

**LEHIGH COUNTY, PENNSYLVANIA
MUNICIPAL WASTE MANAGEMENT PLAN**

Prepared For

The County of Lehigh
Office of Solid Waste Management
Allentown, PA

Prepared By

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2009
Revised 2012
Revised 2013



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NORTHEAST REGIONAL OFFICE

May 28, 2013

Ms. Lisa Scheller
County of Lehigh
Board of Commissioners
Lehigh County Government Center
17 South Seventh Street
Allentown, PA 18101-2400

Re: Plan Approval, Lehigh County Municipal
Waste Management Plan Revision

Dear Ms. Scheller:

Enclosed is a Plan Revision Approval for the Lehigh County Municipal Waste Management Plan Revision received on August 30, 2010. This Plan Revision Approval authorizes the County to proceed in implementing the approved plan and in submitting the implementing documents to DEP. Implementing documents must be submitted within one year of the date of plan approval.

The County must implement the approved plan revision and comply with the conditions for approval as set forth in the enclosure. Failure to implement the approved plan in compliance with the conditions is a violation of Section 1701 of the Municipal Waste Planning, Recycling and Waste Reduction Act of July 28, 1988, P.L. 556, 53 P.S. Section 4000.1701.

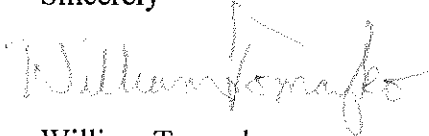
Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within thirty (30) days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

Questions concerning this plan approval should be directed to me.

Sincerely

A handwritten signature in cursive script that reads "William Tomayko".

William Tomayko
Environmental Program Manager
Waste Management Program

Enclosure

cc: Mr. Bill Hansell, Interim County Executive/Lehigh County
Mr. Tim Bollinger, Solid Waste & Recycling Manager/Lehigh County
Lehigh County Solid Waste Advisory Committee

bcc: W. Tomayko/WM File
L. Holley/Central Office File
B. Case

WT:BC:sp

WP: W3-7795.doc

H(Ashare): 5/24/13; T(F): 5/28/13

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MUNICIPAL WASTE MANAGEMENT PLAN
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Exhibit E-1:

- List of Landfills and Ownership Information
- PADEP Landfill Records from 2003 through 2008
- Map of Landfill Locations
- Projected MSW Tonnage Estimates
- Hospital /Clinics List based on Survey Responses
- Permitted Biosolids Land Application Sites based on Survey Responses
- Water and Wastewater Treatment Plants based on Survey Responses
- Municipal Responses to Survey
- SWAC Responses to Survey

Exhibit E-2:

- Recycling Data Summary – 2004-2008
- Recycling Plot – 2004-2008
- County Map Showing Recycling Information
- Municipal Recycling Program Summary
- Small Recycling Municipalities Plot
- Mid-Size Recycling Municipalities Plot
- Bigger Recycling Municipalities Plot
- Largest Recycling Municipalities Plot
- Environmental Benefits Calculator

Exhibit E-3:

- 1996 County Ordinance
- 1996 County Rules and Regulations
- 1996 County Landfill Agreement Form
- 1996 Plan Narrative

Exhibit E-4:

- Advertisement placed in Waste and Recycling News
- Advertisement placed in Morning Call Newspaper
- Letters of Response from Landfills
- 2013 SWM Plan Respondents

- 2013 Letter to Disposal Facilities

Exhibit E-5:

- Draft Landfill Agreement
- Petition Form to Add a Landfill to Approved Plan
- Draft County Ordinance
- South Whitehall Burn Ordinance (example)
- Draft DEP Model Burn Ordinance
- Draft Municipal Solid Waste Ordinance

Exhibit E-6:

- Appointment Memo and Notification letter to SWAC members
- Minutes of SWAC Meetings
- Attendees List for SWAC Meetings

Exhibit E-7:

- Comments from SWAC members and General Public

**LEHIGH COUNTY
MUNICIPAL WASTE MANAGEMENT PLAN
2009, Revised 2012**

INTRODUCTION

According to § 4000.303 of Act 101: “Each county shall have the power and its duty shall be to insure the availability of adequate permitted processing and disposal capacity for the municipal waste which is generated within its boundaries. As part of this power, a county:

- (1) May require all persons to obtain licenses to collect and transport municipal waste subject to the plan to a municipal waste processing or disposal facility designated pursuant to subsection (e).
- (2) Shall have the power and duty to implement its approved plan, including a plan approved under section 501(b), as it relates to the processing and disposal of municipal waste generated within its boundaries.
- (3) May plan for the processing and disposal of municipal waste generated outside its boundaries and to implement its approved plan as it relates to the processing and disposal of such waste.
- (4) May adopt ordinances, resolutions, regulations and standards for the recycling of municipal waste or source-separated recyclable material if one of the following requirements are met:
 - (i) Such ordinances, resolutions, regulations or standards are set forth in the approved plan and do not interfere with the implementation of any municipal recycling program under section 1501.
 - (ii) Such ordinances, resolutions, regulations or standards are necessary to implement a municipal recycling program under section 1501 which the municipality has delegated to the county pursuant to section 304.
- (5) May prohibit the siting of additional resource recovery facilities within its geographic boundaries where any additional resource recovery facility is inconsistent with the county plan pursuant to section 501(b) unless such facilities meet the criteria of section 502(c)(2) and (o)(1)(iii). [FN4]”

Lehigh County’s original Solid Waste Management Plan, prepared in accordance with the requirements of PA Act 101 of 1988, "Pennsylvania Municipal Waste Planning, Recycling & Waste Reduction Act" was titled the COUNTY OF LEHIGH SOLID WASTE MANAGEMENT PLAN OCTOBER, 1996 (1996 Plan).

The 1996 Plan included a survey of all PA MSW disposal facilities “...within a reasonable driving distance (a 100 mile radius of the center of Lehigh County) to determine the available capacity within the region...” Based on this survey, it was concluded that there was “...approximately 2,000% excess in available, unused capacity. This unused capacity

is in addition to the capacity currently utilized for Lehigh County MSW.” Based on this conclusion (See Selection and Justification of Municipal Waste Management System, pages 6 and 7) the Plan was prepared with the idea of using an “open market approach” to meet the Act 101 requirements for guarantee of disposal capacity, since use of a number of landfills for disposal was the most effective method for the County to implement.

Proposals were requested from operating landfills in and around the County and, after review of those submissions, Agreements for disposal capacity were entered into. Several of these Agreements were amended in 2003.

§ 272.251 of the Commonwealth of Pennsylvania’s Municipal Waste Regulations requires that the County submit a revised Plan to the DEP at the earliest of the following events:

- at least three years prior to the expiration of the capacity assurances necessary to dispose or process the municipal waste generated in the county
- at least 3 years prior to the expiration of the term of the County’s approved plan
- or, when otherwise required by the Department

As a result of the events of the past 13 years and the requirements of Act 101 and the Municipal Waste Regulations, this revision will incorporate the following elements:

1. Use of current data to prepare estimates of future waste and recyclables generation.
2. Issuance of a request for disposal capacity at landfill sites approved to accept municipal waste generated in Lehigh County.
3. Development of contracts for disposal capacity through December 31, 2019

In addition, this revision will also discuss the County recycling programs, including:

1. Review of current municipal recycling activities in the County.
2. Methods for enhancement of recycling opportunities.
3. Alternative approaches to waste reduction and household hazardous waste (HHW) programs.

CHAPTER 1 DESCRIPTION OF WASTE (Section 272.223) ESTIMATED FUTURE CAPACITY (Section 272.225)

This section will describe the types and quantities of Municipal Solid Waste (MSW) generated currently in Lehigh County, in a manner consistent with the Commonwealth of Pennsylvania's solid waste management planning criteria. These projections will allow the County to best determine future waste projections, and assist in determining the best future management system through options that include recycling, composting, waste reduction, and landfilling remaining materials.

Estimates are based on the Lehigh County waste destination reports; provided by the Pennsylvania Department of Environmental Protection (DEP), hauler reports provided to the Lehigh County Office of Solid Waste Management, Lehigh County Municipal and County Recycling reports, and data provided through surveys and phone calls to various constituencies; including septage haulers, wastewater and water treatment plants, and hospitals and larger clinics.

1.1 Background

Pennsylvania's Act 101, the "Municipal Waste Planning, Recycling and Waste Reduction Act" mandated that Pennsylvania's counties find a final home for all MSW generated within their boundaries. Under their first solid waste plan, Lehigh County divided the County into three waste districts (western, eastern, and southern), with waste from each region directed to different landfills or transfer stations. During the first few years after the passage of Act 101 in 1988, there were a number of court cases which tested the validity of "flow control", or a County's ability to direct waste to a particular destination. Lehigh County was at the forefront of this legal effort, as counties throughout the Commonwealth waited for the court decision in the case of *Empire Sanitary Landfill vs. Commonwealth of Pennsylvania, Department of Environmental Resources (PADER) (1994)*.

The operator of the Empire Landfill, Danella Environmental Technologies, filed an action seeking declaratory and injunctive relief against PADER, Lehigh County, the Lehigh County Department of Planning and Development, and the Lehigh County Office of Solid Waste Management. Empire Landfill also alleged that Act 101 was unconstitutional in that it restricted interstate commerce as defined by the Constitution's Commerce Clause. They held that the Empire contract was a protected contract, entered into before Lehigh County sought to implement its plan through the adoption of a waste flow control ordinance. Although Lehigh County had evidence that the contracts were not executed before the adoption of the ordinance, the courts did not agree, and ruled in favor of Empire.

In deciding this court case, the PA Supreme Court issued a two word decision order, affirmed on May 24, 1994, which upheld the November 4, 1993 Commonwealth Court decision stating that Act 101 solid waste plans cannot interfere with existing contracts

between haulers and disposal facilities if they were signed before the county submitted implementing planning documents to DER.

The decision had no effect on Lehigh County’s waste collection system, which dealt mainly with private haulers, and private collection systems. It did, however, serve a blow to flow control, since waste companies can, and did, continue to sign contracts with their customers to take waste to facilities not mentioned in the County plan up until the date the County submitted implementing documents to DER. Since it often took counties a year or more to submit these final documents, many county plans were rendered useless before they were in effect.

During recent years, many counties have found new ways to reserve enough landfill capacity without relying on flow control. Most have opted to reserve capacity in a number of landfills to meet their needs, leaving haulers free to use the landfill of their choice, provided they have signed a County Agreement, are fully licensed, and meet DEP, EPA and local regulations. In the previous Solid Waste Plan (1996), Lehigh County used this market based approach to contract with a number of landfills within a 100 mile radius. Twenty three facilities entered into Agreements with the County to accept waste, although the largest percentage finds its way to a few facilities on the list, with many facilities receiving lesser amounts. The system has worked well so far, with landfills and most haulers providing reports to the Lehigh County Solid Waste Department for reporting purposes.

1.2 Population

Population estimates provided by the U.S. Census Bureau for 2005 show an even greater increase in population than estimates projected by the Lehigh Valley Comprehensive Plan. The Lehigh Valley Planning Commission (LVPC) estimated an increase of approximately 9,000 people from 2000 – 2005, while the actual increase was about 18,000, or double the projected value. Projections show this population increase continuing in future years, with the 2020 projected population of Lehigh County estimated at 370,644. The population increase will affect most aspects of life, including transportation, housing, and natural resource management, as well as waste generation and recycling. The following projections should be taken into account when planning for the county’s future solid waste needs:

Table 1.1

| POPULATION PROJECTIONS | |
|-------------------------------|---------------|
| Year | Totals |
| 2000 | 312,000 |
| 2005 | 330,736 |
| 2010 | 342,932 |
| 2015 | 356,139 |
| 2020 | 370,644 |
| 2025 | 385,496 |
| 2030 | 399,721 |

(Information obtained from Lehigh and Northampton Counties: 2000-2030. August 2007 report, Lehigh Valley Planning Commission.)

Population increases can be attributed to two factors: natural increases (more births than deaths), and migration of residents into the region and county. Over the past few decades, the county has experienced a high percentage of in-migration. During the 1990's migration accounted for over half of Lehigh County's population growth, with the growth due to migration much higher than expected, although lower than we see in Northampton County since it is closer in proximity to New York and New Jersey.

In total, it is estimated that Lehigh County's population will increase by 87,631 people from 2000 to 2030, a 9.4% increase per decade. Age distribution will also change over this period, as baby boomers move into their older years. This change in demographics may affect waste projections and recycling totals in ways that we cannot now forecast.

1.3 Waste Tonnage to be Landfilled

Table 1.2 shows the amount of waste produced by Lehigh County and disposed of at various landfill facilities in the Commonwealth. The MSW portion consists of waste generated by residences, businesses, institutions, government facilities, offices, cafeterias, shopping areas, and similar facilities.

According to PA DEP definition, Construction and Demolition (C&D) waste includes "all solid waste resulting from the construction or demolition of buildings and other structures, including but not limited to, wood, plaster, metals, asphaltic substances, bricks, blocks and un-segregated concrete." It does not include waste from land clearing (trees, brush, stumps, and vegetative matter) and uncontaminated soil, rock, stone, gravel, bricks and blocks. DEP estimates show that the Commonwealth disposed of over 2.25 million tons of C&D waste in 2005, accounting for roughly 17.5% of the municipal waste stream.

Table 1.2

| WASTE TONNAGES LANDFILLED | | | | |
|----------------------------------|---------------|------------|----------------|--------------|
| Year | Totals | MSW | C&D | Other |
| 2008 | 349,685 | 306,887 | 21,750 | 21,048 |
| 2007 | 351,248 | 308,315 | 24,206 | 18,727 |
| 2006 | 373,743 | 326,824 | 28,647 | 18,272 |
| 2005 | 352,315 | 311,716 | 18,921 | 21,678 |
| 2004 | 359,615 | 310,990 | 20,307 | 28,318 |
| 2003 | 360,590 | 313,932 | 20,467 | 26,191 |

Types of waste included in the category of "other" waste include; residual, sewage sludge, infectious, ash residue, and asbestos. Recycling tonnages are not included in this table. Complete Landfill destination reports are included as attachments in the appendix.

1.4 Required Tonnage Capacity

Table 1.3 A

| <i>CURRENT/PAST PER CAPITA WASTE DISPOSED AT LANDFILLS</i> | | |
|--|--------------------|-----------------|
| Year | Total Waste | MSW only |
| 2008 | 1.05 tons/person | .92 tons/person |
| 2007 | 1.06 tons/person | .93 tons/person |
| 2006 | 1.13 tons/person | .98 tons/person |
| 2005 | 1.06 tons/person | .94 tons/person |

The above calculations are based on the 2005 population of 330,736 residents in Lehigh County with an average landfill disposal rate of 1.07 tons/person total waste; 0.94 ton/person MSW for years, 2005 through 2008. This required landfill disposal tonnage capacity will change if there is additional recycling and composting added to the system, or if demographic trends do not follow predicted patterns.

The following table estimates the amount of estimated landfill disposal tonnage capacity needed by Lehigh County from 2010 to 2020.

Table 1.3B

| <i>PROJECTED WASTE LANDFILL DISPOSAL TONNAGES</i> | | |
|---|----------------------|--------------------|
| Year | Total Tonnage | MSW Tonnage |
| 2010 | 366,937 | 322,356 |
| 2015 | 381,068 | 334,770 |
| 2020 | 396,589 | 348,405 |

Projected Tonnage capacity required is based on population projections in Section 1.2 and an average landfill disposal rate of 1.07 tons/person total waste, and 0.94 tons/person of MSW. (Note that a summary by municipality is included in Exhibit E-1 but the totals are slightly different, since they reflect actual tonnage received at landfills versus an estimate based on tons per capita.)

It must be noted here that the landfill disposal rates for Lehigh County, as reported in the landfill destination reports, are higher than the Commonwealth's average. This may be due to the large number of businesses and industries located in the Lehigh Valley, since many industrial, urban counties report higher generation rates than rural, non – industrial areas.

1.5 Other Waste Streams

Targeted surveys were sent out during early July to determine the amount of septage waste, sludge from wastewater and water treatment plants, and infectious and chemotherapeutic

waste generated in Lehigh County. Sample surveys are included as attachments in the appendix.

A second mailing, and in some cases a third mailing, were been sent to non – respondents, and to companies whose surveys were returned with incorrect addresses. Follow up phone calls were also made to determine correct addresses, and to gain responses. Calls were also made to knowledgeable parties in order to cross check information. The information contained after each table shows a comparison of survey information with DEP landfill reports.

The tonnages shown below have been reported by the PA Department of Environmental Protection from 2003 – 2008 under the Lehigh County waste destination reports. Survey responses were checked against these reported tonnages.

Table 1.4A

| BIOSOLIDS/SEWAGE SLUDGE | |
|--------------------------------|-----------------|
| Year | Tonnages |
| 2008 | 1342 |
| 2007 | 1805 |
| 2006 | 2435 |
| 2005 | 478 |
| 2004 | 895 |
| 2003 | 978 |

Biosolids/Sewage Sludge - Results from five plants which returned surveys show higher tonnages than reported in the landfill destination reports, with a variety of methods used for disposal and further processing. The majority of Lehigh County’s sludge, however, is land applied in over 75 DEP approved land application sites in Lehigh, and other surrounding counties. There are a reported 15,000 tons/year of land applied sludge (biosolids) reported by waste water treatment plants (WWTP), and approximately 1,550 tons/yr landfilled sludge residue reported which is comprised of inorganic materials and screenings, compared to 1342 tons in the 2008 landfill reports.

In addition, one plant reported an additional 1168 tons disposed/processed at other treatment facilities; another reported 140,000 gallons of sludge sent for further processing. At an average weight of 8 lb/gallon, this equals approximately 560 tons sludge sent for further treatment, for a total of 1728 tons. A fifth Lehigh County plant reported 149.8 tons of sludge incinerated as a disposal method.

With the exception of the land - applied sludge, these residues are sent out of county for further processing, or disposal.

Septic Waste – Two Lehigh County facilities process the majority of septic waste, although a lesser amount is sent for treatment to out -of - county facilities, and the Lehigh County plants reporting may process some septic waste which is not generated in Lehigh County. The first plant processes approximately 9.9 million gallons/year, not all generated in County. The second plant processes approximately 2,400,000 gallons/year from Lehigh

County septic waste haulers. Both plants are able to process more septic waste, so the County's needs are met with these facilities, as well as others in surrounding counties.

Table 1.4B

| <i>INFECTIOUS AND CHEMOTHERAPUTIC WASTE</i> | |
|--|-----------------|
| Year | Tonnages |
| 2008 | 885 |
| 2007 | 794 |
| 2006 | None reported |
| 2005 | 94 |
| 2004 | 56 |
| 2003 | 679 |

CHAPTER 2.0 DESCRIPTION OF RECYCLABLE MATERIALS – Section 272.226

2.1 Amounts of Materials Recycled

Act 101 requires each municipality to submit to the county in which it is located a report “...describing the weight or volume of materials that were recycled by that municipal recycling program in the preceding calendar year.” The data for those reports generally comes from two sources:

1. Residential programs - from reports submitted to the municipality by the private sector firm with whom the municipality had contracted for recycling services.
2. Commercial programs - from each individual establishment which had initiated a recycling program or from the private sector firm providing the recycling service.

Residential recycling programs are directly controlled by municipal governments, thus assuring that the amount reported is fairly representative of the amount of material actually recycled. However, information regarding the amount of material actually being recycled in commercial, industrial and apartment complex programs may be inaccurately reported since a comprehensive record of recycling from those sectors requires that each individual establishment or the collector provide complete, accurate information. This is a problem that needs to be addressed by the municipalities and is a requirement that is difficult to enforce (see Section 6.2—Implementing Entity Identification-Local Governments).

The 1996 County Solid Waste Management Plan included a Description of Recycled Materials (see page 5 of 1996 Plan), which included a discussion of types and quantities of materials recycled, as well as a history of recycling operations between 1989 and 1995. Section A.3 of this Description discusses alternative commercial recycling processing facilities within the region, and the County decision to not develop a publicly-owned recycling facility (beyond the leaf and yard waste composting facility). For the 2009 Plan Update (Revised 2012), the County has determined to continue with this approach, to pursue collection and recycling through the private sector.

The types and amounts of materials recycled during the past five years (2004-2008) are presented in Exhibit E-2, presented as a summary across the County, by individual municipality, and as several charts showing recycling trends.

A summary of that information is shown in Table 2-1, on the following page.

TABLE 2-1
MATERIALS RECYCLED (TONS)
2004-2008

| Source | 2004 | 2005 | 2006 | 2007 | 2008 |
|-------------------------|-----------|-----------|-----------|-----------|-----------|
| Residential | 36,956.3 | 69,857.1 | 70,931.0 | 67,494.3 | 65,113.5 |
| Commercial | 52,562.0 | 57,007.1 | 70,923.7 | 48,906.8 | 50,866.0 |
| Municipal Totals | 116,518.3 | 126,882.2 | 141,854.7 | 116,401.1 | 115,979.5 |

The table shows a slight increasing trend through 2006 and then a slight drop-off in 2007 and 2008, with the majority of the change noted in the Commercial Recycling sector. This trend may be more a function of Commercial Recycling reporting than an actual drop-off in recycling. Otherwise, the recycling totals have remained fairly consistent.

Several municipalities began a Single Stream recycling program in 2006, and although this did not appear to have a significant impact on total Residential recycling tonnages, it did appear to significantly impact Commercial recycling, but only for that year. Other interesting statistical items of note include a spike in commercial yard waste collection in 2005 and in Commercial Office/Mixed Paper “Other” Recyclables in 2006.

Using the data obtained from the DEP website (see Table 1.2, in Section 1.3, above), the amount of municipal waste disposed in landfills between 2004 and 2008 varied from roughly 308,315 tons (in 2007) to 326,824 tons (in 2006). Since the population estimate throughout this period is based on the 2005 Census, we can assume that the total population responsible for generation of this landfilled material is that noted in year 2005, or 330,736 people (see Table 1-1, in Section 1.2, above). This results in a municipal waste landfill disposal rate range of 0.93 to 0.99 tons per person per year, with an average of 0.947.

Using this same logic, and the recycling values shown in the table above, the recycling rate range in Lehigh County can be computed to be between 0.35 tons per person per year in 2008 and 0.43 tons per person per year in 2006.

Based on these same figures, the percentage of the total waste generated that is recycled ranged from:

- 24.5% in 2004 (116,518 tons recycled versus (359,615+116,518) tons generated) to
- 27.5% in 2006 (141,855 tons recycled versus (373,743+141,855) tons generated) for the County.
- An average of 25.65% was noted for the 5-year period.

According to the Municipal Solid Waste Characterization Study conducted by R. W. Beck for the DEP, there were over 2 million tons of recyclable materials landfilled in 2001. This material included paper, plastic, glass, metal, organics, and inorganics.

The following page contains a table from the R. W. Beck study (“Table 1: Statewide Aggregate Landfilled Municipal Solid Waste Composition Detail”), which lists the type of each material

and the tons disposed in 2001. Copies of the complete study can be obtained from the DEP web site at the following website location:

http://www.dep.state.pa.us/dep/deputate/airwaste/wm/RECYCLE/Waste_Comp/Study.htm.

This information shows that there is still considerable room for improvement in recycling. For municipalities to increase their recycling, they need to investigate expanding the types of materials collected curbside or drop off, improve the education of their residents, and focus on recycling in commercial, institutional, and multi-family facilities.

Table 1
Statewide Aggregate Landfilled MSW Composition Detail (Weight Percent)

| | Material Categories | Tons Disposed | Mean Composition | Standard Deviation | Confidence Interval | | Sampling Error |
|------------|---------------------------------|------------------|------------------|--------------------|---------------------|--------------|----------------|
| | | | | | Lower (%) | Upper (%) | |
| Paper | | 3,117,182 | 33.3% | 20.0% | 31.7% | 34.9% | 4.9% |
| | 1 Newspaper | 389,263 | 4.2% | 4.4% | 3.9% | 4.5% | 8.2% |
| | 2 Corrugated Cardboard | 785,032 | 8.4% | 10.7% | 7.7% | 9.3% | 9.2% |
| | 3 Office | 341,975 | 3.7% | 5.7% | 3.3% | 4.2% | 13.0% |
| | 4 Magazine/ Glossy | 251,027 | 2.7% | 4.1% | 2.4% | 3.1% | 14.4% |
| | 5 Polycoated/Aseptic Containers | 49,074 | 0.5% | 1.2% | 0.5% | 0.6% | 13.3% |
| | 6 Mixed Paper | 433,821 | 4.6% | 5.0% | 4.3% | 5.1% | 7.8% |
| | 7 Non-recyclable Paper | 866,990 | 9.3% | 7.5% | 8.7% | 10.0% | 6.7% |
| Plastic | | 1,062,336 | 11.3% | 9.2% | 10.7% | 12.1% | 6.3% |
| | 8 #1 PET Bottles | 87,601 | 0.9% | 1.4% | 0.9% | 1.0% | 9.7% |
| | 9 #2 HDPE Bottles | 68,082 | 0.7% | 0.8% | 0.7% | 0.8% | 8.0% |
| | 10 #3-#7 Bottles | 16,871 | 0.2% | 0.4% | 0.2% | 0.2% | 16.2% |
| | 11 Expanded Polystyrene | 71,088 | 0.8% | 1.5% | 0.7% | 0.9% | 12.5% |
| | 12 Film Plastic | 465,586 | 5.0% | 4.8% | 4.7% | 5.4% | 7.1% |
| | 13 Other Rigid Plastic | 353,108 | 3.8% | 5.1% | 3.4% | 4.2% | 10.8% |
| Glass | | 282,316 | 3.0% | 5.3% | 2.7% | 3.4% | 10.3% |
| | 14 Clear Glass | 129,923 | 1.4% | 2.0% | 1.3% | 1.5% | 10.0% |
| | 15 Green Glass | 38,468 | 0.4% | 1.1% | 0.4% | 0.5% | 18.6% |
| | 16 Amber Glass | 66,238 | 0.7% | 1.9% | 0.6% | 0.9% | 23.6% |
| | 17 Non-recyclable Glass | 47,688 | 0.5% | 2.1% | 0.4% | 0.6% | 15.8% |
| Metals | | 508,702 | 5.4% | 8.6% | 5.1% | 5.9% | 7.3% |
| | 18 Steel Cans | 102,532 | 1.1% | 1.3% | 1.0% | 1.2% | 8.1% |
| | 19 Aluminum Cans | 48,844 | 0.5% | 1.1% | 0.5% | 0.6% | 12.7% |
| | 20 Other Ferrous | 282,131 | 3.0% | 8.0% | 2.7% | 3.4% | 12.1% |
| | 21 Other Aluminum | 43,057 | 0.5% | 1.2% | 0.4% | 0.5% | 10.4% |
| | 22 Other Non-Ferrous | 32,138 | 0.3% | 1.4% | 0.3% | 0.4% | 15.9% |
| Organics | | 3,204,208 | 34.2% | 21.7% | 32.8% | 35.7% | 4.2% |
| | 23 Yard Waste- Grass | 136,084 | 1.5% | 3.9% | 1.2% | 1.8% | 21.7% |
| | 24 Yard Waste- Other | 347,164 | 3.7% | 8.2% | 3.1% | 4.6% | 19.4% |
| | 25 Wood- Unpainted | 540,611 | 5.8% | 15.8% | 5.2% | 6.7% | 12.9% |
| | 26 Wood- Painted | 234,406 | 2.5% | 8.6% | 2.3% | 2.9% | 12.6% |
| | 27 Food Waste | 1,127,170 | 12.0% | 11.8% | 11.3% | 13.1% | 7.7% |
| | 28 Textiles | 352,570 | 3.8% | 6.8% | 3.5% | 4.2% | 9.8% |
| | 29 Diapers | 217,875 | 2.3% | 4.1% | 2.1% | 2.6% | 10.5% |
| | 30 Fines | 92,451 | 1.0% | 1.3% | 0.9% | 1.1% | 8.4% |
| | 31 Other Organics | 155,877 | 1.7% | 4.1% | 1.5% | 1.9% | 12.7% |
| Inorganics | | 1,194,338 | 12.7% | 23.2% | 11.8% | 13.9% | 8.3% |
| | 32 Electronics | 137,299 | 1.5% | 4.3% | 1.3% | 1.8% | 16.4% |
| | 33 Carpet | 163,371 | 1.7% | 6.2% | 1.5% | 2.1% | 17.4% |
| | 34 Drywall | 99,009 | 1.1% | 6.1% | 0.9% | 1.3% | 15.7% |
| | 35 Other C&D | 446,516 | 4.8% | 16.0% | 4.2% | 5.5% | 13.7% |
| | 36 HHW | 28,203 | 0.3% | 1.2% | 0.3% | 0.4% | 13.6% |
| | 37 Other Inorganics | 207,682 | 2.2% | 5.9% | 2.0% | 2.6% | 14.2% |
| | 38 Furniture | 112,258 | 1.2% | 6.8% | 1.0% | 1.6% | 25.5% |
| | Total | 9,369,083 | 100.0% | | | | |

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2.2 Municipal Recycling Programs

Lehigh County's municipalities have done a commendable job in following the mandates of Pennsylvania's Act 101 which requires curbside recycling by residents, businesses and institutions in Pennsylvania's larger communities.

Within Lehigh County, there are a total of 25 municipalities. Of these, 11 municipalities have been designated as Mandated Recycling Communities, based on the criteria contained in Act 101. The Act states that communities with populations of at least 10,000; or communities with populations between 5,000 and 10,000 and more than 300 persons per square mile, must implement curbside recycling programs. Each of the Mandated municipalities have well defined recycling plans in place, although several of them require that individual residents coordinate with their local hauler. Between 2004 and 2008, Mandated municipalities were responsible for 92% of the total recyclables collected in the County.

In addition, most of the smaller communities in the County have established curbside recycling programs as well as drop-off sites. Along with providing for recycling within their own community, there are also Recycling Drop-off centers located in Allentown, Bethlehem, Weisenberg, and Whitehall, which are available for use by any resident of Lehigh County. The cities of Allentown and Bethlehem accept over twenty different items at their site, in addition to yard waste. Heidelberg Township recently enacted legislation requiring mandatory recycling.

Lehigh County's residents recycled over 65,000 tons of material in 2008, including commingled containers, paper products, and yard waste. The yard waste collection program is one of the Commonwealth's most successful, with residents recycling 45,000 tons of yard waste during calendar year 2006. Although collection of this item varies with weather conditions, the amounts collected by Lehigh County represent some of the State's highest totals.

The County maintains an internet website with important information regarding solid waste management throughout the county, as well as specific information for each municipality. This information can be located at the following web path address:

<http://lehighcounty.org/Departments/SolidWasteManagement/MunicipalRecyclingPrograms/tabid/493/language/en-US/Default.aspx>

A summary spreadsheet showing the current Municipal Recycling Programs is included in Exhibit E-2, along with a map of facilities.

2.3 County Recycling Programs

The County recycling program is coordinated by the Lehigh County Solid Waste Management Department. County recycling efforts are focused on the organics composting facility, and specialty collections, such as Household Hazardous Wastes. Individual recycling programs are controlled by the municipalities, who submit periodic reports to the County, so that the County

can prepare a comprehensive County submittal annually. The County and municipalities work together to provide residential and commercial education programs.

2.4 Changes in Act 101 and Impact of These Changes to the County

Act 101 (P.L.556), originally enacted on July 28, 1988, was amended via the implementation of Act 140 (House Bill No. 1902, session of 2005, as Amended on 9/27/06). (Additional amendments were being considered in the PA House and Senate, but were not available in final form at the time of publication of this Plan Update.) This amendment created a series of changes (including extension of the sunset date for the recycling fee to January 1, 2012). Notable among the other changes, were specific changes to Section 2, with respect to Section 904 (a) and (b), regarding performance grants for municipal recycling programs. Among other requirements, the amendment expanded the level of documentation required to be included with the applicant's recycling and composting grant request submission, and this effected funding received by municipalities beginning in 2007. In addition, Act 101 was reauthorized in May of 2010, and the sunset date for the DEP administrative fees was extended until 2020.

Specifically, under Section 2(d)(4), the amendment noted that all mandated municipalities and any non-mandated municipality receiving more than \$10,000 in funding must demonstrate to the Department's satisfaction that they "...have met the following performance requirements:

- requires, through ordinance, that all residents have waste and recycling service
- has an implemented residential recycling program and facilitates a commercial recycling program or participates in a similar county or multi-municipal program
- has a residential and business recycling education program
- has a program of enforcement that periodically monitors participation, receives complaints and issues warnings for required participants and provides fines, penalties, or both, in its recycling ordinance
- has provisions, participates in a county or multi-municipal program or facilitates a private sector program for the recycling of special materials
- sponsors a program, facilitates a program or supports an organization to address illegal dumping and/or littering problems
- has a person or entity designated as recycling coordinator who is responsible for recycling data collection and reporting recycling program performance in the municipality or municipalities."

Section 2(d)(5) goes on to say that "If the requirements of paragraph (4) are not satisfied by the municipality, then the grant funds awarded under this section shall be expended by the municipality only to satisfy the requirements of paragraph (4).", and Section 2(e) says that "The department may require budget documents or other expenditure records and may deny funding through this section if an applicant cannot demonstrate that funds have been expended on eligible activities."

There has been a notable decrease in the amount of funding awarded through Section 904 to mandated municipalities throughout the Commonwealth in the last 2 years. It is felt that this reduction in funding awards may be, in part, the result of a lack of municipal personnel to provide the services and prepare the documentation necessary to support the requirements of the Act. With that in mind, it is recommended that the County evaluate the role of the Lehigh

County Solid Waste Management Department, and consider expansion of their responsibilities to assist mandated (and non-mandated) municipalities with grant applications and Act 140 compliance issues.

Specifically, it appears that the principal issues associated with non-compliance have revolved around the following, each of which may arguably be best addressed with assistance from the County Solid Waste Management Department:

- A lack of commercial recycling and periodic public education
- A lack of commercial recycling ordinances
- A lack of an enforcement program

2.5 Recycling Facilities

The County's internet website includes important information regarding recycling facilities throughout the County, as well as specific information for each municipality. This information can be located at the following web path address:

<http://lehighcounty.org/Departments/SolidWasteManagement/tabid/329/language/en-US/Default.aspx>

Information regarding the organics composting facility, household hazardous waste cleanup events, municipal recycling programs, and programs specific to businesses are discussed on the website.

2.6 Costs Associated with Recycling

Lehigh County currently has no cost data on existing municipal programs, since obtaining this information would require an extensive survey of each municipality. However, it is suspected that the expense of operating the current recycling programs outweighs historic revenues generated and avoided costs of disposal, combined. Other than the City of Allentown, none of the other municipalities with programs market their own recyclables, so an increase in volume will not provide a significant cost benefit. (Allentown owns and sells its recyclable material by contract with processors.)

Most of the collection and processing/sale of recycled items is conducted by contracted private haulers, so estimates of potential recycling revenues are also not readily available.

Municipal cost avoidance on recycled waste would most likely be offset by additional costs associated with increased collection, and any specific cost avoidance benefits would most likely be associated with commercial businesses.

The County Solid Waste Management Department's budget reflects the cost of operating the organics recycling facility and special recycling collections. Minimal revenue is generated at special collections in order to fund other programs where no fees are collected. New recycling programs are structured as partnerships to ensure that the hauler generates sufficient revenue to continue the program.

The County generates a small revenue associated with the organics composting facility (paid to the County by the site operator), but this revenue is used to partially offset the costs associated with operation of the facility. In the event that revenues to the County exceed the costs of operating the organics facility, additional funds will be used to support the inner-municipal organics recycling program now in place. The site will operate more effectively when every municipality brings their compostable materials to the County or Municipal sites, allowing the facilities to more adequately predict the types and amounts of feedstock available for processing. This will also allow them to control more variables in the composting process, and increase profitability and efficiency of operation. The model ordinances included herein have been prepared such that Lehigh County is recommending that all organics collected within the various municipalities be transported to the Lehigh County Organics Recycling Facility in Schnecksville or to pre-existing, in-County municipal composting facilities with an active PADEP permit to operate. This will lead to sustainability of the County facilities.

2.7 Future Recycling Efforts

From the inception of Act 101 in 1988, Lehigh County has been known as a state leader in recycling, composting, and waste reduction efforts, with many programs far exceeding the requirement for three materials collected curbside. A look at the annual report data highlights the success of communities whose residents and businesses accept recycling as second nature. In many ways, Lehigh County can stand as a model for Pennsylvania's successful recycling program. It is a place where the requirements of Act 101 were taken seriously, and mandated goals and objectives were achieved.

However, twenty years after the passage of Act 101, there is still room for improvement. In order to continue to expand Lehigh County's level of success, it is important to reassess strengths and weaknesses, and plan for future improvements. With this in mind, the following recommendations represent some possible future options for continued success.

- Continue the successful Household Hazardous Waste Drop-Off Collection program. The County should study ways to expand the program through the collection of additional items as markets become available, and/or offer more frequent collection dates.
- Coordinate a municipal roundtable to meet at least once per year so that communities may exchange educational materials, offering examples of what is and is not working in their communities. Haulers should also be invited, to share ideas and comments. Since private collection is the backbone of most of Lehigh County's collection, the hauler's perspective is necessary for the program's success.
- Although most communities in the County have successful Act 101 material collection programs, some communities still need to place more effort into expanding the recycling of items from homes, businesses, and institutions. However, the direction that the expansion takes may vary for different municipalities. It may be unwise to add additional items in some communities, if there is potential for improved efficiencies in the collection of currently identified materials. The County should consider a further analysis of Act 101 data to determine where there is room for improvement, both at the municipal level, and for specific commodities of particular interest.

- Lehigh County needs to explore the collection of pre-consumer food waste on a large scale. Although some past work on this topic has been performed, there is enough interest to warrant a larger investigation into the issue. A committee, consisting of county and municipal representatives, haulers, and staff from grocery stores, schools, colleges, and other large businesses with cafeterias, should meet to discuss future options. Representatives of the Conservation District, landscapers and the farming community should also be in attendance to discuss pricing, and the feasibility of composting these items at the Lehigh County Organics Recycling Facility in Schnecksville, and which materials would be best sent to farms for future processing.
- In order for the compost sites to operate in a sustainable manner, it is necessary to receive the right mixture and volumes of incoming materials. Therefore, every municipality shall bring all collected yard waste and grass clippings to the Lehigh County Organics Recycling Facility in Schnecksville, or to a Lehigh County Organics Recycling Facility satellite site (including those at Washington Township, Upper Saucon Township, and the mulching area associated with the City of Allentown recycling center), or to pre-existing, in-County municipal composting facilities with an active PADEP permit to operate. This will ensure an adequate supply of both carbon and nitrogen feedstock to mix with food waste. It will also allow the site to operate more efficiently, and in an environmentally-responsible manner, and protect the public's investment in the composting facilities.
- Update, expand and publicize the Lehigh County Solid Waste Department website. Many residents and commercial establishments would find the information contained on the website very useful in reducing waste, and finding locations to drop off recyclables.
- In general, despite the many positive economic impacts of recycling, municipal recycling programs still lack long-term sustainability. In the short term, disposal remains financially attractive, though environmentally shortsighted. It is important that the County and Municipalities continue to provide education to show residents that recycling and composting are worthwhile alternatives that save energy, reuse resources, lessen the impact of extractive activities and generate value-added economic activity that disposal could never equal.

2.8 Environmental Benefits Calculator

The environmental benefits of recycling can be calculated using industry accepted Models or Calculators that were developed by various National Institutions or Associations. The model used to calculate the environmental benefits associated with the Lehigh County recycling activities was the Calculator developed by the national association NERC. By inputting the quantities of materials diverted by recycling programs, the calculator was able to determine the amount of air space saved at landfills by avoiding disposal. In addition, the model also calculated the reduction of greenhouse gas emissions, energy savings and reduction in demand for natural resources. Examples of reductions and savings are presented below:

- Net Greenhouse Gas Emission savings by recycling was 89,296 MTCE;

- Net Energy savings by recycling was 1,276,378 Million BTUs;
- Recycling of Paper Products resulted in saving 1,742,408 seedling trees grown for 10 years; and
- Diversion from disposal by recycling netting an overall landfill air space savings of 79,928 Cubic Yards.

The results generated by running the NERC calculator for Lehigh County's recycling figures can be found Exhibit E-2.

CHAPTER 3 SELECTION AND JUSTIFICATION OF MUNICIPAL WASTE MANAGEMENT PROGRAM

(Section 272.227)

3.1 Background

A number of alternatives were investigated during the preparation of the October 1996 Solid Waste Management Plan. The report noted that the disposal capacity (both public and private) had significantly increased since the original April 1991 Plan was promulgated. It also noted that the Lehigh County Organics Recycling Facility in Schnecksville had successfully diverted approximately 100,000 tons of material annually from the waste stream, and that the County recycling rate had been maintained at 40% between 1991 and 1996.

That document noted that an investigation of landfills within 100 miles of the center of Lehigh County confirmed that sufficient capacity was available to allow for 2000% of the anticipated Estimated Future Capacity (through 2006). With that in mind, the County chose to utilize an “open market approach to meet its obligations under Act 101 of guaranteeing disposal capacity of the MSW that is generated within its borders”.

The County identified a series of disposal facilities that could be used for disposal of County waste, and entered into 10-year agreements with each. The County chose not to enter into agreements with Transfer Stations, since they did not consider them “ultimate disposal facilities”, although they permitted waste to be taken to Transfer Facilities “...that were fully permitted by all federal, state and local agencies...”

Because of the significant excess in available capacity within a relatively close proximity of Lehigh County, alternative methods for dealing with the County-generated waste were not considered. These alternative methods included:

1. Use of privately owned landfills located in the general vicinity of Lehigh County.
2. Construction of a new publicly owned sanitary landfill.
3. Construction of a new publicly owned waste to energy facility (incinerator).
4. Construction of a new publicly owned composting facility.

With this in mind, use of privately owned landfills, supplemented by the Lehigh County Organics Recycling Facility in Schnecksville and a commitment to exceeding the Commonwealth’s goal for recycling, was selected as the Municipal Waste Management Program.

Pertinent narrative pages (cover, table of contents, and narrative) from the 1996 Plan approved by DEP and relating to this selection and justification process are contained in Exhibit 3.

Nothing has occurred to alter the basic elements of the recommended program since the 1996 Plans were prepared and approved. Waste-to-energy systems are still much more expensive than landfilling, and mixed refuse composting programs are still not viewed as a universally accepted alternative.

Assurances of disposal capacity for all municipal waste estimated to be generated in Lehigh County during the next ten year planning period will be negotiated with at least the landfills cited in Section 5, which are currently receiving practically all of the municipal waste generated in the County.

Local governments continue to manage their own waste and recycling programs.

3.2 Waste Flow Control

The original 1991 Plan, the 1996 update, and this revision all stipulate that all municipal waste generated in the County (which is not composted/recycled) can be disposed only at landfills included in the Plan. As a means of enforcing this Plan element, the original Plan called for the County to license municipal waste collection and hauling vehicles. However, recent court decisions have negated the County's licensing authority, thus eliminating that method of enforcement. As a result, the County is currently considering the amendment of their current ordinance (see Exhibit E-3 for the circa 1996 Ordinance) in a manner which will provide the necessary enforcement capabilities. The proposed ordinance (see Exhibit E-5 for the Draft County Ordinance) contains four primary conditions:

1. All municipal waste generated within Lehigh County (except source-separated recyclable or compostable material) shall be disposed or processed only at those facilities which are cited in the approved Lehigh County MSW Management Plan – 2009 (revised 2012), or any subsequent revision thereto.
2. Municipal waste generated within Lehigh County (except source-separated recyclable or compostable material) shall not be transported to any solid waste disposal or processing facility except those facilities which are cited in the approved Lehigh County MSW Management Plan – 2009 (revised 2012), or any subsequent revision thereto.
3. Each city, borough, township or home rule municipality within Lehigh County shall be responsible to assure that all residential municipal waste (except source-separated recyclable or compostable material) generated within their boundaries be disposed or processed only at those facilities cited in the approved Lehigh County MSW Management Plan – 2009 (revised 2012), or any subsequent revision thereto.
4. Septage may be disposed only at sites permitted by DEP to accept that type of material for land application.

It is to be noted that for the purposes of this ordinance, municipal waste transfer stations will not be considered as processing facilities.

Although every effort has been made to include all appropriate landfills in this update, it is possible that during the 10-year planning period, other disposal facilities may become available and wish to be included in the approved list of disposal options.

Section 5.0, Description of Facilities, describes the conditions under which a landfill will be included in this Plan revision or at any time during the ensuing 10-year planning period.

CHAPTER 4.0 PUBLIC FUNCTION - Section 227.230

4.1 County Sponsored Recycling Programs

As a complement to municipal recycling programs, the County has sponsored a series of activities aimed at collecting and recycling a variety of materials (organics for composting, periodic household hazardous waste collection, etc.). There are also Recycling Drop-off centers located in *Allentown*, *Bethlehem*, *Weisenberg*, and *Whitehall*, which are available for use by any resident of Lehigh County. All other drop-off centers are available ONLY for residents of the municipality where they are located.

4.2 Leaf and Yard Waste (and possible future Food Waste) Composting

Leaves and yard waste collected from several Lehigh County municipalities and from commercial landscaping and lawn care companies are ground and composted at the Lehigh County Compost site in Schnecksville. A variety of compost materials processed at this site are available for purchase by commercial or residential customers, and the current rates for organics drop-off and compost purchase is posted on the County Solid Waste Website.

In order for the compost sites to operate in a sustainable manner, it is necessary to receive the right mixture and volumes of incoming materials. To reduce the unit cost associated with conversion of organics to usable compost, all yard waste and grass clippings collected within the County should be taken to the Lehigh County Organics Recycling Facility in Schnecksville, or to a Lehigh County Organics Recycling Facility satellite site (including those at Washington Township, Upper Saucon Township, and the mulching area associated with the City of Allentown recycling center), or to a pre-existing, in-County municipally owned composting facility with an active PADEP permit to operate (including those at Washington Township, Upper Saucon Township, and the mulching area associated with the City of Allentown recycling center). Increasing the overall volume and variety of incoming organic material will improve the quality of the final product and assure a predictable flow of material through the process. This will ensure an adequate supply of both carbon and nitrogen feedstock to mix with food waste. It will also allow the site to operate more efficiently, and in an environmentally-responsible manner, and protect the public's investment in the composting facilities.

<http://lehighcounty.org/Departments/SolidWasteManagement/Composting/CompostSite/tabid/471/language/en-US/Default.aspx>

4.3 Household Hazardous Wastes

Lehigh County has taken the lead for many years in providing its residents with household hazardous waste (HHW) collection. Beginning with curbside collection in the 1990's, the County has sponsored both one- and two-day HHW drop-off events since 2004, held at the Lehigh County Authority Wastewater Pretreatment plant in Fogelsville. The attendance for these events reached a high count of 750 for a two day program held in 2004. The

November 2008 attracted 458 residents, with the event held at no cost for those who pre-registered. (A subsequent HHW collection was conducted in the Spring of 2010.) The County advertises the HHW collection on its website, and through direct mailings to municipalities who educate residents about the event.

During the last program, the County collected nearly thirty different types of hazardous materials, including:

- Flammable/Combustible: paints, turpentine, flammable gasses/solids/liquids, used oil, aerosols
- Toxics: pesticides, light bulbs, PCB ballasts, cyanide, mercury,
- Corrosives: corrosives, caustic products
- Reactives: chlorine, antifreeze, batteries
- Asbestos-Containing Materials

Since 2004, the most common materials collected were oil-based paints and flammable solids, followed by pesticides, turpentine, flammable liquids, corrosives/caustics and aerosols. The County will hold its next event on April 24, 2010.

Over 5,400 residents have taken part in the program since the drop-off events began in 2004, reducing the County's landfilled household hazardous waste by 423,781 lb. (roughly 212 tons). The average weight of toxic materials brought in per resident is over 78 lbs. with an average cost of \$75 per resident who uses the program. The PA Department of Environmental Protection grants pay for half of this cost, with Lehigh County responsible for the other half.

4.4 Marketing/Education

Lehigh County mails announcements and educational information to its municipalities on a variety of topics, and posts relevant information on its website. In turn, it is the responsibility of the municipalities to provide education to their residents and businesses on these issues. The County website includes information on the composting site, household hazardous waste collections, recycling facts, buying recycled products, municipal recycling programs, services available for businesses, mailing lists, and press releases.

<http://lehighcounty.org/Departments/SolidWasteManagement/tabid/329/language/en-US/Default.aspx>

Residents have been informed to check the website for upcoming events, and new information.

4.5 New DEP Initiatives

DEP has recently created a Recycling Markets Center (RMC) – a non-profit organization whose purpose is to promote the use of more of the materials currently in the recycling stream as well as the use of other recyclable materials not currently in the recycling stream.

This effort will be aimed at both increasing the amount of material currently used by existing companies which manufacture new products from post consumer wastes and in promoting the establishment of new industries which will use either current or newly recycled materials. The RMC headquarters is located at Penn State Harrisburg, 777 West Harrisburg Pike, Middletown, PA 17057.

DEP is also considering a program intended to address the lack of recycling of materials currently being discarded from building construction sites. A series of meetings will be held with contractors to discuss the means by which many of the materials now being discarded can be put into a recycling stream.

CHAPTER 5.0 DESCRIPTION OF FACILITIES - Section 272.224
LOCATION - Section 272.228
ORDERLY EXTENSION - Section 272.232

5.1 Landfills

Currently, there are nineteen (19) landfills included in the Lehigh County Plan. A twentieth (Pottstown Landfill) closed in 2005. None of the landfills are located in Lehigh County, although 11 are located in adjacent counties, and the remainder are distributed across the Commonwealth. A complete list of those landfills, the tonnages of the various amounts of waste they received and the 6-year total and average intakes for years 2003-2008 are presented in Exhibit E-1. A map showing their locations is also included in Exhibit E-1.

The initial landfill contracts were initiated in 1996/97, with initial termination set at ten years after execution of the Agreement. An addendum was issued in 2003, modifying the Agreement to include "...a County Administrative Fee of \$1.50 on each ton of Lehigh County Municipal Solid Waste delivered to the Contractor's Facility from Lehigh County sources...", as well as to modify the Basic Reporting Requirements and the Administrative Inspections portions of the Agreement. Amendments to the Agreements to extend the termination date have not been completed, so all of the Agreements have expired, except for those for Cumberland Refuse Service, Inc. (executed on 5/17/04), WSI Sandy Run LF, Inc. (executed on 5/17/04) and Mostoller Landfill (executed on 3/27/00).

An advertisement was placed in the August 31 and September 14, 2009 issues of Waste and Recycling News, and in the August 17, 2009 edition of the Morning Call (local newspaper), stating that any facility desiring to be considered for inclusion in the Plan should submit notice of that desire to the County (Exhibit E-4). The County received several responses to this advertisement (see Exhibit E-4), and it is assumed herein that those landfills who either contacted the County or who currently accept Lehigh County municipal waste will be included when the County begins negotiating with individual landfills. In addition, a provision to include new landfills has been included in Exhibit E-5.

Proposed Landfill Agreement language was prepared and submitted to the SWAC, and then to the County Commissioners for review and approval. Upon receipt of all comments, a revised copy was submitted to the PADEP for comment, and the County intends to begin negotiations with selected landfills on the previously identified list as soon as the Final Draft is completed. Negotiations with individual landfill companies will be initiated by the County to assure that adequate permitted disposal capacity is available for Lehigh County waste of approximately 348,405 tons annually by year 2020. (See Section 1.4)

5.2 Back-up Sites

The use of back-up sites will, upon approval of the Lehigh County, be permitted in cases of emergency at a landfill possessing a negotiated Landfill Agreement. Language relating to

that approval is included in the model contract (Exhibit 7) discussed in Section 7.0 – Implementing Documents.

5.3 Addition of Landfills to the Plan

It is entirely possible that over the 10 year planning period, generators or collectors of municipal waste in Lehigh County may wish to utilize a landfill that is not currently approved for acceptance of that waste. In order to facilitate the addition of a landfill to the Plan, the following procedure has been established as part of this plan revision. This same form could be used in the event that a waste-to-energy facility was proposed in the Region, although it would be required that this facility not burn Act 101 designated recyclable materials and that it possess a current PADEP permit.

If a DEP licensed hauler, or a municipality or business desires to use a facility for disposing of municipal waste other than those currently included in this Plan, the following procedure is to be used:

1. A DEP licensed hauler, a municipality or a business must petition the County using the one page form (see *Petition Form to Add a Landfill to Approved Plan* in Exhibit E-5), to propose that a specific facility be added to the Plan.
2. Within 10 working days of receipt of the petition form, the County will forward a Facility Qualification Review Form (FQRF) to the facility being requested for inclusion in the Plan.
3. The FQRF will require the following information:
 - a. Name and location of the landfill
 - b. Name(s) of owner of record.
 - c. Copy of the permit(s) issued by all agencies of the municipality, county and/or state in which the landfill is located which have regulatory oversight over the landfill.
 - d. Approved amount of daily and annual municipal waste intake.
 - e. Average daily and annual amount of municipal waste which the landfill currently accepts.
 - f. Minimum amount of municipal waste generated in Lehigh County which the landfill agrees to accept on a daily and annual basis.
 - g. Notification from the municipality, county and state in which the landfill is located that there is no objection to having the landfill added to the approved list of landfills in the Lehigh County Solid Waste Management Plan.
 - h. Acceptance of the terms of the standard Lehigh County landfill contract.
4. Upon receipt of the completed FQRF from the facility in question, the County will review and respond to the information submitted within 30 working days.
5. If the request for inclusion in the Plan is denied, the County will notify by letter the landfill and the requesting hauler, municipality or business of the reason(s) for that denial.
6. If information in the completed FQRF is approved as being complete and accurate, the County will initiate negotiations with the landfill. In the event that the negotiated terms are acceptable to both the County and the designated landfill, the County will issue a letter to the facility and to the requesting hauler, municipality or

business that the facility is formally designated in the Plan for disposal of municipal waste generated in Lehigh County.

7. At the same time, the County will notify by letter all County municipalities and DEP that the landfill has been added to the Plan.

CHAPTER 6.0 IMPLEMENTING ENTITY IDENTIFICATION - Section 272.229

Implementing responsibilities include those activities delineated in the 1996 Plan, those which have been undertaken since that Plan was approved and those which should be undertaken in the future.

6.1 Lehigh County

The Lehigh County Solid Waste Management Department is charged with managing and ensuring that solid waste and recyclable materials are handled in an environmentally safe, reliable and efficient manner. Lehigh County does not operate a recycling center, landfill, or transfer station, nor do they run collection vehicles for municipal solid waste or recyclables. In Lehigh County, the private sector provides these services to residents, and businesses, through municipal contract, or through private subscription. The private sector is also responsible for the collection, processing, and disposal of sewage sludge and septage, as well as infectious and chemotherapeutic waste.

Lehigh County does operate a large compost site, which processes materials from local residents, municipalities, and private contractors and businesses. They also provide educational tours and lectures to groups who wish to learn more about composting and the facility. The facility is open year round.

It is the County's responsibility to provided for adequate disposal capacity for the municipal solid waste generated within its borders, including septic, sludge, and infectious and chemotherapeutic waste. The negotiations undertaken as part of the solid waste plan will ensure that this state mandate is achieved.

Specific responsibilities of the County will include:

- Preparation of Municipal Waste Management Plan and Plan revisions
- Maintenance of landfill agreements for disposal capacity
- Approval or denial of additional landfills
- Approval or denial of requests to use back-up sites
- Working with the Recycling Markets Center (RMC) to encourage development of increased use of current recyclables or new recycling businesses
- Assisting municipalities with promotion of purchase of materials with recycled content
- Assisting municipalities with promotion of 'green' shopping habits and waste minimization
- Providing assistance to local governments and the community at large on matters of solid waste management
- Assisting municipalities in participation with DEP in development and implementation of a construction materials recycling program
- Assisting municipalities to address the need to develop a more comprehensive electronics recycling program in Lehigh County

6.2 Local Government Responsibilities

- Implementation of mandates specified in Act 101 and the Plan
- Include in their bid specifications for collection services a stipulation that materials designated by the municipality for inclusion in the municipal recycling program not be collected and disposed with the municipal waste
- Include in their bid specifications for collection services a stipulation that solid waste materials collected will only be taken to landfill facilities that have current Agreements with the County
- Enforcement of local mandates, ordinances and bid specifications to assure compliance with the intent of the Plan
- Preparation of reports to the County as required by Act 101
- Development and distribution of recycling and waste management educational materials
- Promotion of the purchase of materials with recycled content
- Promotion of ‘green’ shopping habits and waste minimization
- Foster the improvement of recycling for commercial, institutional, and multi-family facilities

A copy of a Model Municipal Solid Waste Ordinance is included in Exhibit E-5, which; provides definitions of solid waste items, identifies prohibited activities, discusses standards for storage/collection/transportation of solid waste, and establishes authorization for the municipality to fund the waste collection program.

In areas of relatively high population density, no-burning ordinances have not only resulted in cleaner air, but have also resulted in greater recycling rates of paper products. In Lehigh County, several municipalities have adopted this type of ordinance, and the South Whitehall Open Fires Ordinance (No. 53 PS Section 56516) has been included in Exhibit E-5 as model language. In addition, a modified copy of the recommended DEP Model Air Pollution Control Ordinance for Open Burning is also included. It is recommended that municipalities with recycling programs, whether mandated or not, consider adoption of a similar ordinance.

6.3 Contracting and Payment for Collection Services

An alternative to the payment methods currently in use throughout Lehigh County is to provide for collection services on a multi-municipal basis. Several communities throughout the Commonwealth are currently utilizing this method and have found it to be cost effective. It has also been suggested that payment for collection services on a county-wide basis might prove to be even more cost effective. Use of either of these methods is beyond the scope of this Plan, but it is recommended that they be further explored.

6.4 Promotion of Recycling within the Municipality

For commercial recycling, currently proposed legislation, if enacted, may require local governments to take a more proactive approach to this effort.

With regard to increasing residential recycling, local governments may consider the implementation of Pay-As-You-Throw (PAYT) programs. These programs charge residents for waste removal services on the quantity of material discarded. Some may have a set rate per container, while others use a combination of fixed fee plus a variable fee based on service.

Currently over 200 municipalities in Pennsylvania have instituted these types of programs. The benefits of PAYT programs include:

- Fairness — each household pays based on its use of solid waste services
- Increased Recycling — residents have a financial incentive to recycle
- Waste Reduction — consumers become more aware that they can purchase recyclable packaging, avoid excessive packaging and consider alternatives to disposable products.

CHAPTER 7 IMPLEMENTING DOCUMENTS Section 272.231

7.1 Landfill Contracts

A copy of the model contract form is contained in Exhibit E-5. This contract is slightly different than the model that had been used in the 1996 Plan, since it accounts for current legislation.

As in the current contracts, temporary alternate sites will be permitted if emergency or other situations beyond the Operators control necessitate the temporary suspension of the handling of solid waste at the landfill and the Operator wishes to temporarily use another landfill(s) owned by the Operator but not specifically designated in the Plan. Details regarding approval of temporary alternate sites are contained in Section 4(e) of the model contract.

7.2 County Ordinance

As discussed in Section 9.0, the County will adopt a new or amended ordinance to replace the current Ordinance. A recommended version of the new ordinance is included in Exhibit E-5.

CHAPTER 8 PUBLIC PARTICIPATION Section 272.222

8.1 General

Public participation elements associated with this Plan revision include:

- Notification to DEP regarding Plan revision undertaking
- Activities of the Solid Waste Advisory Committee
- Notifications to local governments

Formal notification of the County's intent to prepare a revision to its approved Plan was given to DEP in the Fall of 2008. An application for a planning grant was submitted to DEP in March, 2009. The following paragraphs give specific details associated with other public participation activities which were undertaken from inception of the planning process through completion of that process and submittal of the Plan to DEP.

8.2 Solid Waste Advisory Committee (SWAC) (272.202)

The Lehigh County Executive submitted a letter to each of the SWAC members on February 25, 2009, notifying of their appointment to the SWAC by the County Commissioners. The SWAC held its first meeting on this Plan revision on May 13, 2009, in response to an email sent to each member dated April 29, 2009. Prior to the meeting, a list of the SWAC members, a description of the charge of the SWAC, background information and the agenda for the first meeting were provided to the Committee Members. Additional meetings of the SWAC were held on August 5, 2009 and October 14, 2009 to review progress on work efforts to date. A final meeting of the SWAC was held on December 9, 2009 to review and comment on the pre-final draft before it was presented to the County for approval.

Copies of the notifications to DEP and SWAC, agendas and minutes of the SWAC meetings and a list of the SWAC members are contained in Exhibit E-6.

8.3 Notice to Municipalities (272.203)

Notification to municipalities of the intent to undertake this Plan revision was completed via a survey letter sent to each municipality in September of 2009.

The current Update is considered a Minor Modification to the previously approved 1996 Plan; however, the Update is intended to supersede the previously developed Plan in full. Copies of the Plan Update will be submitted to each Municipality upon approval by the PADEP and the County Commissioners.

CHAPTER 9 IMPLEMENTATION SCHEDULE Section 272.245

The above-referenced section of Act 101 requires that the County submit to DEP, within one year after DEP approval of the Plan or Plan revision, copies of executed ordinances, contracts or other requirements to implement its approved Plan, that will be used to insure sufficient available capacity to properly dispose or process municipal waste that is expected to be generated within the County for the next 10 years.

Activities that fall in this category include:

1. Preparation and Implementation of a County Ordinance for Waste Flow Control.
2. Securing final contracts to assure adequate landfill space.
3. Assist Mandated communities with Implementation
4. Development and dissemination of public education material dealing with waste minimization, HHW and infectious wastes generated in the home.

Scheduled dates for completion of the aforementioned actions are:

1. County Solid Waste Ordinance
 - a. 5/25/2010 – Draft Ordinance submitted to Commissioners
 - b. 5/25/2010 – Draft version of Ordinance submitted to SWAC and Municipalities for comment
 - c. 12/7/2010 – Draft Plan and Ordinance Approved by County Commissioners
 - d. 7/2/2013 – Ordinance Adopted by County Commissioners
2. Landfill Contracts
 - a. 7/2/2013 – Formal County approval to enter into contracts
 - b. 7/15/2013 – Distribution of agreement forms to landfill owner(s)
 - c. 8/15/2013 – Return of signed contracts to the County
 - d. 9/15/2013 – Obtain County signatures and submit contracts to DEP

(Note that the DEP allows a maximum of 1 year for final implementation of the Plan after final “Approval”)

3. Assist Mandated communities
 - a. 8/15/2013 – Enforcement of their mandated recycling ordinances
 - b. 12/31/2013 – Educating residents and the commercial, municipal and institutional establishments
 - c. 10/1/2013 – Cooperative efforts to compost leaf waste and bring collections up to Act 101 standards
4. Public Education Material
 - a. Update the Lehigh County Solid Waste & Recycling Department web page, as needed.
 - b. Develop other various forms of public awareness/outreach including brochures and flyers to be distributed to residential and commercial populations

Exhibit E-1

Lehigh County Municipal Landfill Disposal Ownership Information

Arranged from Maximum Average Annual Total to Minimum

| DISPOSAL FACILITY | Location | | | Owner | Permit Number | Permittee | Contact | |
|------------------------------------|--------------|-------------|-------|--|---------------|--------------------------------------|-------------------|--------------|
| | City | County | State | | | | | |
| Alliance Landfill | Taylor | Lackawanna | PA | WasteManagement of PA, Inc. | 100933 | ALLIANCE SANI LDFL INC | Doug Coenen | 570-562-1600 |
| Chrin Brothers | Easton | Northampton | PA | Chrin Brothers, Inc. | 100022 | CHRIN BROS INC | Corey Rosenberger | 610-258-8737 |
| Clinton County Solid Waste Auth | McElhattan | Clinton | PA | Clinton County Solid Waste Auth | 100955 | CLINTON CNTY SWA | Jay Alexander | 570-769-6977 |
| Commonwealth Environmental Systems | Hegins | Schuylkill | PA | Commonwealth Environmental Systems, LP | 101615 | COMM ENV SYS LP | Daid Leung | 570-695-3590 |
| Conestoga (New Morgan) Landfill | Morgantown | Berks | PA | New Morgan Landfill Co., Inc. | 101509 | NEW MORGAN LDFL CO INC | Tim O'Donnell | 717-246-2686 |
| Cumberland County | Shippensburg | Cumberland | PA | Interstate Waste Services, Inc. | 100945 | COMM REFUSE SVC INC | Kevin Bush | 717-423-5917 |
| Grand Central Sanitation | Pen Argyl | Northampton | PA | WasteManagement of PA, Inc. | 100265 | GRAND CTL SANI LDFL INC | Scott Perin | 610-863-2413 |
| GROWS | Morrisville | Bucks | PA | WasteManagement of PA, Inc. | 100148 | WASTE MGMT DSPL SVC OF PA INC | Robert Lulicci | 215-428-4390 |
| GROWS North | Morrisville | Bucks | PA | WasteManagement of PA, Inc. | 100148 | WASTE MGMT DSPL SVC OF PA INC | Robert Lulicci | 215-428-4390 |
| IESI Bethlehem Landfill | Bethlehem | Northampton | PA | IESI PA Bethlehem LF Corp | 100020 | IESI PA BETHLEHEM LDFL CORP | Samuel Donato, Jr | 610-317-3200 |
| IESI PA Blue Ridge Landfill | Scotland | Franklin | PA | R & A Bender Inc. | 100934 | R & A BENDER INC | Paul Yelinek | 717-709-1700 |
| Keystone Sanitary Landfill | Dunmore | Lackawanna | PA | Keystone Sanitary Landfill, Inc. | 101247 | KEYSTONE SANI LDFL INC | Joseph Dexter | 570-343-5782 |
| Mostoller Landfill | Somerset | Somerset | PA | Interstate Waste Services, Inc. | 101571 | MOSTOLLER LDFL INC | Scott Lambert | 814-288-5608 |
| Pioneer Crossing | Birdsboro | Berks | PA | FR&S, Inc. | 100346 | FR & S INC | Tom O'Conor | 610-582-2900 |
| Pine Grove | Pine Grove | Schuylkill | PA | WasteManagement of PA, Inc. | 101427 | PINE GROVE LDFL INC | Sean Ryan | 570-345-2777 |
| Pottstown Landfill | Pottstown | Montgomery | PA | Closed | 100549 | Closed in 2005 | David Moreira | 610-327-2703 |
| RCC Shade Landfill | Cairnbrook | Somerset | PA | Resource Conservation Corp. | 101421 | RESOURCE CONSERV CORP | Darrell Klink | 814-754-4587 |
| Sandy Run Landfill | Hopewell | Bedford | PA | Interstate Waste Services, Inc. | 101538 | SOUTHCENTRAL CNTY SOLID WASTE AGENCY | Barry Clark | 814-928-5001 |
| Waste Mgmt. Tullytown | Morrisville | Bucks | PA | WasteManagement of PA, Inc. | 101494 | WASTE MGMT DSPL SVC OF PA INC | Robert Lulicci | 215-428-4390 |
| Western Berks Refuse Auth | Birdsboro | Berks | PA | Western Berks Refuse Authority | 100739 | WESTERN BERKS REFUSE AUTH | Dennis Mohn | 610-375-1516 |

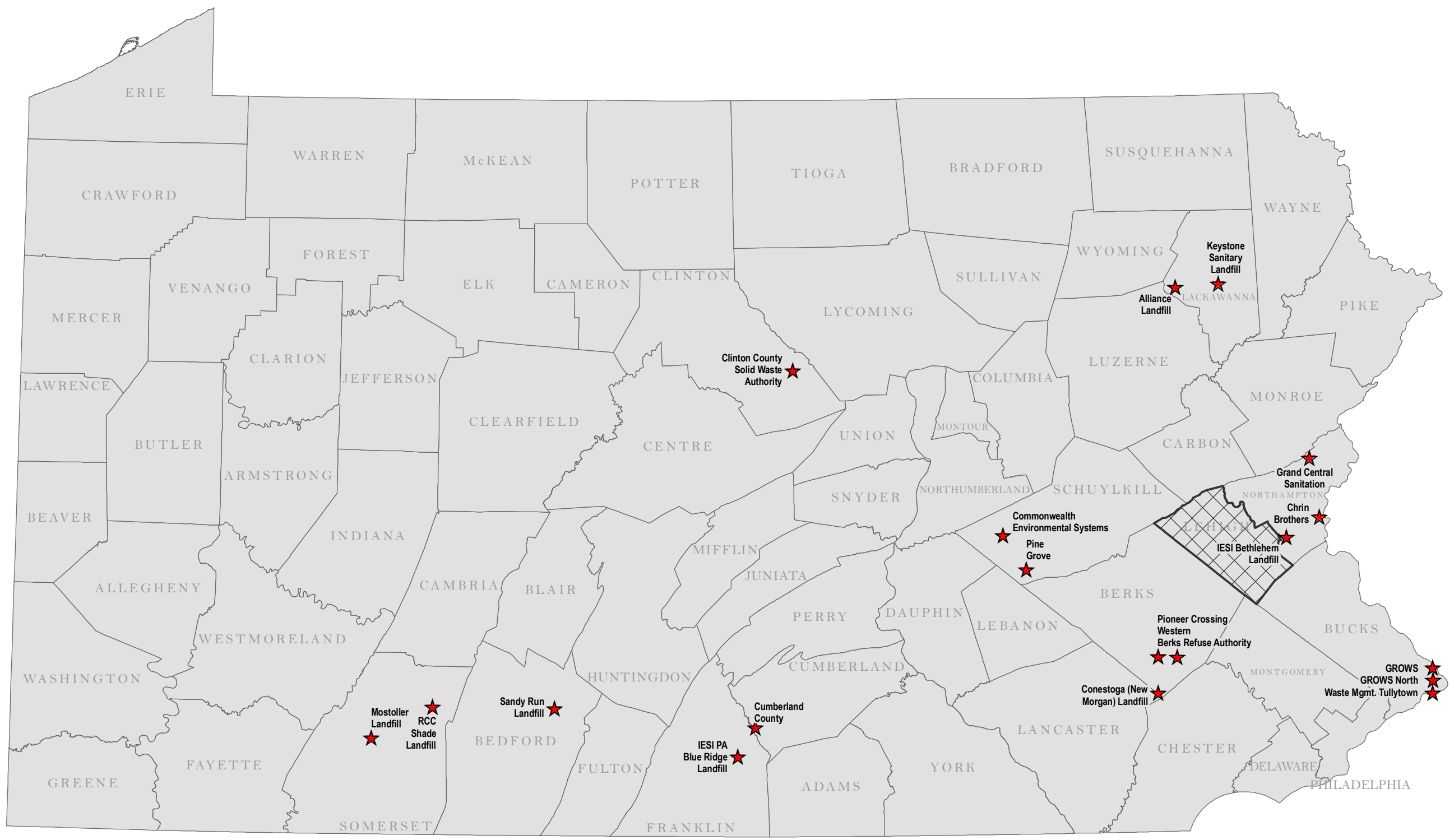
Lehigh County Municipal Landfill Disposal Totals

| DISPOSAL FACILITY | 2003 TOTAL TONNAGE | 2004 TOTAL TONNAGE | 2005 TOTAL TONNAGE | 2006 TOTAL TONNAGE | 2007 TOTAL TONNAGE | 2008 TOTAL TONNAGE | 6-year TOTAL TONNAGE | 6-year AVERAGE TONNAGE |
|------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|----------------------------|------------------------------|
| Grand Central Sanitation | 67,600.50 | 130,730.40 | 115,105.70 | 145,978.50 | 126,924.40 | 43,819.90 | 630,159.40 | 105,026.57 |
| IESI Bethlehem Landfill | 26,829.70 | 33,569.60 | 44,928.00 | 47,150.40 | 45,952.40 | 43,218.30 | 241,648.40 | 40,274.73 |
| Mostoller Landfill | 43,561.10 | 46,756.30 | 33,744.50 | 32,596.20 | 24,565.70 | 20,382.10 | 201,605.90 | 33,600.98 |
| Chrin Brothers | 31,924.80 | 35,552.80 | 21,995.70 | 26,856.60 | 31,244.90 | 33,609.60 | 181,184.40 | 30,197.40 |
| Pioneer Crossing | 24,669.10 | 21,995.80 | 21,753.40 | 23,908.40 | 23,783.40 | 36,836.20 | 152,946.30 | 25,491.05 |
| Pottstown Landfill | 69,680.70 | 6,096.30 | 36,938.10 | 0.00 | 0.00 | 0.00 | 112,715.10 | 18,785.85 |
| Clinton County Solid Waste Auth | 19,627.00 | 11,815.50 | 14,579.30 | 18,076.80 | 20,266.20 | 20,110.10 | 104,474.90 | 17,412.48 |
| Pine Grove | 598.50 | 316.40 | 0.00 | 0.00 | 0.00 | 74,399.00 | 75,313.90 | 12,552.32 |
| GROWS | 26,297.30 | 16,722.70 | 6,078.90 | 4,668.60 | 5,977.40 | 1,011.40 | 60,756.30 | 10,126.05 |
| Commonwealth Environmental Systems | 747.10 | 1,404.20 | 3,087.50 | 7,494.60 | 16,079.10 | 15,648.80 | 44,461.30 | 7,410.22 |
| Sandy Run Landfill | 0.00 | 0.00 | 142.40 | 4,126.40 | 8,392.70 | 11,366.50 | 24,028.00 | 4,004.67 |
| Cumberland County | 36.30 | 305.30 | 7,705.90 | 4,404.30 | 3,577.00 | 3,140.70 | 19,169.50 | 3,194.92 |
| Waste Mgmt. Tullytown | 2,317.30 | 4,973.50 | 2,869.10 | 3,675.90 | 1,533.00 | 1,101.80 | 16,470.60 | 2,745.10 |
| Waste Mgmt. Shade | 21.70 | 745.90 | 2,786.40 | 7,880.70 | 0.00 | 0.00 | 11,434.70 | 1,905.78 |
| Keystone Sanitary Landfill | 0.80 | 5.70 | 0.00 | 0.00 | 0.00 | 1,631.40 | 1,637.90 | 272.98 |
| GROWS North | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 587.20 | 587.20 | 97.87 |
| Conestoga (New Morgan) Landfill | 20.10 | 0.00 | 1.80 | 6.70 | 0.00 | 0.00 | 28.60 | 4.77 |
| IESI PA Blue Ridge Landfill | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 23.30 | 23.30 | 3.88 |
| Alliance Landfill | 0.00 | 0.00 | 0.00 | 0.40 | 15.10 | 1.50 | 17.00 | 2.83 |
| Western Berks Refuse Auth | 0.00 | 0.00 | 0.00 | 0.00 | 4.10 | 0.00 | 4.10 | 0.68 |
| TOTALS | 313,932.00 | 310,990.40 | 311,716.70 | 326,824.50 | 308,315.40 | 306,887.80 | 1,878,666.80 | 313,111.13 |

Note: Values as reported on the DEP Website

Lehigh County, 2009 Solid Waste Plan Update

Disposal Facilities Accepting Lehigh County Waste Between 2003 & 2008



Lehigh County Projected MSW Tonnage Estimates

| Municipality | 2006 Estimated Population | 2006 Estimated MSW Tonnage | 2010 Estimated Population | 2010 Estimated MSW Tonnage | 2020 Estimated Population | 2020 Estimated MSW Tonnage | 2030 Estimated Population | 2030 Estimated MSW Tonnage |
|---|---------------------------|----------------------------|---------------------------|----------------------------|---------------------------|----------------------------|---------------------------|----------------------------|
| Alburtis Borough | 2,356 | 2,215 | 2,243 | 2,108 | 2,329 | 2,189 | 2,479 | 2,330 |
| Allentown City | 107,294 | 100,856 | 107,110 | 100,683 | 107,469 | 101,021 | 108,230 | 101,736 |
| Bethlehem City | 24,235 | 22,781 | 19,430 | 18,264 | 19,596 | 18,420 | 19,939 | 18,743 |
| Catasauqua Borough | 6,565 | 6,171 | 6,553 | 6,160 | 6,553 | 6,160 | 6,553 | 6,160 |
| Coopersburg Borough | 2,574 | 2,420 | 2,570 | 2,416 | 2,570 | 2,416 | 2,570 | 2,416 |
| Coplay Borough | 3,381 | 3,178 | 3,371 | 3,169 | 3,371 | 3,169 | 3,371 | 3,169 |
| Emmaus Borough | 11,401 | 10,717 | 11,351 | 10,670 | 11,351 | 10,670 | 11,351 | 10,670 |
| Fountain Hill Borough | 4,603 | 4,327 | 4,595 | 4,319 | 4,595 | 4,319 | 4,595 | 4,319 |
| Hanover Township | 1,920 | 1,805 | 1,915 | 1,800 | 1,915 | 1,800 | 1,915 | 1,800 |
| Heidelberg Township | 3,457 | 3,250 | 3,612 | 3,395 | 3,995 | 3,755 | 4,356 | 4,095 |
| Lower Macungie Township | 28,057 | 26,374 | 28,020 | 26,339 | 33,424 | 31,419 | 42,193 | 39,661 |
| Lower Milford Township | 3,881 | 3,648 | 4,094 | 3,848 | 4,852 | 4,561 | 5,907 | 5,553 |
| Lowhill Township | 2,161 | 2,031 | 2,462 | 2,314 | 3,188 | 2,997 | 4,100 | 3,854 |
| Lynn Township | 4,311 | 4,052 | 4,906 | 4,612 | 6,326 | 5,946 | 8,207 | 7,715 |
| Macungie Borough | 3,122 | 2,935 | 3,111 | 2,924 | 3,111 | 2,924 | 3,111 | 2,924 |
| North Whitehall Township | 16,117 | 15,150 | 18,182 | 17,091 | 22,253 | 20,918 | 23,949 | 22,512 |
| Salisbury Township | 13,942 | 13,105 | 13,895 | 13,061 | 14,094 | 13,248 | 14,119 | 13,272 |
| Slatington Township | 4,421 | 4,156 | 4,413 | 4,148 | 4,413 | 4,148 | 4,413 | 4,148 |
| South Whitehall Township | 19,300 | 18,142 | 19,817 | 18,628 | 21,619 | 20,322 | 23,573 | 22,159 |
| Upper Macungie Township | 16,855 | 15,844 | 19,859 | 18,667 | 26,479 | 24,890 | 33,508 | 31,498 |
| Upper Milford Township | 7,459 | 7,011 | 7,504 | 7,054 | 7,804 | 7,336 | 7,974 | 7,496 |
| Upper Saucon Township | 14,354 | 13,493 | 14,848 | 13,957 | 17,091 | 16,066 | 17,960 | 16,882 |
| Washington Township | 7,052 | 6,629 | 7,520 | 7,069 | 8,682 | 8,161 | 9,498 | 8,928 |
| Weisenberg Township | 4,891 | 4,598 | 5,246 | 4,931 | 6,363 | 5,981 | 7,631 | 7,173 |
| Whitehall Township | 26,660 | 25,060 | 26,305 | 24,727 | 27,201 | 25,569 | 28,218 | 26,525 |
| | 340,369 People | 319,947 Tons | 342,932 People | 322,356 Tons | 370,644 People | 348,405 Tons | 399,720 People | 375,737 Tons |
| Note: Tonnage estimates based on an approximate annual generation of 0.94 tons per capita | | | | | | | | |

Lehigh County Hospital and Clinics Based on Response to Surveys

| Name | Address | Phone | Fax | Email |
|---|---|--------------|--------------|--|
| Allentown Health Bureau Contact: Belle Marks, Associate Director for Personal health | 245 N. 6 th Street Allentown, Pa 18102 | 610-437-7725 | | marks@allentowncity.org |
| Good Shepherd Rehabilitation Network Contact: Mike Freer, Facilities Coordinator | 850 So. 5 th Street, Allentown, PA 18103 | 610-776-3396 | 610-776-8340 | mfreer@GSRH.org |
| Health Network Laboratories Contact: Karlene Brintzenhoff , Safety/Ed Specialist | 2024 Lehigh Street Allentown, PA 18103 | 610-402-5883 | 610-402-5521 | karlene.brintzenhoff@healthnetworklabs.com |
| Lehigh Valley Health Network Contact: Linda Zengen, Waste Reduction Specialist | 1628 N. Chew Street P.O. Box 7017 Allentown, PA 18103 | 610-969-4292 | 610-969-2891 | Linda.zengen@lvh.com |
| Little Lehigh Vascular Lab | 1259 S. Cedar Crest Blvd, Allentown, PA | | | |
| Northeast Clinical research Center Contact: Kelly Anne Grammes, Business Manager | 1259 S. Cedar Crest Blvd. Allentown, PA 18103 | 610-433-4100 | 610-433-1919 | kelly-anne.grammes@epnephrology.com |
| St. Luke's Health Network Contact: Justin Houck, Director of EVS | 801 Ostrum Street Bethlehem, PA 18015 | 610-954-3917 | 610-954-6694 | houckj@slhn.org |

Lehigh County Permitted Biosolids Land Application Sites

| | |
|-----------------------------|------------------------|
| Upper & Lower Macungie Twp. | Dan Hunsicker Farm |
| Lynn | Bennicroft Farm |
| Lynn | Hermany Farm |
| Lynn | Ray Fluck Farm |
| Lynn | Catharine Kistler Farm |
| Weisenberg | Gehringer Farm |
| Weisenberg / Lynn | Dennis Dorney Farm |
| Lowhill, Lynn | Marshall Mangold Farm |
| Lynn | Mathias Oldt Farm |
| Lynn | Tim Repphert Farm |
| Lynn | Mark Schertel Farm |
| Lower Milford | Crossley Farm |
| Lower Milford | Henry Fretz Farm |
| Milford/ Lower Milford | Marwell Dairy Farm |

Lehigh County Water and Wastewater Treatment Plants Based on Response to Surveys

| Name | Address | Phone | Fax | Email |
|--|---|--------------|--------------|--|
| Allentown WWTP/City of Allentown Allentown Water Filtration Plant/City of Allentown Contact: Jim Valek, Supervisor Residuals Operation | Mailing/Physical address: 112 Union Street, Allentown, PA 18102 | 610-437 7681 | 610-437-8790 | valek@allentowncity.org |
| Borough of Catasauqua Contact: Eugene Goldfeder | Mailing and office address: 118 Bridge Street, Catasauqua, PA 18032 Physical address: Water - 825 Walnut Street Waste - 118 W Race Street | 610-264-0571 | 610-264-8228 | manager@catasauqua.org |
| Lehigh County Authority Contact: Keith Smith Chief Operator | Mailing/physical address: 1053 Spruce Road, P.O. Box 2348 Allentown, PA 18106 | 610-398-2503 | | keithsmith@lehighcountyauthority.org |
| Lynn Township Sewer Authority Contact: Donald M. Christ , Manager - Operator | Mailing address: P.O. Box 208, New Tripoli, PA 18066 Physical address: 7481 Allemaengel Rd, New Tripoli | 610-298-8651 | 610-298-8651 | |
| Upper Saucon Township WWTP Contact: Daniel Stahlnecker , Supt. Water/Sewer | Mailing address: 5500 Campmeeting Rd, Center Valley, PA 18034 Physical address: 4966 Rt. 378, Center Valley, PA 18034 | 610-298-8651 | 610-298-8651 | |

Lehigh County Municipal Survey Responses

Municipal responses – 22

Note: Not all municipalities responded to each question.

1) How are municipal recyclables collected?

Curbside - Alburtis, Catasauqua, Coopersburg, Coplay, Emmaus, Hanover, Macungie, Slatington, Upper Milford, Upper Macungie, Upper Saucon, Washington

Drop off - Lynn

Both - Allentown, Bethlehem, Fountain Hill, Heidelberg, North Whitehall, Salisbury, South Whitehall, Whitehall

No recycling - Weisenberg

2) Does municipality currently collect recyclables from businesses?

Yes. – Alburtis, Allentown, Coplay, Emmaus, Macungie, South Whitehall, Washington

- Allentown – Small businesses along the residential collection route may apply for inclusion in the curbside collection program if they can meet the same trash limit requirements as residential customers. These commercial customers pay the same annual fee (\$340) as a residential unit for trash and recycling collection. Businesses with special wastes (dry cleaners, auto parts stores, doctors' offices) are excluded and must have separate private collection for these hazardous wastes.
- Coplay – Using their municipal employees, the Borough collects both solid waste and recyclables from local businesses.
- Macungie - Businesses are included in the borough contract unless they have more than 3 bags of trash per pickup, then they must have their own hauler
- South Whitehall – Small businesses may use the drop off for paper and commingled. This is a very small percentage, though, since most businesses contract with a private hauler.
- Washington – The Township has a clean up day. Furniture, clothes, toys and many other items are recycled by a local food bank. The Township also collects vehicle batteries at the clean up

No - Bethlehem, Catasauqua, Coopersburg, Fountain Hill, Hanover, Heidelberg, Lynn, North Whitehall, Weisenberg, Whitehall,

Comments:

- Bethlehem - Some businesses do use the recycling drop off provided by the City. They make their own collection arrangements..
- Catasauqua – Businesses recycle on their own. Many use the same hauler.
- Fountain Hill – Recycling is mandatory for businesses, but they must arrange it through their waste hauler
- Heidelberg – All solid waste/recycling is collected by haulers. The Township does offer a drop off.
- Lynn – Township has a transfer station where all residents can drop recyclables, the hours are Fri/Sat from 9 a.m. – 4 p.m.
- North Whitehall, Salisbury, Slatington, Upper Macungie, Upper Milford,, Upper Saucon, Whitehall – Municipality does not collect recyclables from businesses, but they have private haulers who collect recyclables.

3) Do you plan on adding any recyclables?

Yes - Catasauqua, Emmaus, Macungie, Upper Saucon

- Catasauqua – Hoping to add magazines
- Macungie – Adding all plastics to collection
- Upper Saucon - We hope to add bins for drop off collection for office paper and newspaper at various drop off points

No - Alburtis, Allentown, Bethlehem, Coopersburg, Fountain Hill, Hanover, Heidelberg, Lynn, North Whitehall, Salisbury, Slatington, South Whitehall, Upper Milford, Upper Macungie, Washington, Weisenberg, Whitehall

Comments:

- Not currently looking to add materials but we are always looking to recycle more of the waste stream
- Alburtis – We already have mandatory recycling on all glass, plastic, corrugated, and paper
- Coplay – Single stream now, and we offer a monthly electronic and metal collection.
- North Whitehall – We are already doing more than mandated Public education will probably increase the amount collected more recyclables.
- South Whitehall -We just started single stream collection so we added paperboard and expanded the commingle
- Whitehall – Curbside collection just added number 1 through 7 plastics

4) Do you plan on dropping any items?

No – No one plans to drop items except for comment below

Comments:

- Whitehall - We plan on dropping the flash light batteries which we currently accept at the drop off if we cannot take them to the County HHW program since AERC charges by the lb for this material. It would be costly to continue this collection.

5) What Item would you like to see added if there are sufficient markets, and affordable costs?

- Snap Styrofoam – at drop off – 2 responses
- Organic materials, tires, scrap metals and white goods – curbside and drop off
- No need to add more - 3 responses
- Would like to add snap styrofoam, but not foam or peanuts
- Residential corrugated cardboard and magazines
- Always looking to add items, but not sure what else to do
- Food waste – curbside collection

6) Is there sufficient recycling education?

Yes - 14 responses

Comments -

- Borough informs the residents and businesses in the newsletter, and all information is on the website. This works.
- Yes, we provide education through brochures and newsletters
- Local, County and State should provide the education
- Municipality gets the information from the hauler and passes it along to the residents
- Recycling information is included on our website, in the monthly newsletter, and included in a yearly flyer
- Education should be provided by local, county, and state
- Our office provides education.

Probably not – 1 response.

- But social responsibility can only take us so far.

Somewhat – 1 response

- Hauler should provide more education assistance than they do

No – 5 responses

- There is always room for improvement. Schools and county should provide the additional education.
- Need more education. More state materials, more vendor materials for the borough to distribute. Also need more direct education
- More education to children since they are good salespeople. Give a reward for participation.
- Need more education since people do not read or follow directions
- No, but unknown as to who would provide it
- No. Education is a constant effort and must reach all ages. The County has a changing and growing population and education of municipal programs for homes, school, and businesses are needed. Some municipalities are able to educate through newsletters, schools, press releases etc. As far as I know, the County does not provide educational support to those municipalities who do not have educational capabilities.
- Need more to support this cause; it should be done by Lehigh County

7) Any other information

- Need other places to take HHW other than Lehigh County since they only accept it twice per year at the drop off collection
- Organic waste collection costs a lot. This should be reimbursable under Act 101 performance grants
- If disposal locations become limited, this may impact what we recycle.
- Future costs for collection/disposal will most likely be the primary factor in shaping recycling in the future
- We started using totes for trash, and now for recycling. Everything placed curbside is picked up automatically, except for yard waste, bulk items, and grass clippings.
- Recycling is not mandatory in the municipality. Many people complain that the bins are not big enough so the excess goes in the trash.

Survey respondents:

- Borough of Alburton, City of Allentown, City of Bethlehem, Borough of Catasauqua, Borough of Coopersburg, Borough of Coplay, Emmaus Borough, Fountain Hill Borough,
- Hanover Township, Heidelberg Township, Lynn Township, Borough of Macungie
- North Whitehall Township, Salisbury Township, Borough of Slatinton, South Whitehall Township, Upper Macungie Township, Upper Milford Township
- Upper Saucon Township, Washington Township, Weisenberg Township, Whitehall Township

Responses to Lehigh County SWAC Members Survey (2 responses)

1. What items would you like to see addressed in the plan?

- SWAC Member 1 – No response to this question.
- SWAC Member 2 – The plan addresses everything well. I would like to see additional items recycled on the residential end, and easier methods for small businesses.

2. Is there sufficient recycling education?

- SWAC Member 1 – Education is a constant effort and must reach all ages. There is a changing and growing population and with that, education of municipal programs for home, school, and businesses are needed. Some municipalities are able to perform some education through newsletters, schools, press releases. As far as I know, the County does not perform or provide educational support to those municipalities who do not have educational capabilities.
- SWAC Member 2 – There is always room for more. DEP and or the County could develop the educational materials (for uniformity and economy of scale) but the municipalities should distribute and educate their residents.

3. How should Lehigh County or municipalities pay for any additional items to be recycled?

- SWAC Member 1 – It would depend on what the item is. If the County is exploring food waste collection and composting, it could potentially involve many entities and governments. Develop co-op agreement ahead of time, all parties aware of costs and responsibilities ahead of time.

It could be a fee for service, a “recycling fee” charged to each resident on their tax bill for County recycling programs. It could pay for all County residents for all County programs.

Strongly disagree that a flat fee should be charged based on the amount of MSW landfilled by a municipality. There is no tie in to the service provided by the County. It would fall to the budgets of the municipality and would have to be passed through to the taxpayers of the municipality. A County fee charged to each resident is the more direct and logical approach.

Although we all strive for sustainable program, grants from DEP are invaluable not only to sustain programs, but to develop and grow recycling programs.

- SWAC Member 2 – The municipalities should pay just as they are now – either to the collector (with or without a credit for marketing them) or paying their employees who collect. The costs are passed on to the residents/businesses in the collection program.

Education could show how these costs are lower than disposal, and as environmentally sound.

Exhibit E-2

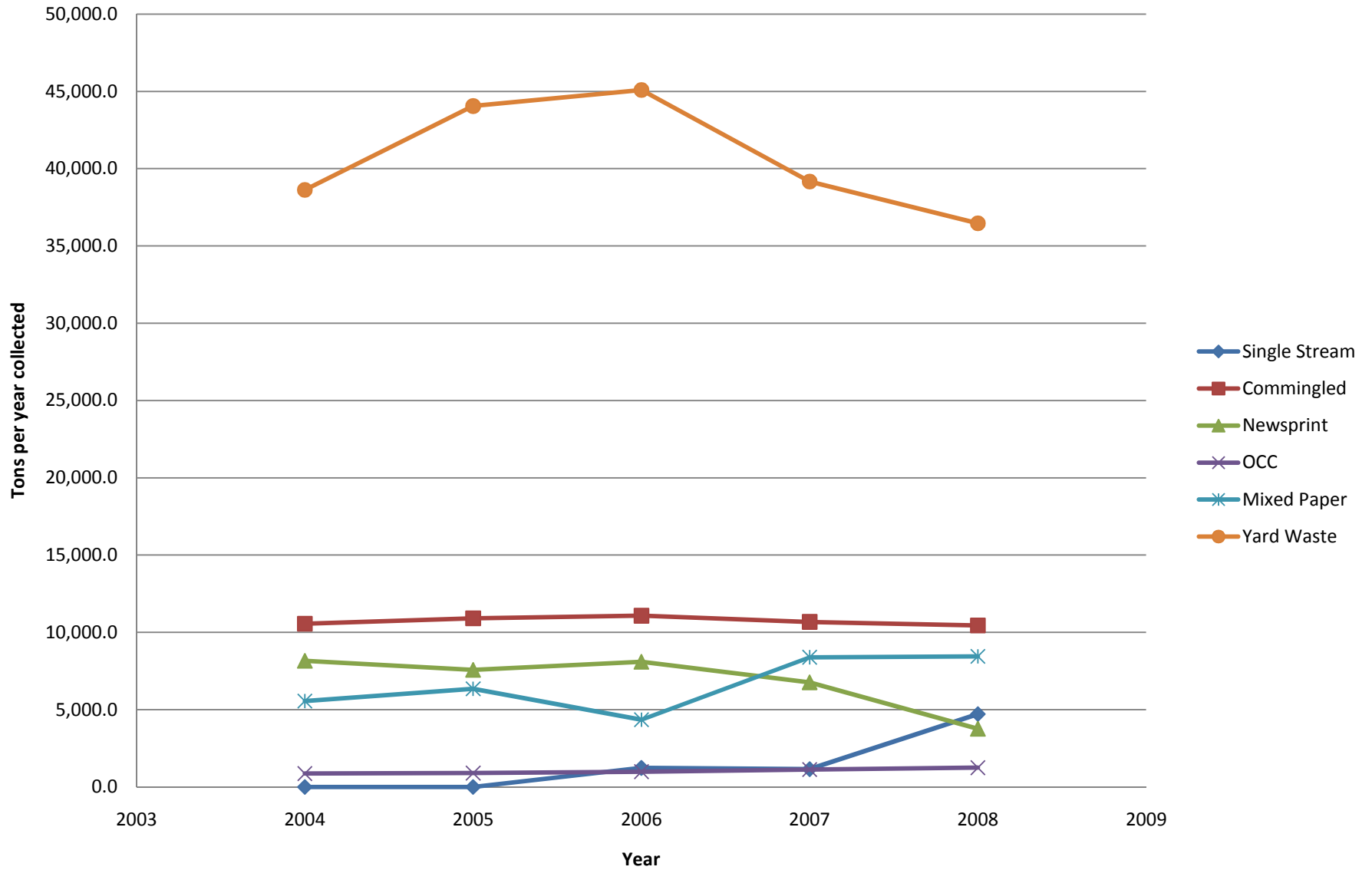
Lehigh County Recycling Data

2004 Through 2008 Countywide Data

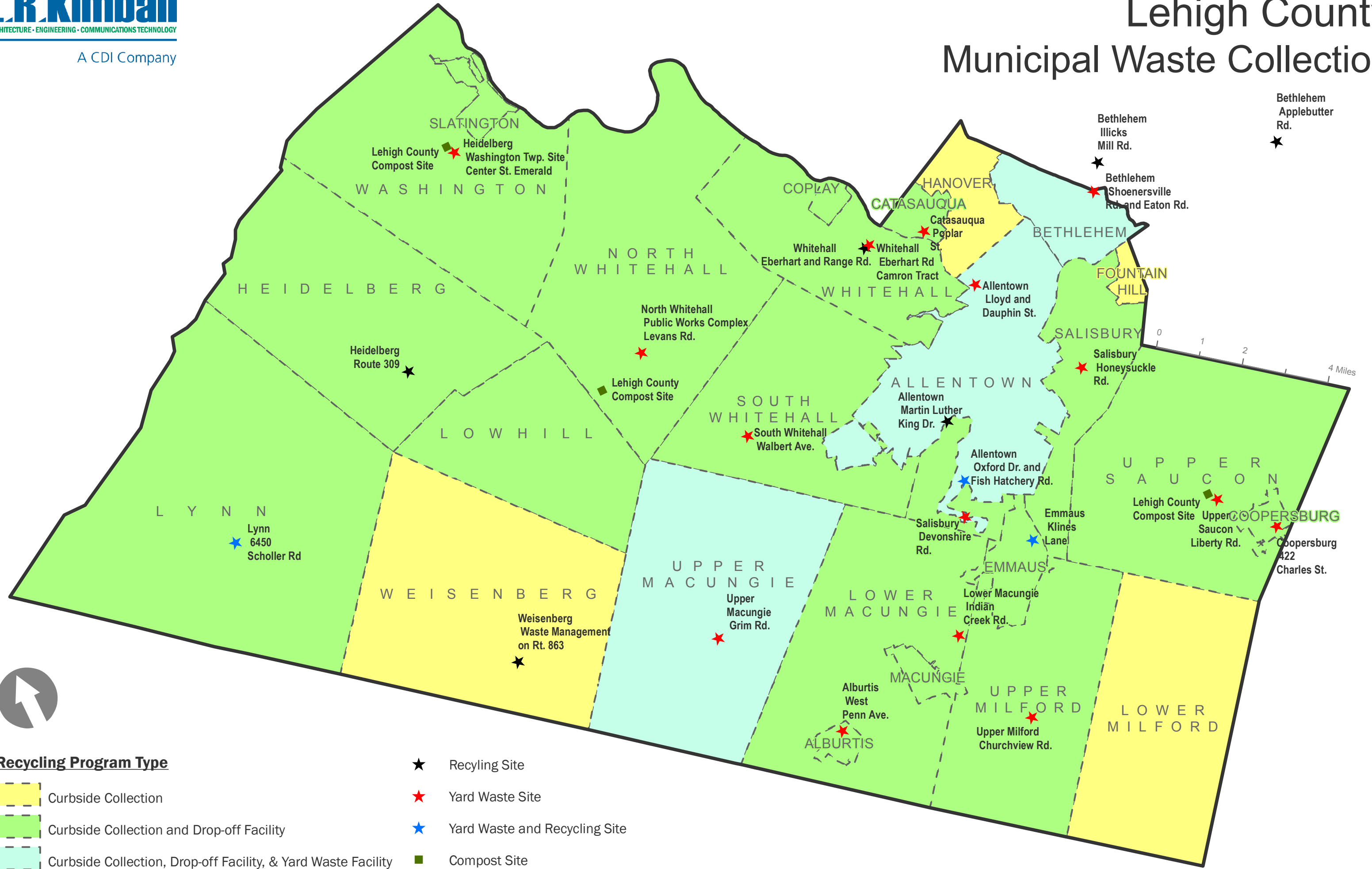
| Recycling Constituent | 2004 | 2005 | 2006 | 2007 | 2008 |
|-----------------------------------|------------------|------------------|------------------|------------------|------------------|
| <u>Residential</u> | | | | | |
| Single Stream | 0.0 | 0.0 | 1,230.0 | 1,151.0 | 4,710.3 |
| Commingle | 10,555.1 | 10,910.3 | 11,076.2 | 10,675.1 | 10,445.0 |
| News | 8,159.3 | 7,574.5 | 8,098.6 | 6,769.1 | 3,724.9 |
| OCC | 862.3 | 895.5 | 986.5 | 1,118.7 | 1,243.0 |
| Mixed Paper | 5,554.9 | 6,347.4 | 4,345.0 | 8,389.6 | 8,442.7 |
| Yard Waste | 38,621.4 | 44,050.1 | 45,092.4 | 39,163.7 | 36,465.6 |
| Wood Waste | 63.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| <u>Other Recyclables</u> | | | | | |
| Phone Books | 57.9 | 48.5 | 54.0 | 61.8 | 26.5 |
| Brown Bags | 0.0 | 0.0 | 0.0 | 59.0 | 0.0 |
| Magazines | 65.7 | 17.4 | 16.4 | 9.4 | 26.5 |
| Office Paper | 16.7 | 31.4 | 31.9 | 96.9 | 29.0 |
| Residential SubTotal | 63,956.3 | 69,875.1 | 70,931.0 | 67,494.3 | 65,113.5 |
| <u>Commercial</u> | | | | | |
| Commingle | 3,098.9 | 4,545.6 | 4,778.0 | 4,524.9 | 4,320.1 |
| Single Stream | 53.9 | 777.5 | 3,967.9 | 135.4 | 173.9 |
| OCC | 34,267.9 | 32,878.6 | 31,516.0 | 30,129.4 | 28,853.0 |
| Office/Mixed Paper | 9,953.3 | 5,593.0 | 12,364.8 | 6,964.0 | 10,076.3 |
| News/Mags | 2,854.9 | 2,797.1 | 3,331.9 | 2,827.4 | 1,894.7 |
| Yard Waste | 578.0 | 8,221.6 | 2,052.1 | 1,647.8 | 2,200.3 |
| Food Waste | 260.1 | 356.7 | 89.0 | 241.0 | 25.6 |
| Other Recyclables | 1,495.0 | 1,837.0 | 12,824.0 | 2,437.0 | 3,322.0 |
| Commercial SubTotal | 52,562.0 | 57,007.1 | 70,923.7 | 48,906.8 | 50,866.0 |
| Municipal Recycling Totals | 116,518.3 | 126,882.2 | 141,854.7 | 116,401.1 | 115,979.5 |

All recycling figures are in tons, and based upon the PA DEP annual report
Population is 2010 projection from Lehigh Valley Planning Commission

Lehigh County Municipal Recycling 2004 - 2008 by Commodity Type



Lehigh County Municipal Waste Collection



Recycling Program Type

- Curbside Collection
- Curbside Collection and Drop-off Facility
- Curbside Collection, Drop-off Facility, & Yard Waste Facility
- Recycling Site
- Yard Waste Site
- Yard Waste and Recycling Site
- Compost Site

Bethlehem
Applebutter
Rd.
★



Lehigh County Current Recycling Programs

| Municipality | Mandated Recycling | Curbside Collection Program (1) | Yard Waste Processing (2) | Drop-Off Facilities | Notes regarding Drop-Offs |
|--------------------------|--------------------|---------------------------------|---------------------------|---------------------|--|
| Alburtis Borough | | X | LC | X | Leaves and Yard Waste only |
| Allentown City | X | X | X | X | |
| Bethlehem City | | X | X | X | |
| Catasauqua Borough | X | X | LC | X | Phone Books and Yard Waste |
| Coopersburg Borough | | X | LC | X | Yard Waste only |
| Coplay Borough | | X | LC | X | Annual tire drop-off |
| Emmaus Borough | X | X | LC | X | March-Dec Yard Waste |
| Fountain Hill Borough | | X | N | | |
| Hanover Township | | X | N | | |
| Heidelberg Township | | X | LC | X | |
| Lower Macungie Township | X | X | LC | X | Leaves, Grass and Yard Waste only |
| Lower Milford Township | | X | N | | |
| Lowhill Township | | X | LC | X | Yard Waste only |
| Lynn Township | | X | LC | X | |
| Macungie Borough | | X | LC | X | Yard Waste only |
| North Whitehall Township | X | X | LC | X | |
| Salisbury Township | X | X | LC | X | Yard Waste only |
| Slatington Township | | X | LC | X | Leaves only |
| South Whitehall Township | X | X | LC | X | |
| Upper Macungie Township | X | X | X | X | Leaves, Grass and Yard Waste only |
| Upper Milford Township | X | X | LC | X | Leaves, Grass and Yard Waste and Phone Books |
| Upper Saucon Township | X | X | LC | X | Leaves only |
| Washington Township | | X | LC | X | |
| Weisenberg Township | | X | N | | |
| Whitehall Township | X | X | LC | X | |

Notes: (1): Some Municipalities have Curbside Collection by private subscription

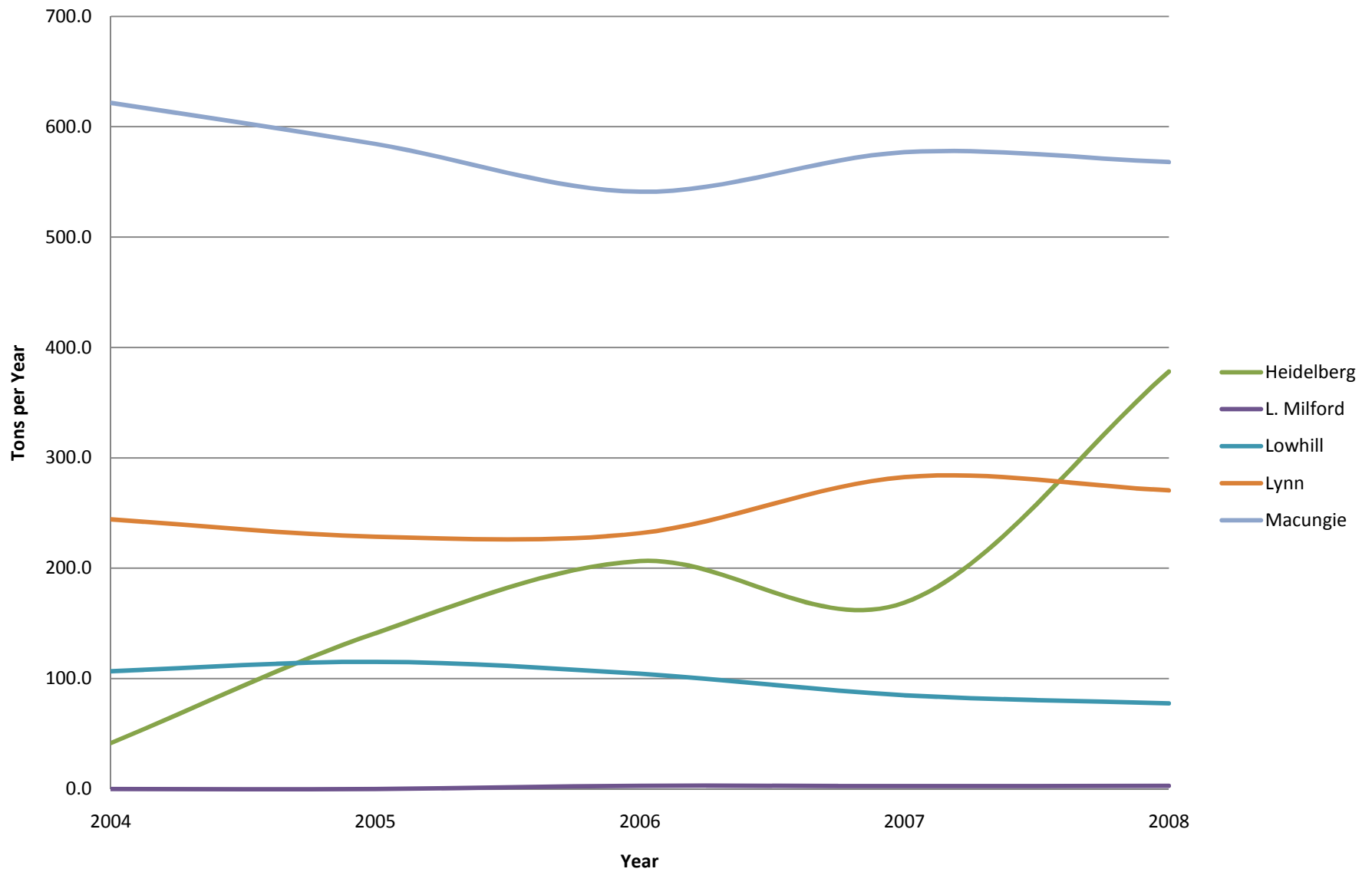
(2): For Yard Waste Processing, there are 3 separate categories:

LC = Yard waste collected from municipality and processed by Lehigh County

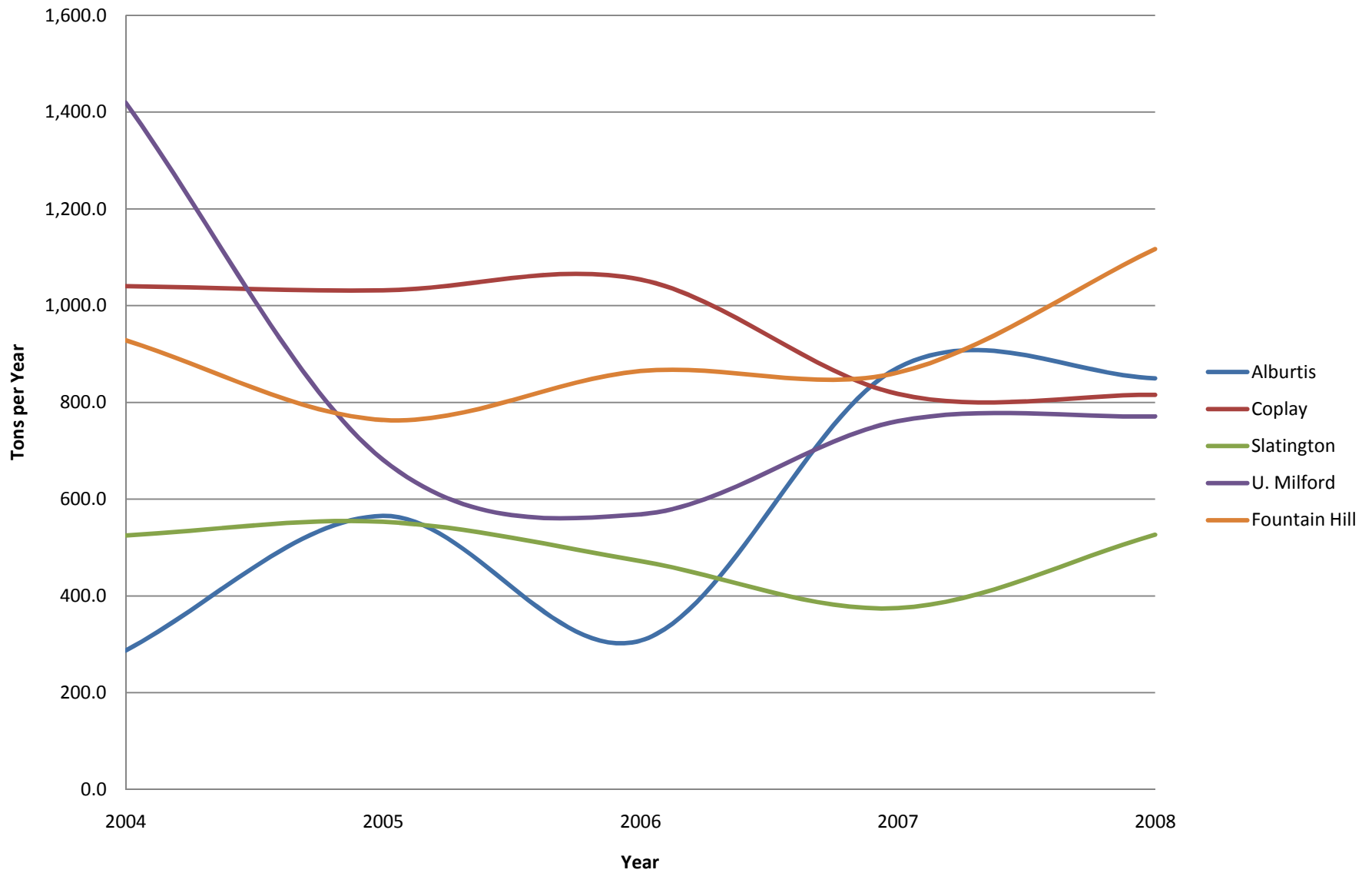
X = Yard waste collected and processed by Municipality

N = Yard waste not collected by Municipality

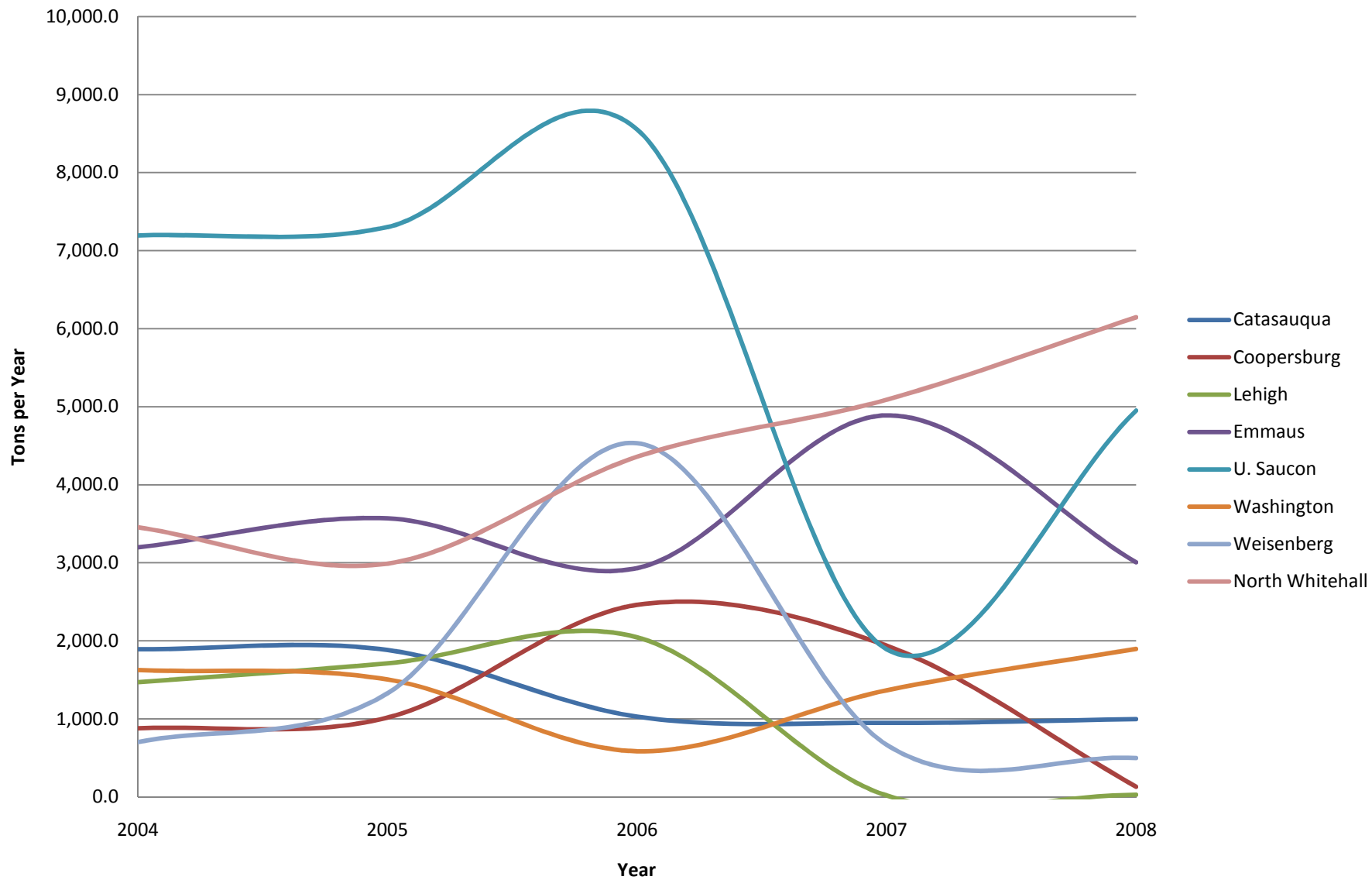
Municipal Recycling Small Volumes (<700 tons/year)



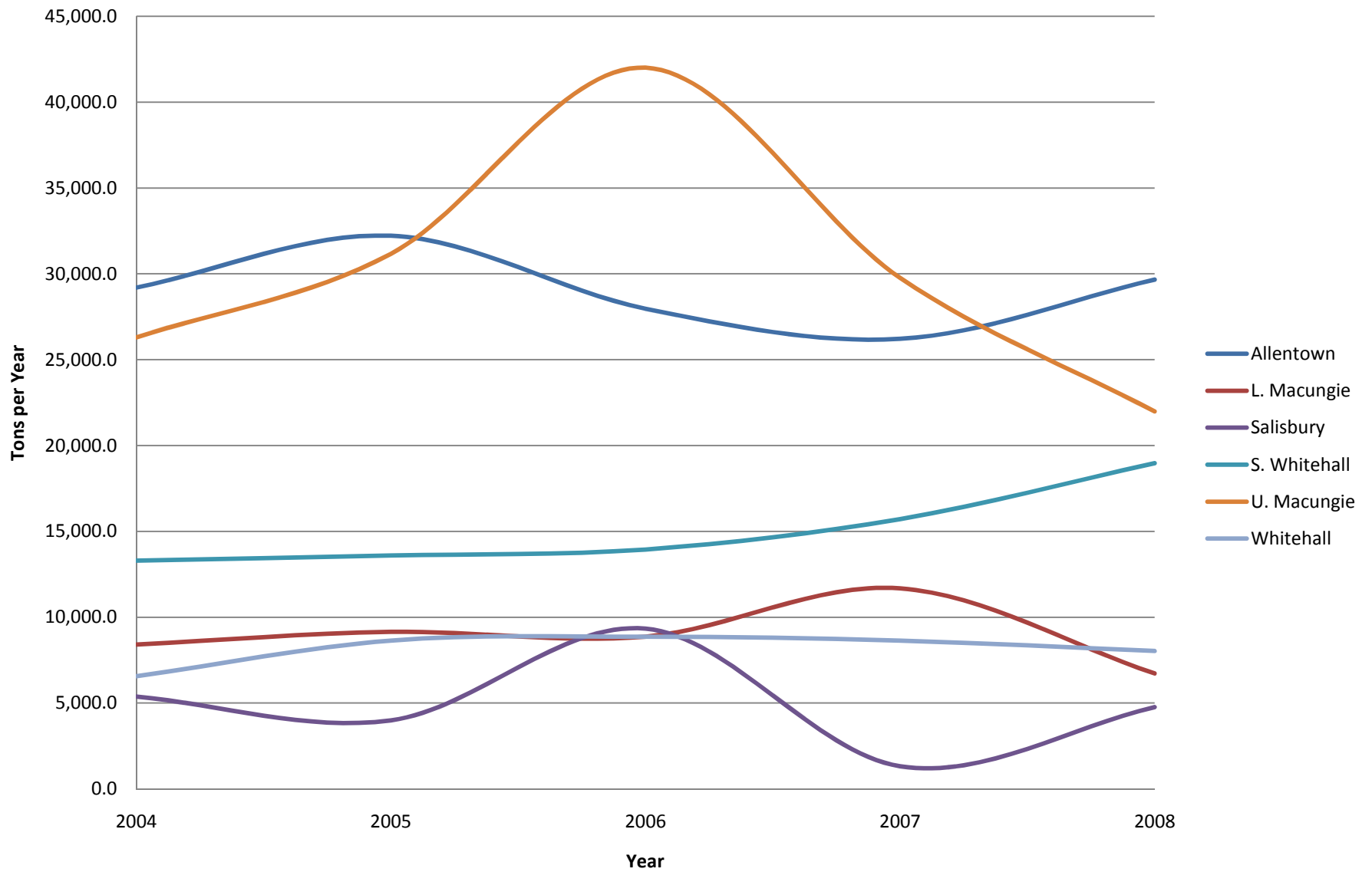
Municipal Recycling Mid-Range Volumes (<1400 tons/year)



Municipal Recycling Bigger Volumes (<9000 tons/year)



Municipal Recycling Large Volumes (>9,000 tons/year)



Environmental Benefits Fact Sheet

Source Reduction, Reuse,¹ & Recycling² in Lehigh County:

An Overview for 2008³

© April 2009

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Source reduction, reuse, and recycling also keep materials out of landfills, incinerators and waste-to-energy facilities, where water and air contamination can result from leachate, air emissions, and ash residue.

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Lehigh County 2008

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- **Greenhouse gas emissions were reduced by Lehigh County source reduction, reuse, and recycling.**

Lehigh County source reduction, reuse, and recycling reduced greenhouse gas emissions by 89,295.82 metric tons of carbon equivalents (MTCE)⁴ in a one year period. This is equivalent to approximately 0.71% of all industrial MTCE emissions generated from fossil fuel combustion in Pennsylvania and 0.0 % of greenhouse gas emissions, such as carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). Curbside recycling alone accounted for a reduction in greenhouse gas emissions of 42,187.94 MTCE per year.

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Recycling 24,220.6 tons of newspapers, phone books, office paper, textbooks, magazines and cardboard in 2008, resulted in forest carbon sequestration benefits equal to 1,742,408.2 tree seedlings grown for 10 years. Recycling 24,220.6 tons of all types of paper saved 79,927.98 cubic yards of landfill space.

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Environmental Benefits Fact Sheet
Source Reduction, Reuse,⁵ & Recycling⁶ in :
An Overview for⁷
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Using less energy decreases greenhouse gas emissions because the majority of consumed energy in the United States relies on fossil fuels (i.e., gasoline, diesel, natural gas, and coal). Fossil fuels are the most significant source of carbon and other greenhouse gas emissions. Energy conservation also minimizes the need for energy development and production, which are also responsible for significant environmental impacts.

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NERC's Environmental Benefits Calculator generates estimates of the environmental benefits of , based on the tonnages of materials that were source reduced, reused, recycled, landfilled, or incinerated (includes waste-to-energy). The Calculator is based on per ton figures of the estimated energy use and emissions from several lifecycle analysis studies. The Calculator tailors the results to the amount of materials source reduced, reused, and recycled, as well as the current mix of landfilling, incineration/waste-to-energy in . This Fact Sheet summarizes some of the results from the Calculator specific to .

- **'s recycling provided industry with an environmentally preferable source of materials.** 's municipal and commercial recycling programs collected and supplied tons of scrap commodities such as paper, glass, metals, plastics, wood, computers, and construction & demolition (C&D) materials for use in the production of new products.

⁵ Source reduction and reuse are defined as activities that reduce the need for the production of virgin materials. Examples of source reduction and reuse are light-weighting (e.g. using 25 percent less aluminum to produce the same product), the reuse of a material (e.g. dismantling a building and reusing the 2x4 studs in a new structure). Other examples include book swaps and computer donations (assumes that new books and new computers would have been needed without these actions). For the purpose of measuring the environmental impacts of these activities, source reduction and reuse are used interchangeably.

⁶ Recycling is defined as the use of scrap or waste material used in place of virgin inputs in the manufacturing process. When a Calculator user indicates that they are "recycling" they are referring to the act of setting the scrap or waste material aside for use in the manufacturing process. Furthermore, when Calculator users indicate that they are "recycling" materials like yard trimmings, food scraps, mixed organics, etc, U.S. EPA calculates the benefit of composting.

⁷ The most recent data provided by the state environmental agency.

- **Greenhouse gas emissions were reduced by source reduction, reuse, and recycling.** source reduction, reuse, and recycling reduced greenhouse gas emissions by metric tons of carbon equivalents (MTCE)⁸ in a one year period. This is equivalent to approximately of all industrial MTCE emissions generated from fossil fuel combustion in and of greenhouse gas emissions, such as carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). Curbside recycling alone accounted for a reduction in greenhouse gas emissions of MTCE per year.

- **'s source reduction, reuse, and recycling saved energy.** 's source reduction, reuse, and recycling saved a total of Million BTUs of energy, equal to of all energy used by industry in . This is equivalent to gallons of gasoline. It represents the amount of energy that would be required to power *The regional average is calculated based on user input. Values are reported in Wksht 3. Conversion Factors are provided in Table 3. homes for one year in . Curbside recycling alone saved Million BTUs of energy.

- **'s recycling conserved natural resources.** By recycling tons of scrap metal and glass in , 's recycling efforts reduced the need for virgin materials, including tons of limestone, tons of iron ore, tons of coal, tons of sand, tons of soda ash, and tons of feldspar.

Recycling tons of newspapers, phone books, office paper, textbooks, magazines and cardboard in , resulted in forest carbon sequestration benefits equal to tree seedlings grown for 10 years. Recycling tons of all types of paper saved cubic yards of landfill space.

All data reported in this Fact Sheet was calculated by the NERC Environmental Benefits Calculator, . For more detail about the specific environmental benefits attributable to source reduction, reuse, and recycling in and for NERC's free downloadable Calculator, go to http://www.nerc.org/topic_areas/environmental_benefits_calculator.html.

⁸ Metric tons of carbon equivalent (MTCE) is a unit of measurement that expresses the heat-trapping effects of various greenhouse gas emissions. Another unit of measure sometimes used is metric tons of carbon dioxide equivalent (MTCO₂). Source: U.S. EPA (2006) User's Guide for WARM: Calculating Greenhouse Gas Emissions with the Waste Reduction Model. Available at: http://www.epa.gov/climatechange/wycd/waste/calculators/Warm_UsersGuide.html.
Environmental Benefits of Source Reduction, Reuse, & Recycling -2- © April 2009, Northeast Recycling Council, Inc.

Exhibit E-3

**DRAFT
LEHIGH COUNTY
MUNICIPAL WASTE MANAGEMENT
AND LICENSING ORDINANCE**

**AN ORDINANCE REGULATING THE DISPOSAL OF MUNICIPAL WASTE
COLLECTED IN LEHIGH COUNTY AND PROVIDING FOR
AUTHORIZATION AND LICENSING OF MUNICIPAL WASTE HAULERS.**

WHEREAS, the Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, P.L. 528, No. 101 ("Act 101") was enacted in the Commonwealth of Pennsylvania (the "Commonwealth") on July 28, 1988; and

WHEREAS, Act 101 gives to each county within the Commonwealth the primary responsibility for planning for municipal waste management within its boundaries; and

WHEREAS, Act 101 requires each county within the Commonwealth to prepare and obtain approval of a municipal waste management plan; and

WHEREAS, the County of Lehigh prepared, adopted and approved the initial Lehigh County Municipal Waste Management Plan (the "Plan") pursuant to the requirements of Act 101 and implemented the Plan on June 1, 1992; and

WHEREAS, the County of Lehigh prepared, adopted, and approved the first major revision to the Plan; and

WHEREAS, the County of Lehigh has submitted the revised Plan to the Pennsylvania Department of Environmental Protection (the "DEP.") for approval by the DEP, as required by Act 101.

NOW THEREFORE, IT IS HEREBY ENACTED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LEHIGH, PENNSYLVANIA, AS FOLLOWS:

Section 1. Title.

This Ordinance shall be known as the Lehigh County Municipal Waste Management and Licensing Ordinance and shall replace any and all previously enacted Lehigh County Municipal Waste Management and Licensing Ordinances.

Section 2. Definitions.

The following terms, when used in this Ordinance, and whether or not capitalized, shall have the meanings set forth in this Section 2.

"Act 101" The Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, P.L. 528, No. 101, as now or hereafter amended.

"Administrative Fee". The fee, if any, which may be designated by the County, from time to time, as the County's Administrative Fee to be paid by the Haulers to the County to subsidize the programs of the Lehigh County Office of Solid Waste Management.

"Applicant". A person desirous of being authorized as a "Hauler".

"Commonwealth". The Commonwealth of Pennsylvania.

"County". The County of Lehigh, Commonwealth of Pennsylvania.

"County Planning Department". The Department of Planning of the County.

"DEP". The Department of Environmental Protection of the Commonwealth.

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

"Disposal Facility". Any site, facility, location, area or premises to be used for the disposal of municipal waste, which is fully approved and permitted by all federal, state and local municipal agencies having appropriate authority to regulate such operations.

"Hauler". A person engaged in the collection and transportation of Lehigh County Municipal Solid Waste.

"Hazardous Waste". Any material or substance which by reason of its composition or characteristics is a (a) toxic or hazardous waste as defined in the Solid Waste Disposal Act, 42 U.S.C. Section 6901 et seq.; as amended, replaced or superseded, and the regulations thereunder, (b) material regulated by the Toxic Substance Control Act, 15 U.S.C. Section 2601, et seq., as amended, replaced or superseded, and the regulations thereunder, (c) special nuclear by-products material within the meaning of the Atomic Energy Act of 1954, 42 U.S.C. Section 2011 et seq., amended, replaced or superseded, and the regulations thereunder or (d) material regulated by the Solid Waste Management Act 35 Pa. C.S. Section 6018.101 et seq.

"Lehigh County Municipal Solid Waste (MSW)". Municipal Waste that is generated within the borders of the County of Lehigh excluding Water Treatment and Sewage Treatment Biosolids.

"Lehigh County Waste Rules and Regulations". The rules and regulations adopted and revised from time to time by the County Planning Department pursuant to Section 6 of this Ordinance.

"License". A license or permit issued by the County authorizing (i) a Person to collect, store or transport Lehigh County MSW or (ii) a vehicle to be used for collection, storage or transportation of Regulated Waste.

"Management". The entire process or any part thereof, of storage, collection, transportation, processing, treatment, and disposal of municipal waste by any person engaging in such process.

"Municipality". A municipality within the County.

"Municipal Waste". Any garbage, refuse, industrial lunchroom or office waste, and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities that does not meet the definition of residual or hazardous waste under DEP regulations, and any Water Treatment Residuals or Sewage Treatment Biosolids not meeting the definition of residual waste or hazardous waste under DEP regulations. The term does not include Source Separated Recyclable Materials, construction and demolition waste, or infectious or chemotherapeutic waste as defined by DEP regulations. This term includes materials which could be recycled, but are not.

"Person". Any individual, firm, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, governmental entity or agency, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. In connection with any provisions of this Ordinance prescribing a fine, penalty, imprisonment, denial or grant of any License, or any combination of the foregoing, the term "Person" shall include the officers and directors of any corporation or the legal entity having officer and directors.

"Plan". The Lehigh County Municipal Waste Management Plan adopted and approved pursuant to Act 101, as now or hereafter amended.

"Processing". Any technology used for the purpose of reducing the volume or bulk of municipal waste or any technology used to convert part or all of such waste materials for off-site reuse. Processing facilities include, but are not limited to, transfer facilities, composting facilities, incinerators, recycling facilities, and resource recovery facilities.

"Recycling". The collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, yard waste, plastics and other materials which would otherwise be disposed of or processed as Municipal Waste or the mechanized separation and treatment of municipal waste (other than through combustion) and creation and recovery of reusable materials other than a fuel for the 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.

"Residual Waste". Any garbage, refuse, other discarded material or other waste, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, mining and agricultural operations; and any sludge from industrial, mining and agricultural operations; and any sludge from industrial, mining or agricultural water supply treatment facilities, waste water treatment facilities or air pollution control facilities, provided that it is not hazardous. The term shall not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on pursuant to and in compliance with a valid permit issued pursuant to the Commonwealth Act of June 22, 1937 (P.L. 1987, No. 394) known as the Clean Streams Law.

"Sewage Treatment Biosolids". The coarse screenings, grit and stabilized wet solids from residential, municipal, commercial and institutional wastewater treatment facilities located in Lehigh County provided that the sludge does not meet the definition of residual or Hazardous Waste. Stabilized solids are solids that have been treated to reduce odor potential and

the number of pathogenic organisms through treatment methods including anaerobic and aerobic digestion, composting, lime stabilization and chlorine stabilization.

"Small Vehicle". A passenger vehicle, van, pick-up truck or similar vehicle with a gross vehicle weight less than 9,000 pounds.

"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 residue separated from Source Separated Recyclable Materials because it is non-recyclable, contaminated or otherwise not properly prepared for recycling.

"Special Handling MSW". Municipal Waste for which any governmental agency or unit having appropriate jurisdiction requires special approval (other than that generally required for Municipal Waste) prior to disposal in a permitted Municipal Waste Disposal Facility.

"Storage". The containment of any Municipal Waste on a temporary basis in such a manner as not to constitute disposal of such waste.

"System". The overall solid waste management system, and every aspect thereof, owned or operated or utilized by or on behalf of the County in the implementation of the Plan, including without limitation, equipment, vehicles, offices, staff, transfer stations, landfills and the like.

"Transfer Station". A facility which receives and temporarily stores solid waste at a location other than the generation site, and facilitates the bulk transfer of accumulated solid waste to a facility for further processing or disposal, which is fully approved and permitted by all federal, state and local municipal agencies having appropriate authority to regulate such operations. A facility is a transfer facility regardless of whether it reduces the bulk or volume of waste.

"Transportation". The off-site removal of any municipal waste generated at any time within the County.

"Water Treatment Residuals". The wet residues derived from the treatment of water at residential, municipal, commercial or institutional water supply treatment facilities located in Lehigh County provided that such residues do not meet the definition of Residual or Hazardous Wastes.

Section 3. Implementation

The County shall have the power, and its duty shall be, to implement the Plan and this Ordinance.

Section 4. Waste Disposal

(a) All Lehigh County MSW produced, collected, and transported from within the jurisdictional limits of the County shall be transported and delivered to a Disposal Facility or Transfer Station in accordance with the Plan.

(b) It shall be unlawful for a Person to transport or deliver, or cause to be transported or delivered, to other than a Disposal Facility or Transfer Station any Lehigh County MSW produced, collected, and transported from within Lehigh County.

(c) Notwithstanding the provisions of Section 4(a) and 4(b), Lehigh County MSW may be transported and delivered to a Recycling Facility for processing and removal of recyclable materials as long as all materials which are not recycled are transported and delivered to a Disposal Facility or Transfer Station.

Section 5. Licensing.

(a) It shall be unlawful for any Person not then holding a License to store, collect or transport Lehigh County MSW.

(b) It shall be unlawful for any Person who generates, owns, possesses or controls Lehigh County MSW to cause, permit or assist, by contract or collection services or otherwise, in the storage, collection or transportation of any Lehigh County MSW by any Person not then holding a License.

(c) It shall be unlawful for any Person to use, or cause, permit or assist in the use of, any vehicle for the storage, collection or transportation of Lehigh County MSW unless such vehicle prominently displays a License duly issued by the County.

(d) Notwithstanding the provisions of Sections 5(a), 5(b) and 5(c) above, an individual may, without a License, store or transport to any Disposal Facility, the Lehigh County MSW generated at such individual's residence and a Person may, without a License, store at such Person's place of business the Lehigh County MSW generated at such Person's place of business.

(e) The licensing requirements which may be imposed by the County upon any Hauler shall be in addition to, and not in substitution for, any licensing or authorization requirements of the Municipalities in which such Haulers conduct their activities.

Section 6. Lehigh County Waste Rules and Regulations.

(a) In order to enable the County to exercise its power and its duty to implement the Plan and this Ordinance, the County Planning Department shall have the right and the power, in its discretion, to adopt, amend, revise, implement and enforce the Lehigh County Waste Rules and Regulations with respect to the storage, recycling, collection, transportation and disposal of Lehigh County MSW.

(b) No Lehigh County Waste Rules and Regulations adopted pursuant to this Ordinance shall be contrary to or less stringent than the provisions of this Ordinance, the Plan, Act 101 or regulations adopted thereunder, or such other laws, regulations or requirements as may be enacted by the Commonwealth or the DEP governing municipal waste planning, generation, collection, storage, transportation, processing or disposal.

(c) Lehigh County Waste Rules and Regulations shall be promulgated thereunder as soon as practicable after adoption of this Ordinance and in any event at least (thirty) 30 days prior to the effective date of this Ordinance.

(d) At least thirty (30) days prior to the effective date of any amendment or revision of the Lehigh County Waste Rules and Regulations, the County shall provide written notice of such amendment or revision to all Persons then currently holding a license to collect, store or

transport Municipal Waste and shall publish such notice in a newspaper of general circulation within the County and shall supply such notice to every Municipality.

(e) Notwithstanding Paragraph 6(d) above, the County Planning Department may amend the Lehigh County Waste Rules and Regulations without prior notice on an emergency basis. The County Planning Department shall follow-up such action with written notice to Haulers and Municipalities as soon as practicable after taking such action.

(f) Lehigh County Waste Rules and Regulations shall, without limitation, (i) govern the issuance, administration, and revocation of Licenses, including without limitation, application procedures, fees, standards and conditions for Licenses, record keeping and reporting requirements, License display requirements, equipment and vehicles requirements, (ii) establish and govern the billing and collection of the Administrative Fee, and (iii) any other matters deemed necessary or convenient by the County for the protection of public health and safety and the efficient, effective, reliable and safe operation of the System.

Section 7. Exclusions.

(a) Nothing contained herein shall be deemed to require a License for, or to prohibit any person not regularly engaged in the business of collecting Lehigh County MSW, from hauling Lehigh County MSW, for no compensation, on an irregular and unscheduled basis, to a Disposal Facility or Transfer Station in a small vehicle.

(b) Nothing contained herein shall be deemed to prevent a farmer from carrying out the normal activities of a farming operation, including composting and spreading of manure or other farm-produced agricultural waste.

(c) Nothing contained herein shall be deemed to prohibit or restrict Recycling Facilities; or restrict or affect the recycling or re-use of Water or Sewage Treatment Biosolids through methods including composting, agricultural utilization, or land reclamation.

Section 8. Unlawful Activity.

It shall be unlawful for any Person to violate, or cause or permit or assist in the violation of, any provision of the Plan, this Ordinance or the Lehigh County Waste Rules and Regulations. All such unlawful conduct shall also constitute a public nuisance.

Section 9. Penalty.

Any Person violating any provision of this Ordinance, or any provision of the Lehigh County Waste Rules and Regulations, shall, upon conviction thereof in a summary proceeding, be sentenced for each violation to pay a fine of not less than Three Hundred Dollars (\$300.00) nor more than One thousand Dollars (\$1,000.00) and costs of prosecution and/or to undergo imprisonment for not more than thirty (30) days. Each violation of any provision of this Ordinance or of any provision of the Lehigh County Waste Rules and Regulations, and each day that such a violation shall exist, shall constitute a separate violation and offense.

Section 10. Withholding, Suspension and Revocation of Licenses.

(a) The County may suspend, refuse to issue, or revoke Licenses as follows:

(i) for any Hauler who is in violation of any provisions of this Ordinance or of the Lehigh County Waste Rules and Regulations;

(ii) for any Hauler, and the vehicles owned or leased by that Hauler, for which insurance coverage is not maintained in accordance with the Lehigh County Waste Rules and Regulations;

(iii) for any Hauler and the vehicles owned or leased by that Hauler if the Hauler fails to pay the Administrative Fee due from such Hauler to the County together with any finance charges, late fees and collection costs within ten (10) days after the due date therefore.

(iv) for any vehicle which does not comply with DEP and PA Department of Transportation regulations;

(v) for any vehicles owned or leased by a Hauler who violates, or whose employees or agents violate, any provisions of this Ordinance or the Lehigh County Waste rules and Regulations;

(b) Suspended Licenses may be reinstated by the County when the cause of the suspension has been corrected.

(c) Persons who have had a License revoked may apply for a new License only when the cause of the revocation has been corrected.

Section 11. Enforcement and Prosecution.

Except as may be otherwise provided in the Lehigh County Waste Rules and Regulations, the County Planning Department shall administer and enforce on behalf of the County and on its own behalf (a) the provisions of this Ordinance and (b) the provisions of the Lehigh County Waste Rules and Regulations.

Section 12. Injunctive Relief.

In addition to any other remedy provided in this Ordinance, the County may jointly or severally institute proceedings to restrain any violation of, or to require compliance with, this Ordinance and/or the Lehigh County Waste Rules and Regulations.

Section 13. Concurrent Remedies.

The existence or exercise of any remedy shall not prevent the County from exercising any other remedy (a) provided under this Ordinance or (b) available at law or equity.

Section 14. Severability and Repealer.

(a) The provisions of this Ordinance are severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision or application of this Ordinance.

(b) Any ordinance or part of an ordinance conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

Section 15. Miscellaneous.

(a) The County Executive shall distribute copies of this Ordinance to the proper offices and other personnel of Lehigh County whose further action is required to achieve the purpose of this Ordinance.

(b) The headings of the sections of this Ordinance are inserted for convenience of reference only and shall not be considered a part hereof.

Section 16. Effective Date.

The Ordinance shall become effective on the first day of June, 1997.

DRAFT

LEHIGH COUNTY WASTE RULES AND REGULATIONS

SECTION 1 - TITLE AND PURPOSE:

1.1. These Rules and Regulations shall be known and may be cited as the Lehigh County Waste Rules and Regulations, and shall replace any and all previously enacted Lehigh County Waste Rules and Regulations. They have been promulgated by the Lehigh County Department of Planning pursuant to Section 6 of the Lehigh County Municipal Waste Management and Licensing Ordinance in order to enable the County to exercise its power and duty to implement the Lehigh County Solid Waste Management Plan and the Ordinance, as revised in June, 1997. These Waste Rules and Regulations (i) identify the Disposal Facilities at which Lehigh County MSW will be accepted and, (ii) establish the Administrative Fee and procedures for payment; (iii) establish the fees and procedures for administering the licensing requirements of the Ordinance.

SECTION 2 - DEFINITIONS:

2.1 The definitions contained in the Lehigh County Municipal Waste Management and Licensing Ordinance are hereby incorporated by reference.

2.2 "Generator" means a person who produces or creates Municipal Solid Waste within the County

2.3 "Ordinance" means the Lehigh County Municipal Waste Management and Licensing Ordinance.

SECTION 3 - DISPOSAL FACILITIES:

3.1 The Disposal Facilities with which the County has entered into a disposal capacity agreement to accept Lehigh County MSW are listed on attached Table 12;

3.2 The Disposal Facilities listed in Section 3.1 may be used for disposal of Lehigh County MSW by Persons holding a Hauler License from the County. Nothing in the Plan, Ordinance, or these Rules and Regulations is intended to prohibit the use of additional Disposal Facilities or Transfer Stations.

SECTION 4 - LICENSING OF HAULERS AND VEHICLES:

4.1 No person may obtain a License for a vehicle from the County unless such Person holds a Hauler License from the County.

4.2 In order to be eligible to obtain a Hauler License, a Person must be properly insured in compliance with Subsection 4.4.(c) of these Rules and Regulations and all other applicable federal, state, and local laws and ordinances.

4.3 A Hauler License will be issued by the County to Persons meeting the requirements of Section 4.2 after the Person seeking the Hauler License satisfies the following conditions:

(a) submits a completed Solid Waste Hauler License Application Form with a \$30.00 application fee if operating with Small Vehicles only or a \$250.00 application fee if operating with any vehicles other than Small Vehicles;

(b) provides proof of insurance meeting the minimum requirements set forth in this Section; and

(c) provides all supporting information and documentation required by the Hauler License Application Form.

4.4 A License will be issued by the County for each vehicle used for collection, storage or transportation of Municipal Waste after the Person who holds a Hauler License and owns or leases the vehicle satisfies the following conditions:

(a) submits for each vehicle the information requested on the License Application Form with a fee of \$10.00 per Small Vehicle and \$25.00 per vehicle for any other type of vehicle;

(b) presents the vehicle to the County for inspection, upon request of the County's Enforcement Officer; and

(c) submits and maintains current certificates of the following insurance;

(i) Vehicle Liability - The greater of (a) the minimum insurance required under the Motor Vehicle Financial Responsibility Law or (b) \$300,000 (\$100,000 for a Small Vehicle License) because of injury to one person in any one accident; \$300,000 (\$100,000 for a Small Vehicle License) because of injury to two or more persons in any one accident; and \$300,000 (\$100,000 for a Small License Vehicle License) because of damage to property in any one accident;

(ii) General Liability - Bodily injury, \$300,000 (\$100,000 for a Small Vehicle License) per occurrence, and property damage or \$300,000 (\$100,000 for a Small Vehicle License) per occurrence; and

(iii) Worker's Compensation - As required by law.

4.5 If any Hauler's insurance coverages as stated in Section 4.4 are canceled or terminated during the term of the License, the Hauler must notify the County Planning Department immediately.

4.7 Licenses will be issued on a twelve month basis beginning June 1 through May 31. Proration of License Fees will be on a quarterly basis.

4.8 Vehicle Licenses must be firmly affixed in a prominent location so that the License is readily visible.

4.9 A License is not transferable from the vehicle for which the License was issued except in the case of permanent replacement of the initial vehicle.

SECTION 5 - REPORTS:

5.1 All loads of Lehigh County MSW that are collected and delivered to a Disposal Facility shall be reported monthly to the County by the Hauler. The report (a) shall be in a form prescribed by the County and otherwise acceptable to the County, (b) shall be submitted no later than the 15th day of each month for the preceding month's activity.

SECTION 6 - ADMINISTRATIVE FEE:

6.1 An Administrative Fee of \$0.75 per ton will be charged Haulers, excluding those holding a Small Vehicle License only, for each ton of Lehigh County MSW that is collected and delivered to a Disposal Facility or Transfer Station. The amount due from each Hauler for the Administrative Fee will be based on the tonnage reported on the monthly reporting forms referenced in Section 5.1 above, and will be due and payable along with said monthly reporting forms, no later than the 15th day of each month for the preceding month's activity. The County may, at its discretion, establish a quarterly billing and collection system for the Administrative Fee in place of the monthly billing.

SECTION 7 - ENFORCEMENT OFFICERS:

7.1 The County may employ individuals known as Enforcement Officers who shall have the powers and duties described in this Section 6.

7.2 Enforcement Officers may stop and inspect any vehicle which is being used for the collection, storage or transportation of Lehigh County MSW and may inspect the contents of such vehicle.

7.3 In order to enforce and affect compliance with the Lehigh County Municipal Waste Management and Licensing Ordinance and/or the Lehigh County Waste Rules and Regulations, Enforcement Officers shall have the authority to issue citations to any violator(s) and are authorized to prosecute said violator(s) pursuant to the terms of said Ordinance and Rules and Regulations.

SECTION 8 - OPERATING AND SAFETY RULES:

8.1 Haulers, operators of vehicles holding Licenses, and all other employees and agents of Haulers, shall comply with: all requirements of the Pennsylvania Motor Vehicle Code; environmental laws, rules and regulations; all other applicable laws; and Act 101.

8.2 All vehicles displaying Licenses shall be maintained in good repair and safe condition in compliance with all federal, state, and local laws and ordinances.

8.3 All vehicles displaying Licenses shall be readily emptied and cleaned with sufficient frequency to prevent insect breeding or odors or other nuisances.

8.4 All Lehigh County MSW transported in a vehicle displaying a License 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 Disposal Facility.

8.5 Operators of all Licensed Vehicles must obey all road signs and posted speed limits. Safe and courteous driving practices shall be followed at all times.

8.6 Haulers shall comply with the rules, regulations and procedures established by owners of Disposal Facilities for delivery of Lehigh County MSW to such Disposal Facilities.

SECTION 9 - LIABILITY AND INDEMNITY:

9.1 Liability The County will not be liable to any Person with respect to any personal injury or death of any Person, or for loss or damage to any property, arising out of any actions, errors or omissions of any Hauler licensed by the County.

9.2 Indemnity. Each Generator and each Hauler shall protect and indemnify the County, and hold it harmless, from and against all liabilities, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions incurred by the County, directly or indirectly, and all reasonable attorneys fees of the County, with respect to any personal injury or death of any Person or for loss or damage to any property, arising out of (a) the acts or omissions of such Hauler, whether or not negligent, or the acts or omissions of such Generator, if negligent or illegal, with respect to the storage, recycling, collection, transportation or disposal of Lehigh County MSW, (b) the violation by such Hauler of these Rules and Regulations, or (c) the violation by such Generator or Hauler of the Lehigh County Municipal Waste Management and Licensing Ordinance.

SECTION 10 - EFFECTIVE DATE:

10.1 The Lehigh County Waste Rules and Regulations shall take effect on June 1, 1997. Subsequent revisions to the Waste Rules and Regulations shall be effective on the date specified in the revision which shall be at least thirty (30) days after notice is given of the changes, pursuant to the requirements of the Ordinance.



COUNTY OF LEHIGH
Office of Solid Waste Management

APPENDIX A

DRAFT DISPOSAL CAPACITY AGREEMENT

1. GENERAL INFORMATION

a.) Disposal Facility Name and Address:

Phone: _____
Contact Person: _____

b.) Contractor's Name and address:

Phone: _____
Contact Person: _____

c.) Contractor's form of organization: _____

d.) PA DEP Permit # and expiration date: _____

2. FACILITY DESIGN CAPACITY

a.) Capacity as of June 1, 1997 _____ TPY
and for how many years? _____ Years

3. AVAILABLE CAPACITY

a.) Permitted Average Daily Capacity _____ TPD

b.) Total Average Daily Intake, 1996 _____ TPD

c.) Remaining Available Capacity _____ TPD

4. LISTING OF DISPOSAL FACILITY

- a.) During the term of this Agreement, the County agrees to list the above named Disposal Facility in the County's Solid Waste Management Plan as a non-exclusive processing or disposal facility for the disposal of Lehigh County municipal solid waste.
- b.) The County and Contractor acknowledge and agree that the listing of the above named Disposal Facility is nonexclusive in nature and the County may enter into agreements with other disposal facilities and list these additional facilities in its Solid Waste Management Plan.

P.O. Box 1548
Allentown, Pennsylvania 18105
Phone: 610-820-2003
Fax: 610-820-8257

5. DELIVERY, ACCEPTANCE, DISPOSAL OF LEHIGH MSW

- a.) During the term of this Agreement, the Contractor agrees to accept and dispose of the Lehigh County MSW which is delivered to the Disposal Facility on the open market and under the terms of its operating procedures and conditions.
- b.) The County is not obligated by the terms of this Agreement to guarantee the delivery to the Disposal Facility of any minimum quantities of Lehigh MSW and is not responsible for the payment of any disposal fees incurred as a result of the delivery of Lehigh County MSW to the Disposal Facility. Nothing contained in this Agreement is explicitly intended or implied to create a "put or pay" (as that phrase has generally been understood in the solid waste disposal industry) or similarly obligatory relationship between the County and the Contractor.
- c.) The County and Contractor acknowledge and agree that use of the Disposal Facilities that are listed in the Lehigh County Solid Waste Management Plan is optional. Licensed Haulers, municipalities, businesses, individual residents, and other persons may also dispose of Lehigh County MSW at other disposal facilities that are fully permitted by all federal, state, and local agencies having the authority to regulate such operations.

6. SEMI-ANNUAL REPORTING

On or before the 20th day of July and January, the Contractor shall submit to the County a semi-annual report, on a form mutually acceptable to the County and Contractor, stating the following information:

- a.) the actual quantity, in tons, of Lehigh County MSW delivered to, and disposed of at, the Disposal Facility by each Licensed Hauler during the preceding six months; and
- b.) the remaining Available Capacity and any substantial change in the Available Capacity as listed in Section 3 of this Agreement.
- c.) a statement that all applicable Permit(s) issued to the Disposal Facility are current and in effect, and that the Disposal Facility is in substantial compliance with all the terms and conditions of its Permit(s).

7. TERM

- a.) Unless terminated sooner by mutual consent of the County and Contractor, the term of this Agreement shall commence on June 1, 1997 and continue in effect for ten (10) years.
- b.) The County and Contractor shall have the option to extend this Agreement, in writing, for any additional term negotiated for and deemed appropriate by both parties.
- c.) The County shall have the right to terminate this Agreement with or without cause by giving sixty (60) day's written notice to the Contractor at the address specified in this Agreement.

Attest or Witness

Date

Attest or Witness

Date

Contractor

Date

County

Date

COUNTY
OF
LEHIGH

SOLID WASTE
MANAGEMENT
PLAN

OCTOBER, 1996

This Plan has been partially funded
through a grant from the Pennsylvania
Department of Environmental Protection
under PA ACT 181 of 1988, Section 901

YTM103

THESE ARE THE ONLY COPIES OF THE
ORIGINALS OF THE DOCUMENTS
REPRODUCED IN THIS VOLUME
AND ARE TO BE KEPT IN THE
OFFICE OF THE DIRECTOR

COUNTY OF LEHIGH

Lehigh County Courthouse
455 Hamilton Street
Allentown, Pennsylvania 18105

COUNTY EXECUTIVE

Jane S. Baker

LEHIGH COUNTY BOARD OF COMMISSIONERS

George A. Laughlin, Chairman
Percy H. Dougherty
Jane R. Ervin
Martha E. Falk
John F. McHugh
Grayson E. McNair
Sterling H. Raber
Linda A. Rosenfeld
Emich M. Stellar, Jr.

DEPARTMENT OF PLANNING

Robert E. Korp, Director
Julia M. Stamm, Solid Waste Coordinator

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EXECUTIVE SUMMARY

Under mandate from the Commonwealth of Pennsylvania contained in the Municipal Waste Planning, Recycling and Waste Reduction ACT of 1988 (ACT 101), Lehigh County developed and adopted its Solid Waste Management Plan (Plan) dated April 24, 1991.

The 1991 Plan established three geographical Regions, the North, South, and West, and entered into a ten year DISPOSAL AGREEMENT with three separate Designated Facilities to accept and process the Lehigh County municipal solid waste that was generated within their Region. Lehigh County enacted an Ordinance and Rules and Regulations mandating that municipal solid waste generated within Lehigh County be taken to these Designated Facilities. The Disposal Agreements each had a clause that allowed the County to terminate the agreements in five years.

Throughout the past several years, the solid waste industry has drastically changed. Disposal capacity has significantly increased for a variety of reasons. New facilities have been built and existing facilities have expanded. Recycling programs have diverted many tons of material from the waste stream. Waste reduction programs have begun for both residential and commercial generators.

Specifically in Lehigh County, the Lehigh County Compost project has now grown to where it serves over 70% of the county's population and removes approximately 65,000 cubic yards of material from the waste stream annually, about 10% of the total. Lehigh County has exceeded the state goal of a 25% percent recycling rate for the past four years in a row, averaging about 40%, the highest in the Commonwealth.

This revision to the 1991 Plan, therefore, adopts a more open market approach to guaranteeing disposal capacity for Lehigh County municipal solid waste. It eliminates the three regions and establishes an expanded menu list of Disposal Facilities to which haulers, municipalities, businesses, individuals, and other generators within Lehigh County may dispose of their municipal solid waste.

The 1991 Plan set an overall recycling goal of 50% by 1997. This plan revision includes an estimation of a 30% recycling rate for the next ten years. The rate was revised due to the inclusion of construction and demolition waste and biosolids in the definition of Lehigh County MSW.

This revision will become effective in June, 1997 and run through June, 2006.

INTRODUCTION

This revision to the Lehigh County Solid Waste Management Plan (SWM Plan) is formatted to respond to and comply with the COMMONWEALTH OF PENNSYLVANIA, PENNSYLVANIA CODE, TITLE 25. ENVIRONMENTAL RESOURCES, Subchapters 272.201 through 272.251. A copy of the applicable sections of these regulations is included for reference as Appendix D.

PUBLIC PARTICIPATION, SECTION 272.222

- a. In the month of September, 1995, a notice of Lehigh County's intent to undertake a major revision to its SWM Plan was published in a newspaper of general circulation and an individual written notice was sent to the highest elected official and the recycling coordinator of each local municipality, and all municipal solid waste haulers who are licensed by the County of Lehigh.
- b. The County re-established the Solid Waste Advisory Board (SWAB) through the summer and fall of 1995. The SWAB began holding monthly meetings in October, 1995 to review the County's progress in revising the SWM Plan and offer their suggestions and revisions. All SWAB meetings were open to the public. A copy of the minutes of each SWAB meeting is available, upon request, through the Lehigh County Solid Waste Management Office, 610-820-2003. A list of SWAB members is provided below.

- c. The revised Lehigh County SWM Plan will be implemented by the Lehigh County Office of Solid Waste Management. Both elected officials and recycling coordinators from local municipalities are routinely informed of the County's activities regarding solid waste management. In addition, a section on Solid Waste Management is included in the County's semi-annual community newsletter. The County holds public meetings to discuss issues of general concern or specific projects, when appropriate.

MEMBERS OF THE LEHIGH COUNTY SOLID WASTE ADVISORY BOARD, 1996

| | |
|------------------------------|--------------------|
| City of Allentown | Neal K. Kern |
| City of Bethlehem | Glen Cooper |
| Boroughs | Lucy Ackerman |
| Townships of First Class | Michael A. Cotter |
| Townships of Second Class | George E. Beam |
| Solid Waste Hauling Industry | Edwin L. Ziegler |
| Scrap/Recycling Industry | John E. Schneider |
| Industry | Kevin Lindgren |
| | Donald M. Bernhard |
| | Kevin Snyder |
| Citizen Organizations | Maurice Silvestris |
| County Solid Waste/Recycling | Julia M. Stamm |
| Private Citizens | Philip F. Newman |
| | Donna Wolf |
| | Parshotam L. Ghai |
| | Elizabeth M. Levin |
| County Commissioners | Emrich Stellar |
| | Grayson E. McNair |

DESCRIPTION OF WASTE, SECTION 272.223

- a. The organizational structure and classifications for the County of Lehigh has not changed since the current Plan was developed. Lehigh is still a County of the Third Class containing a total of three hundred forty eight and nine tenths (348.9) square miles and is broken into twenty-five municipalities. The analyses and projections contained in this SWM Plan revision are based on the 1994 Population Estimates contained in a report from the Lehigh and Northampton County Joint Planning Commission. Because the City of Bethlehem still operates under a separate Sub-County SWM Plan, their data was not considered and is not included.
- b. The following sub-section (c) describes how sewage sludge, infectious and chemotherapeutic waste, ash from resource recovery facilities, and other MSW was considered in this SWM Plan revision for both content and origin.
- c. Waste Origin and Content

1.) Table 1 displays the number of occupied housing units that were considered in calculating the residential waste generation rate for 1995 through the year 2006. This information was taken from "LEHIGH VALLEY PROFILE & TRENDS", 1996 EDITION by the Joint Planning Commission of Lehigh and Northampton Counties. An average annual rate of change was calculated from the projections for the decade of 1990-2000 and 2000-2010. This average annual rate of change was used to estimate the occupied housing units in each municipality for each of the next ten years.

Table 2 displays the number of employees in the various business divisions and public establishments that were analyzed in calculating the commercial waste generation rate for 1995 through the year 2006. This information was compiled using Standard Industry Code data for 1995 obtained from the PA Department of Labor and Industry. It is difficult to predict the type and mix of commercial establishments which may locate in Lehigh County, the potential expansion or closure of existing businesses, and the corresponding number of employees over the next ten years. The projected number of employees, therefore, is a rough estimate, based on current employment data and a consistent annual increase of one-half of one percent.

- 2.) Table 3 displays a list of public and private sewage treatment plants. This information is taken from the "1995 Water Supply and Sewage Facilities Plan" prepared by the Lehigh and Northampton County Joint Planning Commission.
- 3.) The estimated content and origin of infectious and chemotherapeutic waste from hospitals, clinics, dentists, funeral directors, and veterinarians was not revised from the current Lehigh County SWM Plan. Therefore, there is no detailed table listing these facilities. However, an estimated total tons of infectious and chemotherapeutic waste that is generated in Lehigh County is included in the total projected waste generation rate. This information was taken from the "COUNTY WASTE DESTINATION REPORTS" that are prepared by the PA Department of Environmental Protection. The projected infectious and chemotherapeutic waste generation rate through 2006 is based on a consistent annual increase of one-half of one percent.
- 4.) There are still no resource recovery facilities which generate ash within Lehigh County.

d. Waste Weight

- 1.) For this SWM Plan revision the County reviewed recent waste generation rate and characterization studies conducted in Montgomery County, Maryland; Fairfax County, Virginia; Seattle City, Washington; and New York City, New York. As a supplement to and verification of the data contained in these reports, the County conducted a limited field sort of various commercial and residential waste streams. This supplemental data was compared to the information from the other studies and was integrated where appropriate.

Table 4 displays the current waste generation rate for Lehigh County and the projected rate over the next ten years for residential, commercial, and additional/special wastes. The residential waste generation is based on a "tons per housing unit" rate instead of a "tons per person" rate. The commercial waste was calculated on a "tons per employee rate" for the SIC Divisions. Data on the number of housing units in the municipalities and the number of employees in businesses is updated annually by the responsible state and county offices. Waste projections based on these rates can, therefore be routinely verified and checked. Population statistics are not as easily verified.

Under the "ADDITIONAL WASTES" categories, BIOSOLIDS and CHEMO/INFECTIOUS WASTES are projected to increase one-half of one percent (0.5%) annually. The tons of CONSTRUCTION/DEMOLITION waste for 1995 was taken from the "COUNTY WASTE DESTINATION REPORTS" that are prepared by the PA Department of Environmental Protection. The tons of Lehigh County C&D waste is estimated to remain consistent through 2006.

- 2.) Information on the sampling and survey data is contained in subsection (c).
- 3.) The overall recycling rate for the County has consistently been above 25% since 1991 and has averaged 40% since 1992. Municipalities and businesses have benefitted from their recycling and waste reduction programs and are committed to continuing them. Section 272.226 of the Plan revision provides detailed information on the extensive recycling programs that currently exist in Lehigh County. Table 5 displays the estimated tons of material that have been removed from the waste stream through recycling programs over the past seven years and the corresponding recycling rates. These rates were calculated using the method recommended by the PA Department of Environmental Protection: calculating the waste generation rate with a standard figure of .8 tons/person/year times the 1990 municipal and county populations; then determining the percentage of this waste generation figure that was actually recycled each year. As explained in (d.1) above, a different method was used in calculating the projected waste generation data that is contained in this revision to the Lehigh County SWM Plan.

e. Special Items

- 1.) Waste tires: The County maintains a list of commercial outlets for and promotes the proper handling of waste tires by individuals and businesses. In addition, the County runs a joint collection program for municipalities twice a year to reduce the cost of disposing of waste tires that are generated by municipal operations and those that are collected along roadsides.

streambanks, etc. The Alternative and Special Handling Committee of the SWAB reviewed this approach and did not suggest that the County take any further action.

- 2.) Household hazardous waste: The County entered into a public/private partnership with a local hazardous waste handler to operate a permanent HHW collection facility. As part of that project, the County established a paint re-mixing and distribution program to utilize left over latex paint.
- 3.) Leaves and yard waste: In cooperation with local municipalities the County operates a leaf and yard waste composting facility that serves approximately 75% of the population of the County. This project began in 1988 and the County will continue to operate the facility as long as the need remains. Upon request, Ms. Nora Goldstein of Biocycle Magazine gave a presentation to the Alternative and Special Handling Committee of the SWAB on the current status of the composting industry. This committee then recommended that the County explore the feasibility of the following two types of projects and support their development in the private sector if appropriate. The first are small, composting projects that process only the organic waste that is generated on a particular site. The second is a larger composting operation that would handle the organic waste that is generated through the commercial food process/handling industry in the Lehigh Valley.
- 4.) Construction and demolition debris (C&D): The County has researched two distinct types of C&D recycling/reuse operations that exist in other areas. The first are direct reuse/resale operations which mainly handle items that are readily usable by individual home owners and, in some cases, small contractors. There are currently no facilities in the Lehigh Valley that routinely accept unwanted construction materials for direct re-use or resale. The Alternative and Special Handling Committee of the SWAB recommended that the County work with an independent, private organization to establish this type of program or look for a public/private partnership approach. The second type of operation mainly handles items that need to be re-processed prior to re-use. The closest facility that accepts all types of C&D materials for recycling is in Philadelphia. The SWAB Committee recommended that the County look for a private company that may be interested in developing this type of operation closer to Lehigh County.

DESCRIPTION OF FACILITIES, 272.224

a

- 1.) The County reviewed the 1995 "Monthly Reports" received from all municipal solid waste haulers that are licensed by Lehigh County and the 1995 "COUNTY WASTE DESTINATION REPORTS" prepared by the PA Department of Environmental Protection. This information was used to compile Table 6 which lists the disposal facilities that are currently receiving Lehigh County MSW. The tons shown for each PA Disposal Facility and the overall total includes the following waste classifications: municipal, construction debris, and sewage sludge. The tons shown for transfer stations and out of state facilities include only municipal waste. There are two transfer stations located in Lehigh County and no landfills or waste to energy plants.
- 2.) The County researched the remaining available capacity of those disposal facilities that are located within a 100 mile radius of Lehigh County. The results of this survey indicated that the unused disposal capacity within the immediate area far exceeds the needs of Lehigh County. The County, therefore, determined that further research into additional facilities which are located farther away was not necessary. This revision to the Lehigh County SWM Plan allows Lehigh County MSW to be taken to additional facilities that are outside the 100 mile radius and are not listed in this SWM Plan. The intent of this revision to the Lehigh County SWM Plan is to guarantee adequate disposal capacity in the open market within the 100 mile radius but to also allow for use of other additional Disposal Facilities by haulers, municipalities, businesses, and other persons who choose to do so.
- 3.) The existing available permitted capacity far exceeds the needs of Lehigh County for the next ten years. The County, therefore, did not research potential expansions.

b.

- 1.) The County of Lehigh has entered into, or will enter, into a non-exclusive disposal capacity agreement with those disposal facilities within a 100 mile radius of Lehigh County that are currently accepting Lehigh County MSW.
- 2.) Lehigh County SWM Plan will not impair the use of the remaining permitted capacity of the facilities that are currently accepting municipal solid waste that is generated within Lehigh County. In addition to the facilities with which the County has entered into a non-exclusive disposal capacity agreement, this revision to the Lehigh County SWM Plan allows waste haulers, municipalities, businesses and other persons to use facilities that are outside the 100 mile radius and are not listed in this Plan.

c. NA

d. NA

ESTIMATED FUTURE CAPACITY. 272.225

- a. Table 7 displays the estimated disposal capacity needed for Lehigh County MSW over the next ten years. The 1995 data was calculated by subtracting the estimated tons of material that will be recycled annually from the total waste generation tons listed in Table 4. The projected data for 1996 through 2006 was calculated on a consistent 30% recycling rate. This was adjusted down from the average 40% rate for Lehigh County over the past four years for a number of reasons. Previous waste generation estimates did not include biosolids or construction and demolition wastes. In addition, the estimate of the commercial waste generation rate was based on an older study that did not include all the classifications of businesses that are in the current projections.
- b. There are numerous variables that could affect the estimated future capacity needs contained in this revision to the Lehigh County SWM Plan. Additional recycling programs may be developed, current recycling programs may be eliminated, additional composting projects may be implemented, the commercial or population base of the County may significantly increase or decrease, etc. Under the open market approach to solid waste management which Lehigh County is adopting under this revision to its SWM Plan, all these factors will be monitored. If the unused disposal capacity that is available on the open market decreases, to within 300 % of the capacity needed to handle Lehigh County MSW, Lehigh County will respond in a timely and appropriate manner to adequately insure disposal capacity for the municipal solid waste that is generated within its boundaries. According to the "COUNTY WASTE DESTINATION REPORTS" prepared by the PA Department of Environmental Protection, approximately 32,900 tons of residual waste from Lehigh County was taken to Pennsylvania disposal facilities in 1995. If this tonnage is added to the annual waste generation rate for Lehigh County, the available disposal capacity within the 100 mile radius still exceeds the needs of Lehigh County.

c. NA

d. NA

DESCRIPTION OF RECYCLABLE MATERIALS. 272.226

a.

- 1 & 2.) Table 8 displays the variety of materials that were recycled by each municipality in 1995. Municipalities and businesses throughout Lehigh County have recognized the economic and environmental benefits of recycling and have enacted extensive programs that divert approximately 100,000 tons of material from the waste stream annually. At the current average of \$55.00 per ton for disposal, approximately \$5.5 million per year is saved in avoided disposal costs.
- 3.) Table 5 displays the history of recycling operations throughout Lehigh County from 1989 to 1995. Table 9 lists the names of commercial processing facilities that are typically used by municipalities.

seven years there has been adequate interest and participation of the commercial sector in handling and processing recycled materials. Therefore, the only processing facility that Lehigh County owns and operates is the Leaf and Yard waste Compost Facility. Lehigh County did not and will not be developing a publicly owned recycling facility.

- 4.) As stated above, extensive recycling programs have developed in Lehigh County and have become an integral part of handling municipal solid waste.
 - 5 & 6.) In general, municipalities and businesses throughout Lehigh County contract with private haulers to collect and transport recyclable materials from both curbside and drop-off programs. The mandated municipalities, and some non-mandated, have enacted ordinances that require their residents, businesses, and waste haulers to participate in recycling programs.
 - 7.) The recycling industry has developed into a broker method of marketing recycled materials. This system locates markets from around the world and makes them available to Lehigh County municipalities and businesses.
 - 8.) As explained above, the broker method of marketing recycled materials is utilized throughout Lehigh County.
 - 9.) Table 10 displays the status of municipal recycling programs including the date they became effective.
 - 10.) Three major factors affect the financial viability of recycling programs: grant programs available to municipalities through PA ACT 101, Section 9; the markets for recycled materials; and the avoided disposal costs. Lehigh County and local municipalities have benefited from over Four Million dollars in grant money from the PA Department of Environmental Protection through ACT 101 Section 9 programs. The markets for recycled materials have varied significantly throughout the past five years. At times, municipalities and businesses have received little or no revenue from the sale of recycled materials. In other years, markets rose to the extent that some public and private collection programs broke even or had a net revenue. At the current average of \$55.00 per ton for disposal, approximately Five and One-half Million dollars per year is saved in avoided disposal costs through the recycling of 100,000 tons of material.
 - 11.) N/A
 - 12.) Both the County and individual municipalities have developed extensive public education programs to encourage recycling by individual residents and businesses. The success of these programs is demonstrated by the high recycling rate of 40% over the past four years.
- b.
- 1.) Table 10 lists the municipal recycling programs that are currently operating in Lehigh County, whether they are a mandated or non-mandated community, and the materials they collect.
 - 2.) No municipality in Lehigh County has delegated its responsibility, as specified under Subchapter E, to the County.
 - 3.) N/A
 - 4.) N/A

SELECTION AND JUSTIFICATION OF MUNICIPAL WASTE MANAGEMENT SYSTEM. 272.227

Since the County of Lehigh developed its ACT 101 Solid Waste Management Plan dated April, 1991, the disposal capacity available in both public and private municipal solid waste disposal facilities has significantly increased. In addition, the success of municipal and commercial recycling programs and the Lehigh County Leaf and Yard waste Compost Project has diverted approximately 100,000 tons of material annually from the waste stream over the past four years. Lehigh County has maintained a recycling rate of

approximately 40% for the last four years, expects that these programs will continue, and will work with the public and private sector to achieve this goal.

Given the extent of these changes in the solid waste industry, in the spring of 1996, Lehigh County surveyed all Pennsylvania MSW disposal facilities within a reasonable driving distance, a 100 mile radius of the center of Lehigh County, to determine the available capacity within the region. The survey asked for the total permitted average daily capacity, the tons of waste received at the facility on a daily basis in 1995, and the remaining available daily capacity. The capacity information received from the disposal facilities and contained in Table 11 was compared to reports issued by the PA Department of Environmental Protection and adjusted where necessary. The results of this survey indicate that in 1995 approximately 20,000 tons per day of unused disposal capacity was available. When compared with the Estimated Future Capacity projections for Lehigh County MSW of approximately 1,000 tons per day, this equates to approximately 2,000% excess in available, unused capacity. This unused capacity is in addition to the disposal capacity currently utilized for Lehigh County MSW. According to PA DEP estimates, there is enough disposal capacity to meet demand throughout the entire Commonwealth for more than the next ten years.

The County of Lehigh is, therefore, now utilizing a more open market approach to meet its obligations under ACT 101 of guaranteeing disposal capacity for the municipal solid waste that is generated within its borders (Lehigh County MSW). The abundance of disposal capacity in the region and the market laws of supply and demand guarantee that enough capacity is currently available for Lehigh County MSW and will be for the next ten years.

Table 12 identifies the Pennsylvania disposal facilities within a 100 mile radius that have available capacity to handle Lehigh County MSW and with whom the County has entered into, or will enter into, a ten year disposal capacity agreement to accept Lehigh County MSW under open market operations. These disposal facilities may be used by Licensed Haulers, municipalities, businesses, individuals, and other persons to dispose of Lehigh County MSW. The County is also allowing waste haulers, municipalities, businesses, individuals, and other persons to dispose of Lehigh County MSW in additional waste disposal facilities that are not listed in this Lehigh County SWM Plan, as long as they are fully licensed and permitted by all federal, state, and local agencies with the authority to regulate such operations. The County did not enter into, and will not enter into, disposal agreements with transfer stations because they are not ultimate disposal facilities. Lehigh County MSW may be taken to transfer stations that are fully permitted by all federal, state, and local agencies with the authority to regulate such operations.

During the ten year term of their disposal agreement with Lehigh County, each disposal facility will be required to provide semi-annual updates on the amount of remaining disposal capacity available at the facility. Throughout the year, the County will monitor the total available disposal capacity in the region by reviewing the semi-annual facility reports, the quarterly reports from the PA Department of Environmental Protection, municipal contract negotiations, and other pertinent data. The County will revise or supplement the list of facilities if and when necessary.

Throughout the ten years of this SWM Plan, Lehigh County will routinely review and monitor the solid waste industry in the region and, thereby, identify any potential change which could significantly reduce the available disposal capacity. If such a change is noted, Lehigh County will respond to continually guarantee disposal capacity for the municipal solid waste that is generated within its boundaries.

LOCATION. 272.228

a. Table 12 displays a list of facilities that have indicated an interest, and with whom the County intends to sign Disposal Capacity Agreements for the disposal of Lehigh County MSW. The handling and processing of recycled material collected from Lehigh County is adequately handled by commercial recycling facilities. The County does not and will not, therefore, be developing and locating any additional recycling facilities.

b. N/A

IMPLEMENTING ENTITY IDENTIFICATION, 272.229

The County of Lehigh, Department of Planning, Office of Solid Waste Management will continue to be responsible for implementing the Lehigh County Solid Waste Management Plan.

PUBLIC FUNCTION, 272.230

The County of Lehigh has determined that it is in the best public interest for municipal waste disposal to be handled by the private, commercial sector at this time. The County will routinely monitor the capacity for municipal waste disposal in the region. If a significant reduction of available capacity occurs, the County will reconvene the Solid Waste Advisory Board to determine if the County should take a more active role in guaranteeing disposal capacity for Lehigh County MSW.

The County will continue to operate its Leaf and Yard Waste Composting Project and its Household Hazardous Waste Project as public functions. These projects are administered in full cooperation with and input from the local municipalities.

IMPLEMENTING DOCUMENTS, 272.231

A copy of the following documents are included with this Plan revision:

- * Draft Disposal Capacity Agreement, Appendix A
- * Draft Lehigh County Municipal Waste Management and Licensing Ordinance, Appendix B
- * Draft Lehigh County Waste Rules and Regulations, Appendix C

ORDERLY EXTENSION, 272.232

In preparing this major revision to its Solid Waste Management Plan, the County of Lehigh considered existing State, regional, and local plans and regulations affecting the use of the natural resources of the area, and regional comprehensive planning and zoning, population estimates, economic conditions, and engineering criteria. The Lehigh County Office of Solid Waste Management will be responsible for implementing all the tasks and responsibilities specified in this Plan revision. In doing so, this County Office will work cooperatively with local municipalities, the appropriate offices of the Commonwealth of Pennsylvania, the commercial establishments within the County, community organizations, and interested residents.

FACILITIES DEVELOPED PURSUANT TO SUB-COUNTY PLANS, 272.233

The City of Bethlehem is the only municipality in Lehigh County which owns a municipal waste landfill and operates under a Sub-County SWM Plan. This major revision to the Lehigh County Solid Waste Management Plan does not affect the design, construction, operation, financing or contractual obligations of the Bethlehem City Landfill. The Bethlehem City Landfill is listed in this Lehigh County SWM Plan revision as a disposal facility which generators of Lehigh County MSW may utilize.

Exhibit E-4



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Request For Proposal

Register for an upcoming Request for Proposal

The City of San José will soon issue an RFP for the collection and processing of commercial recyclables, organics, and solid waste. The procurement process will result in exclusive franchise agreements.

All interested companies must register with BidSync:
www.bidsync.com | (800) 990-9339



Lehigh County, Pennsylvania, is revising its Municipal Waste Management Plan in accordance with the provisions of Pennsylvania Act 101 of 1988 (Municipal Waste Planning, Recycling and Waste Reduction Act) for the purpose of obtaining ten (10) year commitments (January 1, 2010 through January 1, 2020) for disposal capacity for the municipal waste generated within Lehigh County during that period. The waste facilities to be considered in the plan revision must be permitted and fully available for use prior to January 1, 2010. It is estimate that an average of approximately 335,000 tons per year of municipal waste will be generated in the County during the ten (10) year planning period.

For information, all inquiries from interested facility owners should be made, in writing, no later than 30 days from the date this notice is published to: **Harvey Joseph, Lehigh County Solid Waste and Recycling**, 5375 Old Packhosue Road, Orefield, PA 18069.

Account Managers

Our company is looking for part time Account Managers, Bookkeepers and Sales Representatives working from their home with flexible hours and ready to work in any condition. It pays \$3000-\$4000 a month plus benefits and takes only a little of your time.

Please contact us for more details.

Requirements:

- Should be computer Literate.
- 2-3 hours access to the internet weekly.
- Must be 19 yrs and above of age
- Must be Efficient and Dedicated If you are interested and need more information,

Please send your resumes to
johossholly8@gmail.com



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Request For Proposal

**REQUEST FOR QUALIFICATIONS
FOR THE OPERATION AND MAINTENANCE
OF THE MID-CONNECTICUT RESOURCES RECOVERY FACILITY**

The Connecticut Resources Recovery Authority (CRRA) is seeking the services of a qualified firm to operate and maintain CRRA's Mid-Connecticut Resources Recovery Facility (Facility) located in Hartford, CT. The Facility is a refuse-derived fuel (RDF) waste-to-energy plant that began operations in 1986 and is permitted to accept and process up to 888,888 tons of municipal solid waste per year and generates approximately 60 megawatt hours of electricity per year. The current agreements for the operation, maintenance and purchase of the net electrical output of the Facility expire in 2012. To be considered for the operation and maintenance services a company must submit to CRRA all of the information requested in CRRA's qualifications package. Beginning on or about Monday, September 14, 2009 CRRA's Request for Qualifications package may be obtained from CRRA's web site located at www.crra.org. When at the CRRA home page click on the Business Opportunities menu selection located at the left of the screen. On or about September 30, 2009 CRRA will provide a tour of the Facility for those firms interested in submitting qualifications for the operation and maintenance of the Facility. All instructions for the submittal of a firm's qualifications are presented in the Request for Qualifications documents. The deadline for submittal of Statements of Qualifications is November 4, 2009. Any questions regarding this solicitation should be directed to Virginia Raymond by email at vraymond@crra.org or by phone at 860-757-7730.

Acquisitions



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412.562.0891 t
412.562.0892 f

info@sternercon

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Proof of Publication Notice in The Morning Call

Under Act No. 587, Approved May 16, 1929, and its amendments

STATE OF PENNSYLVANIA }
COUNTY OF LEHIGH } ss:

COPY OF NOTICE OR ADVERTISEMENT

Glenn Adams, Credit Manager of THE

MORNING CALL, INC., of the County and State aforesaid, being duly sworn, deposes and says that THE MORNING CALL is a newspaper of general circulation as defined by the aforesaid Act, whose place of business is 101 North Sixth Street, City of Allentown, County and State aforesaid, and that the said newspaper was established in 1888 since which date THE MORNING CALL has been regularly issued in said County, and that the printed notice or advertisement attached hereto is exactly the same as was printed and published in regular editions and issues of the said THE MORNING CALL on the following dates, viz.:

..... and the 17th day of August 2009

Affiant further deposes that he is the designated agent duly authorized by THE MORNING CALL, INC., a corporation, publisher of said THE MORNING CALL, a newspaper of general circulation, to verify the foregoing statement under oath, and the affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statements as to time, place and character of publication are true.



Designated Agent, THE MORNING CALL, INC.

SWORN to and subscribed before me this 17th day of

August 2009



Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Joanne Reiss, Notary Public
City of Allentown, Lehigh County
My Commission Expires Nov. 22, 2011
Member, Pennsylvania Association of Notaries

PUBLIC NOTICE
Lehigh County, Pennsylvania, is revising its **Municipal Waste Management Plan** in accordance with the provisions of Pennsylvania Act 101 of 1988 (Municipal Waste Planning, Recycling and Waste Reduction Act) for the purpose of obtaining ten (10) year commitments (January 1, 2010 through January 1, 2020) for disposal capacity for the municipal waste generated within Lehigh County during that period. The waste facilities to be considered in the plan revision must be permitted and fully available for use prior to January 1, 2010. It is estimate that an average of approximately 335,000 tons per year of municipal waste will be generated in the County during the ten (10) year planning period. For information, all inquiries from interested facility owners should be made, in writing, no later than 30 days from the date this notice is published to: Harvey Joseph, Lehigh County Solid Waste and Recycling, 5375 Old Packhouse Road, Orefield, PA 18069.
#2154 — 08/17

PUBLISHER'S RECEIPT FOR ADVERTISING COSTS

THE MORNING CALL, INC., publisher of THE MORNING CALL, a newspaper of general circulation, hereby acknowledges receipt of the aforesaid notice and publication costs and certifies that the same have been duly paid.

THE MORNING CALL, INC. a Corporation,
Publishers of THE MORNING CALL
A Newspaper of General Circulation

By



September 14, 2009

Mr. Harvey Joseph
Lehigh County Solid Waste and Recycling
5375 Old Packhouse Road
Orefield, PA 18069

RE: Lehigh County Municipal Waste Management Plan

Dear Mr. Joseph:

The purpose of this letter is to request consideration for inclusion into Lehigh County's municipal waste management plan revision. The Solid Waste Authority owns and operates the Wayne Township Landfill, located in Clinton County, PA. Our facility has over nine (9) years of disposal capacity, as documented in our 2008 PaDEP annual operations report. We are currently in the process of re-permitting our closed Northside Landfill. This project will provide for an additional 23 years of disposal capacity.

Please feel free to contact me at the number provided below or by email at jalex@waynetwplandfill.com, if you have questions or need additional information about this request.

Sincerely,

Clinton County Solid Waste Authority

Jay B. Alexander
General Manager

JBA/MLC

P.O. Box 209, McElhattan, PA 17748
Phone 570.769.6977 Toll Free 888.306.8781 Fax 570.769.7366
ccswa@waynetwplandfill.com

OWNED AND OPERATED BY THE CLINTON COUNTY SOLID WASTE AUTHORITY





INTERSTATE
WASTE SERVICES

September 2, 2009

County of Lehigh
Office of Solid Waste Management
5375 Old Packhouse Road
Orefield, PA 18069
Attn: Harvey Joseph
Solid Waste & Recycling Manager

Re: IWS Disposal Facilities
Community Refuse Service, Inc. d/b/a Cumberland County Landfill
WSI Sandy Run Landfill, Inc.
Mostoller Landfill, Inc.

Dear Mr. Joseph,

Per the Notice published in the August 31, 2009, Waste & Recycling News, we would like to express its interest in continued inclusion of the Lehigh County Municipal Waste Management Plan. As you may be aware, Interstate Waste Services, Inc. has three (3) permitted disposal facilities in Pennsylvania.

The Community Refuse Service, Inc. d/b/a Cumberland County Landfill is located outside of Shippensburg in Cumberland County. This facility has a 20 year permitted capacity.

The WSI Sandy Run Landfill, Inc. facility is located outside of Hopewell Borough in Bedford County. This facility currently has 3 years of permitted capacity remaining. An expansion that would add ten (10) more years of capacity is currently being reviewed by PADEP and approval is expected the summer of 2010.

The Mostoller Landfill, Inc. is located outside of Somerset Borough in Somerset County. This facility currently has 9 years of capacity remaining. There is additional expansion potential, but a permit modification cannot be submitted to PADEP until the facility has less than five (5) years of capacity remaining.

For 2008, these facilities received 35,079 tons or approximately 10% of waste generated in Lehigh County. We look forward to continuing this service to the County. Please forward any information that is necessary for the continued inclusion in the Plan.

Please feel free to give me a call at 717-240-6088 if you have any questions.

Sincerely,

Mark E. Harlacker
Vice President of Environmental Management
IWS



Sue Drury
OFFICE MANAGER
wbclrc@yahoo.com

Municipal Solid Waste
Construction & Demolition
Residual/Special Waste
Drop-Off/Recycle Center

455 Poplar Neck Rd.
Birdsboro, PA 19508
phone: 610-375-1516
fax: 610-375-2128
web: www.chesmont.com



Telephone: 610-375-1516
Fax: 610-375-2128

September 15, 2009

Mr. Harvey Joseph
County of Lehigh
Office of Solid Waste Management
5375 Old Packhouse Road
Orefield, PA 18069

RE: Lehigh County Municipal Waste Management Plan
Western Berks Community Landfill and Recycling Center
Cumru Township, Berks County
Permit No. 100739

Dear Mr. Joseph:

The purpose of this letter is to formally request that the Western Berks Community Landfill and Recycling Center be included as a designated facility in the Lehigh County Municipal Waste Management Plan. Mr. Bob Benvin of Martin & Martin, Inc. has been working with Marsha Rivas over the past several months to accomplish this task.

As a Pennsylvania landfill, the Western Berks Community Landfill and Recycling Center operates under Solid Waste Permit #100739 issued by the Department of Environmental Protection (DEP) with an expiration date of August 23, 2016. In March of 2008 we received the approval to our application to DEP, South Central Region office for expansion. That site has been in use and we are currently underway with the construction of the next phase of the expansion.

We also operate a Recycling Center where local residents can drop off such items as aluminum cans, glass or plastic bottles, newspapers, cardboard, etc. to be recycled at no charge to them. Other items which can be brought to the Recycling Center, such as refrigerators, car batteries, car tires, and old computer equipment, require a nominal fee to be left at the center.

The Western Berks Community Landfill and Recycling Center is fully capable of meeting the disposal requirements as listed in the request sent out by Lehigh County. Please advise myself or Bob Benvin (Martin & Martin, 717-264-6759 or email to BobBenvin@aol.com). I can be reached at 610-375-1516 at the landfill site or via email to wbclrc@yahoo.com.

We look forward to establishing a working relationship with the County of Lehigh and thank you for your time and assistance.

Sincerely,


Richard L. Godshall
WBLF Company, LLC

cc: Marsha Rivas, County of Lehigh



CERTIFIED MAIL: 7007 2560 0002 4480 7796

September 14, 2009

Mr. Harvey Joseph
Lehigh County Solid Waste and Recycling
5375 Old Packhosue Rd.
Orefield, PA 18069

RE: Municipal Waste Disposal Solicitation

Dear Mr. Joseph:

This letter is in response to your Ad published in the Waste & Recycling News dated August 31, 2009.

IESI PA Bethlehem Landfill Corporation is interested in obtaining specifications on the 10 year disposal plan for the Lehigh County Solid Waste Program.

Please forward a copy to the following address

IESI Bethlehem Landfill
2335 Applebutter Rd.
Bethlehem, PA 18015

Sincerely,

Samuel J. Donato Jr.
District Manager



WASTE MANAGEMENT
444 Oxford Valley Road, Suite 220
Langhorne, PA 19047

September 21, 2009

Via Certified Mail:70070710000272291764

Lehigh County Solid Waste & Recycling
Harvey Joseph, Director
5375 Old Parkhouse Road
Orefield, PA 18069

Re: Act 101 Solid Waste Plan

Dear Mr. Joseph:

Waste Management of Pennsylvania, Inc. is interested in having the following facilities included within the plan:

| | |
|---|---------------------------------|
| GROWS Landfill | GROWS North Landfill |
| Tullytown Resource Recover Facility Landfill (TRRF) | Grand Central Sanitary Landfill |
| Pine Grove Landfill | Wheelabrator Falls |
| Alliance Landfill | Kutztown Transfer Station |

Please forward the necessary paperwork to facilitate this to my attention at the following address:

444 Oxford Valley Road, Suite 220
Langhorne, PA 19047
Phone – 267-580-2833
Fax – 267-580-3003
E-Mail – craudenbush@wm.com

Yours truly,

A handwritten signature in blue ink, appearing to read 'Charles Raudenbush, Jr.' with a stylized flourish at the end.


Charles Raudenbush, Jr.
Public Sector

Cc: Harry Smith
Linda Emery
Jeff Viola, Esq.

From everyday collection to environmental protection, Think Green® Think Waste Management.



Request For Proposal

 The St. Regis Mohawk Tribe's Environment Division is requesting quotes for the fabrication and delivery of a compaction trailer, with overall measurements of length 48', outside width 102" height 13'6" and providing 100 cubic yards of storage. More specific details are included in the Technical Specification section of the Request for Quote Package.

Delivery of the finished trailer is to be within 180 days from date of contract award. The St. Regis Mohawk Tribe retains the right to negotiate with suppliers on any procurement.

Preference in the award of the Contract shall be given to Indian and Alaskan Native organizations and economic enterprises. Any contractor claiming Indian Preference shall give evidence, as required by the Owner, to support this at least one week prior to bid opening.

Complete Request for Quote Packages for this project may be obtained at the office cited below and submitted on or before 3:30 pm, Friday, October 2, 2009.

9/14/09 WASHINGTON, DC

ST. REGIS MOHAWK TRIBE RESERVES THE EXPRESS RIGHT TO ACCEPT OR REJECT ANY OR ALL QUOTES.

Lehigh County, Pennsylvania, is revising its Municipal Waste Management Plan in accordance with the provisions of Pennsylvania Act 101 of 1988 (Municipal Waste Planning, Recycling and Waste Reduction Act) for the purpose of obtaining ten (10) year commitments (January 1, 2010 through January 1, 2020) for disposal capacity for the municipal waste generated within Lehigh County during that period. The waste facilities to be considered in the plan revision must be permitted and fully available for use prior to January 1, 2010. It is estimate that an average of approximately 335,000 tons per year of municipal waste will be generated in the County during the ten (10) year planning period.

For information, all inquiries from interested facility owners should be made, in writing, no later than 30 days from the date this notice is published to: **Harvey Joseph, Lehigh County Solid Waste and Recycling, 5375 Old Packhosue Road, Orefield, PA 18069.** *call 914 610 799-4177*

Help Wanted

**** GENERAL MANAGER / PARTNER ** Fort Lauderdale Area**

Looking for a great opportunity? Put your knowledge and experience into your own company! Former owner of a disposal company looking for GM / Partner for a start-up company. Must be familiar with all aspects of running a disposal company in Florida...permitting, bidding, recycling, transfer.

Your time will be your investment in the company, no monetary investment.

Please send resume to gmdisposal@gmail.com

INSURANCE COVERAGE

(A) is seeking the services of Connecticut Resources. The Facility is a refuse-depot operations in 1986 and is in need of municipal solid waste disposal. It has 12 hours of electricity per day and purchase of

BOOST YOUR BUSINESS

Advertise in **Waste & Recycling News** and get Results!

Business Opportunities



CHRIN BROTHERS, INC.

09/18/09

Marsha,

Kindly include Chrin Brothers Sanitary Landfill when you mail the revised 'Municipal Waste Management Plan' for Lehigh County.

Thank you,

 Joe Grosskettler

Salinas Valley Solid Waste Authority

Monterey County, with its low rolling foothills, scenic valleys, redwoods, spectacular mountain ranges and miles of beautiful beaches, is home to the Salinas Valley Solid Waste Authority. The Authority seeks an experienced engineer to serve as the Authority Engineer with responsibility to manage several complex projects ranging from the completion of a major landfill expansion project, to the development of a new regional facility. With an eye to the future, the new Authority Engineer must define and identify the future engineering and operational needs to meet the challenges of our organizations.

The ideal candidate will have eight (8) years of experience in planning, design and construction management of public works projects including at least three (3) years in a managerial position. A Bachelor's degree from an accredited college or university will serve as four (4) years of experience. A Master's degree in public administration or a related field is equivalent to five (5) years of experience. Must have possession of a valid and current registration as a Professional Engineer issued by the California Board of Registration for Professional Engineers and Land Surveyors. Must have Manager of Landfill Operations (MLOL) Certification or attainment within one year.

Interested candidates may view the detailed position announcement at <http://svswa.org/about/employment.html>

Account Managers

Our company is looking for part time Account Managers, Bookkeepers and Sales Representatives working from their home with flexible hours and ready to work in any condition. It pays \$3000-\$4000 a month plus benefits and takes only a little of your time.

Please contact us for more details.

Requirements:

- Should be computer Literate.
- 2-3 hours access to the internet weekly.
- Must be 19 yrs and above of age
- Must be Efficient and Dedicated If you are interested and need more information,

Please send your resumes to inhosaholly8@gmail.com



"If It's Service, it's Us"

Solid Waste Services, Inc.

**2650 Audubon Road
Audubon, Pa 19403**

Tele: (484) 398-6500 · 1-800-222-1818

September 3, 2009

Harvey Joseph
Lehigh County Solid Waste and Recycling
5375 Old Packhouse Road
Orefield, PA 18069

Re: Municipal Waste Management Plan

Dear Mr. Joseph:

We are in receipt of a copy of the ad in Waste Age regarding Lehigh County's Act 101 Proposed Plan revision.

As you know, our company currently has on Lehigh County's Act 101 Plan, the Lehigh Valley Recycling Center and the Pioneer Crossing Landfill, two of our related entities. As we desire to have them included in any future plan revisions, please advise what if anything other than this letter we are required to submit in order to be so included.

Sincerely,

Dennis McVeigh
Director of Transportation

AD/emh

"Complete Solid Waste Collection. Processing, Recycling, and Disposal Systems"



1720 Walton Road, Blue Bell, PA 19422 610-828-3078 Fax 610-828-7842

June 28, 2013

E-MAIL & CERTIFIED MAIL; RETURN RECEIPT REQUESTED

Certified No. 7012 2920 0002 0263 3368

Mr. Glenn Solt
Director
Department of General Services
County of Lehigh
17 South 7th Street
Allentown, PA 18101-2401

Subject: County Solid Waste Management Plan
Energy Production Facility
Delta Thermo Energy A, LLC
Allentown, Pennsylvania
IES Project No. EV120894.03

Dear Mr. Solt:

On behalf of Delta Thermo Energy A, LLC (DTE), IES Engineers (IES) requests Lehigh County to include DTE's energy production facility in the County's Solid Waste Management Plan (Plan).

DTE is constructing an energy production facility at 112 Union Street in Allentown, Pennsylvania, that will receive 160 tons per day of Municipal Solid Waste (MSW) and 62 tons per day of wastewater treatment plant sludge five days per week. DTE's facility will convert these waste feedstocks into a fuel that will be combusted to produce commercial quantities of green, renewable energy.

DTE has signed an agreement with the City of Allentown to allow its waste to be disposed of at the energy production facility. Since the County has the responsibility of determining adequate disposal facilities for MSW under Act 101, DTE hereby formally requests the inclusion of its facility into the Plan. We request the County acknowledge this request and indicate the approximate timeframe for including the energy production facility into the County's Plan.

Should you have any questions, please do not hesitate to contact me or Mr. Robert Van Naarden of DTE at (215) 809-1139. We look forward to the receipt of your acknowledgement letter.

Very truly yours,
Michael J. Tucci /e/
Michael J. Tucci, P.E.
Project Manager

cc: T. Bollinger, County of Lehigh
D. Minnear, L.R. Kimball
A. Sauerman, City of Allentown
R. Van Naarden, DTE
M. Bonilla, DTE
A. Soni, IES

| Disposal Facility | Contact Person Letters To Their Attention: | Phone Number | Mailing Address | Called | Must Send Letter |
|--|---|------------------------------|---|---------------|-------------------------|
| Clinton County Solid Waste Authority Wayne Township Landfill | Mr. Jay B. Alexander General Manager | 570-769-6977 | Clinton County Solid Waste Authority P.O. Box 209 McElhattan, PA 17748 | Y | Y |
| Advanced Disposal Western Berks Community Landfill Community Refuse Services, Inc. d/b/a Cumberland County Landfill WSI Sandy Run Landfill, Inc. Mostoller Landfill, Inc. | Mr. Kevin Bush CC Mr. Troy Wink | 610-375-1516 | Advanced Disposal 455 Poplar Neck Road Birdsboro, PA 19508 | Y | Y |
| IESI | Mr. Samuel J. Donato Jr. District Manager | 610-317-3200 | IESI 2335 Applebutter Road Bethlehem, PA 18015-6004 | Y | Y |
| Waste Management | Mr. Charles Raudenbush, Jr. Public Sector | 609-798-3003 | Waste Management 107 Silvia St Ewing, NJ 08628 | Y | Y |
| Chrin Landfill | Mr. Joe Klobusicky Environmental Manager | 610-258-8737 | Chrin Landfill 635 Industrial Drive Easton, PA 18042 | Y | Y |
| J.P. Mascaro & Sons Conestoga Landfill | Mr. Lee Zimmerman Division Manager | 610-637-2128 | Conestoga Landfill P.O. Box 128 Morgantown, PA 19543 | Y | Y |
| Delta Thermo | Mr. Michael Tucci, P.E. Project Manager | 610-828-3078 484-843-4670 | IES Engineers 1720 Walton Road Blue Bell, PA 19422 | Y | Y |
| Commonwealth Environmental Systems & Keystone Sanitary Landfill | Mr. Dan O'Brien Business Manager | 570-343-5782 | (Address one letter to both landfills) 249 Dunham Drive Dunmore, PA 18512 | Y | Y |



**COUNTY OF LEHIGH
OFFICE OF GENERAL SERVICES**

**Timothy A. Bollinger
General Services Manager**

Dear Sir:

After a very lengthy process, Lehigh County finally received approval for its revision to the Solid Waste Management Plan from the Pennsylvania Department of Environmental Protection as required by Pennsylvania Act 101 of 1988 (the Act). As you may know, it was mandated that we advertise our intentions so that qualified disposal facilities already receiving, or interested in receiving municipal solid waste (MSW) from Lehigh County could respond affirmatively for inclusion. This was completed in 2009. Since this approval process has taken an extended amount of time to complete, Lehigh County thought it appropriate to reach out to the companies that have previously indicated interest so as to ascertain continued interest in inclusion in the Plan.

As a company that has previously expressed interest in inclusion to the Plan, we are asking for a letter indicating continued interest so that we can now move forward with up to date information on your company, including contact information, and or your facilities. Please indicate all facilities that are either now, or may be interested in the future in receiving MSW from Lehigh County under your company structure going forward. This will help us to begin the negotiations for our facility capacity agreements as required under the Act to our mutual benefit.

We are now beginning the one year implementation process. Upon receipt of your letters we will schedule negotiations to conclude the process.

If you have any questions please call us for clarification.

Sincerely,

Timothy A. Bollinger
General Services Manager
Office of General Services

***Lehigh County Government Center
17 South Seventh Street
Allentown, Pennsylvania 18101-2401
Phone 610- 782-3073
Fax number 610- 820-3204***

Exhibit E-5

DRAFT Solid Waste Disposal Capacity Agreement

MADE AND entered into this _____ day of _____, by and between the County of Lehigh, a political subdivision of the Commonwealth of Pennsylvania (the "**County**"), and _____, organized and existing under the laws of the Commonwealth of Pennsylvania (the "**Operator**").

WHEREAS, the Municipal Waste Planning, Recycling and Waste Reduction Act, Act No. 101 of 1988 ("Act 101"):

(1) Requires the **County** to prepare, submit for approval to the Pennsylvania Department of Environmental Protection (the "Department") and then implement a Municipal Waste Management Plan (the "Plan"), governing the collection, transportation, storage, processing, recycling, resource recovery and disposal of municipal waste generated within the **County**;

(2) Requires the **County** as part of its Plan to provide for assurance of capacity for 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 ensuring sufficient available processing or disposal capacity.

(3) Conditions the Department's issuance of any permit resulting in additional capacity for a municipal waste landfill or resource recovery facility in the **County** on the applicant's demonstration that the proposed facility is provided for in the **County's** approved Plan or that it will not interfere with the **County's** implementation of its approved Plan;

(4) Authorizes the **County** as part of its approved Plan to require that all municipal wastes generated within its boundaries be processed or disposed of at designated processing or disposal facilities; and

WHEREAS, the **Operator** owns / operates a municipal waste landfill or resource recovery facility and desires to have the **County** designate said landfill or resource recovery facility in its approved Plan; and

WHEREAS, the **County** on behalf of itself, its residents and all municipalities/municipal authorities and all other establishments generating municipal waste located or operating in the **County**, desires to secure a binding commitment from the **Operator** reserving capacity for disposal of certain quantities of municipal waste annually at **Operator's** waste landfill/resource recovery facility under certain terms and conditions.

DRAFT Solid Waste Disposal Capacity Agreement

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and intending to be legally bound, the parties hereto agree as follows:

SECTION 1. DEFINITIONS

Unless the context clearly indicates otherwise, the following terms used in this Agreement shall have the following meanings:

(a) "Disposal" - The deposition, injection, dumping, spilling, leaking, incineration 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 the Commonwealth of Pennsylvania.

(b) "Landfill" - the municipal waste landfill operated by *Operator* and licensed by the Department in accordance with Permit No. _____, and pursuant to the Solid Waste Management Act and Act 101 (if in Pennsylvania), or similar appropriate regulatory requirements in other states, located in _____.

(c) "Resource Recovery Facility" – A facility intended for the purpose of separation and/or chemical conversion of solid waste for the purpose of recovering materials or energy products, operated and maintained by *Operator* and licensed by the Department in accordance with Permit No. _____, and pursuant to the Solid Waste Management Act and Act 101 (if in Pennsylvania), or similar appropriate regulatory requirements in other states, located in _____.

(d) "Municipal Authority" - Any authority created pursuant to the Municipal Authorities Act of 1945 or similar enabling legislation having as one of its express or implied powers or duties the collection, transportation, storage, processing or disposal of municipal waste within the *County*.

(e) "Municipal Waste" - Any garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material, resulting from operation of residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source-

DRAFT Solid Waste Disposal Capacity Agreement

separated recyclable materials.

(f) "Municipal Waste Landfill" - Any facility designed, operated or maintained for the disposal of municipal waste, whether or not such facility possesses a permit from the Department under the Solid Waste Management Act, if in Pennsylvania (or similar appropriate regulatory requirements in other states). The term shall not include facilities used exclusively for disposal of construction/demolition waste or sludge from sewage treatment plants or water treatment plants.

(g) "Municipality" - Any city, borough, incorporated town, township or home rule municipality located in the *County*.

(h) "Permit" - Permit No. _____ issued by the Department for the operation of the Landfill by *Operator*.

(i) "Person" - Any individual, partnership, corporation, association, institution, cooperative enterprise, municipality, municipal authority, Federal Government or agency, State institution or agency or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

(j) "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 or the mechanized separation and treatment of municipal waste (other than through combustion) and creation and recovery of reusable materials other than a fuel for the operation of energy.

(k) "Solid Waste Management Act" - Act 97 of 1980, 35 P.S. §§6018.101 et seq., and the Department regulations promulgated thereunder, in the Commonwealth of Pennsylvania. In the event that the facility is located in another state, similar regulatory requirements, as appropriate in that location.

(l) "Source-separated recyclable materials" - Materials that are separated from municipal waste at the point of origin for the purpose of recycling.

DRAFT Solid Waste Disposal Capacity Agreement

SECTION 2: TERM OF AGREEMENT

This Agreement shall become effective on January 1, 2013 and shall supersede and replace any prior agreement between the Parties. This Agreement shall have a term of 10 years, expiring on December 31, 2022 unless the parties agree to a revision or renewal thereof.

SECTION 3: DESIGNATION AS DISPOSAL SITE

In consideration of *Operator's* covenants in this Agreement, the *County* hereby agrees to include *Operator's* Landfill/Resource Recovery Facility in its Plan as a designated nonexclusive processing or disposal facility for municipal waste generated in the *County*.

SECTION 4: DISPOSAL OF MUNICIPAL WASTE: OPERATOR'S RESERVATION OF MINIMUM CAPACITY

(a) During the term of this Agreement, the *Operator* agrees that it will reserve on a daily basis from year to year capacity for disposal at the Landfill/Resource Recovery Facility of municipal waste originating from sources located in the *County* in the minimum volumes and tonnages set forth in Appendix A to this Agreement. Unless released from its commitment as authorized by Section 4(b), at any time during each calendar year the *Operator* shall maintain the reserved capacities set forth in Appendix A, calculated by multiplying the number of working days remaining in the year times the Daily Reserved Capacity for that year.

Operator also agrees to commit to the *County*, on a daily basis for those days when *Operator* exceeds its allowable daily average, an additional volume equal to the percentages set forth on Appendix A times the difference between *Operator's* maximum allowable daily volume and its allowable daily average.

The values of maximum allowable daily volume and allowable daily average are as given in the Permit which is attached hereto as Exhibit A.

(b) The *Operator* at any time may request that the *County* release it from its commitment to provide all or part of the reserved capacity required by Section 4(a) of this Agreement for a particular calendar year. Such request shall be in writing and shall set forth the basis for the

DRAFT Solid Waste Disposal Capacity Agreement

request. The *County* shall in good faith review *Operator's* request, based on an analysis of data generated by the *County* or provided to the *County* by the *Operator* and other municipal waste landfill/resource recovery facility operators, and make a determination within ten (10) business days of receipt of the request. If the *County* reasonably determines that the *Operator* can be released from all or part of its obligation under Section 4(a) without jeopardizing the ability of the *County* to ensure sufficient disposal capacity for municipal waste estimated to be generated during that particular calendar year, it shall grant the *Operator's* request. The *County's* decision shall be in writing and mailed to the *Operator*.

The *Operator* may dispute the *County's* decision by addressing the Lehigh County Court of Common Pleas. The sole issue to be addressed is whether the requested release can be granted without jeopardizing the ability of the *County* to ensure sufficient disposal capacity for municipal waste generated in the *County* for that year. Any decision of the Lehigh County Court of Common Pleas shall be final and binding on both parties.

(c) The *County* is not obligated by the terms of this Agreement to guarantee the delivery to the Landfill/Resource Recovery Facility of any minimum quantities of municipal waste.

(d) On or before the 20th day of April, July, October and January, the *Operator* shall submit to the *County* a quarterly statement setting forth the following information:

(1) a statement that the *Operator's* Permit for the Landfill/Resource Recovery Facility under the Solid Waste Management Act (if in Pennsylvania, or similar appropriate legislation in other states) has not been revoked or suspended, and that the *Operator* is in substantial compliance with all the terms and conditions of its permit, and the provisions of all applicable Federal, Department and *County* regulations.

(2) the actual quantity of municipal waste delivered to and disposed of during the preceding quarter at the Landfill/Resource Recovery Facility from the *County* and from each municipality in the *County*; and

The requirements of this subsection may be met by the submission of copies of reports that have been submitted to the Department or the *County* pursuant to law, if such reports include the information required hereby.

DRAFT Solid Waste Disposal Capacity Agreement

(e) If emergency or other situations beyond the *Operator's* control necessitate the temporary suspension of the handling of solid waste at the Landfill/Resource Recovery Facility and the *Operator* wishes to temporarily use another landfill(s)/Resource Recovery Facility owned by the *Operator* but not specifically designated in the *County's* Plan, the *Operator* may request that the *County* approve the temporary use of such other landfill(s)/Resource Recovery Facility as are listed in Appendix B.

The *County* in its sole discretion shall determine whether to approve the *Operator's* request. The *County's* decision shall be based on the reason for the request, the location of the alternate landfill(s)/Resource Recovery Facility, the length of time that the alternate landfill(s)/Resource Recovery Facility is to be used, status of the permit for the alternate landfill/Resource Recovery Facility and such other factors as the *County* may reasonably deem to be appropriate. Diversion of solid waste to an alternate site in order to prevent the Landfill/Resource Recovery Facility from exceeding its allowable daily intake shall not be reason for approval of use of an alternate site. The *County* shall not be liable for any costs associated with use of the alternate site(s).

Should use of an alternate site(s) be approved, the Host County Benefit/Recycling Sustainability Fee cited in Section 5 shall be based on the total amount of waste disposed at the Landfill/Resource Recovery Facility and at the alternate site(s) used.

SECTION 5: HOST COUNTY BENEFIT/ RECYCLING SUSTAINABILITY FEE

Beginning as of _____, the Operator of _____ Landfill/Resource Recovery Facility (located within Lehigh County) will pay to the County a Host County Benefit Fee of the following amount (said fee having been negotiated by and mutually agreed upon between the County and Landfill/Resource Recovery Facility): \$ _____. The total fee will be based on the number of tons of municipal waste disposed at that Landfill/Resource Recovery Facility.

In addition, beginning as of _____, the Operator of _____ Landfill/Resource Recovery Facility (located outside of Lehigh County) will pay to the County a Recycling Sustainability Fee of the following amount (said fee having been negotiated by and mutually agreed upon between the County and Landfill/Resource Recovery Facility): \$ _____. The total fee will be based on the number of tons of municipal waste originating in the County and disposed of at that Landfill/Resource Recovery Facility.

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The above-referenced fees shall be paid quarterly with the report required under Section 4(e) hereof.

The County also reserves the right to modify negotiated fees to reflect any legislation that may be enacted in the future.

SECTION 6: PAYMENT OF DISPOSAL FEES

Facility Operators shall be responsible for the billing and collection of all disposal fees. No disposal fees shall be paid by the *County* for money owed by the Collectors/Haulers.

SECTION 7: ADMINISTRATIVE INSPECTIONS

Upon reasonable notice and during regular business hours, the *County* and its authorized representatives shall have access to *Operator's* 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 Agreement.

SECTION 8: INSURANCE

The *Operator* shall at its own cost and expense maintain the following insurance coverage in effect at all times during the term of this Agreement and shall deliver to the *County* prior to or contemporaneously with the execution hereof Certificates of Insurance issued by a company or companies authorized to do business in Pennsylvania, evidencing the following coverage:

- (a) Comprehensive General Liability Insurance, which includes either broad-form contractual liability or specific contractual liability covering this Agreement, with not less than \$1,000,000 of combined single limit coverage for bodily injury and property damage, or evidence of approval by the Department as a self-insurer.
- (b) Workmen's Compensation Insurance as required by law or evidence of certification by the Pennsylvania Department of Labor and Industry as a self-insurer.

The Certificates of Insurance shall provide for thirty (30) days notice of cancellation and shall be

DRAFT Solid Waste Disposal Capacity Agreement

kept current so as to reflect the renewal or replacement of policies which expire during the term of this Agreement.

SECTION 9: INDEMNIFICATION

The *Operator* agrees to defend, indemnify and hold harmless the *County*, its Commissioners, officers, agents and employees from and against any and all losses, damages, suits, claims, actions, penalties, demands, liability, costs and expenses of whatever nature, for damages, injuries and losses of every kind and nature to persons and property, including but not limited to death of any person and loss of the use of any property, arising out of, or claimed to have been caused by, or in any manner related to any willful, negligent, or tortious activity, error or omission of the *Operator* or any agent, employee, licensee, contractor, or subcontractor of the *Operator* arising under this Agreement, excepting therefrom any and all such losses or damages arising out of or in any manner related to any willful, negligent, or tortious activity, error of omission of the *County* or any agent, employee, licensee, contractor, or subcontractor of the *County*.

The *Operator* agrees to defend, indemnify and hold harmless the *County*, its Commissioners, officers, agents and employees from and against any and all claims and liability for compensation under any Workmen's Compensation law arising out of injuries sustained or claimed to have been sustained by any employee of the *Operator* or of any agent, licensee, contractor or subcontractor of the *Operator*.

The *Operator's* obligation to protect, defend, indemnify and hold harmless, as set forth in this Section 9, shall include any and all reasonable attorneys' fees and investigation expenses, including but not limited to the costs of utilizing the services of the *County's* Law Department and Investigations Division, incurred by the *County* in the defense and handling of said suits, claims, judgments, and the like, and in enforcing and obtaining compliance with the provisions of this Section.

The *Operator* shall give to the *County* prompt and timely notice of any claims made or suits initiated which in any way, directly or indirectly, contingently or otherwise, affect or might affect the *County*, and each party shall have the right to compromise and defend the same to the extent of its own interest. Prior to settling any claim for which the *County* is or will be seeking indemnification from the *Operator*, the *County* may seek the *Operator's* approval of such settlement, such approval not to be unreasonably withheld.

DRAFT Solid Waste Disposal Capacity Agreement

SECTION 10: OPERATOR'S REPRESENTATIONS

The *Operator* represents and warrants that it is a duly organized and existing _____ in good standing under the laws of the Commonwealth of Pennsylvania, that it is authorized to do business in the Commonwealth of Pennsylvania, that it is in substantial compliance with the provisions of the Solid Waste Management Act and all applicable Department and *County* regulations, that it possesses the full power and authority to execute this Agreement and perform its obligations hereunder, and that it possesses, has applied for, or intends to apply for all requisite permits, licenses, authorizations, and other approvals from the *County*, the Department and all other governmental authorities necessary for operation of the Landfill/Resource Recovery Facility as required by this Agreement. Both parties hereto acknowledge that the performance required by the *Operator* hereunder is expressly contingent upon the repermitting of the Landfill/Resource Recovery Facility as required by the Pennsylvania Municipal Waste Management Regulations promulgated on April 9, 1988, as amended, and is subject to all terms and conditions set forth in the Permit and subsequent permits for the landfill issued by the Department.

The *Operator* further represents and warrants that, as a part of this agreement, it will withdraw all protests to fees paid under previous agreements with the *County*.

SECTION 11: COUNTY'S REPRESENTATIONS

The *County* represents that it is a political subdivision of the Commonwealth of Pennsylvania, acting by and through its duly authorized officials, and it is duly authorized to carry on the governmental functions and operations contemplated by this Agreement and each other agreement or instrument entered into or to be entered into by the *County* or the municipalities within the boundaries of the *County*, pursuant to this Agreement, and that it has the full power, authority and legal right to enter into and perform this Agreement and all other agreements or instruments which it may enter into under any provision of this Agreement, and that this Agreement and each other agreement or instrument entered into by the *County* pursuant to this Agreement, when entered into, will have been duly authorized, executed and delivered by the *County* and will constitute a legal, valid and binding obligation of the *County*, and that there is no action or proceeding before and court or administrative agency pending or, to the knowledge of the *County*, threatened against or adversely affecting the ability of the *County* to perform its obligations hereunder.

SECTION (12): EXTRAORDINARY RELIEF

DRAFT Solid Waste Disposal Capacity Agreement

The parties agree that if a default by the *Operator* is such that it jeopardizes the ability of the *County* to ensure sufficient disposal capacity for municipal waste generated in the *County*, the *County* will suffer irreparable harm that cannot be adequately remedied by an award of damages. Accordingly, in the event of such a default the *Operator* agrees to the entry of a mandatory injunction against *Operator* and in favor of the *County* compelling compliance with this agreement.

SECTION (13): APPLICABLE LAW

This Agreement shall be deemed to have been made in and shall be construed in accordance with the laws of the Commonwealth of Pennsylvania.

SECTION (14): MODIFICATION OR AMENDMENT

This Agreement constitutes the entire agreement of the parties on the subject matter hereof and may be changed, modified, discharged or extended only by written amendment duly executed by the parties. The parties agree that no representations or warranties shall be binding upon either party unless expressed in writing herein or in a duly executed amendment hereof.

SECTION (15): NON-WAIVER

A failure by either party hereto to take any action with respect to any default or violation by the other party of any of the terms, conditions or covenants of this Agreement shall not in any way limit, prejudice, diminish or constitute a waiver of any right to act with respect to any prior, contemporaneous, or subsequent violation or with respect to any continuation or repetition of the original violation or default.

DRAFT Solid Waste Disposal Capacity Agreement

SECTION (16): BINDING EFFECT

This Agreement shall be binding upon and shall inure to the benefit of the parties and their respective authorized successors and assigns, if any.

SECTION (17): NO CO-PARTNERSHIP OR AGENCY

It is understood and agreed that nothing herein contained is intended or shall be construed to in any respect create or establish the relationship of co-partners between the *County* and the *Operator*, or as constituting the *Operator* the general representative or general agent of the *County* for any purpose whatsoever.

SECTION (18): PLAN AMENDMENTS

Nothing herein shall be deemed to restrict the *County's* right to submit an amendment of its Plan to the Department for approval. If for any reason the Landfill/Resource Recovery Facility is deleted from the approved Plan, the Landfill/Resource Recovery Facility's commitment to maintain the reserved capacities set forth in Appendix A will likewise be released.

SECTION (19): FORCE MAJEURE

If the *Operator* shows it has been prevented from making available the capacity reserved for the disposal of Lehigh County municipal waste pursuant to this Agreement by any causes beyond the control of the *Operator*, such as an act of God, fire, floods, or other unavoidable casualty, strikes, work stoppage or slowdown, official actions of governmental bodies not caused by the *Operator's* own actions or omissions, or shortages of materials or energy, then the *County* shall reduce the reserved capacity to the extent the *Operator* was so prevented. Documentation of the event that caused the *Operator* to be unable to meet its obligation hereunder must be submitted to the *County* within 10 working days after the occurrence of the event.

SECTION (20): NOTICES

All notices, reports and documents required or furnished pursuant to this Agreement shall be in writing and shall be mailed by first-class mail, postage prepaid, and addressed to each party as follows:

DRAFT Solid Waste Disposal Capacity Agreement

(a) As to the *County*:

County General Services Manager, Lehigh County Government Center, 17 South Seventh Street, Allentown PA 18101

or to such other place as the *County* may from time to time designate in writing.

(b) As to the Operator:

Operator representatives name, title and address should be added here »

or to such other place as the *Operator* may from time to time designate in writing.

SECTION 21: HEADINGS

The headings of the several paragraphs of this Agreement are inserted only as a matter of convenience and for reference, and they in no way define, limit, or describe the scope or intent of any provision of this Agreement, nor shall they be construed to affect in any manner the term and provisions hereof or the interpretation or construction thereof.

This Agreement was authorized by the County of Lehigh Board of Commissioners on _____, at Agenda No. _____.

ATTEST:

COMPANY

TITLE

BY:

ATTEST:

COUNTY OF LEHIGH

TO BE COMPLETED BY COUNTY

DRAFT Solid Waste Disposal Capacity Agreement

APPENDIX A

RESERVED CAPACITY

| YEAR | ADA | x % Res. | = DRC | x EWD | = ARC(T) |
|------|-----|----------|-------|-------|----------|
| 2013 | | | | | |
| 2014 | | | | | |
| 2015 | | | | | |
| 2016 | | | | | |
| 2017 | | | | | |
| 2018 | | | | | |
| 2019 | | | | | |
| 2020 | | | | | |
| 2021 | | | | | |
| 2022 | | | | | |

ADA = Allowable Daily Average as per Permit (tons)
 % Res. = % of Allowable Daily Average Reserved for Municipal Waste Generated in Lehigh County
 DRC = Daily Reserved Capacity (tons)
 EWD = Estimated Working Days per Year
 ARC (T) = Annual Reserved Capacity (tons)

APPENDIX B

DRAFT Solid Waste Disposal Capacity Agreement

ALTERNATE SITE(S)

| Landfill Name | Operator | Municipality/County | Permit No. |
|---------------|----------|---------------------|------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

**Lehigh County
Petition Form to Add a Landfill
To
Approved Plan**

Purpose of Petitioning Process

Lehigh County has, through Disposal Capacity Agreements, secured a sufficient amount of disposal capacity for all municipal waste generated in the County. However, business opportunities may arise for DEP licensed haulers, municipalities or businesses to utilize facilities other than those designated in the latest revision to the Lehigh County Solid Waste Plan. Therefore, the Plan has defined a process by which additional disposal facilities can be added to the Plan. This form is to be used to notify the County of a party's interest in using another facility and provides the County with the necessary information to contact a facility representative to obtain the information required to qualify a facility as a participant in the Plan. Please complete this form and mail to:

Place appropriate Lehigh County information here

Petitioning Party's Name: _____
Address: _____

Phone Number: _____
If a licensed hauler, provide license number _____

Name of Requested Facility: _____
Facility Contact Person: _____
Facility Address: _____

Phone Number: _____
Fax Number: _____
E-Mail Address: _____

On a separate sheet, provide an explanation for requesting the use of an additional facility not currently included in the Lehigh County Municipal Solid Waste Management Plan.

**DRAFT
MUNICIPAL WASTE TRANSPORTATION, REGISTRATION
AND REPORTING COUNTY ORDINANCE**

**ORDINANCE NO. _____
COUNTY OF LEHIGH, PENNSYLVANIA**

**AN ORDINANCE OF THE COUNTY OF LEHIGH, PENNSYLVANIA,
ESTABLISHING A MUNICIPAL WASTE TRANSPORTATION
REGISTRATION AND REPORTING PROGRAM TO BE
ADMINISTERED BY THE COUNTY OF LEHIGH, OFFICE OF SOLID
WASTE MANAGEMENT, FOR ALL PERSONS THAT COLLECT AND
TRANSPORT MUNICIPAL WASTE GENERATED FROM SOURCES
LOCATED IN LEHIGH COUNTY; PROVIDING REQUIREMENTS TO
DIRECT WASTE TO DESIGNATED PROCESSING AND/OR DISPOSAL
SITES; AND PROVIDING PENALTIES FOR VIOLATION OF THIS
ORDINANCE.**

WHEREAS, Act 101 of 1988, the Municipal Waste Planning, Recycling and Waste Reduction Act, requires that counties accept new responsibilities including the preparation and implementation of municipal waste management plans that provide for the processing and disposal of the municipal waste generated within their boundaries for at least ten years; and

WHEREAS, it is the position of the Pennsylvania Department of Environmental Protection (PADEP) that Counties must assure disposal capacity by establishing landfill agreements with one or more waste disposal facilities; and

WHEREAS, the Board of County Commissioners has adopted and approved Revision #2-09 to the 1991 County of Lehigh Municipal Waste Management Plan in accordance with the requirements of Section 501 of Act 101; and

WHEREAS, the County has the power and duty to adopt any such ordinances deemed necessary to implement this Plan by the authority vested to the County pursuant to Section 303 of Act 1 including requirements that all persons transporting municipal waste generated in Lehigh County transport that waste only to a municipal waste processing facility permitted by the DEP or to a disposal facility designated by the County pursuant to Subsection 303(e) of Act 101.

NOW, THEREFORE, the Board of County Commissioners of Lehigh County hereby enact and ordain as follows:

SECTION 1 - SHORT TITLE

This Ordinance shall be known and referred to as the **MUNICIPAL WASTE TRANSPORTATION, REGISTRATION AND REPORTING COUNTY ORDINANCE.**

SECTION 2 - DEFINITIONS

The following words and phrases as used in this Ordinance shall have the meaning ascribed to them 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).

Act 101 -- The Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (SB 528, Act 1988-101, July 28, 1988).

Collector or Waste Hauler -- shall mean any person, firm, partnership, corporation or public agency who is engaged in the collection and/or transportation of municipal waste.

Commercial Establishment -- shall mean any establishment engaged in non-manufacturing or non-processing business, including, but not limited to, stores, markets, offices, restaurants, shopping centers and theaters.

County -- shall mean the County of Lehigh Board of County Commissioners, or any agency designated as the County's representative for the purposes of this Ordinance.

Licensed Collector or Waste Hauler -- shall mean any municipal waste collector or hauler possessing a current PADEP License issued pursuant to PADEP municipal waste collection and transportation regulations.

Department or PADEP-- shall mean the Pennsylvania Department of Environmental PROTECTION.

Industrial Establishment -- shall mean any establishment engaged in manufacturing or production activities, including, but not limited to, factories, foundries, mills, processing plants, refineries, mines and slaughterhouses.

Institutional Establishment -- shall mean any establishment or facility engaged in services, including, but not limited to, hospitals, nursing homes, schools and universities.

Municipality -- shall mean any local municipal government within Lehigh County.

Municipal Waste -- shall mean any garbage, refuse, industrial lunchroom or office waste and other material including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities; and any sludge not meeting the definition of residual or hazardous waste under Act 97 or 101 from any municipal, commercial or institutional water supply treatment plant, wastewater treatment plant, or air pollution control facility. The term does not include any source-separated recyclable materials or material approved by the PADEP for beneficial use. For the purposes of this Ordinance, the term "Municipal Waste" shall not include infectious and chemotherapeutic waste since all haulers of infectious and chemotherapeutic waste are licensed and regulated by the PADEP under special regulations.

Municipal Waste Landfill -- Any facility that is designed, operated and maintained for the disposal of municipal waste and permitted by the PADEP for such purposes.

Person -- means any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, municipality, State institution and agency, or any other legal entity recognized by law as the subject of rights and duties. In any provisions of this Ordinance prescribing a fine, penalty or imprisonment, 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.

Processing -- means 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 materials for off-site reuse. Processing facilities include, but are not limited to, transfer facilities, composting facilities, sludge treatment facilities and resource recovery facilities.

Recycling -- means 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, or the mechanical separation and treatment of municipal waste (other than combustion) and creation and recovery of reusable materials other than a fuel for the operation of energy.

Residual Waste - means any garbage, refuse, other discarded material or other waste including solid, liquid, semisolid, or contained gaseous materials 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, provided that it is not hazardous. The term residual waste shall not include coal refuse as defined in the "Coal Refuse Disposal Control Act". Residual waste shall not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on pursuant to and in compliance with a valid permit issued pursuant to "The Clean Streams Law".

Scavenging -- shall mean the unauthorized and uncontrolled removal of any material stored or placed at a point for subsequent collection or from a solid waste processing or disposal facility.

Source Separated Recyclable Materials -- means materials that are separated from municipal waste at the point of origin or generation for the purpose of recycling.

Transportation -- means the off-site removal of any municipal waste at any time after generation.

Transfer Station or Facility - means any supplemental transportation facility used as an adjunct to solid waste route collection vehicles.

For the purposes of this Ordinance, the singular shall include the plural and the masculine shall include the feminine and neuter.

SECTION 3 - PROHIBITED ACTIVITIES

1. It shall be unlawful for any person to collect and/or transport municipal waste generated by any residential, commercial, industrial, public or institutional establishment within Lehigh County without first registering with the County in accordance with the provisions of this Ordinance.
2. It shall be unlawful for any person to collect and/or transport municipal solid waste from any sources within Lehigh County in a manner that is not in accordance with the provisions of this Ordinance and the minimum standards and requirements established in Chapter 285 of the PADEP's Municipal Waste Management Regulations.
3. All municipal waste collected from sources located within Lehigh County, except sewage sludge and septage which is processed or disposed of according to PADEP regulations, must be delivered to a processing facility permitted by the PADEP or to a disposal facility listed in supplemental attachments to the Update to the Lehigh County Municipal Waste Management Plan, 2009, Revised 2012.
4. It shall be unlawful for any person to scavenge any material from any municipal waste or source-separated recyclable materials that are stored or placed for subsequent collection within Lehigh County without prior written approval from the County and the local municipality.
5. It shall be unlawful for any municipal waste landfill to accept for disposal, and no resource recovery facility may accept for processing, truckloads composed primarily of leaf waste or plant waste. To reduce the unit cost associated with conversion of organics to usable compost, all yard waste and grass clippings collected within the County should be taken to the Lehigh County Organics Recycling Facility, or to a Lehigh County Organics Recycling Facility satellite site, or to a pre-existing, in-County municipally owned composting facility with an active PADEP permit to operate. Increasing the overall volume and variety of incoming organic material will improve the quality of the final product and assure a predictable flow of material through the process.

SECTION 4 – REGISTRATION AND REPORTING REQUIREMENTS

1. No person shall collect, remove, haul or transport any municipal waste generated within Lehigh County through or upon the streets of any municipality within the County without first obtaining a license from the PADEP and registering with the County of Lehigh, Office of Solid Waste Management, in accordance with the provisions of this Ordinance.
2. The County and the Office of Solid Waste Management shall have the right to require municipal waste collectors and haulers to choose a disposal facility that is under contract with Lehigh County.
3. Any person who desires to collect, haul or transport municipal waste generated within Lehigh County shall submit a registration application to the County Office of Solid Waste Management. The Office of Solid Waste Management shall have a minimum

period of thirty (30) calendar days to review any registration application and take approval or denial action.

4. All registrations are non-transferable and shall be issued for a period of one calendar year. There shall be no fee for any registration.
5. The registration application form, which will be supplied by the Office of Solid Waste Management, shall set forth the minimum information required to establish the applicant's qualifications to collect and transport municipal waste, including, but not necessarily limited to:
 - A. Name and mailing address of the applicant,
 - B. Name and telephone number of contact person,
 - C. List of collection vehicles to be covered under the registration, including identification information for each vehicle, such as vehicle license number and company identification number,
 - D. Type of municipal waste collected and transported,
6. Any collector or hauler with an existing registration shall submit a registration renewal application to the Office of Solid Waste Management at least sixty (60) days prior to the expiration date of their existing registration, if renewal of the registration is desired. All new applicants for registration must submit a registration application at least thirty (30) days before beginning collecting and transporting municipal waste within Lehigh County.
7. No new registration or registration renewal shall be approved and issued to any person who fails to satisfy the minimum standards and requirements of this Ordinance or is in violation of the provisions of this Ordinance.

SECTION 5 - REPORTING REQUIREMENTS

1. All registered collectors shall promptly report any significant changes in the collection vehicles or equipment covered under their registration.
2. All registered collectors shall maintain current, up-to-date records of the customers serviced within Lehigh County. Such records and customer lists shall be subject to inspection and must be made available to the Office of Solid Waste Management or its authorized agents upon request.
3. Each collector shall prepare and submit a semi-annual report to the Office of Solid Waste Management. The report for the first six calendar months of each year (January through June) shall be submitted on or before July 31st and the report for the second six calendar months of each year (July through December) shall be submitted by January 31st of the following year. At a minimum, the following information shall be included in each semi-annual report:

- a) The total weight of each type of municipal waste collected from sources located in Lehigh County during each month of the reporting period;
- b) The name of each processing or disposal facility the hauler used during the reporting period and the total weight of each type of municipal waste that was delivered to each site during each month of the reporting period;
- c). The name of each municipality in Lehigh County in which the hauler collected municipal waste from any source during the reporting period; and
- d) A summary of the total weight of each type of municipal waste collected from each municipality during each month of the reporting period.

SECTION 6 - PENALTIES

- 1. Any person who violates any provision of this Ordinance shall be guilty of a summary offense which is punishable, upon conviction, by a fine of not less than \$300, nor more than \$1,000, or by imprisonment for a period of not more than ten (10) days, or both. Each day of violation shall be considered as a separate and distinct offense.
- 2. The Office of Solid Waste Management shall have the right at any time, after a hearing, to suspend or revoke the registration of any registered collector or hauler for any of the following causes:
 - a) Falsification or misrepresentation of any statements in any registration application;
 - b) Transportation and disposal of any municipal waste collected from sources within Lehigh County at any site other than those disposal facilities designated by the County; and
 - c) Violation of any part of this Ordinance, any other applicable County or municipal ordinances or other applicable Pennsylvania laws or regulations.

SECTION 7 - INJUNCTIVE POWERS

The County and/or County of Lehigh, Office of Solid Waste Management, may petition the Court of Common Pleas of Lehigh County for an injunction, either mandatory or prohibitive, in order to enforce any of the provisions of this ordinance. In addition, the Lehigh County Department of General Services shall designate one or more individuals to enforce the provisions of this Ordinance and the associated Lehigh County Solid Waste Management Plan.

SECTION 8 - SEVERABILITY

In the event that any section, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, shall be declared illegal, invalid or unconstitutional for any reason, the remaining provisions of this Ordinance shall not be affected, impaired or invalidated by such action.

SECTION 9 - CONFLICT

Any ordinances or any part of any ordinances which conflict with this Ordinance are hereby repealed insofar as the same is specifically inconsistent with this Ordinance.

SECTION 10 - EFFECTIVE DATE

This Ordinance shall take effect on (specified date)

ORDAINED AND ENACTED into an Ordinance this (__) day of (____, 20__)

ATTEST:

COUNTY OF LEHIGH
BOARD OF COUNTY COMMISSIONERS

Chief Clerk

_____, Chairman

(County Seal)

EXAMPLE BURNING ORDINANCE
SOUTH WHITEHALL TOWNSHIP
(6.1)

CHAPTER 6. PUBLIC SAFETY AND CONDUCT

Article 1

Open fires

53 P.S. Section 56516

6.1 TITLE

This Ordinance shall be known as the “Burning Ordinance.”
(Ordinance No. 35, enacted June 14, 1965, as amended by Ordinance No. 488, enacted July 3, 1990.)

6.2 DEFINITIONS

The following words, terms and phrases, when used in this section, shall have the following meanings:

(a) “Garbage.” All putrescible animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food.

(b) “Rubbish.” Solids not considered to be highly flammable or explosive including, but not limited to, rags, old clothes, leather, rubber, carpets, wood, excelsior, paper, ashes, tree branches, tree leaves, crockery, masonry and other similar materials.

(c) “Trade Waste.” All solid or liquid material or rubbish resulting from construction, building operations, or the prosecution of any business, trade or industry including, but not limited to plastic products, cartons, paint, grease, oil and other petroleum products, chemicals, cinders and other waste forms or solid or liquid waste materials, provided however, that trade waste shall not include any coal refuse associated with the mining or preparation of coal.

(d) “Person.” Shall include persons, partnerships, corporations and other business entities.

(e) “Open Fire.” All fires kindled or maintained outside of a building and shall include all fires maintained in containers, enclosures, barrels or devices commonly know as burn barrels. Open fires also include brush fires or field fires which are not confined by any type of container or enclosure.

(6.2)

(f) "Outdoor Preparation of Food." Those fires which are kindled or maintained for the sole purpose of food preparation which use charcoal, natural gas or liquefied petroleum as a fuel or heat source. (Ordinance No. 35, enacted June 14, 1965, as amended by Ordinance No. 488, enacted July 3, 1990.)

6.3 LIMITATION ON BURNING

No person shall kindle or maintain any bonfire or fire which burns garbage, rubbish or trade waste or authorize any such fire to be kindled or maintained on or in any public street, alley, road or other public ground, or on private property. This limitation shall include any and all open fires and other outdoor fires which are kindled or maintained in container, enclosures, barrels, incinerators or devices commonly known as burn barrels. (Ordinance No. 35, enacted June 14, 1965, as amended by Ordinance No. 488, enacted July 3, 1990)

6.4 EXCEPTIONS

The provisions of this Ordinance shall not apply to the following:

(a) The outdoor preparation of food.

(b) Indoor heating appliances such as fireplaces, wood and coal stoves.

(c) Industrial or commercial incinerators which have been issued valid air quality and operating permits by the Pennsylvania Department of Environmental Resources. (Ordinance No. 35, enacted June 14, 1965, as amended by Ordinance No. 488, enacted July 3, 1990.)

6.5 PENALTIES

Any person violating any of the provisions of this ordinance or failing to comply therewith, or with any of the requirements thereof, shall upon conviction before any district magistrate, be sentenced to pay a fine of not more than One Hundred Dollars (\$100.00) together with costs of prosecution. (Ordinance No. 35, enacted June 14, 1965, as amended by Ordinance No. 488, enacted July 3, 1990.)

6.6 SEVERABILITY

The provisions of this Ordinance are severable. If any sentence, clause, section or provision hereof shall be held to be unconstitutional, it is hereby declared to be the intent of the Commissioners that the remaining portions thereof would have been enacted notwithstanding such judicial determination of the invalidity of any particular sentence, clause, section or provision in any respect and such unconstitutionality shall not affect or impair any of the remaining sentences, clauses, sections or provisions of this Ordinance. (Ordinance No. 35, enacted June 14, 1965, as amended by Ordinance No. 488, enacted July 3, 1990.)

6.7 EFFECTIVE DATE

This Ordinance shall become effective five (5) days after its enactment. (Ordinance NO. 35, enacted June 14, 1965, as amended by ordinance No. 488, enacted July 3, 1990.)

PADEP MODEL AIR POLLUTION CONTROL ORDINANCE
Open Burning

An ordinance of (municipality), _____ County, Commonwealth of Pennsylvania for the prevention and control of air pollution; defining certain terms used herein; providing for regulations, exceptions, enforcement orders, responsibility of owners and operators, penalties, unlawful conduct, public nuisances, repealing previous ordinance (number), and validity.

SECTION I. Title

This ordinance shall be known and may be cited as the (municipality) Air Pollution Control Ordinance of (year).

SECTION II. Authority

The (Council-Board) of the (municipality), under, and by virtue of and pursuant to the authority granted by (enabling authority/code) do hereby enact and ordain this ordinance.

SECTION III. Policy

Whereas the (Council-Board) of (municipality) has determined that air pollution from open burning may be detrimental to the health, comfort, living conditions, welfare, and safety of the citizens of (municipality), it is hereby declared to be the policy of (municipality) to safeguard the citizens of (municipality) from such air pollution.

SECTION IV. Definitions

The following words, terms, and phrases, when used in this ordinance, unless the context clearly indicates otherwise, shall have the following meanings ascribed to them:

(1) Act 101 Recyclables – Materials which are readily recyclable in many markets including old newsprint, high grade office paper, corrugated cardboard, other marketable grades of paper, mixed paper, aluminum cans, steel or bimetallic cans, mixed cans, amber glass, clear glass, green glass, mixed glass, PET plastics, HDPE plastics, mixed plastics, other recyclable plastics, commingled materials, single stream materials.

(2) Air basin -A geographic area of this Commonwealth as delimited in attachment A.

(3) Air curtain destructor -A mechanical device which forcefully projects a curtain of air across a pit in which open burning is being conducted so that combustion efficiency is increased and smoke and other particulate matter are contained.

(4) Burning -The act of consuming by fire; to flame, char, scorch, or blaze. As used in this ordinance, smoldering shall have the same meaning as burning and any smoldering shall be deemed a burning.

(5) Clearing and grubbing wastes -Trees, shrubs, and other native vegetation which are cleared from land during or prior to the process of construction. The term does not include demolition wastes and laden roots.

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

(7) Council-Board -Borough Council, Township Board of Supervisors.

(8) Domestic refuse -Waste which is generated from the normal occupancy of a structure occupied solely as a dwelling by two families or less. The term does not include appliances, carpets, demolition waste (insulation, shingles, siding, etc.), furniture, mattresses or box springs, paint putrescible waste, solvents, tires, or treated wood.

(9) Leaf Waste – Leaves, garden residue, shrubbery and tree trimmings, and similar material but not including grass clippings.

(10) Municipality -A city, incorporated town, township, borough, county municipal authority, or other public body created under State law having jurisdiction over the disposal of sewage, industrial wastes, or other wastes.

(11) Open burning A fire, the air contaminants from which are emitted directly into the outdoor atmosphere and not directed thereto through a flue.

(12) Person -Any individual, public or private corporation for profit or not for profit, association, partnership, firm, trust, estate, department, board, bureau or agency of the Commonwealth or the Federal Government, political subdivision, municipality, district, authority, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

(13) Yard waste -Leaves, grass clippings, garden residue, tree trimmings, chipped shrubbery, and other vegetative material.

SECTION V. Regulations

After (the effective date) no person may permit the open burning of material with the exception of the following:

(1) A fire set to prevent or abate a fire hazard, when approved by the Department of Environmental Protection's Regional Air Quality Program office and set by or under the supervision of a public officer.

(2) Any fire set for the purpose of instructing personnel in fire fighting, when approved by the Department of Environmental Protection's Regional Air Quality Program office.

(3) A fire set for the prevention and control of disease or pests, when approved by the Department of Environmental Protection's Region Quality Program's Office.

(4) A fire set for the purpose of burning clearing and grubbing waste. If within an air basin an air curtain destructor must be used and must be approved by the Department of Environmental Protection's Regional Air Quality Program's Office.

(5) A fire set in conjunction with the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.

(6) A fire set for the purpose of burning that amount of domestic refuse generated from one dwelling, when the fire is on the premises of a structure occupied solely as a dwelling by two families or less and when the refuse results from the normal occupancy of said structure.

There shall be no burning of Act 101 recyclables or leaf waste in Lehigh County, whether at a residence or business. To reduce the unit cost associated with conversion of organics to usable compost, all yard waste and grass clippings collected within the County should be taken to the Lehigh County Organics Recycling Facility, or to a Lehigh County Organics Recycling Facility satellite site, or to a pre-existing, in-County municipally owned composting facility with an active PADEP permit to operate. Increasing the overall volume and variety of incoming organic material will improve the quality of the final product and assure a predictable flow of material through the process. In addition, no resident or business will be allowed to burn any items mandated or collected as a recyclable in the local municipality.

(7) A fire set solely for cooking food.

(8) A fire set solely for recreational or ceremonial purposes.

(9) No fires shall be left unattended. Any burning device shall be covered with a screen and not allowed to smolder.

[Note to the municipality: Municipal ordinances may not be less stringent than the regulations of the Department of Environmental Protection. Municipal ordinances may be more stringent than the regulations. If the municipality wishes to ban open burning of domestic refuse and/or yard waste, delete items 6 and 7 above from the municipal ordinance. If the municipality wishes to totally ban all open burning, simply enact a municipal ordinance which bans all open burning.]

SECTION VI. Enforcement Orders

(1) The (municipality) (supervisor, codes officer, zoning officer, or any other duly authorized agent) shall have the power and duty to enforce the provisions of this ordinance.

(2) The (municipality) may issue such orders as are necessary to aid in the enforcement of the provisions of this ordinance. These orders shall include, but shall not be limited to: orders requiring persons to cease unlawful open burning which, in the course of its occurrence, is in violation of any provision of this ordinance; orders to take corrective action or to abate a public nuisance; orders requiring the testing, sampling, or monitoring of any open burning; or orders requiring production of information. Such an order may be issued if the (municipality) finds that any condition existing in or on the facility or source involved is causing or contributing to open burning or if the (municipality) finds that any person is in violation of any provision of this ordinance.

(3) The (municipality) may, in its order, require compliance with such conditions as are necessary to prevent or abate open burning or affect the purposes of this ordinance.

(4) An order issued under this section shall take effect upon notice, unless the order specifies otherwise. An appeal to the (quasi judicial body) of the (municipality's) order shall not act as a supersedes, provided, however, that, upon application and for cause shown, the (quasi judicial body) may issue such a supersedes under rules established by the (quasi judicial body).

(5) The authority of the (municipality) to issue an order under this section is in addition to any remedy or penalty which may be imposed pursuant to this ordinance. The failure to comply with any such order is hereby declared to be a public nuisance.

SECTION VII. Responsibility of Owners and Operators

(1) Whenever the (enforcing officer) finds that open burning is occurring in the (municipality), other than those exceptions noted in Section V above, the (enforcing officer) may order the owner or operator to take corrective action in a manner satisfactory to the (municipality) or the (enforcing officer) may order the owner or operator to allow access to the land by the (enforcing officer) or a third party to take such action.

(2) For purposes of collecting or recovering the costs involved in taking corrective action or pursuing a cost recovery action pursuant to an order or recovering the cost of litigation, oversight, monitoring, sampling, testing, and investigation related to a corrective action, the (municipality) may collect the amount in the same manner as civil penalties are assessed and collected following the process for assessment and collection of a civil penalty contained in Section IX of this ordinance.

SECTION VIII. Criminal Penalties

Any person who violates any provision of this ordinance or any order of the (municipality) issued pursuant to this ordinance commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than two thousand five hundred dollars (\$2,500.00) for each separate offense and, in default of the payment of such fine, may be sentenced to imprisonment for ninety (90) days for each separate offense. Employees of the (municipality) authorized to conduct inspections or investigations are hereby declared to be law enforcement officers authorized to issue or file citations for summary violations under this ordinance, and the (municipal) Counsel is hereby authorized to prosecute these offenses. For purposes of this section, a summary offense may be prosecuted before any district justice in this (municipality). There is no accelerated rehabilitative disposition authorized for a summary offense.

SECTION IX. Civil Penalties

(1) In addition to proceeding under any other remedy available at law or in equity for a violation of a provision of this ordinance or any order issued pursuant to this ordinance, the (municipality) may assess a civil penalty for the violation. The penalty may be assessed whether or not the violation was willful. The civil penalty so assessed shall not exceed ten thousand dollars (\$10,000.00) per day for each violation. In determining the amount of the penalty, the (municipality) shall consider the willfulness of the violation; damage to air, soil, water, or other

natural resources of the (municipality) or their uses; financial benefit to the person in consequence of the violation; deterrence of future violations; cost to the (municipality); the size of the source or facility; the compliance history of the source; the severity and duration of the violation; degree of cooperation in resolving the violation; the speed with which compliance is ultimately achieved; whether the violation was voluntarily reported; other factors unique to the owners or operators of the source or facility; and other relevant factors.

[Note to the municipality: The allowable amounts for the penalty increase in 1995 to \$15,000.00 per day for each violation and in 1996 and thereafter to \$25,000.00 per day for each violation. The municipality may want to write these amounts into its ordinance as appropriate.]

(2) When the (municipality) proposes to assess a civil penalty, it shall inform the person of the proposed amount of the penalty. The person charged with the penalty shall then have thirty (30) days to pay the proposed penalty in full; or if the person wishes to contest the amount of the penalty or the fact of the violation to the extent not already established, the person shall forward the proposed amount of the penalty to the (quasi judicial body) within the thirty (30) day period for placement in an escrow account with the State Treasurer or any Commonwealth bank or post an appeal bond to the (quasi judicial body) within thirty (30) days in the amount of the proposed penalty, provided that such bond is executed by a surety licensed to do business in the Commonwealth and is satisfactory to the (municipality). If, through (administrative or final judicial review of the proposed penalty, it is determined that no violation occurred or that the amount of the penalty shall be reduced, the (quasi judicial body) shall, within thirty (30) days, remit the appropriate amount to the person with any interest accumulated by the escrow deposit. Failure to forward the money or the appeal bond at the time of the appeal shall result in a waiver of all legal rights to contest the violation or the amount of the civil penalty unless the appellant alleges financial inability to prepay the penalty or to post the appeal bond. The (quasi judicial body) shall conduct a hearing to consider the appellant's alleged inability to pay within thirty (30) days of the date of the appeal.

The (quasi judicial body) may waive the requirement to prepay the civil penalty or to post an appeal bond if the appellant demonstrates and the (quasi judicial body) finds that the appellant is financially unable to pay. The (quasi judicial body) shall issue an order within thirty (30) days of the date of the hearing to consider the appellant's alleged inability to pay. The amount assessed after administrative hearing or after waiver of administrative hearing shall be payable to the (municipality) and shall be collectible in any manner provided by law for the collection of debts, including the collection of interest on the penalty amount computed in accordance with section 6621(a) (2) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.) from the date of assessment of the penalty. If any person liable to pay any such penalty neglects or refuses to pay the same after demand, the amount, together with interest and any costs that may accrue, shall constitute a debt of such person, as may be appropriate, to the (municipality). The debt shall constitute a lien on all property owned by said person when a notice of lien incorporating a description of the property of the person subject to the action is duly filed with the prothonotary of the court of common pleas where the property is located. The prothonotary shall promptly enter upon the civil judgment or order docket, at no cost to the (municipality), the name and address of the person, as may be appropriate, and the amount of the lien as set forth in the notice of lien. Upon entry by the prothonotary, the lien shall attach to the revenues and all real and personal property of the person, whether or not the person is solvent. The notice of lien, filed pursuant to this Section, which affects the property of the person shall create a lien with priority over all subsequent claims or liens which are filed against the person, but it shall not affect any valid lien, right, or interest in the property filed in accordance with established procedure prior to the filing of a notice of lien under this section.

[Note to the municipality: The penalties and remedies available to the municipality are those set forth in the Air Pollution Control Act (APCA), as amended, 35 P.S. 4012, Sections 9, 9.1, and 12(9). Each municipality may tailor the penalty provisions to reflect the municipality's preferred penalty policy, within the legal limits of the APCA.]

SECTION X. Unlawful Conduct

It shall be unlawful to fail to comply with or to cause or assist in the violation of any of the provisions of this ordinance or to fail to comply with any order or other requirement of the (municipality); or to cause a public nuisance; or to cause air, soil, or water pollution resulting from an open burning incident, or to hinder, obstruct, prevent, or interfere with the (municipality) or its personnel in their performance of any duty hereunder, including denying the (enforcing

officer) access to the source or facility, or to violate the provisions of 18 Pa.C.S. § 4903 (relating to false swearing) or 4904 (relating to unsworn falsification to authorities) in regard to papers required to be submitted under this ordinance. The owner or operator of an open burning source shall not allow pollution of the air, water, other or natural resources of the (municipality) to result from the source.

SECTION XI. Public Nuisances

A violation of this ordinance or of any order issued by the (municipality) under this ordinance shall constitute a public nuisance. The (municipality) shall have the authority to order any person causing a public nuisance to abate the public nuisance. In addition, when abating a public nuisance, the (municipality) may recover the expenses of abatement following the process for assessment and collection of a civil penalty contained in Section IX. Whenever the nuisance is maintained or continued contrary to this ordinance or any order issued pursuant to this ordinance, the nuisance may be abatable in the manner provided by this ordinance. Any person who causes the public nuisance shall be liable for the cost of abatement.

SECTION XII. Repealer

Ordinance (no.____) previously enacted is hereby repealed. All other ordinances or parts thereof which are in conflict with this ordinance are hereby repealed.

SECTION XIII. Validity

The provisions of this ordinance are severable, and if any section, clause, sentence, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, clauses, sentences, parts, or provisions of this ordinance. It is hereby declared to be the intent of the (Council-Board) that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence, part, or provision had not been included herein.

SECTION XIV. Effective Date

This ordinance shall become effective on the (no.) day of (month) (year).

Attachment A

Air basins of the Commonwealth of Pennsylvania as delimited in 25 Pa. Code 121.1. Definitions.

Allentown, Bethlehem, Easton air basin - The following political subdivisions in Lehigh County: City of Allentown, City of Bethlehem, Catasauqua Borough, Coplay Borough, Emmaus Borough, Fountain Hill Borough, Hanover Township, Salisbury Township, South Whitehall Township and Whitehall Township, and the following political subdivisions in Northampton County, Allen Township, Bath Borough, City of Bethlehem, Bethlehem Township, East Allen Township, City of Easton, Freemansburg Borough, Glendon Borough, Hanover Township, Hellertown Borough, Lower Nazareth Township, Lower Saucon Township, Nazareth Borough, North Catasauqua Borough, Northampton Borough, Palmer Township, Stockertown Borough, Tatamy Borough, Upper Nazareth Township, West Easton Borough, and Wilson Borough.

MUNICIPAL SOLID WASTE ORDINANCE

(SAMPLE ORDINANCE)

OF

LEHIGH COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF THE _____ (insert municipality name here) _____, LEHIGH COUNTY, PENNSYLVANIA, PROHIBITING THE ACCUMULATION, BURYING AND BURNING OF GARBAGE AND OTHER REFUSE MATERIALS UPON PRIVATE PROPERTY IN SAID MUNICIPALITY, 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 MUNICIPAL OFFICIALS; REGULATING THE CARE AND REMOVAL OF GARBAGE, RUBBISH AND OTHER REFUSE MATERIALS AND PROVIDING FOR THE COLLECTION OF GARBAGE, RUBBISH AND OTHER REFUSE MATERIALS ONLY BY PADEP-LICENSED COLLECTORS IN SAID MUNICIPALITY; THE ESTABLISHMENT OF FEES AND CHARGES FOR THE COLLECTION OF GARBAGE, RUBBISH AND REFUSE IN SAID MUNICIPALITY; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, pursuant to the authority vested to the municipality by the Pennsylvania Solid Waste Management Act of 1980 (Act 97), and the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988), the _____ (insert municipality name here) _____ is desirous of enacting an Ordinance regulating the storage, collection, and transportation of rubbish, refuse, and garbage in the municipality,

NOW, THEREFORE, the _____ (insert municipality name here) _____, Lehigh County, Pennsylvania hereby enacts and ordains as follows:

SECTION I: SHORT TITLE

This Ordinance shall be known and referred to as the "Solid Waste Ordinance".

SECTION II: 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)

Act 101 The Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act No. 101, July 28, 1988)

Agricultural Waste - means 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, provided such waste is not a hazardous waste. The term includes the residual materials generated in producing, harvesting, and marketing of all agronomic, horticultural, silvicultural and agricultural crops or commodities grown on what are usually recognized and accepted as farms, forests, or other agricultural lands, and shall include brush and stumps.

Bulky Waste - means 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 their size, shape or weight.

Commercial Establishment - means any establishment engaged in non-manufacturing or non-processing business, including but not limited to stores, markets, office buildings, restaurants, shopping centers and theaters.

Composting - means the storage of vegetable wastes on the property where they were generated, for the purpose of creating aerobic digestion and returning organic nutrients to the soil.

Construction and Demolition Waste - means all municipal and residual waste building materials, grubbing waste and rubble resulting from construction, remodeling, repair and demolition operations on houses, commercial buildings and other structures and pavements.

Department - shall mean the Pennsylvania Department of Environmental Protection.

Disposal means the incineration, 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 the Commonwealth of Pennsylvania.

Domestic Waste or Household Waste - means solid waste, comprised of garbage and rubbish, which normally originates in the residential private household or apartment house.

Garbage - means 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 - means any person, firm, co-partnership, association or corporation who has been licensed by the County or its designated representative to collect, transport, and dispose of refuse for a fee as herein prescribed.

Hazardous Waste - means any solid waste or combination of solid wastes, as defined in Act 97 or 101 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 - means any establishments engaged in manufacturing or processing, including but not limited to factories, foundries, mills, processing plants, refineries, mines and slaughterhouses.

Institutional Establishments - means any establishment engaged in service, including but not limited to hospitals, nursing homes, orphanages, schools and universities.

Municipal Waste - means 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 any sludge not meeting the definition of residual or hazardous waste under Acts 97 or 101 from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant, or air pollution control facility. The term does not include any source-separated recyclable materials or material approved by the PADEP for beneficial use. For the purposes of this Ordinance, the term "Municipal Waste" shall not include infectious and chemotherapeutic waste since all haulers of infectious and chemotherapeutic waste are licensed and regulated by the PADEP under special regulations.

Municipality - shall mean the _____ (insert municipality name here) _____, Lehigh County, Pennsylvania.

Municipal Waste Landfill -- Any facility that is designed, operated and maintained for the disposal of municipal waste and permitted by the PADEP for such purposes.

Person - means 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 of rights and duties. In any provisions of this ordinance prescribing a fine, imprisonment or penalty, or any combination of the foregoing, the term person shall include the officers and directors of any corporation or other legal entity having officers and directors.

Processing - means 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, sludge treatment facilities and resource recovery facilities.

Recycling -- means 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, or the mechanical separation and treatment of municipal waste (other than

combustion) and creation and recovery of reusable materials other than a fuel for the operation of energy.

Refuse - means all solid waste materials which are discarded as useless.

Residual Waste - means any garbage, refuse, other discarded material or other waste including solid, liquid, semisolid, or contained gaseous materials 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, provided that it is not hazardous. The term residual waste shall not include coal refuse as defined in the "Coal Refuse Disposal Control Act". Residual waste shall not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on pursuant to and in compliance with a valid permit issued pursuant to "The Clean Streams Law".

Rubbish - means 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.

Scavenging - means the unauthorized and uncontrolled removal of material stored or placed at a point for subsequent collection or from a solid waste processing or disposal facility.

Sewage Treatment Residues - shall mean any coarse screenings, grit and de-watered or air-dried sludges from sewage treatment plants and pumpings from septic tanks or septage which are a municipal solid waste and require proper disposal under Acts 97 and 101.

Solid Waste - means any waste, including, but not limited to, municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous material.

Storage - means 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 constitutes disposal. This presumption can be overcome by clear and convincing evidence to the contrary.

Transportation - means the off-site removal of any solid waste at any time after generation.

Transfer Station - means any supplemental transportation facility used as an adjunct to solid waste route collection vehicles.

In this Ordinance, the singular shall include the plural and the masculine shall include the feminine and the neuter.

SECTION III: PROHIBITED ACTIVITIES

1. It shall be unlawful for any person to accumulate or permit to accumulate upon any public or private property within the Municipality, any garbage, rubbish, bulky waste, or any other municipal or residual solid waste except in accordance with the provision of this Ordinance, and any Department rules and regulations adopted pursuant to Act 97 and Act 101.
2. It shall be unlawful for any person to burn any solid waste within the Municipality 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 dispose of any solid waste in the Municipality except in accordance with the provisions of this Ordinance and any rules of the _____ (insert municipality name here) _____, County or Department rules and regulations adopted pursuant to Act 97 and Act 101.
4. It shall be unlawful for any person to haul, transport, collect or remove any solid waste from public or private property within the Municipality unless the ultimate disposal of this material complies with the requirements of the Lehigh County Solid Waste Plan.
5. It shall be unlawful for any person to scavenge any materials from any solid waste that is stored or deposited for collection within the Municipality without prior approval by the Municipality.
6. It shall be unlawful for any person to salvage or reclaim any solid wastes within the Municipality except at an approved and permitted resource recovery facility under Act 97 and Act 101, and any Department rules and regulations adopted pursuant to these acts.
7. 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 Municipality except as provided in the Ordinance.
8. It shall be unlawful for any person to place a used lead acid battery in mixed municipal solid waste, discard, or otherwise dispose of a lead acid battery except by delivery to an automotive battery retailer or wholesaler, to a secondary lead smelter permitted by the Environmental Protection Agency, or to a collection or recycling facility authorized under the laws of this Commonwealth.
9. It shall be unlawful for any municipal waste landfill to accept for disposal, and no resource recovery facility may accept for processing, truckloads composed primarily of leaf waste or plant waste. To reduce the unit cost associated with conversion of organics to usable compost, all yard waste and grass clippings collected within the County should be taken to the Lehigh County Organics Recycling Facility, or to a Lehigh County Organics Recycling Facility satellite site, or to a pre-existing, in-County municipally owned composting facility with an active PADEP permit to operate. Increasing the overall volume and variety of

incoming organic material will improve the quality of the final product and assure a predictable flow of material through the process.

SECTION IV: STANDARDS FOR STORAGE OF SOLID WASTE

1. The storage of all solid waste shall be practiced so as to prevent the attraction, harborage or breeding of insects or rodents, and to eliminate conditions harmful to public health or which create safety hazards, odors, unsightliness or public nuisances.
2. Any person producing municipal waste shall provide a sufficient number of secure containers to store all waste materials generated during periods between regularly scheduled collections and shall place and store all waste materials therein.
3. Any person storing municipal waste for collection shall comply with the following preparation standards:
 - a) All municipal waste shall be drained of free liquids before being placed in storage containers.
 - b) All garbage or other putrescible waste shall be securely wrapped in paper, plastic or similar material or placed in properly tied plastic bags.
 - c) All cans, bottles or other food containers should be rinsed free of food particles and drained before being placed in storage containers.
 - d) Garden clippings and tree trimmings shall be placed in approved containers or shall be cut and tied securely into bundles. Bundles shall be not more than four (4) feet in length, not more than two (2) feet in diameter and not more than forty (40) pounds in weight. Such materials may also be composted by the municipality and/or by the property owner.
 - e) Newspapers and magazines shall be placed in approved containers or shall be tied securely into bundles of not more than forty (40) pounds in weight.
 - f) When specified by the Municipality or its designated representative, special preparation and storage procedures may be required to facilitate the collection and resource recovery (recycling) of certain waste materials.
4. All municipal waste shall be stored in containers approved by the Municipality or its designated representative. Individual containers and bulk containers utilized for storage of municipal waste shall comply with the following standards:
 - a) Reusable containers shall be constructed of durable, watertight, rust and corrosion resistant material, such as plastic, metal or fiberglass, in such a manner as to be leak-proof, weather-proof, insect-proof, and rodent-proof.
 - b) Reusable containers for individual residences shall have a tight-fitting cover and suitable lifting handles to facilitate collection.
 - c) Reusable containers for individual residences shall have a capacity of not less than ten (10) gallons nor more than forty (40) gallons, and a loaded weight of not more than forty (40) pounds.
 - d) Disposable plastic bags or sacks are acceptable containers provided the bags are designated for waste disposal. Plastic bags shall have sufficient wall strength to maintain physical integrity when lifted by the top, shall be securely tied at the top

for collection, and shall have a capacity of not more than thirty (30) gallons and a loaded weight of not more than thirty-five (35) pounds.

- e) All containers, either reusable or disposable, shall also comply with the minimum standards established by the National Sanitation Foundation.
5. Any person storing municipal waste for collection shall comply with the following storage standards:
- a) Containers shall be kept tightly sealed or covered at all times. Solid waste shall not protrude or extend above the top of the container.
 - b) Reusable containers shall be kept in a sanitary condition at all times. The interior of the containers shall be thoroughly cleaned, rinsed, drained and disinfected, as often as necessary, to prevent the accumulation of liquid residues or solids on the bottom or sides of the containers.
 - c) Containers shall be used and maintained so as to prevent public nuisances.
 - d) Containers that do not conform to the standards of this Ordinance or which have sharp edges, ragged edges or any other defect that may hamper or injure collection personnel shall be promptly replaced by the owner.
 - e) Containers shall be placed by the owner or customer at a collection point specified by the Municipality or its designated representative.
 - f) With the exception of pick-up days when the containers are placed out for collection, the containers shall be properly stored on the owner's or customer's premises at all times.
 - g) Bulk waste items such as furniture, automobile parts, machinery, appliances, and tires shall be stored in a manner that will prevent the accumulation or collection of water, the harborage of rodents, safety hazards and fire hazards.
6. The storage of all municipal waste from multi-family residential units, commercial establishments, institutions and industrial lunchroom or office waste sources is subject to the regulations and standards set forth in this Ordinance. The type, size and placement requirements for bulk containers shall be determined by the waste generator and the waste hauler, and are subject to approval by the Municipality.

SECTION V: STANDARDS AND REGULATIONS FOR COLLECTION AND TRANSPORTATION

1. The Municipality shall designate the contractor or contractors for the collection of all garbage, rubbish, and bulky wastes from individual residences and multi-family residential sources.
2. All household and homeowners shall utilize the residential collection service designated by the Municipality.
3. All commercial, institutional and industrial establishments shall dispose of all Municipal waste through the Municipal arrangements based on a standard charge for anticipated

volume and availability of service. Note: Municipal provision of this service is at the option of the Municipality.

4. All residential garbage and rubbish shall be collected at least once a week. Bulky wastes shall be collected following prior arrangement with the Municipality's collector and payment of any required special fees.
5. All commercial, institutional, public and industrial lunchroom and office waste containing garbage shall be collected at least once a week. Rubbish collection from these sources shall be made as often as necessary to control health hazards, odors, flies and unsightly conditions. The Municipality reserves the right to require more frequent collection when deemed necessary.
6. Residential collection schedules shall be published regularly by the Municipality or its contracted hauler.
7. All solid waste collection activity shall be conducted from ___ through ___ between the hours of _____ and _____, unless prior approval of any exception has been granted by the Municipality. No collection, hauling or transporting of solid waste shall be permitted on ___ or ____.
8. Private collectors shall comply with the following standards and regulations:
 - a) All municipal waste collected within the Municipality shall be conveyed by the hauler to a contractually agreed upon processing facility permitted by the PADEP, and designated in the approved Lehigh County Municipal Waste Management Plan.
 - b) Any trucks or other vehicles used for the collection and transportation of municipal waste must comply with the requirements of Acts 97 and 101, and any Department regulations adopted pursuant of Act 97 and Act 101.
 - c) All collection vehicles conveying domestic waste and garbage shall be watertight and suitably enclosed to prevent leakage, roadside littering, attraction of vectors, the creation of odors and other nuisances.
 - d) Collection vehicles for rubbish and other non-putrescible solid waste shall be capable of being enclosed or covered to prevent roadside littering and other nuisances.
 - e) All solid waste shall be collected and transported so as to prevent public health hazards, safety hazards and nuisances.
 - f) All solid waste collection vehicles shall be operated and maintained in a clean and sanitary condition.
9. Bidding Procedure – Separate Bidding of Landfill and Collection/Hauling Services

The Municipality shall prepare separate bidding of landfill disposal and MSW collection/hauling services. This will increase the number of bidders and allow for a more open, competitive bid process. Only landfills with active PADEP permits which are included in the current Lehigh County Solid Waste Plan will be eligible to bid for disposal services. The bid for collection/hauling services will be completed following acceptance of

the landfill disposal contract, and quotes must be based upon the landfill selected. The collector/hauler must follow all laws, rules and regulations set forth by the Federal Government, Commonwealth of Pennsylvania, Lehigh County, or the individual municipality which is contracting hauling services. The collector/hauler must complete all forms, and provide all documentation required by the municipality requesting the bid.

SECTION VI: COLLECTION AND DISPOSAL CHARGES

1. The governing body of the Municipality shall be authorized to make funds available, in accordance with the laws and procedures of the Municipality, for the establishment, maintenance, and operation of the municipal solid waste collection and transportation system; or for the contracting of such service to a private collector.
2. Annual fee schedules shall be adopted by the Municipality based upon the actual costs of collecting municipal waste within the Municipality.

SECTION VII: EXCEPTIONS

1. Nothing in this ordinance shall be deemed to prevent a landowner or occupier from creating and maintaining a compost pile provided it is formed entirely from vegetable wastes, is maintained so as to be digested from aerobic bacteria only, and in a manner which neither causes pollution nor is offensive to neighbors of reasonable sensibilities.
2. Nothing in this ordinance shall be deemed to prevent the disposal of agricultural waste upon an active farm, by burning, burial, or composting provided that such disposal is conducted in a manner not to cause pollution of the air or water and so as not to interfere with neighbor's use of their land.

SECTION VIII: ADMINISTRATIVE APPEALS

1. All appeals shall be made in writing to the governing body of the Municipality.
2. Pending a reversal or modification, all decisions of the Municipality shall remain effective and enforceable.
3. Any person who is aggrieved by a new standard, regulation, determination or assessment issued by the Municipality may appeal within ten (10) days after the Municipality gives notice of its intention to issue the new standard or regulation.
4. The notice of appeal shall be served in writing and sent by certified mail with return receipt requested, within twenty (20) days after receipt of the notice of appeal, the Municipality shall hold a public hearing. Notice of the hearing shall be sent to both parties in time to adequately prepare for the hearing. Notice shall be sent to the parties by certified mail with

return receipt requested at the last known address in addition to publication in the local newspaper.

SECTION IX: INJUNCTION POWERS

The Municipality may petition the Court of Common Pleas.

SECTION X: PENALTIES

Any person who violates any provision of this Ordinance shall, upon conviction, be guilty of a misdemeanor which is punishable by a fine of not less than \$_____, nor more than \$_____, or in default of payment of such fine, then by imprisonment for a period of not more than ____ days, or both. Each day of violation shall be considered a separate and distinct offense.

SECTION XI: SEPARABILITY

In the event that any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of such Ordinance shall not be invalidated by such action.

SECTION XII: CONFLICT

Any ordinances or any part of any ordinance which specifically conflict with this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION XIII: EFFECTIVE DATE

The Ordinance shall take effect on:

ENACTED AND ORDAINED into an Ordinance this _____ day of 200_.

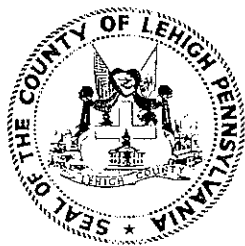
MUNICIPALITY

By:

ATTEST:

Secretary

Exhibit E-6



COUNTY OF LEHIGH
Office of the Commissioners

David Barilla
Clerk to the Board

TO: Donald T. Cunningham, Jr.
Lehigh County Executive

FROM: David Barilla, *DB*
Clerk to the Board of Commissioners

DATE: February 25, 2009

RE: Appointments

The following appointments were approved at the Board of Commissioners meeting held on February 24, 2009.

Lehigh Valley Planning Commission

Reappointment Term Expires 12/31/09
Deana M. Zosky 3705 Orchid Place Emmaus, PA 18049

Lehigh County Solid Waste Advisory Committee

| | |
|-----------------------|---|
| Appointments | One year terms effective with the first meeting |
| William Ahlert | 5330 Shimerville Rd. Emmaus, PA 18049 |
| Donald Bernhard | 621 N. Glenwood St. Allentown, PA 18104 |
| Dean N. Browning | 2432 W. Congress St. Allentown, PA 18104 |
| Percy H. Dougherty | 5726 Sandtrap Lane Allentown, PA 18106 |
| Eugene L. Goldfeder | 548 4 th St. Catasauqua, PA 18032 |
| Ronald J. Heintzelman | 4675 Maple St. Schnecksville, PA 18078 |
| Harvey Joseph | 958 Rainbow Dr. Bethlehem, PA 18017 |
| Elizabeth Levin | 558 Parkside Court Allentown, PA 18104 |
| Thomas E. Marshall | 5202 Milford Drive Emmaus, PA 18049 |
| Charles N. Pantaleo | PO Box 90803 Allentown, PA 18109 |
| Fred A. Saab | 2503 Ludwig Court Macungie, PA 18062 |
| Ann E. Saurman | 1750 W. Linden St. Allentown, PA 18104 |
| Kevin B. Snyder | 15 E. Harrison St. Emmaus, PA 18049 |
| Randy Soriano | 955 Glick Avenue Allentown, PA 18103 |
| Richard A. Young | 2021 E. Tremont St. Allentown, PA 18109 |

/tb

Government Center
17 South Seventh Street
Allentown, Pennsylvania 18101-2400
Phone: 610-782-3394
Fax: 610-820-3053



COUNTY OF LEHIGH
Office of the Commissioners

Dr. Percy H. Dougherty
Commissioner

February 25, 2009

Harvey Joseph
958 Rainbow Drive
Bethlehem, PA 18017

Dear Mr. Joseph:

Speaking for the Board of Commissioners, I would like to extend to you our sincere congratulations on the confirmation of your appointment to the Lehigh County Solid Waste Advisory Board.

The Board of Commissioners appreciates your willingness to serve the citizens of the County, and we look forward to your input on issues confronting County government. If the Commissioners can be of any assistance to you, please do not hesitate to contact our office.

Again, congratulations and best wishes on your appointment.

Sincerely,

A handwritten signature in black ink, appearing to read "Percy H. Dougherty".

Percy H. Dougherty, Ph.D.
Chairman
Board of Commissioners

*Government Center
17 South Seventh Street
Allentown, Pennsylvania 18101-2400
Phone: 610-782-3050
Fax: 610-820-3053
email: percydougherty@lehighcounty.org*

TO: Lehigh County Project File (08-1300-0640)

FROM: Dave Minnear

SUBJECT: Pre-Application Kickoff Meeting for the Lehigh County Solid Waste Plan Revision

DATE: 3/31/09

ATTENDEES: David Minnear & Tanya McCoy Caretti (Kimball)
Joyce Hatala (Kimball Sub-Consultant)
Jan Creedon, Harvey Joseph, Tim Bollinger, Marsha Rivas (Lehigh County)

Discussion Topics:

This meeting was intended as the Kickoff Meeting for the Lehigh County Solid Waste Management Plan Update.

- Dave gave a brief description of the Kimball Team
 1. Kimball lead consultant – Dave will be Project Manager and Tanya will act as liaison with the State SWAC,
 2. Joyce Hatala – sub focusing on the recycling issues and solid waste history
- Harvey said that he had invited Chris Fritz of the DEP, but Chris was not available. Although not considered a member of the SWAC, Chris will be invited to each of the SWAC meetings, and copied on all correspondence so that he is aware of the Update progress throughout the study period.
- Tanya said that the 901 Grant Application for funding was submitted to Harvey in February of 2009, and that she had discussed the plan with Chris Fritz. She noted that the budget did not include the cost associated with completion of the 901 Grant Application, since that is not a reimbursable expense. Tanya's effort in assisting with preparation of the application will not be charged to the County.
- The dates for SWAC meetings were discussed, and the following dates were selected:
 1. May 13, 2009 at noon
 2. August 12, 2009
 3. October 14, 2009
 4. December 9, 2009
- Jan will make arrangements for the initial SWAC meeting (as to location and whether there will be a meal since the meeting will be held at noon). Times for future meetings will be determined at the initial SWAC meeting, based on the preferences of the Committee members.
- The October SWAC meeting may be extended to include an afternoon meeting with the Landfills who respond to the advertisement.
- Harvey and Marsha will supply Dave with a list of landfill companies who have current contracts with the County.

MEETING MINUTES

- The group discussed the list of SWAC members, as per the letter from the Office of the Commissioners dated February 25, 2009. Dave asked if the list included representatives from each of the groups required by DEP, and it appeared that they did, except for the Landfill Representative. (The individual initially identified as the landfill representative was determined to be a Waste Hauler.) Tanya offered to contact Chuck Raudenbush of WasteManagement to see if he would be available, or if he would recommend someone else in his group.
- Tanya discussed the status of current Solid Waste legislation, including:
 1. Act 1610 – which would permit up to a \$4/ton County Administrative Fee. This bill is scheduled for a hearing in late April.
 2. Act 961 – has recently passed, permitting DEP to continue to collect recycling fees
 3. Act 140 – passed in 2008, reauthorizing the Recycling Fee until 2012
 4. Oneida Herkimer – this will be an issue in Lehigh, but only associated with flow control to the County composting facility
- Jan indicated that the County would like to discuss a “zero waste” policy, and this will be further defined and explored by the SWAC.
- Harvey and Marsha said that throughout the County, the municipalities use a combination of different collection contract types (some private subscription, some municipal contracts, and possibly one municipal hauler). This will need to be defined in more detail as part of the Update.
- Joyce will coordinate a survey to be distributed for septage haulers, medical waste and municipalities. The medical waste will focus on clinics and hospitals (not individual doctor’s offices). Harvey and Marsha will assist with the development of a list of recipients.
- Joyce will also arrange a meeting with Marsha to review the solid waste files, since there is a considerable history of solid waste issues and legislation in the County.
- The original Solid Waste Plan subdivided the County into South, North and West regions, and this regionalization will be reconsidered for the Update.
- The County used to hold Household Hazardous Waste (HHW) collection days on a semi-annual basis, but these have not been held recently due to a lack of available funding. Harvey would like to reestablish these events in the future.
- Construction and Demolition Waste (C&D) issues will be discussed with the local Brownfields Association.

Action Required:

- Dave will provide Jan with a sample agenda for the first SWAC meeting and cover letter for the invitees.
- Jan will provide Dave with a list of SWAC members, including email addresses and the DEP category that they represent.
- Jan will make arrangements for the initial SWAC meeting.
- Joyce will also arrange a meeting with Marsha to review the solid waste files
- Tanya will contact Chuck Roudenbush to see if he is available to sit on the SWAC as the representative of Landfills.

Meeting Minutes
Lehigh County SWAC - May 13, 2009

The following were in attendance:

Lehigh County Solid Waste Advisory Committee members:

Don Bernhard, PPL Corporation
Linda Emery, alternate from Waste Management, Inc.
Gene Goldfeder, Borough of Catasauqua
Ann Saurman, City of Allentown, Bureau of Recycling and Solid Waste
Kevin Snyder, Air Products and Chemicals, Inc.
Charles Pantaleo, Raritan Valley Disposal
Randy Soriano, Salisbury Township
Vince Carbone, alternate for Bill Ahlert, HDR Engineers
Richard Young, City of Allentown Dept. of Public Works

Lehigh County Officials:

Commissioner Percy Dougherty, Chairman, Lehigh County Board of Commissioners
Jan Creedon, Director of General Services
Harvey Joseph, Solid Waste and Recycling Manager
Tim Bollinger, Assistant Recycling Coordinator
Marsha Rivas, Office of Solid Waste Management, Clerical Specialist

L Robert Kimball and Associates

Dave Minnear, Project Manager
Joyce Hatala, Kimball subcontractor
Tanya McCoy Caretti, Vice President for Business Development

Jan Creedon called the meeting to order at 12:10 p.m. and introduced the Lehigh County Staff members in attendance. She thanked the SWAC members for their time, and for agreeing to serve on this important committee.

I. Plan Overview

Dave Minnear, Project Manager, L. Robert Kimball & Associates, Inc. (Kimball), said he was very pleased to be working on the Lehigh County Solid Waste Plan. The important role of Lehigh County in previous Commonwealth of PA solid waste court cases, along with many important decisions which the County needs to make as part of this plan update, make this process exciting and challenging. Dave stated that although Chris Fritz, DEP regional solid waste manager, is not present at this meeting, he will be copied on all correspondence to the SWAC members, and invited to future SWAC meetings. His participation throughout the process will ensure that the plan is completed in a timely manner.

Dave stated that the Committee will work through emails as much as possible, and review chapters and make decisions throughout, rather than wait until the end of the process.

The Plan will update recycling and solid waste information, as well as secure landfill capacity for waste generated in the County. Kimball will prepare an advertisement to be placed in national magazines and local papers indicating that we are updating the Plan, and that Lehigh County is interested in securing landfill capacity. All landfills interested in participating will be invited to apply. Kimball will include a model form that allows Lehigh County to add landfills over the 10 year life of the Plan.

Kimball will also prepare a draft capacity agreement, to be signed by each landfill agreeing to participate with the County Plan. Any landfill wishing to accept waste from Lehigh County can negotiate an Agreement, but it may not be financially feasible for some of the landfills located at remote locations. The Plan will also include a form to add additional landfill agreements in the future.

Some of the large landfills in other states are considering the viability of shipping waste by rail. If fuel prices are high, shipment by train can make more sense, so the County will want to keep that option available in the future.

The County will meet with those landfill companies who respond to the advertisement, including those who are accepting waste today.

II. Act 101 Mandates/Recycling Funding

Dave Minnear then introduced Tanya McCoy Caretti, Kimball Vice President for Business Development. Tanya serves as chair of the Commonwealth's Solid Waste Advisory Committee, and is the former Director of the Cambia County Solid Waste Department. She also serves as the Government Liaison Committee Chair for the Professional Recyclers of PA. Tanya will keep the committee informed as to new waste and recycling regulations as they become finalized. Tanya reported on the following current programs and activities:

Many PA counties are updating plans now, or getting ready to do so. The Waste Industry is seeing a wave of landfill capacity agreements expiring at the same time.

When passed in 1988, Act 101 required a recycling fee, paid to the Commonwealth. That fee is used to fund section 900 grants, but needs to be reauthorized soon, since it will expire in 2012. DEP is no longer able to offer section 902 grants without the fee's reauthorization. PA Commonwealth House Bill (HB) 961 extends the \$2.00 recycling fee for three more years; however, Sen. Musto announced that he would sponsor a Senate version with no sunset date, so that the fee is reauthorized in perpetuity. Currently, there are seventeen senators who signed onto this bill. The bill is in draft form, with no bill number yet. We expect that the Senate Environment and Energy Committee chaired by Senator Mary Jo White will take this to her committee in early June.

The Joint Conservation Committee, with Rep. Hutchinson and Senator Musto taking the lead, do not want to do this fee extension every few years. They would prefer a bill with no sunset date.

These issues will impact what happens with the solid waste plan. No more performance grants (section 904) will be available without this recycling fee reauthorization. Remember that Act 101 does not go away without the fee; it becomes an unfunded mandate

County Administrative Fee

The county administrative fee has been historically used to support a wide variety of programs. Lehigh County has not been collecting the fee recently due to a court ruling. Without this fee, the County has been very limited in what programs it can offer. Throughout the Commonwealth, we see counties who had no fee, and some with fees of various amounts. How the counties spend the administrative fee also varies greatly.

Senator Costa supports a county's ability to enact this administrative fee; and eleven other senators have signed on so far to a bill he is sponsoring. There is no printer number for this bill yet, and Tanya does not know when to expect further progress on this issue.

III. Other aspects of the Plan preparation

Dave Minnear stated that Joyce Hatala will prepare the Plan section on the historical aspects and background of solid waste management in Lehigh County, including the court cases. She will also send out the surveys to septic waste haulers and generators of medical waste. She will be primarily responsible for the recycling chapters of the solid waste plan. She will obtain data from the County and municipal annual reports, and make phone calls when necessary.

Joyce is a member of the Commonwealth's Solid Waste Advisory Committee, and holds a seat on the DEP Citizens Advisory Council. She is former Lackawanna County Recycling/Solid Waste Coordinator.

The Kimball Team and the SWAC members will spend a lot of time on the recycling portion of the Plan. We will try to identify what has been done; what is working and not working; what Lehigh County and various municipalities will do to change or improve their current recycling options; and what else they would like to do in the future. We need to remember that there is heavy industrial and commercial waste generation in Lehigh County, along with a high percentage of commercial and industrial recycling.

In the final document, we will provide model ordinances which the County and municipalities can use.

Although each municipality will be notified that the Plan is being updated, we do not require Plan update approval from all municipalities in the County, since this is a non substantial plan

revision. The county does not intend to change the way it manages waste, and it is unlikely that the County would consider an incinerator or County-owned landfill, so this is a minor plan revision.

Questions

1) How do we accomplish everything? What is the timeline?

Some chapters will be done early, such as those pertaining to historical background. Chapters will be sent out 1-2 weeks before each SWAC meeting to read. Lehigh County will provide lunch at each meeting, with the intention of getting started by 12 noon.

2) If there are any hot button issues, send an e mail to Dave Minnear and he will address them.

3) How do we know how much waste is generated?

Disposal facilities report the amount of waste generated in each county. These are posted by quarter on the DEP web site. We will use the DEP figures since generators have paid \$2/ton for this waste and it has the best chance of generating good data. The County also has some hauler forms which we will cross check for accuracy.

4) What about other municipalities not represented on the SWAC? Will they get to read the plan?

Yes, the final draft version of the Plan will be circulated to each municipality for review and comment.

5) Will this committee be giving suggestions for items to recycle? What if there is interest in establishing new long term programs?

Each municipality has a different contract with its hauler, so what they can recycle may vary. A Council of Governments (COG) contract was mentioned as a possibility; tires are also an issue we may need to address. In the recycling chapter, the Kimball Team will document what has been done in the past, and the SWAC members will decide what to do for the next 10 years. We need to consider markets for new materials. How do we collect an item: curbside, drop off? You can recycle anything you want, but how do you pay for it?

6) Chairman of the County Commissioners, Percy Dougherty, former president of CCAP, commented that there is a big push to get the solid waste fee reauthorized, since Lehigh loses \$600,000/year when the fee is not available. The County looks on it as a user's fee, not a tax.

Tanya said that Doug Hill of CCAP testified about the need for a fee, and she will keep us informed with any updates.

Dave Minnear said that the plan update should be completed by the end of December, 2009. A schedule of future meetings will be circulated with these meeting minutes.

With no further business, the meeting ended at 1:15 p.m.

Meeting Minutes
Lehigh County SWAC – August 5, 2009

The following were in attendance:

Lehigh County Solid Waste Advisory Committee members:

William Ahlert, HDR Engineers

Don Bernhard, PPL

Gene Goldfeder, Borough of Catasauqua

Ann Saurman, City of Allentown Bureau of Recycling and Solid Waste

Kevin Snyder, Air Products and Chemicals, Inc.

Thomas Marshall, City of Bethlehem

Charles Pantaleo, Raritan Valley Disposal

Harry Smith, Waste Management

Fred Saab, TSM Recycling

Richard Young, City of Allentown Dept. of Public World

Lehigh County Officials:

Jan Creedon, Director of General Services

Harvey Joseph, Solid Waste and Recycling Manager

Tim Bollinger, Assistant Recycling Coordinator

Marsha Rivas, Office of Solid Waste Management Clerical Specialist

L Robert Kimball and Associates, Inc.

Dave Minnear

Joyce Hatala, Kimball sub contractor

Dave Minnear opened the meeting at 12:10 p.m. and asked for comments on the chapters sent out so far. He said that the next SWAC meeting is scheduled for October 14, 2009. He stated that Joyce is gathering data now, especially recycling data. Marsha reported that the DEP website is working again, and it will be easier to supply recycling data. Dave also suggested that it would be a good idea to send a municipal survey in order to gather municipal responses concerning recycling. We hope to have these surveys sent out within a month.

Action Item: Dave will provide Sample Municipal Ordinance, and Model Agreements.
Joyce will write letter and survey for municipalities

Joyce asked for comments from everyone about the information presented. What type of recycling would the committee members like to see; are they satisfied with the current

items and amounts recycled; how will they pay for any new items, or pay to continue the system with reduced grant money available?

The follow comments were recorded from committee members:

Landfill issues:

The landfill tonnages reported by year vary significantly. Why are there such discrepancies? Why is there an increase in 2006? Reason: Some items may be counted in different categories each year. The reporting varies, and may be more accurate some years. For example, residual waste may be counted as construction/demolition waste in some years. Check into land application of sludge, construction waste, correct medical waste reporting. Are there any local events (major demolition projects, plant closings, etc.) that may have caused these fluctuations?

How will administrative fees be collected in the future? How are they used currently by various counties? Can the money be passed back to the municipalities? Some counties still have administrative fees if they own their own disposal facilities, or have facilities in their county. It all depends on the contract. Any administrative fees, or other fee increases such as the Recycling fund, or Growing Greener type fees, can be passed along to the generator provided the contract is written with this provision.

Recycling issues:

The Professional Recyclers of PA (PROP) has made the extension of the \$2.00/ton recycling fee its first priority. The House version of the recycling fee extension will continue the fee only until 2015. The bill sponsored by Senator Musto will extend it until 2020. We do not know which will be successful.

How are recycling statistics verified? Documentation is submitted by the municipality to the county, who compiles the data and submits it to DEP for the annual report. The County also collects some data on their own. DEP does some spot checks of the data, but not consistently. The performance grants are audited but the annual report is a best estimate, so it may be less accurate. Haulers give the best weight tonnages they can; only a few large companies have scales on trucks so a hauler does their best to divide the tonnages accurately. Sometimes it is difficult to know what municipality should receive the credit for a particular account but the haulers do the best they can. The numbers are only as accurate as the DEP reports.

What else would we all like to see? More education. More from the County as well as from the State. There is no such thing as too much education. There are always new students, and new people moving into the County. Future funding for education (via PADEP) is in question.

Food waste is important to consider as a future recyclable, since it will significantly reduce landfill tonnages and increase compost volumes. Pre consumer food waste (mostly from grocery stores and restaurants) will be easier to collect than post consumer (from restaurants and residents). We need to talk to Patty Olenick, DEP, to see what is allowable. This effort will require much education to teach people how to do this correctly. Tim stated that compost will be difficult to market if it contains many non-biodegradable items. Where to start: institutions, grocery stores, dining facilities, universities, schools. We will need education at all levels to do this. We will need to educate haulers, municipalities, residents, businesses

Recycle more to bring the landfill disposal bill down. There are ways to encourage residents and businesses to recycle more without being explicit about it: smaller carts, more frequent collections, more education. Provide sample ordinances on what to do.

Jan Creedon said that “pay as you throw” is good except that it encourages illegal dumping. A lot of items end up in cities like Allentown and along rural roads. Municipalities who have a hauling contract see less illegal dumping because everything is collected regularly. Ann Saurman said that there is a home for many items that people dump illegally. Call your municipality first to find out what they take. This is also an education issue. People need to know this.

It is important for the County to keep its HHW collection. How do they pay for this?

What to do with computers and electronics? Many stores take them now for a fee. Many municipalities have a collection.

Fluorescent bulbs? AERC takes them. What about fire detectors, and smoke alarms? These will be a future problem given that they contain traces of hazardous chemicals.

Tires are a problem. They are dumped illegally in many places. PA collects a tire fee but it goes for SEPTA and Pittsburgh transit. People think it is funding recycling. The state should have a fee that funds actual tired recycling efforts

All these “difficult to recycle” items will need to be discussed in Chapter 2 of the plan.

This is a plan modification, not a substantive revision. We do not need formal approval from all municipalities, although it is good to receive this. We still do need to let them know about the plan, and ask them for their opinion.

The next meeting will be very important to determine the recycling portion of the plan. We need to determine how to pay for the items the SWAC wants to recycle.

Dave Minnear stated that the plan will be complete by December 2009.

With no further business, the meeting adjourned at 1:50 P.M.

Meeting Minutes
Lehigh County SWAC – October 14, 2009

The following were in attendance:

Lehigh County Solid Waste Advisory Committee members:

William Ahlert, HDR Engineers

Don Bernhard, PPL

Gene Goldfeder, Borough of Catasauqua

Ann Saurman, City of Allentown Bureau of Recycling and Solid Waste

Kevin Snyder, Air Products and Chemicals, Inc.

Charles Pantaleo, Raritan Valley Disposal

Harry Smith, Waste Management

Lehigh County Officials:

Commissioner Percy Dougherty

Commissioner Dean Browning

Harvey Joseph, Solid Waste and Recycling Manager

Tim Bollinger, Assistant Recycling Coordinator

Marsha Rivas, Office of Solid Waste Management Clerical Specialist

L Robert Kimball and Associates, Inc.

Dave Minnear

Joyce Hatala, Kimball sub contractor

Dave Minnear opened the meeting and welcomed everyone. He said that Chris Fritz, DEP, had an afternoon scheduling conflict and could not attend. Dave stated that the majority of Chapter 2, Recycling, will be sent out before the December meeting, which will be held on Wednesday December 9, at noon, in the same location. He said that Joyce and Marsha have been gathering a large amount of data, and have some good numbers to analyze for the plan's recycling section. Joyce mentioned that she will make a trip to visit with Lehigh County staff to gather the last data she needs on special programs.

Issues Discussed:

No Burn:

Dave will send out a model "no burn" ordinance which municipalities can use if they wish, or tailor to their own needs. Although DEP would like all communities to ban open burning, this is a very contentious issue in rural areas.

Issues discussed:

Perhaps opening burning should be handled as a regional issue, or a “burn ban” enacted at the state level. Many municipalities want to ban burning but it is difficult politically since many people still want to burn. It might be better handled at a higher level, or through a Council of Governments. Commissioner Dougherty said that it would be difficult for Lehigh County to ban burning, so it should be handled regionally.

Incentives would be a positive measure. We can also limit when burning can occur: not near a school or public building would be one option to reduce its frequency.

Yard Waste

A question was asked whether yard waste could be included in funding for section 904 performance grants. Joyce answered that it would probably take money from other items since there was a limited amount of funding for 904 grants. In addition, she was always told by DEP that it would be difficult to show valid weight slips for yard waste since these items often go to farmers, parks, and many sites without certified scales.

It was mentioned that grass clippings should be left on the lawn and not collected. Grasscycling would reduce the amount of money municipalities spent on trash and recycling collection. Tim commented that this seems like a good option, but that the compost site often needs the nitrogen which grass provides to help with the composting process. Without the grass clippings, it would be more difficult for leaves and other carbon-rich materials to decompose.

Tim also stated that many of the materials marked “biodegradable” such as plastics are only 60% biodegradable, leaving a large amount of residue for disposal.

Ann said that Allentown has recommended grasscycling for many years. They want materials placed out in open containers, or paper bags. It is very difficult to run a program when people use plastic bags, since no one knows which ones are really biodegradable.

Food Waste/ other compostables

Zero waste events are becoming more popular, with people separating out food waste, other compostables, recyclables and trash. Joyce mentioned that she had seen McDonald’s in Germany with compost bins, but the people had many incorrect items included there too.

Issues to consider - how to provide enough education so that people know what is compostable and recyclable? It is more realistic to start with pre-consumer food, and food waste from large stores, institutions and similar establishments, rather than from homes. Education will be more difficult in the residential sector, and cost prohibitive as well.

We also need to consider that there are other items to be composted such as “animal mortality composting”, and manure composting, although Penn State already offers programs in this area, and many farmers already compost dead animals and manure on their own property.

A county can also flow control to its own facility, such as the Lehigh yard waste facility. If you do not own a facility, there is no way to flow control. With a county-owned facility, you can flow control through agreements or a county ordinance. Some counties are setting up transfer stations in order to flow control waste, and generate revenue.

Fees

Dave is checking into the best way to design a Plan Implementation Fee. He is waiting to hear comments from DEP concerning what fee structure the county can impose. There is current proposed legislation which would allow a county to collect between \$1 and \$4 per ton, but the law does not allow a county to place a mandatory fee on trash, with all landfills paying the same amount. It is permissible, however, to negotiate a fee from landfills that choose to participate in the plan.

Plan Issues

Dave stated that Lehigh County placed two plan advertisements, one in a local paper and one in a national publication. Currently twenty three landfills are listed as participants in the plan. All landfills that have submitted a request to be included in the Plan Update will be placed on a list for future negotiations with the County.

Dave stated that the Plan implementation fee is basically the same as the administrative fee. It is illegal to force landfills to pay a fee predetermined by ordinance; but a negotiated fee is acceptable. The landfill does not have to pay a fee, although many choose to do so. Sometimes a small fee is sufficient if there is enough waste generated. Allegheny County, for example, had a 25 cent per ton fee, which accumulates to substantial revenue since they generate large waste tonnages.

What if a generator decides to take waste to a landfill in another county? What can the county do? The county would need a good enforcer, attorney, and negotiator. There is no reason that this landfill cannot ask to become part of the Lehigh plan; they would only need to petition for inclusion, and negotiate with the County. Harry Smith mentioned that most landfills in PA would want to be part of the plan. It would help them if they applied to DEP for expansions.

Kevin Snyder of Air Products stated that his company selected haulers based on experience and performance, and they have spent a lot of time selecting the right company for their business. Dave and Joyce both said that the landfill used by Air Products can become part of the plan so there should be no problem.

Dave also agreed to check with DEP to see if large companies can be excluded from the County Plan if they choose to handle their waste independently of the municipality.

Dave commented that residual and hazardous wastes are not included in the plan, so large companies can dispose of these wastes at any proper disposal site they wish.

A county can also register haulers, but they cannot license large trash haulers. The registration is needed for informational and planning purposes. Tim stated that a county can license small haulers who are under the weight limit set by DEP guidelines. Ann said that this would help the City address the issue of scavenging of recyclable materials. Dave Minnear commented that whatever is placed at the curb belongs to the municipality.

Education

Many municipalities who responded to the survey stressed the importance of education. Some municipalities also asked why we should add new items for recycling when we should step up the efforts on recycling more of the “traditional” recycling. Although many communities and businesses already do a good job, many others do not.

What can we do to encourage recycling? The following items were offered by the SWAC:

- Twice a week trash collection discourages recycling. Limit trash collection to once a week.
- Mark recycling trucks accordingly. Residents recycle less if they feel that their recyclables are thrown away, even though they may be recycled in an unmarked vehicle, or packer-type truck.
- Place drop offs in convenient locations where they are easy to patrol for illegal dumping. Think about the best location for a drop off. More is not always better if it is difficult to police the site.
- Provide more education. Set up a Lehigh County clearing house for educational materials. Free is good. Communities should be able to network and share materials, thereby reducing cost and learning from one another. The County should take the lead in setting this up.

Dave Minnear stated that the plan will be complete by December 2009.

With no further business, the meeting adjourned at 2:00 p.m.

Lehigh County SWAC
December 9, 2009

Meeting Minutes
Lehigh County SWAC – August 5, 2009

The following were in attendance:

Lehigh County Solid Waste Advisory Committee members:

William Ahlert, HDR Engineers
Gene Goldfeder, Borough of Catasauqua
Ann Saurman, City of Allentown Bureau of Recycling and Solid Waste
Kevin Snyder, Air Products and Chemicals, Inc.
Charles Pantaleo, Raritan Valley Disposal
Harry Smith/Linda Emery, Waste Management
Betsy Levin

Lehigh County Officials:

Commissioner Percy Dougerty
Jan Creedon, Director of General Services
Harvey Joseph, Solid Waste and Recycling Manager
Tim Bollinger, Assistant Recycling Coordinator
Marsha Rivas, Office of Solid Waste Management Clerical Specialist

L Robert Kimball and Associates, Inc.

Dave Minnear
Joyce Hatala, Kimball sub contractor

Dave Minnear opened the meeting at 12:15, and asked for any comments on the draft plan which had been sent out earlier. He received the following comments:

Organics collection -

Jan Creedon mentioned that municipalities should bring all organics to the Lehigh County compost site. Without the flow control of organics to the site, costs would increase and the county may have to close the site. Tim Bollinger added that without the right mixture of carbon and nitrogen, he cannot operate effectively. Some customers want to bring all grass (and take the leaves elsewhere), and he cannot operate the site with these ratios of material. Joyce Hatala added that the no-burn ordinance already mentions that Act 101 recyclables and leaf waste (including all organics except grass clippings) should not be burned. However, this is just a model ordinance, and municipalities do not have to adopt it.

Tim mentioned that he used to do enforcement activities for the County. He might have time to enforce some of the regulations in the future if it were necessary, but noted that of no-burning ordinances is nearly impossible in rural areas.

Dave Minnear said that he would look for the best place within the plan to state that organics must be sent to the County's compost site. He will add to section 2.3 in the plan narrative also.

Recycling Sustainability–

DEP grant money is decreasing, and both County and municipal governments need to find ways to make programs more sustainable. They also need to do more education, since the quantity and quality of recyclables will decrease, and make their marketing more difficult. Dave and Joyce will add additional discussion of sustainability to the narrative.

Collection of Administrative Fee/ Landfill Contracts

It will be difficult for the County to make the composting site sustainable without an administrative fee. It will be important for the County to document how expensive it is to operate the compost site, how beneficial the facility is to the municipalities, and how much more it will cost each municipality if they do not bring all of their organics to the County facility.

In a letter from Chris Fritz (DEP) to the County, Chris noted that the DEP policy is that counties cannot impose a fee, but they can negotiate a fee. Since the County does not host any landfills or transfer stations, they cannot impose flow control of solid waste, but they can negotiate a fee with each landfill with which they sign an agreement. They can also flow control organics to a facility they own such as the compost site. Joyce mentioned that Lackawanna County is able to flow control recyclables to the county-owned MRF, and that they had a contract with each municipality, making enforcement easier.

Harry Smith (Waste Management) said that most landfills would want to be part of the County plan, since it would help them if they wanted future expansions. They may all negotiate different fees, however, or no fee at all.

It is advantageous to municipalities if there are multiple landfills listed in the plan. That would give them a chance to negotiate a better tipping fee price.

What if a hauler chooses to go to a landfill not in the plan? Can the County stop them from doing so? Who would enforce this? There will be a process for the landfill to opt into the county plan, but what if they did not choose to? Dave and Joyce will discuss with DEP and include these types of issues in the narrative.

Does the County have to accept all landfills who wish to be part of the plan? Dave noted that there are reasons to give preference to some landfills: price, distance, fees, service, but also that there may be specific reasons to not accept all landfills. It will be necessary to establish specific criteria for assessment of the different landfills and protocols for selection.

Jan asked whether it might be best to issue an RFP for landfill space. Any landfills who meet the criteria could be part of the plan, as long as they are able to negotiate an agreement with the County. This might be a fairest selection method. However, the County can't reject a landfill solely for refusal to pay a fee.

Do haulers always report the tonnage of material delivered to the landfills correctly? Harry answered that the haulers try to attribute waste generation correctly, as best as they can. They state where each load originated. However, the landfills report tonnages received directly to the DEP, so the County can cross-check the total tonnages reported.

Industry, especially very large companies or hospitals, may want to use a landfill with a County Agreement in place, or they may want to use a different landfill for their dedicated waste stream. Many large industries are concerned that their waste may be linked to future hazardous waste lawsuits, and need a clear chain-of-custody to document their disposal history. For that reason, they may choose to use a different landfill that incorporates better documentation.

Ordinances –

The no-burn ordinance should include non-putrescible items. These should never burn. Bill Ahlert, a member of his township EAC, stated that people are still burning garbage, and it is very polluting. The ordinance would give them the tools to ban the burning of these items, but the no-burn ordinance needs to be stronger. Dave and Joyce said that they would make these changes.

Dave Minnear asked whether the County would want to pass a “no-burn” ordinance. Most of the SWAC members felt the ordinance would be impossible to enforce, and it would make no sense to have it. The no-burn ordinance is the jurisdiction of the municipalities, and many of the municipalities may use it. Township Environmental Committees may use it as a model, and encourage its passage.

Plan highlights –

Joyce said that the plan recommends a yearly municipal meeting to share educational materials. There needs to be education on many topics: recycling, source reduction and sustainability, for example, and sharing resources between municipalities is a key to doing this cost-effectively.

The Plan will also recommend a committee to explore the issue of organics composting, including businesses, haulers, and municipalities.

Sustainability is an important issue at all levels. Municipalities should discuss how to make programs sustainable since Act 101 money is limited. Even if the \$2/ton DEP fee is reinstated, there will never be as much money as in past years.

Dave discussed a PA map showing landfills which currently accept Lehigh MSW now averaging approximately 313,000 tons/year.

Commissioner Dougherty questioned some of the population figures from a few of the municipalities. Joyce noted that she took the information from the Lehigh Valley Planning Commission website and various reports. The population figures for 2006 are actual figures, whereas the population figures listed for 2010 are predictions based on the 2,000 census. This might account for some of the discrepancies. Joyce said that she would check the tables again before the plan is finalized.

Joyce also noted that she would check over the municipal questionnaires and make sure that the information correctly states what the municipalities were trying to express in their answer; and adjusting some of the grammar for clarity. Joyce also noted that some of the municipal responses may not have correctly stated what is actually happening in the community.

With regard to the County website, who provides the data? The County's information is only as good as the information sent in by the municipalities. There was a suggestion that when the County sends out the annual report, they might also send out a request for updated information.

Dave also included a map of drop off locations, showing what items are taken where. This would be a good addition to the County website. The locations are color coded, showing recycling and compost drop-offs.

General Discussion –

Charles Pantaleo noted that it may appear counter-productive for some municipalities to recycle more if they have a contract where landfill fees are included with hauling costs. As such, their costs are the same regardless of whether more material is removed from the waste stream. He suggested that if Municipalities bid these two items separately, they may see lower total costs, with the following suggested approach. First, bid to the landfills (only those with current landfill agreements with the County) to establish tipping fees. Then bid trash collection/hauling, at which point all of the haulers would know which landfill they were hauling to. In this way, the municipality would benefit financially, and it would increase recycling, since there would be an incentive to reduce the total waste to the landfills. Smaller haulers could also bid on this, since they would need a smaller bond which did not include landfill costs.

Dave said that he would include this in the model municipal ordinance, as well as a model solid waste bid package for municipalities, as a plan attachment. Charles will send an example from New Jersey to Dave for inclusion in the plan.

Charles also noted that New Jersey has a uniform bid spec, whereas in PA every bid is different. This adds to work for haulers. It increases costs, and makes for costly litigation fees.

Municipalities should also consider a regional trash contract, or a multi-municipal contract which could save money, and promote recycling.

Submitting one bill to residents, which included trash and recycling as part of other municipal services, would help to reduce the problem of illegal dumping and burning.

Dave Minnear asked whether the SWAC thought there should be another meeting. Hearing no interest from the group, Dave said that he would have any plan changes or additions sent out for SWAC members to read. They should contact him with comments, and we could always schedule another meeting if there was a need for it.

With no further discussion, the meeting adjourned at 2:10 pm.

Lehigh County SWAC
November 2, 2011

Meeting Minutes

The following were in attendance:

Lehigh County Solid Waste Advisory Committee members:

William Ahlert, HDR Engineers
Gene Goldfeder, Borough of Catasauqua
Ann Saurman, City of Allentown Bureau of Recycling and Solid Waste
Kevin Snyder, Air Products and Chemicals, Inc.
Linda Emery, Waste Management
Randy Soriano, Salisbury Township

Lehigh County Officials:

Commissioner Percy Dougerty
Glenn Solt, Director of Department of General Services
Tim Bollinger, General Services Manager

L Robert Kimball and Associates, Inc.:

Dave Minnear

PADEP:

Bill Tomayko

Dave Minnear opened the meeting at 12:15, and presented a brief summary of the status of the project since the last meeting on 12/9/09. Tim Bollinger summarized some of the changes in County Government in the interim, and clarified the current status of the organics processing facility. Specific items discussed included:

Organics facility -

Following considerable discussion within the County in the Fall of 2010, and conversations with the PADEP and County Municipalities throughout the Winter/Spring of 2011, the decision was made to put the operation of the organics facility out as a Request for Proposal. The RFP was subsequently awarded to Middle Smithfield Materials, Inc. (from Monroe County), and they began full-time operation of the facility in July of 2011. The facility is still owned and permitted by the County, and the contract with MSM is just for operation, although they are also in charge of invoicing for receipt of raw materials and sale of final product.

County Reorganization

Tim summarized the status of the 2010-11 County reorganization moves. He is now the General Services Manager for the County, reporting to Glenn Solt, the Director of General Services. However, he will be continuing his duties as the County Recycling Coordinator, and will be overseeing the finalization of the County Municipal Solid Waste Management Plan.

Plan Status and Submission to PADEP for Review and Comment Response

Following the 12/9/09 SWAC Meeting, the Plan was modified to reflect comments, and the Final Draft Version of the Plan was submitted to the SWAC members on 5/25/10 for review and comment. Copies of the revised Plan were then submitted to each of the Municipalities for comment on 6/11/10, with a comment period extending to 8/11/10. Following receipt of final comments, the Plan was modified and submitted to the County Commissioners for approval at their August meeting. Once approved, the Plan was then forwarded to the PADEP for evaluation on 9/9/10.

Comments were received from Chris Fritz of the PADEP in late January, 2011. However, most of the comments dealt with the changes that were being implemented associated with the organics facility and the County reorganization. Since these issues had not been finalized at the time, a response to the comments was delayed until 7/14/11. In the interim, Chris Fritz had retired, and his duties have been temporarily accepted by Bill Tomayko, who had been Chris' supervisor. A meeting with Bill and John Leskosky of the PADEP was conducted on 8/10/11 to discuss the comment responses, and a general consensus was reached regarding the comment responses.

Following the November 2011 SWAC meeting, the Plan will be finalized to reflect all of the input from the above communications. Upon completion, the Final Plan will again be circulated to the SWAC members for comment, then to the Municipalities. If appropriate, the Plan will then be passed by the County Commissioners again (although they have already approved it in principal), and then it will be submitted to the PADEP for final approval.

Waste Capacity Agreements -

There was considerable discussion at the SWAC meeting associated with the specific approach regarding the Waste Capacity Agreements. Bill Tomayko noted that the key is the development of Selection Criteria that will be required to be met in order for facilities to be selected as designated waste disposal sites. He noted that all of the Counties are struggling with the Selection Criteria, and has offered recommendations regarding possible wording for a Request for Proposals (RFP). He noted that the RFP process must be Fair and Open, but that it must also show that the County Plan is Sustainable. Bill said that the Plan must establish specific criteria that will require participation from the landfills; although the criteria would need to be approved by the SWAC. He emphasized again that the criteria can't specifically require a \$/ton fee, but he thinks that the

Agreement can require that the landfill define a method that they would propose to assist the County in program sustainability.

Bill also suggested that the RFP could ask the respondents to identify the likelihood that they would actually receive waste from the County (through historic documentation or current agreements with haulers), along with the general request to show a current permit and capacity.

Dave said that he and Tim had developed an estimated annual cost to the County to provide anticipated future waste management and recycling services, and that the price would be roughly \$150,000/year (primarily associated with HHW collections). Based on that estimated cost, and the anticipated annual tonnage, the cost per ton of waste would be roughly \$0.46/ton. Ann Saurman asked if a fee (say \$0.46/ton of disposed waste) could be included in discussions during the negotiation phase of the RFP process. Bill said it certainly could, although a fee could not be included by ordinance as part of the Plan.

Other methods were discussed for obtaining revenue for program sustainability, including adding that to municipal bidding packages for waste collection. It was pointed out that many of the municipalities use individual subscription plans for waste collection, so shifting the revenue burden to the municipalities would be difficult.

Glenn noted that if disposal facilities refuse to cooperate with generating revenue to support HHW plans, then the County will not be able to afford to conduct them; and then the HHW will end up in the landfills, where those same facilities will need to deal with these materials. As such, participating in the Program may be cheaper for these facilities in the long run.

Linda Emery suggested that we look into the HHW collection method implemented recently by Lebanon County for additional ideas.

Waste-to-Energy Plants -

Ann Saurman noted that the City of Allentown has submitted an RFP for a possible waste-to-energy plant to handle the City's non-recyclable materials. No specific arrangements have been made to-date, but she wondered how that might impact the Plan.

Dave and Tim said that the Plan would include a means to add future waste processing/disposal facilities, and that a future plant could be added when appropriate. Ann figured that it would take some time before a plant was up and running – possibly 3 or 4 years - so does not impact the current Plan.

Dave asked if the plant would possibly be large enough to handle all waste generated within the County, and if the facility would be owned by the City. Ann said that they have not proceeded far enough to know any details. If considered a "Public Facility", it is possible that this would be eligible for a legal flow control scenario, although the Plan

would have to be modified to reflect a desire for Flow Control of County waste to the new facility.

Tim noted that there is a second company that has been discussing a similar facility in the County, but that things are moving forward slowly.

Electronic Waste Legislation –

Ann noted that there has been new E-Waste legislation since the last SWAC meeting, and suggested that the Plan be updated to reflect these requirements. Dave will update the Plan accordingly.

Dave said that he would have final plan changes or additions sent out for SWAC members to review/comment. They should contact him with comments, and we could always schedule another meeting if there is a need; otherwise, this may be the final SWAC meeting.

With no further discussion, the meeting adjourned at 2:30 pm.

**Lehigh County Solid Waste Advisory Committee
Meeting #1 – May 13, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|--|-----------------------|--|--|------------------|--|
| Jan Creedon | Y | Lehigh County Director of General Services | Lehigh County Government Center 17 South Seventh Street Allentown PA 18101 | 610-782-3009 | jancreedon@lehighcounty.org |
| Harvey Joseph | Y | Lehigh County Solid Waste and Recycling Manager | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799-4177 | HarveyJoseph@LehighCounty.org |
| Tim Bollinger | Y | Lehigh County Assistant Recycling Coordinator | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799-4177 | timbollinger@lehighcounty.org |
| Marsha Rivas | Y | Lehigh County Office of Solid Waste Mgmt – Clerical Specialist | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799-4177x221 | MarshaRivas@lehighcounty.org |
| Dave Minnear | Y | L. Robert Kimball & Associates, Inc. Project Manager | 6154 West Highland Ave., Ebensburg, PA 15931 | (814) 472-7700 | Dave.minnear@kimballcorp.com |
| Joyce Hatala | Y | Joyce Hatala Associates Subcontractor to Kimball | PO Box 107, Pinewood Road Fleetville, PA 18420 | (570) 945-5656 | jhatala@epix.net |
| Tanya McCoy-Caretti | Y | L. Robert Kimball & Associates, Inc. | 6154 West Highland Ave., Ebensburg, PA 15931 | (814) 472-7700 | tanya.mccoycaretti@kimballcorp.com |
| William Ahlert (Alternate Vince Carbone) | Y | HDR Engineers | 5330 Shimerville Rd., Emmaus, PA 18049 | (610) 807-5104 | Bill.Ahlert@HDRINC.com Vincent.carbone@HDRINC.com |

**Lehigh County Solid Waste Advisory Committee
Meeting #1 – May 13, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|--------------------|-----------------------|-------------------------------|--|----------------|--|
| Donald Bernhard | Y | PP&L | 621 N. Glenwood St., Allentown, PA 18104 | (610) 774-5458 | dmb Bernhard@pplweb.com |
| Dean Browning | N | Lehigh County Commissioner | 2432 W. Congress St., Allentown, PA 18104 | (610) 821-7943 | deanbrowning@lehighcounty.org |
| Percy Dougherty | Y | Lehigh County Commissioner | 5726 Sandtrap Lane, Allentown, PA 18106 | (610) 782-3050 | PercyDougherty@lehighcounty.org |
| Eugene Goldfeder | Y | Borough of Catasauqua | 548 4 th St., Catasauqua, PA 18032 | (610) 264-0571 | manager@catasauqua.com |
| Ronald Heintzelman | N | North Whitehall Township | 4675 Maple St., Schnecksville, PA 18078 | (610) 799-4666 | greenleaffarms@netscape.net |
| Betsy Levin | N | Greenstar Allentown | 558 Parkside Court, Allentown, PA 18104 | 610-530-1422 | levin.betsy@gmail.com |
| Thomas Marshall | N | City of Bethlehem | 5202 Milford Drive, Emmaus, PA 18049 | 610-865-7082 | tmarshall@bethlehem-pa.gov |
| Charles Pantaleo | Y | Raritan Valley Disposal | PO Box 90803, Allentown, PA 18109 | (484) 553-9651 | pantaleoc@repsrv.com |
| Fred Saab | N | | 2503 Ludwig Court, Macungie, PA 18062 | (610) 797-0900 | tsmrecycling@verizon.net |

**Lehigh County Solid Waste Advisory Committee
Meeting #1 – May 13, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|---|-----------------------|--|---|-----------------|--|
| Ann E. Saurman | Y | City of Allentown, Bureau of Recycling and Solid Waste | 1750 W. Linden St., Allentown, PA 18104 | (610) 437-8729 | saurman@allentowncity.org |
| Harry Smith (Linda Emery – Alternate) | Y | WasteManagement | 54 S. Fairview St. Nazareth, PA 18064 | (610) 863-2402 | hsmith2@wm.com lemery@wm.com |
| Kevin Snyder | Y | Air Products and Chemicals, Inc. | 15 E. Harrison St., Emmaus, PA 18049 | (610) 481-62328 | snyderkb@airproducts.com |
| Randy Soriano | Y | Salisbury Township | 955 Glick Avenue, Allentown, PA 18103 | (610) 797-4000 | rsoriano@salisburytownship.org |
| Richard Young | Y | City of Allentown, Department of Public Works | 2021 E. Tremont St., Allentown, PA 18109 | (610) 437-7587 | youngr@allentowncity.org |

**Lehigh County Solid Waste Advisory Committee
Meeting #2 – August 5, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|---|-----------------------|--|---|------------------------|--|
| Jan Creedon | Y | Lehigh County Director of General Services | Lehigh County Government Center 17 South Seventh Street Allentown PA 18101 | 610-782-3009 | jancreedon@lehighcounty.org |
| Harvey Joseph | Y | Lehigh County Solid Waste and Recycling Manager | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799-4177 | HarveyJoseph@LehighCounty.org |
| Tim Bollinger | Y | Lehigh County Assistant Recycling Coordinator | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799-4177 | timbollinger@lehighcounty.org |
| Marsha Rivas | Y | Lehigh County Office of Solid Waste Mgmt – Clerical Specialist | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799- 4177x221 | MarshaRivas@lehighcounty.org |
| Dave Minnear | Y | L. Robert Kimball & Associates, Inc. Project Manager | 6154 West Highland Ave., Ebensburg, PA 15931 | (814) 472-7700 | Dave.minnear@kimballcorp.com |
| Joyce Hatala | Y | Joyce Hatala Assoc. Subcontractor to Kimball | PO Box 107, Pinewood Road Fleetville, PA 18420 | (570) 945-5656 | jhatala@epix.net |
| Tanya McCoy-Caretti | N | L. Robert Kimball & Associates, Inc. | 6154 West Highland Ave., Ebensburg, PA 15931 | (814) 472-7700 | tanya.mccoycaretti@kimballcorp.com |
| William Ahlert (Alternate Vince Carbone) | Y | HDR Engineers | 5330 Shimerville Rd., Emmaus, PA 18049 | (610) 807-5104 5102 | Bill.Ahlert@HDRINC.com Vincent.carbone@HDRINC.com |

**Lehigh County Solid Waste Advisory Committee
Meeting #2 – August 5, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|--------------------|-----------------------|-------------------------------|---|----------------|--|
| Donald Bernhard | Y | PP&L | 621 N. Glenwood St., Allentown, PA 18104 | (610) 774-5458 | dmbernhard@pplweb.com |
| Dean Browning | N | Lehigh County Commissioner | 2432 W. Congress St., Allentown, PA 18104 | (610) 821-7943 | deanbrowning@lehighcounty.org |
| Percy Dougherty | N | Lehigh County Commissioner | 5726 Sandtrap Lane, Allentown, PA 18106 | (610) 782-3050 | PercyDougherty@lehighcounty.org |
| Eugene Goldfeder | Y | Borough of Catasauqua | 548 4 th St., 118 Bridge Street, Catasauqua, PA 18032 | (610) 264-0571 | manager@catasauqua.org |
| Ronald Heintzelman | N | North Whitehall Township | 4675 Maple St., Schnecksville, PA 18078 | (610) 799-4666 | greenleaffarms@netscape.net |
| Betsy Levin | N | Greenstar Allentown | 558 Parkside Court, Allentown, PA 18104 | 610-530-1422 | levin.betsy@gmail.com |
| Thomas Marshall | Y | City of Bethlehem | 5202 Milford Drive, Emmaus, PA 18049 | 610-865-7082 | tmarshall@bethlehem-pa.gov |
| Charles Pantaleo | Y | Raritan Valley Disposal | PO Box 90803, Allentown, PA 18109 | (484) 553-9651 | pantaleoc@reprsrv.com |
| Fred Saab | Y | TSM Recycling | 2503 Ludwig Court, Macungie, PA 18062 2002 S 12 th St., Allentown, PA 18103 | (610) 797-0900 | tsmrecycling@verizon.net |

**Lehigh County Solid Waste Advisory Committee
Meeting #2 – August 5, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|---|-----------------------|--|---|----------------|--|
| Ann E. Saurman | Y | City of Allentown, Bureau of Recycling and Solid Waste | 1750 W. Linden St., Allentown, PA 18104 | (610) 437-8729 | saurman@allentowncity.org |
| Harry Smith (Linda Emery – Alternate) | Y | WasteManagement | 54 S. Fairview St. Nazareth, PA 18064 | (610) 863-2402 | hsmith2@wm.com lemery@wm.com |
| Kevin Snyder | Y | Air Products and Chemicals, Inc. | 15 E. Harrison St., Emmaus, PA 18049 | (610) 481-6238 | snyderkb@airproducts.com |
| Randy Soriano | N | Salisbury Township | 955 Glick Avenue, Allentown, PA 18103 | (610) 797-4000 | rsoriano@salisburytownship.org |
| Richard Young | Y | City of Allentown, Department of Public Works | 2021 E. Tremont St., Allentown, PA 18109 | (610) 437-7587 | youngr@allentowncity.org |

**Lehigh County Solid Waste Advisory Committee
Meeting #3 – October 14, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|---|-----------------------|--|---|------------------------|--|
| Jan Creedon | N | Lehigh County Director of General Services | Lehigh County Government Center 17 South Seventh Street Allentown PA 18101 | 610-782-3009 | jancreedon@lehighcounty.org |
| Harvey Joseph | Y | Lehigh County Solid Waste and Recycling Manager | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799-4177 | HarveyJoseph@LehighCounty.org |
| Tim Bollinger | Y | Lehigh County Assistant Recycling Coordinator | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799-4177 | timbollinger@lehighcounty.org |
| Marsha Rivas | Y | Lehigh County Office of Solid Waste Mgmt – Clerical Specialist | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799- 4177x221 | MarshaRivas@lehighcounty.org |
| Dave Minnear | Y | L. Robert Kimball & Associates, Inc. Project Manager | 6154 West Highland Ave., Ebensburg, PA 15931 | (814) 472-7700 | Dave.minnear@kimballcorp.com |
| Joyce Hatala | Y | Joyce Hatala Assoc. Subcontractor to Kimball | PO Box 107, Pinewood Road Fleetville, PA 18420 | (570) 945-5656 | jhatala@epix.net |
| Tanya McCoy-Caretti | N | L. Robert Kimball & Associates, Inc. | 6154 West Highland Ave., Ebensburg, PA 15931 | (814) 472-7700 | tanya.mccoycaretti@kimballcorp.com |
| William Ahlert (Alternate Vince Carbone) | Y | HDR Engineers | 5330 Shimerville Rd., Emmaus, PA 18049 | (610) 807-5104 5102 | Bill.Ahlert@HDRINC.com Vincent.carbone@HDRINC.com |

**Lehigh County Solid Waste Advisory Committee
Meeting #3 – October 14, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|--------------------|-----------------------|-------------------------------|---|----------------|--|
| Donald Bernhard | Y | PP&L | 621 N. Glenwood St., Allentown, PA 18104 | (610) 774-5458 | dmb Bernhard@pplweb.com |
| Dean Browning | Y | Lehigh County Commissioner | 2432 W. Congress St., Allentown, PA 18104 | (610) 821-7943 | deanbrowning@lehighcounty.org |
| Percy Dougherty | Y | Lehigh County Commissioner | 5726 Sandtrap Lane, Allentown, PA 18106 | (610) 782-3050 | PercyDougherty@lehighcounty.org |
| Eugene Goldfeder | Y | Borough of Catasauqua | 548 4th St. , 118 Bridge Street, Catasaqua, PA 18032 | (610) 264-0571 | manager@catasauqua.org |
| Ronald Heintzelman | N | North Whitehall Township | 4675 Maple St., Schnecksville, PA 18078 | (610) 799-4666 | greenleaffarms@netscape.net |
| Betsy Levin | N | Greenstar Allentown | 558 Parkside Court, Allentown, PA 18104 | 610-530-1422 | levin.betsy@gmail.com |
| Thomas Marshall | N | City of Bethlehem | 5202 Milford Drive, Emmaus, PA 18049 | 610-865-7082 | tmarshall@bethlehem-pa.gov |
| Charles Pantaleo | Y | Raritan Valley Disposal | PO Box 90803, Allentown, PA 18109 | (484) 553-9651 | pantaleoc@repsrv.com |
| Fred Saab | N | TSM Recycling | 2503 Ludwig Court, Macungie, PA 18062 2002 S 12 th St., Allentown, PA 18103 | (610) 797-0900 | tsmrecycling@verizon.net |

**Lehigh County Solid Waste Advisory Committee
Meeting #3 – October 14, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|---|-----------------------|--|---|----------------|--|
| Ann E. Saurman | Y | City of Allentown, Bureau of Recycling and Solid Waste | 1750 W. Linden St., Allentown, PA 18104 | (610) 437-8729 | saurman@allentowncity.org |
| Harry Smith (Linda Emery – Alternate) | Y | WasteManagement | 54 S. Fairview St. Nazareth, PA 18064 | (610) 863-2402 | hsmith2@wm.com lemery@wm.com |
| Kevin Snyder | Y | Air Products and Chemicals, Inc. | 15 E. Harrison St., Emmaus, PA 18049 | (610) 481-6238 | snyderkb@airproducts.com |
| Randy Soriano | N | Salisbury Township | 955 Glick Avenue, Allentown, PA 18103 | (610) 797-4000 | rsoriano@salisburytownship.org |
| Richard Young | N | City of Allentown, Department of Public Works | 2021 E. Tremont St., Allentown, PA 18109 | (610) 437-7587 | youngr@allentowncity.org |

**Lehigh County Solid Waste Advisory Committee
Meeting #4 – December 9, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|---|-----------------------|--|---|------------------------|--|
| Jan Creedon | Y | Lehigh County Director of General Services | Lehigh County Government Center 17 South Seventh Street Allentown PA 18101 | 610-782-3009 | jancreedon@lehighcounty.org |
| Harvey Joseph | Y | Lehigh County Solid Waste and Recycling Manager | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799-4177 | HarveyJoseph@LehighCounty.org |
| Tim Bollinger | Y | Lehigh County Assistant Recycling Coordinator | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799-4177 | timbollinger@lehighcounty.org |
| Marsha Rivas | Y | Lehigh County Office of Solid Waste Mgmt – Clerical Specialist | 5375 Old Packhouse Rd Orefield, PA 18069 | 610-799- 4177x221 | MarshaRivas@lehighcounty.org |
| Dave Minnear | Y | L. Robert Kimball & Associates, Inc. Project Manager | 6154 West Highland Ave., Ebensburg, PA 15931 | (814) 472-7700 | Dave.minnear@kimballcorp.com |
| Joyce Hatala | Y | Joyce Hatala Assoc. Subcontractor to Kimball | PO Box 107, Pinewood Road Fleetville, PA 18420 | (570) 945-5656 | jhatala@epix.net |
| Tanya McCoy-Caretti | N | L. Robert Kimball & Associates, Inc. | 6154 West Highland Ave., Ebensburg, PA 15931 | (814) 472-7700 | tanya.mccoycaretti@kimballcorp.com |
| William Ahlert (Alternate Vince Carbone) | Y | HDR Engineers | 5330 Shimerville Rd., Emmaus, PA 18049 | (610) 807-5104 5102 | Bill.Ahlert@HDRINC.com Vincent.carbone@HDRINC.com |

**Lehigh County Solid Waste Advisory Committee
Meeting #4 – December 9, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|--------------------|-------------------|-------------------------------|---|----------------|--|
| Donald Bernhard | N | PP&L | 621 N. Glenwood St., Allentown, PA 18104 | (610) 774-5458 | dmbernhard@pplweb.com |
| Dean Browning | N | Lehigh County Commissioner | 2432 W. Congress St., Allentown, PA 18104 | (610) 821-7943 | deanbrowning@lehighcounty.org |
| Percy Dougherty | Y | Lehigh County Commissioner | 5726 Sandtrap Lane, Allentown, PA 18106 | (610) 782-3050 | PercyDougherty@lehighcounty.org |
| Eugene Goldfeder | Y | Borough of Catasauqua | 548 4 th St., 118 Bridge Street, Catasauqua, PA 18032 | (610) 264-0571 | manager@catasauqua.org |
| Ronald Heintzelman | N | North Whitehall Township | 4675 Maple St., Schnecksville, PA 18078 | (610) 799-4666 | greenleaffarms@netscape.net |
| Betsy Levin | Y | N/A | 558 Parkside Court, Allentown, PA 18104 | 610-530-1422 | levin.betsy@gmail.com |
| Thomas Marshall | N | City of Bethlehem | 5202 Milford Drive, Emmaus, PA 18049 | 610-865-7082 | tmarshall@bethlehem-pa.gov |
| Charles Pantaleo | Y | Raritan Valley Disposal | PO Box 90803, Allentown, PA 18109 | (484) 553-9651 | pantaleoc@repsrv.com |
| Fred Saab | N | TSM Recycling | 2503 Ludwig Court, Macungie, PA 18062 2002 S 12 th St., Allentown, PA 18103 | (610) 797-0900 | tsmrecycling@verizon.net |

**Lehigh County Solid Waste Advisory Committee
Meeting #4 – December 9, 2009**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|---|-----------------------|--|---|----------------|--|
| Ann E. Saurman | Y | City of Allentown, Bureau of Recycling and Solid Waste | 1750 W. Linden St., Allentown, PA 18104 | (610) 437-8729 | saurman@allentowncity.org |
| Harry Smith (Linda Emery – Alternate) | Y Y | WasteManagement | 54 S. Fairview St. Nazareth, PA 18064 | (610) 863-2402 | hsmith2@wm.com lemery@wm.com |
| Kevin Snyder | Y | Air Products and Chemicals, Inc. | 15 E. Harrison St., Emmaus, PA 18049 | (610) 481-6238 | snyderkb@airproducts.com |
| Randy Soriano | N | Salisbury Township | 955 Glick Avenue, Allentown, PA 18103 | (610) 797-4000 | rsoriano@salisburytownship.org |
| Richard Young | N | City of Allentown, Department of Public Works | 2021 E. Tremont St., Allentown, PA 18109 | (610) 437-7587 | youngr@allentowncity.org |

**Lehigh County Solid Waste Advisory Committee
Meeting #5 – November 2, 2011**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|------------------|---------------|--|---|----------------|--|
| Glenn Solt | Y | Lehigh County Director of Capital Projects | Lehigh County Government Center 17 South Seventh Street Allentown PA 18101 | 610-782-3613 | glennsolt@lehighcounty.org |
| Tim Bollinger | Y | Lehigh County General Services Mgr | Lehigh County Government Center 17 South Seventh Street Allentown PA 18101 | 610-782-3073 | timbollinger@lehighcounty.org |
| Dave Minnear | Y | L.R. Kimball Project Manager | 615 West Highland Ave., Ebensburg, PA 15931 | (814) 472-7700 | dave.minnear@lrkimball.com |
| Joyce Hatala | N | Joyce Hatala Assoc. Subcontractor to Kimball | PO Box 107, Pinewood Road Fleetville, PA 18420 | (570) 945-5656 | jhatala@epix.net |
| Bill Tomayko | Y | PADEP Waste Mgmt NE Region | 2 Public Square Wilkes-Barre, PA 18701-1915 | (570) 826-2511 | wtomayko@pa.gov |

**Lehigh County Solid Waste Advisory Committee
Meeting #5 – November 2, 2011**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|------------------|---------------|-------------------------------|---|------------------------|--|
| William Ahlert | Y | HDR Engineers | 5330 Shimerville Rd., Emmaus, PA 18049 | (610) 807-5104 5102 | Bill.Ahlert@HDRINC.com |
| Donald Bernhard | N | PP&L | 621 N. Glenwood St., Allentown, PA 18104 | (610) 774-5458 | dmbernhard@pplweb.com |
| Dean Browning | N | Lehigh County Commissioner | 2432 W. Congress St., Allentown, PA 18104 | (610) 821-7943 | deanbrowning@lehighcounty.org |
| Percy Dougherty | Y | Lehigh County Commissioner | 5726 Sandtrap Lane, Allentown, PA 18106 | (610) 782-3050 | PercyDougherty@lehighcounty.org |
| Eugene Goldfeder | Y | Borough of Catasauqua | 548 th St., 118 Bridge Street, Catasauqua, PA 18032 | (610) 264-0571 | manager@catasauqua.org |

**Lehigh County Solid Waste Advisory Committee
Meeting #5 – November 2, 2011**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|--------------------|---------------|--------------------------|--|----------------|--|
| Ronald Heintzelman | N | North Whitehall Township | 4675 Maple St., Schnecksville, PA 18078 | (610) 799-4666 | greenleaffarms@netscape.net |
| Betsy Levin | N | N/A | 558 Parkside Court, Allentown, PA 18104 | 610-530-1422 | levin.betsy@gmail.com |
| Thomas Marshall | N | City of Bethlehem | 5202 Milford Drive, Emmaus, PA 18049 | 610-865-7082 | tmarshall@bethlehem-pa.gov |
| Charles Pantaleo | N | Raritan Valley Disposal | PO Box 90803, Allentown, PA 18109 | (484) 553-9651 | pantaleoc@reprsv.com |
| Fred Saab | N | TSM Recycling | 2002 S 12 th St., Allentown, PA 18103 | (610) 797-0900 | fred.saab@yahoo.com |

**Lehigh County Solid Waste Advisory Committee
Meeting #5 – November 2, 2011**

| Name | Attend Y/N | Agency | Address | Phone # | Email Address |
|---|------------|--|--|---|--|
| Ann E. Saurman | Yes | City of Allentown, Bureau of Recycling and Solid Waste | 1750 W. Linden St., (Home) Allentown, PA 18104 1400 Martin Luther King Jr. Dr. Allentown, PA 18102 (work) | (610) 437-8729 (w) 610-432-3415 (h) | saurman@allentowncity.org |
| Harry Smith (Linda * Emery – Alternate) | Yes | Waste Management | 54 S. Fairview St. Nazareth, PA 18064 2710 Golden Key Rd Kutztown, Pa 19530 | (610) 863-2402 610-285-3112 | hsmith2@wm.com lemery@wm.com |
| Kevin Snyder | Yes | Air Products and Chemicals, Inc. | 15 E. Harrison St., Emmaus, PA 18049 | (610) 481-6238 | snyderkb@airproducts.com |
| Randy Soriano | Yes | Salisbury Township | 955 Glick Avenue, Allentown, PA 18103 | (610) 797-4000 | rsoriano@salisburytownship.pa.gov |
| Richard Young | N | City of Allentown, Department of Public Works | 2021 E. Tremont St., Allentown, PA 18109 | (610) 437-7587 | youngr@allentowncity.org |

Lidwell, Sheila

From: Snyder, Kevin B. [SNYDERKB@airproducts.com]
Sent: Wednesday, June 16, 2010 2:02 PM
To: MINNEAR, DAVE
Subject: RE: Final Lehigh County Solid Waste Plan Package

Dave,

I have no comments on the Solid Waste Plan.

Nice job.

Kevin B. Snyder (A11B1)

Trexlerstown Environmental Support
(610) 481-6238 (Phone)
(610) 481-6186 (Fax)
snyderkb@airproducts.com

From: MINNEAR, DAVE [<mailto:DAVE.MINNEAR@lrkimball.com>]
Sent: Tuesday, May 25, 2010 12:14 PM
To: (Bill.Ahlert@HDRINC.COM); (dmbernhard@pplweb.com); (pantaleoc@repsrv.com); (PercyDougherty@lehighcounty.org); (saurman@allentowncity.org); Betsy Levin (levin.betsy@gmail.com); Bollinger, Tim; Creedon, Jan; Dean Browning (deanbrowning@lehighcounty.org); Eugene Goldfeder; Fred Saab; Harry Smith; Hatala, Joyce; Snyder, Kevin B.; Linda Emery; Randy Soriano; Richard Young; Rivas, Marsha; Ron Heintzelman; Tom Marshall
Subject: Final Lehigh County Solid Waste Plan Package

Since the last SWAC meeting on 12/9/09, we have been working to finalize the documents contained in the appendices to the report. At this point, the Plan is complete and I am submitting this email for your final review and comments. Please respond to me by June 25 if you have any comments or concerns about the Plan.

Once I have received the final comments, we will:

- Summarize the comments and responses, and make any necessary revisions
- Submit the final Plan to the PADEP for final review and comment
- Upon receipt of PADEP comments and responses, have the County Commissioners sign and adopt the final Plan
- Begin implementation period (County will have 12 months to complete implementation of Plan)

Dave Minnear, P.E.
Project Manager

L.R. Kimball

615 W. Highland Avenue
Ebensburg, PA 15931
dave.minnear@lrkimball.com
Office: 814-472-7700
Fax: 814-472-7712
www.lrkimball.com

Lidwell, Sheila

From: MINNEAR, DAVE
Sent: Wednesday, June 16, 2010 2:58 PM
To: 'Jan Creedon'
Subject: RE: LC Solis Waste Management Plan

Well, Jan – it looks like he is correct. The “incorrect” email that he identifies is the one that I was using on my listing.

When I sent out the original email, the only one I got back indicating “undeliverable” was to Gene Goldfeder at Catasauqua Twp. I fixed his address (I had been using .com instead of .org) and he received all of the others.

The only other email issue I found was that Betsy Levin’s addressed changed part way thru due to a new job, and it took a round of meetings to work that out, although she did receive copies of all information.

Copies of all meeting announcements and minutes were emailed to the rsoriano@salisburytownship.org address, and I am embarrassed to admit that it never occurred to me that he wasn’t getting them.

I found the memo that he mentioned (page 139 of 169 on the PDF file). I had used the Fayette County memos as a format for our very first meeting on 3/31/09, and missed “Fayette” in one spot. I will fix that now. He is also correct about the date on the 5/13/09 minutes and his name spelling, which I will also fix.

I’m very embarrassed about this situation and would like to apologize to Randy if you think that is appropriate. I find it nearly impossible to believe that I sent out all of those emails to the wrong address and never realized it. (ain’t technology wonderful?)

From: Jan Creedon [<mailto:JanCreedon@lehighcounty.org>]
Sent: Wednesday, June 16, 2010 2:29 PM
To: MINNEAR, DAVE
Subject: FW: LC Solis Waste Management Plan

Dave,,
Would you please look at Randy’s note and let me know your thoughts/comments. I will respond to Randy at that point.
Thanks,
Jan

Jan Creedon
Director of General Services
Lehigh County Government Center
17 South Seventh Street
Allentown PA 18101
610-782-3009
610-820-3615 fax
jancreedon@lehighcounty.org

From: Randy Soriano [<mailto:rsoriano@salisburytownship.org>]
Sent: Wednesday, June 16, 2010 8:16 AM
To: Jan Creedon
Cc: Shemaine Wilson
Subject: LC Solis Waste Management Plan

Hi Jan:

I just received a copy of the "Draft" sent to the Township. I need to find out how the notifications of the meetings were sent. The reason is very obvious because since the initial kick –off meeting on May 13, 2009, which I attended, all of the subsequent meetings I have not attended. This was not because I was unable or did not care to fulfill my obligation as a board member, but I simply do not recall receiving any notifications of these meetings. If the meeting notices were sent by email, I think I may know why. In the plan draft my email is incorrect(rsoriano@salisburytownship.org) it should have been (rsoriano@salisburytownshippa.org) . (By the way I did leave a business card with Kimball after the meeting). If the consultant sent notifications of meeting via email and used the one they have on record it would have been deemed as undeliverable or it would have gone to someone in Salisbury Township(Lancaster County). I am curious on how meeting notices were sent out, because I basically missed every meeting which I did not receive notice. You can see the dilemma this may cause if someone from the Township or anyone by that matter would question why, if I decided to serve on a Committee, did not attend the meetings. This is not my nature, and it bothers me a lot. Could you shed some light on this matter since the dates of the meetings would have not posed a conflict for my schedule. I also did not receive any minutes of the meetings. Anyway it's done and I am sorry I was not able to lend much to the Committee. However, I wouldn't want the plan to reflect a no attendance on these meetings if notices were sent out for them. **On a side note:** Towards the end of the document a Memo from Kimball entitled Meeting Minutes dated 3-31-09 under subject matter if references " Pre-Application Kickoff Meeting for the **Fayette** County Solid Waste Plan. They have an incorrect date listed under the meeting minutes following the Memo of "May 13, 2008" in which my name is misspelled "Sorriano". Your thoughts?

Randy

Randy Soriano
Township Manager
Salisbury Township
2900 S. Pike Avenue
Allentown, PA 18103
610-797-4000

Lidwell, Sheila

From: Tim Bollinger [timbollinger@lehighcounty.org]
Sent: Monday, June 21, 2010 1:09 PM
To: MINNEAR, DAVE
Subject: FW: Municipal Waste Management Plan

Dave,

This reply was from the Borough of Slatington.

Timothy A. Bollinger, CRP
Solid Waste and Recycling Manager
Office of Solid Waste Management
County of Lehigh
Phone: 610-799-4177 ext.225
Fax: 610-799-4099
E-mail: timbollinger@lehighcounty.org
Web; www.lehighcounty.org

From: Steve Salvesen [<mailto:steves@slatington.org>]
Sent: Monday, June 21, 2010 12:34 PM
To: Tim Bollinger
Subject: Municipal Waste Management Plan

We have no comment.

Stephen R. Salvesen
Borough Manager/Secretary/Treasurer
Borough of Slatington
125 S. Walnut Street
Slatington, PA 18080
(P) 610-767-2131
(F) 610-767-7155
(C) 484-294-1122

Lidwell, Sheila

From: Tim Bollinger [timbollinger@lehighcounty.org]
Sent: Wednesday, June 23, 2010 11:11 AM
To: Sandra Gyecsek
Cc: MINNEAR, DAVE; Marsha Rivas
Subject: RE: Solid Waste Management Plan

Sandra,

Thank you for your prompt response. We will take a close look at Section 2.7 and we'll be sure to include your comment in the Plan.

Tim

Timothy A. Bollinger, CRP
Solid Waste and Recycling Manager
Office of Solid Waste Management
County of Lehigh
Phone: 610-799-4177 ext.225
Fax: 610-799-4099
E-mail: timbollinger@lehighcounty.org
Web; www.lehighcounty.org

From: Sandra Gyecsek [<mailto:sandyg@boroughofcoplay.org>]
Sent: Wednesday, June 23, 2010 9:54 AM
To: Tim Bollinger
Subject: Solid Waste Management Plan

The Borough of Coplay has reviewed this plan in its entirety and is satisfied with the draft plan. Section 2.7 "Future Recycling Efforts" recommendations should be reviewed and updated on an annual basis and disseminated to all municipalities for possible implementation and use. Coplay is always looking for new ways to reduce municipal solid waste and encourage recycling. Thank you for allowing us sufficient time to review the draft plan. If we may be of future help, please contact the borough office at 610-262-6088 or at the above email address.

Sandra Gyecsek
Borough Secretary

Lidwell, Sheila

From: Gene Goldfeder [manager@catasauqua.org]
Sent: Friday, June 25, 2010 12:52 PM
To: MINNEAR, DAVE
Subject: RE: Final Lehigh County Solid Waste Plan Package

Dave
Plan looks good to me, and I also received the official copy for municipal review recently. I sent that on the Borough Council.
Great job.
Gene

From: MINNEAR, DAVE [<mailto:DAVE.MINNEAR@lrkimball.com>]
Sent: Tuesday, May 25, 2010 12:14 PM
To: (Bill.Ahlert@HDRINC.COM); (dmbernhard@pplweb.com); (pantaleoc@repsrv.com); (PercyDougherty@lehighcounty.org); (saurman@allentowncity.org); Betsy Levin (levin.betsy@gmail.com); Bollinger, Tim; Creedon, Jan; Dean Browning (deanbrowning@lehighcounty.org); Eugene Goldfeder; Fred Saab; Harry Smith; Hatala, Joyce; Kevin Snyder; Linda Emery; Randy Soriano; Richard Young; Rivas, Marsha; Ron Heintzleman; Tom Marshall
Subject: Final Lehigh County Solid Waste Plan Package

Since the last SWAC meeting on 12/9/09, we have been working to finalize the documents contained in the appendices to the report. At this point, the Plan is complete and I am submitting this email for your final review and comments. Please respond to me by June 25 if you have any comments or concerns about the Plan.

Once I have received the final comments, we will:

- Summarize the comments and responses, and make any necessary revisions
- Submit the final Plan to the PADEP for final review and comment
- Upon receipt of PADEP comments and responses, have the County Commissioners sign and adopt the final Plan
- Begin implementation period (County will have 12 months to complete implementation of Plan)

Dave Minnear, P.E.
Project Manager

L.R. Kimball
615 W. Highland Avenue
Ebensburg, PA 15931
dave.minnear@lrkimball.com
Office: 814-472-7700
Fax: 814-472-7712
www.lrkimball.com

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 9.0.819 / Virus Database: 271.1.1/2892 - Release Date: 05/25/10 02:26:00

Lidwell, Sheila

From: Tim Bollinger [timbollinger@lehighcounty.org]
Sent: Friday, July 16, 2010 7:08 AM
To: MINNEAR, DAVE
Subject: FW: municipal waste mgt plan draft..

FYI...

Timothy A. Bollinger, CRP
Solid Waste and Recycling Manager
Office of Solid Waste Management
County of Lehigh
Phone: 610-799-4177 ext.225
Fax: 610-799-4099
E-mail: timbollinger@lehighcounty.org
Web; www.lehighcounty.org

From: Tim Bollinger
Sent: Friday, July 16, 2010 7:07 AM
To: 'Marlene Smith'
Subject: RE: municipal waste mgt plan draft..

Hello Marlene,

I forwarded your info to Mr. Dave Minnear of L. Robert Kimball and Associates, Inc. for inclusion in the Plan. Thank you for taking the time to actually read through the document. Yes Weisenberg Township does have a recycling drop off center for their residents. It's located at and operated by Waste Management in New Smithville, and is sited at the entrance to their facility. Since Weisenberg Township is the host municipality for the transfer station, the recycling and MSW drop off is free to township residents.

Tim

Timothy A. Bollinger, CRP
Solid Waste and Recycling Manager
Office of Solid Waste Management
County of Lehigh
Phone: 610-799-4177 ext.225
Fax: 610-799-4099
E-mail: timbollinger@lehighcounty.org
Web; www.lehighcounty.org

From: Marlene Smith [<mailto:marlenes@uppermac.org>]
Sent: Thursday, July 15, 2010 9:01 AM
To: Tim Bollinger
Subject: municipal waste mgt plan draft..

Good Morning Tim,

Kathy Lancsek is out and I was wondering if she replied to your letter and draft, due tomorrow. I went over it weeks ago and gave it to her. We do have two cardboard dumpsters at Upper Macungie Township. One is in our office parking lot and is open during business hours. The other one is near the drop off site and open during drop off hours. The cardboard must be flattened.

Also, I wasn't aware that Weisenburg Township had a recycling drop off site. Is that correct? I will continue to look over the draft, in case Kathy didn't get back to you.

Thanks and have a great day.

Marlene M. Smith

Upper Macungie Township



Heidelberg Township Zoning Office
6272 Route 309 ~ Suite A
New Tripoli, Pa. 18066
610-767-9297 ~ Fax 484-265-0097
www.heidelberglehigh.org

July 20, 2010

Mr. Tim Bollinger
Solid Waste and Recycling Manager
Lehigh County Office of Solid Waste Management
5375 Old Packhouse Road
Orefield, PA 18069

RE: Review of Draft Lehigh County Solid Waste Management Plan – March 2010

Dear Tim:

Heidelberg Township has the following comments on the referenced draft plan:

Page 12, section 2.1, third paragraph. Change includes to included – twice

Page 12, section 2.1, Table 2-1 – Typo – 204-2008

Page 12, section 2.1 – Table 2-1. Please display on one page otherwise you can not see the data

Page 16, section 2.2 Heidelberg Township recently enacted legislation requiring mandatory recycling. Please add to the list.

Page 30, section 6.2. I'm not sure what the bullet points are to represent? Are these requirements of municipalities or requirements of the county towards the local governments?

Page 30, section 6.4 discusses current proposed legislation. Recommend you delete any reference to proposed legislation until it is enacted.

Page 31, please don't use acronyms when they are not previously identified. PAYT – Pay as you Throw

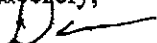
Map of Lehigh County Municipal Waste Collection – Heidelberg is misspelled below Slatington. Map also does not show Heidelberg drop off point.

Chart next page does not show mandated recycling for Heidelberg Township.

Chart on next page shows recycling tonnages – unfortunately the chart is not in color – recommend using different symbols so a distinction among the municipalities.

Please call me if you have any questions about this matter.

Sincerely,


Daniel Stonehouse
Township Administrator

Lidwell, Sheila

From: Saurman, Ann [saurman@allentowncity.org]
Sent: Tuesday, August 10, 2010 4:09 PM
To: MINNEAR, DAVE; Percy Dougherty; Bill.Ahlert@HDRINC.COM; dmbernhard@pplweb.com; pantaleoc@repsrv.com; levin.betsy@gmail.com; Tim Bollinger; Jan Creedon; Dean Browning; Eugene Goldfeder; Fred Saab; Harry Smith; Hatala, Joyce; Kevin Snyder; Linda Emery; Randy Soriano; Young, Richard; Marsha Rivas; Ron Heintzleman; Tom Marshall; MCCOY-CARETTI, TANYA
Subject: Lehigh County Solid Waste Plan
Attachments: image001.gif; County Plan - comments by the City of Allentown.pdf

Hi All,

Thank you for allowing the City of Allentown, Rich Young and me to participate in developing the Lehigh County 10 Year Plan. The attached pdf includes our comments, questions and concerns. Please note that for the most part, I only included the pages that contained the comments.

Please let me know if you have any questions.

Thank you,
Ann



Ann Saurman

Manager
Bureau of Recycling and Solid Waste
1400 Martin Luther King, Jr. Dr.
Allentown, PA 18102
610-437-8729 (phone) 610-437-8732 (fax)
saurman@allentowncity.org
<http://www.allentownpa.gov> <http://www.allentownrecycles.org>

Lidwell, Sheila

From: Tim Bollinger [timbollinger@lehighcounty.org]
Sent: Tuesday, August 24, 2010 7:45 AM
To: MINNEAR, DAVE
Subject: RE: Heidelberg

He is correct...they have a small drop off for recyclables located at the municipal building. It should be a black star and it's located at 6272 Route 309.

Timothy A. Bollinger, CRP
Solid Waste and Recycling Manager
Office of Solid Waste Management
County of Lehigh
Phone: 610-799-4177 ext.225
Fax: 610-799-4099
E-mail: timbollinger@lehighcounty.org
Web; www.lehighcounty.org

From: MINNEAR, DAVE [<mailto:DAVE.MINNEAR@lrkimball.com>]
Sent: Monday, August 23, 2010 4:38 PM
To: Tim Bollinger
Subject: Heidelberg

Tim – Daniel Stonehouse said that we are not showing the Heidelberg drop off point on the attached map.

Can you tell me where to put it, and what type it should be (color and shape)?

Dave Minnear, P.E.
Project Manager

L.R. Kimball
615 W. Highland Avenue
Ebensburg, PA 15931
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Lidwell, Sheila

From: Tim Bollinger [timbollinger@lehighcounty.org]
Sent: Monday, August 23, 2010 12:01 PM
To: MINNEAR, DAVE
Subject: RE: SWAC and municipal comments

No...all the other municipal comments we received were "no comment"...or no response at all.

Tim

Timothy A. Bollinger, CRP
Solid Waste and Recycling Manager
Office of Solid Waste Management
County of Lehigh
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From: MINNEAR, DAVE [<mailto:DAVE.MINNEAR@lrkimball.com>]
Sent: Monday, August 23, 2010 11:57 AM
To: Tim Bollinger
Subject: SWAC and municipal comments

Tim – I have comments from the following municipalities or SWAC members:

- Kevin Snyder – SWAC member from Air Products – no comments
- Randy Soriano – SWAC member from Salisbury Twp – 2 minor items, corrected
- The Boro of Slatington – no comments
- Gene Goldfeder – SWAC member and rep from Catasauqua – no comments
- Upper Macungie – noted that they have 2 cardboard dropoff areas in the Twp – no other comments
- Ann Saurman – SWAC member and rep from Allentown – several comments, all addressed
- Daniel Stonehouse – Heidelberg Twp – several comments, all addressed

Any more? I will prepare a summary of comments and responses, and include that with the submittal to DEP

Dave Minnear, P.E.
Project Manager

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TO: Tim Bollinger
FROM: Dave Minnear
SUBJECT: SWAC and Municipal Comments on the County Solid Waste Plan
DATE: 8/23/2010

The following is intended as a summary of the comments received from the Solid Waste Advisory Committee (SWAC) and Municipal officials, following submission of the Final Draft of the Municipal Waste Management Plan for Lehigh County.

The Final Draft version of the Plan was submitted via email to the SWAC members on May 25, 2010, and copies of the Final Draft were sent to each of the Municipalities on June 11, 2010. An initial response deadline of July 16, 2010 was requested for comments, but this was later extended until August 11, 2010, since the County Commissioner's meeting had been postponed until that date.

I have now compiled the comments that have been either received or were transmitted to you by telephone. The majority of respondents indicated that they had no comments, so I have only included the 4 respondents who actually included suggested changes. These comments and my response (following in **bold**) are as follows:

Randy Soriano – SWAC member representing Salisbury Township:

Randy noted that there had been a typographical error on his email address, so that he had not received several of the SWAC meeting notifications. He did, however, receive the Final Draft and completed his review, with the following comments:

- Typographical error on the meeting minutes for the Pre-Application Meeting dated 3/31/09 - **This has been corrected**
- Two typographical errors on the meeting minutes for the SWAC meeting dated 5/13/09 – **This has been corrected**

Marlene Smith – Upper Macungie Township:

Marlene noted that, in addition to the recycling information shown in the report, the Twp also has 2 cardboard recycling collection locations – one at the Township offices parking area, and the other is near the drop off site. – **Section 2.2 of the Plan discusses municipal recycling programs, but specific locations for drop-off boxes are not defined in the Plan. With that in mind, no changes to the narrative were made in response to this comment. In addition, it was not considered necessary to update the Recycling Map in Exhibit E-2 since the map shows only major recycling collection areas, and the stations discussed above are subject to relocation.**

Daniel Stonehouse – Heidelberg Township Zoning Office

The majority of the comments that Daniel made were typographic or clarifications, with the following more specific items. **The minor items were all addressed:**

- Daniel noted that Heidelberg Twp recently enacted legislation requiring mandatory recycling. **This was added to Section 2.2 of the narrative.**
- Daniel was confused about whether the items in Section 6.2 were County or Municipal requirements. **The heading for Section 6.2 was changed to 6.2 Local Government Responsibilities to clarify this issue.**
- Daniel also suggested some minor changes to the Recycling Map shown in Exhibit E-2. **These changes were made.**

Ann Saurman – SWAC member representing the City of Allentown:

Ann had a series of comments, primarily identifying typographical errors or potential clarifications that she suggested inserting into the narrative. **For the most part, the suggestions were minor and have been addressed, and only the following have been identified specifically:**

- In section 2.4, Ann suggested adding a note that the PADEP fee was reauthorized in 2010, and will extend until 2020. **This was an event that occurred after the initial draft was completed, so was added to the Final Draft narrative**
- In Section 2.6, Ann noted that comments regarding municipal marketing of collected recyclables were not true for the City (although probably true for other municipalities). **This sentence was modified to reflect the fact that Allentown owns and sells it recyclable material by contract with processors.**
- Ann noted that the name of the county composting facility was incorrect. **It was changed throughout to the Lehigh County Organics Recycling Facility in Schnecksville**
- Ann felt that the satellite sites included as part of the County's organics facility should be identified. **This was clarified in Sections 2.7 and 4.2 of the Narrative.**
- Ann noted that Section 4.3 implied that the most recent HHW collection event was in November of 2008, but there has since been one in the Spring of 2008. **This section was corrected accordingly.**
- Section 5.3 discusses additional landfills being included in the Plan, and Ann mentioned that future solid waste disposal could include waste-to-energy facilities. **Waste-to-energy was discussed in Section 3.1, wherein the decision to focus on recycling and landfill disposal was presented. However, as suggested, waste-to-energy was added to Section 5.3 since the economics of landfill disposal may change over the 10 year life of the Plan.**
- Ann suggested that the draft Landfill Agreement presented in Exhibit E-5 be modified to state that it is an Operator Agreement (presumably to cover non-landfill facilities like waste-to-energy, etc.) **This Agreement was specifically prepared for use by Landfill Operators, so it would be very difficult to modify it for some other speculative purpose. The decision was to leave this form as originally prepared, and modify in the future in the event of a non-landfill application.**
- The dates shown in Section 2 of the draft Landfill Agreement have passed, and Ann suggested new dates. **Since the date when the Final Draft will be ultimately approved is not known, the decision was to highlight the dates, such that they can be edited prior to initiation.**
- Ann noted the Fee discussed at the end of Section 4 did not agree with the name used in Section 5. **This was edited to say Recycling Sustainability Fee throughout.**