments fail to recycle rather than fail to report. Enforcement of the commercial recycling ordinances in the mandated communities could boost recovery of corrugated cardboard and office paper.

Residential sources generate about 85% of the newsprint found in municipal solid waste. This includes newspapers and inserts, telephone books, and similar items. Residents also generate 65% of the magazines found in municipal solid waste. Nationally newspapers have a recovery rate of 71.6% and magazines are recovered at a rate of 55.3%. Lawrence County performs at 42% of the norm for newspaper recovery and only 7.7% of the norm for magazines.

About 80% of the plastic found in municipal solid waste is generated by residential sources. Plastics #1 and #2 account for only about 30% of waste plastic in all municipal solid waste, but about 51% of waste plastic in containers and packaging. Plastic packaging constituted 5.48% of the total municipal waste that was generated and it was recovered nationally at the rate of 12.1%. The average recovery rate for Plastic #1 and #2 is 19.5%. Based on recycling reports, the quantity of plastic #1 and #2 containers recycled in Lawrence County in 2010 was 92.7 tons, about 31.4% of the national norm.

The County's drop-off collection program results in the recovery of significant quantities of newspapers and magazines. Plastic containers also represent a large volume of the materials collected. This shows that a portion of the County's residents are willing to recycle newspapers, magazines, and plastic bottles and jugs, even if they have to sort the materials and deliver them to a remote site. The recovery rate could be greatly improved

if municipal programs offered a convenient way to recycle all of these materials at the curb. The recent overwhelming success of Shenango Township's curbside collection program, along with the PAYT programs in New Wilmington and Ellwood City offers proof.

Summary and Conclusions

Arguably, there is a need to enhance local recycling programs. That should not detract from the many strong residential and commercial recycling programs that are implemented and facilitated by Lawrence County and in many of the municipalities. Rather, the Plan should focus on how to replicate these successful endeavors in more Lawrence County communities.

Noticeable improvements and advancements in recycling and waste diversion have occurred. Through grants, local tax dollars, and user fees, municipal governments were able to purchase a variety of equipment and recycling bins to launch and sustain local recycling programs. Private sector investment has ensured the growth of the recycling infrastructure and has allowed the municipalities to provide cost effective curbside recycling collection to their residents.

During the planning process, a review of historic recovery data, material sources, and collection practices provided insight into the County and municipal programs. A comparison to national generation and recovery trends helped to establish benchmarks and performance standards. The strengths of the programs were identified and recommendations for new opportunities to increase the recovery of materials were offered throughout the narratives. The availability of services is no longer an issue in Lawrence County. Motivating municipalities to implement programs that require residents and businesses to participate and utilize the services available appears to be a greater challenge. In Chapter 5, these ideas and suggestions are expanded into an actionable plan along with a timeline for implementation.



CHAPTER FIVE

Targeted Goals and Strategies

Visions and Priorities

The Lawrence County Municipal Waste Management Plan was last reviewed and revised in 2004. Significant accomplishments have resulted from the recommendations established at that time. The most notable success was the implementation of the Big Blue Bin countywide recycling drop-off collection program. In addition, curbside recycling was introduced into select rural areas on a voluntary subscription basis under the Big Blue Cart program. One more municipality, under the guidance of LMCRSW, implemented a successful pay as you throw program as part of its first residential waste and recycling collection contract. Collection events for special handling materials occur on a more regular basis and include a greater array of materials. Finally, the cleanup of illegal dumpsites continues and a more aggressive surveillance and enforcement campaign was launched to deter misuse of the Big Blue Bin sites.

The purpose of this project was to identify current strengths and weaknesses in the current municipal waste infrastructure. Included in that exercise was an assessment of the availability and utilization of waste and recycling collection services. From those findings, the Solid Waste Advisory Committee identified certain priorities for future actions. Recommendations were offered to fortify and sustain successful components of the municipal solid waste system and solutions were considered to improve others. A lack of consistent municipal standards and effective ordinances was noted. Poor public participation was cause for concern. A review of the direct and implicit impact of illegal dumping confirmed the need for stricter enforcement and prosecution of offenders.

This chapter presents the key municipal solid waste management issues, which were identified during the planning process. The goals and recommendations offered are associated with a course of action to obtain each. A time by which specific elements of the Plan are to be initiated and implemented is included. There are numerous programs and services discussed throughout the Plan. Only improvements and modifications to existing programs or the addition of new services are presented here. Unless otherwise noted, an exclusion of a program or service from Chapter 5 is an indication that each will continue through the planning period.

Overview of the Recommendations

When asked to establish goals to encourage and enhance countywide solid waste management practices, the members of the Solid Waste Advisory Committee individually and collectively targeted similar objectives. Policies to ensure that the solid waste disposal and collection system will be utilized by all Lawrence County residents and businesses was considered as a primary mission. The need to increase the number

of municipalities with contracts for residential collection services while increasing the recovery of recyclables was strongly reinforced. Exploring the feasibility of new technologies that increase the recovery and uses for materials for expanded energy recovery was favored. The importance of creating a greater awareness of the proper handling and disposal of all forms of municipal solid waste was stressed to decrease illegal dumping and littering. The need for comprehensive data management that includes accurate reporting, analysis of the information and application of the findings was stressed in all of the discussions.

Programs and Services

In previous chapters, the prevalence of littering, illegal dumping and open burning in Lawrence County was discussed. The Solid Waste Advisory Committee concluded that the voluntary nature of many collection programs is one of the contributing factors to these undesirable behaviors. Therefore, residential collection was considered an important area for improvement in Lawrence County. By ensuring that all residents are serviced, the Committee suggested that unit costs could be lowered, recycling could be expanded, and that the overall quality of life in the County would be improved.

FUTURE EXPECTATIONS

Every citizen has a role in municipal solid waste management. To require that each household, business, institution, and government facility participates in an organized program for the collection and processing of the waste that they generate is reasonable. To ask them to share in the cost for those services is fair.

FOSTERING PUBLIC ACCEPTANCE

Creating the framework for universal participation to occur is a responsibility that local governments may overlook, neglect, misunderstand, and/or fear. Those that have already accepted the task are often confronted with misinformation or conflicting claims regarding service options, rapidly changing technologies and opportunities. The existence or lack of “political will” and/or “willingness to pay” is a factor in the decision to implement a contracted versus a subscription collection system. Similar, if not greater, concerns exist when shifting from drop-off collection, which is perceived as free, to a user pay curbside program. Likewise, misperceptions about the implementation of Pay-As-You-Throw collection, variable rate structures, automated collection and other features have stalled the growth of these beneficial programs in Lawrence County.

To affect change, municipal officials appreciate support in understanding the elements that contribute to higher costs, service inefficiencies, and poor performance. In addition, they also benefit from sharing in the knowledge of others that have experience in transitioning to different types of service and programs.

PAY-AS-YOU-THROW

Another issue prevalent in the discussions on residential waste collection was the importance of Pay-As-You-Throw (PAYT) rate structure components. The essence of PAYT programs is that, somewhat like a water or sewer utility bill, people pay according to the amount of waste, which they dispose. This serves as a monetary incentive for people to reduce wasteful purchasing, dispose less, and recycle more. PAYT programs may be based on a per unit, per volume, per weight or some combination that also includes a separate fee that is dedicated to the cost of collection. PAYT programs have been implemented in the County, but unlimited collection, in which all residents pay one flat fee regardless of how much waste they recycle or dispose, is most common. Unlimited collection is easier for haulers to implement and enforce than PAYT, but it requires senior citizens who generate less waste, and those citizens who recycle to subsidize those who are more wasteful and dispose of greater quantities.

FACILITATING CHANGE

LMCRSW lacks direct jurisdiction over the municipal residential collection systems. Therefore, to make improvements to the overall residential program and diversion rate, it is more appropriate for LMCRSW to assume the role of educator, motivator and mediator. This is not to suggest that LMCRSW should involve itself in the competitive bidding process for municipal contracts. To facilitate a transition to more effective municipal programs, however, LMCRSW could help foster the cooperation from all stakeholders, including: elected officials, service directors, and service providers.

Moving forward LMCRSW must frequently engage and inform local decision makers and service managers to create greater awareness of new trends and opportunities in residential collection programs.

REGULATIONS AND ENFORCEMENT

To accomplish the goals and objectives of the Plan, LMCRSW must assure that County and local ordinances are updated to reflect recommended policies resulting from the planning process. In addition to the legal mechanisms, the SWAC recommended that LMCRSW be provided with sufficient staff and resources to enforce the provisions of the Plan and the supporting laws.

RECYCLING ON THE GO

Lawrence County hosts a variety of community events and activities that cumulatively attract thousands of local residents and visitors each year. The growing use of single serving beverage containers by individuals means that even where event promoters offer fountain drinks to reduce waste, attendees introduce into the discards a large volume of these items that could be collected and recycled. In addition, event vendors often produce large volumes of cardboard. The County could facilitate the collection

of these materials by coordinating a community event recycling tool kit of shared equipment and resources.

BEYOND BOTTLES AND CANS

LMCRSW has always strived to provide outlets for a broad spectrum of materials generated by local residents and businesses. Over time, consumer expectations, regulatory initiatives, and new uses continue to create the need to expand the list of items that must be considered in county and local municipal collection programs. In some instances, curbside services now enable the County to eliminate some of the materials traditionally accepted at special collection events. In other cases, greater support from the County is needed to facilitate the collection of difficult to market materials, or items whose characteristics make them potentially hazardous to manage.

Concluding Comments and Future Actions

SWAC participants offered valuable input during the development of the 2013 Lawrence County Municipal Solid Waste Management Plan. They identified the need for new components to build upon the already successful programs and services offered by LMCRSW, the municipalities and the private sector. In addition, they provided suggestions to enhance policies and enforcement to strengthen the protection of public health and safety resulting from proper municipal solid waste management. Based on the discussions and findings during the planning process a tangible action plan was designed to attain new goals and objectives.

Figure 5-1 lists the goals established during the planning process for the Lawrence County Municipal Solid Waste Management Plan from 2014 thru 2024.

Figure 5-2 illustrates the timeframe during which specific actions will take place to facilitate the implementation of the Plan's recommendations.

Because plans are dynamic by nature, the exact dates and chronology might vary as the Plan is implemented. In addition, circumstances could present new opportunities that currently do not exist. In addition, unforeseen events do occur that could redirect the focus or needs of the County to issues, which were unknown or less important in the planning process. Therefore, periodic evaluations of the Plan's goals and objectives are encouraged.

Figure 5-1 Recommended Goals for Municipal Waste Management 2014 to 2024

Goal #1 Universal Waste Collection

- Recommendation: For all residents of Lawrence County to subscribe to professional curbside waste & recycling collection, services or participate in an organized program provided by public workers or contracted by their local municipality.

Goal #2 Expand Pay as You Throw Programs Countywide

- Recommendation: For PAYT rate components to be incorporated into municipal and residential subscription contracts.

Goal #3 Provide Ongoing Comprehensive Education Program for All Stakeholders

- Recommendation: To develop a regular and consistent public education program that covers all aspects of waste and recycling management.

Goal #4 Decrease Illegal Dumping & Other Forms of Improper Disposal

- Recommendation: To create a Joint Code Enforcement System with consistency in county and municipal solid waste related ordinances, rules and regulations.

Goal #5 Downsize the Countywide Big Blue Bin Drop-off Recycling Collection Program

- Recommendation: Control program costs by implementing Big Blue Bin drop-off collection sites only in areas without convenient access to residential curbside recycling programs

Goal #6 Expand Service Opportunities and Recovery of Greater Varieties of Materials

- Recommendation: Support the development of local and regional outlets and opportunities for the collection, processing and marketing of greater varieties of materials

Figure 5-2 Implementation Timeline

2014 Through 2016 Phase I Establishing A Foundation For Change

Regulatory

- Update the Ordinance and Rules and Regulations to reflect the latest court decisions, Commonwealth directives, and county-identified needs.
- Establish a voluntary registration program for waste and recycling haulers.
 - Investigate the possibility of a regional approach to hauler registration.

Enforcement

- Hire a dedicated enforcement officer to manage the camera program and enforce the ordinance and rules/regulations.
 - Investigate current illegal dumping practices; compare and contrast with past practices to identify the impacts of the implemented programs, policies, and regulations on the problem.
 - Formalize the surveillance camera program and work with municipalities on the enforcement of illegal dumping incidents at their sites.
 - Introductory meetings with local magistrates, Fish and Boat Commission, and Game Commission to support enforcement programs.

Program Feasibility, Administration, and Finances

- Audit and assess the Big Blue Bin Program
 - Evaluate the use of plastic containers for long-term and economical usage.
 - Develop a Maintenance Plan including a funding strategy for equipment (bins and collection vehicle).
 - Analyze the effectiveness and perceived value of the program:
 - Survey residents using the program about their views on the program and recycling in general.
 - Conduct traffic count at the sites
 - Gage incidents of inappropriate site usage per 100 people.
- Collect data/conduct survey that assesses number of residents subscribing to curbside waste collection service
- Explore the feasibility of establishing a countywide center for hard to recycle/bulky items

Technical Assistance

- Provide support to expand recycling in government facilities, including the courthouse.
 - Develop an Incentive campaign to encourage proper management in-house from point of generation to collection by transporter

Public Education and Awareness

- Develop a curriculum and agenda for a regular and consistent public education program that covers all aspects of waste and recycling management.
- Update and distribute the county recycling directory.

Collection Programs and Services

- Continue to offer the Big Blue Bin program so that residents in areas without convenient access to curbside programs can recycle.
 - Strive to reduce the number of Big Blue Bins on the ground by 25% through the expansion of curbside recycling throughout the County.
 - Consider including junk mail and #3 through #7 plastics

2017 through 2019 Phase II Targeted Adjustments and Improvements

Regulatory

- Explore the interest and authority to develop a countywide mandatory trash collection ordinance
- Consider establishing a countywide demolition permit with incentives for recycling and proper disposal

Enforcement

- Promote and transition LMCRSW enforcement officer's responsibilities into a Joint Solid Waste Code Enforcement program for the municipalities
- Coordinate with local magistrates, Fish and Boat Commission, and Game Commission to share tools and resources.
- Schedule periodic meetings/updates on enforcement actions.
- Expand the camera program

Program Feasibility, Administration, and Finances

- Investigate options to increase the county's management of the overall waste stream.
- Evaluate the collection of bulky materials at the annual special collection.
- Determine the feasibility of including more hard-to-recycle items in collection events, such things as textiles, hand bags, mattresses, books, etc.
- Explore opportunities to establish a regional resale center for construction/demolition materials similar to "Construction Junction."

Technical Assistance

- Develop a waste reduction/recycling "service" for small businesses
 - Conduct hands-on facility assessments o interested establishments to establish/improve their recycling.
 - Include "zero waste" facility training green building, energy and other conservation practices.
- Support municipalities and other interested parties to develop and implement collections for hard to recycle and bulky items
 - Provide guidelines, promotional tools, and other support for spring/fall community clean-ups and similar collection events
 - Provide guidelines for the inclusion of bulky item collection through curbside programs via the use of tags.

Public Education and Awareness

- Initiate annual educational seminars for special stakeholder groups including: local officials, commercial businesses and industry, waste & recycling companies, civic groups, the general public, etc.
- Develop an educational materials tool kit for municipalities with benefits and incentives of PAYT programs.
- Develop a regional directory of outlets for hard to recycle items
- Develop and distribute fact sheets for special materials
- Increase the number of school education programs each year

Collection Programs and Services

- Launch dedicated campaign to increase recycling at community events
 - Develop procedures and tools to accomplish community event recycling and assist municipalities in applying them to their programs.
 - Develop a brochure for marketing special event recycling containers available to communities for special events. Identify method for tracking and reporting quantity of material recycled.

2020 through 2022 Phase III Transition and Expansion

Regulatory

- Develop a model waste management, open burning, and illegal dumping ordinance for municipalities.
- Provide draft language for municipal building permits that include incentives for recycling and proper disposal.

Enforcement

- Evaluate the effectiveness of recent enforcement efforts
- Continue to enlist municipalities into the Joint Solid Waste Code Enforcement Program
- Utilize the Joint Code Enforcement Program to expand commercial and institutional recycling in mandated communities.

Program Feasibility, Administration, and Finances

- Investigate options to provide ongoing HHW collection programs
- Explore the market outlets and mechanics for textile recycling
- Identify regional construction and demolition management opportunities

Technical Assistance

- Develop guidelines for municipalities to use in the development of collection, processing and disposal contracts and specifications
- Encourage PAYT contracts to municipal officials.
- Provide support, tools and resources to non-mandated communities that wish to implement curbside recycling programs.

Public Education and Awareness

- Develop a universal countywide single stream educational toolkit
- Conduct a promotional campaign featuring the advantages and convenience of single stream and carts for curbside recycling collection (feature the Big Blue Cart Program in subscription areas)
- Work with the builder's association to develop a public awareness campaign on the benefits of green building techniques
- Provide training for local contractors in conjunction with the builder's association
 - Provide a toolkit and seminars on the benefits of deconstruction
 - Develop a directory of green building products

Collection Programs and Services

- Continue to Expand the Big Blue Cart Program in subscription areas
- Include textile recycling at special collection events
- Initiate a pilot program for periodic curbside collection of textiles

2023 Phase IV Reinforce, Reassess and Regroup

Program Feasibility, Administration, and Finances

- Reconvene a Solid Waste Advisory Committee
- Evaluate overall program performance and return on investment
- Identify strengths and weaknesses of the previous recommendations
- Identify goals and objectives which were not implemented and why
- Determine how needs and priorities have changed since 2014
- Establish the criteria for a new planning process



CHAPTER SIX

Dedicated Disposal Capacity

Future Disposal Guarantees

Pennsylvania counties are required to ensure that sufficient disposal capacity is made available to manage the volumes of municipal waste generated within their jurisdictions. In fact, this is the single most important responsibility outlined for counties by the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101). The manner in which a county acquires that capacity must be fair, open and competitive in order to withstand a potential legal challenge of the process or the selected service provider(s). Additionally, the criteria should not unfairly favor Pennsylvania facilities nor discriminate against facilities that are located outside of the Commonwealth.

Chapter 6 discusses the steps utilized by Lawrence County to request and secure disposal capacity. It provides a brief overview of the evaluation criteria and the review process. Finally, it identifies those facilities selected to accept Lawrence County municipal solid waste for disposal for the next decade. It also illustrates the location of those sites.

Determining Disposal Capacity Requirements

Lawrence County's current disposal practices were reviewed during the planning process. The actual utilization of the facilities designated in the 2004 Plan was reviewed. In addition, landfills that took municipal waste from Lawrence County without an official designation, as well as those that accepted other types of waste generated in Lawrence County, were also examined. The impact of out-of-state waste and residual waste at facilities that commonly reserve capacity for the County was considered. Finally, the exploration and drilling activities in the Marcellus Shale Gas Formation and their impact on current and future disposal needs was factored into future capacity projections.

To calculate Lawrence County's disposal capacity needs for the next decade, a number of indicators were used. A baseline disposal rate was established using reported disposal data. Current population data and projections from the US Census Bureau and the Penn State Data Center were applied. The impact of recycling efforts was also factored into the projections. The capacity projections in and of themselves showed no indication of pending capacity deficits. The expiration of the existing agreements beginning in 2012, however, prompted the need to solicit for capacity as part of the current planning process.

With decreases in both reported disposal activity and population, coupled with access to a number of disposal facilities in close proximity, it is doubtful that Lawrence County is facing pending capacity deficits. However, the expiration of the existing capacity agreements along with the need to strengthen the disposal reporting requirements prompted the need to solicit for capacity as part of the current planning process.

Solicitation and Proposal Process

Lawrence County solicited for capacity in the form of a Request for Proposals. The request was posted in the Pennsylvania Bulletin and published in Waste & Recycling News, a national trade journal. Industry trade organizations were asked to distribute the solicitation to their membership. Organizations with facilities that have historically accepted waste from Lawrence County were alerted regarding the issuance of the RFP. These combined efforts assured that facilities located both within and out of the state would be informed of the County's request.

SELECTION CRITERIA

Act 101 requires counties to conduct a fair, open, and competitive process to secure disposal capacity guarantees. Based on guidance from PADEP and references from numerous court rulings, efforts were taken to ensure that all facilities and disposal processes were given equal consideration and opportunity. Facilities were expected to adhere to clearly defined proposal submission guidelines, which specified the format and content required for administrative completeness and technical merit review. Allowances for the County to request supplemental documentation or further clarifications as needed were built into the technical review process. The criteria were divided into a series of categories, each with established requirements. A description of each, in no particular order of value or importance follows.

OPERATIONAL STATUS AND REMAINING CAPACITY

Facilities were required to demonstrate the existence of a current operating permit issued by the PADEP or the equivalent state regulatory agency for non-Pennsylvania facilities. Pending permits were considered for future designation. The projected life of the facility and its ability to provide available capacity for all or some portion of the County's needs during the period of the Plan was a key indicator of the site's ability to meet the service needs of the County.

FINANCIAL STRENGTH AND RISK ASSESSMENT

Documentation of the credit worthiness and financial stability of the operator, along with the levels of public and environmental liability protection were required. Each was considered an important indicator of the potential level of risk to the County and the facility's ability to maintain and provide a financially sound disposal system.

FACILITY DESIGN AND OPERATION

The ability to meet Federal, State, and Local standards for the operation of a municipal solid waste disposal facility was required. The technical design of the proposed facility and disposal process were evaluated based on the use of proven and accepted technology, demonstrated and approved alternatives, and best engineering practices. The review

considered the role of design components in the proposed facility and disposal process for pollution prevention and control, safety, operational efficiency and energy production. These included but were not limited to; liner composition, leachate treatment, methane gas recovery, combustor units, boiler design, and capacity. The effectiveness of operational plans for waste acceptance, emergency management, and contingencies were also considered.

INDUSTRY QUALIFICATIONS AND EXPERIENCE

The experience of personnel located at the facility and who were directly responsible for management and operations was reviewed. The depth of waste industry experience was considered as a demonstration of the contractor's ability to provide reliable disposal service. Documented performance in related contractual scenarios was also considered in the evaluation.

REGULATORY COMPLIANCE

A review of the compliance history of the facility and its parent organization, when applicable, was included in the assessment. The severity and consistency of violations was noted. However, most important was the ability of the facility or operator to achieve resolution and disposition of any such incidents to the satisfaction of the prevailing regulatory agency.

MINIMUM AND MAXIMUM ALLOWABLE DISPOSAL REQUIREMENTS

The evaluation included the ability of the facility to accept all or some of the municipal solid waste generated by Lawrence County on a daily and annual basis during the ten-year period of the Plan. The criteria made clear that "Put or Pay" disposal guarantees for predetermined quantities of Lawrence County waste were considered disincentives to recycling and therefore objectionable to the County.

MAXIMUM GATE RATES AND POTENTIAL COST TO COUNTY

Competitive pricing was not part of the procurement criteria. However, because disposal is restricted to the facilities designated in the Plan, it was necessary to offer transporters, municipalities, individuals, and businesses full disclosure of the potential cost of each available disposal option. Therefore, facilities were required to submit a pricing matrix that established ceilings for the maximum fees, which would be charged for the contracted disposal services. Facilities were allowed to submit separate disposal rates for the different categories of municipal waste for which capacity was reserved. All fees and surcharges resulting from Act 101, host municipality or county agreements or other federal, state, and local statutes were to be identified and quantified.

No conditions were imposed on the disposal rate other than the facility-defined cap. The use of one or more of the designated facilities remains a matter of choice. The maximum rates do not preclude the ability of parties to negotiate lower fees based on business relationships

and other factors. Although proposals were invited for new or alternative disposal technologies, none was received in this solicitation process. In addition, no proposal included supposition of County partnerships or investments in the construction and operation of facilities. Based on these factors, no further cost/benefit comparison, life cycle analysis, or evaluation was deemed necessary.

Review and Evaluation

Four organizations all with ownership of multiple facilities submitted proposals. A total of seven landfills proposed capacity assurances to the County. These were examined and reviewed to determine compliance with the submission criteria. No deficiencies and questions were noted in any of the proposals.

The following five sections include the results of the evaluation process. Each section contains a table, which highlights how each facility fulfilled the selection criteria for each specific component, including: legal, technical, operational, and financial.

SECTION 1 CONTRACTORS, PROPOSED FACILITIES, LEGAL FORMALITIES

Site Name	Facility		Contacts		Capacity Agreement		
	Owner	Site Location	Technical	Operational	All Required Forms and Signatures	Agreed to Contract Terms and Conditions Exceptions or Comments	Requires Put or Pay or Minimum Tonnage
Carbon Limestone Landfill	Allied/Republic Waste Services	8100 S State Line Rd Lowellville , OH 44436	John McGoran	John McGoran	YES	YES	NO
Hyland Landfill	Casella Waste	6653 Herdman Road Angelica, NY	Joseph Boyles	Joseph Boyles	YES	YES	NO
Imperial Landfill	Allied Waste Systems of PA LLC Republic Services, Inc.	11 Boggs Road, Imperial , PA 15126	Timothy Nytra	Brett Bowker	YES	YES	NO
Mahoning	Waste Management	3510 Garfield Road New Springfield, OH 44443	Jerry Ross	Frank Fello	YES	YES	NO
McKean	Casella Waste	19 Ness Lane Kane, PA 16735	Larry Shilling	Raymond Duerr	YES	YES	NO
Northwest Sanitary Landfill	Waste Management	1436 West Sunbury Road West Sunbury, PA 16061	Thomas Lewis	Darrell Klink	YES	YES	NO
Seneca Landfill	Vogel Holding Inc.	421 Hartman Road Evans City, PA 16033	Edward R. Vogel	Edward R. Vogel	YES	YES	NO
Tri County Landfill	Vogel Holding Inc.	159 TCI Park Drive Grove City, PA 16127	Edward R. Vogel	Edward R. Vogel	YES	YES	NO

SECTION 2 PERMIT STATUS AND CONDITIONS OF OPERATIONS

Facility		Local	Permitted	Accessibility and Terms of Use		
Site Name	Host Agreements	Permit # Issuing State Expiration Date	Remaining Permitted Capacity 2011	Current Constraints or Limitations	Operating Days Per Year	Operating Hours
Carbon Limestone Landfill	Poland Township Mahoning County, Ohio	OH 28726 12/31/2014 (License renewed annually)	25,099,633 cyds	NONE	Monday-Saturday (310)	12:00 AM- 4:00 PM (Sat-3:00AM -11:00 AM)
Hyland	Angelica Allegany County, NY	NY 9-0232-00003/00002 5/1/2015	9,733,784 cyds	NONE Proposed as back-up facility only	Monday-Saturday (260)	7:00AM-3:30PM Monday-Friday (Sat-7:00 AM-Noon)
Imperial Landfill	Findlay Township West Allegheny Schools Allegheny County	PA 100620 9/22/2015	23,291,264 cyds	NONE	Monday-Saturday (312)	12:00 AM- 3:00 PM (Sat-3:00AM -10:00 AM)
Mahoning Landfill	None Not required in Ohio	OH 02-5772 (License renewed annually)	2,021,636 cyds	NONE	Monday-Friday (260)	6:00AM-3:30PM Monday-Friday
McKean Landfill	Sergeant Township McKean County	PA 100361 2/23/2021	21,801,520 cyds	NONE	Monday-Saturday (312)	8:00AM-3:45PM Monday-Friday (Sat-on demand)
Northwest Sanitary Landfill	Clay Township Butler County	PA 100585 3/23/2016	1,455,255 cyds	NONE	Monday-Friday (260)	7:00AM-4:00PM Monday-Friday
Seneca Landfill	Jackson Township Lancaster Township Butler County	PA 100403 10/5/2017	6,007,239 cyds	NONE	Monday -Saturday (313)	800AM-3:00PM Monday- Friday (Sat-8:00 AM-11:00 AM)
Tri County Landfill	TBD	PA 101295 Pending Approval		Permit application submitted. Pending PADEP approval	Monday-Saturday (310)	7:00AM-3:00PM Monday-Friday (Sat-7:00 AM-11:00 AM)

SECTION 3 FACILITY DESIGN, REGULATORY COMPLIANCE, AND FINANCIAL ASSURANCES

Facility	Design and Contingencies			Regulatory Compliance			Financial Assurance		
Site Name	Design, Leachate Treatment	Waste Plan for Emergency Disasters	Waste Plan for Facility Emergencies	# Violations	# Penalties, Consent Orders, Settlement Agreements	Unresolved Violations	Financial Disclosure	Public Liability Protection	Environment Pollution & Liability Protection
Carbon Limestone Landfill	Double composite liner/ Treatment Off site POTW	YES	YES submitted capacity agreements for back-up landfill	40	5	0	Publicly Held Company Shareholders Report	\$20 million	Insurance \$16.7 million
Hyland	Double composite liner Treatment Off site	YES	Submitted capacity agreements strictly as a back-up landfill	7	1	0	Publicly Held Company Shareholders Report	\$3 million	Surety Bond \$6,346,376
Imperial Landfill	Double composite liner Treatment Off site	YES	Submitted capacity agreements strictly as a back-up landfill	6	1	0	Publicly Held Company Shareholders Report	\$3 million	Surety Bond \$6,346,376
Mahoning	Double composite liner/ Treatment Off site POTW	YES	YES submitted capacity agreements for proposed back-up landfill	8	0	0	Publicly Held Company Shareholders Report		Insurance \$13.8 million
McKean	Double composite liner Treatment Onsite		YES submitted capacity agreements for proposed back-up landfill	0	0	0	Publicly Held Company Shareholders Report	\$3 million	Surety Bond \$25.3 million
Northwest Landfill	Double composite liner Treatment Onsite	YES	YES submitted capacity agreements for proposed back-up landfills	7	4	0	Publicly Held Company Shareholders Report	\$5 million	Surety Bond \$9.5 million
Seneca Landfill	60 mil double liner Treatment On site	YES	YES on site transfer station would haul to other County designated facilities	32	5	0	Privately Held Company/ Provided upon request	\$2 million	Surety Bond \$6.2 million
Tri County Landfill	60 mil double liner Treatment On site	YES	YES submitted capacity agreements for proposed back-up landfills	0	0	0	Privately Held Company/ Provided upon request	\$2 million	Surety Bond Current \$704,000

SECTION 4 DAILY AND ANNUAL CAPACITY GUARANTEES

Facility

Guarantees for Lawrence Waste Volumes

Daily Tons Reserved Capacity for Types of Waste

Site Name	Owner	Maximum Annual Volume in Tons	% Lawrence Waste will accept	MSW	C&D	Sludge	Other	Donated Tons for Non Profits
Carbon Limestone	BFI Waste Systems of North America, LLC Republic Services, Inc	26,000	20%	50	25	15	N/A	20
Hyland	Casella Waste	18,150 (backup facility)	71.7%	70	10	10	N/A	As needed
Imperial Landfill	Allied Waste Systems of PA LLC Republic Services, Inc.	26,000	20%	50	25	15	N/A	20
Mahoning	Waste Management	25,309.4	100%	97.3				100
McKean	Casella Waste	18,150	71.7%	70	10	10	N/A	As needed
Northwest Landfill	Waste Management	25,309.4	100%	97.3	N/A	N/A	N/A	100
Seneca Landfill	Vogel Holding Inc.	5,061.2	20%	12.1	1.6	1.6	0.8	1
Tri County Landfill	Vogel Holding Inc.	5,061.2	20%	12.1	1.6	1.6	0.8	1

SECTION 5 SCHEDULE OF MAXIMUM CHARGES

Facility Site Name	Maximum Base Disposal Rate 1st Year					Add-on Costs Fees, Taxes, Surcharges	Total Maximum Disposal Rate with Fees 1st Year				
	MSW	C&D	SEWAGE SLUDGE	ICW	OTHER		MSW	C&D	SEWAGE SLUDGE	ICW	OTHER
Carbon Limestone Landfill	\$46.00	\$46.00	\$46.00	N/A	N/A	\$8.00	\$54.00	\$54.00	\$54.00	\$54.00	
Hyland Landfill	\$31.29	\$31.29	\$35.54	\$35.54	N/A	\$3.61	\$35.00	\$35.00	\$39.25	39.25	N/A
Imperial Landfill	\$50	\$50				\$9.31	\$59.31	\$59.31	N/A	N/A	N/A
Mahoning Landfill	\$35.25	\$36.25	\$35.25	\$35.25	N/A	\$6.50 1.60 (C&D)	\$42.75	\$42.75	\$42.75	\$42.75	N/A
McKean County Landfill	\$27.75	\$27.75	\$32.00	\$32.00	N/A	\$7.25	\$35.00	\$35.00	\$39.25	39.25	N/A
Northwest Landfill	\$65.10	\$65.10	\$65.10	\$65.10	N/A	\$7.60	\$72.70	\$72.70	\$72.70	\$72.70	N/A
Seneca Landfill	\$109.90	\$109.90	\$109.90	\$126.90	\$126.90	\$8.10	Math error	\$100.00	\$100.00	\$125.00	\$125.00
Tri County Landfill	\$91.90	\$91.90	\$91.90	\$116.90	\$116.90	\$8.10	\$100.00	\$100.00	\$100.00	\$125.00	\$125.00

Recommendations for Disposal Facility Designation

Based upon the review and evaluation of the proposals, it was determined that all of the facilities meet the established selection criteria. Some of the facilities are operating with permits that will expire before 2023. A few have capacity that could be greatly depleted during the term of the contract, but have room for expansion and design modifications. In these instances, actions to modify or renew existing permits are expected to result in approvals. One of the facilities currently has no active permit. It is waiting for a final decision on its application.

All qualify to become designated disposal facilities in the Lawrence County Municipal Solid Waste Management Plan. The facility with a pending permit application otherwise satisfies the requirements and could be considered a designated facility contingent on receipt of a permit approval.

In summary, the Lawrence County Board of Commissioners will execute and enter into disposal capacity agreements with the facilities shown here. The table is arranged in alphabetical order by the owner/operator with each corresponding facility listed below.

Casella Waste Management

McKean County Landfill

Hyland Landfill*

*Back-up Facility:

Republic Services

Carbon Limestone

Imperial

Vogel Holding

Seneca Landfill

Tri County Landfill*

*Designation upon permit approval:

Waste Management

Mahoning Landfill

Northwest Landfill



CHAPTER SEVEN

Implementation and Enforcement

Administration and Oversight

During the planning process, Lawrence County's municipal solid waste programs, policies, and procedures were reviewed. A number of appropriate revisions were recommended. Legal mechanisms were developed or amended to ensure that the recommendations could be executed. To ensure that responsible solid waste management is practiced in Lawrence County, specific objectives were designed with implementation targeted in phases during the ten-year period encompassed by the Plan.

Under the provisions of Act 101, the responsibility for the Plan's content and implementation ultimately falls to the Lawrence County Board of Commissioners. However, the Act does provide the County with the choice to delegate those duties to another representative or organization. Chapter 7 identifies the administrator and enforcer of the Plan and outlines the associated responsibilities.

Collaboration and Cooperation

The Lawrence-Mercer Counties Recycling/Solid Waste Department (LMCRSWD) was established by Ordinance(s) in 2010. Previously, each County had a separate entity delegated with much the same duties. In Mercer County, the responsibility for solid waste planning and enforcement was under the purview of the Mercer County Solid Waste Authority and for a brief time, the Mercer County Planning Commission. The Lawrence County Recycling/Solid Waste Department served for Lawrence County. A series of events led to the dissolution of the Authority and Mercer County explored a number of options to establish an implementing entity for its recently developed municipal solid waste management plan.

The concept of shared resources surfaced during Mercer County's evaluation. The proximity of the counties, the similarity in their recycling drop-off programs, a sound working relationship between the Boards of Commissioners, and a well-established and successful Recycling/Solid Waste Department, all pointed to Lawrence County as a likely partner. When some of Lawrence County's needs, unrelated to waste management but nevertheless candidates for shared services, were considered, all factors suggested a favorable outcome for both parties.

Subsequent to the enactment of the Ordinance(s), the counties entered into an Intergovernmental Agreement that outlines the duties, service expectations, and financial arrangements for the Department. Since then LMCRSWD has assumed the responsibility for developing municipal solid waste management policies and programs on behalf of Lawrence and Mercer County. In this role, the Department

Mission

- **THE LAWRENCE-MERCER COUNTIES RECYCLING/SOLID WASTE DEPARTMENT'S MISSION IS TO DEVELOP AND IMPLEMENT BOTH THE LAWRENCE COUNTY AND MERCER COUNTY MUNICIPAL SOLID WASTE MANAGEMENT PLANS.**

Vision

- **THIS LAWRENCE-MERCER COUNTIES RECYCLING/SOLID WASTE DEPARTMENT WILL WORK TOWARDS ITS MISSION BY:**
 - Providing convenient recycling opportunities,
 - Providing recycling and collection opportunities for hard-to-dispose materials such as tires, electronics, and household hazardous waste,
 - Providing technical assistance to businesses, institutions, organizations, and municipalities,
 - Partnerships with like-minded organizations and agencies,
 - Conducting public education programs to raise awareness about proper

ensures that the recommendations resulting from the planning process are put into action and in turn, enforced.

Successful Plan implementation is reliant on the continued involvement of all stakeholders. LMCRSWD monitors and responds to the individual and collective needs and positions of the municipalities regarding solid waste and recycling issues. Programs and services are designed to complement and support local efforts. In addition, LMCRSWD has a strong working relationship with the private sector. By collaborating with these service providers, LMCRSWD has fostered the growth of a comprehensive waste management infrastructure throughout both counties.

Department Organizational Structure and Functions

LMCRSWD is active and goal oriented. Under the new partnership, the Department often has to meet regulatory deadlines and commitments for both counties simultaneously. The logistics of scheduling events, resources, and staff requires greater attention to detail. Satisfying the inquiries and concerns of a larger population base and greater number of municipal officials has also increased the pace of work

STAFFING

LMCRSWD currently functions with a limited staff. In fact, it is the least number of employees that either County has employed separately to support the programs and service offerings. The employees officially have distinct responsibilities; however, teamwork and mutual support are essential to ensure that the goals and objectives of the Plans are met.

A full time Director serves as the primary administrator of LMCRSWD. This individual reports to the Boards of Commissioners. The Director is responsible for the staff and oversees the day-to-day services and operations. The Director prepares financial statements, establishes procurement policies, and monitors the receivables process. Outside contractors are engaged to perform a number of services for the Department. It is the duty of the Director to ensure the performance and cooperation of these vendors. The Director, together with input from the Assistant Director in preparation of the annual budget,

The Director must regularly communicate with the Commissioners and a variety of related state and federal departments and agencies. The Director ensures that the guidelines and recommendations set forth in the Plan are implemented according to schedule. The Director serves as the official liaison with the PADEP and maintains communications with the Department's Northwest Regional Office. It is important for the Director to keep abreast of pending legislative initiatives and PADEP policy changes that could affect the County, the municipalities and local businesses.

Because the goals of the Lawrence County Municipal Solid Waste Management Plan places emphasis on deterring and eliminating illegal dumping there is a need for a strong enforcement program. The Assistant Director plays a major role in the identification and prosecution of violators.

Tracking, monitoring, and forecasting the solid waste and recycling activities within the counties falls under the responsibilities of the Assistant Director. This individual oversees the process of securing from businesses and municipalities the data, which is necessary to file the annual report required by the PADEP and the Act 101, Section 904 Performance Grant application.

Community outreach and communication regarding solid waste and recycling issues is an important function of this organization. Program development and technical assistance is another vital service .For the most part, the Director serves as the face of LMCRSWD on all public outreach and awareness related issues. However, the Assistant Director also plays an important role through attendance at community and civic functions. The Assistant Director interacts directly with civic groups, youth organizations, schools, local municipalities, and individual Lawrence County residents. In addition to implementing this proactive outreach campaign, the Assistant Director must handle inquiries and the resolution of complaints from outside sources.

With more and more public and regulatory demands for programs and services, it is inevitable that LMCRSWD must consider adding staff. This is particularly true since a number of programs are dependent on the ongoing efforts of volunteers from Tri-County CleanWays.

PROFESSIONAL DEVELOPMENT

A combined strong management team is an essential component to maintaining organizational effectiveness. It is important for the staff to attend and participate in professional development seminars, webinars, and trade association meetings. Reading and reviewing industry related articles and publications are also useful. Periodically, training should go beyond industry topics and focus on leadership, fiscal responsibility, fundraising and strategic planning.

With greater competition for funding and other sources of revenue on the horizon, a staff knowledgeable in industry trends, new technology, and applications positions the County to offer the best mix of services for Lawrence County residents and businesses. It also allows the staff to be prepared with the background data required to write and submit strong grant applications and obtain funding.



CHAPTER EIGHT

Public Sector Roles and Functions

Equal Contributors

In Lawrence County, the public sector focuses primarily on the development of policies, public awareness and education, as well as the coordination of municipal solid waste and recycling programs. At times, these functions include services to the public, which are provided through arrangements with private sector contractors. Regionally, the private sector is the sole source of waste disposal and recycling processing facilities. The private sector is also the dominant, but not exclusive, provider of waste collection and recycling collection services.

This arrangement has successfully served the needs of Lawrence County for multiple decades. The County supports the efforts of private industry through open communication, education, and enforcement of proper waste management practices. Planning and development are as vital to the growth of the municipal waste infrastructure as the services themselves.

The relationship between the public and private sectors, as it currently exists, is expected to continue throughout the planning period. This chapter summarizes the operational role of local government in municipal solid waste management. It describes the functions and assets of both County and municipal entities. Factors that could influence change in the future are also discussed.

COUNTY LEVEL FACILITIES AND FUNCTIONS

The Lawrence-Mercer Counties Recycling/Solid Waste Department supports the advancement of solid waste management technologies and processes that capture the greatest value from the waste stream and minimize disposal. The LMCRSWD owns vehicles, containers, and other related items all utilized in the implementation of the countywide Big Blue Bin Recycling Drop-off Collection program. These purchases were made possible by PADEP Act 101, Section 902 grants. LMCRSWD engages a private contractor to conduct the day-to-day operations of collecting and processing the materials collected from the Big Blue Bins.

MUNICIPAL LEVEL FACILITIES AND FUNCTIONS

For the most part, municipalities in Lawrence County are not directly engaged in the collection and transportation of municipal solid waste or recyclables. Only the City of New Castle implements its own collection system with a dedicated crew of sanitation workers. The City recently purchased two rear loading packer trucks that are used for trash and recycling collection. Although in the past New Castle's recycling vehicle purchases were reliant on the Section 902 grants, these recent vehicles were funded totally by the City's general fund.

A few municipalities on a seasonal basis utilize the public works crews to collect leaves, leaf waste and yard debris. The Borough of Ellwood City was awarded grant funding to purchase a small pick-up truck to aid in the collection of yard waste. New Wilmington Borough uses a leaf vacuum for this purpose. These materials are sometimes chipped and mulched for use on public grounds or distributed to local residents. The details of every equipment purchase are unknown, however, at least a portion of the chippers/shredders used for this purpose were funded, in part by the Section 902 grants.

FUTURE PROGRAMS AND FACILITIES

Based on the private sector's current level of investment in the major components of the municipal solid waste infrastructure, there is no reason to believe that the County or the municipalities will seek to compete in that realm. New processes or methods of managing waste materials may develop during this planning period. As in the past, the County may develop pilot programs or policies that initiate the introduction of new concepts. However, it is anticipated that the private sector's role of service provider will not change during the Plan's implementation period.



CHAPTER NINE

Legal Mechanisms and Documents

Purpose and Need

Rules and regulations help residents, businesses and service providers understand their roles and responsibilities in municipal solid waste management. Such guidelines are valuable deterrents to illegal waste management practices and are useful in resolving conflicts and disputes regarding solid waste issues. Those who participated in the developmental discussions and forums expressed the need to have effective tools and mechanisms to implement and enforce the goals and objectives set forth in the Plan.

Although counties were granted greater powers by Act 101, local ordinances, contracts and other legal documents empower the County's implementing entity to enforce these policies. The tools designed for implementation of this Plan are discussed in the following narratives. The documents are provided in separate sections of the Appendices, with the specific location noted below.

During the Plan implementation period, forms and guidelines, as well as other documents may be developed and revised over time to simplify and improve the procedures associated with implementation. However, these changes will not alter the legal or contractual content of the Plan.

COUNTY SOLID WASTE AND RECYCLING ORDINANCE

The Solid Waste and Recycling Ordinance was drafted to provide a comprehensive set of standards for municipal solid waste management throughout the County. It replaces the previous solid waste ordinance that focused primarily on hauler licensing. In addition to establishing requirements for those collecting and transporting municipal waste, the Solid Waste and Recycling Ordinance addresses how municipal waste and recyclables from all sources must be managed in Lawrence County. Greater enforcement measures for violations of the ordinance and the authority to execute them have been included. Transporters of municipal solid waste are still subject to flow control. All transporters will be required to report their activities. Transporter reporting facilitates the County's annual reporting requirements to PADEP. By more thoroughly tracking and monitoring the activities of those engaged in handling and transporting recyclables, the County increases its opportunities to obtain Act 101, Section 904 Performance Grants. The ordinance is located in Appendix F

REQUEST FOR PROPOSALS FOR DISPOSAL CAPACITY AGREEMENT

To fulfill its primary responsibility under Act 101, the County issued a Request for Proposals for Disposal Capacity. The solicitation was posted in a national trade publication and the PA Bulletin. The Request for Proposals established a fair, open, and competitive procurement process. It outlined specific eligibility criteria for

inclusion of a facility in the Plan. It also provided a universal contractual agreement to be executed by the facility and the County. The Request for Proposal and the published solicitation are included in Appendix D.

EXECUTED DISPOSAL CAPACITY AGREEMENTS

A fully executed contracts from each facility guaranteeing disposal capacity to Lawrence County is included in Appendix J

PETITION TO ADD A FUTURE DISPOSAL FACILITY

Unforeseen opportunities and circumstances will occur throughout the implementation period of the Plan. Technological advancements could present processes and/or facilities that are not currently available. Mergers and acquisitions could prompt industry requests to divert waste to facilities that do not have capacity agreements with the County. To accommodate such situations, the Plan provides a mechanism to add facilities in the future. Future facilities will be subject to the same criteria set forth in the original Request for Proposals. In addition, each facility will be required to execute the same disposal capacity agreement as those landfills currently designated in the Plan. The local municipalities and the PADEP must be notified of the inclusion of a new facility. Appendix E includes the Petition to add a Processing/Disposal Facility in the Plan. The requirements for completing that process are also described.

INTERGOVERNMENTAL COOPERATION AGREEMENT ORDINANCE

Prior to entering into intergovernmental agreements, counties are required to adopt ordinances that establish the County's authority to make certain commitments. The Lawrence County Board of Commissioners passed such an ordinance to validate the delegation of the Lawrence-Mercer Counties Recycling/Solid Waste Department as the implementing entity of the Lawrence County Municipal Solid Waste Plan. The ordinance is located in Appendix F.

INTERGOVERNMENTAL COOPERATION AGREEMENT

The Lawrence-Mercer Counties Recycling/Solid Waste Department operates under an agreement between the Boards of County Commissioners from Lawrence and Mercer Counties. The agreement sets for the terms and conditions for the cooperative arrangement. It specifies responsibilities, operational expectations, and financial parameters. The official agreement between the two Counties is provided in Appendix G.

MOTION TO ADOPT THE PLAN REVISIONS

Upon completion of this Plan revision, the Lawrence County Board of Commissioners adopted the revised Plan in the form of a motion contained in Appendix H.



CHAPTER TEN

Impact of Recommendations & Transition

Continuity of Programs and Services

Overall, the 2013 Revised Lawrence County Municipal Solid Waste Management Plan builds upon the foundation of previous decisions and philosophies. Basic programs and services in place at the time when the Plan was developed are expected to continue. Representatives from the city, boroughs and townships, agencies and institutions, as well as the waste and recycling industry worked together with the County to ensure that revisions to the Plan are reasonable. The need to implement change in a seamless non-disruptive fashion was a serious consideration in each recommendations resulting from the planning process.

Changes or additions in program structure, services, or policies, which may be phased in during the implementation schedule, are designed to provide a smooth transition for all stakeholders.

Administration and Oversight

The Lawrence-Mercer Counties Recycling/Solid Waste Department will assume the leadership role for County level municipal solid waste management issues. The Department has a mission and vision statement, which clearly defines its role and responsibilities. Both public and private stakeholders experience a high level of outreach and support from the Department. It is anticipated that the goals and objectives of the Plan will be attained based on the strength of these relationships.

Universal Participation in Municipally Contracted Collection Services

The Solid Waste Advisory Committee voiced strong consensus on the need for mandatory participation by residents and businesses in municipal waste and recycling collection. To achieve universal standards and services, the SWAC favored the growth of municipal contracts for residential waste and recycling collection. A phased in approach is suggested. Intergovernmental cooperation is expected in order to attain this objective over the course of the Plan's implementation period. An improvement in general public health and safety resulting from the decrease in illegal dumping and littering is expected to occur.

Countywide Enforcement

The prevalence of illegal dumping activity in Lawrence County after decades of municipal solid waste planning and program enhancements was a priority concern for the SWAC. To support the successful efforts in remediating many of the dumping grounds and to deter the return, it was determined that stronger enforcement

capabilities and implementation were crucial to minimizing future incidents. The resulting Solid Waste and Recycling Ordinance establishes clear and consistent standards and offers the Department the ability to act when violations occur. By increasing the Department's enforcement powers the effect on the municipalities is expected to be positive and not detract from any local efforts.



CHAPTER ELEVEN

Cooperative Use of Facilities

Mutual Needs and Obligations

In Pennsylvania, all counties are required by Act 101 to secure disposal capacity and demonstrate methods to attain the state's recycling goals. These issues are commonly addressed during the development of a municipal solid waste management plan. Similar requirements are common throughout the nation. Today's state of the art disposal facilities require a considerable investment to design, permit, construct, and operate. Based on the economies of scale, it is unreasonable to think that each county would meet its capacity obligations by investing in and operating its own disposal facility. It also makes sense for private sector facilities to be developed with the intent of drawing from a regional waste shed, rather than a single county. To facilitate proper management and disposal, in financially sustainable operations, it is often necessary for waste to move across county and state lines. These same issues apply to the processing and marketing of recyclable commodities. This chapter demonstrates how Lawrence County protects its need for municipal solid waste capacity without interfering with the needs of other counties.

A REGIONAL WASTE SHED

The Lawrence County Municipal Solid Waste Management Plan, through the County Solid Waste Ordinance directs transporters to deliver all Lawrence County municipal solid waste for disposal to a variety of facilities that made contractual commitments guaranteeing disposal capacity to the County. None of the facilities are located within Lawrence County. Some are not located in Pennsylvania.

Likewise, the County and its municipalities use privately operated material recovery facilities to process and market recyclable commodities, which are ultimately transported elsewhere, including out of state, and out of the country.

The same approach was utilized in other counties' plans. Therefore, depending on the origin and category, in Pennsylvania, Ohio, West Virginia, New York, etc., many forms of waste flow naturally through a network of transporters and facilities with no local, state, or national boundaries. Each facility has entered into long term agreements, which share a secured portion of their capacity with one or more counties or businesses. Recyclables from other counties and states are also transported to the facilities that Lawrence County and its municipalities utilize for processing.

MARKET STABILITY

Lawrence County relies on the cooperation of other counties and states, which permit the operation of disposal facilities in their jurisdictions. It also relies on a global economy to provide markets, which sustain its recycling programs. In

return, the County respects the contractual obligations, which these existing facilities may have with other parties. In addition, the County understands the operator's need to design, finance, and construct reasonable expansions to meet these various capacity commitments. The County will not interfere with the normal operational and regulatory process involved with such expansions. Additionally, the County will not inhibit the free enterprise of the facilities nor prevent it from generating the necessary profits to support that project, provided it complies with the provisions of the Lawrence County Municipal Solid Waste Management Plans.



CHAPTER TWELVE

Stakeholder Participation

A Plan Customized for the Local Community

Regardless of the locale, solutions to municipal solid waste management must meet four basic and simple criteria. Plans, policies and programs should be realistic, easily implemented, cost effective, and enforceable. Equipment, material processes, and funding mechanisms must all follow this criteria. Public participation ensures to a greater degree that this will occur.

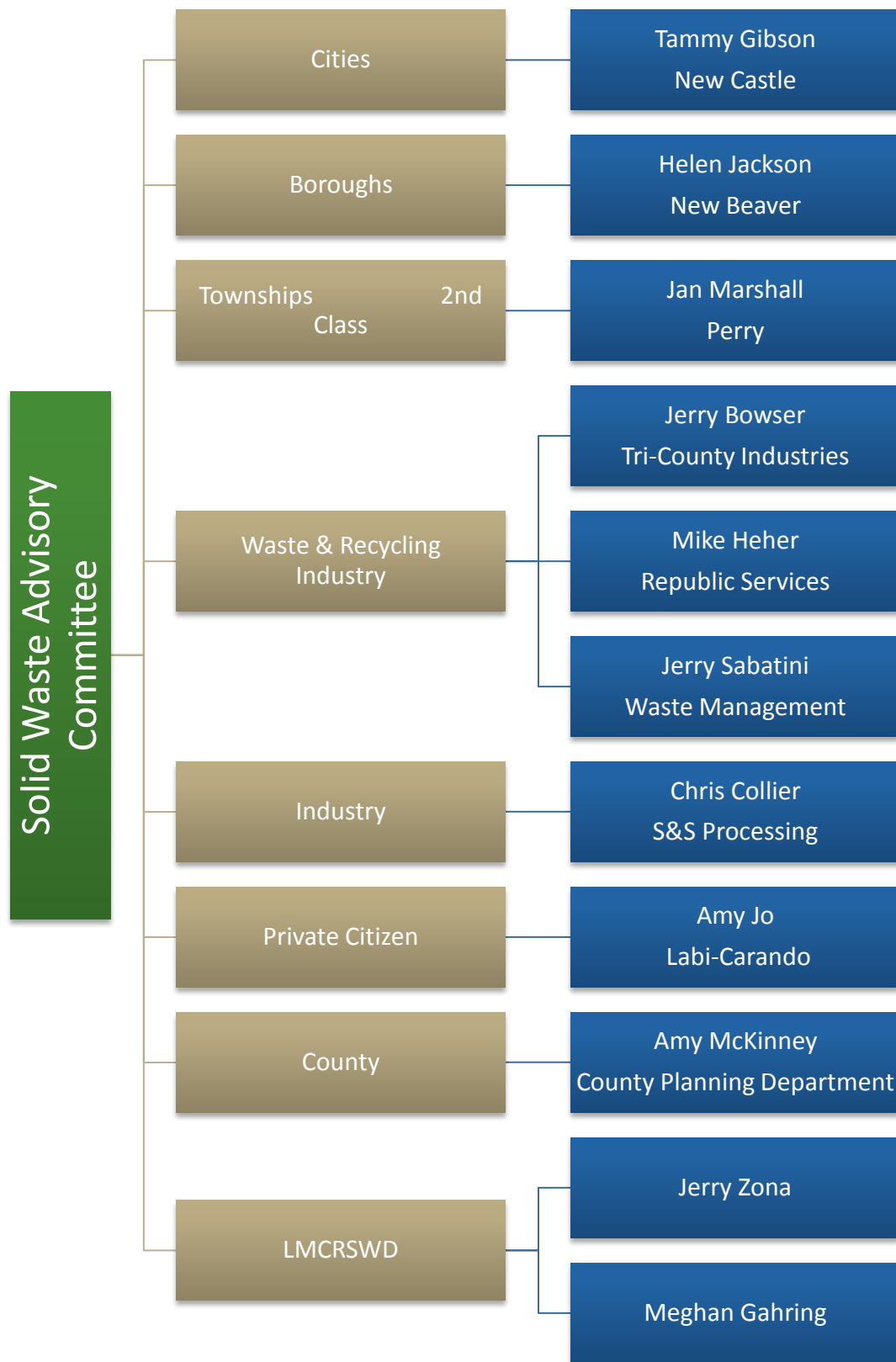
Of equal, if not greater importance are political and personal concerns that often dictate or limit the regulatory framework and/or the types of services made available. Soliciting input from a wide spectrum of individuals and organizations that will be affected directly or indirectly by solid waste management decisions is essential to achieve balanced decisions during the planning process. Typically, elected officials, regulatory agencies, enforcement officers, and quasi-governmental organizations have an expected role. However, the opinions and ideas of citizens, businesses, industries, service providers, and municipalities are key in assessing public awareness and motivation, along with service needs.

Chapter 12 summarizes the stakeholder experience in the development of the Lawrence County Municipal Solid Waste Management Plan. It outlines the criteria for advisory committee member selection. It highlights the agenda topics, the information presented, and the comments and suggestions offered.

FORMATION OF THE SOLID WASTE ADVISORY COMMITTEE

To develop a Plan that would meet the needs of the local community, the Lawrence County Board of Commissioners recognized the importance of obtaining feedback from sources outside of County government. To facilitate this valued interaction with local stakeholders, the Solid Waste Advisory Committee (SWAC) was established. The Board of Commissioners appointed nine individuals to serve on the Committee, who represent a balance of specific interests within the County. Local government representatives were selected from specific classes of the political jurisdictions, including the County. In addition to public sector representation, individuals from environmental interest groups, private waste and recycling industry companies, and local industry all served as members on the committee. Figure 12-1 lists the members and their affiliations.

Figure 12-1 Lawrence County Municipal Waste Advisory Committee



PRESENTATIONS AND DISCUSSIONS

A series of meetings were scheduled periodically during the development of the Plan. Meetings were facilitated by the Director of the Lawrence-Mercer Counties Recycling/Solid Waste Department and the Project Consultant. Each meeting focused one or more related elements. Most meetings included presentations by the Project Consultant on findings resulting from analyses of local data. The Project Consultant addressed comments and questions from the group. The LMCRSWD Director also offered commentary to clarify data, policies, and operational methods.

Topics included demographics of the County, national and local trends on municipal waste composition, generation, recovery and disposal, strengths and weaknesses in the infrastructure. During the discussions, some issues surfaced that deserved further investigation.

MEETING RECORDS

Recorded minutes of the Solid Waste Advisory Committee meetings and comments received from municipalities, PADEP and the general public during the review process, along with responses are included in Appendix I.

COMMITTEE DIALOGUE

The SWAC meetings were interactive, and the members were open and forthcoming with their views. The Committee made observations and expressed their concerns on certain prevailing conditions, specifically intolerance for illegal dumping, littering and open burning.

A common thread in the discussions was the roles and responsibilities of elected officials to adopt and enforce policies that protect the environment, and ensure public health and safety. The SWAC favored municipally contracted services with mandatory participation. The ability to include recycling collection as part of a bundled service package was considered desirable.

Lower than desired recycling rates, particularly in the mandated municipalities was the subject of significant commentary. With the continued prevalence of single stream recycling, the Committee reinforced the need for larger capacity recycling containers, particularly those suited for automated collection. Different ways to finance the purchase and distribution of the containers were suggested.

Outcome

The comments and concerns of the SWAC were given serious consideration and to the fullest extent possible, they have been incorporated into the final recommendations included in Chapter 5.



APPENDIX A

Common Words and Acronyms

The following words, terms and acronyms are commonly used in discussions of municipal solid waste management and recycling. Throughout this plan, those words, terms and acronyms have the following meanings, unless the context clearly indicates otherwise:

Abatement—The restoration, reclamation, recovery and the like of a natural resource adversely affected by the activity of a person, permittee or municipality.

Act—The Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003).

Agricultural utilization—The land application of sewage sludge for its plant nutrient value or as a soil conditioner as part of an agricultural operation.

Agricultural waste—Poultry and livestock manure, or residual materials in liquid or solid form generated in the production and marketing of poultry, livestock, fur bearing animals, and their products, if the agricultural waste is not hazardous. The term includes the residual materials generated in producing, harvesting and marketing of agronomic, horticultural and silvicultural crops or commodities grown on what are usually recognized and accepted as farms, forests or other agricultural lands.

Aluminum—Refers to cans comprised of 100% aluminum.

Association—A corporation, partnership, limited liability company, business trust or two or more persons associated in a common enterprise or undertaking.

Autoclave—A pressure vessel in which infectious waste is disinfected using high temperature steam, directly or indirectly, to maintain specified temperatures for retention times consistent with the waste being processed.

Beneficial use—Use or reuse of residual waste or residual material derived from residual waste for commercial, industrial or governmental purposes, where the use does not harm or threaten public health, safety, welfare or the environment, or the use or reuse of processed municipal waste for any purpose, where the use does not harm or threaten public health, safety, welfare or the environment.

C&D— Construction Demolition Waste

Chemotherapeutic waste—Waste resulting from the production or use of antineoplastic agents used for the purpose of inhibiting or stopping the growth of malignant cells or killing malignant cells. The term does not include waste containing antineoplastic agents that are hazardous wastes under Chapter 261a (relating to identification and listing of hazardous waste) and 40 CFR Part 261 (relating to identification and listing of hazardous waste) to the extent that Part 261 is incorporated in § 261a.1 (relating to incorporation by reference, purpose and scope).

Clean fill—Uncontaminated, nonwatersoluble, nondecomposable inert solid material used to level an area or bring the area to grade. The term does not include material placed into or on waters of this Commonwealth.

Closure—The date on which a municipal waste processing or disposal facility permanently ceases to accept waste, and access is limited to activities necessary for postclosure care, maintenance and monitoring.

COG — Council of Governments

Collateral bond—A penal bond agreement in a sum certain, payable to the Department, executed by the operator and supported by the deposit with the Department of cash, negotiable bonds of the United States, the Commonwealth, the Turnpike Commission, the General State Authority, the State Public School Building Authority or a Commonwealth municipality, Commonwealth bank automatically renewable and assignable certificates of deposit or irrevocable and standby Commonwealth bank letters of credit.

Commercial establishment—An establishment engaged in nonmanufacturing or nonprocessing business, including, but not limited to, stores, markets, office buildings, restaurants, shopping centers and theaters.

Community activities—Events sponsored in whole or in part by a municipality, or conducted within a municipality and sponsored privately, which include, but are not limited to, fairs, bazaars, socials, picnics and organized sporting events that will be attended by 200 or more individuals per day.

Composting—The process by which organic solid waste is biologically decomposed under controlled anaerobic or aerobic conditions to yield a humus-like product.

Composting facility—A facility using land for processing of municipal waste by composting. The term includes land thereby affected during the lifetime of the operations, including, but not limited to, areas where composting actually occurs, support facilities, borrow areas, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated onsite or contiguous collection, transportation and storage facilities, closure and postclosure care and maintenance activities and other activities in which the natural land surface has been disturbed as a result of or incidental to operation of the facility. The term does not include a facility for composting residential municipal waste that is located at the site where the waste was generated.

Construction/demolition waste—Solid waste resulting from the construction or demolition of buildings and other structures, including, but not limited to, wood, plaster, metals, asphaltic substances, bricks, block and unsegregated concrete. The term does not include the following if they are separate from other waste and are used as clean fill:

- (i) Uncontaminated soil, rock, stone, gravel, brick and block, concrete and used asphalt.

Waste from land clearing, grubbing and excavation, including trees, brush, stumps and vegetative material.

Construction/demolition waste landfill—A facility using land exclusively for the disposal of construction/demolition waste. The term includes land affected during the lifetime of the operations, including, but not limited to, areas where disposal activities actually occur, support facilities, borrow areas, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated onsite or contiguous collection, transportation and storage facilities, closure and postclosure care and maintenance activities and other activities in which the natural land surface has been disturbed as a result of or incidental to the operation of the facility.

Container—A portable device in which waste or recyclables are held for storage or transportation.

Corrugated paper—A structural paper material with an inner core shaped in rigid parallel furrows and ridges.

Department—The Department of Environmental Protection of the Commonwealth, and its authorized representatives

Disposal—The deposition, injection, dumping, spilling, leaking or placing of solid waste into or on the land or water in a manner that the solid waste or a constituent of the solid waste enters the environment, is emitted into the air or is discharged to the waters of this Commonwealth.

Disposal area—The part of the site where disposal is occurring or will occur.

Environmental protection acts—The act, The Clean Streams Law (35 P. S. § § 691.1—691.1001), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. § § 4001.101—4001.1904), the Hazardous Sites Cleanup Act (35 P. S. § § 6020.101—6020.1305), the Low-Level Radioactive Waste Disposal Act (35 P. S. § § 7130.101—7130.906), the act of July 13, 1988 (35 P. S. § § 6019.1—6019.6), known as the Infectious and Chemotherapeutic Waste Disposal Law, the Air Pollution Control Act (35 P. S. § § 4001—4015), the Surface Mining Conservation and Reclamation Act (52 P. S. § § 1396.1—1396.31), the Noncoal Surface Mining Conservation and Reclamation Act (35 P. S. § § 3301—3326), the Dam Safety and Encroachments Act (32 P. S. § § 693.1—693.27), and other State or Federal statutes relating to environmental protection or the protection of public health, including statutes adopted or amended after April 9, 1988. Environmental Stewardship and Watershed Protection Act—27 Pa.C.S. § §6101—6113.

Facility—Land, structures and other appurtenances or improvements where municipal waste disposal, processing or beneficial use is permitted or takes place.

Feasibility study—A study which analyzes a specific municipal waste processing, recycling or disposal system to assess the likelihood that the system can be successfully implemented, including, but not limited to, an analysis of the prospective market, the projected costs and revenues of the system, the municipal waste stream that the system will rely upon and various options available to implement the system.

Final closure—The date after which no further treatment, maintenance or other action is or will be necessary at a municipal waste processing or disposal facility to ensure compliance with the act and this article.

Generator—A person or municipality that produces or creates a municipal waste.

Hazardous waste—Garbage, refuse or sludge from an industrial or other waste water treatment plant; sludge from a water supply treatment plant or air pollution control facility; and other discarded material, including solid, liquid, semisolid or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining, or agricultural operations, and from community activities; or a combination of the above, which

because of its quantity, concentration or physical, chemical or infectious characteristics may do one of the following:

(i) Cause or significantly contribute to an increase in mortality or increase in morbidity in either an individual or the total population.

(ii) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

The term does not include coal refuse as defined in the Coal Refuse Disposal Control Act (52 P. S. § § 30.51–30.101). The term does not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on under and in compliance with a valid permit issued under The Clean Streams Law (35 P. S. § § 691.1–691.1001). The term does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) or source, special nuclear or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C.A. § § 2011–2284).

HDPE—High Density Polyethylene

HHW— Household hazardous waste

High-grade office paper—Bond, copier, letterhead or mimeograph paper typically sold as “white ledger” paper; and computer paper.

Household hazardous waste— Waste generated by a household that could be chemically or physically classified as a hazardous waste under the standards of Article VII (relating to hazardous waste management).

For the purpose of this definition, the term “household” includes those places described as “households” in 40 CFR 261.4(b)(1) (relating to exclusions).

ICW— Infectious Chemotherapeutic Waste (now Regulated Medical Waste)

Incinerator—An enclosed device using controlled combustion for the primary purpose of thermally breaking down solid waste, and which is equipped with a flue as defined in § 121.1 (relating to definitions).

Industrial establishment—An establishment engaged in manufacturing or processing, including, but not limited to, factories, foundries, mills, processing plants, refineries, mines and slaughterhouses.

Institutional establishment—An establishment engaged in service, including, but not limited to, hospitals, nursing homes, orphanages, schools and universities.

Land application—Agricultural utilization or land reclamation of solid waste. The term does not include the disposal of solid waste in a landfill or disposal impoundment.

Land disposal—The land application of sewage sludge for purposes other than agricultural utilization or land reclamation.

Landowner—The person or municipality in whom legal title to the surface of the land is vested.

Land reclamation—The land application of sewage sludge for its plant nutrient value or as a soil conditioner, in order to establish vegetative growth or restore or enhance the soil.

Lawrence —Mercer Counties Recycling/Solid Waste Department – The entity responsible for implementing the provisions of the Lawrence County Municipal Solid Waste Management Plan.

LCRSWD – The Lawrence –Mercer Counties Recycling/Solid Waste Department

Leachate—A liquid that has permeated through or drained from solid waste.

Leaf composting facility—A facility for composting vegetative material, including leaves, garden residue and chipped shrubbery and tree trimmings. The term does not include a facility that is used entirely or partly for composting grass clippings.

Leaf waste—Leaves, garden residues, shrubbery and tree trimmings, and similar material, but not including grass clippings.

Liquid waste—A waste that contains free liquids as determined by Method 9095 (paint filter liquids test), as described in the EPA’s “Test Methods for Evaluating Solid Waste, Physical/Chemical Methods” (EPA Publication No. SW-846).

Management—The entire process, or a part thereof, of storage, collection, transportation, processing, treatment and disposal of solid wastes by a person engaging in the process.

Marketed—The transfer of ownership of recyclable materials for the purpose of recycling the materials into a new product or use.

Maximum daily volume—The maximum daily volume limit that is permitted to be received for disposal at the facility on an operating day.

MRF— Materials Recovery Facility

MSW— Municipal solid waste

Municipality—A city, borough, incorporated town, township, county or an authority created by any of the foregoing.

Municipal recycling program—A source separation and collection program for recycling municipal waste or source-separated recyclable materials, or a program for designated drop-off points or collection centers for recycling municipal waste or source-separated recyclable materials, that is operated by or on behalf of a municipality. The term includes a source separation and collection program for composting yard waste that is operated by or on behalf of a municipality. The term does not include a program for recycling construction/demolition waste or sludge from sewage treatment plants or water supply treatment plants.

Municipal waste—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; and sludge not meeting the definition of residual or hazardous waste under this

section from a municipal, commercial or institutional water supply treatment plant, waste water treatment plant or air pollution control facility.

Municipal waste disposal or processing facility—A facility using land for disposing or processing of municipal waste. The facility includes land affected during the lifetime of operations, including, but not limited to, areas where disposal or processing activities actually occur, support facilities, borrow areas, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated onsite or contiguous collection, transportation and storage facilities, closure and postclosure care and maintenance activities and other activities in which the natural land surface has been disturbed as a result of or incidental to operation of the facility.

Municipal waste landfill—A facility using land for disposing of municipal waste. The facility includes land affected during the lifetime of operations including, but not limited to, areas where disposal or processing activities actually occur, support facilities, borrow areas, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated onsite and contiguous collection, transportation and storage facilities, closure and postclosure care and maintenance activities and other activities in which the natural land surface has been disturbed as a result of or incidental to operation of the facility. The term does not include a construction/demolition waste landfill or a facility for the land application of sewage sludge.

Municipal waste management plan—A comprehensive plan for an adequate municipal waste management system in accordance with Chapter 272, Subchapter C (relating to municipal waste planning).

Municipal Waste Planning, Recycling and Waste Reduction Act—53 P. S. § § 4000.101—4000.1904.

NPDES—National Pollutant Discharge Elimination System

Normal farming operations—The customary and generally accepted activities, practices and procedures that farms adopt, use or engage in year after year in the production and preparation for market of poultry, livestock and their products; and in the production, harvesting and preparation for market of agricultural, agronomic, horticultural, silvicultural and aquicultural crops and commodities; if the operations are conducted in compliance with applicable laws, and if the use or disposal of these materials will not pollute the air, water or other natural resources of this Commonwealth. The term includes the storage and utilization of agricultural and food process wastes for animal feed, and the agricultural utilization of septic tank cleanings and sewage sludges, which are, generated offsite. The term also includes the management, collection, storage, transportation, use or disposal of manure, other agricultural waste and food processing waste on land where the materials will improve the condition of the soil, the growth of crops or in the restoration of the land for the same purposes.

OCC— Old corrugated cardboard

ONP— Old newsprint

Onsite—The same or geographically contiguous property owned or leased or used by a generator or waste management facility, which may be divided by public or private right-of-way, if the entrance and exit between the properties is at a crossroads intersection, and access

is by crossing, as opposed to going along the right-of-way. Noncontiguous properties owned or leased by the same person or municipality but connected by a right-of-way under the control of the person or municipality and to which the public does not have access, are also considered onsite property. A facility that does not meet the requirements of this definition is an offsite facility.

Operate—To construct a municipal waste management facility in anticipation of receiving solid waste for the purpose of processing or disposal; to receive, process or dispose of solid waste; to carry on an activity at the facility that is related to the receipt, processing or disposal of waste or otherwise affects land at the facility; to conduct closure and postclosure activities at a facility.

Operator—A person or municipality that operates a municipal waste processing or disposal facility.

Owner—The person or municipality who is the owner of record of a facility or part of a facility.

PADEP— Pennsylvania Department of Environmental Protection

PAYT— Pay as you throw. A method of charging for waste collection that is based on incremental volume.

Permit—A permit issued by the Department to operate a municipal waste disposal or processing facility, or to beneficially use municipal waste. The term includes a general permit, permit-by-rule, permit modification, permit reissuance and permit renewal.

Permit area—The area of land and water within the boundaries of the permit, which is designated on the permit application maps as approved by the Department. The area includes the areas, which are or will be affected by the municipal waste processing or disposal facility.

Person—An individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, Federal Government or agency, State institution and agency—including, but not limited to, the Department of General Services and the State Public School Buildings Authority—or another legal entity which is recognized by law as the subject of rights and duties. In the provisions of this article pertaining to a fine or penalty, the term includes the officers and directors of a corporation or other legal entity having officers and directors.

PET—PolyethyleneTeraphthalate

Plan revision—A change that affects the contents, terms or conditions of a Department approved plan under the Municipal Waste Planning, Recycling and Waste Reduction Act.

Pollution—Contamination of air, water, land or other natural resources of this Commonwealth that will create or is likely to create a public nuisance or to render the air, water, land or other natural resources harmful, detrimental or injurious to public health, safety or welfare, or to domestic, municipal, commercial, industrial, agricultural, recreational or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other life.

Postclosure—Activities after closure which are necessary to ensure compliance with the act and this article, including application of final cover, grading and revegetation; groundwater,

surface water and gas monitoring; erosion control and gas control; leachate treatment, and abatement of pollution or degradation to land, water, air or other natural resources.

Post consumer material—A product generated by a business or consumer which has served its intended end use, and which has been separated or diverted from solid waste for the purposes of collection, recycling and disposition. The term includes industrial byproducts that would otherwise go to disposal or processing facilities. The term does not include internally generated scrap that is commonly returned to industrial or manufacturing processes.

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

Project development—Activities required to be conducted prior to constructing a processing or disposal facility that have been shown to be feasible, including, but not limited to, public input and participation, siting, procurement and vendor contract negotiations, and market and municipal waste supply assurance negotiations.

Reasonable expansion—A municipal waste landfill that meets the following:

(i) The facility represents growth of an existing permitted municipal waste landfill to land, which is contiguous to the existing landfill.

(ii) The contiguous land meets one of the following:

(A) The land is owned in fee by the owner of the municipal waste landfill.

(B) The land is subject to an irrevocable option exercisable within 1 year of one of the following:

(I) If the land is located in a county that will be submitting a plan under § 272.211(a) (relating to general requirement), the date that the first written notice of plan development is given under § 272.203 (relating to notice to municipalities).

(II) If the land is located in a county that had a plan approved under § 272.211(b), the date that the first written notice of proposed revision of the approved plan is given under § 272.203.

(iii) The contiguous land contains the same geological features as are present at the existing municipal waste landfill.

(iv) A complete permit application for the expansion is filed with the Department within 1 year of one of the following:

(A) If the land is located in a county that will be submitting a plan under § 272.211(a), the date that the first written notice of plan development is given under § 272.203.

(B) If the land is located in a county that had a plan approved under § 272.111(b), the date that the first written notice of proposed revision of the approved plan is given under § 272.203.

Recycling—The collection, separation, recovery and sale or reuse of metals, glass, paper, plastics and other materials which would otherwise be disposed or processed as municipal waste.

Recycling facility—A facility employing a technology that is a process that separates or classifies municipal waste and creates or recovers reusable materials that can be sold to or reused by a manufacturer as a substitute for or a supplement to virgin raw materials. The term does not include transfer facilities, municipal waste landfills, composting facilities or resource recovery facilities.

Recycling Fund—The fund established under section 706 of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. § 4000.706).

Regulated Medical Waste — (i) General. Municipal and residual waste which is generated in the diagnosis, treatment, immunization or autopsy of human beings or animals, in research pertaining thereto, in the preparation of human or animal remains for interment or cremation, or in the production or testing of biologicals, and which falls under one or more of the following categories:

(A) Cultures and stocks. Cultures and stocks of infectious agents and associated biologicals, including the following: cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines except for residue in emptied containers; and culture dishes, assemblies and devices used to conduct diagnostic tests or to transfer, inoculate and mix cultures.

(B) Pathological wastes. Human pathological wastes, including tissues, organs and body parts and body fluids that are removed during surgery, autopsy, other medical procedures or laboratory procedures. The term does not include hair, nails or extracted teeth.

(C) Human blood and body fluid waste.

(I) Liquid waste human blood.

(II) Blood products.

(III) Items saturated or dripping with human blood.

(IV) Items that were saturated or dripping with human blood that are now caked with dried human blood, including serum, plasma and other blood components, which were used or intended for use in patient care, specimen testing or the development of pharmaceuticals.

(V) Intravenous bags that have been used for blood transfusions.

(VI) Items, including dialysate that have been in contact with the blood of patients undergoing hemodialysis at hospitals or independent treatment centers.

(VII) Items saturated or dripping with body fluids or caked with dried body fluids from persons during surgery, autopsy, other medical procedures or laboratory procedures.

(VIII) Specimens of blood products or body fluids, and their containers.

(D) Animal wastes. Contaminated animal carcasses, body parts, blood, blood products, secretions, excretions and bedding of animals that were known to have been exposed to zoonotic infectious agents or nonzoonotic human pathogens during research (including

research in veterinary schools and hospitals), production of biologicals or testing of pharmaceuticals.

(E) Isolation wastes. Biological wastes and waste contaminated with blood, excretion, exudates or secretions from:

(I) Humans who are isolated to protect others from highly virulent diseases.

(II) Isolated animals known or suspected to be infected with highly virulent diseases.

(F) Used sharps. Sharps that have been in contact with infectious agents or that have been used in animal or human patient care or treatment, at medical, research or industrial laboratories.

(ii) Mixtures.

(A) The term also includes materials identified under subparagraph (i) that are mixed with municipal and residual waste, including disposable containers.

(B) The term also includes mixtures of materials identified in subparagraph (i) with quantities of radioactive waste not subject to regulation.

(iii) Exceptions. The term does not include the following:

(A) Wastes generated as a result of home self-care.

(B) Human corpses, remains and anatomical parts that are intended for interment or cremation, or are donated and used for scientific or medical education, research or treatment.

(C) Etiologic agents being transported for purposes other than waste processing or disposal pursuant to the requirements of the United States Department of Transportation (49 CFR 171.1–190), the Department of Transportation (67 Pa. Code Part I) and other applicable shipping requirements.

(D) Samples of infectious waste transported offsite by Commonwealth or United States government enforcement personnel during an enforcement proceeding.

(E) Body fluids or biologicals which are being transported to or stored at a laboratory prior to laboratory testing.

(F) Ash residue from the incineration of materials identified in subparagraphs (i) and (ii) if the incineration was conducted in accordance with § 283.402 (relating to infectious waste monitoring requirements). The ash residue shall be managed as special handling municipal waste.

(G) Reusable or recyclable containers or other nondisposable materials, if they are cleaned and disinfected, or if there has been no direct contact between the surface of the container and materials identified in subparagraph (i). Laundry or medical equipment shall be cleaned and disinfected in accordance with the United States Occupational Safety and Health Administration Requirements in 29 CFR 1910.1030 (relating to blood borne pathogens).

(H) Soiled diapers, which do not contain materials identified in subparagraph (i).

(I) Mixtures of hazardous waste subject to Article VII (relating to hazardous waste management) and materials identified in subparagraph (i) shall be managed as hazardous waste and not infectious waste.

(J) Mixtures of materials identified in subparagraph (i) and regulated radioactive waste shall be managed as radioactive waste in accordance with applicable Commonwealth and Federal statutes and regulations, including, but not limited to, § 236.521 (relating to minimum requirements for classes of waste).

Mixtures of materials identified in subparagraph (i) and chemotherapeutic waste shall be managed as chemotherapeutic waste in accordance with this article.

Remaining available permitted capacity—The remaining permitted capacity that is actually available for processing or disposal to the county or other municipality that generated the waste.

Remaining permitted capacity—The weight or volume of municipal waste that can be processed or disposed of at an existing municipal waste processing or disposal facility. The term includes weight or volume capacity for which the Department has issued a permit under the act. The term does not include a facility that the Department determines, or has determined, has failed and continues to fail to comply with the act, the regulation thereunder, an order issued thereunder or permit conditions.

Residential septage—Liquid or solid material removed from a septic tank, cesspool or similar treatment works that receives only waste or wastewater from humans or household operations. The term includes processed residential septage from a residential septage treatment facility. The term does not include liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from a grease trap at a restaurant.

Residual waste—Garbage, refuse, other discarded material or other waste, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, mining and agricultural operations; and sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous. The term does not include coal refuse as defined in the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51–30.66). The term does not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on under and in compliance with a valid permit issued under The Clean Streams Law (35 P. S. §§ 691.1–691.1001).

Resource recovery facility— (i) A processing facility that provides for the extraction and utilization of materials or energy from municipal waste.

(ii) The term includes a facility that mechanically extracts materials from municipal waste, a combustion facility that converts the organic fraction of municipal waste to usable energy and a chemical and biological process that converts municipal waste into a fuel product.

(iii) The term includes a facility for the combustion of municipal waste that is generated offsite, whether or not the facility is operated to recover energy.

(iv) The term includes land affected during the lifetime of operations, including, but not limited to, areas where processing activities actually occur, support facilities, borrow areas,

offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated onsite or contiguous collection, transportation and storage facilities, closure and postclosure care and maintenance activities and other activities in which the natural land surface has been disturbed as a result of or incidental to operation of the facility.

(v) The term does not include:

(A) A composting facility.

(B) Methane gas extraction from a municipal waste landfill.

(C) A separation and collection center, drop-off point or collection center for recycling, or a source separation or collection center for composting leaf waste.

A facility, including all units in the facility, with a total processing capacity of less than 50 tons per day.

Salvaging—The controlled removal or recycling of material from a solid waste processing or disposal facility.

Sewage sludge—Liquid or solid sludges and other residues from a municipal sewage collection and treatment system; and liquid or solid sludges and other residues from septic and holding tank pumpings from commercial, institutional or residential establishments. The term includes materials derived from sewage sludge. The term does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of sewage sludge at a municipal sewage collection and treatment system, or grit, screenings and nonorganic objects from septic and holding tank pumpings.

Sharps—Broken glass that has been in contact with pathogenic organisms, hypodermic needles and syringes to which a needle can be attached, with or without the attached needle, suture needles, disposable razors, Pasteur pipettes, scalpel blades, blood vials, needles with attached tubing, culture dishes, suture needles, slides, cover slips and other broken or unbroken glass or plastic ware.

Site—The area where municipal waste processing or disposal facilities are operated. If the operator has a permit to conduct the activities, and is operating within the boundaries of the permit, the site is equivalent to the permit area.

Soil additive or soil substitute—Municipal waste which is beneficially used at specified loading or application rates, to replace soil that was previously available at the site, to enhance soil properties or to enhance plant growth. The term does not include structural fills, construction material, valley fills or the use of municipal waste to fill open pits from coal or noncoal mining or the disposal of coal ash.

Solid waste—Waste, including, but not limited to, municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous materials.

Solid Waste Abatement Fund—The fund established under section 701 of the act (35 P. S. § 6018.701).

Source reduction—The reduction or elimination of the quantity or toxicity of residual waste generated, which may be achieved through changes within the production process, including process modifications, feedstock substitutions, improvements in feedstock purity, shipping

and packing modifications, housekeeping and management practices, increases in the efficiency of machinery and recycling within a process. The term does not include dewatering, compaction, reclamation or the use or reuse of waste.

Source separated recyclable materials—Materials that are separated from municipal waste at the point of origin for the purpose of recycling. The term is limited to clear glass, colored glass, aluminum, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper, plastics and other marketable grades of paper.

Special handling waste—Solid waste that requires the application of special storage, collection, transportation, processing or disposal techniques due to the quantity of material generated or its unique physical, chemical or biological characteristics. The term includes dredged material, sewage sludge, infectious waste, chemotherapeutic waste, ash residue from a solid waste incineration facility, friable asbestos containing waste, PCB containing waste and waste oil that is not hazardous waste.

Stabilized sewage sludge—Sewage sludge that has been treated to reduce odor potential and the number of pathogenic organisms. Treatment methods include anaerobic and aerobic digestion, composting, lime stabilization and chlorine stabilization.

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

Surety bond—A penal bond agreement in a sum certain, payable to the Department, executed by the operator and a corporation licensed to do business as a surety in this Commonwealth and approved by the Department, and which is supported by the guarantee to payment on the bond by the surety.

SWAC— Solid Waste Advisory Committee

Thermal processing—A method, technique or process, excluding incineration and autoclaving, designed to disinfect infectious waste by means of exposure to high thermal temperatures through methods such as ionizing radiation or electric or plasma arc technologies.

Transfer facility—A facility which receives and processes or temporarily stores municipal or residual waste at a location other than the generation site, and which facilitates the transportation or transfer of municipal or residual waste to a processing or disposal facility. The term includes a facility that uses a method or technology to convert part or all of the waste materials for offsite reuse. The term does not include a collecting or processing center that is only for source-separated recyclable materials, including clear glass, colored glass, aluminum, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper and plastics.

Transportation—The offsite removal of solid waste at any time after generation.

Treatment—A method, technique or process, including neutralization, designed to change the physical, chemical, or biological character or composition of waste to neutralize the waste or to render the waste nonhazardous, safer for transport, suitable for recovery, suitable for storage or reduced in volume. The term includes an activity or processing designed to change the physical form or chemical composition of waste to render it neutral or nonhazardous.

Used oil—A petroleum-based or synthetic oil which is used in an internal combustion engine as an engine lubricant, or as a product for lubricating motor vehicle transmissions, gears or axles which, through use, storage or handling has become unsuitable for its original purpose due to the presence of chemical or physical impurities or loss of original properties.

USEPA— United States Environmental Protection Agency

Waste—A material whose original purpose has been completed and which is directed to a disposal, processing or beneficial use facility or is otherwise disposed of, processed or beneficially used. The term does not include source separated recyclable materials, material approved by the Department for beneficial use under a beneficial use order issued by the Department prior to May 27, 1997, or material which is beneficially used in accordance with a general permit issued under Subchapter I or Subchapter J (relating to beneficial use; and beneficial use of sewage sludge by land application) if a term or condition of the general permit excludes the material from being regulated as a waste.

Waste oil—Oil refined from crude oil or synthetically produced, used and as a result of the use, contaminated by physical or chemical impurities. The term includes used oil.

Waste reduction—Design, manufacture or use of a product to minimize weight of municipal waste that requires processing or disposal, including, but not limited to:

(i) Design or manufacturing activities which minimize the weight or volume of materials contained in a product, or increase durability or recyclability.

The use of products that contain as little material as possible, are capable of being reused or recycled or have an extended useful life.

WWTP— Waste Water Treatment Plant

Yard waste—Leaves, grass clippings, garden residue, tree trimmings, chipped shrubbery and other vegetative material.

Yard waste composting facility—A facility that is used to compost leaf waste, or leaf waste and grass clippings, garden residue, tree trimmings, chipped shrubbery and other vegetative material. The term includes land affected during the lifetime of the operation, including, but not limited to, areas where composting actually occurs, support facilities, borrow areas, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated onsite or contiguous collection and transportation activities, and other activities in which the natural surface has been disturbed as a result of or incidental to operation of the facility

Sources

PA Title 25. ENVIRONMENTAL PROTECTION Article VIII. MUNICIPAL WASTE
CHAPTER 271. MUNICIPAL WASTE MANAGEMENT—GENERAL PROVISIONS



APPENDIX B

Background Resources & Acknowledgements

Reference Materials

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APPENDIX C

Public Solicitation for Disposal Capacity

DECALS

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FACILITY QUALIFICATION REQUEST

FACILITY QUALIFICATION REQUESTS

In accordance with PA Act 101 and Title 25 Section 272, the County of Cambria is seeking waste disposal capacity for municipal waste (MSW) for a minimum of five (5) years, with an option to extend capacity an additional five (5) years, for a total of ten (10) years.

Cambria County is hereby soliciting responses in order to qualify facilities that could provide all, or some of the processing/disposal capacity for the county generated MSW, beginning on or after August 1, 2013. Copies of Cambria County's Facility Qualification Request (FQR) may be obtained from the Cambria County Solid Waste Authority, P.O. Box 445, 507 Manor Drive, Ebensburg, PA 15931.

Electronic forms are available by e-mailing Kris Howdyshehl at: khowdyshehl@co.cambria.pa.us or by calling 814-472-2109.

All responses must be made on the Submittal Form and in accordance with the Instructions to Respondents provided in the FQR. The respondent must submit the original and two (2) copies to the above address by 2:00 p.m. EST on May 17, 2013.

Cambria County reserves the right to reject any or all responses.

REQUEST FOR PROPOSALS

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REQUEST FOR PROPOSAL

**CONNECTICUT RESOURCES RECOVERY AUTHORITY
 REQUEST FOR PROPOSALS FOR OPERATION AND MAINTENANCE
 AND COMMODITY MARKETING SERVICES
 AT THE CSWS REGIONAL RECYCLING FACILITY**

CRRA is seeking proposals from qualified entities to provide operation and maintenance and commodity marketing services at the CSWS Regional Recycling Facility located at 211 Murphy Road in Hartford, CT.

Request for Proposals ("RFP") package documents may be obtained on the World Wide Web at <http://www.crra.org> under the "Business Opportunities" page beginning on or around May 1, 2013. Interested entities are encouraged to submit a notice of interest form which may be obtained in the interim.

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REQUEST FOR PROPOSAL

**REQUESTS PROPOSALS FOR MUNICIPAL SOLID WASTE DISPOSAL AND/OR PROCESSING CAPACITY
 LAWRENCE COUNTY BOARD OF COMMISSIONERS,
 NEW CASTLE, PENNSYLVANIA**

In accordance with Pennsylvania Code Title 25, Environmental Protection, Chapter 2, the Lawrence County Board of Commissioners has determined that additional waste disposal or processing capacity for municipal solid waste (MSW), including construction/demolition (C/D) waste and sewage sludge generated within the County is required for a period covering the next ten years. The Lawrence County Board of Commissioners is hereby soliciting proposals for disposal capacity for MSW generated in Lawrence County Pennsylvania with final contract approval and execution anticipated no later than December 2013.

The Request for Proposals (R.F.P.) will be available from the Lawrence-Mercer Recycling/Solid Waste Department on or after May 1, 2013. There is a \$50 fee for printed copies. All proposals must be made on and inclusive of the required Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals. The Lawrence County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County.

The Lawrence County Board of Commissioners will receive sealed proposals until 3:00 p.m., Prevaling Time on Monday, June 3, 2013. The Proposer is required to submit two (2) hard copies, each executed in blue ink and labeled "original," and three (3) "copies" formatted as pdf files each on separate electronic media, CD-ROMs or Flash Drives. The proposals must be packaged, sealed, and clearly labeled to show the statement "Proposal Disposal Capacity" and the name and address of the Proposer. Proposals should be submitted and be addressed to: the Lawrence-Mercer Recycling/Solid Waste Department, 430 Court Street, New Castle, PA 16101. Attention: Mr. Jerry P. Zona



APPENDIX D

Disposal Capacity Request for Proposals

The Recycling/Solid Waste Department
on behalf of
The Board of Commissioners

**Request
for
Proposals**

Lawrence County,
Pennsylvania

**Municipal Solid
Waste Disposal and
Processing Capacity
Assurance
2014-2023**

Issued May 1, 2013

Project Consultant

Primary Contact

Michele Nestor

Nestor Resources, Inc.

Valencia, PA 16059

Phone: (724) 898-3489

Mobile: (724) 612-7675

Email: resources@consolidated.net

INTRODUCTION

The Lawrence/Mercer Recycling/Solid Waste Department on behalf of the Lawrence County Board of Commissioners is accepting proposals for the disposal and processing of Municipal Waste generated within the County of Lawrence. Through this Request for Proposal, the County will select the disposal and processing methods and facilities to ensure disposal and processing capacity in accordance with the provisions of Act 101, the Pennsylvania Municipal Waste Planning, Recycling, and Waste Reduction Act of 1988. Act 101 mandates that each County must have secured disposal and processing capacity for the Municipal Waste generated within its boundary for a period of ten years. Those facilities entering into agreement with the County for secured capacity will be designated in the Municipal Solid Waste Management Plan of Lawrence County.

This document, which comprises the request for proposal, includes five sections:

1. Procurement Approach and Purpose
2. Evaluation Criteria
3. History and Background
4. Contract Provisions
5. Required Forms for Submission of Proposal

Sealed Proposals in response to this RFP are due on Monday, June 3, 2013, by 3:00 PM. To qualify for consideration, the Proposer must submit two (2) hard copies, each executed in blue ink and labeled "original," and three (3) "copies" formatted as pdf files each on separate electronic media, CD-ROMs or Flash Drives. :

**Lawrence-Mercer Recycling/Solid Waste Department,
430 Court Street,
New Castle, PA 16101.
Attention: Mr. Jerry P. Zona , Director**

The outside of each sealed envelope must be marked "Proposal-Disposal Capacity."

The Recycling/Solid Waste Department intends to review and evaluate all proposals to determine which contractor(s) submitting proposals are deemed to serve the best interests of the County in meeting its needs for disposal and processing capacity in accordance with Act 101. The County will evaluate the potential of utilizing one or more of the facilities, which have submitted qualified proposals. After the evaluation of the proposals is complete and based on the recommendations, which result from it, the Lawrence County Board of Commissioners will execute the disposal and processing contract(s) with the selected contractor(s).

A contractor responding to this RFP shall be prepared to enter into a contract with the County to provide up to ten (10) years disposal and processing capacity for Municipal Waste generated within the County and to perform disposal and processing service in accordance with the conditions set forth in Section 4, Contract Provisions, of this RFP. The contractor shall operate a fully permitted disposal and processing facility which meets at a minimum the federal guidelines of Title 40--Protection of Environment CHAPTER I--ENVIRONMENTAL PROTECTION AGENCY PART 257--CRITERIA FOR CLASSIFICATION OF SOLID WASTE DISPOSAL FACILITIES AND PRACTICES and PART 258--CRITERIA FOR MUNICIPAL SOLID WASTE LANDFILLS as well as any design or operating criteria exceeding these standards required by the state and local governments in which the facility is located.

Under all alternatives and provisions described herein, the collection and transportation of waste is handled by municipal or private collection firms and is not a consideration in this proposal.

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Section 1

PROCUREMENT APPROACH

PURPOSE OF REQUEST FOR PROPOSALS

The Lawrence County Board of Commissioners intends to comply with the specifications set forth in Act 101, the Pennsylvania Municipal Waste Planning, Recycling, and Waste Reduction Act of 1988, by securing sufficient disposal and processing capacity, which is both economically feasible and environmentally sound, for the Municipal Waste generated within the County's borders for a minimum period of ten years.

COUNTY DESIGNATION OF FACILITIES AND EXECUTION OF CONTRACTS

If the proposal is accepted by the County, one of the originals will be returned to the contractor once it is executed by the Lawrence County Board of Commissioners. The County anticipates that the proposals will be reviewed, accepted and contracts executed prior to December 31, 2013. For facilities with existing disposal capacity contracts that may expire before that time, the terms of the newly executed contract will be considered to commence retroactively to the expiration date. For facilities newly entering into agreements with the County, the contract term will commence immediately upon execution by the Commissioners.

PENNSYLVANIA RIGHT-TO-KNOW LAW

If supporting information contained in the proposal is considered confidential, that information should be submitted under separate cover and clearly labeled "CONFIDENTIAL INFORMATION" on the cover along with the applicable law and/or regulation that supports the treatment of such information as confidential. The Proposal is subject to the Pennsylvania Right-to-Know Law ("RTKL") and therefore the County can make no guarantee that any material will remain confidential. The provisions set forth in the proposed Municipal Waste Disposal Service Contract attached hereto shall apply to this Proposal.

REQUIREMENTS FOR SUBMITTING PROPOSALS

To be considered as a response qualified for review, proposals must meet the requirements set forth in this Section.

Proposals must be received by the date and time specified in the Introduction. Proposals received after the specified date and time will not be considered as a response qualified for review and will be returned unopened. The Lawrence County Board of Commissioners reserves the right to reject any or all proposals, to request additional information or clarifications, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County

Packages containing the proposals must be sealed and clearly labeled to show the name and address of the Proposer, the statement "Proposal-Disposal Capacity" and be addressed to:
Lawrence-Mercer Recycling/Solid Waste Department, 430 Court Street, New Castle, PA 16101.
Attention: Mr. Jerry P. Zona, Director

Proposals must be submitted in two formats.

- Two printed and separately bound hard copies must be clearly marked “ORIGINAL” and contain the forms, contract and certifications as indicated and be executed with original signatures in blue ink.
- Three (3) CD-ROMs or Flash Drives with each containing a copy of the proposal formatted as a pdf file. Each “copy” must contain all of the required information, forms, contract and certifications. The electronic file must be saved to clearly identify the facility by name.

For Contractors proposing multiple facilities

- **Separate Hard Copies Required for Each Proposed Facility.** The Contractor must submit two printed and *separately bound* hard copies clearly marked “ORIGINAL” and contain the forms, contract and certifications as indicated and be executed with original signatures in blue ink.
- **Shared Electronic Media for All Proposed Facilities** Three (3) CD-ROMs or Flash Drives with each containing a copy of the proposal for each facility formatted as a pdf file. Each “copy” must contain all of the required information, forms, contract and certifications for each facility. An electronic file must be created for each facility. The electronic file must be saved to clearly identify the facility by name.

Emergency Back-up Disposal and Processing

Contractors are required to identify a back-up facility(ies) in the event the proposed site exceeds its daily volume and/or for emergency closures.

- **Owner/Operated Back-up Facilities.** Intercompany facilities may not be identified simply by name to serve as back-ups for one another. Each facility must also submit a complete response to this RFP along with a signed contract.
- **Third Party Back-up Facilities.** A Contractor may fulfill the requirement for an emergency back-up facility by providing an agreement with a third party facility that has submitted a proposal package.

**CAREFULLY READ THE DESCRIPTIONS AND INSTRUCTIONS FOR EACH OF THE SECTIONS LISTED.
AVOID SUBMITTING MORE INFORMATION AND DOCUMENTATION THAN THE RFP REQUESTS OR REQUIRES.**

PLEASE Expedite The Submission/Review Process and Save Yourself Time And Expense By Adhering To The Format.

ORGANIZATION OF THE PROPOSAL

The proposal must consist of the following information organized into sections. **Each section must be in the order shown below, separated by clearly numbered and labeled tabs/dividers:**

1. Cover Letter
2. Statement of Qualifications
3. Experience and Qualifications of Managers and Supervisors
4. Compliance History
5. Certificate of Permit
6. Facility Design and Operational Plan
7. Permitted Volumes in Tons, Operating Hours and Performance Guarantee
8. Current Available Permitted Capacity in Cubic Yards
9. Financial Assurances
10. Completed and Signed Contract
 - a. Cost of Processing and Disposal
 - b. Reserved Capacity
11. Representations and Certifications
12. Contractor Information

COVER LETTER AND SIGNATURE REQUIREMENTS

A cover letter, which is addressed to Mr. Jerry Zona, Director, Recycling/Solid Waste Department, must accompany each proposal. The cover letter shall commit the contractor, if selected, to carry out all of the provisions of the proposal. It shall state that all information submitted and represented both in the proposal and in support of the proposal is accurate and factual. The letter shall designate by name and title the key technical and business representatives who, if the contractor is selected, will negotiate with the County.

An officer of the organization submitting the proposal empowered and authorized to sign such documents shall sign the cover letter. The same individual signing the cover letter shall sign the disposal and processing capacity contract and all forms in the proposal requiring signatures. Two copies of the proposal document must be clearly marked as the original and contain the original forms, the disposal and processing capacity contract and cover letter. **The original forms, the**

disposal and processing capacity contract, and the cover letter shall be submitted as printed hard copy and signed in “BLUE” ink.

The other copies shall be submitted as electronic media, (CD-ROMs or Flash Drives) in pdf format with each file saved to include and clearly identify the name of the facility.

STATEMENT OF ORGANIZATION’S QUALIFICATIONS

The organization submitting the proposal shall provide sufficient information to demonstrate and prove experience, skill, management, and resources required to provide consistent, reliable, and legal disposal and processing facilities to Lawrence County. A list of the counties and/or municipalities currently contracting with the facility for disposal and processing capacity shall be included. A list of the municipalities with which the facility has secured host agreements shall be included. Experience in the successful operation of disposal and processing facilities shall be documented. **This section should be limited to 5 pages of text or printed material.**

EXPERIENCE OF MANAGERS AND SUPERVISORS

Experience and qualifications of the management team directly responsible for the day-to-day operation of the facility proposed to accept waste shall be documented. This section should include a list of the site’s management personnel and for each a detailed description of their industry experience, training, and responsibilities.

FACILITY COMPLIANCE HISTORY

A compliance history shall be provided for the **facility** submitting the proposal, which covers the most recent ten-year period, or if in operation less than ten years, for the length of its operating term. The history must be inclusive of Federal, State and Local Environmental Protection Acts and Regulations including but not limited to those concerning Solid Waste Management, Air Quality, Water Quality, Water Supply, Surface Mining, Oil and Gas Management, Dam Safety and Encroachment, Conservation and Reclamation.

The compliance history must list any permit or license denial, suspensions, or revocations; any notices of violations; any administrative orders, consent agreements or adjudications issued or civil penalties assessed by Federal State or Local Regulatory Agencies. The dates and resolutions for each item listed must be included. The organization submitting the proposal must describe any summary, misdemeanor, or felony convictions and pleas of guilty and no contest obtained against the organization both within the Commonwealth of Pennsylvania and also outside of its borders. The description shall include the date, location nature, and disposition of each stated action.

Organizations may submit a copy of **PADEP Form HWC, Compliance History, (not Form C-1)** in lieu of a written description of the compliance history. Facilities located in other states that require completion of a similar document may submit it in lieu of a written description provided that document includes all of the information required in this section.

CERTIFICATE OF PERMIT

A copy of the approved current operating permit, **with the current pending expiration date clearly shown**, shall be submitted for the organization’s facility proposing to accept waste. Copies of approvals for any addendums or revisions approved since its issuance by the State Regulatory Agency with direct oversight for the facilities operation.

FACILITY DESIGN AND OPERATIONAL PLAN

The organization submitting the proposal shall provide a short description of the disposal and processing facility it intends to utilize in response to this RFP.

Responses should be clear and informative without being encyclopedic. Please submit no more than four pages of narrative to describe the design, its components and the operations plan .

Pennsylvania Facilities *should not* include the full Form 14 from their permit application. Please provide only short excerpts to demonstrate each point.

All facilities must include in their descriptions:

- ✓ the name and location of the facility (including the names of the municipalities in which it is physically located),
- ✓ a brief outline of its operating plan for the life of the facility including post closure care,
- ✓ a description of the daily record keeping procedures and measurement of waste,
- ✓ its waste acceptance and monitoring program, and also
- ✓ its environmental emergency response plan.

Requirements unique to the type of facility:

- ✓ a landfill shall submit a brief description of its liner system and method of leachate control, monitoring, and treatment (on-site /off-site).
- ✓ Other types of disposal and processing facilities shall include a detailed description of the technology and equipment utilized to process Municipal Waste, the byproducts of the process and methods of handling the byproducts.

Design drawings are not required in the proposal, but the County reserves the right to request such information during the review and/or selection process.

PERMITTED VOLUMES AND OPERATING HOURS AND PERFORMANCE GUARANTEE

The current permitted average and maximum daily, yearly, and life-of-permit tonnage limits shall be listed for the organization's disposal and processing facility utilized in response to this RFP.

The hours that facility is permitted to accept waste shall be listed.

The organization submitting the proposal shall also outline the preferred procedures for accepting an excessive amount of waste resulting from a natural disaster or other emergency in the County at the facility it intends to utilize in response to this RFP.

In addition, a contingency plan for accepting waste outside of the normal operating hours or during emergency or temporary closure of the disposal and processing facility shall be included. The method by which uninterrupted disposal and processing service will be provided to Lawrence County in the event that an emergency or other uncontrollable circumstance precludes the use of the facility shall be included. **Back-up facilities for this purpose must also submit a response to this RFP along with a signed contract. If not submitting a multi-facility proposal, the Contractor may fulfill the requirement for an emergency back-up facility by providing an agreement with a third party facility that has submitted a proposal package.**

AVAILABLE CAPACITY (AIRSPACE OR BURNER CAPACITY)

The facility proposing to accept waste must prove and document both its most current annual and also its most current quarterly airspace usage and available capacity in cubic yards based on its existing permitted status. **Pennsylvania landfills should submit Page 1 of the PADEP Annual Operations Report, which requires the facility to calculate the available airspace in cubic yards. Resource Recovery Facilities should demonstrate the daily throughput capacity and burner design.**

Should the facility's current available permitted capacity be less than ten years, the organization submitting the proposal shall include narrative detailing provisions for providing disposal and processing capacity beyond the fixed terms of the permit. Options for expanding capacity shall be consistent with the current Federal, State and Local laws and regulations.

FINANCIAL ASSURANCES

The organization must submit in the proposal the following proof of sufficient financial responsibility for the operation of the facility:

- ✓ a certificate of pollution liability and public liability insurance; and
- ✓ the closure/post closure bonding requirements /worksheets of the facility with the type of security, dollar amount, terms, conditions, and limits stated.

The following information would be provided later, and only upon request:

Upon request, the organization must also demonstrate sufficient financial resources to carry out the responsibilities as outlined in this RFP and to back up the contractual obligations. Proof of financial resources must be provided upon request either at the time the contractor is selected or at the time that the disposal and processing capacity contract is executed.

Proof of sufficient financial resources will be in the form of complete audited financial statements for the most recent three years of continuing operation. If the organization submitting the proposal is a joint venture, subsidiary, or partnership, the financial information must be supplied for the parent company and the parent company must state its willingness to guarantee such joint venture, subsidiary, or partnership throughout the term of the disposal and processing services contract.

SIGNED CONTRACT

The organization submitting the proposal shall complete and submit the signed Contract guaranteeing disposal and processing capacity. The same person authorized to submit the proposal shall sign the contract **in blue ink**.

Contract Form A-Cost of Processing and Disposal

The organization submitting the proposal shall submit a Form A as provided in the Contract Agreement. The same individual signing the cover letter shall sign the completed form, which must be included with the signed contract with the proposal. The method of price adjustment, if any, over the contract period must be explained and demonstrated with the Form. The tipping fee must include any and all Act 101 or host municipality fees or surcharges, which should also be outlined and described.

Contract Form B- Reserved Capacity

The organization submitting the proposal shall submit a Form B as provided in the Contract Agreement. The same individual signing the cover letter shall sign the completed form, which must be included with the signed contract with the proposal. The capacity reserved shall be specified in

tons, and percentage on an annual basis and by tons on a daily basis. The number of operating days each year the facility is available to accept waste must be specified.

ADDITIONAL REQUIRED FORMS

Form C- Representations and Certifications

The organization submitting the proposal shall submit a Form C as provided in this RFP. The same individual signing the cover letter shall sign the completed form, which must be included with the proposal.

Form D -Contractor Information

The organization submitting the proposal shall submit a Form D as provided in this RFP. The same individual signing the cover letter shall sign the completed form, which must be included with the proposal.

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Section 2

EVALUATION CRITERIA

The County will utilize the following criteria in evaluating and ranking proposals submitted in response to this RFP. There is no significance or correlation to the order in which the items are listed and the value or importance each has in the selection criteria

Financial Stability

Contractors will be evaluated on the basis of their overall financial strength and credit worthiness as well as their public and environmental liability protection as an indication of their ability to establish and maintain a financially sound disposal and processing system.

Regulatory Compliance

Contractors will be evaluated on their overall compliance history with attention given toward severity of violations, consistency of violations and most importantly, the demonstrated resolution and disposition of any such incidents.

Operating Permit Status and Capacity

Contractors will be evaluated on the current status, terms, and conditions of the facility's operating permit as well as the life expectancy of the facility and its available capacity as an indication of its ability to provide adequate disposal and processing service for the needs outlined by the County in this RFP.

Technical Design and Operational Plan

Contractors will be evaluated on the effectiveness of the facility's design and overall operation to provide a sound and reliable environmental solution to the County's disposal and processing needs as well as its ability to meet Federal, State and Local regulatory standards for municipal solid waste management.

Solid Waste Management Experience

Contractors will be evaluated on their demonstrated management experience in the successful operation of the proposed disposal and processing technology or process and their demonstrated successful performance in providing disposal and processing services through municipal contracts.

Minimum and Maximum Waste Volume Expectation

Contractors will be evaluated on their ability to accept all or some of the municipal solid waste generated by Lawrence County on a daily and annual basis for a period covering ten years along with no minimum guarantees of waste required from the County. Facilities need not commit to 100% of the County's capacity needs. However, the facilities must be capable of providing the capacity which they propose. "Put or Pay" (as defined below) contract requirements will be objectionable to the County as they are viewed as providing disincentives to recycling.

Tipping Fees and Annual Costs

Contractors will be evaluated based on the provision of a maximum cost charged per ton for the disposal and processing service including any and all fees and surcharges resulting from Act 101, host municipality agreements or other federal or state statutes, and local ordinances and resolutions. The maximum cost per ton may not exceed the facility's published gate rates. The total annual cost to the County, if any, to construct, operate or otherwise invest in a proposed processing and disposal facility will also be evaluated.

Based upon these criteria, the contractor(s) will be selected. The Lawrence County Board of Commissioners reserves the right to enter into agreements with any or all of the parties that submitted complete responses on the date and time required by the RFP.

Section 3

LAWRENCE COUNTY BACKGROUND INFORMATION

LOCATION AND GENERAL CHARACTERISTICS

Lawrence County is located in Western Pennsylvania on the Ohio/Pennsylvania border near the City of Youngstown. The Interstate highway system plays a major role in providing access to the County. Three Interstate highways, I376, I79, and I80 are all within close proximity to the County. Several other major state arteries provide easy access to the County including State Routes 422, 224 and 18. The County is considered part of the Ohio & Pennsylvania five County Interstate Region, which in addition to Lawrence, consists of Mercer County in Pennsylvania, and the Ohio counties of Trumbull, Mahoning and Columbiana . It also borders the Greater Pittsburgh area and thus is part of the Southwestern Pennsylvania Regional Planning Commission. Select areas of the Country continue to increase in population with dense clusters of residential communities and the retail and service establishments which support it. There are still very rural areas in the County, which are projected to decline in population during the planning period.

CURRENT PROCESSING AND DISPOSAL PRACTICES

The Lawrence County Municipal Solid Waste Management Plan utilizes a modified form of flow control. In accordance with the provisions of Act 101, the County entered into processing and disposal capacity agreements with a number of qualified processing and disposal facilities. While disposal is limited to those sites designated in the Plan, the County included a full menu of options to local haulers, businesses and municipalities. A vast majority of the Municipal Waste generated in Lawrence County has traditionally been disposed in Ohio, due to the location of a landfill just across the state line. However, there are some Pennsylvania facilities, which were designated in the Plan and that did receive lesser amounts.

Haulers are required to use any of the facilities with current agreements in place. No guarantees, or put or pay provisions, were made by Lawrence County for minimum waste volumes to be delivered for processing and disposal as part of any of the existing agreements. Proximity and competitive tipping fees have the greatest competitive impact. The existing processing and disposal agreements have or are due to expire beginning in 2012. It is anticipated that prior to December 31, 2013, new contracts will be executed with qualified facilities, based on the content of this RFP, for a minimum term of ten years.

PROJECTED LANDFILL CAPACITY REQUIREMENTS

This table presents projected processing and disposal capacity requirements for the years 2012 through 2023. The figures are based on a constant per capita generation rate with adjustments due to projected population changes.

Population

Population figures and projections were based on US Census and Pennsylvania State Data Center data. Over the period 2010 through 2020, the population of Lawrence County is projected to decrease by 4.24% from 91,108 persons to 87,247 persons. For the period 2020 through 2030 the population decrease is projected as an additional 3.25%.

Reported Disposal

The waste disposal quantities are based on the PADEP facility reported data for Lawrence County for the year 2012 from PA DEP landfill reports.

Lawrence County					
Projected Processing and disposal Capacity Requirements					
2012 through 2023 in Tons					
Year	Population	MSW	C&D	Sludge	Total
2012	90,336	17,484.8	468.1	138.0	18,090.9
2013	89,950	17,410.1	466.1	137.4	18,013.6
2014	89,564	17,335.3	464.1	136.8	17,936.2
2015	89,178	17,260.6	462.1	136.2	17,858.9
2016	88,792	17,185.9	460.1	135.6	17,781.6
2017	88,405	17,111.2	458.1	135.1	17,704.4
2018	88,019	17,036.4	456.1	134.5	17,627
2019	87,633	16,961.7	454.1	133.9	17,549.7
2020	87,247	16,887.0	452.1	133.3	17,472.4
2021	86,964	16,832.2	450.6	132.8	17,415.6
2022	86,681	16,777.3	449.2	132.4	17,358.9
2023	86,397	16,722.5	447.7	132.0	17,302.2

Figure 1 General Location of Lawrence County, Pennsylvania



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Section 4

CAPACITY AGREEMENT

The following Contract/Agreement shall be executed between the County and the Contractor. The contract signed in BLUE ink must be included in the Contractor's two ORIGINAL proposals with reproductions in the remaining three electronically formatted copies.

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MUNICIPAL WASTE PROCESSING AND DISPOSAL SERVICE CONTRACT

THIS MUNICIPAL WASTE PROCESSING AND DISPOSAL SERVICE CONTRACT (hereinafter referred to as the "Contract") entered this ____ day of _____, by and between

THE COUNTY OF LAWRENCE, Lawrence County, Pennsylvania, hereinafter jointly referred to as the "County" AND _____ hereinafter referred to as the

(Name of Facility/Parent Company)

"Contractor" whose permitted processing and disposal facility Permit No _____ issued by _____ is located in

_____ (Municipality)(ies),

_____ County, _____ State.

WITNESSETH:

WHEREAS, the Lawrence County Board of Commissioners, acting through the Recycling/Solid Waste Department, have developed and adopted the 1991 Municipal Waste Management Plan for Lawrence County and its revisions in 2004 and 2013 in accordance with the requirements of the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 ("Act 101); and,

WHEREAS, the municipalities in Lawrence County have duly approved and ratified this 1991 Municipal Waste Management Plan for Lawrence County pursuant to the requirements of section 501 of Act 101; and,

WHEREAS, this 1991 Municipal Waste Management Plan for Lawrence County and its revisions in 2004 and 2013 requires that all Municipal Waste generated within Lawrence County must be disposed only at a Municipal Waste processing and disposal facility that is designated by the County pursuant to this plan to insure the availability of adequate permitted processing and disposal capacity for the Municipal Waste generated in Lawrence County; and

WHEREAS, Act 101, requires the County, as part of its plan, to provide for assurance for capacity or the processing and disposal of all Municipal Waste expected to be generated within the County for a period of at least the next ten (10) years, and further requires the County to execute and submit to the Department, contracts evidencing the implementation of its approved Plan and insuring sufficient available processing or disposal capacity; and,

WHEREAS, the Contractor wishes to be designated by the County as one of the Municipal Waste processing or disposal facilities where the Municipal Waste generated within Lawrence County must be disposed; and,

WHEREAS, the Contractor is willing to guarantee the availability of adequate, permitted processing or disposal capacity for such waste and the costs for such services for a ten-year contract period in exchange for such designation by the County; and,

WHEREAS, the County and the Contractor now desire to enter into this Contract in order to effectuate the goals of the Municipal Waste Management Plan for Lawrence County and to further set forth the agreements between the parties with respect thereto;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and pursuant to the parties' intent to be legally bound under the Uniform Written Obligations Act, 33 Pa.C.S. § 6, the undersigned hereby agrees as follows:

I. DEFINITIONS

Unless the context clearly indicates otherwise, the following words and terms, as used in this Contract, shall have the following meanings:

Acceptable Waste -Waste that Contractor is permitted to manage, process, store and/or dispose at the Landfill, in accordance with its Permit for a Solid Waste Processing and Disposal Facility, which was issued by the Pennsylvania Department of Environmental Protection ("DEP") or the equivalent regulatory agency in the state where the facility is located and under applicable Pennsylvania law or that in which the facility is located, including, but not limited to, the Pennsylvania Solid Waste Management Act and the rules and regulations promulgated thereunder; and waste which is not inconsistent with the Facility's Waste Acceptance Policy as defined herein.

Act 101 - The Pennsylvania Municipal Waste Planning Recycling and Waste Reduction Act of 1988.

Affiliate Any individual or entity that controls, is controlled by, or is under common control with a party to this Contract, or in the case of a sole proprietor, any blood relative or employee of the contractor, as designated by this Contract.

Bulky Waste -Large items of Refuse, including, but not limited to, appliances, furniture, auto parts, trees, branches or stumps which may require special handling due to their size, shape or weight.

Lawrence County- a fifth class county located in the Commonwealth of Pennsylvania

Commercial Waste -All solid waste originating from commercial establishments engaged in non-manufacturing or non-processing business, including, but not limited to, stores, markets, office buildings, restaurants, shopping centers and theaters.

Construction Demolition Waste - Municipal Solid waste resulting from the Construction or Demolition of buildings and other structures, including, but not limited to, wood, plaster, metals, asphaltic substances, bricks, block and unsegregated concrete.

Contract -The Municipal Waste Processing and Disposal Service Contract, between the County and the Contractor.

Contractor-The Facility and Parent Company identified as such on the first page of this contract or any permitted successors, assigns, or affiliates.

County -The County of Lawrence, Pennsylvania, acting by and through the Lawrence County Board of Commissioners and the Recycling/Solid Waste Department or their designated representative.

Recycling/Solid Waste Department - A Department of Lawrence County Government delegated with the responsibility of developing and implementing the Lawrence County Municipal Solid Waste Management Act and associated programs and services.

Department or DEP The Pennsylvania Department of Environmental Protection (DEP).

Domestic or Residential Waste -Solid waste comprised of Garbage and Rubbish, which normally originates from residential private households or apartment houses.

Facility-Land, structures and other appurtenances or improvements where municipal waste processing and disposal is approved and permitted to occur under Federal and state law. A Facility includes a landfill, a resource recovery facility, a waste-to-energy facility, a digester and/or other municipal solid waste processing and disposal technologies operating under the provisions of a permit approved and issued by the Pennsylvania Department of Environmental Protection or the state regulatory agency in which the operation is located.

Garbage -Putrescible animal or vegetable wastes resulting from the handling, preparation, cooking, serving or consumption of food and food containers.

Hauler and Waste Collector -Any person, firm partnership, association or corporation, including any municipality, engaged in the business of collecting and transporting municipal solid waste to processing or disposal facilities.

Hazardous Waste -A solid waste or combination of solid wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics may: (1) cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed or otherwise managed; or (3) is otherwise defined as "hazardous" by any Federal or State statute or regulation.

Industrial Waste -Solid waste resulting from manufacturing and industrial processes, including, but not limited to, those carried out in factories, foundries, mills, processing plants, refineries, mines and slaughterhouses.

Institutional Waste Solid waste originating from institutions including, but not limited to, public buildings, hospitals, nursing homes, orphanages, schools and universities.

Landfill -The Contractor's permitted landfill identified on the first page of this contract.

Leaf Waste -Leaves, garden residues, shrubbery and tree trimmings, and similar material, but not including grass clippings.

Municipal Recycling Program A source separation and collection program for recycling Municipal Waste, or a program of designated drop-off points or collection centers for recycling Municipal Waste, that is operated by or on behalf of a municipality .The term shall include any source separation and collection program for composting leaf waste that is operated by or on behalf of a municipality. The term does not include any program for recycling construction and demolition waste or sludge from sewage treatment plants or water supply treatment plants.

Municipality -Any city, borough, incorporated town, township or county or any municipal authority-created by any of the foregoing.

Municipal Waste or Solid Waste -Garbage, Refuse, industrial lunchroom or office waste and other material, including solid, liquid, semi-solid or contained gaseous material, (but excluding Hazardous Waste) resulting from operation of residential, municipal, commercial or institutional establishments or from community activities; and any sludge not meeting the definition of residual or hazardous waste from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source separated recyclable materials or material approved by DEP for beneficial use.

Operator Any person or municipality that operates a municipal solid waste processing or disposal facility.

Owner - The person or municipality who is the owner of record of a solid waste processing or disposal facility.

Pennsylvania Municipality Authorities Act (53 Pa. C.S. Ch. 56)- the law governing municipal authorities in Pennsylvania.

Permit -A permit issued by the Pennsylvania DEP to operate a Municipal Waste disposal, processing or transfer station facility.

Permit Area -The area of land and water within the boundaries of the permit, which is designated on the permit application maps as approved by the Pennsylvania DEP, or equivalent regulatory agency in the state in which the facility is located.

Proposal – Complete response to the Request for Proposals for Municipal Waste Processing and Disposal Services that was submitted by Contractor to the County.

“Put or Pay”- A requirement to guarantee delivery of predetermined quantities of waste to a facility which also requires payment to the facility regardless of whether or not the waste was delivered for processing and disposal.

Recycling - The collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, plastics and other materials which would otherwise be disposed or processed as Municipal Waste.

Refuse -Discarded waste materials in a solid or semi-liquid state, consisting of Garbage, Rubbish or a combination thereof.

Remaining Permitted Capacity -At any time the remaining weight or volume of Municipal Waste that can be disposed at a permitted Municipal Waste disposal or processing facility. The term shall only include the weight or volume capacity for which the Pennsylvania DEP (or the equivalent regulatory agency in state which the facility is located) has issued a permit.

Residual Waste -Any Garbage, Refuse, other discarded material or other waste, including solid, liquid, semi-solid or contained gaseous material resulting from industrial, mining and agricultural operations and any sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous.

Resource Recovery Facility -A facility that provides for the extraction and utilization of materials or energy from Municipal Waste that is generated off-site, 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 or biological process that converts Municipal Waste into a fuel product or other usable material. The term does not include methane gas extraction from a Municipal Waste landfill, nor any separation and collection center, drop-off point or collection center for recycling Municipal Waste, or any source separation or collection center for composting leaf waste.

Rubbish -Non-putrescible solid wastes consisting of combustible and non-combustible materials including leaf wastes.

Sewage Sludge -The coarse screenings, grit and dewatered or air-dried sludges, septic and holding tank pumpings and other residues from municipal and residential sewage collection and treatment systems.

Stabilized Sewage Sludge -Sewage sludge that has been treated to reduce odor potential and the number of pathogenic organisms. Treatment methods include anaerobic and aerobic digestion, composting, lime stabilization and chlorine stabilization.

Tipping Fee -The schedule of fees established by the owner or operator of a, sanitary landfill, processing and/or resource recovery facility for accepting various types of solid waste for processing or disposal.

Unacceptable Waste -Any material that by reason of its composition, characteristics or quality, is ineligible for disposal at the processing and disposal facility pursuant to the provisions of the Resource Conservation and Recovery Act of 1976, 42 U.S.C. S2605 (e), the Pennsylvania Solid Waste Management Act, 35 P.S. S6018.101, et seq., or other applicable Federal, State or local law; or any other material that the Contractor concludes would require special handling or present an endangerment to the landfill, the public health or safety, or the environment.

White Goods – Large appliances such as refrigerators, stoves, freezers, etc

II. SCOPE OF CONTRACT

1. Designation as Processing and Disposal Site

In consideration of Operator's Covenants and this Agreement, the County hereby agrees to include operator's Facility in its Plan as a designated non-exclusive processing or disposal facility for Municipal Waste generated in the County.

2. Effective Date

This Contract shall become effective on the date set forth below. The contractor shall begin providing Municipal Waste processing and disposal, service for the County under the terms and conditions of this Contract on the date the Contract is duly executed by the Board of Commissioners or such date as the Facility with a pending permit application receives a permit approved by the DEP (or the equivalent regulatory agency in state which the facility is located) for receipt of Municipal Waste under the Permit.

3. Term of contract

The term of this Contract shall commence on the effective date, and shall terminate on the earlier of (a) any event, the effect of which is to permanently terminate the validity of the DEP (or the equivalent regulatory agency in state which the facility is located) Permit for the Facility or (b) Ten (10) years, except for on the tenth anniversary of this Agreement, and on each annual anniversary thereafter, this Agreement shall automatically renew for another one year term, unless either Party has given the other Party six (6) months prior written notice of intent not to renew. or (c) terminated in writing by consent of both parties.

4. Compliance with Applicable Laws

The parties to the Contract agree that the laws of the Commonwealth of Pennsylvania shall govern the validity, construction, interpretation and effect of the Contract. The Contractor shall conduct the service of Municipal Waste processing and disposal as provided by for by the Contract in compliance

with all applicable federal and state regulations and laws. The contract and the work to be performed as described herein is also subject to the provisions of all pertinent municipal ordinances which shall be made a part thereof with the same force and effect as if specifically set out therein.

5. Breach of Contract

If the Contractor fails to materially perform in a satisfactory manner in accordance with applicable Permit requirements or regulations the County shall have the right to demand in writing adequate assurances from the Contractor that steps have been or are being taken to rectify the situation. Within ten (10) days of receipt of any such demand the Contractor must submit to the County a written statement that explains the reasons for the non-performance or delayed, partial or substandard performance during that period and any continuance thereof. The Contractor shall also have the option to appear before the County to present any such explanation. Upon the failure of the contractor to submit a statement or failure of the Contractor to correct any such condition within fifteen (15) days after responding to the demand by the County, unless the County has agreed to a longer period (which agreement will not be unreasonably withheld), the County may, except under the conditions of force majeure, as defined herein, assess liquidated damages to the Contractor in accordance with the provisions stated herein and/or to terminate the Contract, and as a remedy make demands under any remedy available to the County as provided by law.

6. Penalties and Actual Damages

A. It is hereby understood and mutually agreed by and between the Contractor and the County that the Municipal Waste processing and disposal services to be performed under this Contract are vital for the protection of public health and welfare *and* it is further understood and agreed that the services to be performed under this Contract will be commenced on the date specified in this Contract.

B. It is hereby understood and mutually agreed by and between the Contractor and the County that reporting of complete and accurate data in the format required by this Contract is vital to evidence the implementation of Lawrence County's approved Plan and the continued availability of sufficient processing or disposal capacity *and* it is further understood and agreed that the reports to be submitted under this Contract in the format required will be received by the County on the dates specified in this Contract.

C. If the Contractor neglects, fails or refuses to provide the Municipal Waste processing and disposal services in accordance with the terms and provisions of the Contract, and as a result thereof there is a disruption or termination of the Municipal Waste processing and disposal services to be performed by Contractor under this Contract, then the Contractor does hereby agree, as a partial consideration for the awarding of the Contract, to pay to the County an amount to be determined as hereinafter set forth as actual damages for such breach of Contract for each and every calendar day that such service is disrupted or terminated.

D. The amount of actual damages shall be equal to any additional total waste processing and disposal cost (i.e., any processing and disposal cost in excess of the amount that haulers normally would have paid for processing and disposal of the same amount of waste at the Contractors' Facility under the contract), if any, plus any additional total waste transportation costs (i.e., any transportation cost in excess of the amount that haulers normally would have paid for transporting the same amount of waste to the Contractors' Facility) if any, that the haulers have incurred for transportation and

processing and disposal of the Municipal Waste to an alternative processing or disposal facility or transfer station.

E. The Contractor shall not be responsible for the payment of any actual damages whenever the County determines that the Contractor was without fault and the Contractor's reasons for the breach of Contract are acceptable. Furthermore, the Contractor shall not be responsible for any actual damages under the conditions of force majeure as defined herein.

F. If the Contractor neglects, fails or refuses to provide the complete and accurate reports. in the format required by the County in accordance with the terms and provisions of Section IV of the Contract, then the Contractor does hereby agree, as a partial consideration for the awarding of the Contract, to pay to the County an amount to be determined as hereinafter set forth as penalties for such breach of Contract for each and every calendar day that such reports in the format required by the County are late, incomplete, inaccurate or insufficient.

G. The amount of penalties shall be calculated at the rate of \$300 per day for each and every calendar day past the required date for submission. If more than one report required in Section IV of the Contract is to be submitted on the same calendar day then the amount of penalties shall be calculated separately for each and every report that is late, incomplete, inaccurate or insufficient or improperly formatted.

7. Force Majeure

Neither the Contractor nor the County shall be liable for the failure to perform their duties and obligations under the Contract or for any resultant damages, loss or expense, if such failure was the result of an act of God, riot, insurrection, war, catastrophe, natural disaster or any other cause which was beyond reasonable control of the Contractor or the County and which the contractor or County was unable to avoid by exercise of reasonable diligence.

8. Assignment of Contract

No transfer or assignment of the Contract or any right accruing under the Contract shall be made in whole or in part by the Contractor without prior express written approval by the County (which approval shall not be unreasonably withheld) .The delegation of any Contract duties will require the written consent of the surety for the Contractor's performance bond, since such delegation will not relieve the Contractor or his surety of any liability and/or obligation to perform. In the event of any delegation of a duty, the delegate shall assume full responsibility and liability for performance of that duty without affecting the Contractor's liability, and shall be responsible for compliance with and performance of all terms and conditions of this contract including but not limited to provisions for sureties and assurances of availability of 10-year service.

9. Change of Ownership

In the event of any change of control or ownership of the Contractor's Facilities the County shall maintain the right to hold the original owner solely liable. However, the County, at its option may determine that the new ownership can adequately and faithfully perform the duties and obligations of the Contract for the remaining term of the Contract, and elect to execute a novation, which will allow the new ownership to assume the rights and duties of the Contract and release the former ownership of all obligations and liabilities. The new ownership would then be solely liable for the performance of the Contract and any claims or liabilities under the Contract.

10. Waivers

A waiver by either party of any breach of any provisions of the Contract shall not be taken or held to be a waiver of any succeeding breach of such provisions or as a waiver of any provision itself. No payment or acceptance of compensation for any period subsequent to any breach shall be deemed a waiver of any right or acceptance of defective performance.

11. County's Obligations

County shall not be obligated by the terms of this Contract to guarantee the delivery to Contractor's Facility of any minimum quantities of Municipal Waste or payment for any services provided by Contractor to any hauler.

12. Illegal and Invalid Provisions:

In the event any term, provision or other part of the Contract should be declared illegal, inoperative, invalid or unenforceable such term or provision shall be amended to conform to the appropriate laws or regulations. In the case of illegal or invalid provisions, the remainder of the Contract shall not be affected and shall remain in full force and effect.

13. Joint and Severable Liability

If, after the date hereof, the Contractor is comprised of more than one individual, corporation or other entity, each of the entities comprising the Contractor shall be jointly and severally liable.

14. Binding Effect

The provisions, covenants and conditions of the Contract shall apply to and bind the parties, their legal heirs, representatives, successors and assigns.

15. Entire Agreement /Amendments to the Contract

The provisions of this Contract, together with the Agreements and exhibits incorporated by reference, shall constitute the entire Municipal Waste Processing and Disposal Capacity Contract between the County and the Contractor, superseding all prior processing and disposal capacity agreements or contracts, if any, except as otherwise provided in this Contract. No amendment or modifications of the terms and conditions of the Contract shall be effective unless such amendment or modification is in writing and signed by authorized representatives of all parties entitled to receive a right or obligated or perform a duty under the Contract. A signed original amendment to the Contract shall be furnished to all parties to be attached to the original Contract. The County and the Contractor agree that any existing Municipal Waste processing and disposal contracts between them are hereby rendered null and void and superseded by this Contract. Any existing Host County Fee Agreements between the parties shall remain in full force and effect notwithstanding any provisions of this Contract.

16. Merger Clause

The Contract shall constitute the final and complete agreement and understanding between the parties. All prior and contemporaneous agreements and understandings, whether oral or written, including, without limitation, the Request For Proposals (RFP) submitted by Contractor, shall be without effect on the construction of any provisions or terms of the final contract if they alter, vary or contradict the Contract.

17. Notices

All notices, demands, requests and other communications under this contract shall be deemed sufficient and properly given if in writing and delivered in person, or by recognized carrier service to the following addresses, or sent by certified or registered mail, postage prepaid, with return receipt requested, at such addresses. Provided, if such notices, demands, requests or other communications are sent by mail, they shall be deemed as given on the third day following such mailing, which is not a Saturday, Sunday or day on which United States mail is not delivered:

**County: Lawrence-Mercer Recycling/Solid Waste Department,
430 Court Street,
New Castle, PA 16101.
Attention: Mr. Jerry P. Zona, Director**

Contractor Notice Address as shown on Form B.

Either party may, by like notice, designate any further or different addresses to which subsequent notices shall be sent. Any notice under this Contract signed on behalf of the notifying party by a duly authorized attorney at law shall be valid and effective to the same extent as if signed on behalf of such party by duly authorized officer or employee.

III. SERVICE, OPERATIONS, AND PERFORMANCE

1. Services of the Contractor

The Contractor agrees to accept, process and dispose specified quantities and types of Municipal Waste originating from sources located in Lawrence County, in accordance with all applicable Federal, state and local regulations. Nothing herein shall prohibit any Contractor from entering into any separate contract with another person or municipality to provide such waste collection and/or transportation services.

2. Types and Quantities of Municipal Waste

The specific types and quantities of Municipal Waste that will be accepted at the Contractor's Facility under this contract shall be those as listed in Form B:

Annual adjustments to the maximum Municipal Waste quantities may be permitted if the request for adjustments is made in writing at least sixty (60) days in advance of the anniversary of the effective date of the Contract. Any quantity adjustment request will be mailed to the County by United States Postal Service, Certified Mail. If an authorization is approved, it will be considered an amendment to this Contract and the adjusted quantities will supersede those previously in effect.

3. Maximum Tipping Fees or Rate Schedule

The maximum rate or tipping fee to accept the various types of Municipal Waste shall be as listed on Form A.

4. Delivery of Wastes

The Municipal Waste to be accepted at the Contractor's Facility under this Contract will be delivered to the Contractor's Facility by municipal and/or private waste haulers. The waste haulers responsible for delivering the Municipal Waste that will be accepted under the contract will be those required to be authorized by the Pennsylvania Waste Transportation Safety Act 90 as well as those regularly

engaged in the business of waste transportation but are exempt. Only Municipal Waste materials delivered to the Contractor's Facility by authorized and such exempt waste haulers shall count towards any maximum waste quantity limits under the Contract. Contractor shall be responsible for obtaining a current list of the authorized waste haulers from the appropriate State agency.

5. Minimum Hours of Operation

Unless mutually agreed upon otherwise by the Contractor and the County, the Contractor will accept delivery of Municipal Waste from waste haulers authorized and expressly exempt by the Pennsylvania Waste Transportation Safety Act 90 during the hours shown on Form B, excluding generally recognized business holidays, including without limitation (President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas and New year's Day). In the event of any lengthy travel time from sources in the County to an out-of-county processing and disposal facility, the Contractor will be required to exhibit flexibility in the operating hours for accepting wastes from Lawrence County. The Contractor shall have complete discretion to make additional arrangements for accepting waste at any earlier or later hours and/or on Sundays.

6. Complaints

The Contractor shall receive and respond to all complaints from waste transporters authorized by the Pennsylvania Waste Transportation Safety Act 90 regarding the acceptance of waste materials at his Facility. Any complaints received by the County will be directed to the Contractor. In the event the Contractor cannot satisfactorily resolve a complaint within five (5) days after receipt of the complaint, the County shall have the right to demand a written explanation or satisfactory resolution of the complaint pursuant to the breach of contract provisions herein.

7. Municipal Recycling Programs

The County and individual municipalities in Lawrence County shall have the right to establish and operate any municipal recycling programs, including drop-off recycling centers and curbside collection programs, to source separate and remove recyclable materials from the Municipal Waste stream prior to the delivery of the waste to the Contractor's facility. The Contractor shall notify the County in the event Contractor becomes aware that materials that are being collected by the County in its recycling program are being routinely delivered to Contractor for waste processing and disposal. The Contractor shall cooperate with the County in reaching the Commonwealth of Pennsylvania's Recycling goals.

8. Title to Solid Waste

Except in the case where any unacceptable waste or Hazardous Waste is delivered to the Contractor's Facility, the title to the Municipal Waste and any benefits of marketing any materials or energy recovered from the Municipal Waste shall pass to the Contractor upon delivery of the waste to the Contractor's Facility and acceptance of the waste by the Contractor.

9. Unacceptable or Hazardous Waste

The Contractor shall have the right and discretion to inspect and reject any such Hazardous and/or Unacceptable waste delivered to the Facility by the haulers servicing the county. The waste haulers authorized by the Pennsylvania Waste Transportation Safety Act 90, as well as those regularly engaged in the business of waste transportation but are exempt, shall be responsible for the prompt removal and processing and disposal of any such unacceptable waste and shall bear all costs

associated with the subsequent removal, transportation and processing and disposal of such Hazardous and/or Unacceptable waste.

10. Basis and Method of Payment

A. The County shall not be responsible for the direct payment of any tipping fees to the Contractor under the Contract. All tipping fees shall be paid directly by the municipal and/or private waste haulers, which deliver the waste to the Contractor's Facility.

B. The Contractor shall be responsible for the billing and collection of all tipping fees from the waste haulers. The method of billing and collection arrangements between the waste haulers and the Contractor shall comply with all applicable Federal and State laws governing such commerce and business activities.

C. The County shall not be responsible for failure of any waste hauler, authorized or otherwise, to pay the Contractor's tipping fees and no such fees will be paid by the County. In the event County is notified of repeated delinquency or non-payment by any waste hauler of Contractor's tipping fees, County may enforce any remedies, which may be available to the County.

D. The Contractor shall not charge a tipping fee to any waste hauler authorized by the Pennsylvania Waste Transportation Safety Act 90, as well as those regularly engaged in the business of waste transportation but are exempt, that is greater than the maximum rates established by this Contract for each type of waste. Nothing in this Contract shall be construed to prevent or preclude the Contractor from negotiating alternate tipping fees with any waste hauler provided such fees do not exceed the maximum rates under this Contract.

11. Rate Escalation and Adjustments

A. If Contractor desires to adjust the maximum rate or tipping fee for processing and disposal of each type of Municipal Waste under the Contract in excess of the amount provided in Form A in the RFP submitted by Contractor to the County, the Contractor may request the consent of the County for such increase by providing the County with at least 60 days advance written notice of the proposed increase. Consent to any proposed increase shall be at the sole discretion of the County. The notice of proposed increase to the County shall be delivered to the County by United States Postal Service, Certified Mail on or before October 1 of the year prior to the proposed effective date of the increase.

B. Unless the County and Contractor mutually agree to an alternate date, all annual rate adjustments shall become effective on January 1st of each year of the Contract to be consistent with the starting dates and new contract periods of most Municipal Waste collection contracts.

C. The Contractor may also request consent of the County at any time for additional rate or fee adjustments on the basis of unforeseen changes in operating costs resulting from any new or revised federal, state or local laws, ordinances, regulations or permit requirements, which were not in effect at the time when the original Contract was awarded. The Contractor shall have the burden of preparing and submitting any necessary information to support and document any such rate adjustments. The County shall have the right to inspect, by itself or by an independent auditor, any pertinent financial records that document the need for a rate adjustment using audit standards similar to the Federal procurement regulations. The County shall also have the right to modify the amount of a rate increase requested, modify the effective date of a rate adjustment or to reject a rate increase petition for lack of justification.

D. In the event that any one rate adjustment petition for unforeseen changes in the operating costs of the processing or disposal facility, as set forth in paragraph C above, or the cumulative impact of several such rate adjustment petitions, results in a rate increase greater than 25 percent of the base tipping fee under this contract, the County at its discretion shall have the right to solicit new Municipal Waste, processing and disposal service proposals and the right to terminate this Contract, if in the judgment of the County, more favorable processing and disposal contracts can be secured from other facilities.

E. All annual rate adjustments shall be calculated on only the actual operating cost for the Contractor's processing and disposal facility. All annual rate adjustments as set forth in , demonstrated and included with Form A represent the total tipping fee including any and all fees, taxes, and surcharges as described. Any fixed pass-through or add-on surcharges or costs, such as the surcharge for the recycling fund, post-closure trust fund and County or host municipality benefit fee imposed on Pennsylvania Facilities by Act 101 or any other surcharge or pass-through cost imposed by any host county or municipality, will be deducted from the maximum rate or tipping fee prior to calculating any annual rate adjustment.

12. RESERVED County Administration/Recycling Surcharge

In the event that legislation should be enacted during the period of this contract authorizing the County to assess fees or surcharges for the administration and implementation of its solid waste and recycling programs the County reserves all such rights and privileges to negotiate and collect such fees from the Contractor.

IV. RECORD KEEPING AND REPORTING REGULATED WASTE

1. The Contractor will be required to install and maintain a scale to weigh all incoming waste to the contractor's Municipal Waste processing or disposal facility or, in the case of a transfer station, to weigh all Municipal Waste delivered to the County designated processing or disposal facility by the transfer station. The scale used to weigh Municipal Waste shall conform to the Weights and Measurement Act of 1965 (73 P.S. sections 1651- 1692) and applicable regulations thereunder; the operator of the scale shall be a licensed public weighmaster under the Public Weighmasters Act (13 P.S. sections 1771-1796) and any regulations.

2. Daily Operational Records

The Contractor shall make and maintain an operational log for each day that Municipal Waste is received, processed or disposed. At a minimum, the following information shall be recorded in the daily operational log:

- A. The total weight of each type of Municipal Waste received at the Facility from all sources;
- B. The County from which the Solid Waste originated, or if the waste originated from outside the state, the state from which the waste originated; and
- C. The name of each waste hauler or transporter delivering Municipal Waste to the Facility.

3. Quarterly Operation Reports

The Contractor shall prepare and submit on forms approved by the County a quarterly operation report. The quarterly operation reports shall be submitted to the County on or before the 20th day of April, July, October and January of each year for the preceding three (3) month calendar period ending

on the last day of March, June, September and December, respectively. At a minimum, the following information shall be included in each quarterly operation report:

- A. The total weight of each type of Municipal Waste received from all sources within the County during each month of the quarterly reporting period;
- B. The names of the waste haulers or transporters and self-haulers that delivered waste originating from sources in Lawrence County.
- c. A summary of the total weight, by municipality, of each type of Municipal Waste received each month from each waste hauler or transporter and self-hauler delivering waste originating from sources in Lawrence County;
- D. A summary of the total weight of each type of Municipal Waste received each month from all waste haulers and self-haulers delivering waste originating from sources in Lawrence County; and
- E. A summary of the total weight, by municipality, of Municipal Waste received from each municipality in Lawrence County delivering Municipal Waste to the Contractor during each month.

4. Annual Operation Report

The Contractor shall prepare and submit on forms approved by the County an annual operation report for each calendar year or other fiscal year approved by the County. The annual operation report shall be submitted to the County on or before June 30th of each year unless an alternate submission date is approved by the County. At a minimum, the following information shall be included in the annual operational report:

- A. The total weight of each type of Municipal Waste received from all sources during the annual reporting period;
- B. The names of the waste haulers or transporters and self- haulers that delivered waste originating from sources in Lawrence County;
- C. A summary of the total weight, by municipality, of each type of Municipal Waste received each month from each waste hauler or transporter and self-hauler delivering waste originating from sources in Lawrence County; and
- D. A summary of the total weight, by municipality, of each type of Municipal Waste received each month from all waste haulers delivering waste originating from sources in Lawrence county;
- E.. For Municipal Waste landfills, a description of the capacity or volume used during the past year and the remaining permitted capacity based upon the annual topographic survey information;
- F. A current Certificate of Insurance as evidence of continuing insurance coverage for public liability insurance as required under the Contract;
- G. For resource recovery or other Municipal Waste processing facilities, the name and the location of the landfill disposal facilities where any bypassed wastes, unprocessable waste and waste by-products, such as incinerator ash, were ultimately disposed;
- H. Copies of all notices of violation, civil penalty assessments and/or administrative orders issued by federal, state or county regulatory authorities to the owner and/or operator of the Facility during the year; and
- I. If available to the Contractor, Certificate of good standing- from its bonding company.

J. The annual operating reports that must be prepared and submitted to the DEP by Pennsylvania processing and disposal facilities (or equivalent regulatory agency in the state in which the facility is located) may constitute acceptable information for portions of the annual operating report for the purposes of the Contract, provided they are accompanied by completed and accurate forms approved by the County along with any required supporting information.

5. Administrative Inspections

Upon reasonable notice, and during regular business hours, the County and its authorized representatives shall have access to Contractors' logs and records pertaining to the quantities and sources of Municipal Waste for the purpose of verifying compliance with the terms and conditions of this Contract.

6. Special Reporting Requirements

The Contractor shall provide written notification to the County of any permit modification applications for the following types of permit changes, on the same date the application is first submitted to the Pennsylvania DEP (or equivalent regulatory agency in the state in which the facility is located):

- A. Changes in the permitted site volume or capacity,
- B. Changes in the permitted average and/or maximum daily waste volume or loading rates,
- C. Changes in the excavation contours or final contours, including the final elevations and slopes,
- D. Changes in the permitted acreage, and
- E. Changes in ownership.

V. PUBLIC LIABILITY INSURANCE REQUIREMENTS

1. Insurance Requirement

The Contractor shall be required to maintain in full force and effect throughout the term of the Contract, and any renewal or extension thereof a general liability insurance policy to provide continuous coverage against third party claims for property damage and personal injury, as specified in Chapter 271 of the DEP's Municipal Waste Management Regulations (Pennsylvania Bulletin, Vol. 18, No. 15, April 9, 1988) and the following section. The effective date of the required insurance policy shall be prior to the initiation of any waste processing and disposal services under this Contract. Contractor shall cause County to be added as an additional insured on all policies of insurance required under the terms of this Contract.

2. Proof of Insurance Coverage

The Contractor shall be required to submit to the County proof of insurance coverage upon execution of the Contract. At a minimum, the proof of insurance shall consist of a certificate of insurance which:

- A. States the name of the insurance company, the insured owner and facility covered by the policy.
- B. Identifies the kinds of coverage provided by the policy and the amounts of coverage, exclusive of legal costs.
- C. Identifies the beginning and ending dates for the policy.

D. Specifies that a minimum 60-day period written notice shall be given by the insurer to the County and the Owner, by certified mail, before any cancellation or other termination of the policy becomes effective.

E. States that the insurer is liable for payment on the policy without regard for the bankruptcy or insolvency of the insured.

F. Be signed by an authorized agent of the insurance company.

3. Maintenance of Insurance Coverage

The Contractor shall be required to submit to the County a current certificate of insurance as evidence of continuous insurance coverage as part of the annual operation report required under the Contract. The annual certificate of insurance shall contain the same information and provisions as specified in the original proof of insurance certificate under the requirements of the preceding paragraph. Failure to submit the required proof of insurance or to maintain the required minimum insurance coverages would be considered a default by the Contractor in accordance with the provisions of the Contract.

VI. NONDISCRIMINATION

Neither the Contractor nor any subcontractor nor any person(s) acting on his behalf shall discriminate against any person because of race, sex, age, creed, color, religion, national origin or any other protected category under any federally recognized regulations or statutes..

VII. INDEMNIFICATION

The Contractor or its successors and assign shall indemnify and save harmless the County, their officers, agents, servants and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses and attorney fees resulting from any willful or negligent act or omission of the Contractor or its successors or assigns, its officers, agents, servants and employees in the performance of this Contract; provided however, that the Contractor or its successors and assigns shall not be liable for any suits, actions, legal proceedings, claims, demands, damages, costs, expenses and other attorney fees arising out of the award of this Contract or the willful or negligent act or omission of the County, their officers, agents, servants and employees.

VIII. PERMITS

The Contractor shall be responsible for obtaining any and all permits necessary for the construction and operation of the Municipal Waste processing and disposal facilities required to comply with the terms and conditions of the Contract, and any and all costs or expenses of obtaining such permits. Failure to obtain and maintain permits shall constitute a breach of this Contract.

IX. Right-to-Know Law

The Pennsylvania Right-to-Know Law, 65 P.S. § 67.101-3104, applies to this Contract.

Unless the Contractor provides the County in writing, with the name and contact information of another person, the County shall notify the Contractor's Project Coordinator using the Contractor information provided by the Contractor in the legal contact information provided in this Contract, if the County needs the Contractor's assistance in any matter arising out of the Right-to-Know LAW ("RTKL"). The Contractor shall notify the County in writing of any change in the name or the contact information within a reasonable time prior to the change.

Upon notification from the County that the County requires the Contractor's assistance in responding to a RTKL request for records in the Contractor's possession, the Contractor shall provide the County within 14 calendar days after receipt of such notification, access to, and copies of, any document or information in the Contractor's possession which arises out of the Contract that the County requests ("Requested Information") and provide such other assistance as the County may request in order to comply with the RTKL. If the Contractor fails to provide the Requested Information within 14 calendar days after receipt of such request, the Contractor shall indemnify and hold the County harmless for any damages, penalties, detriment or harm that the County may incur under the RTKL as a result of the Contractor's failure, including any statutory damages assessed against the County.

The County's determination as to whether the Requested Information is a public record is dispositive of the question as between the parties. The Contractor agrees not to challenge the County's decision to deem the Requested Information as Public Record. If the Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, the Contractor will immediately notify the County, and will provide a written statement signed by a representative of the Contractor explaining why the requested material is exempt from public disclosure under the RTKL within seven (7) calendar days of receiving the request. If, upon review of the Contractor's written statement, the County still decides to provide the Requested Information, the Contractor will not challenge or in any way hold the County liable for such a decision.

The County will reimburse the Contractor for any costs associated with complying with this provision only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.

The Contractor agrees to abide by any decision to release a record to the public made by the Office of Open Records, or by the Pennsylvania Courts. The Contractor agrees to waive all rights or remedies that may be available to it as a result of the County's disclosure of Requested Information pursuant to the RTKL. The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession.

WITNESS the execution hereof, the parties expressly intending to be legally bound pursuant to the Uniform Written Obligations Act, 33 Pa. C.S. § 6, Contractor and County have caused this contract to be executed by their respective duly authorized agents, as of the date and year first written.

COUNTY OF LAWRENCE,

BOARD OF COMMISSIONERS

CHAIR DATE _____

_____ ATTEST: _____

CHIEF CLERK

(SEAL)

CONTRACTOR

CONTRACTOR: _____

WITNESS; _____

TITLE: _____

Form A - Cost of Processing and Disposal

Maximum Tipping Fees Per Ton For Each Category of Waste

The maximum tipping fee shall not exceed the posted gate rate.

Include all applicable surcharges, fees, taxes from Legislation, Regulation, or Programs of State, Federal, County or Host Municipalities

Show a breakdown of those fees in the following table

Indicate any annual escalators that will apply or attach a separate table demonstrating future rates.

	MSW	Construction Demolition	Sewage Sludge	Approved ICW	Other	Other
Base Tipping Fee (without taxes, and other fees)						
List Name of Fee, Tax, Surcharge below. List Amount for Each Fees, Taxes, Surcharges that will apply to Lawrence County MSW						
Total Tipping Fee including all fees and surcharges						

Form B -Reserved Capacity

FACILITY:_____

Types and Quantities of Municipal Solid Waste		Specify tons per day and tons per year				
Year	MSW Only	C&D	Sludge	Other	Other	Total
2014-2015						
Tons Per Day						
Tons Per Year						
2015-2016						
Tons Per Day						
Tons Per Year						
2016-2017						
Tons Per Day						
Tons Per Year						
2017-2018						
Tons Per Day						
Tons Per Year						
2018-2019						
Tons Per Day						
Tons Per Year						
2019-2020						
Tons Per Day						
Tons Per Year						
2020-2021						
Tons Per Day						
Tons Per Year						
2021-2022						
Tons Per Day						
Tons Per Year						
2022-2023						
Tons Per Day						
Tons Per Year						
2023-2024						
Tons Per Day						
Tons Per Year						

Form B - Part II Reserved Capacity

Total Combined Quantities of all Accepted Categories of Municipal Waste

YEAR	TOTAL LAWRENCE MSW TONS PER YEAR (all categories)	PERCENTAGE Reserving Capacity for % of Lawrence MSW Annually (all categories)	ANNUAL TONS Reserving Capacity for #Tons Lawrence MSW Annually (all categories)	OPERATING DAYS Estimated Annual Working Days	TONS PER DAY Reserving Capacity for #Tons Lawrence MSW Daily (all categories)
2014	25,309.4				
2015	25,200.3				
2016	25,091.2				
2017	24,982.1				
2018	24,873.0				
2019	24,763.9				
2020	24,654.8				
2021	24,574.8				
2022	24,494.7				
2023	24,414.6				

_____ hours from _____ to _____ on Saturdays, Monday through _____

Indicate tons of Lawrence County Municipal Waste donated by Contractor per year for non-profit activities including but not limited to road adoptions and open dump clean-ups: _____ tons

Notices

All notices, demands, requests, and other communications under this contract shall be delivered to:

Contractor: _____
 Address: _____
 Attention: _____

With a copy to: _____ Attention: _____

Section 5

REQUIRED FORMS

The following forms shall be completed, signed by an official authorized to bind the Offeror, and attached to the proposal.

1. Form C- Representations and Certifications
2. Form D- Contractor Information

FORM C- REPRESENTATIONS AND CERTIFICATIONS

Company _____

Facility _____

Authorized Official _____

An officer of the organization submitting the proposal empowered and authorized to sign such documents makes the following representations and certifications as part of this proposal:

1. Certification of Non Collusion and Independent Price Determination

I certify that as an officer of _____, I have lawful authority and have thus been empowered to submit and execute the proposal contained herein; that neither have I nor any representative of _____ has either directly or indirectly entered into any agreement, express or implied with any representative or representatives of other companies or individuals submitting such proposals for the object of controlling of price, the limiting of proposals submitted, the parceling out of any part of the resulting contract or subject matter of the proposal or proposals or any profits thereof; and that I nor any representatives of _____ have not nor will not divulge the sealed proposal to any person or persons except those having a partnership or other financial interest with him or her in the proposal or proposals until after the said sealed proposal or proposals are opened.

I further certify that neither I nor any representative of _____, have been a party to collusion among proposers in restraint of the freedom of competition by agreement to make a proposal at a fixed price or to refrain from submitting a proposal or with any state official or employee as to quantity, quality, or price in any discussions between proposers and any County official concerning exchange of money or other things of value for special consideration in the letting of the contract and that neither I nor any representative of _____ have paid, given, donated or agreed to pay give or donate to any official, officer, or employee of Lawrence County any money or other thing of value either directly or indirectly.

2. Acceptance Period

I agree to allow 180 days from the date of this proposal for acceptance thereof by the Commissioners of Lawrence County.

3. Ambiguity

I recognize and accept that in the case of any ambiguity or lack of clarity in stating fees, prices or other information and conditions in the proposal, the County shall have the right to construe such prices or information and conditions in a manner most advantageous to the County or to reject the proposal.

4. Contingent Fee Representation

I certify that _____ has not employed or retained any company or person other than a full time bona fide employee working solely for _____ to solicit or secure this contract nor has it paid or agreed to pay any company or person other than a full time bona fide employee working solely for _____ any fee commission, percentage or brokerage fee contingent upon or resulting from the award of this contract. I agree to furnish any information relating to both conditions as requested by Lawrence County.

5. Equal Employment Opportunity

I assure that neither the employees, applicants for employment, nor those of any labor organization, subcontractor or employment agency in either referring or furnishing employee applicants are discriminated against by _ _____.

*Executed under penalty of perjury this _____ day of 2013,
at _____*

*By_ _____ (name)
_____ (title)*

SEAL _____ (company)

Date: _____

On _ _____, 2013, before me, the undersigned, a Notary Public in and for _ _____, personally appeared _____, known to me to be the _ _____ of Company that executed the within instrument on behalf of the Proposer therein named, and acknowledged to me that such Proposer executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal in the County of _____, this _____ day of _ _____ 2013.

Notary _____

My Commission expires _____ Notary Public

FORM D- CONTRACTOR INFORMATION

Company_ _____

Address _____

Phone _ _____ Fax _ _____

Owner/President_ _____

Type of organization (corporation, joint venture, partnership, individual)

- _____

For joint ventures, indicate role and ownership share of each participant. Providing information for each. List any and all subcontractors.

Proposed Processing and Disposal Facility _ _____

Permit #/ State /Date Issued/Expiration _ _____

Physical Location
(County/Municipalities)_ _____

Have you or any officer of the company or facility ever failed to complete any contract awarded in your own name or that of the company or facility?

If yes, explain who, where and why_ _____

Have you or any officer of the company or facility ever failed to complete any contract awarded in your own name or that of any other company or facility?

If yes, explain who, where and why_ _____

Are you or any officer of the company or facility engaged in any contracts for services similar to those contained in the proposal herein?

If yes, explain who, where and when _____

Have you or any officer of the company or facility your partners or joint ventures been party to a lawsuit issued within the past three years that might impact your ability to perform the obligations of this contract?

If yes, explain who, where and why _____

Have you submitted a complete and accurate compliance history outlining any and all judicial actions, convictions, consent orders or agreements, violations, and resolutions for any environmental, or public health and safety laws and regulations?

Explain or comment on any desired actions _____

Executed under penalty of perjury this _____ day of 2013
at _____

By _____ (name)

_____ (title)

SEAL _____ (company)

Date: _____

On _____, 2013, before me, the undersigned, a Notary Public in and for _____, personally appeared _____, known to me to be the _____ of Company that executed the within instrument on behalf of the Proposer therein named, and acknowledged to me that such Proposer executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal in the County of _____, this _____ day of _____ 2013_

My Commission expires _____ Notary Public



APPENDIX E

Process to Add Future Disposal Facilities

**Lawrence County Municipal Solid Waste Management Plan
Petition for Designation as Processing/Disposal Facility**

Lawrence County has secured Disposal Capacity Agreements for a sufficient amount of disposal capacity for all municipal waste generated within the County. However, the County recognizes that new disposal and processing opportunities may present themselves from time to time. Therefore, Lawrence County has established guidelines to include added facilities during the ten-year period of its current Municipal Solid Waste Management Plan. Municipalities, haulers, and/or transfer stations must use this form to notify the County of a party's interest in using another facility. Information provided in this form will be used by the County to contact a facility representative and send the requirements necessary to qualify the facility as a participant in the Plan. The facility must meet all of the same criteria required in the original Request for Proposals for Disposal Capacity, including execution of the Contract as presented. Any and all costs associated with the Plan revision to add a facility shall be the responsibility of either the Petitioner or the Facility as indicated and authorized by a signature on this form.

Please complete and submit the form to:

Lawrence-Mercer County Recycling and Solid Waste Department
Lawrence County Government Center
430 Court Street
New Castle, PA 16101-3593
Phone: 724-658-6925

Petitioner

Name: _____
Organization: _____
Address: _____
_____ Phone Number: _____
Fax Number: _____
E-Mail Address: _____

Facility

Name of Facility: _____
Contact Person: _____
Address: _____
_____ Phone Number: _____
Fax Number: _____
E-Mail Address: _____

Explain the need to have this facility included in the Plan: (Attach Additional Sheets if Necessary)

Party responsible for total costs of Plan Revision to add facility:

Name _____	Title _____
Signature _____	Date _____

PROCEDURES AND INSTRUCTIONS TO PETITIONER

A disposal/processing facility, a hauler, a municipality or a business must complete and submit the petition form to the Lawrence-Mercer Counties Recycling/Solid Waste Department .

Within 15 working days of the receipt of a petition, Lawrence-Mercer County Recycling/Solid Waste will send to the petitioner or the facility, a request for proposal for disposal capacity outlining the same requirements and format for submission as the original document utilized in the selection of those facilities currently designated in the Plan.

Upon receipt of the completed proposal from the petitioning facility, Lawrence-Mercer County Recycling/Solid Waste will notify the Pennsylvania Department of Environmental Protection of its intentions to add a facility.

Lawrence-Mercer County Recycling/Solid Waste will review and respond to the information in the proposal within 45 working days.

If information in the submitted proposal is complete, accurate and meets the accepted criteria, , Lawrence-Mercer County Recycling/Solid Waste will notify by letter all municipalities within the County of the intent to add a facility to the Plan. The County will accept comments for a period of thirty days.

After the thirty day comment period, Lawrence-Mercer County Recycling/Solid Waste will formally submit the addition of the facility to the Pennsylvania Department of Environmental Protection for approval.

Upon approval by the Pennsylvania Department of Environmental Protection, , Lawrence-Mercer County Recycling/Solid Waste will notify by letter all County municipalities that a facility has been added to the Plan.

At that time the requesting facility, hauler, municipality or business will also be notified that the facility is formally designated in the Plan for disposal of Mercer County generated municipal waste.



APPENDIX F

Ordinances, Rules and Regulations

PROPOSED AMENDMENTS UNDERLINED AND IN BOLD

MUNICIPAL WASTE MANAGEMENT ORDINANCE

LAWRENCE COUNTY, PENNSYLVANIA

ORDINANCE NO.

AN ORDINANCE OF LAWRENCE COUNTY, PENNSYLVANIA, PROHIBITING THE ACCUMULATION, AND BURYING OF GARBAGE AND OTHER REFUSE MATERIALS UPON PUBLIC AND PRIVATE PROPERTY IN LAWRENCE COUNTY, EXCEPT IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE; REQUIRING THAT ALL GARBAGE, RUBBISH, AND OTHER REFUSE BE CONVEYED TO A TRANSPORTATION, PROCESSING OR DISPOSAL FACILITY DESIGNATED BY THE LAWRENCE COUNTY MUNICIPAL WASTE MANAGEMENT PLAN; REGULATING THE CARE AND REMOVAL OF GARBAGE, RUBBISH, AND OTHER REFUSE MATERIALS; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, the Board of County Commissioners have adopted the 1990 Municipal Waste Management Plan for Lawrence County in accordance with the requirements of Section 501 of the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101), and said Plan has been duly ratified by the municipalities of Lawrence County; and

WHEREAS, the Board of Commissioners of the County (the "County Board") has designated the Lawrence County Recycling/Solid Waste Department as the agency to prepare the Lawrence County Municipal Waste Management Plan (the "Plan"); and

WHEREAS, the requirements of Act 101 will be best carried forth by adopting this Ordinance and implementing and carrying forth the Plan; and

WHEREAS, in the absence of the adoption and approval of the Plan, this Ordinance, the County, and each municipality within the County (a) will have continuing responsibilities for the storage, collection, transportation, processing, and disposal of municipal waste and for the regulation, collection, and recycling of source separated recyclable materials and (b) may be subject to certain penalties under Act 101; and

WHEREAS, the County has adopted and approved the Plan;

NOW, THEREFORE, it is hereby enacted and ordained by the County of Lawrence as follows:

SECTION 1: DEFINITIONS

The following words and phrases as used in this Ordinance shall have the meaning ascribed herein, unless the context clearly indicates a different meaning:

Act 97 - The Pennsylvania Solid Waste Management Act of 1980 (P.L. 380, No. 97, July 7, 1980) as now or hereafter amended.

Act 101 - The Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act (SB528, Act 1988-101, July 1988) as now or hereafter amended.

Bulky Waste - Large items of solid waste including, but not limited to, appliances, furniture, large auto parts, trees, branches or stumps which may require special handling due to size, shape or weight.

Commercial Establishment - Any establishment engaged in non-manufacturing or non-processing business, including, but not limited to, stores, markets, office buildings, restaurants, shopping centers and theaters.

Construction/Demolition Waste - Solid waste resulting from the construction or demolition of buildings and other structures, including, but not limited to, wood, plaster, metals, asphaltic substances, bricks, block, and unsegregated concrete. The term also includes dredging waste. The term does not include the following if they are separate from other waste and are used as clean fill: (i) uncontaminated soil, rock, stone, gravel, unused brick and block and concrete; (ii) waste from land clearing, grubbing and excavation, including trees, brush, stumps, and vegetative material.

Container - A device in which waste or recyclables are held for storage or transportation.

County - The County of Lawrence, Commonwealth of Pennsylvania or the Lawrence County Board of County Commissioners.

County Designated Facility - Any solid waste storage, collection, transfer, processing, or disposal facility or site (i) constructed, owned, or operated by or on behalf of the County or (ii) which may be utilized by County residents, Transporters, and commercial or institutional establishments pursuant to contracts between the facility owners and the County.

County Rules and Regulations - The Rules and Regulations adopted and revised from time to time by the County.

Department or DEP - The Pennsylvania Department of Environmental Protection (DEP).

Disposal - The deposition, injection, dumping, spilling, leaking, or placing of solid waste into or on the land or water in a manner that the solid waste enters the environment, is emitted into the air or is discharged to the waters of the Commonwealth of Pennsylvania.

Domestic Waste or Household Waste - Solid waste, comprised of garbage and rubbish, which normally originates in the residential private household or apartment house.

Existing Contract - Any contract of any Municipality, for the storage, collection, transportation, processing, or disposal of Regulated Municipal Waste generated or located within the County

which (i) was legally entered into, (ii) when entered into was legally enforceable, and (iii) was in force on March 26, 1991 or prior to the adoption of the Plan pursuant to Act 101, excluding renewals of such contracts.

Garbage - Any solid waste derived from animal, grain, fruit, or vegetable matter that is capable of being decomposed by microorganisms with sufficient rapidity to cause such nuisances as odors, gases, or vectors.

Hauler or Private Collector – A Transporter, which see.

Hazardous Waste - Any solid waste or combination of solid wastes, as defined in Act 97, which because of its quantity, concentration or physical, chemical or infectious characteristics may: (1) cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

Industrial Establishment - Any establishment engaged in manufacturing or processing, including, but not limited to, factories, foundries, mills, processing plants, refineries, mines and slaughterhouses.

Institutional Establishment - Any establishment engaged in service, including, but not limited to, hospitals, nursing homes, orphanages, schools and universities.

Leaf Waste - Leaves, garden residues, shrubbery and tree trimmings, and similar material, but not including grass clippings.

Municipal Waste OR MSW - Garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semi-solid or contained gaseous material, resulting from the operation of residential, municipal, commercial, or institutional establishments OR from community activities; and any sludge not meeting the definition of residual or hazardous waste from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. MSW includes, as per Commonwealth law, construction/demolition waste, municipal sludges, asbestos, infectious/chemotherapeutic waste and incinerator ash residue. The term does not include source separated recyclable materials or material approved by DEP for beneficial use.

Municipality - Any borough, township, or city within the County.

Occupied Dwelling - A permanent building or fixed mobile home that is currently being used on a regular or temporary basis for human habitation.

Permit - A permit issued by the Pennsylvania DEP, or a permit and/or license issued by a state and/or local regulatory agency, as required, to operated a municipal waste disposal, processing, or transfer facility.

Person - Any individual, partnership, corporation, association, institution, cooperative enterprise,

municipal authority, Federal Government or agency, State institution and agency, or any other legal entity which is recognized by law as the subject or rights and duties. In any provisions of this Ordinance which prescribe 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.

Plan or MSW Plan - The County Municipal Waste Management Plan approved pursuant to the Act.

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

Recycling - The collection, separation, recovery, and sale or reuse of metals, glass, paper, leaf waste, plastics, and/or other materials which would otherwise be disposed or processed as municipal waste or the mechanized separation and treatment of municipal waste (other than through combustion) and creation and recovery or reusable materials other than a fuel for the creation of energy.

Recycling Facility - A facility employing a technology that is a process that separates or classifies municipal waste and creates or recovers reusable materials that can be sold to or reused by a manufacturer as a substitute for or a supplement to virgin raw materials. The term **recycling facility** shall not mean transfer stations or landfills for solid waste, nor composting facilities or resource recovery facilities.

Refuse - All solid waste materials which are discarded as useless.

Regulated Waste – Municipal Waste generated within the County and regulated by the County pursuant to this Ordinance and the County Rules and Regulations.

Residual Waste - Any garbage, refuse, other discarded materials or other waste, including solid, liquid, semi-solid or contained gaseous material resulting from industrial, mining and agricultural operations; and sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous.

Resource Recovery Facility - A processing facility that provides for the extraction and utilization of materials or energy from municipal waste that is generated off_site, 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.

Rubbish - All non-putrescible municipal waste except garbage and other decomposable matter. This category includes but is not limited to ashes, bedding, cardboard, cans, crockery, glass, paper, wood and yard cleanings.

Salvage/Salvaging - The controlled removal or recycling of material from a solid waste

processing or disposal facility.

Scavenge/Scavenging - The unauthorized and uncontrolled removal of material or recyclables placed for collection or from a solid waste processing or disposal facility.

Sewage Sludge - Liquid or solid sludges and other residues from a municipal sewage collection and treatment system; and liquid or solid sludges and other residues from septic and holding tank pumpings from commercial, institutional or residential establishments. The term includes materials derived from sewage sludge. The term does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of sewage sludge at a municipal sewage collection and treatment system, or grit, screenings and nonorganic objects from septic and holding tank pumpings.

Solid Waste - Any waste, including, but not limited to, municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous material.

Source Separated Recyclable Materials - Materials generated or collected within the County that (i) are separated from municipal waste at the point of origin by the generator in accordance with the Plan and (ii) are recycled. The term does not include material separated from source separated recyclable materials.

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

System - The overall solid waste management system, and every aspect thereof, owned or operated or utilized by or on behalf of the County in implementation of the Plan, including without limitation equipment, vehicles, offices, staff, transfer stations, landfills, and the like.

Transportation - The off-site removal of any solid waste or recyclables at any time after generation.

Transporter - Any person, firm, partnership, corporation or public agency who is engaged in the collection and/or transportation of municipal waste and/or recyclables.

Transfer Station - Any supplemental transportation facility used as an adjunct to waste collection route vehicles.

Unacceptable Waste - any material that by reason of its composition, characteristics or quality, is ineligible for disposal at a landfill pursuant to the provisions of the resource conservation and recovery act of 1976, 42 U.S.C. '2605(e), the Pennsylvania solid waste management act, 35 p.s. '6018.101, et seq., or other applicable federal, state or local law; or any other material that the county designated facility concludes would require special handling or present an endangerment to the landfill, the public health or safety, or the environment.

In this Ordinance, the singular shall include the plural and the masculine shall include the feminine

and the neuter.

SECTION 2: Implementation

The County shall have the power and its duty shall be to implement the Plan and this Ordinance.

SECTION 3: Waste Flow Control

All Municipal Waste shall be transported to and delivered to a County Designated Facility. No Person shall transport or deliver, or cause to be transported or delivered, Municipal Waste to a Facility other than a County Designated Facility unless such transport or delivery is expressly provided for in the Plan and the County Rules and Regulations. Specifically exempted from this requirement are medical wastes, sewage sludge and waste deemed unacceptable by the County, subject to the following provisions:

- a) Medical Waste (infectious and/or chemotherapeutic wastes as defined by the Pennsylvania Department of Environmental Protection) shall be disposed of by an approved hospital incinerator or may be collected for disposal by a party duly licensed for such purposes by the Pennsylvania Department of Environmental Protection.
- b) Sewage Sludge: Sludge from sanitary sewage plants, water treatment plants, and related non-hazardous, non-residual sludge shall be:
 1. Disposed of at a County Designated Facility.
 2. Disposed of at a permitted sludge disposal storage facility or through permitted land application.
 3. Disposed of via an approved composting operation.
 4. Disposed of in any way which has the specific approval of the Pennsylvania Department of Environmental Protection.
- c) Any wastes which the County deems unacceptable shall be disposed of in any way which has the specific approval of the Pennsylvania Department of Environmental Protection.

Also exempted from this Ordinance are any wastes subject to a valid disposal agreement where such agreement predates the approved original County Plan and is valid per the requirement of Act 101.

SECTION 4: PROHIBITED ACTIVITIES

1. It shall be unlawful for any person to accumulate or permit to accumulate upon any public or private property within the County, any garbage, rubbish, bulky waste, or any other municipal or residual solid waste except in accordance with the provision of this Ordinance and the Department Rules and Regulations adopted pursuant to Act 97 and Act 101.

2. It shall be unlawful for any person to dispose of any solid waste in the County except in accordance with the provisions of this Ordinance and any Department Rules and Regulations adopted pursuant to Act 97 and Act 101.
3. **It shall be unlawful for any person to scavenge any materials from any municipal waste or source separated recyclable materials that are stored or deposited for collection within the County without the prior written approval by the owner of the materials.**
4. **It shall be unlawful for any person to salvage or reclaim any solid wastes within the County except at an approved and permitted resource recovery facility under any Department Rules and Regulations adopted pursuant to Act 97 and Act 101.**
5. **It shall be unlawful for any person to throw, place or deposit, or cause or permit to be thrown, placed or deposited any solid waste in or upon any street, alley, sidewalk, body of water, public or private property within the County except as provided in this Ordinance.**

SECTION 5: STANDARDS AND REGULATIONS FOR COLLECTION AND TRANSPORTATION

1. All Transporters shall comply with the following:
 - a. All municipal waste collected within the County shall be conveyed by the collector or Transporter to a transfer station, processing facility, and/or disposal site designated by the County pursuant to the approved MSW Plan.
 - b. Any trucks or other vehicles used for the collection and transportation of municipal waste must comply with the requirements of Act 97 and Act 101 and any Department regulations adopted pursuant to Act 97 and Act 101, including the Title 25, Chapter 285, Subchapter B Regulations for the Collection and Transportation of Municipal Waste.
 - c. All solid waste shall be collected and transported so as to prevent public health hazards, safety hazards and nuisances.
 - d. All Transporters shall be responsible for maintaining a current list of customers serviced and records of the amounts and types of waste collected within the County. Such records and customer lists shall be available for inspection and be provided to the County or its designated representatives upon request.

SECTION 6: LAWRENCE COUNTY RULES AND REGULATIONS

- 1) In order to carry forth the power and duty to implement the Plan and this Ordinance, the County shall have the power in its discretion to adopt and enforce the County's Rules and Regulations.

- 2) County Rules and Regulations shall, at a minimum:
 - a) Identify the County Designated Facility(s) where persons and Transporters may dispose of regulated waste;
 - b) Specify such predisposal processing or separation or other requirements as are deemed necessary or convenient for the protection of public health and safety and the efficient, effective, reliable, and safe operation of the System;
 - c) Establish fees for use of the System; and
 - d) Establish fees and penalties for violations of County Rules and Regulations, which fees and penalties may be established as determined by the County in an amount designed to protect the public health and safety and the System and to compensate the County for the costs, damages, and lost revenues related to any such violation. These fees and penalties for violations are in addition to those provided by Act 101.
- 3) County Rules and Regulations shall ensure the efficient, effective, reliable and safe operation of the System.

SECTION 7: DISPOSAL

All Municipal Waste generated within the County shall be processed or disposed by a Facility holding valid permits for such processing or disposal from the DEP or by an out of state facility holding similar state approval. No Person shall transport or deliver, or cause to be transported or delivered, Municipal Waste to any point other than a Facility holding valid permits for processing or disposal of Municipal Waste from the DEP or to a Facility in another state as provided for by the County Plan. Certain municipal wastes are exempted from this requirement as set forth by Section 3 of this Ordinance.

SECTION 8: EXISTING CONTRACTS

- 1) Nothing in this Ordinance shall be construed to impair the obligation of any Existing Contract.
- 2) No renewal or modification of any Existing Contract, and no new contract for the processing or disposal of Regulated Municipal Waste shall be entered into after the effective date of this Ordinance unless such renewal or modification or new contract shall have the prior written consent of the County and shall conform to the requirements of the Plan, this Ordinance and all County Rules and Regulations.

SECTION 9: UNLAWFUL AUTHORITY

It shall be unlawful for any Person to violate, or cause or permit or assist in the violation of, any provision of this Ordinance or of any provision of the County Rules and Regulations. All unlawful conduct shall also constitute a public nuisance.

SECTION 10: VIOLATION ENFORCEMENT

In the event that any person is found to be in violation of this Ordinance, the County may issue a written notice of violation to the alleged violator. This notice shall be in writing and sent by certified mail with return receipt requested. The notice shall state the nature of the violations(s) and the necessary corrective actions required in detail. The person notified shall be provided a reasonable time period (stated in notice) to either correct the violation(s) or appeal.

SECTION 11: PENALTIES

Any Person violating any provision of this Ordinance, or any provision of County Rules and Regulations, shall, upon conviction thereof in a summary proceeding, be sentenced for each violation to pay:

- A. **First Offense: A fine of not less than \$50 and not more than \$300 plus costs of prosecution.**
- B. **Second Offense: A fine of not less than \$100 and not more than \$300 plus costs of prosecution.**
- C. **Third and Subsequent Offenses: \$300 plus costs of prosecution.**
- D. **In default of the payment of such fine and costs, to undergo imprisonment for not more than ten (10) days**

Each violation of any provision of this Ordinance or of any provision of the County Rules and Regulations, and each day that such a violation shall exist, shall constitute a separate violation and offense.

SECTION 12: ENFORCEMENT AND PROSECUTION

The County shall administer and enforce the provisions of this Ordinance and the provisions of the County Rules and Regulations.

SECTION 13: INJUNCTIVE RELIEF

The County may petition the Court of Common Pleas in Lawrence County for an injunction, either mandatory or prohibitive, to enforce any provisions of this Ordinance.

SECTION 14: CONCURRENT REMEDIES

The penalties and remedies set forth in this Ordinance are in addition to, not in lieu of, any fines, penalties or remedies provided in the County Rules and Regulations. The existence or exercise of any remedy shall not prevent the County from exercising any other remedy (a) provided under (i) this Ordinance or (ii) the County Rules and Regulations, or (b) available at law or equity.

SECTION 15: NOTICE

At least thirty (30) days prior to the effective date of any County Rules and Regulations, the County shall publish in a newspaper of general circulation within the County a notice that a copy of proposed County Rules and Regulations are available for public review and comment.

SECTION 16: SEVERABILITY

The provisions of this Ordinance are severable. If any provision of this Ordinance or its application to any Person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision or application of this Ordinance.

SECTION 17: EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days prior to the commencement date of the disposal capacity contracts with the County facilities.

ENACTED AND ORDAINED into an Ordinance this the ____ day of _____, 19__.

(NAME OF COUNTY)

.....By:

Title:

ATTEST:

(Municipal Seal)

Secretary

PROPOSED CHANGES UNDERLINED AND BOLD

4-21-92
Rev. 10-13-92
Rev. 12-15-92
Rev. -13

LAWRENCE COUNTY
RULES AND REGULATIONS
MUNICIPAL SOLID WASTE MANAGEMENT

AUTHORITY AND PURPOSE

These Rules and Regulations have been adopted by Lawrence County under the authority granted by Act 101 and the Lawrence County Municipal Waste Management Ordinance.

The purpose of these Rules and Regulations is to protect the health and welfare of the residents of Lawrence County and to provide a means whereby the County can effectively and efficiently (a) manage the storage, collection, transportation, processing, and disposal of solid waste and recyclables generated in Lawrence County and (b) implement the Lawrence County Municipal Solid Waste Management Plan.

Table of Contents

Authority and Purpose..... 1

Table of Contents..... 2

Section 1: Waste Disposal..... 3

Section 2: Standards for Collection and Transportation..... 4

Section 3: Reports..... 6

Section 4: Compliance Officers(s)..... 7

Section 5: Waste Acceptance..... 8

Section 6: Special Fees..... 9

Section 7: Billing and Payment of Fees & Penalties..... 10

Section 8: County Recycling and Waste Management Programs..... 11

Section 9: Prohibited Activities..... 12

Section 10: Liability and Indemnity..... 14

Section 11: Violations and Penalties..... 15

Section 12: Administrative Appeals..... 16

Section 13: Effective Date..... 17

Section 14: Definitions..... 18

SECTION 1: WASTE DISPOSAL

- 1.1 Regulated waste shall be processed or disposed of only as provided in this Section 1.
- 1.2 Regulated waste generated within any municipality of the County shall be disposed of at any County Designated Facility listed in the current Plan.
- 1.3 Municipal waste not included within the definition of regulated waste shall be delivered in accordance with these Rules and Regulations to any facility which has all applicable governmental permits for acceptance of such solid waste.

SECTION 2: STANDARDS FOR COLLECTION AND TRANSPORTATION

- 2.1 All Transporters operating within the County must comply with the following minimum standards and regulations:
- A. All trucks or other vehicles used for collection and transportation of municipal waste must comply with the requirements of Act 97, Act 90, and Act 101 as currently enacted or hereafter amended, and Department regulations adopted pursuant to Act 97, Act 90 and Act 101, including the Title 25, Chapter 285, Subchapter B Regulations for the Collection and Transportation of Municipal Waste.
 - B. All collection and transportation vehicles conveying municipal waste and/or recyclables shall be operated and maintained in a manner that will prevent creation of a nuisance or a hazard to public health, safety and welfare.
 - C. All collection and transportation vehicles conveying putrescible municipal waste and/or recyclables shall be watertight and suitably enclosed to prevent leakage, roadside littering, attraction of vectors and the creation of odors and other nuisances.
 - D. All collection and transportation vehicles conveying nonputrescible municipal waste and/or recyclables shall be capable of being enclosed or covered to prevent roadside litter and other nuisances.
 - E. All collection and transportation vehicles conveying municipal waste and/or recyclables shall bear signs identifying the name and business address of the person or municipality, which utilize said vehicle in the collection and transportation of municipal waste and/or recyclables and the specific type of municipal waste and/or recyclables transported by the vehicle. All such signs shall have lettering, which is at least six inches in height as required by Act 101.
 - F. **When applicable, Transporters shall be in possession of a valid Waste Transporter Authorization issued by DEP.**
- 2.2 Transporters and all other employees and agents of Transporters, shall comply with all requirements of the Pennsylvania Motor Vehicle Code, environmental law, rules and regulations, and all other applicable laws and Act 101.
- 2.3 All vehicles hauling municipal waste and/or recyclables shall be maintained in good repair and safe condition.
- 2.4 All vehicles shall be water tight, readily emptied, and cleaned with sufficient frequency to prevent insect breeding or odors or other nuisances
- 2.5 All waste transported shall be secured to the vehicle and enclosed or covered with secured tarpaulins to prevent leakage, spillage, dusting, or litter. Such enclosures or tarpaulins must remain in place until arrival at the designated unloading areas at a

County Designated Facility or recycling facility.

- 2.6 In the event a vehicle leaks, spills, dusts, or litters on any County Designated Facility, public road, or private property, the Transporter transporting the waste and/or recyclables shall immediately clean up and shall reimburse the County for any costs incurred by the County in connection with performing or monitoring the clean up.
- 2.7 All vehicles using County Designated Facilities must obey all road signs and posted speed limits. Where no speed limit is posted, the maximum speed will be twenty-five (25) miles per hour. Safe and courteous driving practices shall be followed at all times.
- 2.8 The County reserves the right to select which County Designated Facility may be used by any Transporters delivering wastes to the County Designated Facilities. The County may redirect any vehicle to another County Designated Facility.
- 2.9 **Transporters operating in municipalities mandated by Act 101 to have curbside recycling programs must provide curbside recycling to all residential and commercial/institutional establishments in accordance with Act 10 and the respective municipal requirements.**
- 2.10 **Residential establishments in municipalities mandated by Act 101 to have curbside recycling shall recycle curbside in accordance with Act 101 and their municipal requirements.**
- 2.11 **Transporters operating in municipalities not required by Act 101 to have curbside recycling programs shall offer curbside recycling to their customers.**
- 2.12 **Transporters that exclusively conduct General Hauling services are exempt from the requirements of 2.9 and 2.11.**

SECTION 3: REPORTS

- 3.1 All Transporters shall maintain current, up-to-date records of the customers serviced within Lawrence County. Such records and customer list shall be subject to inspection by the County or its authorized agents upon request.
- 3.2 **All Transporters shall report to the County a minimum of once per year in a format determined by the County. This report shall be submitted by February 15 of each year and include information from the prior calendar year. The County shall have the authority to require more frequent reporting. The following information shall be included in the report(s):**
- A. **The total weight of each type of municipal waste and/or recyclables collected from all sources located in Lawrence County during each month of the reporting period;**
 - B. **The name of each processing or disposal facility and/or material recovery or end market the Transporter used during the reporting period and the total weight of each type of municipal waste and/or recyclable that was delivered to each site during each month of the reporting period;**
 - C. **The name of each municipality in Lawrence County in which the Transporter collected municipal waste and/or recyclables from any source during the reporting period; and**
 - D. **A summary for each municipality of the total weight of each type of municipal waste and/or recyclables collected from each municipality during each month of the reporting period.**

SECTION 4: COMPLIANCE OFFICER(S)

- 4.1 The County employs individual(s) known as Compliance Officer(s) who have the power and duties described in this Section.
- 4.2 Compliance Officer(s) may enter upon, observe, and inspect any County Designated Facility, and facility used for the storage, processing, or disposal of regulated waste or any facility located within the County and used for the storage, processing, or disposal of solid waste, for the purpose of determining whether or not such facilities are, and are being operated, in compliance with these Rules and Regulations, the Lawrence County Municipal Waste Management Ordinance, the Lawrence County Municipal Waste Management Plan, and other applicable law.
- 4.3 Inspection of facilities by Compliance Officer(s) during normal business hours may be without notice. Inspections of facilities other than during normal business hours shall be pursuant to such advance written notice as is reasonable under the circumstances.
- 4.4 Compliance Officer(s) may stop and inspect any vehicle used to haul municipal waste or recyclables.
- 4.5 Compliance Officer(s) may, upon reasonable prior written notice and during normal business hours, inspect records of County Designated Facilities to ensure compliance with these Rules and Regulations, the Lawrence County Municipal Waste Management Ordinance, and any applicable agreements.
- 4.6 Compliance Officer(s) shall have the power to enforce all provisions of these Rules and Regulations, the Lawrence County Municipal Waste Management Ordinance, and the Lawrence County Municipal Waste Management Plan.**

SECTION 5: WASTE ACCEPTANCE

- 5.1 Any person delivering unacceptable or hazardous waste to a County Designated Facility will be responsible, in addition to payment of the applicable tipping fee, for the removal of the unacceptable waste from the site, cleanup and remediation of any damages resulting from such delivery, and reimbursement of all costs and damages incurred by the County Designated Facility and the County resulting from such delivery.
- 5.2 Any unacceptable, hazardous or unauthorized rejected waste which is rejected by a County Designated Facility shall be manifested. Copies of the completed Lawrence County Transporter Manifest will be required to be maintained on file by the rejecting County Designated Facility, the receiving facility, or generator, if waste is returned, and the Transporter. The original, completed manifest will be returned to the County of Lawrence by the Transporter.

SECTION 6: SPECIAL FEES

- 6.1 The tipping fee for delivery of unacceptable waste will be the stated tipping fee plus any and all costs incurred or damages sustained by the County Designated Facility for the cleanup and removal of such unacceptable waste. The entire load of waste will be assessed the unacceptable waste tipping fee even if the unacceptable waste constituted only a small portion of the load.
- 6.2 For any regulated waste, excepting household hazardous waste and special handling waste, which is transported to any location other than a County Designated Facility without the prior written approval of the County, a tipping fee will be charged to the generator or the person hauling such waste in the same amount that would have been charged if the waste had been delivered to the County Designated Facility. The generator and the person hauling the waste shall be jointly and severally liable to the County for the tipping fee.
- 6.3 Any fees or enforcement options in these Rules and Regulations are in addition to those provided by Act 101 or other laws of the Commonwealth, or any Lawrence County municipal ordinances, or the Lawrence County Municipal Waste Management Ordinance.
- 6.4 Payment of special fees to the County shall be paid within 30 days of receipt of written notice from the County.

SECTION 7: BILLING AND PAYMENT OF FEES AND PENALTIES

- 7.1 If the County commences legal action to collect amounts due or enforce these Rules and Regulations or the Municipal Waste Management Ordinance, the person owing such amount shall, in addition to the amount owed, pay to the County the legal costs and expenses, including attorney's fees, incurred by the County in connection with such collection or action.

SECTION 8: COUNTY RECYCLING AND WASTE MANAGEMENT PROGRAMS

The Rules and Regulations detailed in this section shall apply to recycling and waste programs coordinated, managed, operated, and/or sponsored by Lawrence County.

For the purposes of this section a "person" that performs any of the actions described in this section shall include the driver of the vehicle and the registrant of any vehicle registered in the Commonwealth from which any of the items are dropped or thrown, either by the registrant or any person operating, in possession of or present within the vehicle with the permission of the registrant, regardless of the registrant's intent or lack of knowledge with respect to the disposal of such items in violation of this section where the registrant of the vehicle does not, with reasonable certainty, identify the driver of the vehicle at the time the violation occurred.

- 8.1 It shall be unlawful for any person to cause to be placed any waste paper, sweepings, ashes, household waste, glass, metal, refuse or rubbish, or any dangerous or detrimental substance, or any other material not specifically listed as acceptable into a recycling container or other non-authorized container.
- 8.2 It shall be unlawful for any person to damage recycling site property and equipment, both public and private.
- 8.3 It shall be unlawful for any person to leave any waste and/or recyclable materials upon any road, street, highway, alley, railroad right-of-way, or the land of another, or into the waters of the Commonwealth, or into any container during nonevent times without the prior written authorization from the County or program sponsor.
- 8.4 It shall be unlawful for any person to cause any waste paper, sweepings, ashes, household waste, glass, metal, refuse or rubbish, or any dangerous or detrimental substance to be deposited into or upon any road, street, highway, alley or railroad right-of-way, or public or private property used for recycling and/or waste programs;
- 8.5 It shall be unlawful for any person to interfere with, scatter, or disturb the contents of any container containing waste or recyclables; or
- 8.6 It shall be unlawful for any person to scavenge any material from a recycling or waste container without the prior written consent of the County and/or owner of the materials.

SECTION 9: PROHIBITED ACTIVITIES

- 9.1 It shall be unlawful for any person to collect and or transport municipal solid waste from any sources within Lawrence County in a manner that is not in accordance with these provisions and the minimum standards and requirements established in Chapter 285 of the DEP's Municipal Waste Management Regulations, (as amended) or any other applicable state law.
- 9.2 It shall be unlawful for any person to transport any municipal waste collected from sources located within Lawrence County to any processing or disposal facility other than the facilities that are designated disposal sites under the approved Lawrence County Act 101 Municipal Waste Management Plan. The following types of municipal waste and materials are exempt:
- A. Transporters of infectious/chemotherapeutic waste shall be exempted from use of the designated disposal facilities.
 - B. Transporters of sewage sludge shall be exempted from use of the designated disposal facilities if proof of an approved land application or composting facility is provided.
 - C. Transporters of septage shall be exempted from use of the designated disposal facilities but must provide proof of use of a DEP approved land application or permitted wastewater treatment facility for disposal.
 - D. Transporters of recyclables shall be exempted from use of the designated disposal facilities but must provide proof that the recyclables are taken to a material recovery processing facility or marketed for end use.
- 9.3 It shall be unlawful for any person to commingle source separated recyclables and municipal waste, collected from sources located within Lawrence County, in the same vehicle compartment.
- 9.4 It shall be unlawful for any person to dispose of source separated recyclables collected from sources located within Lawrence County.
- 9.5 It shall be unlawful for any person to cause to be placed any garbage, refuse, waste, paper, plastic, metal, glass, or any other material not specifically listed as acceptable into a recycling container or other non-authorized container.**
- 9.6 It shall be unlawful for any person to damage recycling site property and equipment, both public and private.**
- 9.7 It shall be unlawful for any person to cause to be placed any garbage, refuse, waste, paper, plastic, metal, glass, or any other material into a private waste or recycling container without the prior written consent of the person paying for the**

waste or recycling service.

- 9.8 It shall be unlawful for any person to cause any waste paper, sweepings, ashes, household waste, glass, metal, refuse or rubbish, or any dangerous or detrimental substance to be deposited into or upon any road, street, highway, alley or railroad right-of-way, or public or private property.**
- 9.9 It shall be unlawful for any person to interfere with, scatter, or disturb the contents of any container containing waste or recyclables.**
- 9.10 It shall be unlawful for any person to scavenge any material from a recycling or waste container without the prior written consent of the owner of the materials.**
- 9.11 It shall be unlawful for any Transporter to fail to submit an annual recycling report, in a format prescribed by the County, to the County by February 15 of each year.**

SECTION 10: LIABILITY AND INDEMNITY

- 10.1 The County will not be liable for any actions, errors, or omissions of any (a) contractors of the County, (b) persons authorized to use or enter County Designated Facilities, or (c) trespassers at the County Designated Facilities. All persons proceeding onto County Designated Facilities do so at their own risk.
- 10.2 Indemnity. Transporters shall indemnify the County for any cost, damage, loss, or expense incurred by the County, directly or indirectly, by reason of acts or omissions of Transporters, including but not limited to any violation of these Rules and Regulations.

SECTION 11: VIOLATIONS AND PENALTIES

11.1 The generator, the Transporter, and the person operating the vehicle shall be responsible and accountable for any non-compliance with these Rules and Regulations, including reimbursing the County for all fees and any and all costs and damages incurred by the County as a result of such violation.

11.2 In addition to the fees and charges as provided in these Rules and Regulations, the County may:

A. Suspend or revoke the privilege of using County Designated Facilities; and

B. Take such other action as the County shall deem to be appropriate.

11.3 Violations of these Rules and Regulations shall result in the following penalties:

A. First Offense: A fine of not less than \$50 and not more than \$300.

B. Second Offense: A fine of not less than \$100 and not more than \$300.

C. Third and Subsequent Offenses: \$300

D. In default of the payment of such fine and costs, to undergo imprisonment for not more than ten (10) days

Each violation of any provision of these Rules and Regulations, and each day that such a violation shall exist, shall constitute a separate violation and offense.

SECTION 12: ADMINISTRATIVE APPEALS

- 12.1 All appeals shall be made in writing to the County Board of Commissioners.
- 12.2 Pending a reversal or modification, all decisions of the County shall remain effective and enforceable.
- 12.3 Appeals may be made by the following persons:
- Any person who is aggrieved by a new standard or regulation issued by the County may appeal within ten (10) days after the County gives notice of its intention to issue the new standard or regulation.
- 12.4 Any notice of appeal shall be submitted in writing to the County by certified mail with return receipt requested.

SECTION 13: EFFECTIVE DATE

- 13.1 These Rules and Regulations shall become effective thirty (30) days after passage by resolution at a Lawrence County Board of Commissioners meeting and publication in a Lawrence County newspaper.

SECTION 14: DEFINITIONS

As used in these Rules and Regulations, the following terms shall have the following meanings:

Acceptable – Specifically designated as able to be recycled or disposed in a program. Acceptable materials may vary between programs and/or municipalities.

Act 97 - The Pennsylvania Solid Waste Management Act of 1980 (P.L. 380, No. 97, July 7, 1980) as now or hereafter amended.

Act 90 - The Pennsylvania Waste Transportation Safety Act of 2002 as now or hereafter amended.

Act 101 - The Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act (SB528, Act 1988-101, July 1988) as now or hereafter amended.

Commercial Establishment - Any establishment engaged in non-manufacturing or non-processing business, including, but not limited to, stores, markets, office buildings, restaurants, shopping centers and theaters.

Compliance Officer - A County employee with the powers and duties described in these Rules and Regulations.

Construction/Demolition Waste - Solid waste resulting from the construction or demolition of buildings and other structures, including, but not limited to, wood, plaster, metals, asphaltic substances, bricks, block, and unsegregated concrete. The term also includes dredging waste. The term does not include the following if they are separate from other waste and are used as clean fill: (i) uncontaminated soil, rock, stone, gravel, unused brick and block and concrete; (ii) waste from land clearing, grubbing and excavation, including trees, brush, stumps, and vegetative material.

Container – A device in which waste or recyclables are/is held for storage or transportation. This includes but is not limited to dumpsters, trash cans, and recycling bins.

County - The County of Lawrence, Commonwealth of Pennsylvania or the Lawrence County Board of County Commissioners.

County Designated Facility - Any solid waste storage, collection, transfer, processing, or disposal facility or site (i) constructed, owned, or operated by or on behalf of the County or (ii) which may be utilized by County residents, Haulers, and commercial or institutional establishments pursuant to contracts between the facility owners and the County.

County Rules and Regulations - The Rules and Regulations adopted and revised from time to time by the County.

Department or DEP - The Pennsylvania Department of Environmental Protection (DEP).

Existing Contract - Any contract of any Municipality, for the storage, collection, transportation, processing, or disposal of Regulated Municipal Waste generated or located within the County which (i) was legally entered into, (ii) when entered into was legally enforceable, and (iii) was in force on March 26, 1991 or prior to the adoption of the Plan pursuant to Act

101, excluding renewals of such contracts.

Facility - Processing and/or disposal facilities, including municipal waste, construction/demolition and residual waste landfills, resource recovery facilities and transfer stations, that are fully permitted and licensed for the disposition of municipal waste (as defined herein), and/or residual waste.

Garbage - Any solid waste derived from animal, grain, fruit, or vegetable matter that is capable of being decomposed by microorganisms with sufficient rapidity to cause such nuisances as odors, gases, or vectors.

General Hauling – The non-subscription or contract-based collection and transportation of Municipal Waste. The term includes, but is not limited to, periodic garage, home, and/or basement cleanouts, and bulky item removal from residential and commercial establishments. Transporters offering General Hauling do not offer subscription services. The term also includes Transporters offering roll-off only service.

Hauler or Private Collector - A Transporter, which see.

Hazardous Waste - Any solid waste or combination of solid wastes, as defined in Act 97, which because of its quantity, concentration or physical, chemical or infectious characteristics may: (1) cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

Industrial Establishment - Any establishment engaged in manufacturing or processing, including, but not limited to, factories, foundries, mills, processing plants, refineries, mines and slaughterhouses.

Institutional Establishment - Any establishment engaged in service, including, but not limited to, hospitals, nursing homes, orphanages, schools and universities.

Municipality - Any borough, township, or city within the County.

Municipal Waste OR MSW - Garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semi-solid or contained gaseous material, resulting from the operation of residential, municipal, commercial, or institutional establishments OR from community activities; and any sludge not meeting the definition of residual or hazardous waste from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. MSW includes, as per Commonwealth law, construction/demolition waste, municipal sludges, asbestos, infectious/chemotherapeutic waste and incinerator ash residue. The term does not include source separated recyclable materials or material approved by DEP for beneficial use.

Permit - A permit issued by the Pennsylvania DEP, or a permit and/or license issued by a state and/or local regulatory agency, as required, to operated a municipal waste disposal, processing, or transfer facility.

Person - Any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, Federal Government or agency, State institution and agency, or any other legal entity which is recognized by law as the subject or rights and duties. In any provisions of this Ordinance which prescribe 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.

Plan or MSW Plan - The County Municipal Waste Management Plan approved pursuant to the Act.

Processing - Any technology used for the purpose of reducing the volume or bulk of municipal or residual waste or any technology used to convert part or all of such waste materials for off-site reuse. Processing facilities include, but are not

limited to, transfer facilities, composting facilities, and resource recovery facilities.

Recyclables - All metals, glass, paper, leaf waste, plastics, and other materials which would otherwise be disposed or processed as municipal waste, that are collected, separated, and recovered for sale or reuse.

Recycling - The collection, separation, recovery, and sale or reuse of metals, glass, paper, leaf waste, plastics, and/or other materials which would otherwise be disposed or processed as municipal waste or the mechanized separation and treatment of municipal waste (other than through combustion) and creation and recovery or reusable materials other than a fuel for the creation of energy.

Recycling Facility - A facility employing a technology that is a process that separates or classifies municipal waste and creates or recovers reusable materials that can be sold to or reused by a manufacturer as a substitute for or a supplement to virgin raw materials. The term recycling facility shall not mean transfer stations or landfills for solid waste, nor composting facilities or resource recovery facilities.

Refuse - All solid waste materials which are discarded as useless.

Regulated Waste - Municipal Waste generated within the County and regulated by the County pursuant to this Ordinance and the County Rules and Regulations.

Residual Waste - Any garbage, refuse, other discarded materials or other waste, including solid, liquid, semi-solid or contained gaseous material resulting from industrial, mining and agricultural operations; and sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous.

Resource Recovery Facility - A processing facility that provides for the extraction and utilization of materials or energy from municipal waste that is generated off_site, 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.

Rubbish - All non-putrescible municipal waste except garbage and other decomposable matter. This category includes but is not limited to ashes, bedding, cardboard, cans, crockery, glass, paper, wood and yard cleanings.

Salvage/Salvaging - The controlled removal or recycling of material from a solid waste processing or disposal facility.

Scavenge/Scavenging - The unauthorized and uncontrolled removal of material or recyclables placed for collection or from a solid waste processing or disposal facility.

Sewage Sludge - Liquid or solid sludges and other residues from a municipal sewage collection and treatment system; and liquid or solid sludges and other residues from septic and holding tank pumpings from commercial, institutional or residential establishments. The term includes materials derived from sewage sludge. The term does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator, grit and screenings generated during preliminary treatment of sewage sludge at a municipal sewage collection and treatment system, or grit, screenings and nonorganic objects from septic and holding tank pumpings.

Source Separated Recyclable Materials - Materials generated or collected within the County that (i) are separated from municipal waste at the point of origin by the generator in accordance with the Plan and (ii) are recycled. The term does not include material separated from source separated recyclable materials.

Storage - The containment of any waste on a temporary basis in such a manner as not to constitute disposal of such waste. It shall be presumed that the containment of any waste in excess of one year shall constitute disposal. This

presumption can be overcome by clear and convincing evidence to the contrary.

System - The overall solid waste management system, and every aspect thereof, owned or operated or utilized by or on behalf of the County in implementation of the Plan, including without limitation equipment, vehicles, offices, staff, transfer stations, landfills, and the like.

Transportation - The off-site removal of any solid waste or recyclables at any time after generation.

Transporter - Any person, firm partnership, corporation, or public agency who is engaged in the collection and/or transportation or municipal waste and/or recyclables.

Unacceptable – Not designated as able to be recycled or disposed in a program.

Unacceptable Waste - Any material that by reason of its composition, characteristics or quality, is ineligible for disposal at a landfill pursuant to the provisions of the resource conservation and recovery act of 1976, 42 U.S.C. '2605(e), the Pennsylvania solid waste management act, 35 p.s. '6018.101, et seq., or other applicable federal, state or local law; or any other material that the county designated facility concludes would require special handling or present an endangerment to the landfill, the public health or safety, or the environment.

ORDINANCE # 1

ORDINANCE NO. 2010-

AN ORDINANCE AUTHORIZING THE COUNTY OF LAWRENCE, PENNSYLVANIA TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE COUNTY OF MERCER TO SERVE AS THE IMPLEMENTING ENTITY FOR BOTH COUNTIES' SOLID WASTE MANAGEMENT PLANS AND MANAGE AND COORDINATE MUNICIPAL SOLID WASTE AND RECYCLING ACTIVITIES FOR BOTH COUNTIES.

WHEREAS, the Act of December 19, 1996, P.L. 1158, No. 177, referred to as the Intergovernmental Cooperation Law, 53 Pa. C.S. §2301, *et seq.*, provides that two or more counties may jointly cooperate in the exercise or in the performance of their respective governmental functions, powers, or responsibilities, and

WHEREAS, the Board of Commissioners of Lawrence County deem it to be in the best interest of and for the general welfare of the citizens and the residents of Lawrence County to enter into an agreement to provide solid waste and recycling planning and programming for Lawrence and Mercer Counties, and

WHEREAS, the Board of Commissioners will negotiate the terms and provisions of an Intergovernmental Agreement with the County of Mercer, and

WHEREAS, the Board of Commissioners desires to enter into an Inter-governmental Agreement with the County of Mercer pursuant to the said Intergovernmental Cooperation Act;

NOW THEREFORE BE IT ORDAINED AND ENACTED by the Board of County Commissioners of the County of Lawrence, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1: Title

This Ordinance shall be known and may be cited as the Lawrence County Pennsylvania Intergovernmental Cooperation Agreement for Solid Waste and Recycling with Mercer County.

SECTION 2: Terms

- A. The conditions, duration, purpose, and objectives of the Lawrence-Mercer intergovernmental Agreement, including the powers and scope of authority delegated therein, manner and extent of financing, organizational structure necessary to implement, and manner in which property

and equipment will be acquired, managed, and disposed of are set forth in the Agreement, a copy of which is attached to this Ordinance as Exhibit "A" and incorporated herein as if set forth in full.

- B. No real estate will be acquired, managed, licensed or disposed of under this Ordinance.
- C. Each County has the power to enter into contracts for policies of group insurance and employee benefits, including social security, for all of their employees, including those whose duties further the purposes of this Agreement.
- D. Each County will provide the funding necessary to finance the Agreement in accord with the annual budget which has been agreed upon by both Counties.

SECTION 3: Severability

If any sentence, clause, phrase or section of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections or parts of this Ordinance.

It is hereby declared as the intent of the Board of Commissioners of the County of Lawrence that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, phrase, section, or part thereof not been included therein.

SECTION 4: Repealer


Any other Ordinance or parts thereof inconsistent with this Ordinance be and are hereby expressly repealed.

SECTION 5: Effective Date

This Ordinance shall become effective immediately.

ENACTED AND ORDAINED this -30 day of *March* '2010

ATTEST:




Administrator/Chief Clerk

COUNTY OF LAWRENCE

By: _____
Chairman

By: _____

By:  _____



APPENDIX G

Intergovernmental Agreement

AGREEMENT

THIS AGREEMENT is made this ___1st__ day of _July_, 2010 pursuant to the authority set forth in the Intergovernmental Cooperation Act of December 19, 1966, 53 Pa. C.S.A. §§ 2301 et seq., by and between the COUNTY OF LAWRENCE, a Fifth Class County of the Commonwealth of Pennsylvania with its office located at 430 Court Street, New Castle, PA 16101, hereafter called “Lawrence County,” and the COUNTY OF MERCER, a Fifth Class County of the Commonwealth of Pennsylvania with its office located at 104 Courthouse, Mercer, PA 16137, hereafter called “Mercer County.”

WHEREAS, Lawrence County has implemented a comprehensive recycling program through the development of the Recycling/Solid Waste Department, and

WHEREAS, the Recycling/Solid Waste Department serves as the implementing entity for its Municipal Solid Waste Management Plan, and

WHEREAS, Mercer County desires to have a similar program, and

WHEREAS, Mercer County is working to update its Municipal Solid Waste Management Plan and needs an entity for its implementation, and

WHEREAS, the Commonwealth of Pennsylvania, funding entities, and partners look favorably at Intergovernmental Cooperation, and

WHEREAS, Lawrence County and Mercer County have met and discussed the environmental, community, and financial benefits of utilizing one office to direct solid waste management and recycling activities, planning, programs, and responsibilities, and

WHEREAS, Lawrence County already has such an office established with experienced, professional, and capable staff, and

WHEREAS, Lawrence and Mercer counties desire to share the use and services of the Lawrence County Recycling/Solid Waste Department to provide solid waste management and recycling planning and services for both counties, as described in the sections hereafter.

NOW THEREFORE, in consideration of the covenants set forth, Lawrence County and Mercer County agree as follows:

EFFECTIVE DATE

This agreement shall be effective upon the date of signing by the Board of Commissioners of both Lawrence County and Mercer County subsequent to the adoption of Ordinances as required by 53 PaCSA.2305..

PROVISION OF SERVICE

The Lawrence County Recycling/Solid Waste Department will be contracted to Mercer County by Lawrence County to provide services and shall be deemed to be an independent contractor of Mercer County.

STAFFING

The staff of the Lawrence County Recycling/Solid Waste Department will be employees of Lawrence County and shall exclusively adhere to, comply with and be subject to all personnel and other applicable policies of Lawrence County.

Lawrence County shall be responsible to provide and issue all compensation, benefits, and insurances associated with Lawrence County Recycling/Solid Waste Department staff positions. The initial salaries and staffing levels will be jointly established by Lawrence County and Mercer County with all benefits being those as currently offered by Lawrence County. Thereafter, any “across the board” increase and/or change in salary or change in benefits offered by Lawrence County to its salaried employees is deemed as jointly approved by the Counties as part of this Agreement, to be effective 90 days after notice of same is submitted to the Mercer County Board of Commissioners. For any increases and/or change to the staff positions that are other than “across the board” increases and/or changes as mentioned above, the Counties must jointly approve such increases and/or changes.

Increases or decreases in shared staff and their terms of employment must be mutually agreed upon between both counties.

COST SHARING

For Mercer County’s share of staff compensation, Lawrence County will issue itemized requests for reimbursement to Mercer County on a quarterly basis. Said reimbursements to be paid by Mercer County to Lawrence County within thirty (30) days of Mercer County’s receipt of said reimbursement requests.

To the greatest extent possible, Lawrence County and Mercer County shall equally share the costs of travel and other related non-salary expenses in accordance to the following guidelines.

- Payment of mileage reimbursement expenses incurred solely within either of the Counties or expenses that plainly pertain to one county and not the other shall be the responsibility of the County in which said travel and/or expenses occurred.

- Mercer County and Lawrence County shall jointly approve all requests associated with attendance at conferences, seminars, training sessions, out of town meetings, and similar travel and shall equally share the costs associated therewith. In the event that Lawrence County and Mercer County do not jointly approve such attendance, then the County which approves such attendance shall be solely responsible for the payment of associated expenses.

Expenses for programs specific to one county and not the other shall be the responsibility of the county for which the program was provided. This includes, but is not limited to, countywide recycling drop-off programs and hard-to-recycle/dispose programs for materials such as electronics, household hazardous wastes, tires, and residential pharmaceutical wastes.

EQUIPMENT

The Lawrence County Recycling/Solid Waste Department is fully furnished with the equipment necessary to provide programming in Lawrence County and Mercer County.

Any equipment provided to the Recycling/Solid Waste Department by either County shall remain the property of the County that purchased it.

GRANTS AND FUNDRAISING

The Recycling/Solid Waste Department will prepare grant proposals for Lawrence County and Mercer County programs and administer awarded grants, with credit therefore being allocated to the appropriate County.

Grant funds received for Mercer County's portion of reimbursed expenses will be forwarded to Mercer County within thirty (30) days of receipt from the grantor.

In the event of the termination of this Agreement, equipment purchased through awarded grants and designated specifically for use in Mercer County will become the property of Mercer County. Joint use of equipment purchased through awarded grants shall be sold and the proceeds divided equally between the Counties.

COMMUNICATIONS

The Recycling/Solid Waste Department will provide quarterly updates to Mercer County, detailed with regard to each program being conducted in Mercer County.

DISPUTES

In the event of a dispute between Lawrence County and Mercer County which the counties are unable to resolve, the Counties agree to arbitration in accords with the rules of the American Arbitration Association with costs thereof to be equally shared by the Counties and the decision resulting there from to be binding upon the Counties.

AMENDMENTS

This agreement may be amended, in writing, by the mutual agreement of the parties.

LENGTH OF AGREEMENT

The initial term of this Agreement shall be two years. Thereafter, unless terminated in accordance with the terms of this Agreement, this Agreement shall automatically renew on an annual basis, through December 31st of any given renewal year.

TERMINATION

Lawrence County or Mercer County may terminate this agreement, whole or in part, at any time upon ninety (90) days prior notice. Said notice shall be in writing and delivered to the Office of the Commissioners for the respective County.

INSURANCE

Lawrence County and Mercer County shall continue to provide applicable insurance coverage for their owned automobiles, equipment, programs, and normal business operations. Each county shall provide the other with a Certificate of Insurance.

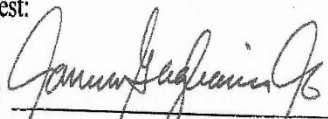
INDEMNIFICATION

Lawrence County shall indemnify and hold harmless Mercer County and any person who shall be an officer, employee or agent of Mercer County from and against any and all claims, lawsuits, demands and actions, including reasonable attorney's fees and expenses of defending the same, that may arise or be asserted by a third party against Mercer County or such person by reason of the negligence of Lawrence County, its officers, agents, or employees, or the willful misconduct by Lawrence County, its officers, agents, or employees, in the provision of services or activities under this Agreement.

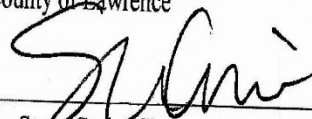
Mercer County shall indemnify and hold harmless Lawrence County and any person who shall be an officer, employee, or agent of Lawrence County from and against any and all claims, lawsuits, demands and actions, including reasonable attorney's fees and expenses of defending the same, that may arise or be asserted by a third party against Lawrence County or such person by reason of the negligence of Mercer County, its officers, agents, or employees, or the willful misconduct by Mercer County, its officers, agents, or employees, in the provision of services or activities under this Agreement.

IN WITNESS WHEREOF AND INTENDING TO BE LEGALLY BOUND HEREBY, the parties hereto by the hands and seals of their duly empowered officers and/or agents have caused this Agreement to be duly executed the day and year first written above.

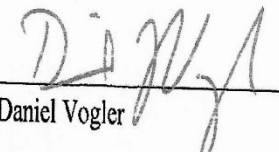
Attest:


By: 
James Gagliano, County Administrator

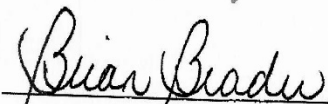
County of Lawrence

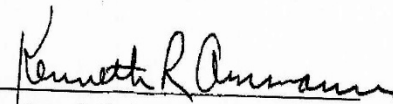
By: 
Steve Craig, Chairman

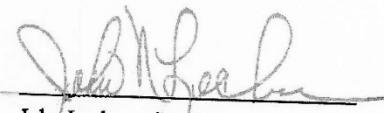
By: _____
Richard DeBlasio

By: 
Daniel Vogler

By: 
Timothy M. Hofius, Chief Clerk

By: 
Brian Beader, Chairman

By: 
Kenneth R. Ammann, Vice-Chairman

By: 
John Lechner, Secretary



APPENDIX H

Resolution to Approve the Plan

DRAFT RESOLUTION TO ADOPT PLAN

RESOLUTION NO. _____
RESOLUTION BY THE LAWRENCE COUNTY BOARD OF COMMISSIONERS
ADOPTING THE REVISED MUNICIPAL SOLID WASTE MANAGEMENT PLAN

WHEREAS, the Lawrence County Board of Commissioners have undertaken the development of a revised Municipal Solid Waste Management Plan for Lawrence County in accordance with the requirements of the Solid Waste Management Act of 1980 (Act 97) and the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101) ; and

WHEREAS, this revised Municipal Solid Waste Management Plan for Lawrence County will be financed by a grant from the Pennsylvania Department of Environmental Protection and local funds and services provided by the Lawrence County Commissioners; and

WHEREAS, upon the recommendations of the Lawrence County Solid Waste Advisory Committee, the Lawrence-Mercer Counties Recycling/Solid Waste Department , and the Lawrence County Board of County Commissioners have reviewed and approved the recommendations of this proposed plan to insure the availability of adequate permitted processing and disposal capacity for the municipal waste generated within Lawrence County.

NOW, THEREFORE, BE IT RESOLVED, that the Lawrence County Board of Commissioners do hereby approve and adopt the 2013 Revised Municipal Solid Waste Management Plan for Lawrence County pursuant to the requirements of Section 501 of the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101).

PASSED AND APPROVED on the day of , 2014,

COUNTY OF Lawrence

ATTEST: County Clerk

BOARD OF COUNTY COMMISSIONERS

_____ Daniel Vogler, Chairman

_____ Steve Craig

_____ Robert Del Signore



APPENDIX I

Meeting Minutes and Public Comments

Lawrence County Solid Waste Advisory Committee (SWAC) Meeting

December 7, 2011 at 10:30 am

David Gettings Annex, Lawrence County Courthouse

Minutes

The following were in attendance:

Jerry Zona (Lawrence-Mercer Recycling/SW Dept Amy McKinney (Lawrence Co. Planning Dept.)

Jerry Sabatini (Waste Management) Jim Gagliano (Lawrence County Chief Clerk) Jerry Bowser (Tri-County Industries) Tammy Gibson (City of New Castle)

Michele Nestor (Nestor Resources) Megan Gahring (Lawrence-Mercer R/SW)

The following members were absent:

Helen Jackson (New Beaver Borough) Jan Marshall (Perry Township) Mike Heher (Republic Services/Allied Waste)

Chris Collier (S&S Processing) Amy Jo Labi-Carando (Private Citizen)

Michele Nestor gave a presentation on: the overview of Act 101, waste categories and types, responsibilities of the advisory committee, and the planning process.

Discussed in the presentation:

- Types of municipal waste that will be included in the plan, who makes waste and which generators are included in plan (no industrial/manufacturing),
- Reasons for updating the plan (changes in communities, waste generation rates, trends, updates in regulations),
- Changes since the enactment of Act 101,
- Act 101 roles and expectations.

The County's Recycling/Solid Waste Department (RSW) manages waste policies and plans, uses the private sector as much as possible, and creates awareness and education.

Old plan initiatives and changes for new plan: Will be looking at types of waste generated, recycling market values, international export of recycled material, demographic changes in Lawrence county, and trends in markets.

SWAC committee roles and responsibilities: cover issues with old plan and ideas for the new plan, attend approximately five meetings throughout the planning process. The consultant will be responsible for data and statistics.

Planning process includes DEP review prior to public comment. Final approval comes from the DEP.

New planning topics: waste generation and composition, how waste is currently handled, what is recycled, department budget, changes in industry and market development.

It will take approximate 14 months for completion of the draft plan.

After the presentation and planning process discussion SWAC

Jim Gagliano asked about a mandatory county-wide collection program for Lawrence County. Although realistic for the size and geography of Lawrence County there are potential political implications. A major item to consider for this concept includes breaking the county up into quadrants for competitive bidding. This concept would create cohesiveness throughout county for waste collection and recycling programs and ensure full compliance for municipalities in regard to DEP requirements.

Jerry Zona noted that a change in public attitudes regarding trash is needed and needs to be included in the public education campaign. This would help with the industry and municipalities. Shenango Townships was discussed as an example of trash/recycling program and municipal contract.

Amy McKinney discussed the City of Hermitage program in Mercer County where she resides. Trash, recycling, and yard waste recycling carts are provided for each resident.

Zona pointed out that there are changes in what can be recycled and the conversion to single stream. He noted that there was a public misconception with the change in Shenango Township's program. Residents thought cost would increase significantly, however that not the case and in fact the opposite occurred.

Michele added, with regard to the Shenango Township program that the public was not informed of changes until after decision had been made by supervisors resulting in a backlash from residents.

Zona stated that there will be complaints from residents that didn't have service during a conversion to municipal contract/mandatory service. In Shenango's case, although trash and recycling were already mandatory, people were on the honor system. The implementation of the contract resulted in people, who were burning, dumping, and stealing services, suddenly getting billed for the service. Existing subscribers to trash typically didn't have resistance to municipality bidding out trash/recycling.

Tammi expressed concerns regarding residents that express they cannot afford trash/recycling service in the City of New Castle. Zona said that a menu system can be utilized to accommodate residential generation rates and cost of service via different size carts with different costs.

Zona gave a presentation about RSW programs, services, and technical assistance to municipalities, residents, etc.

This included a "To Do" list from last plan.

The county-wide drop off program, known as the Big Blue Bin program (BBB) brought access to recycling to everyone in county. Traffic counts have recorded 100 cars per day though the courthouse site and 2,500 cars in the month of February for Shenango Township.

Items from the "To Do" list that were not included: PAY T feasibility study, regulated hauler licensing, enforcement officer hired, year round yard waste collection, economic development impact study, residential/commercial participation rate study.

Amy asked if the plan is just for Lawrence County since RSW oversees programming for both Lawrence and Mercer County. Michele answered "Yes" as the Mercer County plan was completed 2011.

Zona further discussed:

Changes in paper versus bottles and cans. Initially the BBB program collected approximately 75% paper and 25% bottles and cans. Now it is approximately a 50/50 mix. Making it difficult to predict generation rate and need for bins (paper or commingled).

Hard-to-dispose item collection and dealing with the introduction of electronics into the waste stream.

Working with municipalities on enforcement. Surveillance cameras have been installed at various BBB sites to monitor inappropriate materials entering bins and materials left on the ground. Warning letters have been issued to alleged violators. Michele noted that Elk County has an enforcement officer and that offenders get prosecuted. Zona stated that he would like to look at the county ordinance to improve language regarding scattering rubbish violations. The county is currently relying on municipalities for enforcement.

Special collection programming included an annual event for appliances, batteries, electronics, fluorescent lights, and tires that is held at Lawrence County fairgrounds. This program is conducted in partnership with Tri-County CleanWays, a non-profit organization. This is a PAYT event and the public response has increased over the years and event is very well received.

The anti-illegal dumping program. Working with Tri-County CleanWays Zona noted that it costs consistently \$700 to \$1,000/ton to pick up illegally dumped trash. Cleanups are expensive for the county, municipalities, and everyone involved. Cleanups are a great educational tool but more is needed to effectively address the problem.

Public education. There is a lack of funding for public education so RSW is trying to do as much free programming as possible via Comcast cable ads, e-mail blasts, and the website. Education is similar to a marketing campaign and is essential for changing public attitudes and actions.

Partnerships are essential to success. Saves money and creates new opportunities for funding. New partnerships include Mercer County and Shenango River Watchers (SRW.)

Challenges:

- Municipal curbside programs have stagnated. New Castle only collects recycling once per month. Union and Neshannock have traditional commingled pickup and terrible participation.
- One-day, annual special collection events is not sufficient. Annual event is not frequent enough and people don't want to wait.
- Enforcement is lacking. The County is challenged in dealing with enforcement and municipalities cannot handle additional workload.
- Partnership with Mercer County has created additional work with no additional staff.
- Missing opportunities to expand what can be recycled such as food waste, construction/demolition materials, etc.

- Funding, of course, is a huge challenge. Open discussion for committee:

Jerry Bowser indicated that haulers are crossing the state line for disposal because Ohio fees are much less than those in Pennsylvania. Jerry Sabatini agreed that is the case.

Sabatini added that landfill volumes have dropped and increased recycling rates are impacting landfills. Updates are needed to Act 101 and enforcement of Act 101 is needed in mandated municipalities.

Nestor noted that many mandated municipalities are not recycling. Ohio counties are accountable for their MSW plans and they also have the power to enforce recycling laws.

Sabatini stated that ensuring landfill space is competitive and helps bring costs down. Packaging trash with recycling service has increased residential participation. The waste industry has changed dramatically in the past few years.

Zona added that there are public misconceptions regarding the market value of materials that are recycled. He noted that generally, materials don't have value till after they are processed. Nestor stated that people and municipalities fail to understand the cost involved for transporting, collection, and processing of materials.

Zona offered to spend more time with City of New Castle to explain cost involved with recycling. Sabatini said that mandatory trash and recycling is necessary and a good thing.

Michele will research statutory power and municipal sign off for mandatory countywide collection brought up by Gagliano. This would be a substantial plan revision to include mandatory county-wide collection.

Zona stated that camera surveillance is available for enforcement with regard to illegal dumping activity. RSW can provide technical assistance to any municipality requesting assistance.

Zona recommended utilizing Drop Box for file/document exchange and sharing. He explained the program to members.

Bowser stated that there is a need for recycling service to be mandatory with trash collection and included in the plan.

Everyone agreed in the need for fairness in service for haulers and cost for residents if mandatory county-wide collection is recommended for implementation. The group further discussed that collections are an issue for haulers and municipalities with nonpayment of service.

SWAC MEETING MINUTES SEPTEMBER 12, 2012

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David Gettings Annex, Lawrence County Courthouse Minutes

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Hard-to-dispose item collection and dealing with the introduction of electronics into the waste stream.

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Bowser stated that there is a need for recycling service to be mandatory with trash collection and included in the plan.

Everyone agreed in the need for fairness in service for haulers and cost for residents. If mandatory county-wide collection is recommended for implementation, the group further discussed that collections are an issue for haulers and municipalities with nonpayment of service.

Lawrence County Solid Waste Advisory Committee (SWAC) Meeting

May 9, 2013 at 10:30 am

Albert P. Gettings Government Center Annex, Lawrence County Government Center

Minutes

The following were in attendance:

Jerry Zona (Lawrence-Mercer Recycling/SW)

Tammi Gibson (City of New Castle)

Amy McKinney (Lawrence Co. Planning Dept.)

Megan Gahring (Law-Mercer R/SW)

Jerry Bowser (Tri-County Industries)

Michele Nestor (Nestor Resources)

The following members were absent:

Helen Jackson (New Beaver Borough)

Jim Gagliano (Lawrence County Chief Clerk)

Mike Heher (Republic Services/Allied Waste)

Jan Marshall (Perry Township)

Chris Collier (S&S Processing)

Amy Jo Labi-Carando (Private Citizen)

Jerry Sabatini (Waste Management)

Regina Schweinsberg (PA DEP)

Meeting was called to order at 10:50 am.

Michele announced that a Request for Proposal (RFP) is currently open for municipal solid waste landfill disposal capacity for Lawrence County. June 3rd is the deadline for proposals. During their Municipal Solid Waste (MSW) plan update, Butler County received about 7 proposals utilizing 17 landfills. Michele expects about the same response for Lawrence County.

Lawrence County's disposal trends were discussed by Michele. When the pounds of MSW per person per day were compared, the disposal rates seem low. There is the possibility that some MSW generated from Lawrence County that is taken out of state for disposal is not being reported. A historic reported disposal activity chart prepared by Michele shows a significant decrease in 2009. This seems to be an anomaly, because all other years are relatively consistent with one another. Population rates are declining in Lawrence County however total MSW is increasing. This would not be expected.

Michele discussed the importance of data collection and reporting when determining landfill disposal capacity needs, trends, and activity.

Michele stated the pricing seems to be consistent in the region. The average rate is about \$40 per ton. The rates in eastern PA are about \$70 per ton. Landfill closures are longer on the horizon, from 10 years to 30 years out. The demand for disposal of oil and gas drill cuttings may have an impact on available landfill disposal capacities.

Jerry Z reported on the County's Big Blue Bin (BBB) program. Use of the surveillance program has resulted in several successful cases where fines were issued as a result of the illegal dumping. Two additional citations were made for illegal dumping at the New Castle site. One citation is for tires and the other for a car seat. The violations are awaiting trial with the local magistrate. Recyclables left on the ground will result in a warning letter from the Department. Those leaving trash on the ground will receive a citation. Earlier in 2013, two successful hearings were won by the Department resulting in significant fines.

Jerry Z discussed inclusion of enforcement strategies for the BBB sites in the MSW plan ordinance. The Department would like to include language in the municipal ordinance that allows for the enforcement of non-recyclable materials placed into the bins. The County Solicitor has been consulted with to see if the PA Vehicle and Crimes Code would cover this activity.

Michele discussed the Department's affiliation with Keep Pennsylvania Beautiful (KPB) and attitudes regarding recycling and illegal dumping. Education is a critical component to any program. The public needs to be aware of what can and cannot be recycling at the county's sites. Most times, the public believes they are doing the "right" thing even when the materials left at the sites cannot be recycled there.

Jerry updated on the electronics recycling program. Munnell Run Farm and Avalon Springs Nursing Home in Mercer have agreed to partner with TCC and host a collection site. The County courthouse will also host a site for ongoing collections. The Department hopes to start the collection days in June. The public will have to call and register with the Department, as the locations will not be advertised. Additionally, municipalities in Lawrence and Mercer County are requesting to participate. Tri-County CleanWays is offering municipalities the opportunity to piggyback on the contract and have their materials taken by JVS, the recycling contractor for TCC, at no cost to their residents.

Michele requested assistance from County's Planning Dept. in collecting accurate population projections. The County's Comprehensive plan has some of this data and Amy will forward a copy to Michele for the MSW Plan.

Jerry Z stated that Farrell has been collecting electronics that are dumped along alleys and vacant lots within the City. They are currently being stored in a container and the municipality may partner with TCC for the recycling of the material with JVS.

Jerry reported on the success of press issued in local newspapers regarding the BBB surveillance program. This is helping to spread the word about illegal dumping and enforcement at the recycling sites.

Meeting was adjourned at 11:40 am.

Lawrence County Solid Waste Advisory Committee Meeting

June 4, 2013 at 11:30 am

Albert P. Gettings Government Center Annex, Lawrence County Government Center

Minutes

The following were in attendance:

Jerry Zona (Lawrence-Mercer Recycling/SW)	Regina Schweinsberg (PA DEP)
Jason Shallcross (Lawrence Co. Planning Dept.)	Megan Gahring (Law-Mercer R/SW)
Jerry Bowser (Tri-County Industries Citizen)	Amy Jo Labi-Carando (Private)
Michele Nestor (Nestor Resources)	

The following members were absent:

Helen Jackson (New Beaver Borough)	Jim Gagliano (Lawrence County Chief Clerk)
Mike Heher (Republic Services/Allied Waste)	Jan Marshall (Perry Township)
Chris Collier (S&S Processing)	
Jerry Sabatini (Waste Management)	
Tammi Gibson (City of New Castle)	

Meeting was called to order at 11:35 am.

Minutes from the previous SWAC meeting were reviewed. Jerry B motioned to accept the minutes as is. Jerry Z seconded the motion.

Jerry Z opened the request for proposals (RFP's) received by the Department for municipal solid waste (MSW) Disposal and Processing Capacity Assurance 2014-2023. The following proposals were received by the deadline from:

- Republic Services Inc. - Carbon Limestone Landfill
- Casella Waste Management of PA– McKean County Landfill
- Waste Management Disposal Services –Northwest Sanitary Landfill and Mahoning Landfill

- Tri-County Landfill, Inc. – Tri-County Landfill
- Seneca Landfill, Inc. - Seneca Landfill

Jerry Z reported the storage container for collecting electronics was delivered today for the New Castle site. Electronics will be collected in an 8 foot X 20 foot container with regular collections, by appointment only. Mercer County's storage container will be delivered this week on Thursday. JVS is scheduled to drop off supplies and collect material from Farrell and Jackson Townships in Mercer County. The City of New Castle is also considering hosting a drop-off site for their residents.

This ongoing collection program is being implemented to offer local options for residents in Lawrence and Mercer County to get rid of their electronics.

Amy asked if the electronics collected by JVS are being kept in the US. Jerry Z discussed the problem with shipping materials overseas to third world countries. When the electronics are not de-manufactured beforehand, precious metals are stripped from the equipment and the remaining toxic materials are left to contaminate soil, air and drinking water.

Michele discussed the mercury containing LCD screens, and need to plan for the future in developing technology and markets for handling the amount of mercury that will be recovered as a result of the Covered Device Act.

Jerry Z discussed on the on-farm composting program with the Pennsylvania Resources Council (PRC). Nick Shorr led a tour on May 28 of the current farms participating in Lawrence and Mercer. The first farm owned by Chuck Moose is currently accepting food waste from Wal-Mart stores located in western PA. The second farm is located in Plain Grove Township, the Parker Farm. The Parker farm encountered some difficulties with accepting municipal yard waste that was not collected in paper bags. Plastic bags will create a huge problem for the composting operation and will need to be removed. The Parker farm is scheduled to accept food waste next month. The program is in need of additional carbon sources and Nick is conducting outreach with municipalities and utility companies for yard waste and mulch.

In regards to the Big Blue Bin (BBB) program, the Department would like to see an overhaul of the County's MSW plan ordinance and rules/regulations. Jerry Z mentioned a waste management ordinance is needed by the County to address the illegal dumping issues at the recycling sites instead of an ordinance only addressing transportation/hauling. Language to address inappropriate materials being placed in the recycling bins needs included. The Vehicle and Crimes code currently being used by the Department for illegal dumping citations does not address this particular activity. Theft of Services is one avenue and Tri-County Industries (the current contractor for the BBB program) could file a civil suit in partnership with the Department.

Jerry Z mentioned five (5) additional plastic recycling containers (6 yard) will be ordered for the BBB program through a PA Department of Environmental Protection (DEP) 902 grant received by the department.

Amy asked if mandated curbside recycling has been considered by the County. Discussion of mandating haulers to offer curbside recycling with their trash services has been considered.

Regina discussed reduction efforts for construction and demolition (C & D) waste in the region. Inclusion of these efforts in the plan is recommended. Deconstruction is a necessary component in the effort to collect the material in a fashion that can be reused instead of landfilled. Demolition permits require declaration of where the material is going which sometimes presents an obstacle in the process

Next meeting date is June 25, 2013 at 10:30 AM.

Meeting was adjourned at 12:50 pm.



**Lawrence-Mercer
Recycling/Solid Waste Department**

**Lawrence County Solid Waste Management Plan
*Solid Waste Advisory Committee Meeting***

June 25, 2013

Agenda

- I. Introductions**
- II. Minutes**
- III. Request for Disposal Capacity – Proposals Opening**
- IV. Recycling/Solid Waste Department Updates**
 - a. Electronics**
 - b. Enforcement**
 - c. Big Blue Bins**
- V. Open Discussion**



APPENDIX J

Executed Capacity Agreements

Please Note:

- **In the hard copy, published version of the Lawrence County Municipal Solid Waste Management Plan, the executed disposal capacity agreements are inserted behind this cover sheet.**
- **For the cd rom electronic digital version of the plan, the executed disposal capacity agreements are not incorporated into the document, but are provided in a separate folder on the disk.**
- **For the internet version of the plan, the executed disposal capacity agreements are not incorporated into the document, but are available for review at the offices of the Lawrence-Mercer Counties Recycling/Solid Waste Department.**

