

Update and Revision 2017

Prepared for the
Department of
Planning and Zoning

Warren County Municipal Solid Waste Management Plan



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Warren County

Municipal Solid Waste Management Plan

Update and Revision 2017

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Introduction

Warren County's planning efforts for municipal solid waste management are documented as far back as 1971, when the Warren County Solid Waste Authority was established. The Authority was tasked with implementing a plan on behalf of the municipalities, who at that time were required by law to plan for waste management, rather than the counties. That process identified a lack of adequate disposal capacity.

The primary outcome of the 1971 plan was the permitting, development, and operation of the Grunderville Sanitary Landfill by its owner, the Warren County Solid Waste Authority. Situated within the Allegheny National Forest, Grunderville provided for the waste disposal needs of the County's municipalities for approximately 20 years.

With the enactment of the Municipal Waste Planning, Recycling, and Waste Reduction Act (Act 101 of 1988) the full authority for solid waste planning finally shifted from municipalities directly to counties. In response to Act 101, the Warren County Board of Commissioners assumed this responsibility. In 1990, the Commissioners appointed a Solid Waste Advisory Committee to work with the Planning Director and an outside consultant to assess local waste management practices and disposal capacity needs.

The enactment of Act 101 followed the release of more stringent federal and state landfill design regulations. The requirements and constraints of the new laws were cost prohibitive for Grunderville to continue operations based on the site's limited available capacity. Consequently, like more than a thousand other Pennsylvania municipal dumps, in 1990, Grunderville Sanitary Landfill closed. As owner and operator, the Authority remains responsible for the site under the post closure plan. Monitoring and treatment of contaminated groundwater continues to date. Upon Grunderville's closure, the County was forced to seek disposal capacity elsewhere and still relies on the services of facilities in other counties and states

The mass closing of landfills prompted a twofold purpose for counties in municipal waste planning under Act 101. In addition to disposal capacity assurance for waste generated within the county, municipal solid waste management plans had to provide for waste reduction through recycling 25 percent of the municipal waste stream, or to justify why it could not meet the State recycling goal. (Currently set as a nonbinding goal of 35 percent by PADEP).

The original Warren County Municipal Solid Waste Management Plan developed under Act 101 was ratified by the municipalities, adopted by the County's Board of Commissioners and in 1992 approved by the Department of Environmental Protection (then the Department of Environmental Resources). The Board of Commissioners delegated their responsibility for implementing the Plan to the Solid Waste Authority.

Purpose of the Project

This project represents the first major overhaul of the Plan's physical document since approval of the 2004 version. The structure and format of the Plan have been revamped to comply with the current Technical Guidance Document 254-2212-504 issued by the Pennsylvania Department of Environmental Protection (PADEP) and published in the Pennsylvania Bulletin on January 2, 2010. These Guidelines for the Development of County Municipal Waste Management Plan Revisions serve to clarify not only the provisions of Act 101, but also a host of court rulings and legal references related to the statutory authority granted to counties for municipal solid waste planning and implementation. For the most part, the legal issues deal with the procurement of disposal and processing capacity, along with flow control mandates that may result from that process.

The 2017 Plan Update adheres to the basic chapter order and subject matter dictated by Act 101 and reinforced by the guidance document. It also has a more user-friendly appearance. From a regulatory perspective, this update is considered non-substantial and does not require ratification by the municipalities.

This 2017 version of the Warren County Municipal Solid Waste Management Plan evaluates the effectiveness of the original 1992 Plan and its subsequent update and revision. The 2016 planning process examined Warren County's ability to implement the Plan's original tenets. Based on those findings, certain components have been adjusted, and programs have been altered to complement the current demographics, economy, and resources of Warren County.

The 2017 Plan outlines the step-wise process from fact finding through analysis to final recommendations. To facilitate implementation the Plan includes a table of recommendations and a timeline for expected implementation of each facet. Some actions are suggested for immediate needs, while others, which require additional efforts and resources, will be introduced in transitional phases and as funds permit.

Essential Elements of the Plan

To evaluate the current solid waste management practices and behaviors in Warren County and to establish future feasible improvements, the plan considers certain waste management issues and components.

Waste Characterization

One of the first steps in planning for municipal solid waste management is to identify and understand the sources, types, and quantities of generated waste. Since waste generation is typically measured in terms which relate to population and other socio-economic factors, examining local demographic trends is important. National and regional studies and trends are used to analyze the local reported data and to establish benchmarks.

Available Services and Utilization

Examining municipal solid waste collection programs for residential, commercial, institutional, and government entities can reveal where adequate access to services exists as well as where there are service gaps and inadequacies. Identifying service providers for collection, processing, and disposal along with tracking the utilization of those services by local citizens is a good step in revealing where poor waste management habits may exist. It is also valuable to explore services that could be made available based on new technologies or new operations.

Potential for Recovery and Diversion

An intense review of reported recycling and waste diversion activities serves as a foundation to determine future projected recovery of materials. It also establishes the potential for future business development opportunities creating a baseline allows for the development of performance objectives and metrics.

Implementation Strategy

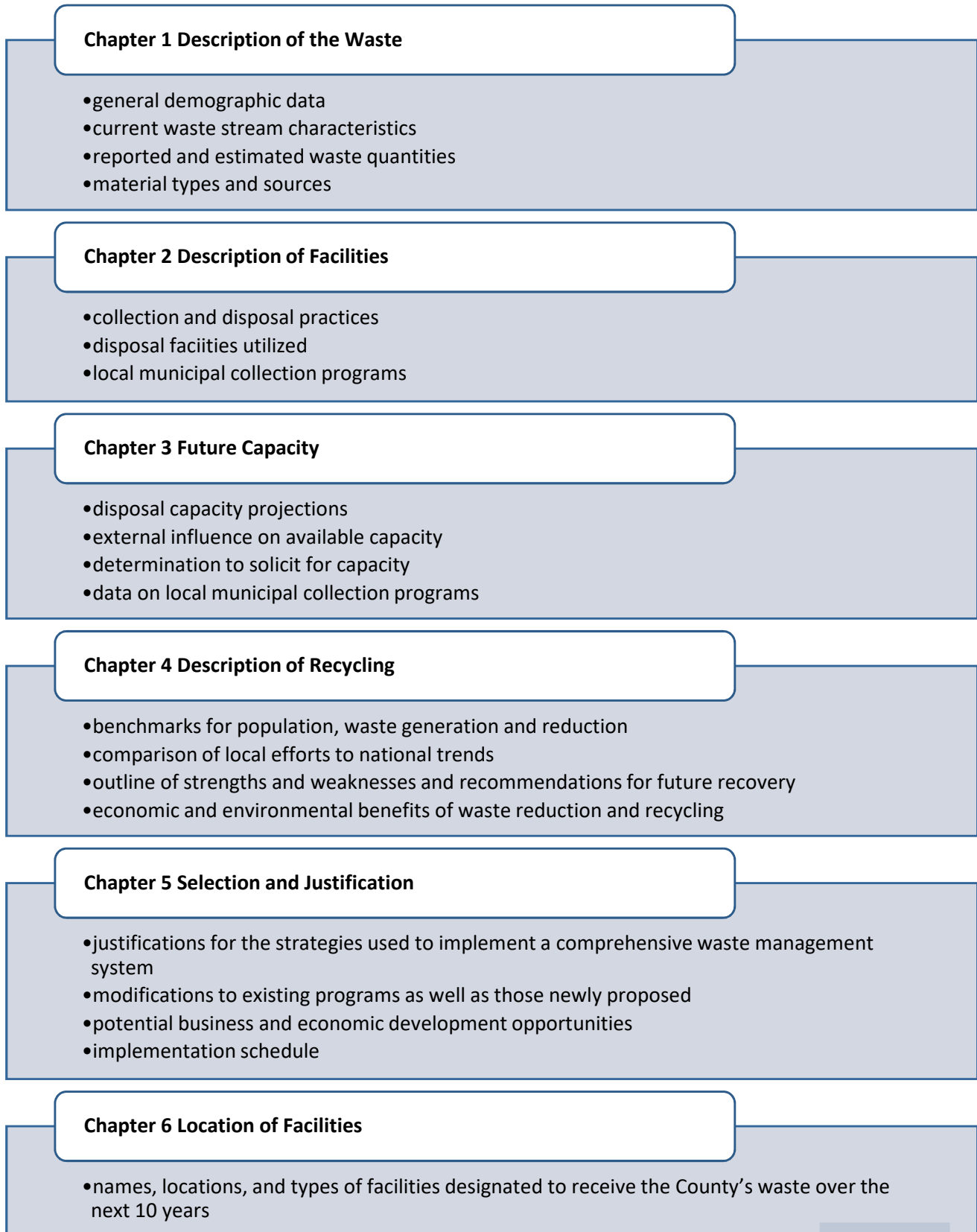
The final component brings the planning process's findings and recommendations together in an action plan. The action plan clearly defines the resources, tools, and timeframe necessary to achieve the goals of a municipal waste management plan.

All of these elements are organized and arranged in a structure called the implementation plan. It serves as the final documentation of the process and as a guide for future requirements.

Plan Organization

The Warren County Municipal Solid Waste Management Plan is comprised of twelve chapters and a number of appendices with supporting documents and information. The outline of the Plan revision is shown in Figure 0-3. Following is a brief description of each chapter and their contents.

Figure 0-3 Plan Contents and Organization



Chapter 7 Implementing Entity

- organizational structure
- basic resources needed to enforce and carry out the goals and objectives of the Plan

Chapter 8 Public Function

- county and municipal owned and operated facilities, equipment
- future public facilities

Chapter 9 Implementing Documents

- ordinances
- delegations
- contracts and agreements
- rules and regulations

Chapter 10 Orderly Extension

- extension and expiration of existing agreements

Chapter 11 Non Interference

- cooperation with existing disposal sites

Chapter 12 Public Participation

- advisory committee meetings
- public comments

Chapter One

1 LOCAL DEMOGRAPHICS AND MUNICIPAL WASTE PROFILE

The development of a municipal solid waste management plan is primarily reliant on good data. Also critical is the knowledge and experience to interpret the data. The overall planning process assumes that municipal and county leaders will utilize well tested assumptions and proven practices. While those basic skills and tools are important, conducting research beyond the recorded waste disposal and recovery figures offers planners and program managers a better perspective on how and why certain policies may fail or thrive. Data sources on economic conditions, history, heritage, the people, and their environment are vital in understanding local practices. The social history and heritage of a community can significantly influence its views and expectations on any number of public issues, including municipal solid waste management.

Current waste management practices can be deep rooted and the degree to which basic services are utilized and factors that could motivate or hinder future change are dependent on many related circumstances. Local data can reveal issues that may require special attention.

Economic factors such as occupation, income, education, and employment play a role in the level and frequency of product purchases and discards. Likewise, these same factors strongly determine an individual's ability and/or willingness to pay for services, including waste management.

Chapter One provides a brief outline of Warren County and its municipalities. It discusses physical, social, economic, and governmental characteristics. Commentary explains how general demographic features can influence municipal waste management. The types of municipal waste are described along with the sources and activities that produce those wastes in Warren County. Current physical and demographic characteristics are included. Historical socio-economic and cultural trends which may have influenced current waste management behaviors and expectations are also discussed. Finally, the chapter offers commentary on other notable trends and conditions.

1.1 OVERVIEW OF WARREN COUNTY

Warren County is located in northwestern Pennsylvania adjacent to the state line. Chautauqua County and Cattaraugus County, both in New York, form the northern border. In Pennsylvania, Erie and Crawford counties represent the western border. Forest and Venango counties are located south and southwest respectively.

The Interstate Highways system does not pass through or near Warren County. Access

Access via two-lane highways is indicative of the rural nature of Warren County.



is primarily via two major US highways, US Route 6, and US Route 62, along with Pennsylvania State Route 27 and State Route 66. For the most part, these routes are two-lane roads. Nevertheless, the highways are well maintained and capable of supporting the needs of local industries. The collection and transportation of waste and recyclable materials to disposal and processing outlets represents one of the most significant costs in municipal waste management programs. Convenient access and navigable roadways can make a significant difference in the affordability of these services in rural areas.

1.1.1 Local Government

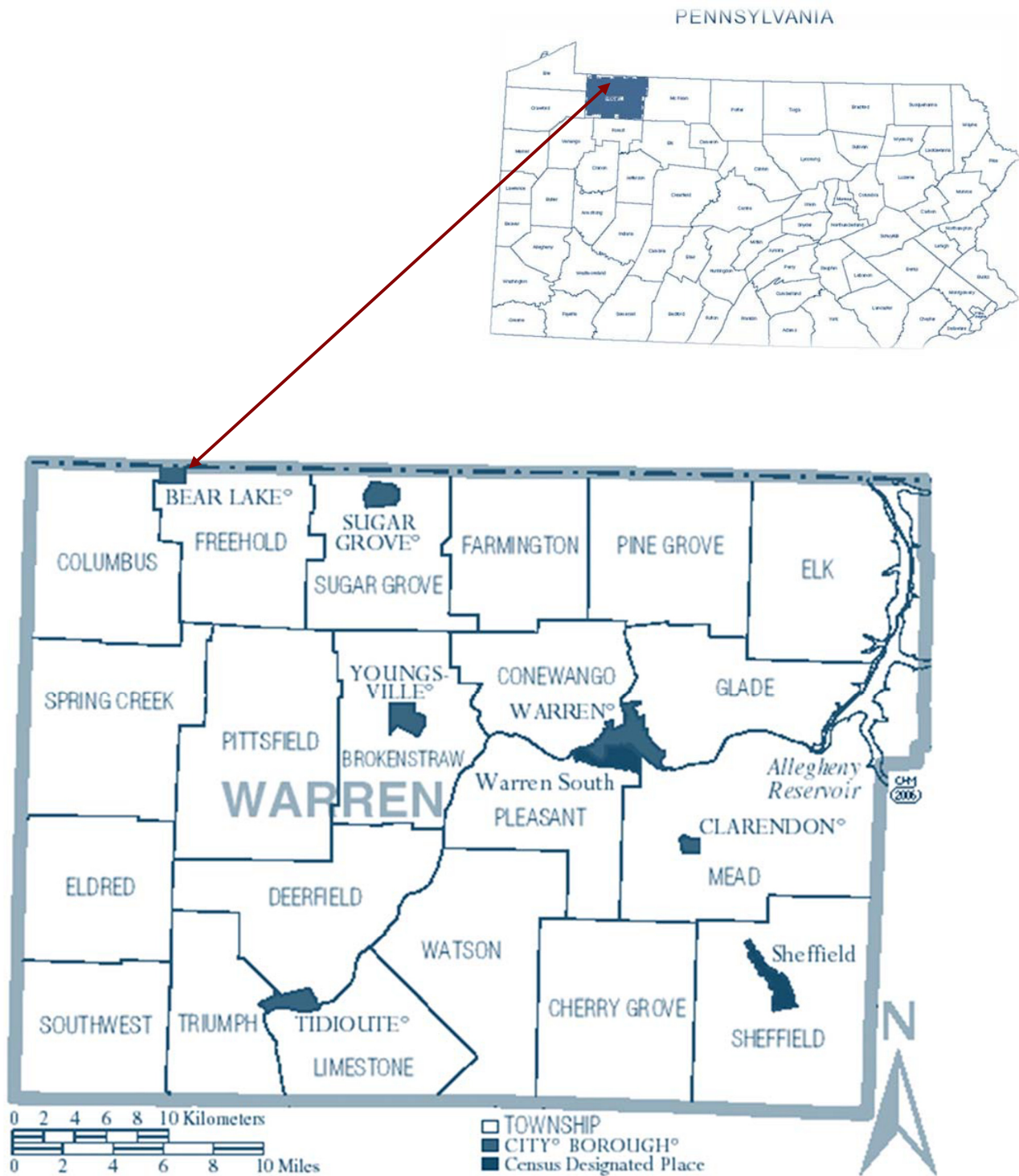
To legislate and regulate county affairs in 1953, the Pennsylvania state government passed a law that established nine county classes. The counties that make up each class are determined by the population figures reported by the U.S. Census. Those with the highest populations are ranked with the lowest number. There are two categories of second class counties.

Warren County is a sixth-class county, which includes counties with populations of 45,000 to 89,999. Twenty-four of Pennsylvania's 67 counties fall within this class. Other local sixth-class counties include Clearfield, Elk, McKean, Crawford, and Venango.

A three-member Board of Commissioners, the highest elected officials in Warren County, runs the government. Departments and agencies have specific areas of responsibilities. Local government is made up of twenty-seven municipalities with one city, five boroughs, and twenty-one townships. The municipalities vary in physical size and population.

Figure 1-1 shows the location of Warren County in relationship to the state of Pennsylvania. It also indicates the location and boundaries of Warren County's municipalities and their designation as a city, a borough, or a township.

Figure 1-1 Location of Warren County and the Municipalities



1.1.2 Population and Housing

Population is the key driver of municipal waste generation. Population and housing density is a determinant in the feasibility and cost of delivering municipal solid waste services. Where there are fewer homes participating or where the homes are farther apart, the unit cost for waste and recycling collection is higher than in areas where more homes share in the fixed costs.

Based on criteria established by the Center for Rural Pennsylvania, a county is rural when the population density within the county is less than 284 persons per square mile. A municipality is rural when the population density within the municipality is less than the statewide density of 284 persons per square mile, or the total population is less than 2,500, unless more than 50 percent of the population lives in an urbanized area as defined by the U.S. Census Bureau. All other municipalities are considered urban.

Warren County qualifies as a rural county overall according to the Center for Rural Pennsylvania's methodology. Most of the municipalities exhibit low population and housing density. The City of Warren is the sole municipality in Warren County considered

totally urban. There are select geographic areas in Warren County where the population is concentrated in what are referred to as urban clusters. These places would be considered urban if population density is a determinant in the feasibility and cost of delivering municipal solid waste services. These places would be considered urban if they were stand-alone municipalities. They are, however, found within the political boundary of another jurisdiction and do not reflect how most of the population is dispersed.



Population density is a determinant in the feasibility and cost of delivering municipal solid waste services

Table 1-1 lists the municipalities in Warren County along with the 2015-estimated population of each. The table also illustrates how the population is distributed into urban or rural sectors within the municipalities. In addition, Table 1-1 also demonstrates the differences in land mass and population density throughout the County.

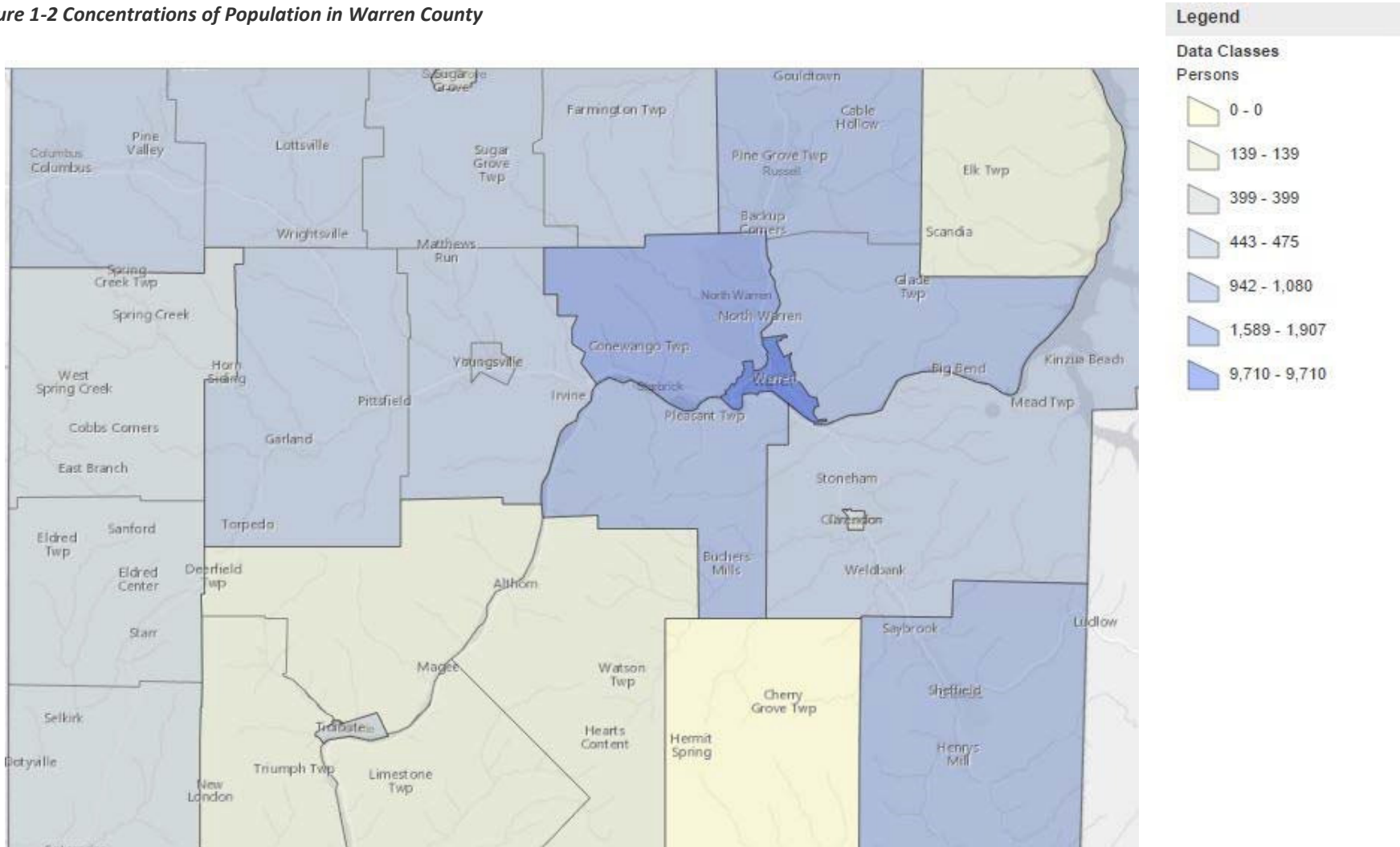
Figure 1-2 illustrates the concentrations of population throughout Warren County.

Table 1-1 Population Density and Rural/Urban Distribution

	POPULATION ¹			DENSITY ²	
	Population 2014 (Estimate)	% Urban	% Rural	# Square Land Miles, 2012	# Persons Per Square Mile, 2012
Bear Lake Borough	161	0%	100%	0.7	234.8
Brokenstraw Township	1,831	50%	50%	38.0	48.7
Cherry Grove Township	211	0%	100%	46.3	4.6
Clarendon Borough	443	98%	2%	0.3	1,308.8
Columbus Township	1,985	23%	77%	40.7	49.3
Conewango Township	3,498	53%	47%	30.0	117.4
Deerfield Township	330	0%	100%	43.2	7.8
Eldred Township	632	0%	100%	36.2	17.7
Elk Township	510	0%	100%	41.0	12.5
Farmington Township	1,234	0%	100%	34.2	36.5
Freehold Township	1,475	0%	100%	35.7	41.8
Glade Township	2,252	17%	83%	36.0	63.2
Limestone Township	389	0%	100%	31.4	12.6
Mead Township	1,348	34%	66%	78.6	17.4
Pine Grove Township	2,627	40%	60%	39.6	67.0
Pittsfield Township	1,367	10%	90%	55.6	24.8
Pleasant Township	2,386	65%	35%	33.7	71.6
Sheffield Township	2,063	0%	100%	59.2	35.2
Southwest Township	512	0%	100%	34.0	15.2
Spring Creek Township	824	0%	100%	48.7	17.2
Sugar Grove Borough	604	0%	100%	1.1	542.0
Sugar Grove Township	1,687	0%	100%	35.4	48.0
Tidioute Borough	672	0%	100%	1.1	633.6
Triumph Township	307	0%	100%	28.2	11.0
Warren City	9,410	100%	0%	2.9	3,274.9
Watson Township	267	0%	100%	50.8	5.3
Youngsville Borough	1,678	96%	4%	1.3	1,275.2
Warren County	40,396			884.13	46.5

1. US Census Bureau and Pennsylvania State Data Center American Community Survey 5-year estimates 2011-2015 2., Pennsylvania State Data Center, 2014 Warren County Data Book

Figure 1-2 Concentrations of Population in Warren County



Source Us Census Bureau and Pennsylvania State Data Center 2011-2015 Estimates

1.1.2.1 Population Trends

The US Census Bureau reported the July 1, 2010 population for Warren County was 41,815 people. That is a 4.67 percent decrease from the 2000 US Census recorded the population as 43,863 people. The Pennsylvania State Data Center located in Harrisburg, PA, works in conjunction with the US Census Bureau to gather and compile state, county, and municipal demographic data within the Commonwealth. The Center also issues estimates and projections on population, housing, and related issues.

County Population Projections for Pennsylvania, 2010-2040, published by the Pennsylvania State Data Center projects a continual decline in Warren County’s population. An estimated decline of 5.63 percent is forecasted for the years 2010 to 2030 with a cumulative 10 percent decline by 2040. The decline is already evident. The American Community Survey estimates Warren County’s 2014 population at 40,703 well below the Data Center’s 2020 projection of 40,605.

Table 1-2 shows the Pennsylvania State Data Center’s estimated population projections.

Table 1-2 Pennsylvania Population Projections: 2010-2040

	July 1, 2010 Census	July 1, 2020 Projection	July 1, 2030 Projection	July 1, 2040 Projection	% Change 2010-2020	% Change 2010-2030	% Change 2010-2040
Pennsylvania	12,711,308	13,230,170	13,759,594	14,132,588	4.1%	8.2%	11.2%
Warren County	41,815	40,605	39,459	37,535	-2.89%	-5.63%	10.1%

1.1.2.2 Housing Trends

Housing characteristics are useful in determining the appropriate municipal solid waste and recycling collection service for a community. The types and number of structures can influence affordability of the program as well.

Table 1-3 shows the occupied housing units in Warren County. Figure 1-3 shows where the greatest number of Warren County’s housing units are located.

Approximately 76 percent of the residential housing units in Warren County are single family detached homes. Similar to single family detached units but categorized separately because of other structural differences, mobile homes represent nearly 12 percent and single family attached homes, commonly called “row houses” or “duplexes,” account for another 1.25 percent. The other roughly 11 percent of Warren County units include various types of multi-family dwellings that have from 3 to more than 50 units

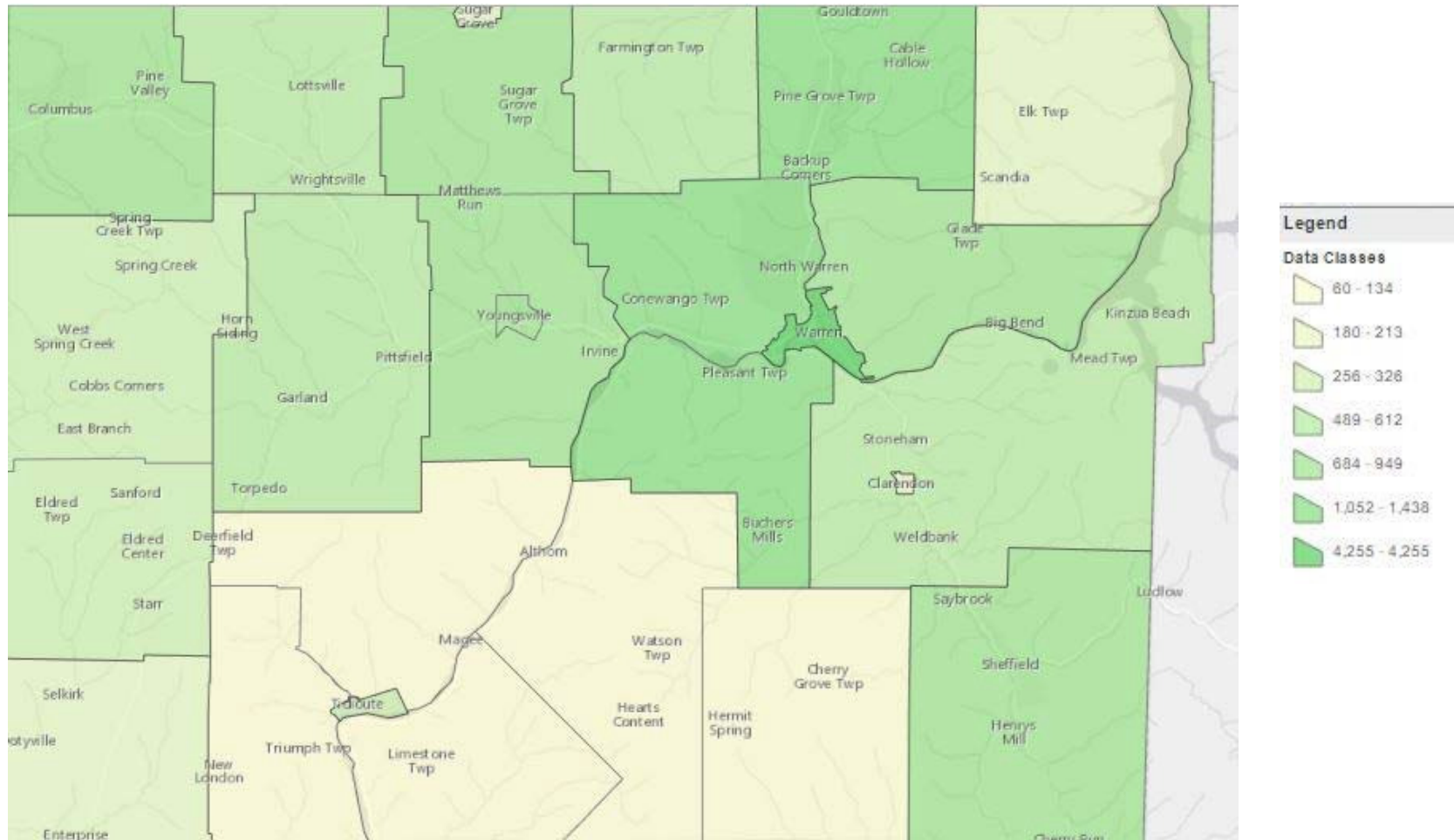
per structure. From service and cost perspective, single-family detached housing units are advantageous because collection commonly is provided at the curb. Where single family housing units are densely clustered in one community, or when a greater number of units are guaranteed to participate from joint municipal programs, the result is lower costs. Because the fixed costs of providing service can be distributed among a greater number of units, homeowners experience lower service rates than if each were to negotiate for those services on their own. Several Warren County communities contract with a single service provider through a competitive bidding process.

Table 1-3 Occupied Housing Units by Municipality

	Occupied Housing Units
Bear Lake Borough	52
Brokenstraw Township	590
Cherry Grove Township	69
Clarendon Borough	139
Columbus Township	593
Conewango Township	1,177
Deerfield Township	104
Eldred Township	203
Elk Township	200
Farmington Township	424
Freehold Township	421
Glade Township	747
Limestone Township	108
Mead Township	538
Pine Grove Township	987
Pittsfield Township	542
Pleasant Township	911
Sheffield Township	672
Southwest Township	163
Spring Creek Township	251
Sugar Grove Borough	172
Sugar Grove Township	567
Tidioute Borough	218
Triumph Township	121
Warren City	2,462
Watson Township	105
Youngsville Borough	577
Warren County	13,113

Source Pennsylvania State Data Center

Figure 1-3 Warren County Housing Patterns Number of Units per Municipality.



Source Us Census Bureau and Pennsylvania State Data Center 2015 Estimates

A popular form of waste collection service in Warren County is private subscription, where residents arrange for services with the hauler of their choice. In the municipalities where private subscription is offered, local ordinances may or may not require resident participation. Even in those that mandate participation, enforcement is negligible.

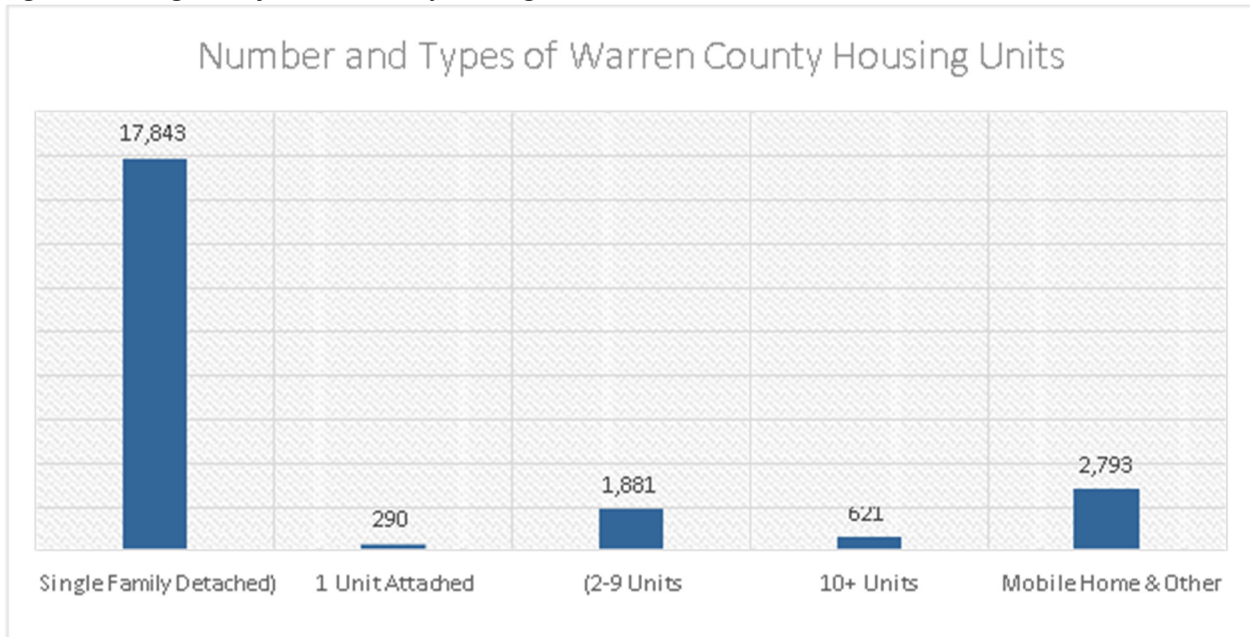


Approximately 76 percent of the residential housing units in Warren County are single family detached homes, where waste collection commonly is provided at the curb.

Chapter 2 provides a closer look at the available municipal solid waste infrastructure, reported collection and disposal activity for all types of municipal waste and a variety of undesirable waste management practices.

Figure 1-4 shows the types of housing structures available in Warren County.

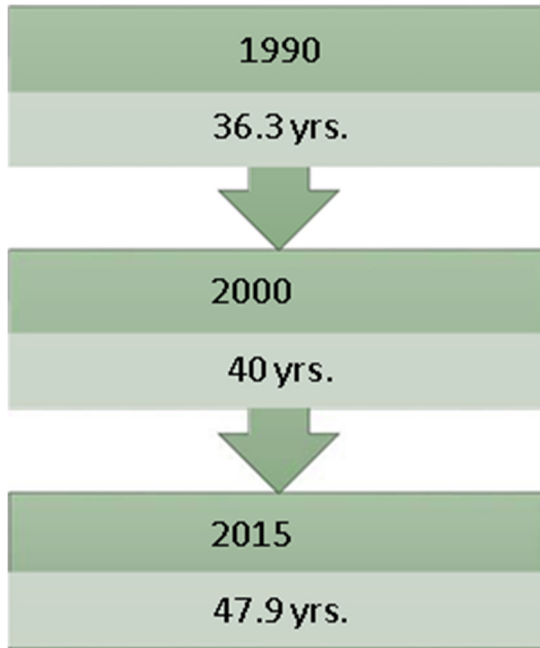
Figure 1-4 Categories of Warren County Housing Units 2014



Source US Census Bureau

1.1.2.3 Occupancy and Mobility

Figure 1-5 Shift in Median Age of Population



One of the primary goals listed in the 2008 Warren County Comprehensive Plan was to retain the younger population. This is a legitimate concern. However, a few key indicators suggest a more accurate goal for Warren County is to attract a younger population. Consider the ongoing shift in the median age. Since 1990, the median age of the population in Warren County has moved upward. The median age for Warren County in 2015 was nearly 8 years greater than the median age in Pennsylvania. Figure 1- 5 shows the pattern.

Approximately, 21 percent of Warren County's 2015 population was over the age of 65. Another 61.2 percent was between the ages of 18 and 64. Based on the median age, it is likely that a greater portion of that group is in the upper age category. If the median age continues to climb at the same time the overall population decreases, births probably will not exceed the mortality rate.

Mobility can play a role in shifting demographics. The US Census Bureau tracks the movement of residents based on housing occupancy. Owners and renters are tracked separately. Mobility is monitored using a one-year occupancy in the same residence as a marker. Movement is tracked within the County, from another county, from another state, and from another country.

The majority of Warren County's residents tend to remain in their homes, particularly if they are the owners. Renters showed more mobility. For those who did move from one location to another the majority moved within Warren County, or secondly from another county. For homeowners, Watson and Triumph Townships, Clarendon Borough and the City of Warren saw the greatest increase in relocators. For renters, Bear Lake Borough had the greatest number of new residents. The Townships of Limestone, Elk, Pleasant, and Columbus, along with Sugar Grove Borough also had significant turnover for Warren County.

Table 1-4 shows the mobility patterns in Warren County during 2014-2015. Table 1-4 does not show movement out of the County. However, the American Community Survey 2010-2014 indicates Warren County residents do not tend to migrate great distances.

Table 1-4 Mobility Patterns

	Owner Who Moved From					Renters Who Moved from				
	Non Movers	Warren County	Another PA County	A Different State	From Abroad	Non Movers	Warren County	Another PA County	A Different State	From Abroad
Bear Lake Borough	126.0	0.0	2.4	0.0	0.0	22.0	0.0	45.5	0.0	0.0
Brokenstraw Township	1,410.0	1.8	0.4	1.1	0.0	263.0	20.2	3.4	10.3	0.0
Cherry Grove Township	128.0	3.9	1.6	0.0	0.0	29.0	0.0	0.0	0.0	0.0
Clarendon Borough	309.0	6.5	0.0	0.0	0.0	186.0	14.5	1.1	2.7	0.0
Columbus Township	1,554.0	0.4	3.7	2.0	0.0	347.0	4.9	24.2	3.7	0.0
Conewango Township	2,837.0	4.4	2.1	1.0	0.0	515.0	21.0	2.9	2.7	0.0
Deerfield Township	215.0	3.3	0.0	2.3	0.0	45.0	0.0	0.0	0.0	0.0
Eldred Township	498.0	1.0	0.6	0.0	0.0	142.0	0.0	10.6	2.1	0.0
Elk Township	431.0	1.6	0.7	0.0	0.0	11.0	0.0	27.3	0.0	0.0
Farmington Township	1,129.0	3.5	0.0	1.3	0.0	127.0	4.7	0.0	0.0	2.4
Freehold Township	1,165.0	2.8	1.3	0.9	0.0	129.0	17.1	0.0	0.0	0.0
Glade Township	1,757.0	4.3	2.1	0.3	0.0	434.0	7.1	0.0	0.9	4.1
Limestone Township	216.0	0.0	0.0	4.2	0.0	42.0	28.6	0.0	0.0	0.0
Mead Township	1,230.0	3.5	1.5	0.0	0.0	133.0	24.1	12.0	0.0	0.0
Pine Grove Township	2,348.0	2.2	0.6	1.1	0.2	285.0	8.8	0.0	0.0	0.0
Pittsfield Township	1,377.0	4.1	1.8	0.7	0.0	80.0	0.0	0.0	0.0	0.0
Pleasant Township	2,046.0	2.2	0.0	0.2	0.0	223.0	26.9	0.0	0.0	0.0
Sheffield Township	1,897.0	4.4	1.3	0.3	0.0	383.0	11.2	0.0	0.0	0.0
Southwest Township	495.0	1.2	2.8	0.8	0.0	36.0	0.0	13.9	0.0	0.0
Spring Creek Township	585.0	0.3	0.5	0.0	0.0	167.0	11.4	2.4	0.0	0.0
Sugar Grove Borough	480.0	1.0	0.8	2.1	0.0	74.0	24.3	5.4	2.7	0.0
Sugar Grove Township	1,368.0	3.8	0.7	1.4	0.5	299.0	10.0	0.0	13.7	0.0
Tidioute Borough	543.0	4.4	1.1	0.4	0.0	219.0	17.8	6.4	0.0	0.0
Triumph Township	275.0	6.9	0.7	0.0	0.0	27.0	0.0	0.0	0.0	0.0
Warren City	5,863.0	7.6	0.0	0.1	0.0	3,279.0	16.8	3.5	4.8	0.0
Watson Township	239.0	2.1	10.5	0.0	0.0	25.0	0.0	0.0	0.0	0.0
Youngsville Borough	1,367.0	0.4	1.5	1.3	0.0	428.0	13.1	9.6	5.1	0.0
	31,888.0	77.6	38.7	21.5	0.7	7,950.0	282.5	168.2	48.7	6.5

MILLENNIALS, THOSE BORN BETWEEN 1980 AND 2000, CURRENTLY REPRESENT THE LARGEST DEMOGRAPHIC SECTOR BY AGE IN THE UNITED STATES.

FOR WARREN COUNTY TO BOLSTER ITS SHRINKING HEAD COUNT, IT WILL BE IMPORTANT TO CATER TO THIS AGE GROUP.

Most move to areas with similar demographics. Outward migrations were primarily to surrounding counties, which includes border counties in New York. However, with equally declining populations in Elk, Venango, Crawford, Erie and McKean counties, outward migration is probably not the greatest contributing factor in Warren County's diminishing youthful population.

The Millennial Generation includes those born from approximately 1980-2000 depending on what source is cited. By 2025, they will represent over

75 percent of the workforce. Millennials already represent the largest demographic sector by age in the United States. For Warren County to bolster its shrinking head count, it will be important to cater to this segment. Fortunately, Millennials are attracted to issues that improve the overall sustainability of a community. They are drawn to communities with walkability between where they live, work and play. Consequently, the results of downtown revitalizations can be a draw to this group. The Warren County Solid Waste Advisory Committee considered the needs and interests of Millennials when reviewing waste management practices coupled with recycling opportunities.

1.1.3 The Environment

Nature prevails as the most dominant asset in Warren County. Vast acreages of forest lands, substantial waterways, reserves of minerals, as well as diverse and abundant wildlife are common to the County. Historically these elements have and continue to be the source of economic development. The need to protect and conserve them with minimal interference to job creation is an ongoing challenge and a key objective in the most recent version of the Warren County Comprehensive Plan.



1.1.4 Industrial Heritage

Prevailing economic conditions, particularly employment opportunities, influence where people choose to live. The rural nature of the area, along with its bounty of natural resources, might lead one to believe that tourism, recreation, and the hospitality industry in general are major contributors to the local economy. While they do factor into the overall scheme, other interests are more financially significant.

Warren County has always hosted major industrial activity. Extractive industries such as logging, oil and gas and mining were the roots of many substantial fortunes. The legacy of that golden age lives on in the historic structures seen primarily in the City of Warren but sprinkled throughout the County. The economic impact of these activities during the early growth of the area is well documented. The environmental aftermath remains as both a negative indelible imprint and a learning example.

Reminders of a different more prosperous era are certainly interesting. More importantly, those very industries still operate in Warren County, but now with welcomed changes in environmental practices. They provide viable and relatively well-paying occupations for Warren County residents. In addition, the extractive industries rely on a host of other Warren County employers, who provide support services, manufactured goods, and investments. Since 2010, Pennsylvania's news headlines focus on exploration, horizontal drilling and "fracking" in the Marcellus Shale Gas Play. Consequently, conventional oil and gas well operators are often forgotten or mistakenly trivialized. As recently as 2012, according to the Pennsylvania Independent Oil and Gas Association, nearly half of the 2,383 oil and gas wells drilled in the Commonwealth were conventional wells. More than 36 percent of those were drilled in Warren County.

It is hard to imagine that substantial recovery of what we know as the Allegheny National Forest wasn't seen until post World War II; a little more than a century after unregulated cutting of the original virgin growth timbers began. As forests are known to do, from its devastation came promise. Today, the highest quality hardwoods in the United States are found in northcentral and northwest Pennsylvania. Forests cover 447,593 acres of Warren County with a value of standing timber estimated to be \$657 million according to the 2007 Penn State Timber Market Report. The forests also support employers who trade in non-timber related products like botanicals as well as the residues from logging for biomass energy uses.

When Pennsylvanians think of mining "coal" is typically what comes to mind. In places like Warren County, however, non-fuel minerals are more commonly mined. These include aggregates like sand and gravel, and topsoil. Open pit and dredging operations in

Warren County supply these materials throughout the region.

Another extractive industry that operates in Warren County is recycling. Although we don't always think of recycling in the traditional sense of the extractive industries, it is often referred to as "urban mining." Just like its counterparts, recycling recovers valuable commodities from the waste stream and returns them as feedstock for the manufacturing of new products or other beneficial uses. According to the recent *Pennsylvania Recycling Economic Impact Study* prepared for the Pennsylvania Recycling Markets Center, the recycling industry in Pennsylvania employs more than 66,000 people directly and another 110,000 people in downstream activities. In Warren County, it is difficult to determine exactly how many individuals are employed by recycling related activities, because that data is combined with other waste management statistics. There are some documented public and private sector recycling programs, along with some volunteer collections sponsored by civic organizations.



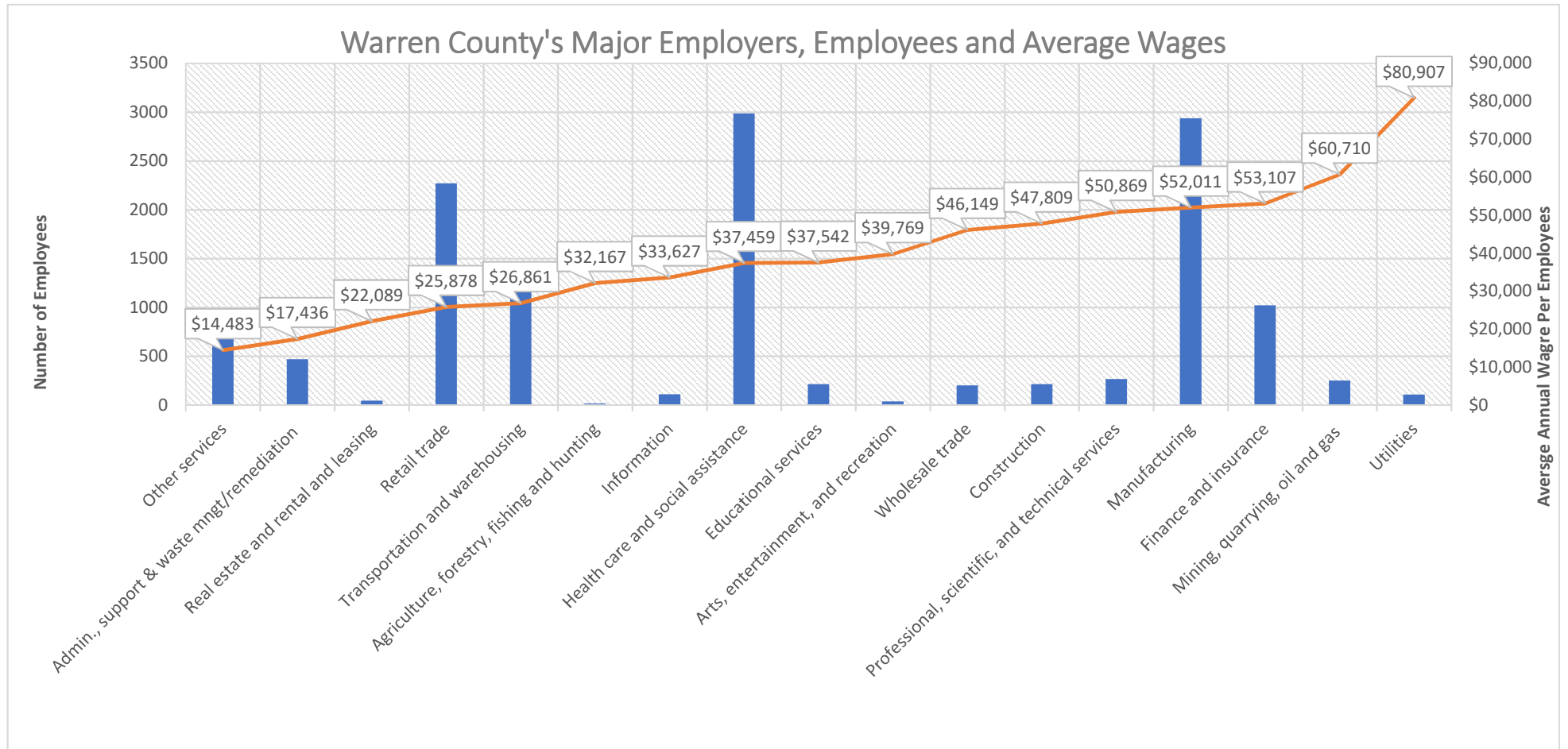
Recycling is often referred to as "urban mining." Just like other extractive industries, recycling recovers valuable commodities and returns them as feedstock for the manufacturing of new products or other beneficial uses.

Despite the historical relevance and continued success, the extractive industries are not the major employers in the County. According to the *Warren County Business Patterns 2015*, manufacturing of all types ranks as one of the highest categories based on number of employees. These blue-collar workers realize some of the highest levels of personal income when compared to other local opportunities. Still, Warren County's unemployment rate during the development of the Plan was greater than Pennsylvania as a whole. These conditions are symptomatic of a shift away from the type of industrialization that once was core to our economy. Global competition, technology and product design are all contributing factors.

1.1.4.1 Transitioning Employment Opportunities

Although blue-collar opportunities are less promising than in the past, Warren County still offers workers a variety of alternatives but with lesser average incomes per employee. State and local governments, school districts, and service industries, including health care services, categorically represented the highest percentage of employees. Figure 1-6 shows the types of establishments by category, along with the number of employees and the average payroll per employee for each.

Figure 1-6 Warren County Business Patterns



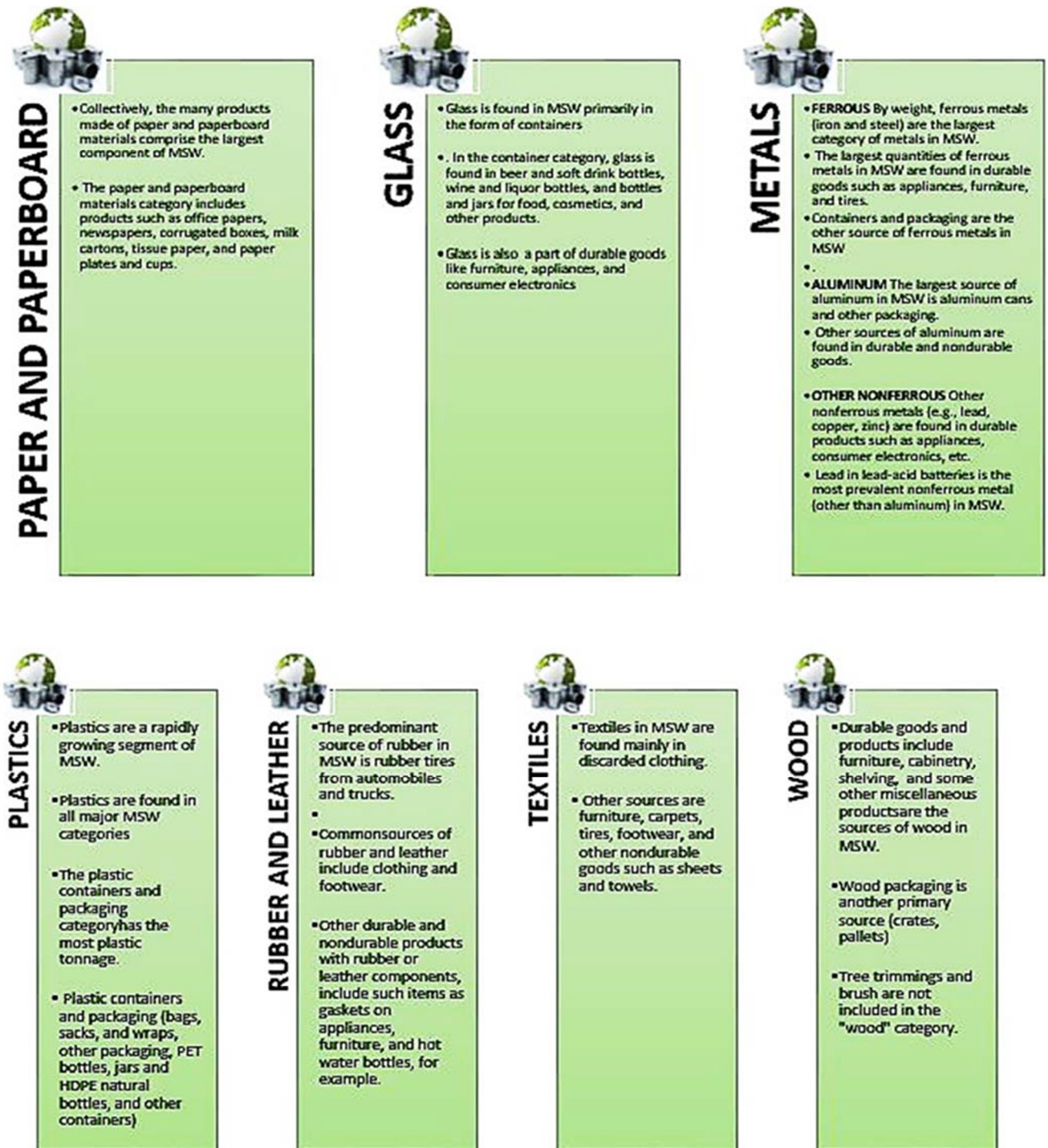
1.2 DEFINING AND IDENTIFYING MUNICIPAL SOLID WASTE

We all generate municipal solid waste. We produce it every day. Municipal waste is found in our homes, in our schools, in our workplaces, where we shop and are entertained. The United States Environmental Protection Agency (USEPA) estimates that as a nation in 2014, the baseline for most of the data utilized in the Plan, each person generated an average of 4.44 pounds of municipal solid waste per day. But what is municipal waste?

For the most part, municipal solid waste is recognizable and readily identifiable. Most of us are more familiar with municipal solid waste than we realize. Municipal solid waste consists of everyday items such as product packaging, grass clippings, furniture, clothing, bottles, food scraps, newspapers, appliances, and batteries. In addition to identifying specific groups of materials, broad categories of products are also used in analyses of municipal solid waste. These include durable goods, non-durable goods, containers and packaging, organic wastes such as food and yard trimmings, and miscellaneous inorganic wastes. Although each of the same materials still exist in the waste stream, categorizing them by product more clearly illustrates the relationship between product design, purchasing habits, and waste generation. With the emergence and growth of product stewardship legislation and regulations, there is increasing demand for sustainable design that allows for remanufacturing, reuse, and recycling.

A description of the USEPA product categories is shown in Figure 1-7

Figure 1-7 USEPA Categories of Products in Municipal Solid Waste



As commonplace as municipal waste can be, it is equally confusing on several levels. Municipal solid waste is regulated by an extensive set of federal, state, and local laws and requirements. Inconsistencies in the scope of materials and categories considered solid waste from state to state and by the federal government can become problematic when attempting to interpret and compare data. Equally complicated is the ability to identify and understand the various sources that generate municipal solid waste are generated.

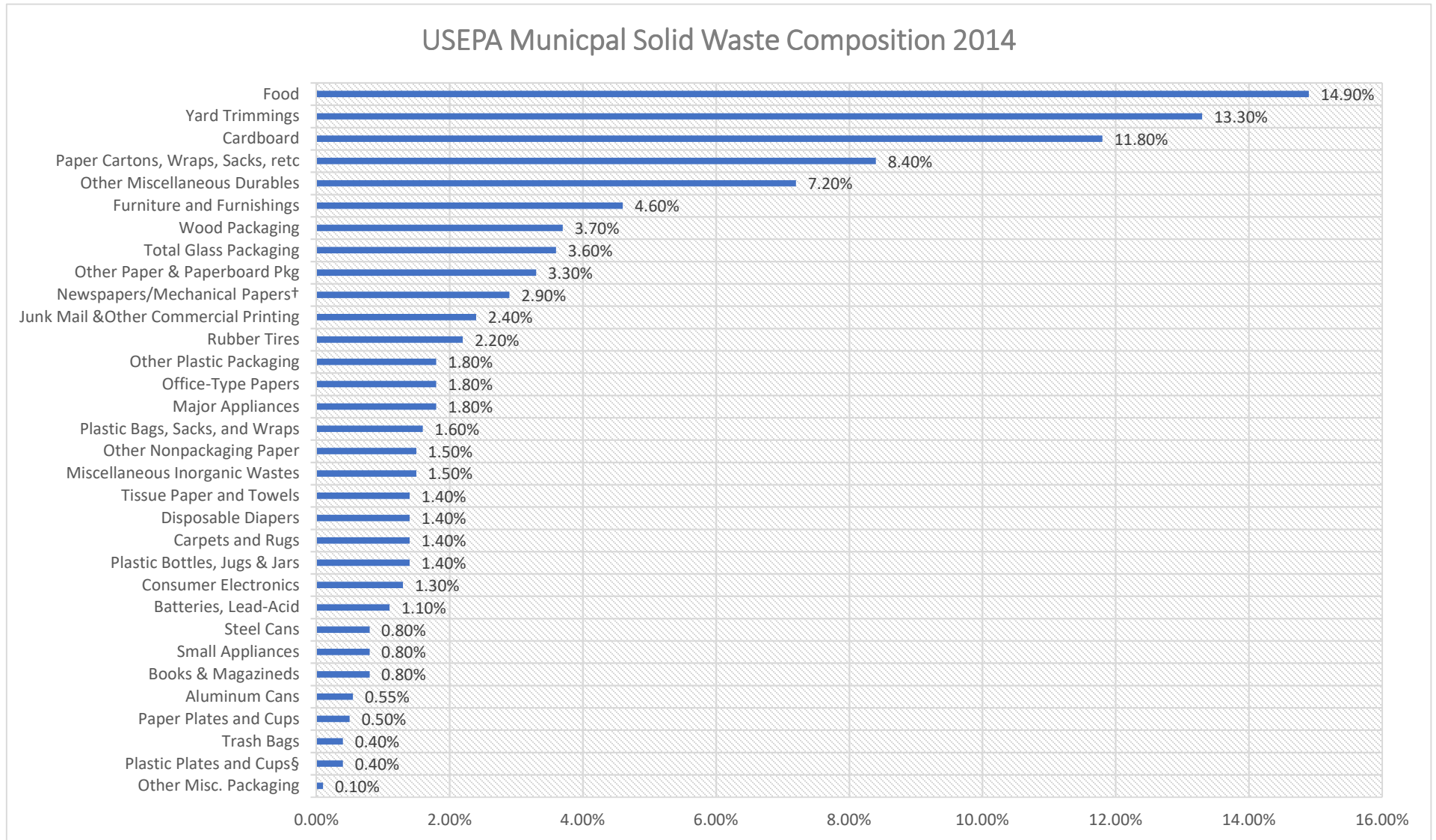
There are a number of categorized sub sets of solid waste. In general, USEPA considers discards from specific sources to be the “municipal” subset of solid waste. These include residential, commercial, and institutional establishments.

Figure 1-8 provides a detailed breakdown of the composition of municipal solid waste in 2014 according to the USEPA. The chart represents the total waste generated prior to recovery of materials for recycling and prior to disposal.

There are some other subsets of the solid waste stream with unique characteristics or which require special handling. USEPA along with many states do not factor these particular types of materials into the overall quantities of municipal waste.

Pennsylvania has a more expansive definition of municipal solid waste than USEPA. In Pennsylvania, waste from construction and demolition activities, medical waste from health care facilities, biosolids, and sludges from wastewater treatment all fall within the regulatory framework of municipal solid waste. Therefore, in the planning process, Pennsylvania counties must address how they manage each. It should be noted that within the Plan, special handling wastes are not included in the discussions of and projections for residential and commercial/institutional municipal waste generation and recycling. Estimates for these wastes and detailed discussions of how they are managed are provided separately.

Figure 1-8 Composition of Municipal Solid Waste Generated in the USA 2014



1.3 NATIONAL PERSPECTIVE ON MUNICIPAL SOLID WASTE

The United States Environmental Protection Agency (USEPA) has collected and analyzed data on waste generation, disposal, and diversion from 1960 through 2014. Until recently, the USEPA reports were published as “Characterization of Municipal Solid Waste in the United States, and then “Generation, Recycling, and Disposal in the United States: Facts and Figures.” The iteration that coincides with the baseline year for data utilized in analyses during the planning process is titled “Advancing Sustainable Materials Management: 2014.”

The Franklin Associates of Kansas were commissioned by the USEPA to conduct this ongoing study and issue a series of publications. Consequently, long time waste industry professionals may commonly refer to the project and reports as “The Franklin Study.” The series focuses on municipal solid waste generated by residential and commercial sources. It is a useful tool to make initial assumptions and to reveal significant differences and/or anomalies in local programs based on national behaviors and performance. It continues to serve as the definitive survey on the characterization and composition of the national waste stream. The wealth of information, which they have accumulated, is useful in establishing historic trends and changes. Because USEPA also documents detailed findings for each year, it is possible to compare local data from specific years to actual performance at the national level.

1.3.1 Evolution of the Waste Stream

Current circumstances and conditions differ from those which existed when the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101) was enacted. The assumptions used at that time to assess and project waste management needs are not necessarily valid in 2014. To understand the foundation for assumptions used to assess local data and programs throughout the current planning process, this section offers a brief discussion of the evolution and nationally documented changes of municipal solid waste.

USEPA has documented through its studies that over the past 50 years the quantities, composition, and recovery of

In areas like Warren County where the population is in decline, a decreased per capita generation rate can make a notable difference in service availability and costs.

municipal solid waste have varied considerably. In contrast, over the past 10 years, the quantity of material generated and discarded has been relatively constant. From 1960 to 1990 the amount of municipal solid waste generated on a per capita basis exceeded the population rate. The total amount of municipal solid waste generated in the United States has approximately tripled over this 50-year period. Part of the increase is directly related to the growth of the population during that same period. However, individual consumer patterns were also a contributing factor.

In 1960, each person in the United States generated approximately 2.68 pounds of municipal solid waste per day. From 1960 to 1990, the per capita rate grew at an accelerated pace to 4.57 pounds per person per day. That pattern has stabilized and in fact appears to be on a downward trend. Since 1990, the per capita rate has slowed, peaking briefly in 2000 at 4.72 pounds per person per day. The current rate is 4.44 pounds per person per day, which is lower than the 1990 rate. In areas like Warren County where the population is in decline, a decreased per capita generation rate can make a notable difference in service availability and costs.

1.3.1.1 Compositional Changes in Municipal Waste Generated, Discarded and Recovered

Perhaps the most significant change in municipal solid waste since 1960 is the make-up of the overall waste stream. Although the basic categories of materials remain similar, the percentage of each material represented in the total waste stream has shifted dramatically. Paper is a perfect example. About 34 percent the municipal solid waste stream in 1960 was paper. In 2014, it has declined to about 26.5 percent. The amount of plastic generated in 1960 was negligible at less than 1 percent of the total municipal solid waste stream. It now represents nearly 13 percent of the total 2014 municipal solid waste stream. Figure 1-6 shows how the composition of the municipal solid waste generated has fluctuated over the years.



The recovery of materials through recycling and composting programs has grown from less than 7 percent of the total municipal solid waste generated in 1960 to about 34 percent in 2014. This trend has been rather constant for the past twenty years.

1.3.2 Impact of Recycling and Composting

The total quantity of municipal solid waste generated has nearly tripled over the past 50 years, due primarily to population growth. The quantity that USEPA labels “discarded” also commonly referred to as “disposed” has only doubled. This variation is because the proportion recovered through recycling and composting programs has grown from less than 7 percent of total municipal solid waste generated in 1960 to about 34 percent in 2014. This trend has been rather constant for the past twenty years. In 1960 all discards were ultimately sent to landfills. With roughly 66 percent of the waste stream discarded in 2014, approximately 20 percent is converted to energy, primarily through combustion. The remaining 80 percent of the discards are disposed in landfills.

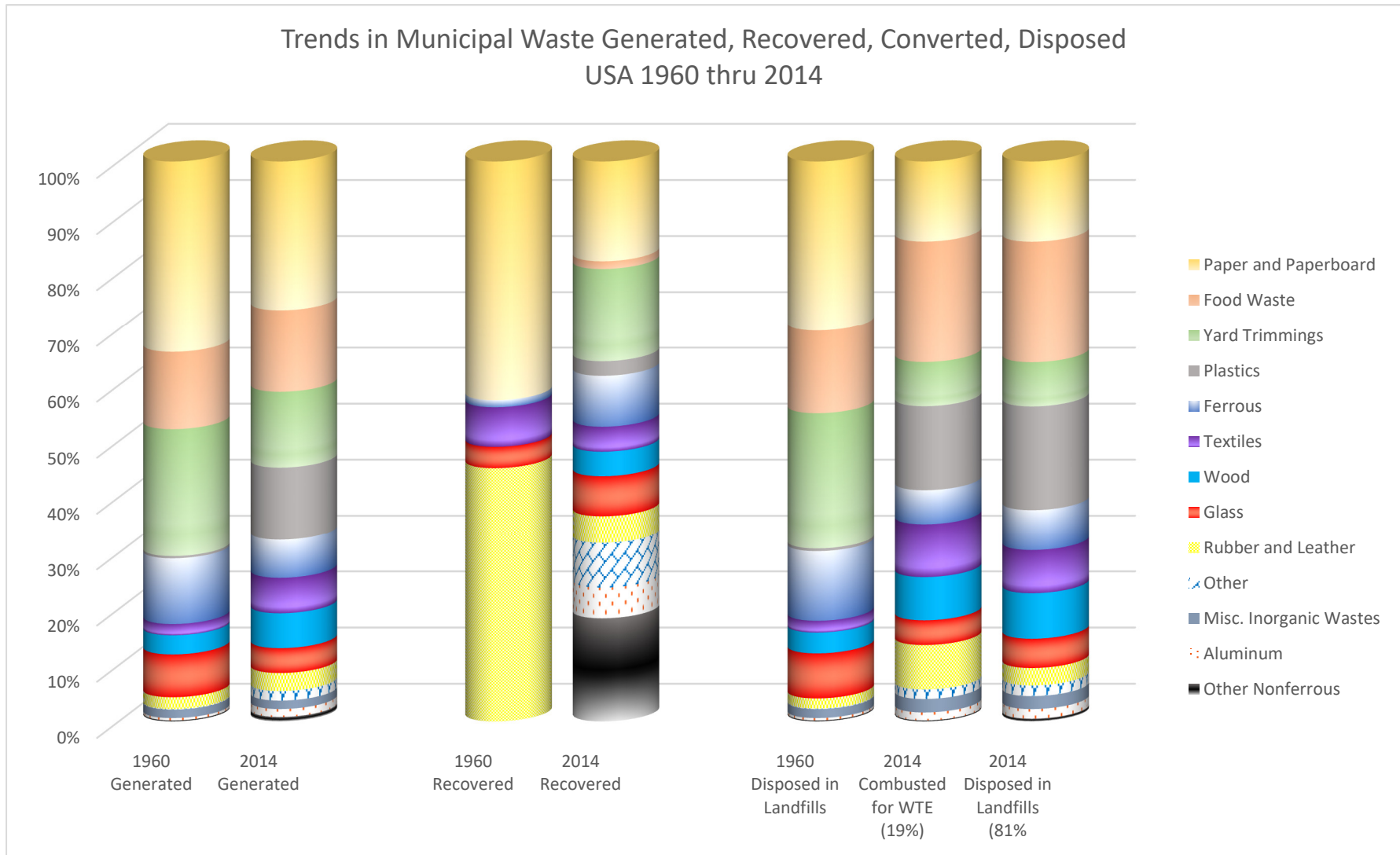
It is easy to see the effectiveness of recovery for specific materials by tracking the categorical proportions of materials from generation through disposal. Once recovered the makeup of the waste stream differs from the composition of the waste that is generated. Likewise, once recovery occurs, the composition of the municipal solid waste that is disposed varies proportionately from both the waste generated and the materials recovered.

As an example, paper (including paperboard) is the largest category of material in municipal solid waste as generated. In 1960, paper represented about 34 percent of the waste generated, but only 16.9 percent of the material recovered. In 2014 paper was only 26.5 percent of the waste generated, yet it represented 64 percent of the material recovered despite the fact that we recover many more types of materials in 2014. Further proof of the effectiveness of paper recovery shows in the steady decline of the quantity of paper disposed since 1990. Recently, plastic and food scraps have surpassed paper as the principal components in discarded municipal solid waste.

The proportions of materials landfilled and converted to energy are almost the same. The slight variations are due to recovery of metals at waste to energy facilities and the suitability and energy qualities of materials for combustion.

Figure 1-9 compares the composition of waste generated, recovered, and discarded from 1960 thru 2014.

Figure 1-9 Historic Changes in the Composition of Municipal Waste Generated



1.4 MUNICIPAL SOLID WASTE IN WARREN COUNTY

When documented quantities for generation, disposal and recovery for an area are known, population is used to determine how much each person contributes to each category. If only population is known, by assuming a commonly accepted per capita rate one can also estimate total generation, recovery, and disposal. In 2014, the population of the United States was 309.05 million persons. That year an estimated 258.46 million tons of municipal solid waste as defined by the USEPA was generated in the United States. Of the municipal solid waste generated in 2014, the nation discarded 135.9 million tons in landfills and sent another 33.1 million tons to waste to energy facilities. An estimated 89.4 million tons were recovered, establishing for 2014 a national recovery rate of 34.6 percent. This approximates Pennsylvania's current recycling goal of 35 percent. Therefore, the national data is a reasonable standard to use as a measure of Warren County's reported disposal activities and its performance in attaining the state's recycling goals.

The findings of the USEPA over the past 50 years present a reliable snapshot of the average waste generation, recycling, and disposal trends in the United States. It is reasonable to expect that from region to region several demographic variables could cause local statistics to differ somewhat from those reported by USEPA. The source of the material can also influence locally reported results. For instance, waste from strictly residential settings tends to differ slightly in composition from waste generated only by commercial establishments. These variables are identified in the national study to help program managers better interpret their data.

When an in-depth inventory of local municipal solid waste is necessary, a physical sort of the local waste stream is conducted. However, the time and cost to initiate that process is rarely justifiable during the normal planning process.

To examine the current conditions in Warren County, understanding what is common or normal in the majority of communities across the nation, provides a sufficient benchmark for evaluating local data. Comparing the USEPA information to a jurisdiction's reported data can prompt a thorough investigation of previously held assumptions used to develop local programs. Finally, it provides insight into prevailing trends and evolving conditions that could affect future solid waste management capacity needs and the development of treatment and processing methodologies.

In Warren County, when the reported data is not verifiable or deviates grossly from the norm nationally accepted assumptions may override the locally reported results. When

and if this is necessary the assumptions will be clarified in the exercises and analyses performed during the planning process.

1.4.1 Establishing Warren County's Generation, Recovery, and Disposal Rates

According to the Pennsylvania State Data Center and U.S. Census Bureau, Warren County's estimated population in 2014 was 40,944. In 2014, Pennsylvania landfills reported the disposal of 30,336 tons of municipal solid waste originating in Warren County. Another 6,282 tons were recovered in local recycling programs according to the County's reports. Thus, based on the reported data, the estimated amount of municipal waste generated in Warren County in 2014 was 36,618 tons.

As calculated from the reported data, Warren County's per capita generation rate for 2014 was 4.90 pounds per person per day. Materials were recovered for recycling at the rate of 0.84 pounds per person per day. In 2014 Warren County disposed approximately 4.09 pounds per person per day.

1.4.2 Warren County Compared to the National Averages

Figure 1-10 compares the national municipal waste per capita generation, disposal, and recovery rates to those calculated from Warren County's reported disposal and recovery tonnages for 2014. Figure 1-11 shows the expected tons of waste generated, recovered, and disposed compared to those Warren County reported. Although differences exist in the reported data and the calculated estimates, they resemble common anomalies found in rural areas and are likely explainable.

1.4.2.1 Varying from the "Norm"

Perhaps the most significant deviation occurs in the reported amount of waste disposed. In 2014, landfills reported 8,666 more tons from Warren County than one would expect if the County were to perform the same as the national norms. Warren County municipalities rely on the good sense of residents to voluntarily subscribe to waste collection services. Voluntary systems rarely result in 100 percent participation. To avoid the cost of collection service, residents find less desirable methods to manage their waste. Some of these, like illegal dumping and open burning, will be discussed in Chapter 2. Where voluntary waste collection prevails lower rather than higher disposal quantities are typically reported.

Warren County does have some degree of transient seasonal population, but not to the extent seen in popular tourist destinations where the number of residents can double for extended months. Therefore, the resulting amount of waste from visitors is not suspected to be enough to create such a large increase.

Figure 1-10 National and Local Reported Generation, Recovery, and Disposal Per Capita Rates 2014

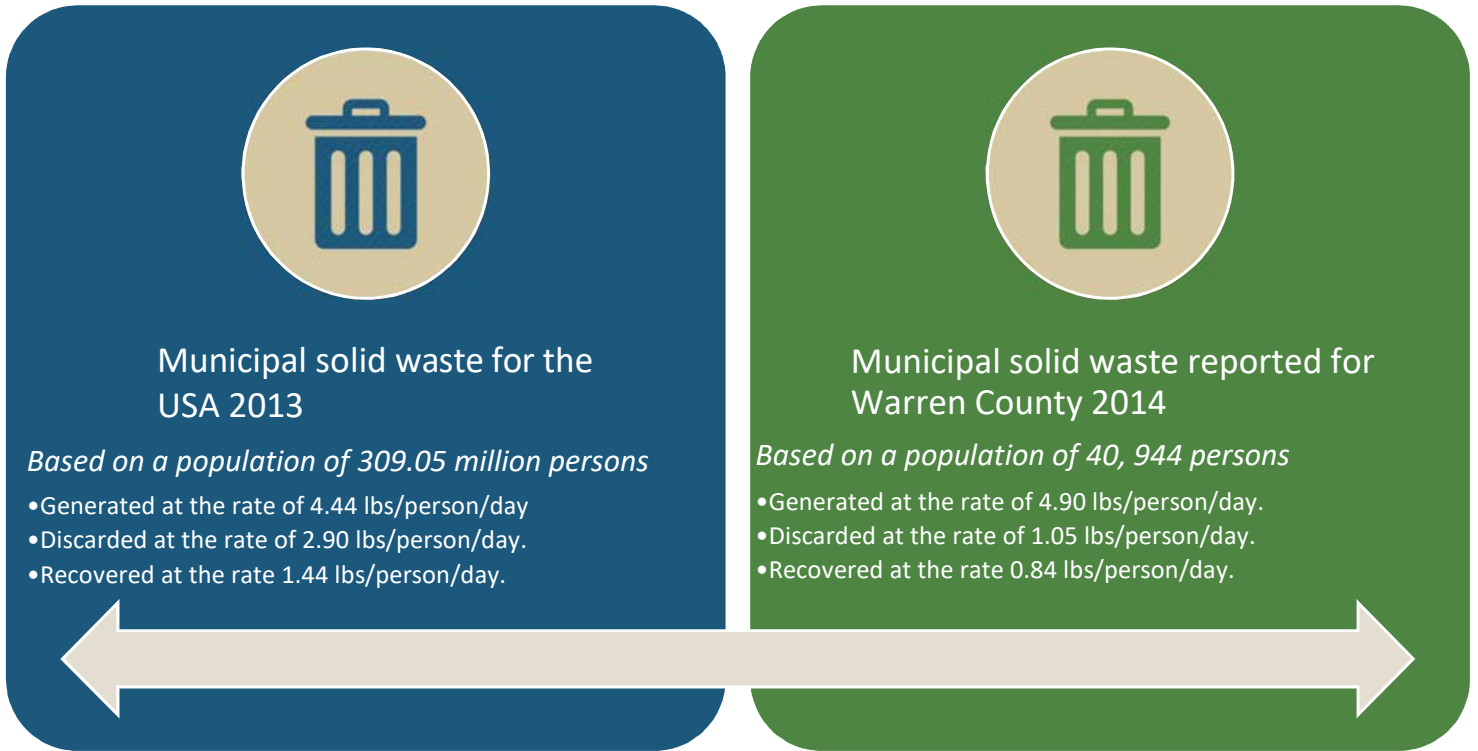
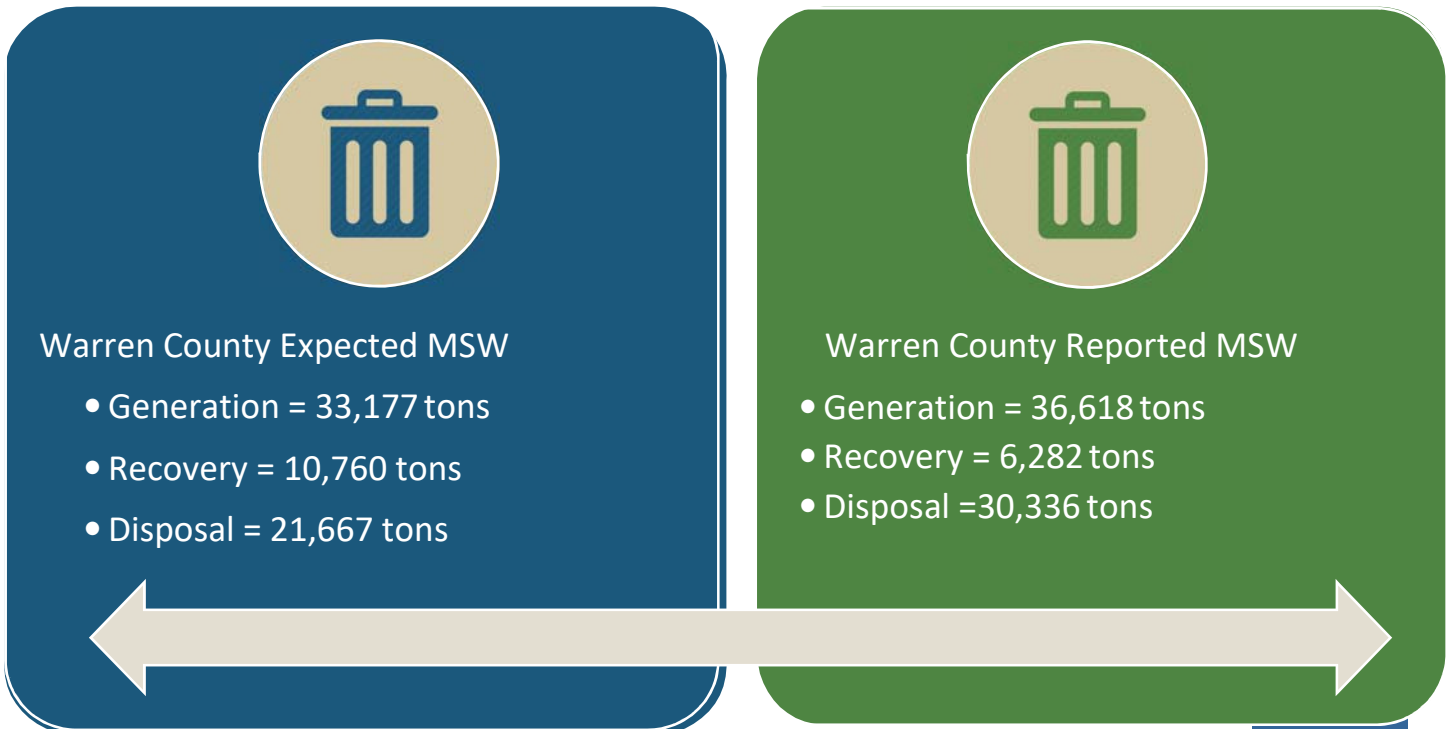


Figure 1-11 Warren County Reported and Estimated Expected Generation, Disposal, and Recovery 2014



A review of reported disposal activity for counties in the PADEP Northwest Region may provide the evidence to explain Warren County’s higher than average reported tonnage. The review compared six nearby counties along with Warren County. Based on population, each county’s total reported municipal solid waste disposed as defined by PADEP was used to determine a daily disposal rate per person. Three of the seven counties had disposal rates much higher than expected based on their rural nature and compared to the national averages. Two of the counties had exceptionally low quantities of reported waste disposal activity. Two others were within the normal ranges.

Some commonality was found for the counties within each group. The counties where landfills were located all had reported quantities disposed within the expected range of based on national averages. Where no facilities were located, counties had exceptionally low rates of disposal. Counties with transfer stations had disposal rates nearly two and three times the expected amounts. Advanced Disposal operates a transfer station in Pittsfield where a large majority of Warren County’s waste is managed. It should be noted that much of Warren county’s recyclables are also handled there

The transfer station phenomenon is repeated throughout Pennsylvania. Misreported data is common where collected waste is delivered to a transfer facility, consolidated, and transported to remote landfills for disposal. Those counties with transfer stations tend to have higher than normal reported disposal. Those with waste delivered to a transfer station in another county show significantly lower than average reported disposal activity. than would be expected if that county were to perform the same as the national norms.

Table 1-5 shows population, reported disposal activity, and per capita disposal rates for seven counties located in the PADEP Northwest Region of Pennsylvania. It indicates where disposal and transfer facilities are located.

Table 1-5 Regional County Disposal Trends

	Warren	Crawford	Venango	Elk	McKean	Clarion	Mercer
Tons Disposed	30,337	9,761	3,370	18,500	16,148	38,176	135,218
Population	40,944	87,175	53,529	31,194	42,544	38,821	114,884
Pounds Per Capita Per Day	4.06	0.61	0.34	3.25	2.08	5.39	6.45
Transfer Stations	X					X	X
Landfills				x	x		

1.5 CATEGORIES AND SOURCES OF MUNICIPAL SOLID WASTE

It is natural to assume that wastes are regulated by their chemical and physical characteristics or their potential harm to the environment, instead, regulatory agencies define a waste by who generates it or by where it was generated. Basing laws and regulations on the sources of the waste makes it easier to monitor and enforce proper waste management practices. Establishing waste management requirements into common groups, rather than applying individual criteria per waste, equally simplifies compliance for the generator. As a result, there are items commonly found in industries and households alike that are regulated differently and require different disposal methods for each source.



Pennsylvania's municipal solid waste regulations are broader in scope than USEPA's.

In addition to the categories of generators, municipal waste is further defined by specific activities and special handling requirements.

Even within the municipal solid waste stream different sources of generators are categorized. While the overall contents of the waste stream remain the same, the proportion of the materials differs depending on which source generated it. The ability to identify the specific sources of the municipal waste generated is of major importance in the planning process. Knowing not only the overall quantities of a material, but also the amounts generated from various sources, enables jurisdictions to target education and recovery programs where they will get the best return on their efforts.

Pennsylvania's municipal solid waste regulations are broader in scope than USEPA. Therefore, not only are there categories of generators, municipal waste is further segmented for specific activities that produce waste or for wastes with special handling requirements.

The purpose of the discussion in Chapter 1 is to clearly describe and identify each source of municipal waste in Warren County. Chapter 1 also illustrates the unique types of waste for planners to consider in Pennsylvania. A more in-depth analysis of each component of the municipal solid waste stream is included in Chapter 4.

1.5.1 Categories of Municipal Waste Generators

Regardless of the type of home that you occupy, it is considered a source of municipal solid waste. Municipal waste from these sources is categorized as “residential.” single-family detached homes as well as townhouses, condominiums, apartments, mobile home parks, etc., are all considered residential sources.



Residents are the source of at least 54% of the municipal solid waste generated in a community.

In primarily rural areas like Warren County, the proportion of waste from residential sources can be as high as 72%.

When businesses, offices, government facilities, and institutions generate municipal waste, it is categorized as “commercial.” For collection and reporting purposes, waste from community events is also included in the commercial category.

1.5.1.1 Residential and Commercial Waste Generation

According to the USEPA individuals who reside within a community are the source of at least 54 percent of municipal solid waste is generated. The proportion of wastes from residential sources in primarily rural areas like Warren County tends to be higher. A waste disposal characterization study conducted for the PADEP in 2003 reported that the statewide ratio of municipal solid waste from residential sources was 64 percent. In Pennsylvania’s rural areas, however, the study found that residents generated as much as 72 percent of the municipal solid waste.

Based on national trends, commercial establishments typically generate 46 percent of the municipal waste stream. According to Pennsylvania’s waste disposal characterization study, the commercial statewide ratio is significantly lower at 36 percent. Not surprisingly, with fewer businesses in Pennsylvania’s rural areas, it can be as low as 28 percent.

1.5.1.1.1 Community Variables

It should be noted that local community demographics influence the proportion of commercial to residential waste. For instance, the City of Warren, a more densely populated area of Warren County, has a noticeably larger commercial sector. There the ratio of commercial municipal solid waste could be closer to 64 percent. On the other hand, in the townships of Cherry Grove, Watson and Elk, it could be 28 percent or lower.

Some recyclable wastes such as cardboard and office paper come primarily from commercial sources. Others, like newspapers and magazines are primarily generated from residential sources. Understanding the ratio of commercial to residential sources in Warren County is useful in designing cost efficient and realistic collection programs. It also helps in identifying potential sources of recyclable materials.

Chapter 4 includes a detailed analysis of the types of material available for recycling in Warren County and the performance in recovering it is included in.

1.5.1.2 Warren County Commercial Municipal Waste Generators

Identifying the number and nature of commercial establishments is helpful in planning for municipal waste management. According to the US Census Bureau, approximately 603 commercial establishments were located within Warren County in 2014.

The retail trade represents the largest portion of these establishments. Health care, hospitality, food, and other service-oriented categories follow in the rankings. Each of these categories are sources of materials that lend themselves to recovery and, thus, where successful commercial recycling programs could be developed.

Employers in the categories of agriculture, mining, manufacturing, utilities, construction, and other industrial related operations are not considered commercial



The commercial waste stream consists of paper, plastic, glass and metal packaging, as well as other items.

However, each of these materials is distributed in different proportions than in residences.

waste generators under the federal or state municipal solid waste regulations. Therefore, they have been excluded here.

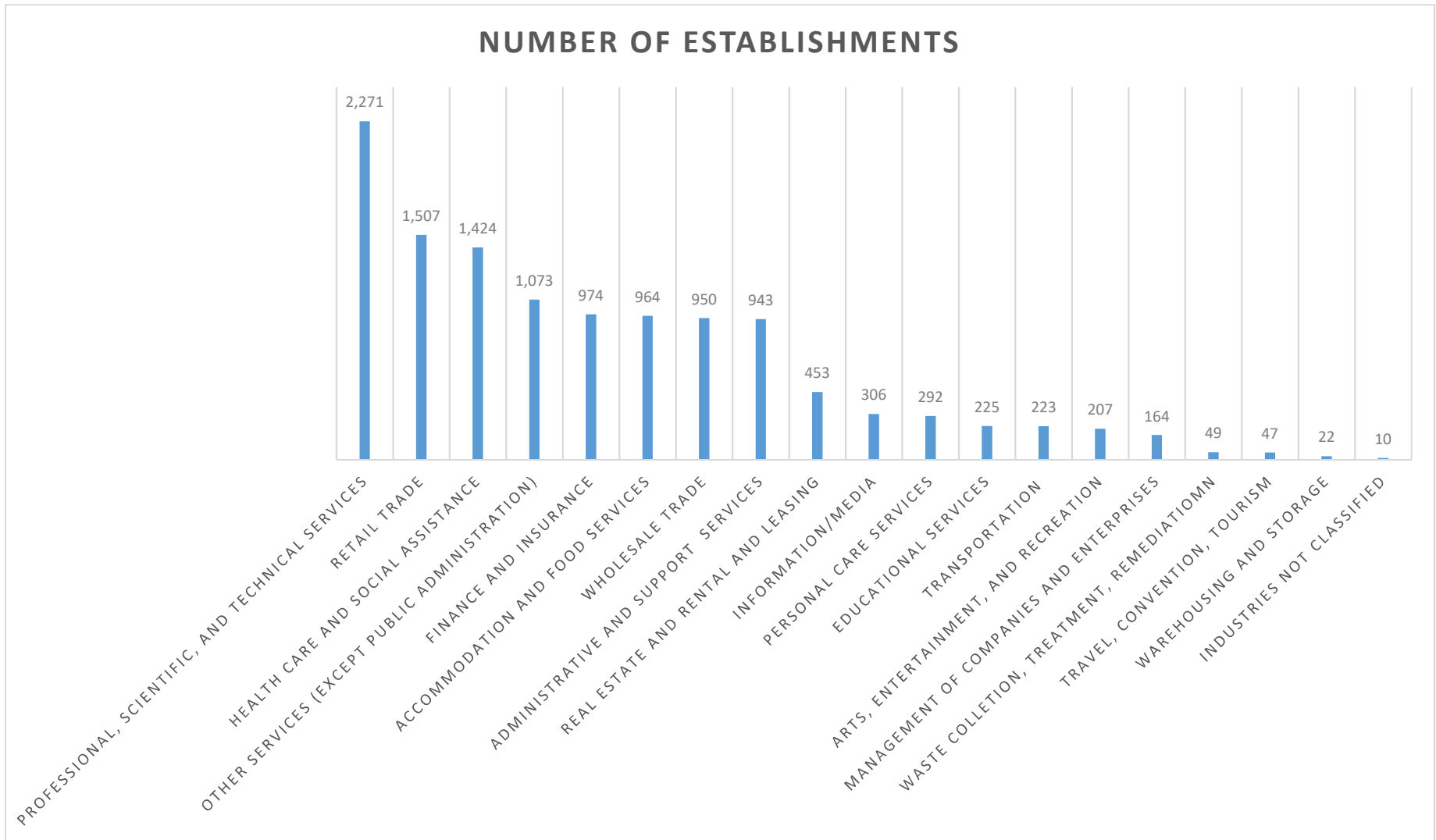
Overall, the commercial waste stream is relatively

similar to residential municipal waste. It consists of paper, plastic, glass and metal packaging, as well as other items. However, each of these materials is distributed in decidedly different proportions than in residences. Differences also exist based on the type of business. For instance, office complexes naturally generate more computer and office paper, while bars and restaurants generate more glass and food scraps.

According to the USEPA, 90 percent of the materials found in the municipal waste stream are recyclable. Chapter 4 examines the materials generated by commercial sources and explores the potential to recover them for recycling in more detail.

. Figure 1-12 shows the types of commercial employers that existed in 2014

Figure 1-12 Number of Commercial Establishments in Warren County 2014



Source: US Department of Commerce, US Census Bureau, PA Data Center

1.5.1.3 Select Categories of Commercial Generators

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

1.5.1.3.2 Government Facilities

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

1.5.1.3.3 Educational Institutions

Only one major public school district operates in Warren County. According to the Pennsylvania Department of Education, one charter school operates within the County. There also is a technical school and a vocational school and one community college.

1.5.1.3.4 Residential Care Facilities

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

1.5.1.4 Community Events in Warren County

Sporting events, fairs, festivals, and other celebrations. Recovering recyclables and organic waste from these activities is becoming more common, and in some communities, like the City of Warren, is mandated by Act 101.

Food scraps, cups, bottles, cans, flyers, boxes, etc. are generated in varying quantities by vendors and attendees alike. For daylong events, industry sources estimate that an average of 3 lbs. of waste per attendee per day can be expected. Smaller events and venues may have differing quantities. Likewise, the types of food served, the manner in

which beverages are dispensed and the volume of promotional materials also factor into the equation.

Examples of the types of events in Warren County where municipal waste is generated and where recycling could occur include the Fourth of July Celebration, the Wild Wind Folk Art and Craft Festival and Warren County Winterfest, as well as other smaller local community events.

1.5.2 Unique Types of Municipal Waste

Although an important part of municipal solid waste management, construction & demolition wastes are considered apart from general municipal waste for planning and management purposes. Therefore, they are not factored into the residential or commercial totals analyzed in the Plan. Industrial, mining, and manufacturing activities are also excluded from the definition of municipal solid waste and thus excluded from the figures used in that category during the planning process. Other types of municipal waste require special handling and processing methods. These wastes are generated by select operations and include sewage sludge and regulated medical waste.

1.5.2.1 Solid Waste from Construction and Demolition Activities

Construction and Demolition (C&D) waste is a perfect example of a waste stream that is defined and regulated as a sub-set category of municipal waste in Pennsylvania but viewed differently by USEPA and in other states. Because it is generated under specific circumstances, has unique components, and is collected and managed differently than regular residential or commercial municipal waste, it warrants individual attention in the Plan.

Construction and demolition activities can differ dramatically depending on the specific project or job site. Work may include construction, renovation, and/or demolition and any or all of a number of related activities. The mix and physical characteristics of materials in the waste stream can vary in residential, commercial, or industrial settings, and even on a load-by-load basis. During new construction projects discards tend to include trimmings from dry wall, framing, carpet remnants, etc. Packaging materials such as cardboard boxes, Styrofoam, nylon or plastic strapping, pallets, etc. are among the other materials which are often bound for disposal from new construction activities. Demolition projects tend to generate asphalt, concrete, earth, sand, trees, steel, brick, lumber, roofing materials, flooring, plaster, dry wall, and other similar materials. Typically, demolition loads contain larger quantities of these materials since essentially entire structures are being discarded.

Projecting C&D quantities for the long term is challenging. The amounts of C&D waste from month to month and year to year are less consistent than municipal waste. Construction and demolition projects are vulnerable to weather conditions and the economy. Either can foster or interfere with new development and construction. Two

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

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

Asphalt, brick, and concrete (ABC) wastes generated from road and bridge projects were not included in their generation rate calculations. These wastes are disproportionately heavier than many of the other C&D components. In addition, much of the material from road and bridge projects is used as clean fill on site. Trees and rocks from land clearing and grubbing were also excluded. In addition, loads from residential accounts, which contained a mixture of regular household municipal waste, and also materials from renovation and remodeling projects, were not factored into the total generation rate either.

Both studies estimate that approximately 75 percent of the total construction and demolition waste generated arrives at a landfill, with approximately 60 percent of the total waste disposed and the other 15 percent put to beneficial use as alternative daily cover for the landfill. The remaining 25 percent of the construction and demolition waste generated is either recycled (12 percent) or combusted for energy recovery (13 percent).

1.5.2.1.1 **Warren County Trends in Construction and Demolition Wastes**

Minimal new construction has occurred in Warren County over the past several years. No major demolition projects have been initiated by the County and local governments. In 2014 according to the annual facility reports of Pennsylvania landfills, Warren County disposed 921 tons of construction and demolition waste in Pennsylvania landfills. No data was available for construction and demolition waste that might have been disposed in out-of- state facilities. This represents approximately less than 3 percent of all types of Warren County municipal waste reportedly disposed in Pennsylvania facilities.

Determining an accurate construction and demolition waste generation rate is difficult. There are two ways to measure if the reported data is within a reasonable range of expected quantities. One is by using a percent of the waste disposed. The other is to assume a disposal generation rate using accepted data.

According to the Pennsylvania Department of Environmental Protection, 17.5 percent of the material disposed in Pennsylvania landfills can be categorized as construction and demolition waste. Clearly, Warren County falls well below the state average based on the reported data. Although the reported quantities of Warren County municipal waste also demonstrate significant discrepancies from what would be expected, misreporting of C&D waste is not suspected. While Warren County residential and commercial municipal waste is more often handled through a transfer station, C&D waste is hauled directly to a disposal facility. Therefore, the source of the construction and demolition waste is more frequently identified accurately by the hauler and the landfill scale operator.

Another measure to gauge the amount of construction and demolition waste generated in Warren County is to calculate the amount expected if the County performed similarly to the NEWMOA and Massachusetts studies. Using the median generation rate of 0.31 tons per person per year derived from the two studies, Warren County would be expected to generate approximately 1,263 tons of construction and demolition waste per year.

Using both methods, the County falls short of the tons that would be expected to be disposed and to be processed. There are legitimate reasons for at least a portion of the discrepancy. An obvious factor is the local state of the economy, which has inhibited new construction and, thus, reduced the amount of construction and demolition waste that might normally be generated.



The cost of disposal is a major factor in the mismanagement of C&D waste.

Whether due to lack of awareness, weak regulations, and/or enforcement, the material does not always make its way to a proper disposal facility.

The cost of disposal is a major factor in the mismanagement of C&D waste. Much of C&D waste is handled by construction/demolition contractors, or homeowners and businesses that generate the waste. Whether due to lack of awareness, weak regulations, and/or enforcement, the material does not always make its way to a proper disposal facility. Some of the material is burned on construction sites and is never accounted. Surveys of illegal dumping sites in Pennsylvania revealed an alarming amount of C&D waste. Those in Warren County are similar.

Finally, Pennsylvania regulations allow for the brick and concrete and other masonry materials to be utilized as clean fill, similar to the manner in which state highway projects manage this material. Contractors also reuse doors, windows, hardware, etc.

in other project applications.

So, although Warren County disposes fewer tons than expected, the data seems reliable based on current circumstances.

1.5.2.2 Special Handling Municipal Waste Streams and Sources

While municipal waste in general consists of commonplace items found in our homes and businesses, there are select types of municipal waste that require specialized handling and treatment. These wastes may have properties or characteristics that may not be appropriate to transport in a conventional collection vehicle or to be disposed of in a municipal waste landfill without additional processing. The composition or amounts may also present risks to the workers providing traditional collection practices. Therefore, these categories of municipal solid waste are controlled and regulated differently.

1.5.2.2.1 Septage and Sewage

Wastewater generated in our homes and businesses is known as sewage or septage depending upon how it is managed. Sewage typically flows through a network of pipelines to wastewater treatment plants (WWTP). These facilities and the infrastructure which connects the source of the wastewater to the treatment plant can be costly to construct. Therefore, facilities are typically built to service households in more densely populated municipalities to reduce the cost per mile of the extensive network of pipelines. Where the cost of connecting wastewater pipelines is prohibitive, on-lot treatment systems must be installed by private homeowners. This wastewater is referred to as septage. Septic systems must be periodically pumped by special service companies. The septage is either land applied or transported to a WWTP for treatment. Multi-family dwellings, such as mobile home parks and residential care facilities, as well as industrial operations may operate private pre-treatment systems, with the sewage being transported for final treatment. Wastewater that is treated at Warren County WWTP's is dewatered sufficiently to become sewage sludge, which is typically disposed in landfills.

In 2014, Pennsylvania landfills reported disposal of approximately 1,131 tons of Warren County sewage sludge. A number of companies transport septage within Warren County. They are regulated and monitored by PADEP. Thus, it is assumed that these materials are managed adequately. These transporters along with the landfills that manage Warren County sewage sludge are included in Chapter 2.

Nine wastewater treatment plants (WWTP) service the needs of Warren County communities. Some of the facilities are restricted to serving a sole community; however others have a broader service area that includes portions of surrounding municipalities.

Table 1-6 lists the wastewater treatment plants in Warren County and the municipalities which are serviced by each.

Table 1-6 Warren County Wastewater Treatment Facilities	
Municipal Wastewater Treatment Facility	Service Area
Grand Valley	Village of Grand Valley
Southwest Warren County Authority	Tidioute
Brokenstraw Valley Area	Brokenstraw Township
Sugar Grove Area Sewer Authority	Sugar Grove Borough Sugar Grove Township
Youngsville Borough	Youngsville
Kinzua-Warren Area Joint Sewer Authority	Mead Township Pleasant Township Clarendon Borough
Farmington Township Municipal Authority	Village of Lander
Sheffield Municipal Authority	Village of Sheffield
City of Warren	City of Warren
North Warren Municipal Authority	Conewango Township Glade Township Pine Township
Source Warren County Comprehensive Plan	

1.5.2.2.2 **Regulated Medical Waste**

Hospitals and resident care facilities generate significant quantities of municipal waste. One of the most basic functions of these institutions is to temporarily house and feed people in their care. Therefore, much of the waste which is generated resembles that found in the hospitality industry. Obviously, hospitals and other health care facilities offer more complex services than food and board. These medical procedures produce waste, which is required by federal and state regulations to be treated and handled separately from other materials. This waste is identified in Pennsylvania “regulated medical waste,” which is a direct result of medical procedures, treatments, and other activities. Regulated medical waste generated in Warren County is typically transported to commercial treatment facilities.

Although PADEP does require medical waste transporters to report their activity, the Department does not publish a report which provides medical waste data on a per county basis. The medical waste industry is well regulated, and a record of transport and disposal exists, Warren County does not need to take further action on regulated medical waste.

1.6 SUMMARY

During the planning process, the Solid Waste Advisory Committee determined that assuring proper municipal solid waste management is an important and ongoing responsibility of local governments; The Committee agreed that failure to manage municipal waste properly not only harms the environment, but also jeopardizes public health, safety, and the overall quality of life in Warren County. By overwhelming consensus, the Committee members determined that many components of the waste stream provide opportunities to capture and conserve natural resources. Recommendations and solutions resulting from the Committee's discussion, and the findings of the planning process are provided in detail in Chapter 5.

Chapter Two

2 Local Practices and Existing Services

The Warren County Municipal Solid Waste Management Plan examines how residents and business owners in the County store, collect, and ultimately manage discarded materials. The Plan identifies service providers for collection, processing, and disposal of all types of municipal solid waste. It determines the impact of residual waste, which is the residue remaining from industrial and manufacturing processes. The reported quantities of waste are reviewed and analyzed to determine trends and anomalies. Then strengths and weaknesses of the current system are identified, and the overall effectiveness of County and municipal policies is evaluated. This chapter provides the findings of those exercises, offers commentary, and points to areas where improvements could be implemented.

2.1 THE INFRASTRUCTURE

A broad infrastructure of transporters and disposal/processing facilities is necessary to meet the municipal waste management needs of Warren County. Some waste industry operations offer a variety of integrated collection and processing services. However, there are many others that focus solely on specialized management methods or targeted components of municipal waste. The purpose of a municipal solid waste management plan is to ensure sufficient services are available for the collection, transportation, and disposition of all the various municipal waste streams. Understanding the status of the existing system is an important step in determining future needs

2.1.1 Collecting and Transporting Municipal Waste

Residents and businesses throughout Warren County have access to services ranging from curbside collection to commercial dumpster service. Roll-off containers for large volumes are also available. On a more limited basis, dump trucks and/or trailers can be retained for construction demolition and remediation projects. Specialty services can be arranged for materials that are difficult or potentially dangerous to handle.

Warren County's collection and transportation network for municipal waste is predominantly private sector. Municipalities periodically haul waste from clean-ups or seasonal collections of yard waste. The same is true for recycling services which are discussed in Chapter 4.

2.1.1.1 Statewide Transporter Regulation and Authorization

When we think of waste haulers, our thoughts lean toward those who are frequently seen collecting trash from residential curbsides or from commercial dumpsters. These companies are not, however, the sole transporters of solid waste. For a variety of reasons and circumstances, a far greater number of individuals and organizations transport municipal and residual waste than those we commonly notice.

The Waste Safety Transportation Program, Act 90 of 2002, was enacted to monitor and regulate these activities. Owners of waste transportation vehicles that transport municipal or residual waste to a processing or disposal facility in the Commonwealth are required to obtain written authorization from PADEP. Municipal or residual waste processing or disposal facilities are prohibited from accepting waste from vehicles that do not have a valid authorization sticker.

On its website The Pennsylvania Department of Environmental protection maintains a current list of those with active, expired, and revoked authorizations. The list is updated daily.

2.1.1.1.1 Exemptions

The Act does allow certain processing and/or disposal facilities to accept material from transporters without the Act 90 Authorization. These include:

- Facilities where municipal or residual waste is being land applied through agricultural utilization or land reclamation.
- Facilities that operate under a permit-by-rule.
- Facilities that are not required to obtain a permit under §271.101 (relating to permit requirement).
- Cement kilns burning waste tires as fuel.
- Facilities that process electronic waste and components by sorting, disassembling, or mechanical processing for beneficial use.
- Composting facilities.
- Facilities that process municipal or residual waste for beneficial use under an individual or general permit.

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

2.1.1.2 Warren County Transporter Network

Fewer companies advertise residential and commercial waste collection and transportation services in Warren County than do in more populated areas. Each of those who advertise is authorized by the Waste Safety Transportation Program. They include Fitch Disposal, Advanced Disposal, Waste Management, and Casella Waste. All the companies except Fitch Disposal are part of organizations with vertically integrated services. In other words, they own and operate collection, disposal, and recycling divisions. Only Fitch Disposal and Advanced Disposal have operations located within Warren County. Casella Waste operates from McKean County and Waste Management from Erie County.

Discards from household clean-outs and construction and demolition waste represent the types of materials commonly disposed illegally. It is likely that a few small independently owned and operated businesses haul junk and other goods resulting from household clean-outs of basements, attics, garages, etc. These haulers are mentioned because household goods are often disposed after they are collected, rather than salvaged. Conspicuously absent from Waste Transporters authorization list are other type of operations one would expect to find in Warren County. Any number of home remodelers, roofing companies and general contractors may be operating in Warren County. They continue to generate and transport significant volumes of similar materials, yet, their activities are not as transparent. Local policies to deter the mismanagement of household clean-outs and construction and demolition materials should be considered in the planning process.

2.1.1.3 Requirements for Transporters of Special Handling Waste

The Waste Safety Transportation Program does not regulate those who manage special handling wastes, such as septage and regulated medical waste. These transporters operate under separate requirements and conditions.

2.1.1.3.2 Septage Transporters

In Pennsylvania, transporters of residential septage must register with the PADEP. Information for each load of septage that is collected and transported is recorded by each transporter. Although there are no requirements for the report to be submitted to the state agency, the information must be made available upon request to PADEP inspectors. Haulers register with PADEP based on the location of their business, not on their service area. It is common for transporters to cross county lines to provide such services. Therefore, despite the PADEP registration, many counties also require septage transporters to register with the county and report on the activities conducted within their borders. Warren County does not currently require special reports from septage haulers.

Table 2-1 lists the known septage transporters who are located in Warren County.

<i>Table 2-1 Septage Transporters Located in Warren County</i>	
Company	Address
Keith White Excavating	145 York Ln Warren, PA 16365-8781
Grant's Septic Tank Pumping	1425 Norberg Rd Russell, PA 16345-5129

2.1.1.3.3 **Regulated Medical Waste Transporters**

Transporters of regulated medical waste (formerly called infectious chemotherapeutic waste) also fall within the ranks of those requiring a license in Pennsylvania. Regulated medical waste transporters have broad and varied service areas. A stipulation of the license is that each transporter must report the origin and ultimate destination of the waste to PADEP. The information is not readily accessible on a per county basis. Warren County is not required to have additional reporting requirements for medical waste transporters. Therefore, the County relies on the PADEP to monitor these activities.

2.1.2 **Disposal and Processing Facilities**

The geography and rural nature of Western Pennsylvania, Eastern Ohio, and Western New York provided large tracts of affordable land suitable for the development of land disposal facilities. Additionally, a once strong industrial manufacturing presence, which generated large volumes of waste, created a demand for disposal outlets near their operations. Consequently, landfills have and continue to be the primary method of managing waste in this region.

The Grunderville Landfill, owned by the Warren County Solid Waste Authority is located in the County. The site discontinued operations causing Warren County to rely on the disposal services of the region's other landfills. Distance factors into the cost and efficiency of transporting waste for disposal. Therefore, when remote disposal facilities are used, a transfer station can often compensate for the time and miles local transporters would otherwise have to travel.

Transfer stations accommodate small collection vehicles that cannot cost effectively deliver long distance loads. Instead, at the transfer station, these small loads can be consolidated into larger trailers and delivered to remote facilities at a lower cost. Thus, cost effective access to a greater number of potential disposal sites is possible.

As a result of the 2004 Warren County Municipal Solid Waste Management Plan, the County entered into disposal capacity agreements with four landfills in 2005, which were subsequently designated to receive municipal waste from local transporters.

Most of the disposal sites are within the same proximity to Warren County, an approximate 50-mile radius or an equivalent 60-minute one-way drive time from the City of Warren. The exception is Seneca Landfill, a two-hour drive time. Transporters tend to route their vehicles toward the disposal facility, so the distance and drive time is not always measured in a direct line from point A to point B. Because of the distances, transfer stations are an important part of municipal waste management in Warren County.

Figure 2-1 lists the designated disposal facilities, owners, the county in which each is located, and their operating permit numbers. It also lists the transfer stations known to have accepted Warren County municipal waste during the period of the 2004 Plan.

Figure 2-2 shows the locations of the landfills that were designated to receive municipal solid waste generated in Warren County in the 2004 Warren County Municipal Solid Waste Management Plan. It also includes the transfer stations that receive Warren County municipal waste and shows to which specific facility each transports the waste.

The circular highlighted area of the map shows a 50-mile radius from the City of Warren. The jagged outline is a one-hour one-way drive time from the City of Warren.

Figure 2-1 Disposal Facilities Designated to Accept Warren County Municipal Waste 2005-2015

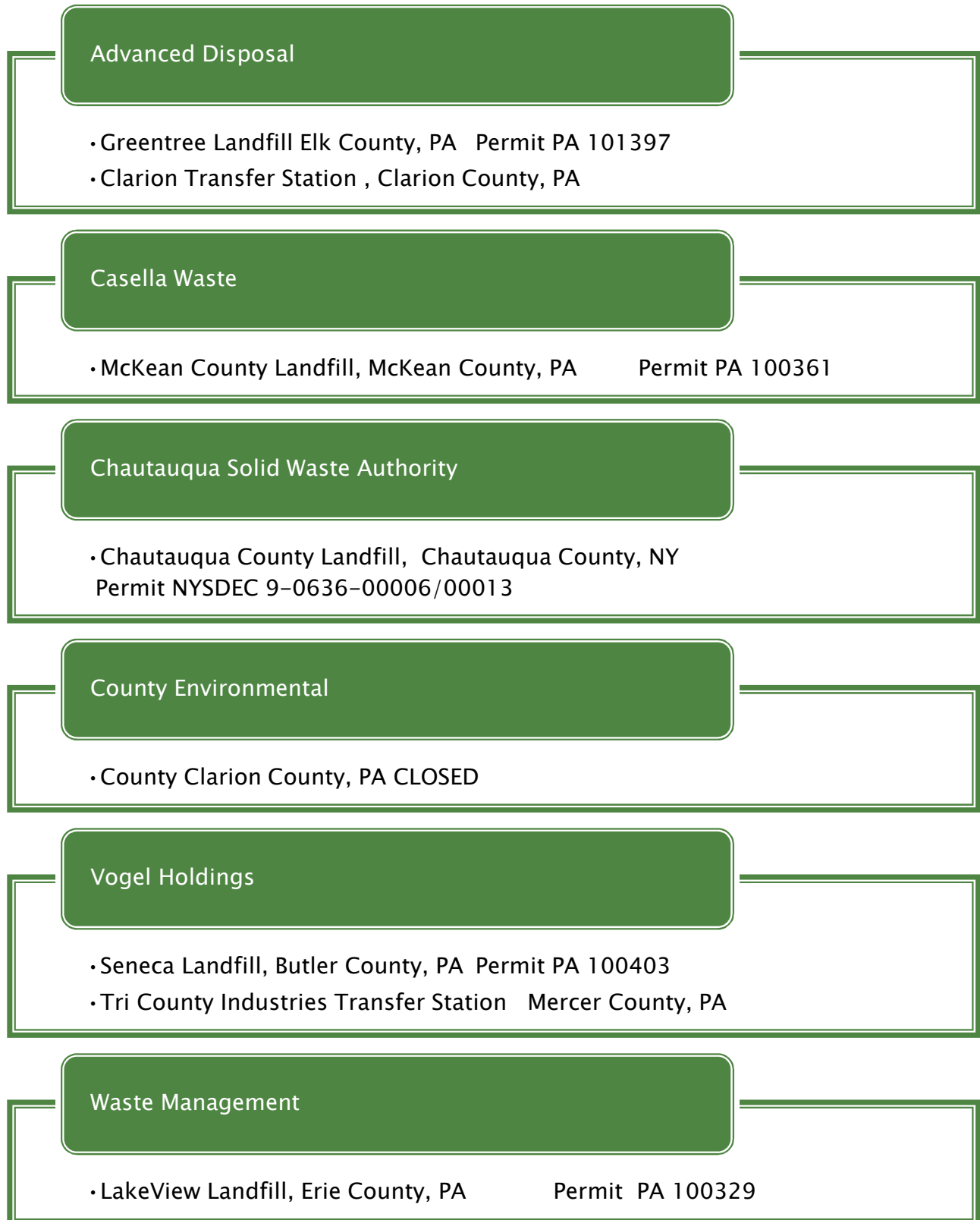


Figure 2-2 Designated Municipal Waste Disposal Facilities 2005-2015 and Local Transfer Stations



2.1.2.1 Disposal Destinations

Based on annual reports submitted to the Pennsylvania Department of Environmental Protection from 2005 thru 2015, disposal of municipal waste, including sewage sludge and construction demolition waste that was generated in Warren County, occurred at eleven landfills. Three additional facilities reported quantities of Warren County residual waste, and/or asbestos containing waste. Quantities vary from site to site.

During that period, six landfills received the greatest share of the combined waste streams. Five of the facilities were designated in the Plan to receive some portion of the County's municipal waste. One served as a temporary back-up after the closure of a designated site.

To comply with Act 101, Pennsylvania landfills are not permitted to accept municipal waste originating from counties with flow control provisions in their solid waste management plans, unless the facility is one of the designated disposal sites. It is probable that a reporting error occurred, which misidentified Warren County waste received at those landfills not designated in the Plan. One of the sites only reported 6 tons in one year over the five-year period. The other is such a considerable distance away that disposal at the site seems unlikely, since the local transfer stations direct waste to their own facilities.

Table 2-2 in the upper portion shows the landfills which included Warren County municipal waste among the sources of tons disposed at the sites according to the facility reports. In the lower portion, Table 2-2 of shows the landfills which reported residual waste from Warren County. The landfills are listed numerically according to their permit numbers. For comparative purposes, the facilities are consistent in both lists, whether they received waste in that category or not.

Figure 2-3 presents a graphic representation of how municipal waste disposal was distributed among the six landfills reporting the greatest quantities. Figure 2-4 illustrates how residual waste was disposed proportionately between the top five landfill recipients.

Table 2-2 Historic Disposal Trends

Warren County Municipal Solid Waste 2005-2015 (including Sewage Sludge and Construction & Demolition Waste)												
Permit	Disposal/Processing Facility	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
100081	SOUTHERN ALLEGHENIES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
100277	SANITARY LANDFILL	0.0	0.3	9.0	0.0	20.7	0.0	1.7	0.0	0.0	0.0	0.0
100281	GREENRIDGE RECLAMATION LANDFILL	0.0	0.0	0.2	0.0	380.8	358.6	15.7	1.6	0.0	0.0	0.0
100329	LAKE VIEW LANDFILL	1,053.3	980.2	524.2	694.2	1,235.0	1,484.3	936.1	1,423.9	333.9	1,164.6	0.0
100361	MCKEAN LANDFILL	475.2	49.9	0.0	50.2	1,071.4	1,525.7	1,625.9	1,439.3	911.8	0.0	1,430.1
100585	NORTHWEST SANITARY LANDFILL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
100620	IMPERIAL LANDFILL	0.0	0.0	5.6	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
100933	ALLIANCE SANITARY LANDFILL	0.0	10.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
100955	WAYNE TOWNSHIP LANDFILL	0.0	0.0	6.6	5.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
100963	LYCOMING COUNTY RESOURCE MANAGEMENT	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
101187	COUNTY ENVIRONMENTAL	976.4	275.2	928.8	7.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0
101243	BRADFORD COUNTY LANDFILL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5.3
101397	GREENTREE LANDFILL	3,402.7	15,228.3	22,796.4	32,968.4	30,199.9	30,287.2	29,855.8	27,366.7	30,544.0	31,240.0	31,187.7
	NY CHAUTAUQUA COUNTY LANDFILL	25,296.9	17,347.9	16,512.1	5,392.1	3,403.2	2,975.1	13,471.9	11,590.1	1,160.0	0.0	0.0
TOTAL		31,204.5	32,576.2	39,308.5	39,112.9	36,311.0	36,630.9	45,907.1	41,821.6	32,949.7	32,404.6	32,404.6

Warren County Residual Solid Waste 2005-2015 (including asbestos)												
Permit	Disposal/Processing Facility	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
100081	SOUTHERN ALLEGHENIES	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	18.0
100277	SANITARY LANDFILL	0.0	0.0	0.0	0.0	0.0	0.0	2.4	0.0	0.0	0.0	0.0
100281	GREENRIDGE RECLAMATION LANDFILL	0.0	0.0	0.0	0.0	0.0	10.9	0.0	0.0	0.0	0.0	0.0
100329	LAKE VIEW LANDFILL	2,389.5	447.3	517.1	2,616.4	1,544.4	2,540.9	2,295.2	1,550.2	243.8	119.7	187.7
100361	MCKEAN LANDFILL	10.7	240.1	0.0	74.0	109.4	10,209.6	277.3	1,014.0	581.2	1,917.7	667.9
100585	NORTHWEST SANITARY LANDFILL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	359.4	0.0	0.3
100620	IMPERIAL LANDFILL	0.0	0.0	4.0	0.0	0.0	8.2	0.0	0.0	4.4	0.0	0.0
100933	ALLIANCE SANITARY LANDFILL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
100955	WAYNE TOWNSHIP LANDFILL	0.0	0.0	1.1	5.3	0.0	0.0	0.0	0.0	0.3	4.3	0.0
100963	LYCOMING COUNTY RESOURCE MANAGEMENT	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	1.0
101187	COUNTY ENVIRONMENTAL	322.1	902.1	123.5	66.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0
101243	BRADFORD COUNTY	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
101397	GREENTREE LANDFILL	4,667.2	5,369.0	4,612.6	40,674.1	5,432.7	10,517.1	8,544.6	4,615.8	8,261.8	6,954.6	7,590.3
	NY CHAUTAUQUA COUNTY LANDFILL	4,016.7	2,058.5	2,987.3	4,989.8	0.0	374.7	980.7	3,686.7	944.9	0.0	0.0
TOTAL		11,406.2	9,017.5	8,245.6	10,837.7	0.0	23,661.4	12,100.2	10,866.7	10,395.8	8,996.3	8,465.2

Source Pennsylvania Department of Environmental Protection Annual Facility Reports and Warren County

Figure 2-3 Trends in Municipal Waste Disposal Destinations

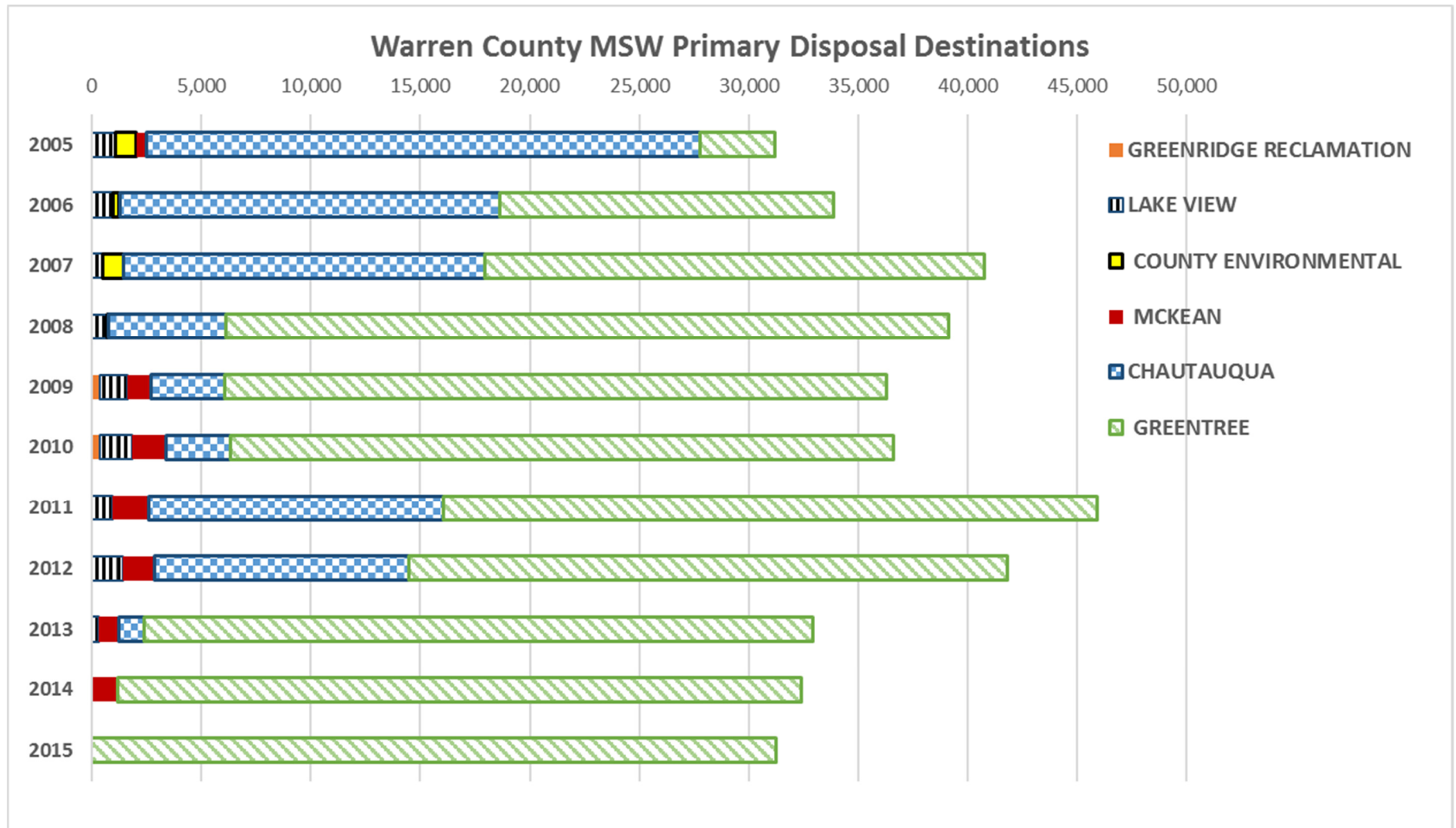
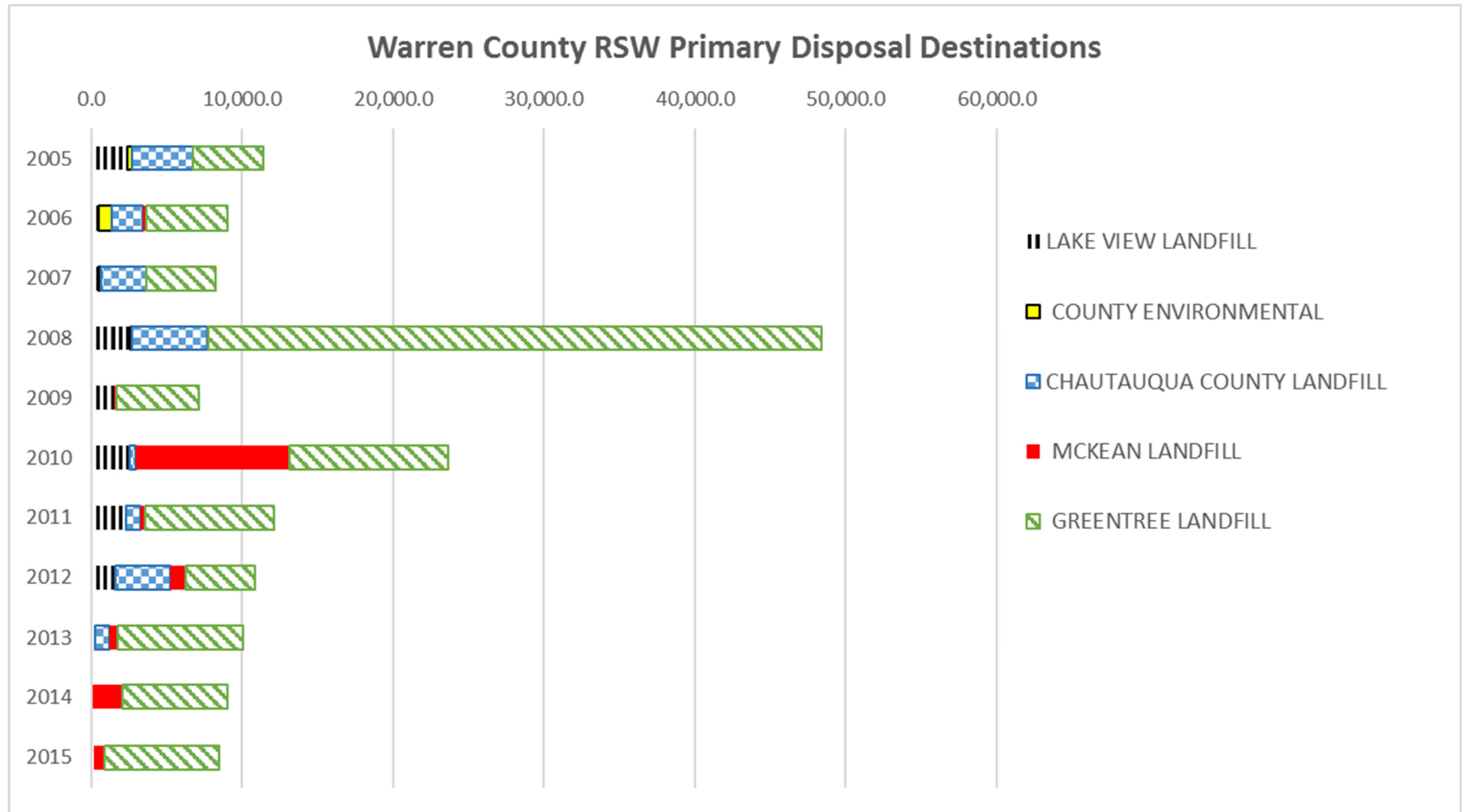


Figure 2-4 Trends in Residual Waste Disposal Destinations



2.1.2.2 Overview and Utilization of Designated Disposal Facilities 2005-2015

Following is a brief description of each of the landfills that were designated to provide disposal capacity in the 2004 Warren County Municipal Solid Waste Management Plan. It indicates the designated facilities where varying types and amounts of Warren County generated waste were disposed from 2008 thru 2015. It also provides a snapshot of historical trends. Finally, it illustrates how some of the special handling waste streams and/or residual wastes factor into the overall operation and capacity of the facilities.

2.1.2.2.1 Lakeview Landfill

Lakeview Landfill is in Summit Township, Erie County. The facility is owned and operated by Waste Management. Lakeview is not one of the facilities that guaranteed capacity to Warren County from 2005 to 2015 and consequently is a designated disposal facility in the 2004 Plan. Lakeview consistently received small quantities, less than 3 percent of the total Warren County municipal waste reportedly disposed during that time. In the same period, Lakeview reported significantly larger amounts of residual waste from Warren County. Overall, Lakeview received nearly 13 percent of all the residual waste disposed over the ten years 2005-2015. By far the most tonnage disposed at Lakeview comes from Erie County, host to the landfill. Ten other counties, as well as four other states, have been known to compete for disposal capacity at Lakeview. In the past, the facility received greater quantities of out-of-state waste. However, it now represents less than 1 percent of the total tons disposed there.

2.1.2.2.2 Seneca Landfill

Seneca Landfill is owned and operated by Vogel Holding. The company also owns and operates the Tri County Industries Transfer Station. The landfill is located in Butler County in the Townships of Jackson and Lancaster. The transfer station is located just outside of Grove City in Pine Township, Mercer County.

Seneca guarantees capacity to Warren County through a contractual agreement. It is listed as one of the designated facilities in the 2004 Warren County Municipal Solid Waste Management Plan. Seneca accepts waste from only one out of state source, a hauling company that it owns and operates in Ohio. The landfill has disposal capacity agreements with fifteen counties including Warren. The greatest quantities of waste reported as disposed at the site originate in Mercer, Butler, and Allegheny counties, in that order.

From 2005-2015, Seneca Landfill did not report disposal of any of the annual combined categories of municipal waste or residual waste generated in Warren

County. Tri-County Industries would be the transporter most likely to deliver Warren County waste to Seneca Landfill. This waste would pass through the Tri County Transfer Station located in Mercer County. The source of any quantities of Warren County waste, which may have been received and consolidated at the facility, could have been misidentified at the landfill as originating from the transfer station's location in Mercer County. This trend is mirrored by other counties whose waste passes through transfer stations.

2.1.2.2.3 **County Environmental Landfill**

Located in Leeper Township, Clarion County, the County Environmental Landfill closed in 2009. The site had guaranteed disposal capacity to Warren County from 2005-2015 but was unable to fulfill its obligations. Prior to its final year of operation, the landfill reported disposal of just over 900 tons per year of Warren County municipal waste and an average of less than 400 tons of residual waste per year. During the transition to closure, Greenridge Reclamation located in Westmoreland County provided back-up capacity for the waste traditionally disposed at County Environmental. The distance and cost were prohibitive to continue that practice as a long-term solution. Since then the waste previously disposed at County Environmental has been dispersed to other sites designated in the 2004 Warren County Municipal Solid Waste Management Plan

2.1.2.2.4 **Greentree Landfill**

Advanced Disposal currently owns and operates the Greentree Landfill located in Fox Township, Elk County. Greentree is one of the landfills designated in the 2004 Warren County Municipal Solid Waste Management Plan. The facility has long been one of the largest landfills in the northwest Pennsylvania region. Greentree is currently the predominant disposal destination for municipal waste originating from Warren County. The site received 71 percent of the total reported Warren County municipal waste disposed from 2005-2015. During that time, a major shift occurred in Greentree's operation and the cumulative percentage may misrepresent current conditions.

Since receiving its original permit, Greentree has reported disposal activity from 65 of the 67 Pennsylvania counties. It also received waste from nine states, with New Jersey delivering the most significant quantities in recent years. The landfill did not have to rely on local waste to be profitable and therefore only a small portion of the landfill's revenue came from the surrounding area.

In 2005 Greentree commanded only 10 percent of Warren County's municipal waste market. Today, it reportedly receives over 96 percent of the municipal waste disposed from Warren County. The same growth trend is reflected in residual waste, which grew from 40 percent in 2005 to approximately 90 percent in 2015.

A determining factor for the gain in local market share is the impact of logistics. Waste is delivered to the landfill by a transportation division of Advanced Disposal (previously Veolia), which operates a transfer station near Shippenville in Clarion County. Local independent haulers and municipalities also utilize the transfer site. Thus, Greentree Landfill's recent residual waste volumes have grown considerably.

2.1.2.2.5 Chautauqua County Landfill

Chautauqua County, New York owns and operates the Chautauqua County Landfills one of the landfills designated in the 2004 Warren County Municipal Solid Waste Management Plan. From 2005-2015, Chautauqua received almost 25 percent of Warren County's municipal solid waste and almost 18 percent of its residual waste. In almost a complete reverse of the results for Greentree Landfill, Chautauqua started in 2005 with 81 percent of the municipal waste disposal share for Warren County. By 2015, that share had decreased to 0 percent, based on reported data. Likewise, in 2015, the landfill had reported 32 percent of the residual waste disposed originating from Warren County. In 2015, no Warren County residual waste quantities were reported.

2.1.2.2.6 Review of Historic Reported Disposal Activity

The shift in disposal destinations as reported is believable. The total amount of Warren County's municipal and residual waste remained relatively consistent, throughout 2005-2015, which is also in keeping with its population trends. The only difference is where the waste was disposed.

The transition illustrates the competitive advantage that vertically integrated service companies have in controlling the market. It also shows why the industry has always been merger and acquisition oriented. With only one remaining transporter in the County, who is not a vertically integrated organization, it clearly demonstrates the impact of that consolidation.

2.1.3 Disposal Methods for Special Handling Waste

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

2.1.3.1.1 Management of Sewage Sludge and Residential Septage

Wastewater from the homes and businesses in select areas of Warren County flows directly through a network of pipelines to a wastewater treatment plant. In more rural areas of the County, the wastewater is managed by on lot treatment systems that include a septic tank. The tank must be pumped out periodically by a registered septage transporter, who delivers the septage to a wastewater treatment facility.

Whether the wastewater came to the plant via pipeline or vehicle, special physical, chemical, and biological processes sanitize the wastewater and remove the solids. The result is sewage sludge, which is ultimately disposed in a landfill. Septage or biosolids (wastewater treated to remove all pathogens) may also be beneficially used by land application at an agricultural or reclamation site.

Warren County wastewater treatment plants have disposed a three-year annual average of 1277 tons of sewage sludge from 2013-2015. Volumes are dependent on the operation and treatment process of the facility. These volumes are included in the quantities of municipal waste previously shown in Table 2-2.

2.1.3.1.2 **Regulated Medical Waste**

Medical procedures and treatments create wastes that have been contaminated by bodily fluids or tissues. The devices and materials used in the process may also have been exposed to chemicals or radioactive materials. This waste cannot be disposed in a municipal waste landfill without pre-treatment. Most medical waste is transported to off-site treatment facilities where it is sterilized or destroyed through incineration. Warren County healthcare and residential care facilities follow these practices.

2.2 **UNDESIRABLE DISPOSAL PRACTICES**

A flaw in many of the regulatory guidelines for solid waste management plans is a disproportionate focus on the already well regulated and monitored waste collection and disposal industry while disregarding the habits and practices of residential and commercial generators of municipal waste. Peripheral activities and businesses can generate and/or handle materials that can readily become mismanaged waste. Policies resulting from the planning process must consider the extent to which municipal waste goes uncollected or is disposed illegally. To be effective, plans should ensure that all stakeholders promote and enforce proper waste management practices.

2.2.1 **Impact of Voluntary Subscription to Waste Collection Services**

In Warren County, utilization of the available waste collection services by residents and businesses overwhelmingly occurs on a voluntary basis. Few municipalities secure these services for their residents through a competitive bidding process. Only three municipalities have mandatory waste collection ordinances. Most communities allow residents to arrange for collection with the service provider of their choice. Generally, no formal mechanisms exist that require residents in those communities to arrange for these services. Even where there are some type of solid waste or related ordinances in place, residents are rarely held accountable through enforcement actions.

Key Indicators That Conventional Waste Collection Services Are Underutilized.

-Significant contamination at recycling drop-off sites

- Noticeable accumulation of bulky waste and appliances on vacant and occupied properties

- Local businesses need to request locks from their service providers for their commercial dumpsters.

- Roofers, home remodelers and junk collectors who haul away discards without obvious outlets for the items

- Visible burn barrels,

- Roadside littering

- Numerous and reoccurring illegal dump sites

These scenarios exist to some extent in Warren County.

The voluntary nature of much of the residential waste collection infrastructure allows residents in the County to avoid utilizing (i.e. paying for) the available services for proper waste removal and disposal. The same conditions prevail in the commercial sector. Typically, transporters contract directly with commercial and institutional establishments. Requirements for businesses to comply with waste storage and collection codes are loosely enforced in most municipalities. Thus, many residents and commercial businesses have no waste service provider. The lack of regulatory control and monitoring for transporters that are exempt from Act 90 Authorization, particularly roofers, home remodelers and junk collectors, provides the temptation and opportunity to increase profits by avoiding the cost of disposal.

Most often, the absence of collection service signals the presence of undesirable disposal methods and environmental pollution. Some of these individuals and businesses dispose of their waste at the expense of others. They leave it along roadways, in streams, and remote areas. In rural areas like Warren County, there are other signs that residents and businesses may not be utilizing conventional waste collection services.

Undesirable disposal methods create pollution; endanger public health and safety, and lower property values. Ironically, those who fail to pay for proper removal of their waste may subsequently experience increased taxes to cover the expenses of remediating the situation. They certainly create extra costs for honest citizens. Often, responsible individuals and businesses that do pay for collection and proper disposal are victimized by this behavior.

When unauthorized users place material in another's waste receptacle for disposal, it is

considered theft of service. Not only do the offenders avoid payment, their waste can result in price increases for the paying customer due to the need for more frequent service or larger containers.

The elimination of drop-off recycling programs frequently occurs due to contamination and the time and cost of removing unwanted materials. Therefore, by their actions, offenders of the system can destroy the very service designed to provide a cost saving alternative for waste disposal, when utilized properly.

2.2.2 Illegal Dumping Activities in Warren County

Keep Pennsylvania Beautiful has conducted a series of surveys to determine the extent of illegal dumping across the Commonwealth and to provide insight on the causes and circumstances that foster such behavior. The surveys were conducted from 2005 thru 2013 in all of Pennsylvania's 67 counties, including Warren. The individual surveys were published as they occurred. A final comprehensive report that examines the findings, trends and relationships related to illegal dumping was published in 2014.

The survey of Warren County was completed in 2009. Mirroring the trend found across the state, 95 percent of the dumpsites identified in Warren County were in areas considered rural by demographic standards. Overall, surveyors identified 59 readily visible illegal dumping sites in the County. At least 80 percent of the sites were actively used, posing a current and ongoing problem. Sites ranged in size, determined by the estimated volume of waste, from 0.25 to 25 tons each. Overall, estimates put the total at approximately 292 tons at the surveyed dumps.

The survey indicates that the townships were not the only municipalities plagued

Results of Warren County Illegal Dumping Survey 2009



- 59 sites with high visibility
- 292 total estimated tons at sites
- Average 0.25 to 25 tons per site
- 85% of municipalities had illegal dumping
- 95% of dumpsites in rural areas
- 80% considered ongoing problems

by illegal dumping. The findings show 85 percent of all of Warren County's communities had some visible dumping. A closer look paints a better picture. Near the boroughs and cities and along the perimeters of their physical boundaries, dump sites are often noted. This is typically an indicator of local illegal dumping behavior.

Statistics show consistently that when violators are identified, they either live or work within a ten-mile radius of the place where they disposed of material illegally. Interestingly, numerous studies confirm that drop-off sites for recycling and/or other waste collection programs are most effective within a five to ten-mile radius of population centers. The correlation supports the theory that if convenient and affordable services were made available throughout the County, the incidence of illegal dumping would decrease.

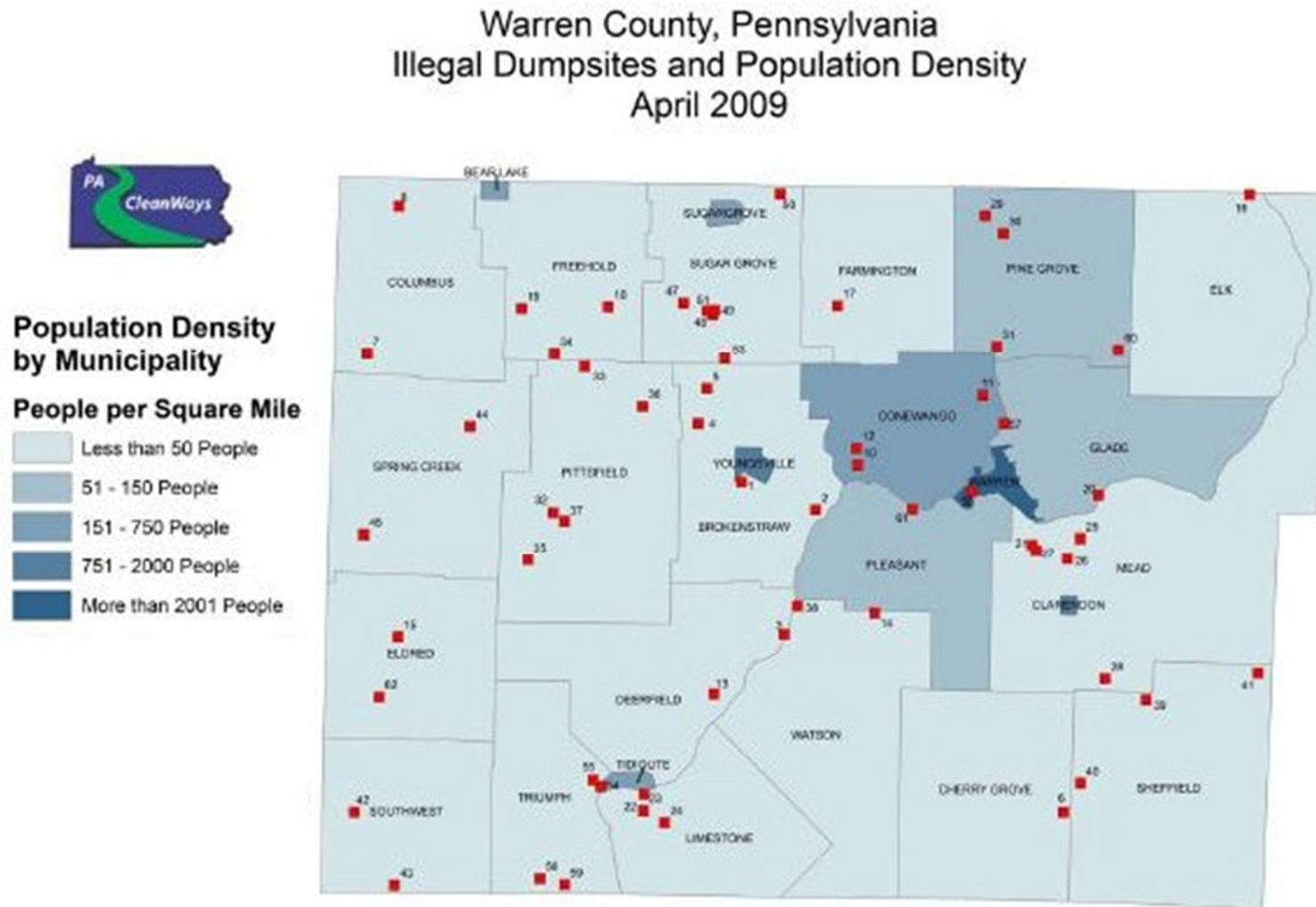
It is important to note that in their investigation the survey teams were constrained by certain criteria to protect the safety of the workers and to respect private property. The surveyors traveled only on public roadways. They were not permitted to enter the properties where illegal dumping was identified or to physically disturb the dump sites to investigate the contents. In addition, they could not drive down private lanes or access roads that are often inviting to illegal dumpers. Therefore, it is safe to assume that the number of sites located in the County is merely representative of a problem with a much larger scope.

Studies and surveys show that the mere existence of dumpsites breeds more dumping. An interesting finding is that illegal dumpers view posted warning signs as an invitation to dispose in that area. Of the 59 sites which were identified in the County, three sites were posted. All of the posted sites were active dumping grounds. A significant amount of the waste catalogued consisted of bulky items such as tires, furniture, and appliances. Surveyors consistently found construction & demolition waste and regular household trash among the discarded items.

Unwillingness to pay for collection and disposal services is undeniably a significant reason people dump illegally. However, often a more compelling issue is simply the lack of reasonable and convenient disposal outlets. In communities where curbside collection of waste and recyclables is not mandatory, the incidents of illegal disposal activity increase. The abuse is even more noticeable when such services are unavailable at all. This is also true where normal household waste is collected, but bulk waste and white goods are not.

Figure 2-5 shows the location of the Warren County sites in relationship to population density. Because comprehensive surveillance of the entire land area of the County was not possible for this study, it is suspected that the findings are representative of an even greater problem.

Figure 2-5 Illegal Dump Sites Identified in Warren County 2009



2.2.2.1.1 **Cost of Remediation**

Groups like Keep Pennsylvania Beautiful periodically organize local volunteers to remediate illegal dumping areas. Because volunteer clean-ups draw positive public attention, often overlooked is the reality that local municipalities bear the ongoing cost for cleaning up illegal dumpsites. Public works or road crews are often dispatched at significant taxpayer's expense to remove and dispose of abandoned waste. Keep Pennsylvania Beautiful has catalogued the costs of its own clean-up efforts. In addition, it has surveyed counties and municipalities to determine the average cost per ton for such efforts. Based on their findings, the cost of collection/transportation and disposal along with the value of the labor and materials is approximately \$700 per ton. For municipalities that do not include the value of other projects that should be addressed by public works crews that instead must deal with this problem.

2.2.2.1.2 **Laws and Enforcement**

Local magistrates can have a huge influence on reducing the occurrences of illegal dumping. It is essential for these officials to have a greater understanding and appreciation for the severity of the offense in relationship to the costs of clean-ups and the impact on public health and safety.

In areas where violators perceive there is a low risk of discovery and prosecution illegal dumping occurs more frequently and more openly. In areas where enforcement is weak or non-existent, the fear factor has little or no impact on those seeking to abandon their unwanted materials on the others' property. However, when done in conjunction with public acknowledgement of offenders, studies show that strong, consistent enforcement and prosecution for illegal dumping is an effective deterrent. Neither can be accomplished without all the proper mechanisms in place.

Figure 2-6 shows materials commonly found at illegal dumpsites. Figure 2-7 lists the contributing factors to illegal dumping.

Figure 2-6 Materials found in Illegal Dump Sites

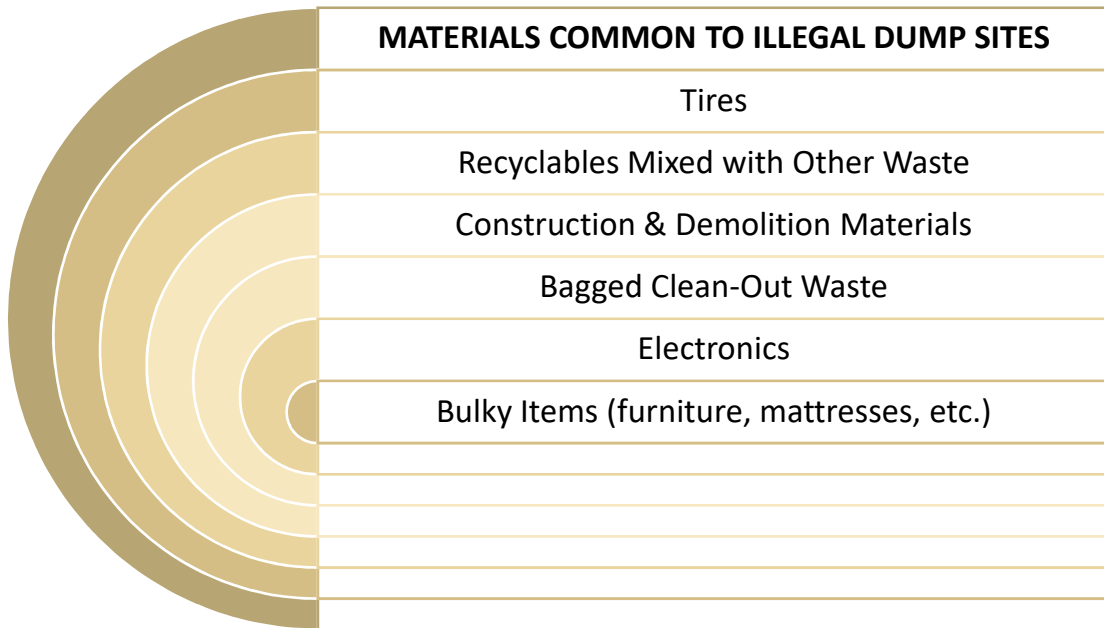
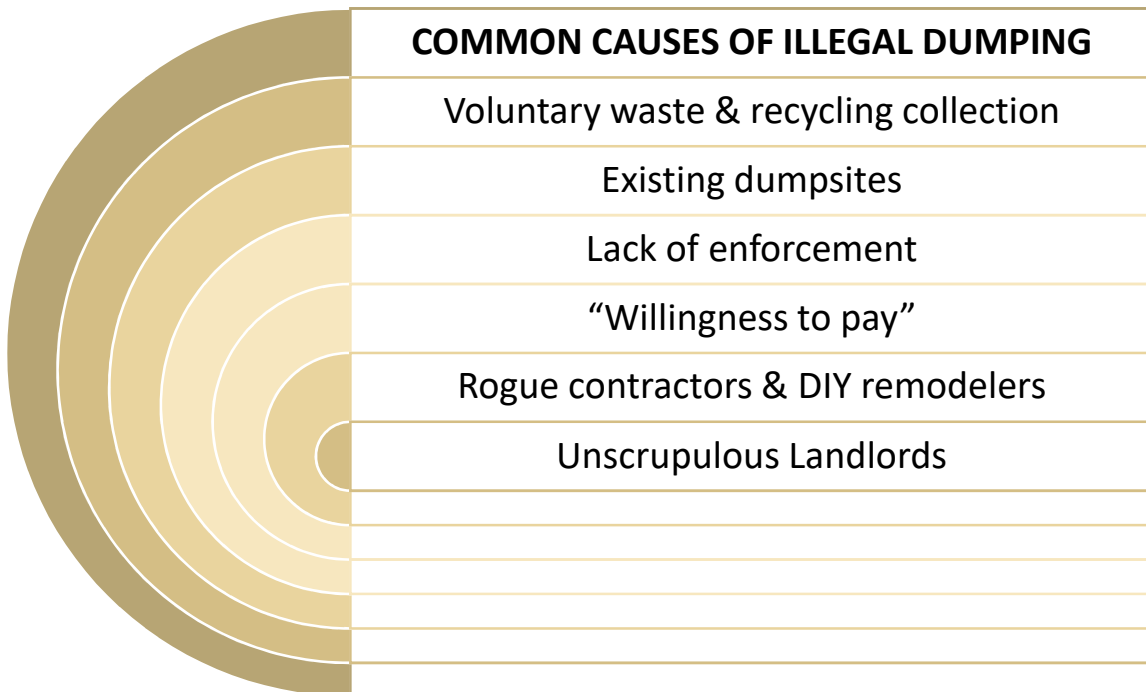


Figure 2-7 Causes of Illegal Dumping



2.2.2.1.3 **Open Burning**

The public in general has little to no awareness of the dangers of open burning. Yet open burning of municipal waste poses a significant health hazard. People burn for a variety of reasons, the motivations and behaviors associated with the burning of waste are relatively consistent, regardless of region. Convenience, habit, and the avoided cost of trash collection rank high on a list of factors that continue to foster the practice. In areas like Western Pennsylvania, with seasonal changes, the burning of leaves is a cultural institution. This makes burning bans commonly contentious issues although burning brush and unattended burn barrels can cause accidental fires, thus posing an immediate as well as a long-term danger to the public health and welfare.

Smoke from any fire can affect the health of a community. The smoke from backyard burning is released close to the ground where people can easily breathe it. Smoke can trigger asthma attacks. People with heart and lung conditions are vulnerable, as are those with other chronic health problems. The increasing volume of plastics and other synthetics in the waste stream release dangerous carcinogenic emissions when combusted. In fact, the toxic emissions released from open burning of trash exceed those for large scale commercial municipal waste incinerators where proper containment and filters are installed.

Many residents support the adoption and enforcement of burning ordinances, although vocal minorities can make the process more difficult. Some communities kick off the implementation of the ordinance with buy-back programs for the barrels. Enacting ordinances requiring mandatory waste collection could effectively eliminate the practice.

2.2.2.1.4 **Littering**

In surveys, most respondents tend to claim that they find littering unacceptable. Most people recognize the implications of such behavior. Yet, even the most sincere and devoted conservationist has, at a minimum, been tempted to toss a gum wrapper to the ground. For an individual that would never consider dumping garbage over the hillside, these seemingly tiny littering indiscretions often don't equate to the same level of offense. However, the cumulative toll on the environment is just as devastating.

Both motorists and pedestrians litter. The behavior is not necessarily limited by age or gender. However at least one study indicates littering is more predictable in some demographic sectors than others. The American State Litter Scorecard: A Sociopolitical Inquiry into Littering and The Response Role of 50 American States claims that men, youth, rural dwellers, and single persons litter more than women, seniors, urbanites, and married persons. The differences here suggest that those in a traditional caretaker or partnership role, which in and of itself demands respect for others, may be more inclined to show concern for the local environment. Other prime sources of litter include

picnickers, hunters, anglers, campers, motorists, truck drivers and construction workers. This group would support a theory that litterers tend to be transient, have less concern for their temporary location, and simply use the most convenient method of disposal regardless of its impact.

Littering can result from limited availability of waste and recycling receptacles in public places. An intergovernmental anti-litter campaign coupled with targeted distribution of convenient disposal containers could help alleviate the issue.

2.2.3 Assessment of and Recommendations for the Disposal System

Overall, the infrastructure necessary to handle basic municipal solid waste collection and disposal is in place in Warren County. At issue are homes and businesses that avoid utilizing these services to properly handle the waste that they generate. The voluntary nature of most municipal collection programs appears to have fallen short in motivating desirable behaviors. Despite an adequate network for collection, transportation, and disposal, some citizens of Warren County remain reluctant to utilize (i.e. pay for) these services. Strong evidence presented during the planning process demonstrated that irresponsible disposal habits persist in many areas of the County. Key indicators such as ongoing contamination issues at recycling drop-off sites and the identification of numerous active illegal dump sites, confirm the wide spread nature of the problem.

The purpose of a municipal solid waste management plan is to assess the strengths and weaknesses in the system and to follow up with recommendations that include actions needed by the County, the municipalities, the waste and recycling industry, residents, and businesses. Additionally, a plan must provide accountability measures and the mechanisms to ensure the rules and regulations can be enforced. The Solid Waste Advisory Committee examined historical data and physical evidence of municipal waste programs and activities in Warren County. They also shared their personal insight as stakeholders in the system. The review of current waste management trends identified several areas for improvement

The most significant objective at the municipal level is to emphasize that homes must utilize regular waste collection services. Entering into municipal contracts for waste and recycling services is a vital tool in attaining these goals. Municipalities should also revisit local ordinances governing property maintenance, zoning, solid waste, and open burning to ensure their requirements are consistent, they clearly require waste collection services, and that deterrents to non-compliance are substantial.

The responsibility for collection and transportation of municipal waste is traditionally delegated to the local government in borough, township, and city codes. The County, however, can help to facilitate and coordinate the process and encourage

intergovernmental cooperation through organized efforts established by the recommendations in the Plan. In addition, the County should support the need for revisions to local ordinances through development of an updated educational campaign on the benefits of proper waste collection and disposal. Such a campaign could include model ordinances to assist municipalities in making the necessary improvements.

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

Chapter Three

3 County Responsibilities to Provide for Disposal Needs

The disposal trends of Warren County as presented in Chapter 2 show a relatively consistent amount of municipal solid waste disposed in the decade from 2005-2015. The quantities were obtained from a review of the Municipal Waste Landfill and Resource Recovery Quarterly Operations and Recycling Fee Report submitted to PADEP. In addition, the quantities of waste disposed in out of state facilities were obtained from reports sent directly to Warren County. The review included those landfills that reported Warren County as the source of one or more categories of waste disposed at the facilities during that period.

Projecting future disposal needs for Warren County is the next step in the planning process. Estimates are based on the County's disposal trends established from the historic data, possible future changes in the rate of municipal solid waste generated per capita, and projected changes in population.

Under the provisions of the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101), the primary concern for counties is to secure sufficient capacity to manage the future projected quantities of waste. Counties must demonstrate that they have met this requirement as part of the process to review and update existing municipal solid waste management plans. Pennsylvania counties may pursue other endeavors, such as recycling and composting, however, those activities are considered secondary and strictly voluntary under the current law.

This chapter presents Warren County's decision and justification to solicit for added capacity and includes a discussion of the anticipated municipal waste generation and disposal requirement the County through the next decade. Market conditions and outside influences, which could impact the County's access to available permitted capacity, are also included in the narratives

3.1 EXISTING DISPOSAL CAPACITY

In addition to the quarterly disposal and fee data, disposal facilities are required to submit an Annual Operations Report. An important part of this report requires each facility to calculate its "remaining available capacity." This determines the unfilled volume of space measured in cubic yards that is available for disposal in the permitted area of the landfill. The reported capacity does not include the potential for additional

space, which may become available through permit approvals or expansions of areas of the landfill property that are currently not covered in the operating permit.

3.1.1 Market Conditions and Demands on Available Capacity

Future demand on disposal capacity from municipal waste is anticipated to be less than it was projected to be 25 years ago. Municipal waste disposal demands from 1960 thru 1990 grew at an unprecedented rate. The rate at which waste was generated across the nation escalated faster than the rate of population growth during the same period. Current reports show the direction of those rates to have slowed and in fact are reversed.

In 2017, recycling programs across the nation, succeeded in removing an average of 35 percent of the post-consumer waste generated from the landfill. That rate has remained stagnant for at least a decade. Disposal is lesser because of another phenomenon. On a per capita basis, not only do we dispose of less waste, each of us generates less, as well. In areas like Western Pennsylvania and Warren County where population is also declining, lower per capita generation and disposal rates have a greater impact on the projected consumption of remaining available disposal capacity at local landfills.

Obviously, regulatory influences and consumer behavior contributed to reduced quantities of waste reaching our landfills. The most significant changes in waste generation and disposal, however, stem from corporate policies. Businesses and industries are more cognizant of the impact of waste minimization and source reduction practices on their bottom line. Products are produced with lighter materials, fewer non-functional ornamental parts and less packaging. Consequently, there is less waste per purchase and what is discarded weighs less. A perfect example is the replacement of glass food and beverage containers with plastic. More units may be sold in 2017 than in 1988, however, the total weight of the larger number of plastic units are much less than the earlier lower number of glass units.

Across the state, PADEP annual facility reports confirm a clear downward trend in tons received for many, if not all, of the landfills in the Commonwealth. While local decreases in waste generation affect the quantities disposed, other market conditions have a more profound effect. Landfills utilized for the disposal of Warren County municipal waste, in some cases, were designed and thus reliant on waste from out-of-state sources. Because of escalating fuel costs, competitive disposal rates in other states, and increasing regulatory fees, Pennsylvania landfills are no longer the primary disposal



A number of uncertainties are always present in the waste industry.

Market conditions can shift abruptly and without notice alter the consumption of air space, and its availability to Warren County.

destinations for this material. In some instances, the decrease in tonnage has been dramatic. Local waste generation and disposal in the rural counties, where most landfills are located, simply cannot fill the void.

These conditions would suggest that the landfills which service the disposal needs of Warren County should have no lack of current or future disposal capacity. While that is true currently, time shows us that market conditions can shift abruptly and without notice. Uncertainties are always present in the waste industry. A transition in ownership at one or more of the landfills could alter the utilization of the air space, and thus, its availability to Warren County. This could be significant if the new owner catered to the needs of the oil and gas industry in the Marcellus Shale

Gas Formation or was able to recapture waste from out-of-state generators. Increases in permitted volumes due to windfall contracts, catastrophic events, economic conditions, or company policies can also have an impact.

Therefore, aside from the regulatory requirements of Act 101, it is prudent for the County to have sufficient capacity assurances in place, as a safeguard for its future needs. If the County and municipalities are successful in capturing the municipal waste from Warren County not currently collected and transported to proper disposal facilities, more capacity may be required than the currently reported tonnage would indicate.

3.1.2 Future Disposal Capacity Needs

The USEPA reports on national municipal solid waste generation and disposal rates. In recent years, the generation rate per capita has been about 0.85 tons/person/year. Thus, for projection purposes, the Plan assumes that per capita generation rates will remain unchanged.

However, it should be noted that the reported disposal rate of municipal waste, was only 0.45 tons/person/year, slightly below the national discard rate of 0.525 tons/person/year for the same material. USEPA does not include sewage sludge,

construction & demolition waste, or medical waste in its national statistics. Those materials accounted for another 0.04 tons/person/year for Warren County. Thus, it is presumed that some quantities of Warren County waste may be misreported as coming from other counties. For instance, Clarion County has a transfer station which likely accepts Warren County waste.

Table 3-1 presents projected disposal capacity requirements for the years 2016 through 2027. The figures are based on a constant per capita disposal rate with adjustments due to projected population changes. For Warren County, the population is based on the 2010 census figures and extrapolated out using the PA Data Center’s projections from 2010 to 2030, adjusted for estimates published in 2015 showing the population at 40,396, lower than previously anticipated.

Table 3-1 Warren County Projections of Municipal Waste (tons per year)

	Population	Municipal	Sewage Sludge	Construction & Demolition	Regulated Medical Waste	TOTAL
2016	40,125	29,693	1,332	1,376	9.63	32,401
2017	39,856	29,493	1,323	1,367	9.57	32,184
2018	39,588	29,295	1,314	1,358	9.50	31,967
2019	39,322	29,098	1,305	1,349	9.44	31,753
2020	39,058	28,903	1,297	1,340	9.37	31,539
2021	38,796	28,709	1,288	1,331	9.31	31,328
2022	38,536	28,517	1,279	1,322	9.25	31,118
2023	38,277	28,325	1,271	1,313	9.19	30,909
2024	38,020	28,135	1,262	1,304	9.12	30,701
2025	38,765	28,686	1,287	1,330	9.30	31,303
2026	38,202	28,269	1,268	1,310	9.17	30,848
2027	37,842	28,003	1,256	1,298	9.08	30,557

3.1.3 Solicitation For Disposal and Processing Capacity

To demonstrate they have provided for their jurisdictions’ future municipal waste disposal needs, counties pursue a portion of the “remaining available capacity” calculated in the Annual Operations Report. The process to secure disposal capacity typically occurs in ten-year intervals. Warren County has traditionally attained capacity assurances through a contractual process. Warren’s disposal capacity agreements reserved a predetermined portion of the daily and/or annual volume allowed to be

accepted for disposal at a facility. The current agreements were negotiated starting in 2005 and are set to expire during the planning process.

The PADEP was notified of the County’s intent to solicit proposals from interested disposal and processing facilities. A formal request was posted in the Pennsylvania Bulletin and was advertised in the June 14 through June 17 issues of Waste 360 Newswire, a national industry trade journal. A copy of the published notification is provided in Appendix B.

Results of the solicitation process are provided in Chapter 6.

3.1.4 Control and Direction of Municipal Waste for Disposal

Flow control of the waste commodity is a power offered to local jurisdictions. A series of federal and state court rulings have consistently supported this authority, when implemented under specific circumstances. Where flow control is implemented, governmental laws or policies require or encourage waste materials to be disposed at designated disposal facilities (landfills, transfer stations, or incinerators). Its proponents see it as an effective tool to ensure proper management and funding of their overall solid waste programs. Opponents claim it artificially inflates costs and interferes with free trade and interstate commerce. Thus, it remains a contentious topic and the source of numerous litigations.



Contractual arrangements for disposal capacity, which direct the flow of waste to designated third party facilities, must be secured through a fair open and competitive procurement process.

There are a variety of scenarios included under the umbrella definition of flow control. Public investment in a facility has been a proven and effective tool to ensure proper

municipal waste management and guarantee funding of related solid waste and recycling programs. Therefore, when the government entity has assumed full responsibility for waste management and has a vested interest (ownership and/or operation) in a landfill, transfer station, and/or waste-to-energy facility, the courts have supported policy mandates, which direct all of the waste to the public facility.

Other forms of flow control are also allowable for jurisdictions like Warren County, which have no direct or indirect stake in an operating facility. By obtaining contractual arrangements for disposal capacity through a fair open and competitive procurement process, the laws allow Warren County to flow control to designated third party facilities, public or private sector. Warren County allows municipal solid waste to be disposed at

one or more of the designated facilities with which it has obtained contracts. This type of flow control scenario is often called a “menu plan.”



“The Economic Contribution of Recycling in Pennsylvania” (Sample Findings)

- The Pennsylvania Recycling Markets Center



Employment

- In 2015, Pennsylvania's Recycling Marketplace directly employed over 66,000 people, while stimulating almost 110,000 indirect and induced jobs.



Gross Sales Preoduct

- In 2015, the Recycling Marketplace contributed \$22.6 billion to Pennsylvania's gross state product.



Government Revenues

- Pennsylvania's Recycling Marketplace generated \$1.7 billion in state and local taxes and \$2.7 billion in federal taxes in 2015.



Wages

- The average labor income per direct job within Pennsylvania's Recycling Marketplace was almost \$73,000 in 2015.

Chapter 4

4 Recycling Opportunities in Warren County

Rural recycling programs face challenges not found in more urban areas. By nature, rural communities tend to possess characteristics that can be unfavorable to a recycling and processing system. These include low population density, an undeveloped collection infrastructure, poor proximity to material market areas, and lower waste generation rates. Each can present a major hurdle for rural recyclers. When combined, these traits cause programs to continually struggle financially, since adequate material volumes and logistics are the primary cost factors. To complicate things further, weak enforcement of illegal dumping and higher tolerance for open burning are disincentives to increasing the number of resident paid subscriptions necessary to cost effectively expand a curbside collection system. A lower tax base makes it equally difficult to subsidize centralized drop-off collection programs. Despite these challenges, Warren County residents and businesses wishing to recycle have access to outlets that accept these materials. Unfortunately, convenience and level of services differ dramatically from one community to another.

This chapter describes Warren County's collective achievements in recycling. It credits all public and private sector parties fostering the advancement of the County's recycling and waste minimization goals and objectives. The chapter features current performance of the recycling activities and includes a discussion of the program's strengths and weaknesses plus any influencing circumstances. Areas for improvements and initial solutions are offered, as well.

4.1 BENEFICIAL EFFECTS OF RECYCLING

The recovery of materials from our homes, businesses, and factories is vastly important. By reducing further extraction of raw materials, recycling plays a vital role in reducing energy consumption, conserving natural resources, preventing pollution, and reversing climate change. The recycling commodities trade creates jobs and reduces the manufacturing costs. Recognition of how recycling benefits our economy and our environment makes it easier to understand why we should participate in this activity.

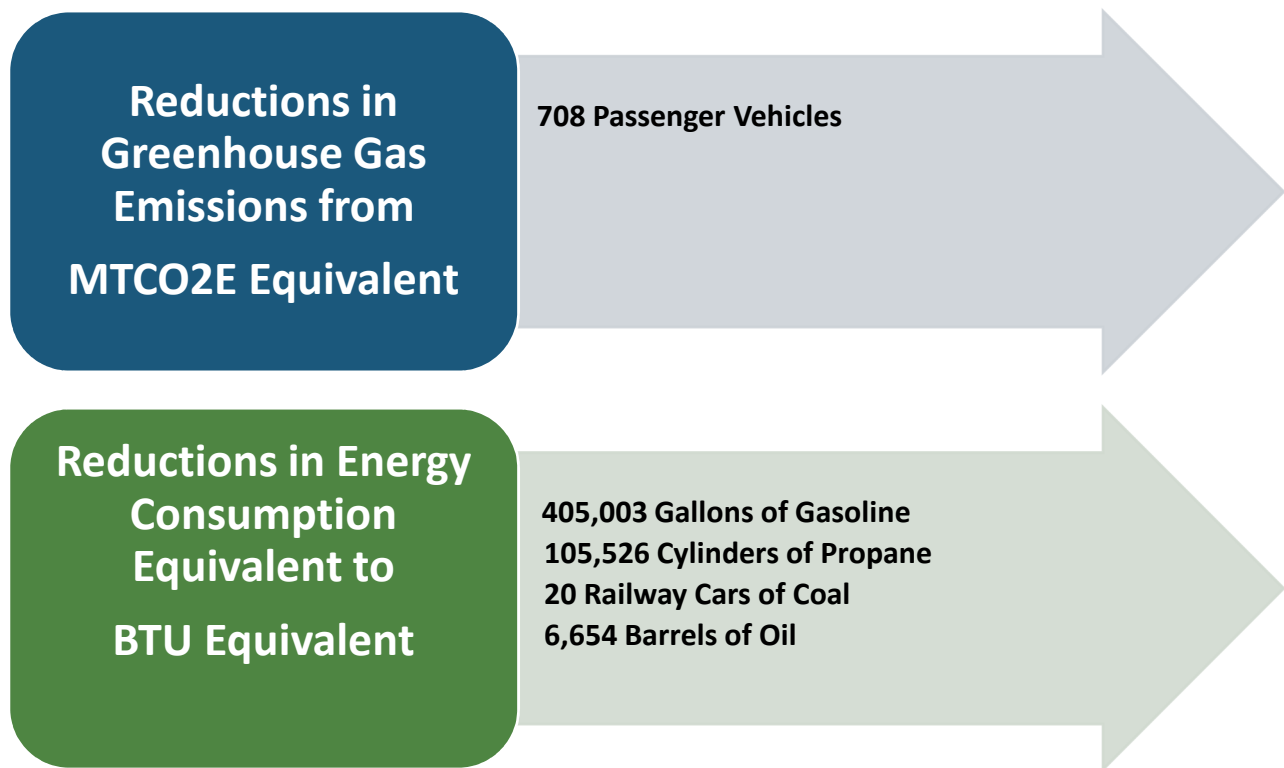
4.1.1 Environmental Impact

Until recently, it has been difficult to measure and quantify the environmental effects of recycling. Because the reward of these benefits is not immediate and direct to the recycler, the gains are often overlooked.

The Waste Reduction Model (WARM) is a tool created by the USEPA. WARM can be used to assess and compare the greenhouse gas (GHG) emissions and energy consumption of a variety of waste management practices. The model calculates emissions in metric tons of carbon dioxide equivalent (MTCO₂E), and energy units (million BTU) based on material types commonly found in municipal solid waste.

Figure 4-1 shows the environmental benefits of recycling using the WARM model based on materials reported by collection programs in Warren County.

Figure 4-1 Environmental Impact of Warren County Recycling Efforts



4.1.2 Economic Impact

The Pennsylvania Recycling Markets Center released a report in June 2017 which demonstrates recycling's contribution to Pennsylvania's economy. More than 60,000 jobs are directly related to recycling industries. Many others are employed by companies who benefit indirectly by supplying goods and services to the primary material handlers, processors, and manufacturers. Western Pennsylvania is host to a variety of these re-use and re-manufacturing ventures. These include, but are not

limited to, facilities that incorporate recycled glass, plastics, fiber and fiberboard, and metals as feedstock in their manufacturing process. The recycled materials are used to create new packaging, insulation, pallets, crates, flooring, and other products. In addition, the savings from replacing virgin materials with recycled feedstock helps these businesses to remain competitive in the marketplace and sustain employment.

In addition to manufacturing jobs, the regional economy benefits from employers invested in the supply chain that supports those manufacturers. Millions of dollars in private sector investments have supported



Millions of dollars in private and public sector investments have supported the growth of the recycling infrastructure in Warren County.

the growth of the recycling infrastructure in Warren County. Collecting and processing the materials placed at the curb or at drop-off sites requires expensive equipment, physical labor, heavy fuel consumption, and professional administration. In rural areas where lower volumes of materials are generated and collected, justifying the cost to construct and operate a processing facility is difficult. In these instances, it makes sense for recycling commodities to cross county or state lines. The local economy still benefits drivers, who live and spend in the local area, and are dependent on transporting those materials for an income.

The public sector contributes grants, and local tax dollars to support education programs, provide receptacles for recyclables, and purchase collection and processing equipment. These monies also pay staff salaries to provide technical assistance, customer service, reporting and regulatory compliance.

Of course, user fees represent a direct method of sustaining many of the varied collection services.

4.2 REGULATORY OBLIGATIONS FOR RECYCLING IN PENNSYLVANIA

The Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101), emphasizes the need for counties to develop proper waste management policies and practices along with legal mechanisms to support implementation. In addition, counties must provide for sufficient disposal capacity for the municipal solid waste generated within their boundaries. Conversely, mandates and responsibilities for recycling are placed squarely on those municipalities with specific populations and/or population densities. This section discusses basic regulatory requirements for municipalities that meet the criteria of Act 101.

4.2.1 Act 101 Mandates for Municipal Programs

Act 101 places unique mandates upon municipalities with populations of 10,000 or more, and those with populations of 5,000 or more with a population density of greater than 300 people per square mile. The City of Warren is the sole municipality in Warren County meeting the Act 101 criteria.

The Act establishes requirements for certain services and standards for collection frequency. Under the Act, the City of Warren must implement mandatory residential curbside collection programs for recyclables and leaf waste. The City must also have mechanisms to ensure that commercial, institutional, and government establishments recycle and manage leaf waste accordingly. In addition to the original requirements of Act 101, mandated communities are subject to amendments to the law which resulted from the enactment of Act 140 of 2006.

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

Figure 4-2 outlines the responsibilities of the municipalities mandated by Act 101.

Figure 4-2 Act 101 Minimum Requirements for Mandated Municipalities

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

4.3 WARREN COUNTY RESIDENTIAL RECYCLING PROGRAMS

Act 101 regulatory mandates for recycling in Warren County apply only to the City of Warren. All other Warren County municipalities that offer recycling services do so voluntarily. For the most part, grassroots interest, and local leadership are responsible for the existing collection points for recyclable materials in Warren County. Consequently, availability and convenience vary widely from municipality to municipality. Following in this section is a brief description of the recycling activities reported in 2010, the common baseline year upon which all statistics in the Plan were available and can be compared for analyses.

4.3.1 Curbside Collection Programs

To comply with Act 101 mandates, the City of Warren uses a competitive bidding process, engages a private service contractor to provide curbside recycling to residential housing with up to four attached units within the City limits. Participation by residents is mandatory; however the percentage of homes that comply is unknown. Residents subscribe to waste collection services with the hauler of their choice.

The Borough of Youngsville collects waste and recyclables at the curb using its own equipment and public employees. The Borough's recycling program is not mandated by Act 101. Local ordinances however, do require participation in the program (i.e. payment for services) by residents and businesses.

Quality of Material Matters



Transporting and processing materials that contaminate recyclables is costlier than if the unacceptable items were simply disposed at the start.

In both programs, recyclables are collected in what is commonly called a single stream system. In which all recyclables are placed together in one single container. Residents must recycle glass, aluminum, bi-metal, and plastic food and beverage containers, high grade office paper, and newsprint. In single stream systems, recyclable materials can be more vulnerable to contamination.

Since the Borough is the exclusive provider of services, monitoring participation is somewhat easier than in a multi-hauler subscription system. In the City of Warren, where the recycling service provider is paid from the tax base, but residents are free to choose and pay any waste hauler for collection, greater opportunities exist to abuse the system. Residents tempted to forego the added cost for waste collection can easily misuse the curbside recycling

program by intentionally mixing waste items in with the materials that could be recycled.

Transporting and processing contaminated materials are costlier than if the unacceptable items were simply disposed at the start. Service providers increase their rates in areas where materials are known to be of poor quality. To reduce contamination and potentially lower the cost of its program, the City should take precautions to prevent residents from overriding the system. At a minimum, the City should consider a joint bid for recycling and waste collection. To minimize its financial risk, the City could have the contractor bill households directly.

Youngsville Borough pays for both disposal and for material processing. It should have an even greater vested interest in the quality of the material collected for recycling. If the Borough is paying a processing fee, with no compensation for the value of the materials,

contamination could eventually escalate the cost of recycling enough that it exceeds disposal. Continual education, monitoring of recycling bins and reinforcement are all important to prevent this scenario.



A number of municipalities partner with the County to voluntarily offer a recycling drop-off collection program.

4.3.2 Voluntary Drop-off Recycling Programs

A number of municipalities partner with the County to voluntarily offer a recycling collection program. Unlike the City of Warren and the Borough of Youngsville these municipalities currently do not collect recyclables at the curb. Instead, residents are offered a centralized collection point where they can drop-off the materials to be recycled. Each municipality in the County program pays for half of the cost of collection and processing, maintains the physical sites, and is responsible for the cost of removing unwanted debris and contamination. A private contractor selected through a competitive bidding process services the sites.

The conditions and concerns for material quality at these drop-off sites are similar to those of the City of Warren. With predominantly voluntary waste collection throughout the County and because the sites are unmanned, contamination can be a serious issue. The composition of the materials at some of the drop-off sites suggests certain residents view the program as a convenient solution to avoid paying for conventional

waste collection service. In several instances, the level of contamination is significant and frequent enough to lead local officials to consider permanent closure of their site. Unfortunately, those who avoid paying for waste collection affect the cost of services for others. Due to the fixed costs of operating a collection route, where fewer rural residents subscribe to a waste service the cost per home is greater than where all homes participate. Low route density makes adding curbside recycling collection cost prohibitive. By avoiding proper waste collection services and misusing the drop-off locations, the actions of some residents and visitors can cause the elimination of the only other recycling alternative available.

Figure 4- 3 shows the municipalities that currently host sites in the County’s program.

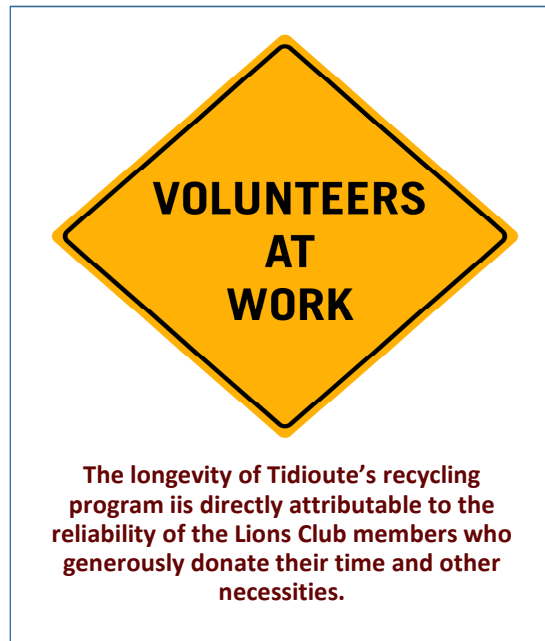
Figure 4-3 Countywide municipal recycling drop-off collection sites



4.3.3 Programs Operated by Non-Profit Organizations

One recycling program is operated by a local civic organization. In Tidioute Borough, the local Lions Club launched the program and continues to sustain it largely through the volunteer efforts of their members, who provide free labor and other resources. The organization sorts and prepares materials for market where the resale value provides revenue to help defray the operating costs.

Labor, collection, and transport represent the most significant expenses for recycling programs. It is important to note this success story is directly attributable to the reliability of the Lions Club members who generously donate their time and other necessities. This includes driving materials to market in their own vehicles when necessary. Although the program benefits from the resale value of the materials processed, it isn't enough to support a normal paid workforce or added operating expenses.



The longevity of Tidioute's recycling program is rare for a system fully dependent on volunteers whose interests can wane over time. It is an admirable program, and one that is applauded. What happens in Tidioute, however, cannot be readily replicated with similar results. Other organizations attempting this type of system would be wise to start slowly and remain small for an extended period to determine if the local volunteer workforce is committed, steadfast, and consistent in their work effort. The same precaution would apply when "forced labor" for community service is to be utilized.

There are other equally important factors, which contribute to the performance of Tidioute's recycling collection program. The value of residents and local businesses taking their materials directly to the recycling center cannot be reinforced enough. This scenario eliminates the funds necessary to support the costlier alternative of transporting materials from remote drop-off collection sites.

Tidioute Borough contracts with a service provider for waste collection through a competitive bidding process. The Tidioute contract offers variable rates to incentivize residents to generate lesser quantities of waste or opt to recycle more than they

dispose. Residents can choose to participate in the low volume program which limits disposal to two bags per week as opposed to the standard 10, bag limit. Pay-by-the-bag programs are effective in increasing the recovery of recyclable materials. Caution should be taken to ensure that such programs do not invite illegal dumping or abuse of the recycling collection program. Tidioute residents are required to participate (i.e. pay for services) via ordinance. The Borough collects payment through the water and sewer utility bills and can readily identify non-participating households. Violators face penalties.

4.4 COMMERCIAL RECYCLING

The Boroughs of Tidioute and Youngsville and the City of Warren are the only municipalities that report recycling activity by commercial establishments. The County collects data in municipalities that do not report and consolidates it under a countywide total with no municipal source identified. Commercial sources include retail stores, restaurants, offices, schools, institutions, and government facilities. Due to Act 101 mandates, the City of Warren requires by ordinance commercial establishments to source separate recyclables from municipal waste. In the remaining municipalities, if commercial recycling occurs, it is on a voluntary basis. In all scenarios, commercial establishments that recycle provide for the collection and processing of the material with the service provider of their choice

The small number of municipalities that report commercial recycling activity is no surprise. The process of gathering and organizing data from local businesses is low on the priority list for municipal staffs that have added functions besides oversight of the recycling program. In non-mandated areas, where no ordinances exist to stipulate recycling and/or reporting requirements, businesses may have no incentive to submit this information. Therefore, it is suspected that more commercial recycling occurs than what has been reported.

There are challenges in motivating small businesses, schools, and rural locations to recycle. For these operations, recycling can be perceived as an added cost. Space constraints for outside recycling containers can be limited in urban settings. Although services are available in more remote locations of the County, due to the lack of route density, the costs are higher than in urban areas. When recycling is a voluntary option, the immediate costs may be considered prohibitive by some business owners. Ironically, if more businesses opted to recycle in a geographic area, prices would be lower.

A cost-effective way to encourage commercial recycling is to provide a centralized convenient drop-off collection site where both residents and businesses can deliver their source separated materials.

4.5 LEAF WASTE COLLECTION

Public works crews in the Borough of Youngsville and the City of Warren provide seasonal leaf waste collection to residential housing units. The City also operates a compost site where residents may drop-off leaves, brush, and other forms of yard waste, other than grass clippings, throughout the year.

4.6 HARD TO MANAGE MATERIALS

Even in areas where curbside collection is available, certain materials in the municipal waste stream require special processing or handling. To facilitate proper management of these items, Warren County periodically sponsors collection events. Other agencies and organizations have hosted similar events. If number of participants in each event is any indication, the public responded to the program favorably. Following is a description of the types of materials that are typically accepted and the benefits of conducting these programs.

4.6.1 Household Hazardous Waste

Most homeowners are unaware that many products which they use on a regular basis pose a danger to the environment if discarded improperly. In fact, these same products would be categorized as hazardous materials if found in an industrial setting. Because they are generated in a residential context, they are classified as Household Hazardous Waste (HHW). Cleaning agents, pool chemicals, paints, herbicides, and pesticides are all considered HHW. Many of these materials may be ignitable and/or poisonous, and therefore, a serious health and safety hazard in homes especially to children and the elderly. They also pose threats to the community in general.

The Pennsylvania Department of Environmental Protection estimates that each person in Pennsylvania generates an average of four pounds of Household Hazardous Waste (HHW) each year. With an estimated population of 40,396 Warren County could expect to produce approximately 81 tons of HHW per year.

Individuals faced with eventual removal of these accumulated quantities often encounter significant obstacles and associated costs.

Collection events are typically held every other year. Often the need to dispose of HHW is immediate; therefore the County maintains information on other regional commercial outlets that can accept these materials



Cleaning agents, pool chemicals, paints, herbicides, and pesticides are all considered HHW.

4.6.2 . Discarded Electronics

Electronic devices all become disposable commodities within extremely short time spans. Current trends show that items such as televisions, computers, and monitors are replaced by newer, better models every few years. For smaller devices like cell phones, digital cameras, etc., this happens as soon as every few months. This planned obsolescence has created a new problem in what to do with the old devices. Lead and other toxic materials are common elements in much of the equipment. Mercury from electronics has been cited as a leading source of mercury in municipal waste. In addition, brominated flame-retardants are commonly added to plastics used in

electronics. Therefore, when discarded electronic equipment is disposed, it can pose environmental hazards.

4.6.2.1 Covered Device Recycling Act

Pennsylvania legislators adopted the Covered Device Recovery Act (Act 108 of 2010 or CDRA) as a first step in addressing the growing problem of electronic waste. This piece of legislation provides for extended producer responsibility for discarded electronics, including computers and televisions. The Act establishes a fund to pay for the administration of the program supported by the electronic manufacturers' registration fees. In addition, manufacturers are responsible for covering the cost of covered devices collected under programs which they implement to meet weight-based quotas.

Early implementation of CDRA has been problematic. This is particularly true in rural areas where retailers or processors, which accept the CDRA items directly from consumers on behalf of manufacturers, are few or may not exist. To complicate the issue, beginning in 2013, CDRA also banned the covered devices from disposal. Without legitimate outlets, illegal dumping increased.

Urban areas of the Commonwealth are not exempt from problems. CDRA's quotas are established in part by a manufacturer's current market share. Current sales represent lighter weight devices than were sold twenty years ago and are just now being discarded. Consequently, manufacturers meet their quotas, and thus their obligation to pay for collected devices, yet the flow of units being discarded continues. To manage the discarded devices customers are forced to pay a recycler or local government's foot the bill to avoid the issues associated with illegal dumping.

Over the last decade, Pennsylvania counties and municipalities have been offering computer and electronics collections as part of HHW collections or separate special events. In addition, electronic refurbishers, dismantlers, and processors have emerged that accept computers and other electronics for recycling. The collection events and the process of recycling materials in a volatile market are costly. The intent of an extended producer responsibility law is to remove the burden of these costs from consumers and local government. To date, CDRA has failed to meet that expectation. Unless circumstances change, or new legislation is passed, counties and municipalities will still need to play a role in the collection of discarded electronics.

4.7 EFFECTIVENESS OF THE RECYCLING PROGRAMS

Unlike municipalities, counties are excluded from the requirements to implement residential and commercial recycling programs. Nevertheless, the counties still have to facilitate the overall growth of recycling and to provide technical support where improvements are needed. A combination of the municipal collection systems, the countywide drop-off network, the non-profit recycling center, and the commercial recycling efforts are factored into the overall results. Each ultimately affects the ability of the County as a whole to attain the state's recycling goals. To understand how they perform individually and collectively is a way to determine where the true strengths and weakness lie.

A good place to begin evaluating recycling program is to find the common denominators for comparison. Certain materials are commonly collected in residential and commercial recycling programs in Warren County, throughout Pennsylvania and across the United States. These are represented in the core Act 101 materials: glass, metal and plastic food and beverage containers, other plastics, newspapers and magazines, mixed papers, and corrugated cardboard.

A number of other materials were also recycled in Warren County; however, they do not reflect upon the effectiveness of residential and commercial programs. Many of those materials are included in special collection programs and events and are addressed separately in the evaluation.

Because they are collected universally, these materials provide sound measurement for benchmarking local performance and comparing it to national norms.

Therefore, for the purposes of analyzing and evaluating recycling performance in Warren County, unless otherwise noted specifically, only these Act 101 core materials will be assumed.

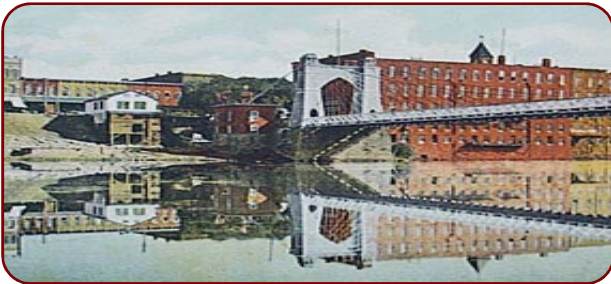
UNLIKE MUNICIPALITIES, COUNTIES ARE EXCLUDED FROM THE REQUIREMENTS TO IMPLEMENT RESIDENTIAL AND COMMERCIAL RECYCLING PROGRAMS.

4.7.1 Residential and Commercial Achievements

Due to the rural nature of Warren County and based on the findings of the 2005 PADEP Waste Composition Study, no more than approximately 46 percent of the total municipal waste generated in Warren County would be expected to originate from commercial sources. Therefore, 64 percent would be expected to be generated in residential settings. It would be easy to assume that the reported tons of materials

recovered for recycling would reflect those same proportions. However, there are many variables that could affect whether or not those assumptions would be accurate.

First, Warren County residential and commercial sources are not mandated to recycle in every municipality. In fact, they are not required to have waste collection in most municipalities. Therefore, while all sources generate waste, only some residential and commercial sources recycle. Each residence generates close to the same volume of waste per year on average and those that recycle also recover fairly similar amounts. Commercial establishments on the other hand differ in type, size, sales, and the nature of their operation. The amount of waste produced and recovered by each fluctuates greatly.



The City of Warren operates the sole Act 101 mandated curbside recycling collection program in Warren County.

- Twenty three percent of the County's population resides in the City, which collects about 65% of the residential recycling reported countywide.

For 2013, the base year used for data analysis in the Plan, Warren County reported a total of 2851.78 tons of Act 101 recycled materials, from residential and commercial sources, including yard and leaf waste. Materials recovered from residential recycling programs amounted to 63 percent of the reported total in 2013, or approximately 1806 tons. Commercial sources reported another 1,045 tons or 37 percent of the total. The commercial data may not be representative of actual recovery based on past reports.

The residential and commercial reported totals for the materials being evaluated in the years previous and subsequent to 2013 remain relatively consistent. There are, however, some

fluctuations in the 2013 data. Within the evaluated materials included only two are notable. For 2013, there is slightly less commercial cardboard reported and fewer white goods (major appliances). The decrease in reported cardboard is attributable to the retirement of the Recycling Coordinator who normally would secure the data for large chain stores that recycle the largest quantities of the material. It is not an indication that lesser amounts were recovered. For white goods, the data was either not recorded, or possibly municipal collections are not held every year, because this category varies annually. If the 2013 data is adjusted by 500 tons to resemble a five-year average,

Warren County's ratio of residential to commercial reported tons shifts to a slightly more balanced division of 54 percent residential compared to 46 percent commercial.

Twenty three percent of the County's population resides in the City of Warren, which operates the sole mandated curbside programs. Materials collected in in the City total 1178 tons and account for about 65 percent of the residential recycling reported countywide in 2013. The City also reported 1041 tons of commercial recycling. This is about 68 percent of all commercial recycling in the County, when a 500-ton adjustment is applied to the County's data for the five-year average.

The Borough of Tidioute, where a manned drop-off collection site operates, had no reported commercial recycling for 2013. Approximately 125 tons of residential recycling was reported, which is nearly 7 percent of the County's residential total. It is suspected that a small portion of Tidioute's residential data may contain material from commercial sources. Tidioute has less than 2 percent of the County's total population.

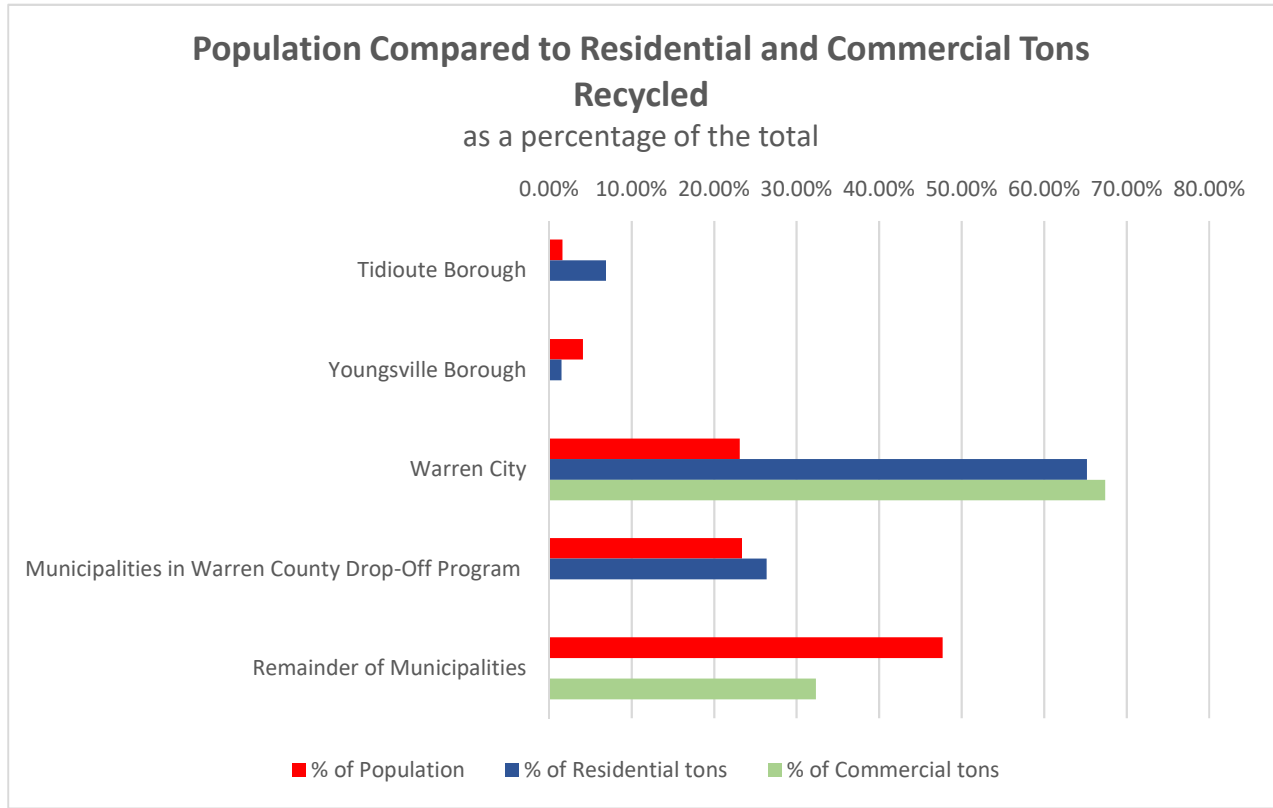
In the Borough of Youngsville, where a little more than 4 percent of Warren County's population resides public crews collected about 27 tons of residential recycling materials at the curb. That is about 1.5 percent of the County's total. No commercial recycling was reported.

An unmanned drop-off recycling collection program is sponsored by the County and six participating municipalities in which nearly 24 percent of the people in Warren County reside. The drop-off program collected about 26 percent of all residential tons reported for 2013. Reports contained no commercial tonnage.

Commercial recycling reported in 2013 was adjusted to meet the five-year average for the remaining municipalities in Warren County. Those municipalities represent almost 48 percent of the population and typically claim about 32 percent of the commercial recycling reported per year. These municipalities had no residential recycling activity to report.

Figure 4-4 illustrates by municipality, or groups of municipalities, the percentage of the County's population each represents. It also shows how each source of material in that community, or group of communities, contributes to the overall performance on a percentage basis.

Figure 4-4 Percentage of Municipal Recycling Reported by Source



4.7.2 Measurements for Benchmarking Success

Comparing similar metrics for each municipality that offers a recycling collection program is a step to determine trends in programs that may be succeeding and for ones that may need to be revised. Too often, the total tons collected are the only measure used to judge performance from one program to another. When total tons collected are used, municipalities with higher populations almost always appear to have programs that are more successful than those in municipalities with fewer residents. However, this can be a misconception. Identifying how many tons of material that could have been, but were not, recovered may be a better indicator of success.

This type of evaluation establishes a common denominator for all municipalities. A similar element in all communities might be occupied housing units or population. The measurement of performance would be the pounds recycled per occupied housing unit or per person. Municipalities with higher populations or more housing units are expected to generate more total tons and municipalities with fewer residents and housing units are expected to generate less. Those expectations are calculated on national trends that have established how much each home or each person typically

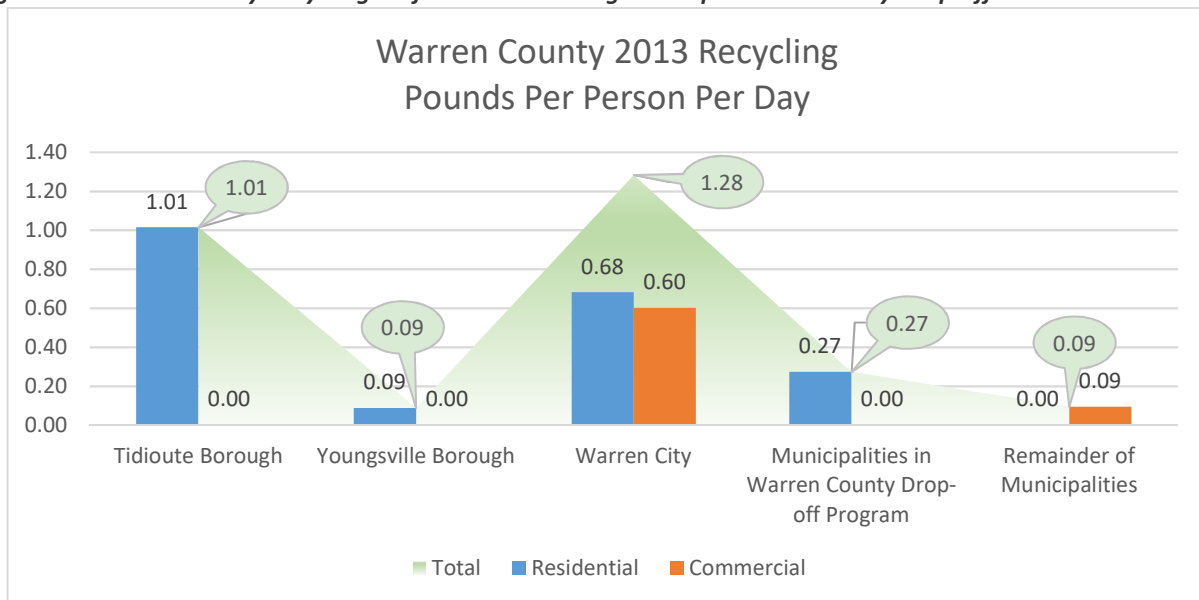
generates regardless of in which community they reside. The same logic can be used to determine trends and benchmarks for performance in Warren County.

To put this in perspective, assume that a total of 125 tons were recovered from a borough with 600 people and a total of 3500 tons were recovered from a city with 25,000 people. Although the city clearly collected more total tons of material, the borough collected a greater portion of the amount of material available for recovery from its residents. In other words, the borough collected 0.20 tons per person and the city collected only 0.14 tons per person. Therefore, the borough would be considered to have a more effective and successful program than the city.

To compare the performance of Warren County municipal programs, the actual tons collected were converted into a daily per unit measure based on all residents. In other words, the tons of recyclable materials reported were divided by the days in the year and the number of residents. The tons were converted into pounds. Therefore, for Warren County the common unit of measurement used is the number of pounds collected per person per day. For discussion purposes, this could also be referred to as pounds per person per week.

Figure 4-5 shows the recycling performance measured in pounds per person per day. The results of both drop-off and curbside programs are included. Residential and commercial results are shown individually by municipality or groups of municipalities. Along with the combined totals, reviewing the reported data in this fashion creates an equal standard for large and small communities. It provides an accurate and fair view of overall performance in each collection scenario.

Figure 4-5 Warren County Recycling Performance Showing Municipalities in County Drop-off

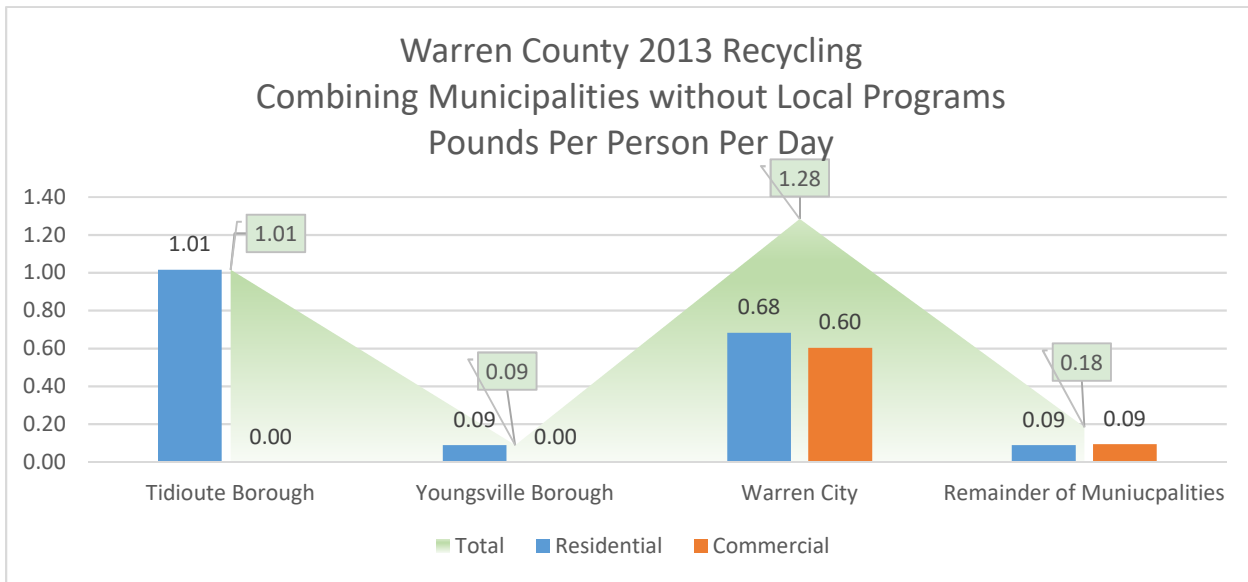


4.7.2.1 Alternative Comparison

Caution should apply when comparing the results of the County sponsored drop-off program to the others shown. The analysis uses only the population of the municipalities where the sites are located. It is safe to assume that residents who live to the sites are more likely to utilize them. It is equally reasonable to expect that residents from surrounding municipalities also share in using the drop-off service. Limiting the population to the municipalities that host the sites artificially inflates the performance of the drop-off collection program. A more realistic way to look at the County's overall performance is to use the total population of all municipalities except for the Boroughs of Tidioute and Youngsville, and the City of Warren, because they have legitimate access to local programs.

Figure 4-6 shows how the pounds per person per day changes when this assumption is used.

Figure 4-6 Warren County Recycling Performance Showing Municipalities without Local Programs



4.7.2.2 Anomalies in Program Results

It would be easy, but misleading to take all reported data at face value. Such is the case with the information reported in Warren County for 2013. Unexpected results were reported in the Boroughs of Tidioute and Youngsville. The findings and reasonable explanations for both are provided in the following narratives.

4.7.2.2.1 Borough of Tidioute

The Borough of Tidioute appears to outperform all other residential recycling programs in Warren County. This drop-off program is significantly different in its set-up and

operation than others in the County. The reported results could simply mean that residents in the Borough of Tidioute are more diligent about recycling than in other Warren County municipalities. Some evidence suggests the drop-off program in Tidioute may receive materials from small commercial establishments. However, what the reported data and the performance criteria are unable to show, but is more evident on a map, is the location of the Borough is situated on a main roadway convenient to municipalities in a four-county area. Taking the location into consideration along with the reported results, it is easy to see that residents beyond the Borough's boundaries contribute to its success. The recycling center reports significantly more materials recovered than would be generated from all residential and commercial sources in Tidioute based on a population of similar size. For instance, the recovery rate for glass and also plastics is nearly five times greater for each material than the normal recovery rate. Technically, one cannot recover more material than is produced. Therefore, the added recovered material has to come from outside sources. That could explain the high recovery rate per person per day. Whatever the reason, Tidioute's results should be applauded. In fact, it demonstrates that a manned centralized collection point can perform well.

4.7.2.2.2 Youngsville Borough Curbside Recycling Collection

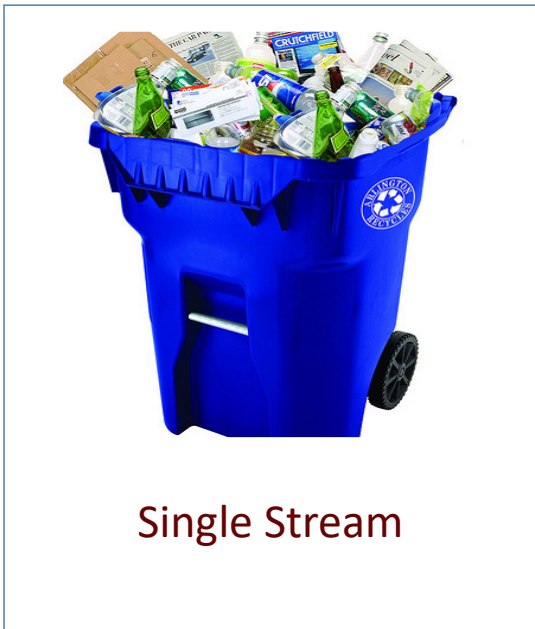
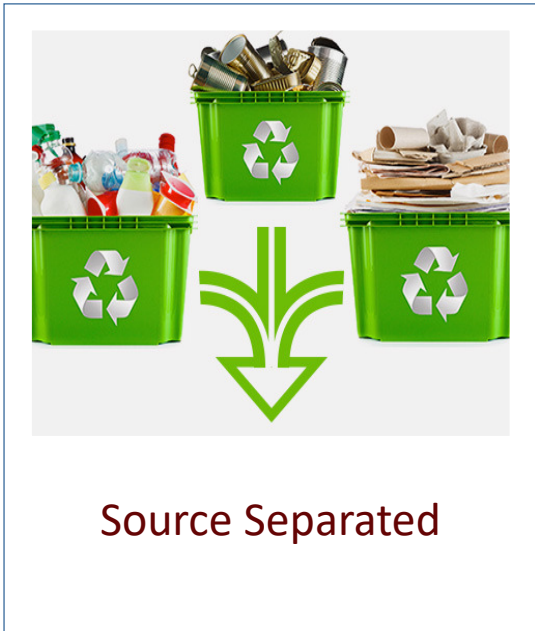
At first glance, nothing is more puzzling than the results from the Borough of Youngsville's curbside collection program. Mandated curbside collection programs tend to exceed all other forms of recycling systems. Yet in Youngsville, the reported results appear to not only be less than the municipalities that host locations in the County's drop-off program, but on par with the municipalities with no programs at all.

Although the data is accurate for 2013, it should be noted at the time Youngsville reported recycling for only newsprint. Since then, the Borough initiated a single stream recycling collection program and the reported recovery rates have grown to twice those in 2013. While the recovery is still lower than might be expected for a community with a similar population, the increase is impressive. The results are an indication that other Warren County municipalities may benefit by transitioning to curbside collection, if the housing and population density are conducive to control costs. Recovery of Targeted Materials

In addition to tracking and monitoring the overall total amount of tons collected, successful recycling programs also take into consideration the results for each individual commodity that currently is or that could be recovered. Understanding the types and amounts of each material available for recycling in the waste stream helps program managers determine where efforts should be directed to attain the best results. The USEPA has been tracking and monitoring the individual components of the municipal solid waste stream since 1960. The agency identifies national trends in

municipal solid waste generation, recycling, and disposal as a whole and for each material in its composition.

Because raw data can be interpreted differently to demonstrate any number of findings, the USEPA requires states to utilize certain standards in reporting recycling performance. These requirements are largely based on the findings of the USEPA's ongoing study. Pennsylvania utilizes these criteria in its annual reporting requirements.



However, in working with information from counties and municipalities across the state, it is common for data to be gathered, organized, and in many cases manipulated before it is reported in the fashion required by PADEP. Therefore, a comparison to national trends is a vital exercise in identifying anomalies. These often reveal a host of issues, from misreporting to actual program strengths and weaknesses.

4.7.3 Reported Overall Achievements

Information for Warren County's recycling performance for 2013 was obtained from the PADEP's ReTRAC software reporting system. Recycling activities in Warren County are traditionally tracked and monitored by the Warren County Recycling Coordinator. The PADEP requires County Recycling Coordinators to utilize the system to comply with their annual reporting

The sources of the data are local municipal programs, commercial establishments, recycling transporters and processors, and information from large national retailers provided by PADEP. Descriptions of individual municipal and county programs were offered earlier in this chapter along with discussions on the level of effectiveness of various models. A review of the reported data helps us understand the attainments of the existing programs. In addition, it identifies potential shortfalls and the degree of effort which may remain to meet state and local goals.

Materials reported from industrial concerns and other extraneous materials that are not commonly collected in residential and commercial recycling programs sometimes need to be filtered out of the data before an accurate analysis can be performed. Gathering and documenting this data may be beneficial in illustrating the broad impact of recycling in an area. However, those figures play no part in the success of a residential curbside or drop-off recycling collection program. In fact, including those other sources and materials in an evaluation of a municipal recycling program distorts the data and skews the results. In addition, it can lead program managers into poor decisions.

4.7.3.1 Adjustments to Source Separated and Mixed Recyclable Materials Reports

How materials are collected and processed influences the format in which the recycling data is reported. A portion of the materials in Warren County were reported with individual weights. These materials were collected separately and processed and weighed by material type. This source separated collection system is the predominant method used at the recycling center operated by the Lions Club in the Borough of Tidioute. Individuals bring their materials to the center pre-sorted.

Another recycling collection and processing program popular in Warren County is single stream where wider varieties of plastics are mixed in the recycling collection bin with the glass and metals for collection, along with all forms of paper and cardboard. When larger bins, typically wheeled carts, are provided to residents for curbside collection under the single stream type of system greater quantities of materials are recovered.

Providing an individual weight for each material is more complicated, if not impossible, on in-bound single stream loads. Waste composition and characterization studies of single stream system, however, provide relatively consistent data. This can be applied to adjust the County's reported figures to reflect the individual materials found in the single stream mix. In addition, the collection and processing methods, along with the types of materials accepted by local transporters and recycling processors, were taken into consideration in the adjustments applied to the Warren County reported data. Table 4-1 shows the reported recycling after such an adjustment to the single stream mix was applied

4.7.4 Attainment of State Recycling Goals

In 1988, upon the enactment of Act 101, a requirement was established by law for Pennsylvania to attain a recycling rate of 25 percent of the waste generated in the Commonwealth. PADEP subsequently increased the goal to 35 percent. The state's goal is close to the national recovery rate for all municipal waste generated in the United States for 2013, which is 34 percent. Table 4-1 demonstrates how Warren County measures up to the nation's and the state's goals.

In reviewing Table 4-1 one will notice that each material has an individual recovery rate that may be greater or lesser than the overall rate of 34 percent for all materials combined. As an example, all plastic packaging (#1 thru #7) is recovered at the rate of 14.59 percent. Newsprint on the other hand is recovered at 66.9 percent. To determine the national rate and the state's goal, the cumulative total recovery of all tons of materials, which are typically accepted in municipal recycling programs, is used.

When materials are disposed, they are not typically weighed individually. Disposal facilities report on the weights of broad categories of waste, but not on each component. Waste sorts can be conducted to determine the specific local waste composition. However, a sufficient and less costly alternative is to apply the national rates established by USEPA to local population data provided by the US Census Bureau assuming that performance would be similar to the national average. It was this method, which was used to calculate Warren County's generation and disposal figures for each material. The reported recycling quantities for each material are then compared to the estimated expected results.

Table 4-1 compares the local data to the nationally reported figures to demonstrate the County's success in attaining the recycling goals of the Commonwealth. Table 4-1 also shows the results of the Act 101 core materials recovered in Warren County. Other items reported locally are included as well.

Figure 4-7 provides a stepwise guide to assist readers in understanding and comparing the information that is presented in Table 4-1.

4.7.4.1 Understanding the Ratings

The last column in Table 4-1 shows a percentage rating for each material. It does not represent the percentage of the total materials recovered, or what is often known as the "recycling rate." The indicators of how Warren County's performance compares to the national averages are:

- Average (100 percent),
- Above average (more than 100 percent) or
- Below average (less than 100 percent)

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

Figure 4-7 Guide to the Data and Column Categories in Table 4-1

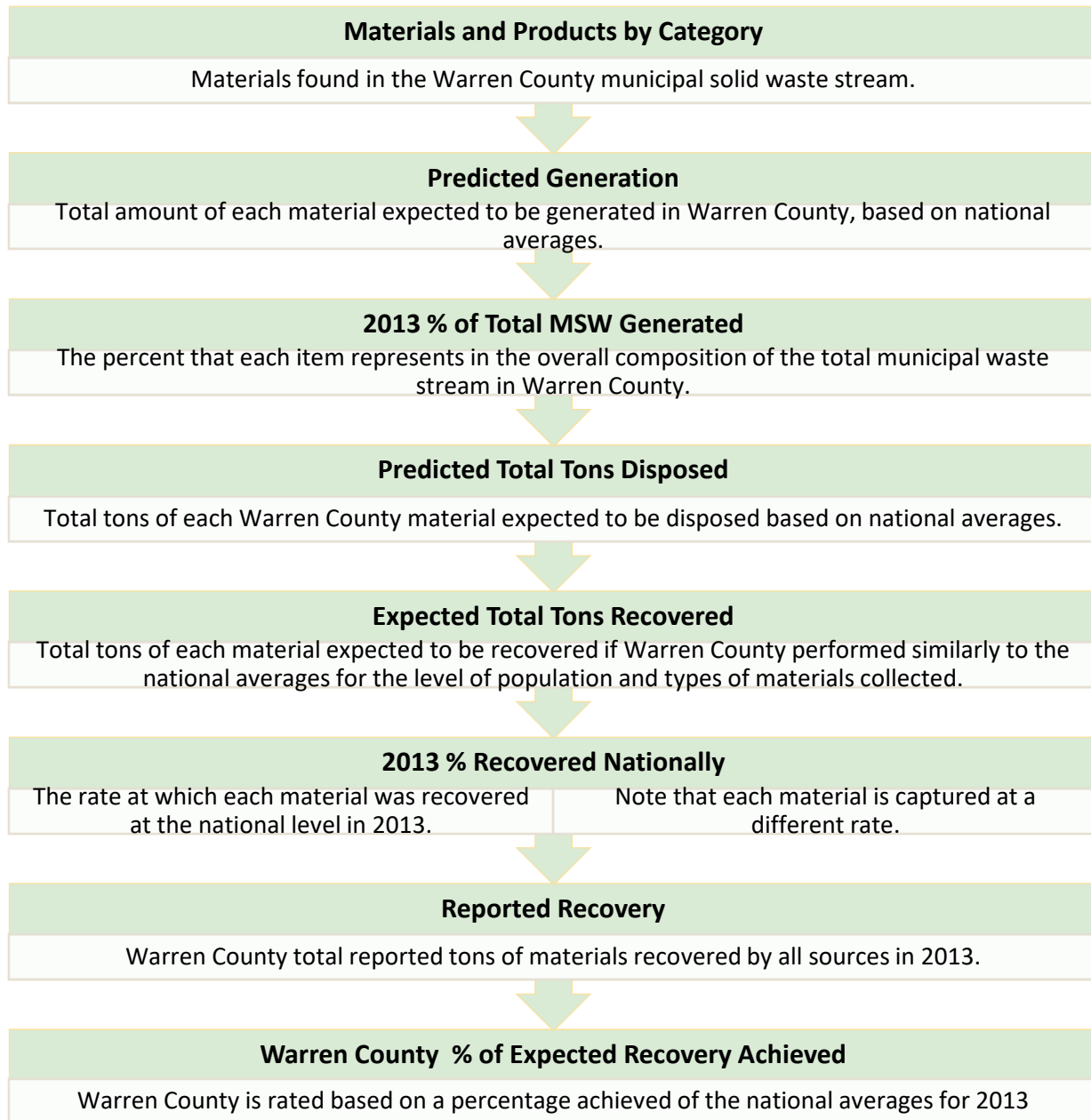


Table 4-1 Warren County Recycling Performance Compared to the National Averages per USEPA

<i>Materials and Products</i>	Predicted Generation	2013 % of Total MSW Generated	Expected Total Tons Recovered	Predicted Recycling Rate	Warren Reported Adjusted for Single Stream Recycling	Warren % of Expected Recovery Achieved
	tons	percent	tons	percent	tons	percent
Traditional Recycled Materials						
<i>Glass Containers</i>	1,199	3.64%	408	34.02%	224	54.97%
<i>Aluminum Cans</i>	164	0.50%	91	55.12%	69	75.96%
<i>Bi-Metal Cans</i>	242	0.74%	171	70.59%	31	18.31%
<i>Plastic #1 Through #7</i>	1,811	5.50%	264	14.59%	211	79.93%
<i>Plastic #1 and #2</i>	474	1.44%	145	30.60%	109	74.86%
<i>Newsprint</i>	1,043	3.17%	698	66.96%	357	51.16%
<i>Other Paper Nondurables</i>	2,840	8.63%	1,173	41.31%	336	28.61%
<i>Corrugated Boxes</i>	3,892	11.83%	3,444	88.49%	826	23.97%
<i>Other Paper / Paperboard Packaging</i>	1,102	3.35%	306	27.73%	22	7.11%
<i>Other Miscellaneous Non-Durables</i>	470	1.43%	17	3.62%	0	0.00%
	13,237	40.23%	6,717	51%	2185	31.54%
Other Recycled Materials						
<i>Furniture</i>	1,505	4.57%	1	0.09%	0	0.00%
<i>Rubber Tires</i>	618	1.88%	250	40.46%	0	0.00%
<i>Batteries, Lead-Acid</i>	373	1.13%	369	98.46%	0	0.00%
<i>Major Appliances</i>	579	1.76%	339	58.61%	0	0.00%
<i>Consumer Electronics</i>	407	1.24%	164	40.45%	0	0.00%
<i>Yard Waste</i>	4,429	13.46%	2,668	60.23%	765	28.67%
<i>Wood Waste (Packaging)</i>	1,219	3.70%	320	26.25%	0	0.00%
<i>Food Waste</i>	4,800	14.58%	238	4.96%	0	0.00%
<i>Clothing / Textiles</i>	1,606	4.88%	237	14.76%	0	0.00%
<i>Carpeting</i>	495	1.5%	31	6.26%	0	0.00%
<i>Small Appliances</i>	253	0.77%	16	6.32%	0	0.00%
<i>Steel Drums</i>	69	0.21%	54	78.26%	0	0.00%
<i>Other Miscellaneous Durables</i>	2,448	7.44%	31	1.25%	0	0.00%
<i>Total Other Recyclables</i>	18,801	57.12%	4,718	25.09%	765	16.21%
<i>Subtotal for Recycled Items</i>	31563	95.90%	11,290	35.77%	2,838	25.14%
<i>Non-Recycled Materials</i>	1,348	4.10%	0	0	0	
<i>Total</i>	32,911	100%	11,303	34.34%	2,838	25.11%

4.8 FINDINGS AND SUGGESTED ACTIONS

The 2013 data, which is shown in Table 4-1, indicates for each of the materials reported Warren County recovers less than the national averages. Consequently, Warren County's overall recovery rate, based on all materials generated and recycled, is 25.11 percent of the national recovery rate of approximately 34 percent. This means that Warren County's recycling rate is approximately 8 percent, significantly less than the state recycling goal for all municipal solid waste. However, when the evaluation is limited to the list of Act 101 core recyclable materials included in residential and commercial recycling programs, Warren County fares somewhat better. For the Act 101 materials, the County has a recovery rate of 16 percent. In fact, for many of the Act 101 materials Warren County's results come close to the average expected recovery. For a rural area with few mandates to recycle, minimal curbside collection, and limited access to drop-off collection sites Warren County's results are common. That shouldn't be interpreted as an excuse not to strive for improvements. Warren County and the municipalities have many options available to them that would enhance services and increase recovery.

Warren County's 16% recycling rate for Act 101 materials is significantly less than the 35% state recycling goal for all municipal solid waste.

For a rural area with few mandates to recycle, minimal curbside collection, and limited access to drop-off collection sites Warren County's results are common.

4.8.1 Opportunities for Program Improvement

Currently, 47 percent of Warren County's population does not have convenient access to a recycling outlet. Its recovery rate for material is low. Solutions are possible given finances and the political will to act. Alternatives exist that are compatible with the varied demographics of the County's municipalities. The demonstrated success of existing programs shows that expansion of similar services could have a positive impact.

Following are some observations with explanations offered for unusual or lower than average performance. The narratives point out those areas where future changes could have the greatest impact.

4.8.1.1 Increasing Container Recovery

To be successful, residential curbside and drop-off recycling programs need to target the materials that represent the largest quantities recoverable from our homes. It makes sense that glass bottles and jars, aluminum and bi-metal food and beverage cans, and plastic containers are among those listed in Act 101 for inclusion in mandated collection programs. Residential sources generate over 80 percent of all these materials in the overall municipal waste stream. Examining the recovery rate for the same items is a good first step in determining the effectiveness of local programs.

Warren County currently captures about one third of the materials, which might be expected in a municipal program. A disproportionate percentage of those materials are reported by the Borough of Tidioute and the City of Warren. The results are not surprising and can be directly linked to the convenient and direct access to recycling outlets in these communities that is lacking for the majority of Warren County's population.

4.8.1.1.1 Curbside Collection

The potential for improvement through implementation of a curbside collection program is shown in the increased recovery in the ongoing programs of the Borough of Youngsville and the City of Warren. The growth of curbside collection programs could substantially increase the recovery of materials. Municipalities with the highest population density are the best candidates. In addition, groups of municipalities, which together could represent a higher population and housing density than each could individually, are another good choice.

Unfortunately, in rural areas like Warren County, the distance between homes and the overall travel time to material processing facilities can make curbside collection costlier in some municipalities. The good news is alternatives exist.

4.8.1.1.2 Expansion of Recycling Drop-off Collection Points

The County's recycling drop-off collection program clearly demonstrates that residents will recycle when given the opportunity. Since the County shares in the operating costs

Potential to Expand Curbside Recycling



The best candidates for curbside recycling collection are municipalities with the highest housing density or groups of municipalities, which together represent a greater density than each does individually.

with the host municipalities for the sites, the system is affordable. More municipalities could easily join and offer a convenient method of recycling to their residents.

The reported data suggests that location and convenience significantly affect the results. If one uses the population of the host municipalities for the sites as a basis for calculation, the recovery rate per person is significantly higher than when the population of all municipalities that potentially could use the sites is a factor. The population of the County, excluding the communities with their own programs, is compared to the recovery at the County's collection points, performance of the whole program on a per capita basis appears low. However, Expanding the number of municipalities who participate in the County's drop-off recycling collection program would be a logical improvement. This approach would take the burden off currently participating municipal sites. At the current locations, the volume of material often exceeds site capacity and is greater than the local population could generate.

4.8.1.1.3 **Centralized Convenience Center**

Another equally successful way to provide access to recycling for an even greater number of people and businesses is to offer a "convenience center." As the name implies, these centers are convenient centralized operations, typically situated along major thoroughfares that people travel to work, to school, to shop, etc. The Borough of Tidioute's success teaches us that location is an important factor in attracting the greatest amount of materials from a broad universe of the population. Convenience centers can collect more than bottles, cans, and paper. These facilities are perfect locations to launch collections for many hard to manage items such as white goods, electronics, tires, and many others. A County operated facility would be able to manage materials from the greatest number of municipalities and leverage its service area to better compete for available grant funding.

4.8.1.1.4 **Revamping the County's Drop-off System in Conjunction with a Convenience Center.**

By decreasing or closing remote drop-off points, the County's explicit cost of collecting materials from the sites could be eliminated or significantly reduced. Replacing the remote sites with a centralized drop-off point convenient to where residents work and frequent for other activities, would not increase the implicit costs of collection, which fall to the participants. The implicit costs include the participant's time, fuel, along with the wear and tear on the vehicle, etc.

Other advantages include cleaner and higher quality materials to market if the site were operated under supervised collection and materials were source separated. Supplemental revenue might be generated by the improved condition of the materials. In addition, a greater variety of items could be collected.

In 2013, the County captured about 25 percent of the items like tires, discarded electronics, major appliances, etc. Recently, the County increased the frequency of electronic waste collection events. The successful results of those events are an indicator that Warren County residents desire similar services for other materials.

4.9 SUMMARY AND CONCLUSIONS

The review of recycling statistics and practices during the planning process confirmed Warren County residents respond to recycling opportunities when they are convenient and affordable. The review also exposed the need to enhance local programs for better material recovery. The most important necessity identified was for residents and businesses to participate in integrated waste management services that include recycling.

The current findings are insufficient to provide vital answers to many questions regarding the best avenue to provide better recycling services. A multitude of variables and nuances affect the cost and effectiveness of waste and recycling collection and processing systems. What works in one location may be inappropriate for another. Acting without thoroughly investigating many scenarios is a common cause for failure. Volatile commodity markets, an evolving waste stream, and uncertainties in grant funding are all signals to proceed slowly and cautiously with new endeavors. A comprehensive review of historic recovery data, material sources, collection costs and other operating expenditures should occur before determining the proper course of action for the County. To achieve the suggested improvements, Chapter 5, offers an actionable plan along with a timeline for implementation.

Chapter 5

5 Groundwork for Future Improvements

The purpose of any plan is to examine the conditions at a chosen point in time to determine the contributing factors and effects. In this process, strengths and weaknesses, which make the difference between success and failure, can be identified and evaluated. This fundamental approach is as much a part of any business plan as it is to the planning process for municipal solid waste management. Understanding existing circumstances, allows governments to more easily envision the programs and the services required to protect the environment and ensure the future health and safety of the community. It is also an opportunity to understand the expectations of local residents.

Plans are futuristic in nature. Unforeseen events and circumstances can alter even the most carefully orchestrated agendas. Just as the current planning process demonstrated, many of the views and assumptions widely accepted when plans are developed may shift or may be no longer valid. New technologies and services unavailable now, could present better solutions and opportunities during the plan's implementation. Therefore, the Warren County Municipal Solid Waste Management Plan is meant to be a fluid and dynamic policy document. It allows for shifts in the implementation timeline. It anticipates the need for further investigations and studies to determine the feasibility of some of the suggestions before definitive action is taken. It is open to new opportunities that remain true to the Plan's original goals and objectives

Chapter 5 presents the recommendations of the Solid Waste Advisory Committee. Justifications for their decisions, which have been discussed throughout the Plan, are reinforced here. An anticipated schedule for accomplishing these objectives and the supporting tasks is included.

5.1 KEY INDICATORS AND INFLUENCING CIRCUMSTANCES

The meetings and interaction of the Solid Waste Advisory Committee brought numerous issues and conditions to the table. The consistency of comments and experiences offered by the Committee helped to define desirable traits of successful programs. In addition, deeper lingering problems surfaced. The Committee members offered informed opinions on desired services consistent

with the financial realities of County and municipal budgets. The group considered potential remedies to illegal dumping, poor recycling participation and low material recovery. Figure 5-1 illustrates how the Committee perceived Warren County’s current state of solid waste management and the common elements at the source of the issues. The final recommendations proposed for implementation during the Plan’s time period were derived from these lists.

Figure 5-1 Municipal Waste and Recycling Issues Reviewed & Evaluated in SWAC Meetings

Prevailing Conditions	Illegal Dumping
	Littering
	Open Burning
	Insufficient Public Education and Awareness
	Contamination at Recycling Drop-Off Sites
	Poor Participation in Recycling
	Low Route Density
	Difficulty Disposing of Bulky Waste, Appliances, Home Remodeling Waste
	Cost of E-Scrap Management
	Poor Public Awareness and Perceptions
	Inaccurate and Missing Data
	Poor Monetary Return on Recycling Commodities
Contributing Factors	Lax Enforcement and Prosecution
	Lack of Magistrate Cooperation
	Inconsistent Laws & Ordinances
	Voluntary Waste Collection Service
	Lack of Municipal Collection Contracts
	Inequity of Recycling Service
	Inconsistent Collections for Bulky Waste & Appliances, Home Remodeling Waste
	Cost Of Providing Drop-off Service
	Proximity of Recycling Processors & Markets
	Lack of a Recycling Coordinator
	Poor Reporting and Data Management Policies and Procedures
	Political Will
	Willingness to Pay

5.2 FUTURE PRIORITIES AND TARGETED IMPROVEMENTS

Local information and input from the Solid Waste Advisory Committee, guidelines from the Pennsylvania Department of Environmental Protection, the findings of published studies, national statistics and commonly accepted analytical practices were used during the planning process. The exchange of opinions, comparison of data and identification of trends all contributed to the final recommendations to improve municipal solid waste and recycling practices in Warren County. In short, these include:

- Adopting a new Solid Waste and Recycling Ordinance that establishes reporting requirements for transporters of municipal waste and recyclables and continues the use of designated disposal facilities.
- Commission a study to determine the best option or combination of options to cost effectively increase recycling opportunities to the majority of Warren County residents, institutions, and businesses.
- Hire a Recycling Coordinator to ensure enforcement and implementation of the Plan, perform the administrative reporting functions to comply with Act 101, and to conduct outreach and educational programs throughout the County.
- Expanding the number of special collection events for Household Hazardous Waste, Electronic Discards, and other bulk items.

5.2.1 Solid Waste & Recycling Ordinance

Warren County adopted the Municipal Solid Waste Management Ordinance, Ordinance 2 of 1992, to support the goals and objectives of the County's first Plan developed under Act 101. Court rulings, new legislation, and differing interpretations of Act 101 have since changed the outlook on many items in the County's 1992 Ordinance. Things like transporter licensing, forms of flow control, and certain funding mechanisms no longer apply. With numerous sections to amend, the recommendation is to repeal Ordinance 2 of 1992 and replace it with a modern ordinance that meets current criteria in state and federal laws.

5.2.2 Public Education, Data Management, and Plan Administration

Changing attitudes and influencing behavior are proven to have a more profound and lasting effect than penalties and enforcement. The same is true in attempts to incentivize people to recycle.

Education serves as the foundation of behavioral change. It is most effective when conducted on multiple levels within a community. Traditional approaches to remediate the issues of illegal dumping, roadside littering, and contaminating recyclables focused primarily on clean-ups and had minimal impact on recurrence. Connecting with civic and chamber groups, local governments and the media is a way to initially gain support and acceptance of a program's goals.

To achieve these education and outreach objectives requires a full time equivalent employee

The retirement of the previous Recycling Coordinator shifted those responsibilities to the Department of Planning and Zoning. Without additional staff simply to perform the administrative, reporting and enforcement duties, implementing the Warren County Municipal Solid Waste Management Plan could be a noticeable challenge. To provide an adequate education campaign would be prohibitive without dedicated personnel.

A priority recommendation is for the appointment of a Recycling Coordinator before the end of 2018.

5.2.3 Equitable, Convenient and Affordable Access to Recycling Opportunities

Numerous concerns prompted the recommendation that Warren County facilitate equal opportunities for all residents to recycle. The discussions spawned ideas for a variety of viable options that independently or in conjunction with one another would increase recycling participation and material recovery.

An illegal dump survey conducted in Warren County confirms that some of the most common items found in illegal dump sites are white goods (appliances), household furnishings, mattresses, and tires. Although some municipalities address the collection of large items as part of their regular curbside collection programs or seasonal clean-ups, the prevalence of subscription collection service leaves many households dependent on the willingness of their service provider to accept these materials.

During the planning process, discussions focused on mechanisms to address the needs where no curbside service is available, and for those with no

mechanism to transport bulky items and white goods to a collection event. When curbside service is available, it may come with a premium price. In addition, the timing and nature of seasonal cleanups are not always conducive to the real-life needs of residents whose circumstances dictate immediate removal of the materials.

The demand for convenient outlets for household hazardous waste and scrap electronics is quite similar to the issues surrounding bulky waste and discarded appliances. Location, operating hours, frequency, and timing influence the effectiveness of the collection system. The inconsistency and lag time for seasonal collection events illustrate the need for a more permanent mechanism to facilitate proper and reliable management of these materials.

Another issue surfaced which the Committee agrees is equally attributable to the voluntary system of subscription service. The ongoing contamination in unmanned municipal recycling drop-off sites often occurs from individuals trying to avoid the cost of waste collection and disposal. In addition, the volume of material deposited at the available sites often exceeds the storage capacity. Overflowing material contributes to contamination, as well.

Studies show that when convenient and affordable outlets and collection systems are readily available to accept a wide variety of materials, the incidence of illegal dumping decreases.

Potential solutions include but are not limited to expanding the number of municipalities with access to curbside recycling, adding more municipal drop-off sites, developing a centralized convenience center, or a combination of these and other possibilities. None of the options are without extenuating complications or conflicting outcomes. The variables and nuances affecting the cost and performance differ from location to location.

Rather than make costly and ill-informed decisions, the recommendation is to complete a thorough investigation and evaluation of all reasonable options. Findings and conclusions resulting from the study should be considered prior to the initiation of any future programs or services. The study should outline an extended schedule for services and programs that may be beneficial to introduce in phases. This is particularly true for those that could require significant investments in property, equipment, or added labor.

5.2.4 Summary

The four initiatives proposed for the Warren County Municipal Solid Waste Management Plan are designed to improve the overall quality of life in the area. The recommended actions are designed to build strong County and municipal relationships. If implemented within the allotted time frames, the County should realize a noticeable decrease in illegal dumping and littering. Better data management and reporting mechanisms will allow the County to make informed decisions as the new opportunities and issues are presented.

5.3 RECOMMENDED TIMELINE

The Plan Revisions suggests specific actions, which the County and the municipalities could take to improve existing solid waste management practices and programs. In order to maximize those efforts, the County must first determine the options, which are financially reasonable to support and feasible to operate with available resources. It must then identify those with the greatest benefits and anticipated results. Finally, the County will have to assess the compatibility of the anticipated programs with support from local government and public acceptance.

Based on the need for this comprehensive evaluation the suggested timeline for implementing the recommendations and revisions shown in Figure 5-12 is brief. It assumes that once finalized the study will provide a clearer picture of what can be accomplished and the efforts necessary to meet specific milestones.

Table 5-2 Warren County Municipal Solid Waste Plan Implementation

2017

- Adopt new Solid Waste and Recycling Ordinance

2018

- Appoint a New Recycling Coordinator
- Initiate Study on Feasibility of Recycling Options
- Investigate Funding Mechanisms for Potential Recycling Programs
- Inventory and Assess Condition of Current Equipment

2019

- Secure Funding to Launch Phase I of Recycling Improvement Initiative
- Initiate Pilot Program(s) to Test Performance
- Purchase and/or Repurpose Equipment to Suit Program(s)
- Explore Cooperative Marketing of Materials

2020-2024

- Report on Pilot Program to Evaluate Performance and Financial Sustainability
- Continue Incremental Expansion of Recommended Recycling Programs and Services
- Develop Strategic Marketing Plan for Services

2024

- Initiate Plan Revision Process
- Review New Program Performance and Recommend Improvements
- Evaluate Return on Investment and Long-Term Potential

2025-2027

- Solicit for Processing and Disposal Capacity Agreements
- Secure New Disposal Capacity Agreements
- Develop and Adopt Plan Revisions

Implementation is subject to change depending on economical and operational feasibility of proposed programs.

Chapter 6

6 Guaranteed Disposal Outlets

The need for counties to secure sufficient disposal capacity to directly manage the volumes of municipal waste generated within their jurisdictions can be a concern. Places like Warren County, where no county owned disposal or processing facility currently operates, are more vulnerable to market fluctuations. Guaranteeing the availability of and access to future disposal outlets outweighs all other responsibilities delegated to counties by the Municipal Waste Planning, Recycling, and Waste Reduction Act (Act 101 of 1988). Capacity assurances are a primary component of Warren County's Municipal Solid Waste Management Plan. The process to acquire these agreements was designed to provide equal opportunities to Pennsylvania disposal and processing facilities as well as those located beyond the borders of the Commonwealth. In addition, the selection criteria were established to prevent discrimination against or favoritism to any facility or organization.

This chapter describes the process Warren County used to procure disposal and processing capacity. It outlines the criteria used to evaluate the proposals submitted from disposal and processing facilities. It identifies those designated to contract with Warren County for future capacity. Lastly, it discusses the factors impacting waste flow control and the County's decision regarding this policy.

6.1.1 Determining Disposal Capacity Requirements

To calculate Warren County's disposal capacity needs for the next decade, a number of indicators were used. The assumptions and the calculations are included in Chapter 3, Also included are any necessary adjustments to the raw data used to calculate the estimated capacity requirements. The capacity projections in and of themselves showed no indication of pending capacity deficits. However, the pending expiration of the current disposal agreements and the need to protect the county against any unforeseen capacity shortfalls that could occur in the region within the next decade prompted, in part, the need to solicit for capacity as part of the current planning process.

6.2 VIEWS ON FLOW CONTROL

Warren County traditionally utilizes some form of flow control as part of its overall municipal solid waste management scheme. During previous planning exercises over the years, the feasibility of dedicating all of the County's waste to a single facility was once a reality. Upon the closure of the Grunderville Landfill owned and once operated by the Warren County Solid Waste Authority, revisiting that idea has been consistently rejected. Allowing for multiple disposal options is considered more favorable. Some constraints are still imposed on haulers collecting Warren County municipal waste. A menu plan restricts haulers to use those sites that met the selection criteria and entered into disposal agreements with Warren County.

Although government controls of any kind are rarely welcomed by businesses, tolerance for the menu system continues in Warren County because it has yet to conflict with the natural choices made by local transporters. Flow control to a sole facility, exclusive of all others, dictates the destination and the cost of disposal. In contrast, with numerous disposal options normal market conditions could prevail in Warren County. Factors such as price, proximity, convenience, access, and site conditions all influenced the flow of waste. In the menu plan, haulers could opt to use some of the facilities for economic reasons and others for convenience. In addition, vertical integration of collection and disposal operations, creation of new ventures, and expansion of business relationships could develop.

Waste management is an industry in constant change. Mergers and acquisitions are common for hauling operations and disposal facilities. Just as some companies disappear, other small independent operations enter the market. The desire of companies with an investment in both collection and disposal operations to direct waste to their own facilities is understandable. Equally within reason, is for an independent transporter to seek out the disposal option that provides the best competitive advantage. Therefore, at any given time a noticeable, but explainable shift in waste flow can occur. In the menu system, as companies grow, there is freedom to redistribute and redirect routes to new disposal sites.

Warren County continues to favor a modified waste flow control scheme. The reasons to maintain the system seem equally justifiable in 2017, as in 1990. The scheme will utilize an ordinance and reporting process to ensure compliance. Disposal options will be limited, to those qualified facilities that have accepted the terms and conditions of the disposal capacity agreement. An adequate array of disposal destinations is within reach by direct and long-haul transport. To accommodate future needs, provisions and mechanisms were devised to add more facilities when appropriate during implementation of the Plan.

6.2.1 Public Notification of Request for Capacity

To seek and acquire disposal capacity for the period 2016-2026, the Warren County Department of Planning and Zoning on behalf of the Board of County Commissioners, issued a Request for Proposals. To ensure that all interested parties would be aware of the opportunity to provide capacity to the County, a public notification was posted in the Pennsylvania Bulletin. Additionally, a display advertisement was published in Waste 360 a widely circulated trade publication in the waste industry. The actual solicitation is provided in Appendix B. Both in-state and out-of-state disposal or processing facilities, interested in making capacity available to the County were invited to submit offers. The Request for Proposals outlining the specifications, contract terms and conditions is provided in Appendix B.

6.2.2 Review and Evaluation of Proposals

Warren County took all possible steps to ensure fair and open market conditions would continue to prevail. Advertising and outreach covered national, regional, and local interests. It is reasonable to conclude that all interested parties submitted proposals.

Warren County took all possible steps to ensure fair and open market conditions would continue to prevail for transporters of municipal waste.

Advertising and outreach to the waste industry covered national, regional, and local interests.

It is reasonable to conclude that all interested parties submitted proposals.

Facilities were expected to adhere to clearly defined proposal submission guidelines, which specified the format and content required for administrative completeness and technical merit review. The selection process was non-biased. All facilities and disposal processes were given equal consideration and opportunity. The potential need to make inquiries regarding the content of the proposals, ask for supplemental documentation, or

request further clarifications were built into the technical review process.

Five organizations submitted proposals for eight landfills, which they own and/or operate. Although publicized nationally, only one out-of-state facility responded to the request. Proposals were expected to meet specific submission guidelines, which were used to assess administrative completeness and to adhere to the provided detailed criteria for

the technical merit review. The technical review of the proposals is provided in Appendix C.

6.3 RECOMMENDATIONS FOR DISPOSAL FACILITY DESIGNATION

The review and evaluation of the proposals found that all of the sites were qualified to become designated disposal facilities in the Warren County Municipal Solid Waste Management Plan. Each provided adequate documentation of professional experience, state of the art design standards, financial backing, and the necessary regulatory permits and approvals. In summary, the Warren County Board of Commissioners will execute and enter into disposal capacity agreements with the facilities shown in Figure 6-1. The figure is arranged in alphabetical order by the owner/operator with each corresponding facility listed below.

Figure 6-1 Warren County Designated Disposal Facilities 2014-2023



6.3.1 Unforeseen Opportunities and Circumstances

The basic concept of a Plan is to provide for known and anticipated needs while remaining flexible enough to allow and adjust for unpredictable changes and events. Warren County currently has secured sufficient disposal capacity. However, it is not beyond reason to consider a future need to utilize a disposal or processing facility that is not presently included in the Plan. New opportunities and/or technologies could result in the development of facilities that did not exist during Plan

development. The dynamics of consolidation and acquisition cause shifts in disposal facility utilization. The waste industry attracts a breed of entrepreneurs who are known to periodically enter and exit the business. This influences the number and identities of local market participants. It is prudent to consider that landfills, transfer stations, and hauling companies currently identified in the revised Plan may cease to exist either by reaching capacity or from unforeseen market conditions.

The Warren County Department of Planning and Zoning in conjunction with the Warren County Recycling Coordinator will manage the process of incorporating any additional disposal/processing facilities into the Plan. A simple and direct process will expedite the processing and determination of approval for facility inclusion requests. Adding one or more facilities to a plan is not considered a substantial Plan revision. Therefore, it does not require review and ratification by each of the municipalities. This allows the County to respond to requests quickly and with lower costs than with a full-scale revision.

To maintain the same fair, open, and competitive process used to select the initial disposal sites, all facilities must meet the same criteria as those responding to the initial Request for Proposals for Disposal Capacity. Without exception, these include the technical qualifications, compliance history, managerial experience, and permitted status. A copy of the Request for Proposals is in Appendix B. It includes the contractual agreement, for the facility to review and execute.

Haulers, transfer stations, disposal facilities, and municipalities may initiate the petitioning process. Requests must be submitted on official forms made available by the Warren County Department of Planning and Zoning. The Processing/Disposal Facility Petition for Designation in the Warren County Municipal Solid Waste Management Plan can be found in Appendix D. Once the petitioner submits the form, the County will notify the PADEP that a Plan revision may be forthcoming.

It will be the responsibility of the Petitioner or the Facility to cover any costs that the County may incur by to revise the Plan. The costs shall be established by the County based on but not limited to the following expenses: staff, legal and consulting time, reproduction, postage, distribution to municipalities, and other related items.

Chapter 7

7 Enforcement and Oversight of Programs and Policies

Considerable effort and focus is required to implement the Warren County Municipal Solid Waste Management Plan. In addition to the locally established goals and objectives of the Plan, the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988) also assigns a multitude of duties to counties. These include items such as regulatory compliance, reporting, and grant administration. As the highest-ranking elected officials in county government, the responsibility to administer the policies and programs recommended in the Plan falls to the Warren County Board of Commissioners. A provision of Act 101 allows another individual, agency, department, or similar entity to assume these responsibilities on the Board of Commissioners behalf. Act 101 includes a funding mechanism to support a staff position assigned to these activities in each county.

Chapter 7 identifies how the responsibilities for implementing the Warren County Municipal Waste Management Plan are assigned. It explains current and future anticipated staffing needs and other resources necessary to fulfill the Plan's recommendations.

7.1 DELEGATION OF RESPONSIBILITIES

The Warren County Department of Planning and Zoning is the County agent assigned to develop and implement the Municipal Solid Waste Management Plan. The Department will be responsible for ensuring that the recommendations resulting from the planning process are put into action and in turn, enforced. In this role, the Department assumes all duties, responsibilities, and powers provided to the County in Act 101.

Successful Plan implementation is reliant on the continued involvement of all stakeholders. The strong relationships already established through the Department's interaction with local government provide a perfect environment to foster support and growth of improved integrated waste management policies throughout the County.

Communication with and education of local municipal officials is a key factor in attaining those goals. County programs and services must be designed to

complement and support local efforts. The environment with municipal officials the Department developed for direct networking developed will be beneficial in distributing vital information, promoting municipal waste related campaigns, and conducting informational and educational forums. Likewise, the development of universal educational tools and materials that could be used by the municipalities would facilitate more successful campaigns to promote proper waste management practices throughout the County.

In addition to its role with municipal governments, the Department of Planning and Zoning maintains a good working relationship with private sector providers of waste and recycling related services. Open communication is essential for obtaining reports and the valuable data generated by the transporters, disposal, and processing facilities.

7.1.1 Department Staffing and Responsibilities

The Department of Planning and Zoning includes an Executive Director, an Administrative Assistant, a Zoning Officer, and a Grants Administrator. The schedules of these individuals are fully consumed by various planning, community development, and housing programs. Additional staff will be required to fulfill the added duties associated with solid waste and recycling related programs in Warren County.

7.1.1.1 Department Director

Direct responsibility for the operation of the Warren County Department of Planning and Zoning falls to the Executive Director. The Director is responsible for the staff and oversees the day-to-day services and operations, including all administrative and financial activities. Regular communication between the Director and the Board of County Commissioners is expected. The Director delegates various assignments, and projects to the staff.



The strong relationships between the Department of Planning and Zoning and local government will help to foster support for improved integrated waste management policies throughout the County.

7.1.1.2 Recycling Coordinator

The Recycling Coordinator, a full-time staff position, has remained vacant throughout the planning process. Previously, the responsibilities of the Recycling Coordinator were delegated to an employee of the Warren County Solid Waste Authority, who has since retired. When the position is filled, the employee is expected to be incorporated into the Department of Planning and Zoning.

This Recycling Coordinator has a wide spectrum of responsibilities. Each serves to ensure that the guidelines and recommendations set forth in the Plan are implemented according to schedule,

7.1.1.2.1 Regulatory Liaison

The Recycling Coordinator is the County's main point of contact with the Pennsylvania Department of Environmental Protection, Bureau of Waste Management. Developing a good working relationship and open communications with the Department's Northwest Regional Recycling Coordinator is important.

Ultimately responsible for regulatory compliance, the Recycling Coordinator must stay informed on pending legislative initiatives and DEP policy changes that could affect the County and the municipalities. The Recycling Coordinator is expected to communicate in a timely fashion to the Department Director and the Board of Commissioners news of regulatory changes that could affect the County's programs.

7.1.1.2.2 Data Management

Tracking and monitoring of waste and recycling related activities and reporting to PADEP is another important function of the Recycling Coordinator. Compiling the necessary data to submit for various grant applications also falls to this individual. Organization and attention to detail are necessary for the Coordinator to maximize grant opportunities and to identify program strengths and weaknesses.

7.1.1.2.3 Community Relations and Education

As the official representative of Warren County on all solid waste and recycling related issues, the Recycling Coordinator strives to address all questions, and resolve complaints. Fostering good working relationships with municipal officials, the public, and the private sector is a high priority. The Recycling Coordinator promotes recycling programs through a variety of outreach efforts, including participation in community and civic functions and in the media.

7.1.1.2.4 **Technical Assistance**

Similar to the services the Department of Planning and Zoning provides to the municipalities on storm water, sewage, zoning, and other related issues, the Recycling Coordinator serves as a valuable source of information and guidance to elected officials. This professional support is offered for a variety of municipal solid waste and recycling concerns.

7.1.1.2.5 **Professional Growth and Understanding**

Attending and participating in professional development seminars, webinars, and trade association meetings is a benefit not only to the Recycling Coordinator but to the County as well, reading and reviewing industry related articles and publications is also useful. With greater competition for funding and other sources of revenue on the horizon, a Recycling Coordinator knowledgeable in industry trends, new technology, and applications positions Warren County to offer the best mix of services to its residents and businesses.

Networking with regional peers and colleagues to exchange notes on successful endeavors or to provide support to one another in solving common issues should be encouraged. The Recycling Coordinator should be expected to participate in trade organizations such as the *Professional Recyclers of Pennsylvania*, the *Keystone Chapter of the Solid Waste Association of North America*, *Keep Pennsylvania Beautiful*, and others. Attendance at conferences would allow the Recycling Coordinator to discover new trends and issues that could impact local programs.

7.1.1.2.6 **Enforcement**

For the most part, the role of the Recycling Coordinator is to foster positive perspectives about recycling and proper waste management practices. However, often the Coordinator must use stronger measures to attain the goals of the Plan. The Coordinator interacts with individuals, businesses, transporters, and disposal and processing facilities to inform them of their responsibility to comply with the Plan. In addition, the Plan provides the Recycling Coordinator with mechanisms to deal with those who don't. The Recycling Coordinator must work together with local law enforcement officials, code enforcement officers, and the judicial system to prosecute and convict violators of the County's solid waste ordinance and the Plan's requirements. Documents which offer the Coordinator guidelines to do so are found in Chapter 9.

7.2 FUTURE PROGRAM PERSONNEL

Warren County is preparing for a developmental study to assess the feasibility of expanding recycling services through a County operation. The labor force and supervisory requirements are still unknown. Both are expected to be sourced from another County agency, which could help to reduce costs.

7.3 FINANCIAL SUPPORT FOR THE RECYCLING PROGRAM

Operating funds for County sponsored municipal waste and recycling programs are primarily allocated from the General Fund. Outside funding comes from a variety of Act 101 Section 900 grants. Act 101 includes a mechanism to support counties and municipalities for their recycling efforts. The Section 902 Equipment and Implementation Grants are competitive, and applicants are eligible to submit requests every other grant round, which typically occur once per year. If awarded, the grants provide for 90 percent of the costs of equipment and program development expenses requested with a current cap of \$250,000. The Section 904 Performance Grant provides a monetary reward per ton of material recycled. Local governments must submit documentation to verify the tons reported.

Consulting and legal fees for planning and feasibility studies are reimbursable up to 80 percent under the Section 901 Planning Grants. The County has also benefitted from the Recycling Technical Assistance program sponsored by the PADEP

At times, the County has supplemented the available grant funding to support special collection events and other programs. County tax dollars also support half of the Recycling Coordinator's salary and expenses and the remainder is funded by Section 903 Grants.

Chapter 8

8 Public Sector Functions and Operations

Incorporated into the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) is language that clearly calls for utilization of the private sector to the greatest extent possible. The purpose was to avoid duplication of efforts, prevent an unfair competitive advantage for grant funded programs, and to avoid redirecting recyclable materials away from existing outlets. The law also established the Recycling Fund to finance the purchase of recycling collection and processing equipment for local governments where private services were not available.

This chapter summarizes the operational role of local government in municipal solid waste management. It describes the functions and assets of both County and municipal entities. Future plans are also identified.

8.1 CURRENT BALANCE OF ROLES AND RESPONSIBILITIES

Warren County has a healthy balance of public and private sector municipal solid waste management services. Waste collection and disposal is primarily a function of private businesses. To minor extent municipal concerns periodically haul municipal waste. Recycling is a little more diverse. A perfect demonstration of how public/private partnerships work is local recycling collection programs. Although the programs are designed and sponsored by the public sector, with a few minor exceptions, private contractors hired by either county or municipal governments perform the physical act of servicing residents at the curb, at drop-off locations, or at special collection events. Processing of recyclables and yard waste is also a shared arena. The bulk of recyclables collected in the County are processed by private companies. Some volunteer programs do gather, sort, and prepare materials to be shipped to brokers.

8.1.1 County Services

Warren County employees are currently not engaged in the physical collection or processing of municipal waste or recyclable materials. The County uses a competitive procurement process to secure private contractors to service all County sponsored programs.

8.1.2 Municipal Services

The only Warren County municipality that utilizes public works crews to collect and transport recyclables is Youngsville Borough. In some communities, municipal public workers collect leaves, leaf waste and yard debris. These materials are delivered to local compost sites where the material essentially remains in static piles.

Of all the municipalities, only Tidioute Borough operates a recycling center. The facility is run by the Lion's Club and staffed by the municipality's residents who volunteer their time.

The equipment for these programs was purchased with a combination of Act 101, Section 902 grants and local funds.

8.2 FUTURE PROGRAMS AND FACILITIES

Planning process findings led to recommendations for a study to determine the potential to establish a County owned and operated convenience center. The center would serve as a practical outlet for electronic discards, bulky waste items, appliances, and /or other designated recyclables. The study will also explore the need for the convenience center to accept bagged residential waste as a means to reduce illegal dumping in Warren County.

If the study determines the operation could succeed, the County will develop and expand the services as financially feasible. The purpose of developing a convenience center is solely to complement existing services and to provide the underserved residents of Warren County an alternative to illegal dumping. It is likely that the private sector will still play a role in transporting and processing materials collected at the potential site.

If the operation is considered feasible, the project may have potential for economic development, and may be eligible for a variety of funding mechanisms and sources. The recommendations in Chapter 5 offer a more detailed description of the convenience center concept and the related activities and operations that could evolve.

Chapter 9

9 Laws, Regulations, and Contracts to Support Plan Implementation

Act 101 shifted the responsibility for developing and implementing municipal solid waste management plans from the municipalities to the counties. The law gives counties the ability to establish standards for proper waste storage, collection, transportation, and disposal of municipal waste. Counties have authority over those who generate waste, as well as those engaged in the business of municipal solid waste management.

This chapter outlines the tools and mechanisms that were developed to ensure compliance with the provisions of the 2017 Warren County Municipal Solid Waste Management Plan. During the ten-year period of the plan, as circumstances present themselves, changes may be necessary. It should be noted that the County is not precluded from amending, modifying, or repealing any of the items referenced here, provided such changes comply with Act 101 and the conditions of the approved Plan.

The clarity of local policies and the ability to enforce them is made easier when local ordinances, contracts and other legal documents have been adopted.

Such tools empower the county's implementing entity to enforce these policies.

9.1 THE NEED AND PURPOSE OF LEGAL MECHANISMS

Act 101 does provide counties with specific powers and duties. However, the clarity of local policies and the ability to enforce them is made easier when local ordinances, contracts and other legal documents have been adopted. Such tools empower the County's implementing entity to enforce these policies. Residents, businesses, and service providers understand their roles and responsibilities in municipal solid waste management when they are provided with clear guidelines. Such documents are vital in deterring illegal dumping and in resolving conflicts and disputes regarding

solid waste issues. The Solid Waste Advisory Committee expressed the need to not only have effective tools and mechanisms to enforce the goals and objectives set forth in the Plan, but also for local justices to consistently prosecute violators.

9.2 RELEVANT DOCUMENTS

As part of the planning process, a variety of documents were drafted to support the resulting goals and objectives. The remainder of this chapter consists of a detailed section for each document. The actual documents are provided in the Appendix and each section provides the exact location of its corresponding document.

It should be noted that the County is not precluded from amending, modifying, or repealing any of the items referenced here as circumstances present themselves, provided such changes comply with Act 101 and the conditions of the approved Plan. Other forms, informational tools, and guidelines may be developed. None of these will impact the legal documents included in this document. They will, however, serve to strengthen and inform about those policies.

9.2.1 Request for Proposals for Disposal Capacity Agreement

To fulfill its primary responsibility under Act 101, the County issued a Request for Proposals for Disposal Capacity. The solicitation was posted in a national trade publication and the PA Bulletin. The Request for Proposals established a fair, open, and competitive procurement process. It outlined specific eligibility criteria for inclusion of a facility in the Plan. It also provided a universal contractual agreement to be executed by the facility and the County. The Request for Proposal and the published solicitation are included in Appendix B.

9.2.2 Executed Disposal Capacity Agreements

The original, printed, fully executed contract from each facility guaranteeing disposal capacity to Warren County is retained on file at the Warren County Courthouse. Appendix G includes copies of these contracts. Digital versions of the agreements were provided to the Department of Environmental Protection.

9.2.3 Petition to Add A Future Disposal Facility

Unforeseen opportunities and circumstances will occur throughout the implementation period of the Plan. Technological advancements could present processes and/or facilities that are not currently available. Mergers and acquisitions could prompt industry requests to divert waste to facilities that do not have capacity agreements with the County. To accommodate such situations, the Plan provides a mechanism to add facilities. Future facilities will be subject to the same criteria set

forth in the original Request for Proposals. In addition, each facility will be required to execute the same disposal capacity agreement as those landfills currently designated in the Plan. The local municipalities and the PADEP must be notified of the inclusion of a new facility. Appendix D includes the Petition to add a Processing/Disposal Facility in the Plan. The requirements for completing that process are also described.

9.2.4 County Municipal Solid Waste Ordinance

Warren County adopted the Municipal Solid Waste Management Ordinance, Ordinance 2 of 1992, to support the goals and objectives of the County's first Plan developed under Act 101. The planning process identified a need to update and revise several provisions of Ordinance 2 of 1992. Much of the content was similar to that found in county solid waste ordinances throughout the Commonwealth. While deemed appropriate at the time, subsequent court rulings have rescinded or ruled that counties never had statutory authority to impose certain conditions. Fees for licensing and plan implementation are among those.

Because Ordinance 2 of 1992 required extensive changes, it was repealed. A replacement ordinance was drafted that provides a comprehensive set of standards for the collection and transportation of municipal solid waste and recyclables throughout the County.

Transporters of municipal solid waste are still subject to flow control. All transporters will be required to report their activities. Transporter reporting facilitates the County's annual reporting requirements to PADEP. By more thoroughly tracking and monitoring the activities of those engaged in handling and transporting recyclables, the County increases its opportunities to obtain Act 101, Section 904 Performance Grants. The current ordinance is in Appendix E

9.2.5 Delegation Agreement

Past versions of the Warren County Municipal Solid Waste Management Plan assigned some responsibilities for implementation to the Warren County Solid Waste Authority through a delegation agreement. The Authority's administrative assistant, who fulfilled the duties of the Recycling Coordinator, recently retired. Due to the pending finalization of the closure plan for the Grunderville Landfill, the Authority's responsibilities for the facility are greatly reduced and hiring a replacement for the administrative position is unnecessary. The position of Recycling Coordinator and all associated responsibilities will be absorbed into the Warren County Department

of Planning and Zoning. Since the Plan will be administered by the County the previous delegation agreement is unnecessary and rescinded.

9.2.6 Rules and Regulations

Ordinance 2 of 1992 provided the Warren County Solid Waste Authority with powers to adopt and enforce rules and regulations to complement the objectives of the Plan. Similar to the Ordinance, many of those provisions are outdated and no longer enforceable under current laws. With repeal of Ordinance 2 of 1992, the rules and regulations have been incorporated into the newly adopted ordinance located in Appendix E.

9.2.7 Motion to Adopt the Plan Revisions

At the culmination of the planning process, the Warren County Board of Commissioners adopted the revised Plan in the form of a motion contained in Appendix H.

Chapter 10

10 Impact of the Plan's Recommendations and Policies

The planning process for the 2017 Warren County Municipal Solid Waste Management Plan included a review of previous decisions and philosophies. The goals, objectives and recommendations were scrutinized to determine if they remained appropriate based on current circumstances, anticipated resources, and future expectations.

Although past efforts were applauded, there was consensus that additional programs could remedy issues like illegal dumping. County leadership launched an initiative to explore the potential to repurpose existing properties and resources to expand the solid waste and recycling infrastructure. As a follow-up to the 2017 Plan, a study will examine the types of services, the feasibility of making each available, the funds required, and the possible sources of revenue to support the operation.

An implementation schedule recommends action plans for the County and municipalities. Beginning with the study, it outlines a phased approach to anticipated improvements. It suggests a smooth transition for all stakeholders in each of the recommended phases.

10.1.1 Development of a Centralized Convenience Center

The single most important need the planning process identified was providing outlets for hard to dispose of items. A review of illegal dumping activities and the contents of those dump sites prompted the Committee to suggest the need for a centralized drop-off point. This Convenience Center would also provide supervised collection of recyclables and address the need to deal with the consequences of the disposal bans created by the Covered Device Recycling Act. The study will determine the volume of materials expected to be managed at the Convenience Center, the necessary equipment, and the size and conceptual layout of the facility. A pilot program, if successful, will establish how the program can add services systematically on an as needed basis.

Chapter 11

11 Access to Shared Resources

The need to secure disposal capacity is not unique to Pennsylvania. Local jurisdictions throughout the nation share the same requirements for developing municipal solid waste management plans. There was a time when government agencies believed the disposal needs of some counties and municipalities were in jeopardy. Rural counties often lacked a sufficient and sustainable volume of waste needed to justify the considerable investment required to meet the stricter operating regulations and design criteria of current state of the art facilities. Many closed their former operations.

Private sector investors face those same constraints. They opt for fewer but much larger capacity facilities to reduce development costs but are reliant on the economies of scale to cover the total expenditures. Unless they are designed to serve highly concentrated population areas, the intent of the operation is to draw the necessary volumes of waste from a regional waste shed. In extreme circumstances, where a facility is necessary to address the needs of surrounding rural counties, it is often necessary to attract waste from remote counties and other states to maintain a financially sustainable operation.

These same issues apply to the processing and marketing of recyclable commodities. Material volumes and optimal logistics influence finances.

Because favorable market conditions are dependent on the cooperation of all participants, it is prudent for Warren County to protect its need for municipal solid waste capacity, without interfering with the needs of other counties. In keeping with the premise of Act 101, it is also advisable to use the resources of the private sector to the greatest extent possible in the development of recycling programs.

11.1 THE REGIONAL NETWORK

Currently, there are no municipal waste disposal facilities located within Warren County. To meet its disposal capacity needs, the County is reliant on the availability of facilities in other jurisdictions. As part of the process to develop the Warren County Municipal Solid Waste Management Plan, a variety of facilities made contractual

commitments guaranteeing disposal capacity to the County. These facilities are located in the greater Western Pennsylvania area, and in New York.

Other Pennsylvania counties experience these same circumstances. Therefore, many forms of waste flow naturally through a network of transporters and facilities with no local, state, or national boundaries. Each facility has entered into long term agreements, which share a secured portion of their capacity with one or more counties or businesses.

The scenario is similar for privately operated material recovery facilities that process and market recyclable commodities collected within the County. Recyclables from other counties and states are also transported to the facilities that Warren County and its municipalities utilize for processing.

11.1.1 Mutual Respect for Commitments

The lack of interference by other counties and states in the normal operation of disposal facilities located within their jurisdictions is vital to the disposal needs of Warren County. Likewise, it is important for Warren County to understand and respect that these facilities must honor their contractual obligations with other parties. Therefore, the County supports the need for facility operators to design, finance, and construct reasonable expansions to meet these various capacity commitments. The County will not interfere with the normal operational and regulatory process involved with such expansions, nor prevent it from generating the necessary profits to support those projects, provided the facility complies with the provisions of the Warren County Municipal Solid Waste Management Plans.

Chapter 12

12 Community Involvement in the Planning Process

We all generate and need to dispose of municipal waste. Our familiarity with the issue fuels strong opinions regarding municipal waste management. Our viewpoints reflect personal perspectives based on environmental, economic, political, and social influences.

Most individuals and businesses believe the way they manage municipal waste is the norm. Frequently grounded in local culture and long-standing tradition, when people perceive these practices are threatened, the result is often public outcry.

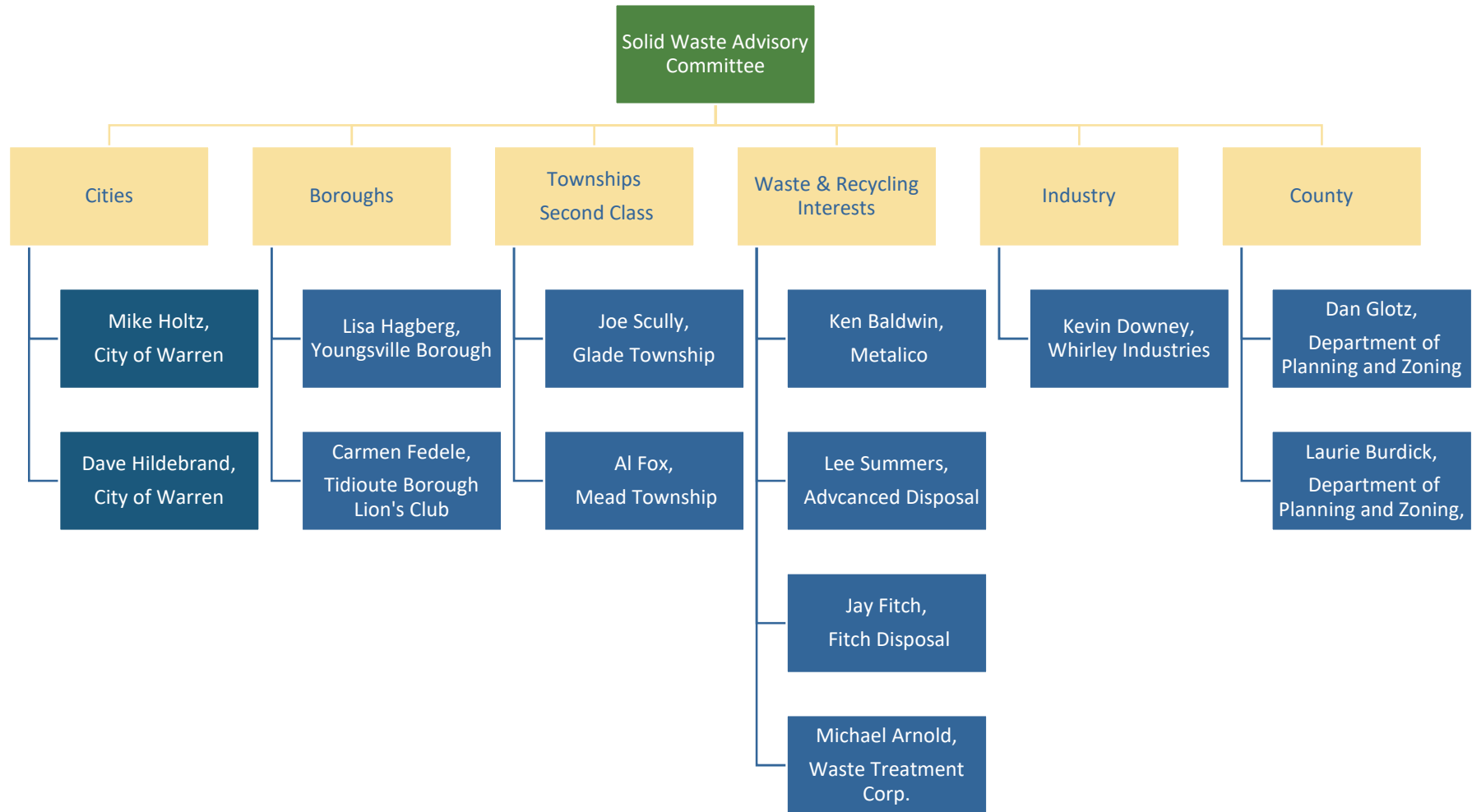
Without public acceptance, the likelihood that a municipal waste plan will fail increases, regardless of whether or not its visions and recommendations are legitimately good or appropriate. To avoid miscalculating the public's tolerance for change, experience teaches us that bringing the various interest groups together during the planning process is a vital step in building consensus for future policies and programs. Allowing for this exchange and interaction ultimately leads to better understanding and cooperation when new practices are implemented.

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

12.1 FORMATION OF THE SOLID WASTE ADVISORY COMMITTEE

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

Figure 12-1 Warren County Solid Waste Advisory Committee



12.2 COMMITTEE INTERACTION

A series of meetings were scheduled periodically during the development of the Plan and facilitated by the Warren County Planning Director and the Project Consultant. Roundtable discussions allowed committee members to express their views and opinions. Although attendance per meeting per member varied, a sufficient number of participants consistently were present to provide a valid assessment of the topic.

12.2.1 Presentations and Discussions

Each meeting focused on related elements. For instance, disposal practices, illegal dumping, and future capacity might have been included on the same agenda. Most meetings began with the Project Consultant presenting findings resulting from local data analysis. The Project Consultant then led a discussion and addressed comments and questions from the group. The discussions were always directed to consider national trends and their effect on local circumstances. Topics included County demographics, national and local trends in municipal waste composition, generation, recovery, and disposal, and infrastructure strengths and weaknesses. During the discussions, many issues surfaced that deserved further investigation. Many of these items became the focus for final recommendations in the Plan.

12.2.2 Meeting Records

Appendix F includes recorded minutes of the Solid Waste Advisory Committee meetings and comments received from municipalities, PADEP, and the general public during the review process, along with the County's responses.

12.2.3 Committee Viewpoints

The SWAC meetings were interactive. All of the members participated freely and openly. The Committee made observations and expressed their concerns on certain prevailing conditions, specifically intolerance for illegal dumping, littering and open burning. Much consensus building occurred.

The SWAC spent considerable time discussing and considering options to improve recycling opportunities throughout the County. Members agreed that a centralized outlet for hard to manage items, such as electronic waste, HHW and bulky waste would benefit the County. The comments and concerns of the SWAC were given

serious consideration and to the fullest extent possible they have been incorporated into the final recommendations included in Chapter 5.

Appendix A

13 References and Acknowledgements

The following books, documents, articles, and other publications were used as professional sources of information during the development of the Plan revisions.

Advancing Sustainable Materials Management: Facts and Figures 2013. Assessing Trends in Material Generation, Recycling and Disposal in the United States June 2015. Prepared for the United States Environmental Protection Agency

Biosolids Disposal in Pennsylvania. 2007. Department of Agriculture. Penn State University, State College, Pennsylvania

Construction & Demolition Debris Industry Study. 2007. Commissioned by The Massachusetts Department of Environmental Protection. Boston, MA

Construction & Demolition Waste Management in the Northeast in 2006. 2009. The Northeast Waste Management Officials' Association (NEWMOA) Boston, Massachusetts.

County Population Projections: Pennsylvania 2010-2030. 2010. Pennsylvania State Data Center. Harrisburg, Pennsylvania

Evaluation of Emissions from the Open Burning of Household Waste in Barrels: Volume 1. Technical Report. 1997. Prepared for the United States Environmental Protection Agency

Handbook for the Collection, Transportation, Disposal, and Land Application of Residential Septage in Pennsylvania. 2016. Pennsylvania Department of Environmental Protection, Harrisburg, Pennsylvania

Illegal Dump Survey of Warren County. 2008. Keep Pennsylvania Beautiful; (PA CleanWays); Greensburg, Pennsylvania

Municipal Waste Disposal Facility Annual Operation Reports. 2005-2015 Pennsylvania Department of Environmental Protection, Bureau of Land Recycling and Waste Management. Harrisburg, Pennsylvania.

Pennsylvania County Data Book, Warren County. 2014 Pennsylvania State Data Center, Institute of State and Regional Affairs, Harrisburg, Pennsylvania

Pennsylvania Infectious and Chemotherapeutic Waste Plan. 1990 Prepared for the Pennsylvania Department of Environmental Resources by Jack Faucett Associates, Inc.

Pennsylvania Licensed Infectious and Chemotherapeutic Waste Transporters Registration 2016. Pennsylvania Department of Environmental Protection, Bureau of Land Recycling and Waste Management. Harrisburg, Pennsylvania

Pollution Prevention Measures from Unwanted Pharmaceuticals. 2005. Gualtero, Sandra. Department of Earth and Environmental Engineering, Columbia University, New York, New York

Residential Open Burning in Pennsylvania. Fact Sheet. Pennsylvania Department of Environmental Protection, Bureau of Air Quality. Harrisburg, Pennsylvania

Sewage Sludge and Septage Management in Pennsylvania. 1998 Pennsylvania Department of Environmental Protection, Harrisburg, Pennsylvania

The Determinants of Household Recycling: A Material Specific Analysis of Recycling Program Features and Unit Pricing. April 2000 Jenkins, Martinez, Palmer, and Podolsky. Resources for the Future 1616 P Street, NW Washington, D.C. 20036

The New Economic Reality of Recycling. February 2011. Tim O'Donnell and Michele Nestor. Pittsburgh Post-Gazette, Pittsburgh, PA

Appendix B

14 Capacity Procurement Process

SOLICITATION FOR PROPOSALS

REQUESTS PROPOSALS FOR MUNICIPAL SOLID WASTE DISPOSAL AND/OR PROCESSING CAPACITY WARREN COUNTY BOARD OF COMMISSIONERS, WARREN, PENNSYLVANIA

In accordance with Pennsylvania Code Title 25. Environmental Protection. Chapter 272.225 Municipal Waste Planning Recycling and Waste Reduction (as amended December 22, 2000), the Board of Commissioners of Warren County has determined that additional waste disposal or processing capacity for municipal solid waste (MSW), including construction/demolition (C/D) waste and sewage sludge generated within the County is required for a period covering the next ten years. The Warren County Department of Planning and Zoning on behalf of the Warren County Board of Commissioners is hereby soliciting proposals for disposal capacity for MSW generated in Warren County PA with contract approval and execution anticipated by October 2016.

The Request for Proposals (RFP.) will be available from the Warren County Department of Planning and Zoning on or after Monday, June 6, 2016. There is a \$50 fee for printed copies. All proposals must be made on and inclusive of the required Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals. The Warren County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County

The Warren County Department of Planning and Zoning will receive sealed proposals until 3:00 p.m., Prevailing Time on Monday, July 11, 2016. The Proposer is required to submit two (2) hard copies, each executed in blue ink and labeled "original," and two (2) separate electronic media, (CD-ROMs or Flash Drives) each with a copy of the proposal in MS Word or pdf format. The proposals must be packaged, sealed, and clearly labeled to show the statement "Proposal Disposal Capacity" and the name and address of the Proposer.

Proposals should be submitted and be addressed to: **Mr. Dan Glotz
Director, Warren County Department of Planning and Zoning, Warren County
Courthouse, 204 4th Avenue, Warren, PA 16365**

WARREN COUNTY PENNSYLVANIA

Department of Planning and Zoning

on behalf of the

Board of County Commissioners

Request for
Proposals

Released June 6, 2016

**Deadline for Proposal
Submissions**

**Monday, July 11,
2016, 3:00 PM**

**MUNICIPAL SOLID
WASTE DISPOSAL
AND PROCESSING
CAPACITY**

Warren County Department of Planning and Zoning

Mr. Dan Glotz

Planning Director

Warren County Department of Planning and Zoning

Warren County Courthouse

204 4th Ave.

Warren, PA 16365

dglotz@warren-county.net

Phone: (814)-728-3512

Project Consultant

Primary Contact for Proposal Related Questions

Michele Nestor

Nestor Resources, Inc.

Valencia, PA 16059

Phone: (724) 898-3489

Mobile: (724) 612-7675

Email: michele@nestorresources.com

● INTRODUCTION

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

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

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

**Sealed Proposals in response to this RFP are due on Monday, July 11, 2016, by 3:00 PM. At the offices of: Warren County Department of Planning and Zoning
Warren County Courthouse, 204 4th Avenue, Warren, PA 16365**

Attention: Mr. Dan Glotz, Planning Director

To qualify for consideration, the Proposer must submit two (2) hard copies, each executed in blue ink and labeled "original," and two (2) "copies" formatted as MS Word or pdf files each on separate electronic media, CD-ROMs, or Flash Drives. The outside of each sealed envelope must be marked "Proposal-Disposal Capacity."

The Department of Planning and Zoning intends to review and evaluate all proposals to determine which contractor(s) submitting proposals are deemed to serve the best interests of the County in meeting its needs for disposal and processing capacity in accordance with Act 101. The Department of Planning and Zoning will consider only those facilities which have submitted qualified proposals. After the evaluation of the proposals is complete and based on the recommendations, which result from it, the Warren County Board of Commissioners will execute the disposal and processing contract(s) with the selected contractor(s).

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

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

Section 1

- **PROCUREMENT APPROACH**

- **PURPOSE OF REQUEST FOR PROPOSALS**

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

- **COUNTY DESIGNATION OF FACILITIES AND EXECUTION OF CONTRACTS**

If the proposal is accepted by the County, one of the originals will be returned to the contractor once it is executed by the Warren County Board of Commissioners. The County anticipates that the proposals will be reviewed, accepted and contracts executed on or about September 15, 2016. The contract term will commence immediately upon execution by the Warren County Board of Commissioners.

- **PENNSYLVANIA RIGHT-TO-KNOW LAW**

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

- **REQUIREMENTS FOR SUBMITTING PROPOSALS**

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

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

Packages containing the proposals must be sealed and clearly labeled to show the name and address of the Proposer, the statement "Proposal-Disposal Capacity" and be addressed to: **Warren County Department of Planning and Zoning, Warren County Courthouse, 204 4th Avenue, Warren, PA 16365, Attention: Mr. Dan Glotz, Planning Director**

Proposals must be submitted in both print and electronic digital formats.

- Two printed and separately bound hard copies must be clearly marked "ORIGINAL" and contain the forms, contract and certifications as indicated and be executed with original signatures in blue ink.

- Two (2) CD-ROMs or Flash Drives with each containing a copy of the proposal formatted as a pdf file. Each “copy” must contain all of the required information, forms, contract, and certifications. The electronic file must be saved to clearly identify the facility by name.

For Contractors proposing multiple facilities

- **Separate Hard Copies Required for Each Proposed Facility** the Contractor must submit two printed and *separately bound* hard copies clearly marked “ORIGINAL” which contain the forms, contract and certifications as indicated and be executed with original signatures in blue ink.
- **Shared Electronic Media for All Proposed Facilities** Two (2) CD-ROMs or Flash Drives with each containing a copy of the proposal for each facility formatted as an MS Word or a pdf file. Each “copy” must contain all of the required information, forms, contract, and certifications for each facility. An electronic file must be created for each facility, must be saved to clearly identify the facility by name. However, the CD-ROM or Flash Drive may contain the files for all of the facilities submitted by the contractor.

Emergency Back-up Disposal and Processing

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

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

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

- **ORGANIZATION OF THE PROPOSAL**

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

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

- ***COVER LETTER AND SIGNATURE REQUIREMENTS***

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

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

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

- *STATEMENT OF ORGANIZATION'S QUALIFICATIONS*

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

- *EXPERIENCE OF MANAGERS AND SUPERVISORS*

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

- *FACILITY COMPLIANCE HISTORY*

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

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

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

- *CERTIFICATE OF PERMIT*

A copy of the approved current operating permit, **with the current pending expiration date clearly shown**, shall be submitted for the organization's facility proposing to accept waste. Approved permit modifications, which may alter or impact the date shown on the actual operating permit since its issuance should also be included.

- *FACILITY DESIGN AND OPERATIONAL PLAN*

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

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

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

All facilities must include in their descriptions: (a paragraph or two describing the general procedural mechanism will be sufficient to address each item. It is not necessary, or desirable, to have the complete description from the facility's permit included)

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

Requirements unique to the type of facility:

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

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

• *PERMITTED VOLUMES AND OPERATING HOURS AND PERFORMANCE GUARANTEE*

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

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

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

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

• *AVAILABLE CAPACITY (AIRSPACE OR BURNER CAPACITY)*

The facility proposing to accept waste must prove and document both its most current annual and also its most current quarterly airspace usage and available capacity in cubic yards based on its existing

permitted status. **Pennsylvania landfills should submit Page 1 of the PADEP Annual Operations Report, which requires the facility to calculate the available airspace in cubic yards. Resource Recovery Facilities should demonstrate the daily throughput capacity and burner design.**

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

- *FINANCIAL ASSURANCES*

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

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

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

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

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

- *SIGNED CONTRACT*

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

- **Contract Form A-Cost of Processing and Disposal**

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

- **Contract Form B- Reserved Capacity**

The organization submitting the proposal shall submit a Form B as provided in the Contract Agreement. The same individual signing the cover letter shall sign the completed form, which must be included with the signed contract with the proposal. The capacity reserved shall be specified in tons, and percentage on an annual basis and by tons on a daily basis. The number of operating days each year the facility is available to accept waste must be specified.

- *ADDITIONAL REQUIRED FORMS*

Form C- Representations and Certifications

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

Form D -Contractor Information

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

Section 2

• EVALUATION CRITERIA

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

Financial Stability

Contractors will be evaluated on the basis of their overall financial strength and credit worthiness as well as their public and environmental liability protection as an indication of their ability to establish and maintain a financially sound disposal and processing system. Financial assurances for closer and post closure care are important.

Regulatory Compliance

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

Operating Permit Status and Capacity

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

Facilities without a currently approved permit should not submit a proposal. If and when a permit is issued, those facilities may petition the County at that time for inclusion in the Plan.

Technical Design and Operational Plan

Contractors will be evaluated on the effectiveness of the facility's design and overall operation to provide a sound and reliable environmental solution to the County's disposal and processing needs as well as its ability to meet Federal, State and Local regulatory standards for municipal solid waste management. Issues such as leachate collection and treatment, methane recovery and utilization, ash management, ground water monitoring systems, waste acceptance plans, and radiation monitoring are considered important.

Solid Waste Management Experience

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

Minimum and Maximum Waste Volume Expectation

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

Tipping Fees and Annual Costs

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

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

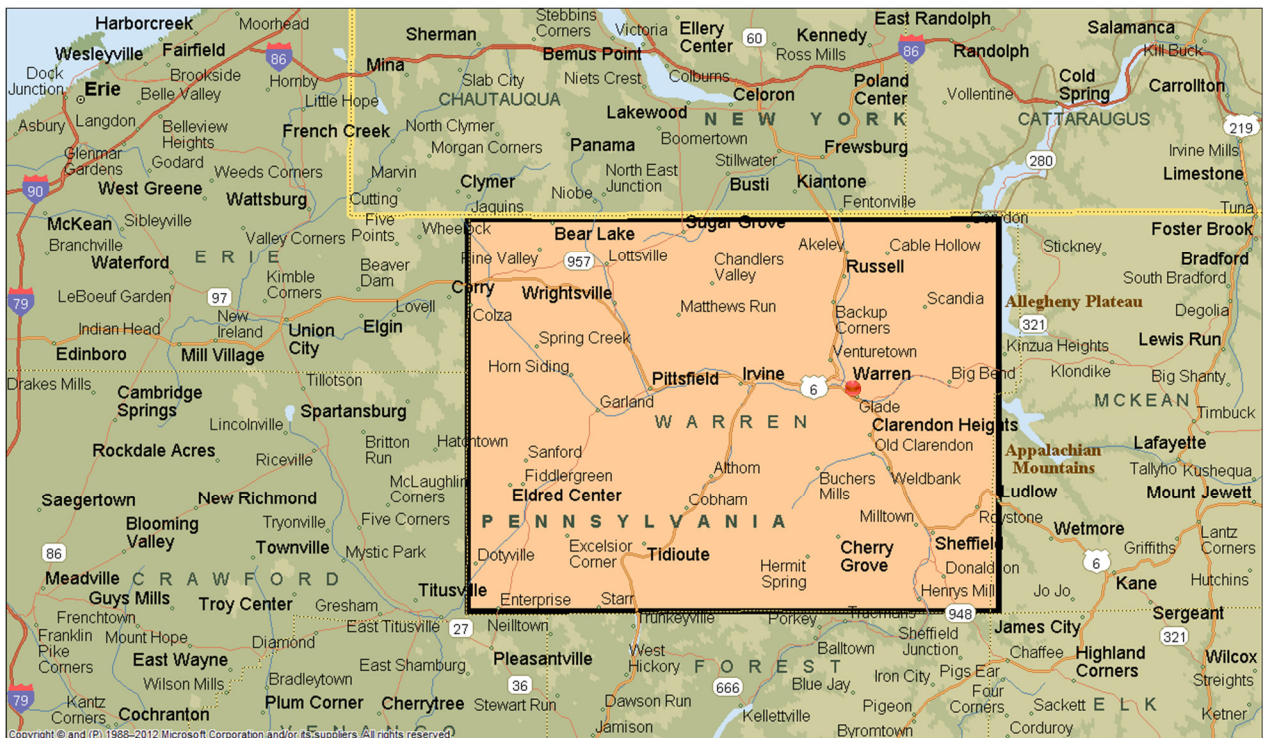
Section 3

- **WARREN COUNTY BACKGROUND INFORMATION**

- **LOCATION AND GENERAL CHARACTERISTICS**

Warren County is situated in northwestern Pennsylvania along the New York State border. The County is approximately 50 miles from the City of Erie and the Ohio border. Surrounding counties include on the south Forest, Venango, and Elk Counties, on the east by McKean County, on the north Chautauqua County (New York), and on the west by Erie and Crawford Counties. A sizeable portion of the County lies within the Allegheny National Forest. The Interstate highway system does not pass through any parts of Warren County. The major access route is via U.S. Routes 6 and 62 and State Routes 27, 59, and 69. The highway system is well maintained and due to the nature of local industries, well-suited to truck traffic. The County's population has experienced minor fluctuations over the past ten years, but in general hovered between 40,000 to 41,000 people. The Pennsylvania State data Center in conjunction with the US Census Bureau predict that the County's population will decline by approximately 10 percent between 2015 and 2040.

- **Figure 1 General Location of Warren County, Pennsylvania**



- **CURRENT PROCESSING AND DISPOSAL PRACTICES**

For approximately 20 years, Warren County 's municipal solid waste was disposed at the Grunderville Landfill, which was owned and operated by the Warren County Solid Waste Authority. In 1990, the first Warren County Municipal Solid Waste Management Plan in accordance with the provisions of Act 101, was developed. During that process, the decision was made to end operations and close the Grunderville facility in 1991. Consequently, the plan was and continues to be totally reliant on disposal and processing services for municipal waste provided by outside sources.

The Plan was last updated in 2004. It included contractual assurances for disposal capacity. Six landfills entered into agreements with the County between 2005 and 2006 to provide disposal capacity, and were designated as facilities where Warren County municipal waste must be delivered for disposal. The agreements required the facilities to provide a predetermined amount of disposal capacity for municipal waste generated in Warren County for an initial period of five years with a renewal option for an additional 5-year term. Depending on when the contracts were executed, these contracts were set to expire beginning sometime in 2015 and during the remainder of 2016.

The contracts outlined the specific waste streams categorized as municipal waste, which would be considered. These included municipal waste, construction & demolition waste, sewage sludge, and regulated medical waste that is approved for disposal at the facility. In addition, guidelines for reporting and other operating criteria were defined. No guarantees, or put or pay provisions, were made by Warren County for minimum waste volumes to be delivered for disposal as part of any of the existing agreements.

- **COLLECTION**

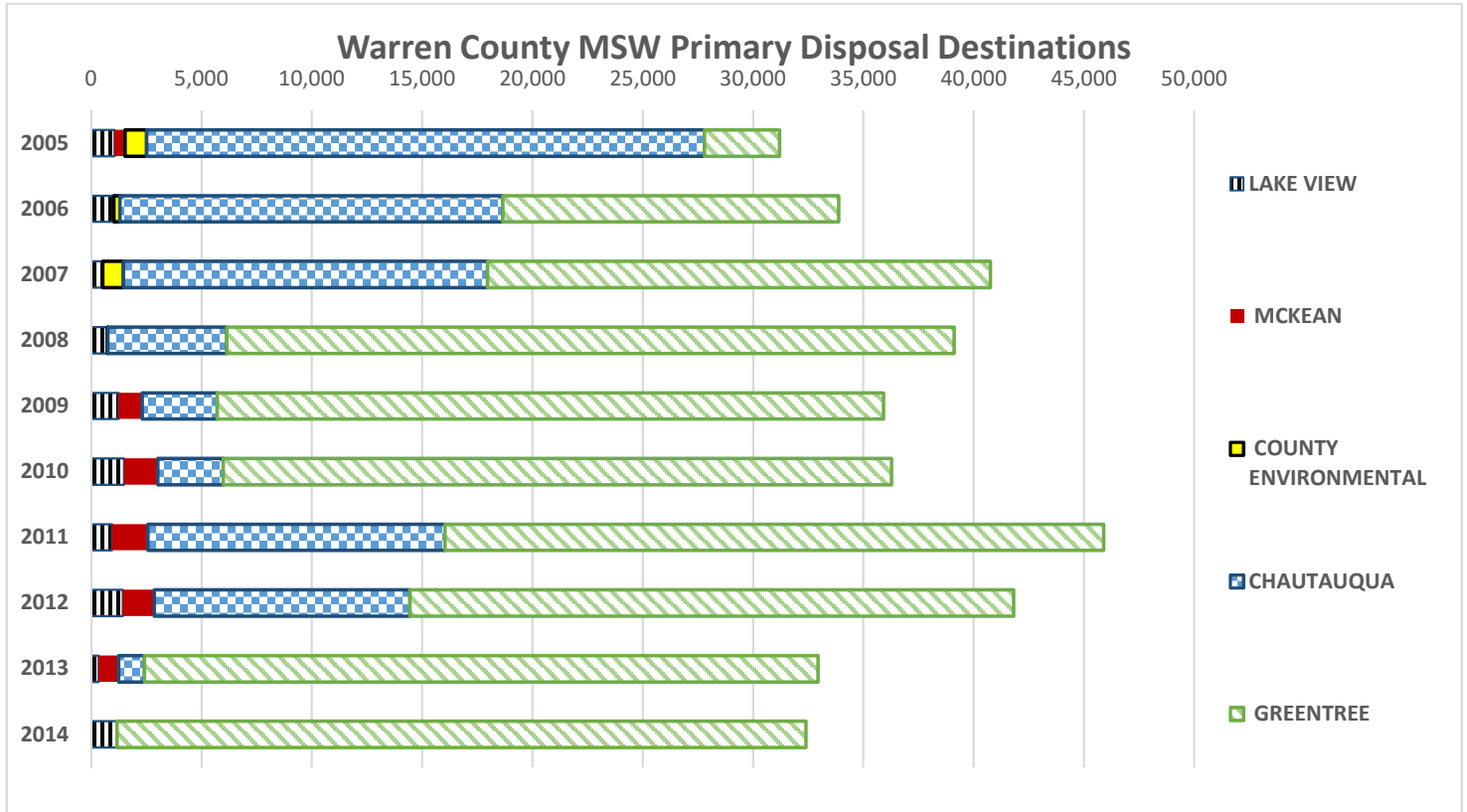
Collection of municipal waste is dominated by the few remaining private companies that provide services in the area. One local municipality does collect residential waste. Private subscription collection service prevails. Only a few municipalities utilize a contractual bidding process. Municipal ordinances, which require all commercial and residential accounts to contract for waste collection are not universally adopted in the County.

- **HISTORIC TRENDS IN WASTE GENERATION AND DISPOSAL**

The cumulative amount of capacity guaranteed by the six facilities was more than adequate to meet the needs of Warren County. One of the landfills which executed the capacity agreement has since closed. One never received waste from the County. Two of the landfills have changed ownership. Only one facility is located out of state.

All of the Warren County disposed municipal waste was reported by the designated facilities according to information submitted to PADEP and to the County. Although varying quantities were reported by each landfill over the ten-year period, Greentree Landfill, owned and operated by Advanced Disposal and located in Elk County, consistently received the greatest quantities of the County's municipal waste. It is suspected that Greentree receives slightly more waste than shown. Some of Warren County's waste is delivered to a transfer station in Clarion County, also owned and operated by Advanced Disposal. Although in reality the waste from the transfer station represents a mixture of many counties, Clarion County is commonly recorded as the source when transfer loads are delivered to Greentree. Chautauqua Landfill in New York also receives large amounts of Warren County waste. Data from Chautauqua was not available for 2014, but all indicators point to Chautauqua accepting similar volumes of waste as in the past.

Figure 2. Disposal Trends



• **PROJECTED LANDFILL CAPACITY REQUIREMENTS**

This section presents the estimated future disposal capacity required for Warren County. It is based on current reported disposal quantities with some adjustments made to correct for suspected reporting errors. The projections allow for possible future changes in the rate of MSW generated per capita, and projected changes in population.

Population. The Pennsylvania State Data Center at the Pennsylvania State University has produced State and county population projections for the Commonwealth of Pennsylvania. Presented below in Table 1 are county totals from the 2010 Census and projections for 2010 to 2040. Population was extrapolated to 2025 based on the projected rate of change from 2020 to 2030. Over the period 2000 through 2030, the population of Warren County is projected to decrease by 5.63 percent.

• *Table 1. Pennsylvania Population Projections: 2010-2040*

	July 1, 2010	July 1, 2020	July 1, 2030	July 1, 2040	% Change	% Change	% Change
	Census	Projection	Projection	Projection	2010-2020	2010-2030	2010-2040
Pennsylvania	12,711,308	13,230,170	13,759,594	14,132,588	4.1%	8.2%	11.2%
Warren County	41,815	40,605	39,459	37,535	-2.89%	-5.63%	-10.1%

Estimated Future Generation Rate for MSW. The USEPA reports on national MSW generation and disposal rates. In recent years, the generation rate per capita has been about 0.85 tons/person/year

with little variation. Thus, for projection purposes, it was assumed that per capita generation rates will remain unchanged.

However, it should be noted that the reported disposal rate of municipal waste, was only 0.45 tons/person/year, slightly below the national discard rate of 0.525 tons/person/year for the same material. USEPA does not include sewage sludge, construction & demolition waste, medical waste in its national statistics. Those materials accounted for another 0.04 tons/person/year for Warren County. Thus, it is presumed that some quantities of Warren County waste may be misreported as coming from other counties. For instance, Clarion County has a transfer station which likely accepts Warren County waste. In addition, the close proximity to Ohio, with low disposal rates and from where no data was reported, would also contribute to the lower than average expected results.

Table 2 presents projected disposal capacity requirements for the years 2015 through 2025. The figures are based on a constant per capita disposal rate with adjustments due to projected population changes. For Warren County, the population is based on the 2010 census figures and extrapolated out using the PA Data Center's projections from 2010 to 2030, adjusted for estimates published in 2015 showing the population at 40,396, lower than previously anticipated.

Table 2. Warren County Projected Landfill Capacity Requirements in Tons

	Population	MSW	Sewage Sludge	Construction/ Demolition	Regulated Medical Waste	Total
2016	40,125	29,693	1,332	1,376	9.63	32,401
2017	39,856	29,493	1,323	1,367	9.57	32,184
2018	39,588	29,295	1,314	1,358	9.50	31,967
2019	39,322	29,098	1,305	1,349	9.44	31,753
2020	39,058	28,903	1,297	1,340	9.37	31,539
2021	38,796	28,709	1,288	1,331	9.31	31,328
2022	38,536	28,517	1,279	1,322	9.25	31,118
2023	38,277	28,325	1,271	1,313	9.19	30,909
2024	38,020	28,135	1,262	1,304	9.12	30,701
2025	38,765	28,686	1,287	1,330	9.30	31,303
2026	38,202	28,269	1,268	1,310	9.17	30,848

Section 4

- **CAPACITY AGREEMENT**

The following Contract/Agreement shall be executed between the County and the Contractor. The contract signed in BLUE ink must be included in the Contractor's two ORIGINAL proposals with reproductions in the remaining two electronically formatted copies. The contract shall become effective on the date the agreement is signed by the Warren County Board of Commissioners.

MUNICIPAL WASTE PROCESSING AND DISPOSAL SERVICE CONTRACT

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

THE COUNTY OF WARREN, Warren Pennsylvania, hereinafter jointly referred to as the "County" AND _____ hereinafter referred to as the

(Name of Facility/Parent Company)

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

_____ (Municipality)(ies),
_____ County, _____ State.

WITNESSETH:

WHEREAS, the Board of County Commissioners, acting through the Warren County Department of Planning and Zoning, have developed and adopted the 1990 Municipal Waste Management Plan for Warren County and its revisions in 2004 and 2016 in accordance with the requirements of the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 ("Act 101-"); and,

WHEREAS, the municipalities in Warren County have duly approved and ratified this 1990 Municipal Waste Management Plan for Warren County pursuant to the requirements of section 501 of Act 101; and,

WHEREAS, this 1990 Municipal Waste Management Plan for Warren County and its revisions in 2004 and 2016 requires that all municipal waste generated within Warren County must be disposed only at a municipal waste processing or disposal facility that is designated by the County pursuant to this plan to insure the availability of adequate permitted processing and disposal capacity for the municipal waste generated in Warren County; and

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

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

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

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

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

I. DEFINITIONS

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

Acceptable Waste -Waste that Contractor is permitted to manage, process, store and/or dispose at the Landfill, in accordance with its Permit for a Solid Waste Processing and Disposal Facility, which was issued by the Pennsylvania Department of Environmental Protection ("DEP") or the equivalent regulatory agency in the state

where the facility is located and under applicable Pennsylvania law or that in which the facility is located, including, but not limited to, the Pennsylvania Solid Waste Management Act and the rules and regulations promulgated thereunder; and waste which is not inconsistent with the Facility's Waste Acceptance Policy as defined herein.

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

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

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

Warren County- a sixth class county located in the Commonwealth of Pennsylvania

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

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

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

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

County-The County of Warren, Pennsylvania, acting by and through the Warren County Board of Commissioners and the Department of Planning and Zoning or their designated representative.

Department of Planning and Zoning – An agency of Warren County Government delegated with the responsibility of developing and implementing the Warren County Municipal Solid Waste Management Act and associated programs and services.

Department or DEP The Pennsylvania Department of Environmental Protection (DEP).

Domestic or Residential Waste -Solid waste comprised of Garbage and Rubbish, which normally originates from residential private households or apartment houses.

Facility—Land, structures and other appurtenances or improvements where municipal waste processing and disposal is approved and permitted to occur under Federal and state law. A Facility includes a landfill, a resource recovery facility, a waste-to-energy facility, a digester and/or other municipal solid waste processing and disposal technologies operating under the provisions of a permit approved and issued by the Pennsylvania Department of Environmental Protection or the state regulatory agency in which the operation is located.

Garbage -Putrescible animal or vegetable wastes resulting from the handling, preparation, cooking, serving or consumption of food and food containers.

Hauler and Waste Collector -Any person, firm partnership, association or corporation, including any municipality, engaged in the business of collecting and transporting municipal solid waste to processing or disposal facilities.

Hazardous Waste -A solid waste or combination of solid wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics may: (1) cause or significantly contribute to an increase in

mortality or an increase in morbidity in either an individual or the total population; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed or otherwise managed; or (3) is otherwise defined as "hazardous" by any Federal or State statute or regulation.

Industrial Waste -Solid waste resulting from manufacturing and industrial processes, including, but not limited to, those carried out in factories, foundries, mills, processing plants, refineries, mines and slaughterhouses.

Institutional Waste -Solid waste originating from institutions including, but not limited to, public buildings, hospitals, nursing homes, orphanages, schools and universities.

Landfill -The Contractor's permitted landfill identified on the first page of this contract.

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

Municipal Recycling Program A source separation and collection program for recycling Municipal Waste, or a program of designated drop-off points or collection centers for recycling Municipal Waste, that is operated by or on behalf of a municipality. The term shall include any source separation and collection program for composting leaf waste that is operated by or on behalf of a municipality. The term does not include any program for recycling construction and demolition waste or sludge from sewage treatment plants or water supply treatment plants.

Municipality -Any city, borough, incorporated town, township or county or any municipal authority- created by any of the foregoing.

Municipal Waste or Solid Waste -Garbage, Refuse, industrial lunchroom or office waste and other material, including solid, liquid, semi-solid or contained gaseous material, (but excluding Hazardous Waste) resulting from operation of residential, municipal, commercial or institutional establishments or from community activities; and any sludge not meeting the definition of residual or hazardous waste from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source separated recyclable materials or material approved by DEP for beneficial use.

Operator Any person or municipality that operates a municipal solid waste processing or disposal facility.

Owner - The person or municipality who is the owner of record of a solid waste processing or disposal facility.

Permit -A permit issued by the Pennsylvania DEP to operate a Municipal Waste disposal, processing or transfer station facility.

Permit Area -The area of land and water within the boundaries of the permit, which is designated on the permit application maps as approved by the Pennsylvania DEP, or equivalent regulatory agency in the state in which the facility is located.

Proposal - Complete response to the Request for Proposals for Municipal Waste Processing and Disposal Services that was submitted by Contractor to the County.

"Put or Pay" - A requirement to guarantee delivery of predetermined quantities of waste to a facility which also requires payment to the facility regardless of whether or not the waste was delivered for processing and disposal.

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

Refuse -Discarded waste materials in a solid or semi-liquid state, consisting of Garbage, Rubbish or a combination thereof.

Remaining Permitted Capacity -At any time the remaining weight or volume of Municipal Waste that can be disposed at a permitted Municipal Waste disposal or processing facility. The term shall only include the weight or volume capacity for which the Pennsylvania DEP (or the equivalent regulatory agency in state which the facility is located) has issued a permit.

Residual Waste -Any Garbage, Refuse, other discarded material or other waste, including solid, liquid, semi-solid or contained gaseous material resulting from industrial, mining and agricultural operations and any sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous.

Resource Recovery Facility -A facility that provides for the extraction and utilization of materials or energy from Municipal Waste that is generated off-site, including, but not limited to, a facility that mechanically extracts materials from Municipal Waste, a combustion facility that converts the organic fraction of Municipal Waste to usable energy and any chemical or biological process that converts Municipal Waste into a fuel product or other usable material. The term does not include methane gas extraction from a Municipal Waste landfill, nor any separation and collection center, drop-off point or collection center for recycling Municipal Waste, or any source separation or collection center for composting leaf waste.

Rubbish -Non-putrescible solid wastes consisting of combustible and non-combustible materials including leaf wastes.

Sewage Sludge -The coarse screenings, grit and dewatered or air-dried sludges, septic and holding tank pumpings and other residues from municipal and residential sewage collection and treatment systems.

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

Tipping Fee -The schedule of fees established by the owner or operator of a transfer station, sanitary landfill, processing and/or resource recovery facility for accepting various types of solid waste for processing or disposal.

Unacceptable Waste -Any material that by reason of its composition, characteristics or quality, is ineligible for disposal at the processing and disposal facility pursuant to the provisions of the Resource Conservation and Recovery Act of 1976, 42 U.S.C. S2605 (e), the Pennsylvania Solid Waste Management Act, 35 P.S. S6018.101, et seq., or other applicable Federal, State or Local law and any amendments thereto; or any other material that the Contractor concludes would require special handling or present an endangerment to the landfill, the public health or safety, or the environment.

II. SCOPE OF CONTRACT

1. Designation as Processing and Disposal Site

In consideration of Operator's Covenants and this Agreement, the County hereby agrees to include operator's Facility in its Plan as a designated non-exclusive processing or disposal facility for Municipal Waste generated in the County.

2. Effective Date

This Contract shall become effective and the contractor shall begin providing Municipal Waste processing and disposal service for the County under the terms and conditions of this Contract on the date the Contract is duly executed by the Board of Commissioners.

3. Term of contract

The term of this Contract shall commence on the effective date, and shall terminate on the earlier of (a) any event, the effect of which is to permanently terminate the validity of the DEP Permit for the Facility (or the equivalent

regulatory agency in state which the facility is located) or (b) Ten (10) years, or (c) terminated in writing by consent of both parties.

4. Compliance with Applicable Laws

The parties to the Contract agree that the laws of the Commonwealth of Pennsylvania shall govern the validity, construction, interpretation and effect of the Contract. The Contractor shall conduct the service of Municipal Waste processing and disposal as provided for by the Contract in compliance with all applicable federal and state regulations and laws. The contract and the work to be performed as described herein is also subject to the provisions of all pertinent municipal ordinances which shall be made a part thereof with the same force and effect as if specifically set out therein.

The Contractor certifies that it is not currently under suspension or debarment by the Commonwealth of Pennsylvania or the Federal Government. The Contractor shall not enter into any subcontract for any work under this contract with any subcontractor who is currently suspended or debarred by the Commonwealth of Pennsylvania or the Federal Government. A list of suspended and debarred contractors may be obtained by contacting the following: Department of General Services, Office of Chief Counsel, 603 North Office Building, Harrisburg, PA 17125; Phone: 717-763-6472, Fax: 717-787-9138.

5. Breach of Contract

If the Contractor fails to materially perform in a satisfactory manner in accordance with applicable Permit requirements or regulations, the County shall have the right to demand, in writing, adequate assurances from the Contractor that steps have been or are being taken to rectify the situation. Within ten (10) days of receipt of any such demand, the Contractor must submit to the County a written statement that explains the reasons for the non-performance or delayed, partial or substandard performance during that period and any continuance thereof. The Contractor shall also have the option to appear before the County to present any such explanation. Upon the failure of the Contractor to submit a statement or failure of the Contractor to correct any such condition within fifteen (15) days after responding to the demand by the County, unless the County has agreed to a longer period (which agreement will not be unreasonably withheld), the County may, except under the conditions of force majeure, as defined herein, assess liquidated damages to the Contractor in accordance with the provisions stated herein and/or to terminate the Contract, and as a remedy make demands under any remedy available to the County as provided by law.

6. Penalties and Actual Damages

A. It is hereby understood and mutually agreed by and between the Contractor and the County that the Municipal Waste processing and disposal services to be performed under this Contract are vital for the protection of public health and welfare *and* it is further understood and agreed that the services to be performed under this Contract will be commenced on the date specified in this Contract.

B. It is hereby understood and mutually agreed by and between the Contractor and the County that reporting of complete and accurate data in the format required by this Contract is vital to evidence the implementation of Warren County's approved Plan and the continued availability of sufficient processing or disposal capacity *and* it is further understood and agreed that the reports to be submitted under this Contract in the format required will be received by the County on the dates specified in this Contract.

1. A Contractor that operates, or whose parent company operates, a transfer station that receives Warren County municipal waste for transport to one of the designated facilities shall also submit a report from the transfer station in accordance with Section IV.

C. If the Contractor neglects, fails or refuses to provide the Municipal Waste processing and disposal services in accordance with the terms and provisions of the Contract, and as a result thereof there is a disruption or

termination of the Municipal Waste processing and disposal services to be performed by Contractor under this Contract, then the Contractor does hereby agree, as a partial consideration for the awarding of the Contract, to pay to the County an amount to be determined as hereinafter set forth as actual damages for such breach of Contract for each and every calendar day that such service is disrupted or terminated.

D. The amount of actual damages shall be equal to any additional total waste processing and disposal cost (i.e., any processing and disposal cost in excess of the amount that haulers normally would have paid for processing and disposal of the same amount of waste at the Contractors' Facility under the contract), if any, plus any additional total waste transportation costs (i.e., any transportation cost in excess of the amount that haulers normally would have paid for transporting the same amount of waste to the Contractors' Facility) if any, that the haulers have incurred for transportation and processing and disposal of the Municipal Waste to an alternative processing or disposal facility or transfer station.

E. The Contractor shall not be responsible for the payment of any actual damages whenever the County determines that the Contractor was without fault and the Contractor's reasons for the breach of Contract are acceptable. Furthermore, the Contractor shall not be responsible for any actual damages under the conditions of force majeure as defined herein.

F. If the Contractor neglects, fails or refuses to provide the complete and accurate reports, in the format required by the County in accordance with the terms and provisions of Section IV of the Contract, then the Contractor does hereby agree, as a partial consideration for the awarding of the Contract, to pay to the County an amount to be determined as hereinafter set forth as penalties for such breach of Contract for each and every calendar day that such reports in the format required by the County are late, incomplete, inaccurate or insufficient.

G. The amount of penalties shall be calculated at the rate of \$300 per day for each and every calendar day past the required date for submission. If more than one report required in Section IV of the Contract is to be submitted on the same calendar day then the amount of penalties shall be calculated separately for each and every report that is late, incomplete, inaccurate or insufficient or improperly formatted.

7. Force Majeure

Neither the Contractor nor the County shall be liable for the failure to perform their duties and obligations under the Contract or for any resultant damages, loss or expense, if such failure was the result of an act of God, riot, insurrection, war, catastrophe, natural disaster or any other cause which was beyond reasonable control of the Contractor or the County and which the contractor or County was unable to avoid by exercise of reasonable diligence.

8. Assignment of Contract

No transfer or assignment of the Contract or any right accruing under the Contract shall be made in whole or in part by the Contractor without prior express written approval by the County (which approval shall not be unreasonably withheld). The delegation of any Contract duties will require the written consent of the surety for the Contractor's performance bond, since such delegation will not relieve the Contractor or his surety of any liability and/or obligation to perform. In the event of any delegation of a duty, the delegate shall assume full responsibility and liability for performance of that duty without affecting the Contractor's liability, and shall be responsible for compliance with and performance of all terms and conditions of this contract including but not limited to provisions for sureties and assurances of availability of 10-year service.

9. Change of Ownership

In the event of any change of control or ownership of the Contractor's Facilities the County shall maintain the right to hold the original owner solely liable. However, the County, at its option may determine that the new ownership can adequately and faithfully perform the duties and obligations of the Contract for the remaining term of the Contract, and elect to execute a novation, which will allow the new ownership to assume the rights

and duties of the Contract and release the former ownership of all obligations and liabilities. The new ownership would then be solely liable for the performance of the Contract and any claims or liabilities under the Contract.

10. Waivers

A waiver by either party of any breach of any provisions of the Contract shall not be taken or held to be a waiver of any succeeding breach of such provisions or as a waiver of any provision itself. No payment or acceptance of compensation for any period subsequent to any breach shall be deemed a waiver of any right or acceptance of defective performance.

11. County's Obligations

County shall not be obligated by the terms of this Contract to guarantee the delivery to Contractor's Facility of any minimum quantities of Municipal Waste or payment for any services provided by Contractor to any hauler.

12. Illegal and Invalid Provisions:

In the event any term, provision or other part of the Contract should be declared illegal, inoperative, invalid or unenforceable such term or provision shall be amended to conform to the appropriate laws or regulations. In the case of illegal or invalid provisions, the remainder of the Contract shall not be affected and shall remain in full force and effect.

13. Joint and Severable Liability

If, after the date hereof, the Contractor is comprised of more than one individual, corporation or other entity, each of the entities comprising the Contractor shall be jointly and severally liable.

14. Binding Effect

The provisions, covenants and conditions of the Contract shall apply to and bind the parties, their legal heirs, representatives, successors and assigns.

15. Entire Agreement /Amendments to the Contract

The provisions of this Contract, together with the Agreements and exhibits incorporated by reference, shall constitute the entire Municipal Waste Processing and Disposal Capacity Contract between the County and the Contractor, superseding all prior processing and disposal capacity agreements or contracts, if any, except as otherwise provided in this Contract. No amendment or modifications of the terms and conditions of the Contract shall be made prior to the date the Contract is duly executed by the Warren County Board of Commissioners. Once the Contract is duly executed by the Warren County Board of Commissioners, no amendment or modifications of the terms and conditions of the Contract shall be effective unless such amendment or modification is in writing and signed by authorized representatives of all parties entitled to receive a right or obligated or perform a duty under the Contract. A signed original amendment to the Contract shall be furnished to all parties to be attached to the original Contract. The County and the Contractor agree that any existing Municipal Waste processing and disposal contracts between them are hereby rendered null and void and superseded by this Contract. Any existing Host County Fee Agreements between the parties shall remain in full force and effect notwithstanding any provisions of this Contract.

16. Merger Clause

The Contract shall constitute the final and complete agreement and understanding between the parties. All prior and contemporaneous agreements and understandings, whether oral or written, including, without limitation, the Request For Proposals (RFP) submitted by Contractor, shall be without effect on the construction of any provisions or terms of the final contract if they alter, vary or contradict the Contract.

17. Notices

All notices, demands, requests and other communications under this contract shall be deemed sufficient and properly given if in writing and delivered in person, or by recognized carrier service to the following addresses, or sent by certified or registered mail, postage prepaid, with return receipt requested, at such addresses. Provided, if such notices, demands, requests or other communications are sent by mail, they shall be deemed as given on the third day following such mailing, which is not a Saturday, Sunday or day on which United States mail is not delivered:

**County: *Warren County Department of Planning and Zoning
Warren County Courthouse, 204 4th Avenue, Warren, PA 16365***

Attention: Planning Director

Contractor Notice Address as shown on Form B.

Either party may, by like notice, designate any further or different addresses to which subsequent notices shall be sent. Any notice under this Contract signed on behalf of the notifying party by a duly authorized attorney at law shall be valid and effective to the same extent as if signed on behalf of such party by duly authorized officer or employee.

III. SERVICE, OPERATIONS, AND PERFORMANCE

1. Services of the Contractor

The Contractor agrees to accept, process and dispose specified quantities and types of Municipal Waste originating from sources located in Warren County, in accordance with all applicable Federal, state and local regulations. Nothing herein shall prohibit any Contractor from entering into any separate contract with another person or municipality to provide such waste collection and/or transportation services.

2. Types and Quantities of Municipal Waste

The specific types and quantities of Municipal Waste that will be accepted at the Contractor's Facility under this contract shall be those as listed in Form B:

Annual adjustments to the maximum Municipal Waste quantities may be permitted if the request for adjustments is made in writing at least sixty (60) days in advance of the anniversary of the effective date of the Contract. Any quantity adjustment request will be mailed to the County by United States Postal Service, Certified Mail. If an authorization is approved, it will be considered an amendment to this Contract and the adjusted quantities will supersede those previously in effect.

3. Maximum Tipping Fees or Rate Schedule

The maximum rate or tipping fee to accept the various types of Municipal Waste shall be as listed on Form A.

4. Delivery of Wastes

The Municipal Waste to be accepted at the Contractor's Facility under this Contract will be delivered to the Contractor's Facility by municipal and/or private waste haulers. The waste haulers responsible for delivering the Municipal Waste that will be accepted under the contract will be those required to be authorized by the Pennsylvania Waste Transportation Safety Act 90 as well as those regularly engaged in the business of waste transportation but are exempt. Only Municipal Waste materials delivered to the Contractor's Facility by authorized and such exempt waste haulers shall count towards any maximum waste quantity limits under the Contract. Contractor shall be responsible for obtaining a current list of the authorized waste haulers from the appropriate State agency.

5. Minimum Hours of Operation

Unless mutually agreed upon otherwise by the Contractor and the County, the Contractor will accept delivery of Municipal Waste from waste haulers authorized by the Pennsylvania Waste Transportation Safety Act 90 during the hours shown on Form B, excluding generally recognized business holidays, including without limitation (President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas and New Year's Day). In the event of any lengthy travel time from sources in the County to an out-of-county processing and disposal facility, the Contractor will be required to exhibit flexibility in the operating hours for accepting wastes from Warren County. The Contractor shall have complete discretion to make additional arrangements for accepting waste at any earlier or later hours and/or on Sundays.

6. Complaints

The Contractor shall receive and respond to all complaints from waste transporters authorized by the Pennsylvania Waste Transportation Safety Act 90 as well as those regularly engaged in the business of waste collection and transportation in Warren County regarding the acceptance of waste materials at its Facility. Any complaints received by the County will be directed to the Contractor. In the event the Contractor cannot satisfactorily resolve a complaint within five (5) days after receipt of the complaint, the County shall have the right to demand a written explanation or satisfactory resolution of the complaint pursuant to the breach of contract provisions herein.

7. Municipal Recycling Programs

The County and individual municipalities in Warren County shall have the right to establish and operate any municipal recycling programs, including drop-off recycling centers and curbside collection programs, to source separate and remove recyclable materials from the Municipal Waste stream prior to the delivery of the waste to the Contractor's facility. The Contractor shall notify the County in the event Contractor becomes aware that materials that are being collected in the County and/or municipal recycling programs are being routinely delivered to Contractor for waste processing and disposal. The Contractor shall cooperate with the County in reaching the Commonwealth of Pennsylvania's Recycling goals.

8. Title to Solid Waste

Except in the case where any unacceptable waste or Hazardous Waste is delivered to the Contractor's Facility, the title to the Municipal Waste and any benefits of marketing any materials or energy recovered from the Municipal Waste shall pass to the Contractor upon delivery of the waste to the Contractor's Facility and acceptance of the waste by the Contractor.

9. Unacceptable or Hazardous Waste

The Contractor shall have the right and discretion to inspect and reject any such Hazardous and/or Unacceptable waste delivered to the Facility by the haulers servicing the county. The waste haulers authorized by the Pennsylvania Waste Transportation Safety Act 90, as well as those regularly engaged in the business of waste transportation but are exempt from Act 90, shall be responsible for the prompt removal and processing and disposal of any such unacceptable waste and shall bear all costs associated with the subsequent removal, transportation and processing and disposal of such Hazardous and/or Unacceptable waste.

10. Basis and Method of Payment

A. The County shall not be responsible for the direct payment of any tipping fees to the Contractor under the Contract. All tipping fees shall be paid directly by the municipal and/or private waste haulers, which deliver the waste to the Contractor's Facility.

B. The Contractor shall be responsible for the billing and collection of all tipping fees from the waste haulers. The method of billing and collection arrangements between the waste haulers and the Contractor shall comply with all applicable Federal and State laws governing such commerce and business activities.

C. The County shall not be responsible for failure of any waste hauler, authorized or otherwise, to pay the Contractor's tipping fees and no such fees will be paid by the County. In the event County is notified of repeated delinquency or non-payment by any waste hauler of Contractor's tipping fees, County may enforce any remedies, which may be available to the County.

D. The Contractor shall not charge a tipping fee to any waste hauler authorized by the Pennsylvania Waste Transportation Safety Act 90, as well as those regularly engaged in the business of waste transportation but are exempt, that is greater than the maximum rates established by this Contract for each type of waste. Nothing in this Contract shall be construed to prevent or preclude the Contractor from negotiating alternate tipping fees with any waste hauler provided such fees do not exceed the maximum rates under this Contract.

11. Rate Escalation and Adjustments

A. If Contractor desires to adjust the maximum rate or tipping fee for processing and disposal of each type of Municipal Waste under the Contract in excess of the amount provided in Form A in the RFP submitted by Contractor to the County, the Contractor may request the consent of the County for such increase by providing the County with at least 60 days advance written notice of the proposed increase. Consent to any proposed increase shall be at the sole discretion of the County. The notice of proposed increase to the County shall be delivered to the County by United States Postal Service, Certified Mail on or before October 1 of the year prior to the proposed effective date of the increase.

B. Unless the County and Contractor mutually agree to an alternate date, all annual rate adjustments shall become effective on January 1st of each year of the Contract to be consistent with the starting dates and new contract periods of most Municipal Waste collection contracts.

C. The Contractor may also request consent of the County at any time for additional rate or fee adjustments on the basis of unforeseen changes in operating costs resulting from any new or revised federal, state or local laws, ordinances, regulations or permit requirements, which were not in effect at the time when the original Contract was awarded. The Contractor shall have the burden of preparing and submitting any necessary information to support and document any such rate adjustments. The County shall have the right to inspect, by itself or by an independent auditor, any pertinent financial records that document the need for a rate adjustment using audit standards similar to the Federal procurement regulations. The County shall also have the right to modify the amount of a rate increase requested, modify the effective date of a rate adjustment or to reject a rate increase petition for lack of justification.

D. In the event that any one rate adjustment petition for unforeseen changes in the operating costs of the processing or disposal facility, as set forth in paragraph C above, or the cumulative impact of several such rate adjustment petitions, results in a rate increase greater than 25 percent of the base tipping fee under this Contract, the County at its discretion shall have the right to solicit new Municipal Waste processing and disposal service proposals and the right to terminate this Contract, if in the judgment of the County, more favorable processing and disposal contracts can be secured from other facilities.

E. All annual rate adjustments shall be calculated on only the actual operating cost for the Contractor's processing and disposal facility. All annual rate adjustments as set forth in, demonstrated and included with Form A represent the total tipping fee including any and all fees, taxes, and surcharges as described. Any fixed pass-through or add-on surcharges or costs, such as the surcharge for the recycling fund, post-closure trust fund and County or host municipality benefit fee imposed on Pennsylvania Facilities by Act 101 or any other surcharge or pass-through cost imposed by any host county or municipality, will be deducted from the maximum rate or tipping fee prior to calculating any annual rate adjustment.

12. RESERVED County Administration/Recycling Surcharge

In the event that legislation should be enacted during the period of this contract authorizing the County to assess fees or surcharges for the administration and implementation of its solid waste and recycling programs the County reserves all such rights and privileges to negotiate and collect such fees from the Contractor.

IV. RECORD KEEPING AND REPORTING REGULATED WASTE

1. The Contractor will be required to install and maintain a scale to weigh all incoming waste to the Contractor's Municipal Waste processing or disposal facility or, in the case of a transfer station, to weigh all Municipal Waste delivered to the County designated processing or disposal facility by the transfer station. The scale used to weigh Municipal Waste shall conform to the Weights and Measurement Act of 1965 (73 P.S. sections 1651- 1692) and applicable regulations thereunder; the operator of the scale shall be a licensed public weighmaster under the Public Weighmasters Act (13 P.S. sections 1771-1796) and for all of these acts any amendments thereto and regulations promulgated from.

2. Daily Operational Records

The Contractor shall make and maintain an operational log for each day that Municipal Waste is received, processed or disposed. At a minimum, the following information shall be recorded in the daily operational log:

- A. The total weight of each type of Municipal Waste received at the Facility from all sources;
- B. The County from which the Solid Waste originated, or if the waste originated from outside the state, the state from which the waste originated; and
- C. The name of each waste hauler or transporter delivering Municipal Waste to the Facility.
 - 1. Loads from transfer facilities should be made distinguishable from those directly hauled.

3. Quarterly Operation Reports

The Contractor shall prepare and submit on forms approved by the County a quarterly operation report. The quarterly operation reports shall be submitted to the County on or before the 20th day of April, July, October and January of each year for the preceding three (3) month calendar period ending on the last day of March, June, September and December, respectively. At a minimum, the following information shall be included in each quarterly operation report:

- A. The total weight of each type of Municipal Waste received from all sources within the County during each month of the quarterly reporting period;
- B. The names of the waste haulers or transporters and self-haulers that delivered waste originating from sources in Warren County;
- C. A summary of the total weight of each type of Municipal Waste received each month from each waste hauler or transporter and self-hauler delivering waste originating from sources in Warren County;
- D. A summary of the total weight of each type of Municipal Waste received each month from all waste haulers and self-haulers delivering waste originating from sources in Warren County. Loads from transfer facilities should be made distinguishable from those directly hauled; and
- E. A Contractor that operates, or whose parent company operates, a transfer station that receives Warren County municipal waste for transport to one of the designated facilities shall also submit a report from the transfer station showing:
 - 1. The names of the waste haulers or transporters and self-haulers that delivered Municipal Waste originating from sources in Warren County.

2. A summary of the total weight of each type of Municipal Waste received each month from each waste hauler or transporter and self-hauler delivering waste originating from sources in Warren County.
3. The total amount of tons of Warren County Municipal Waste transported from the transfer station to each disposal facility designated in the Plan to receive waste from Warren County.

The inbound and outbound tons of Warren County waste must reconcile.

4. Annual Operation Report

The Contractor shall prepare and submit on forms approved by the County an annual operation report for each calendar year or other fiscal year approved by the County. The annual operation report shall be submitted to the County on or before June 30th of each year unless an alternate submission date is approved by the County. At a minimum, the following information shall be included in the annual operation report:

- A. For Municipal Waste landfills, a description of the capacity or volume used during the past year and the remaining permitted capacity based upon the annual topographic survey information;
- B. A current Certificate of Insurance as evidence of continuing insurance coverage for public liability insurance as required under the Contract;
- C. For resource recovery or other Municipal Waste processing facilities, the name and the location of the landfill disposal facilities where any bypassed wastes, unprocessable waste and waste by-products, such as incinerator ash, were ultimately disposed;
- D. Copies of all notices of violation, civil penalty assessments and/or administrative orders issued by federal, state or county regulatory authorities to the owner and/or operator of the Facility during the year; and
- E. If available to the Contractor, Certificate of good standing- from its bonding company.
- F. The annual operating reports that must be prepared and submitted to the DEP by Pennsylvania processing and disposal facilities (or equivalent regulatory agency in the state in which the facility is located) may constitute acceptable information for portions of the annual operation report for the purposes of the Contract, provided they are accompanied by completed and accurate forms approved by the County along with any required supporting information.

5. Administrative Inspections

Upon reasonable notice, and during regular business hours, the County and its authorized representatives shall have access to Contractors' logs and records pertaining to the quantities and sources of Municipal Waste for the purpose of verifying compliance with the terms and conditions of this Contract.

6. Special Reporting Requirements

The Contractor shall provide written notification to the County of any permit modification applications for the following types of permit changes, on the same date the application is first submitted to the Pennsylvania DEP (or equivalent regulatory agency in the state in which the facility is located):

- A. Changes in the permitted site volume or capacity,
- B. Changes in the permitted average and/or maximum daily waste volume or loading rates,
- C. Changes in the excavation contours or final contours, including the final elevations and slopes,
- D. Changes in the permitted acreage, and
- E. Changes in ownership.

V. PUBLIC LIABILITY INSURANCE REQUIREMENTS

1. Insurance Requirement

The Contractor shall be required to maintain in full force and effect throughout the term of the Contract, and any renewal or extension thereof, a general liability insurance policy to provide continuous coverage against third party claims for property damage and personal injury, as specified in Chapter 271 of the DEP's Municipal Waste Management Regulations (Pennsylvania Bulletin, Vol. 18, No. 15, April 9, 1988) and the following section. The effective date of the required insurance policy shall be prior to the initiation of any waste processing and disposal services under this Contract. Contractor shall cause County to be added as an additional insured on all policies of insurance required under the terms of this Contract.

2. Proof of Insurance Coverage

The Contractor shall be required to submit to the County proof of insurance coverage upon execution of the Contract. At a minimum, the proof of insurance shall consist of a certificate of insurance which:

- A. States the name of the insurance company, the insured owner and facility covered by the policy.
- B. Identifies the kinds of coverage provided by the policy and the amounts of coverage, exclusive of legal costs.
- C. Identifies the beginning and ending dates for the policy.
- D. Specifies that a minimum 60-day period written notice shall be given by the insurer to the County and the Owner, by certified mail, before any cancellation or other termination of the policy becomes effective.
- E. States that the insurer is liable for payment on the policy without regard for the bankruptcy or insolvency of the insured.
- F. Be signed by an authorized agent of the insurance company.

3. Maintenance of Insurance Coverage

The Contractor shall be required to submit to the County a current certificate of insurance as evidence of continuous insurance coverage as part of the annual operation report required under the Contract. The annual certificate of insurance shall contain the same information and provisions as specified in the original proof of insurance certificate under the requirements of the preceding paragraph. Failure to submit the required proof of insurance or to maintain the required minimum insurance coverages would be considered a default by the Contractor in accordance with the provisions of the Contract.

VI. NONDISCRIMINATION

Neither the Contractor nor any subcontractor nor any person(s) acting on his behalf shall discriminate against any person because of race, sex, age, creed, color, religion, national origin or any other protected category.

VII. INDEMNIFICATION

The Contractor or its successors and assigns shall indemnify and save harmless the County, their officers, agents, servants and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses and attorney fees resulting from any willful or negligent act or omission of the Contractor or its successors or assigns, its officers, agents, servants and employees in the performance of this Contract; provided however, that the Contractor or its successors and assigns shall not be liable for any suits, actions, legal proceedings, claims, demands, damages, costs, expenses and other attorney fees arising out of the award of this Contract or the willful or negligent act or omission of the County, their officers, agents, servants and employees.

VIII. PERMITS

The Contractor shall be responsible for obtaining any and all permits necessary for the construction and operation of the Municipal Waste processing and disposal facilities required to comply with the terms and

conditions of the Contract, and any and all costs or expenses of obtaining such permits. Failure to obtain and maintain permits shall constitute a breach of this Contract.

IX. Right-to-Know Law

The Pennsylvania Right-to-Know Law, 65 P.S. § 67.101-3104 and any amendment thereto applies to this Contract.

Unless the Contractor provides the County in writing, with the name and contact information of another person, the County shall notify the Contractor's Project Coordinator using the Contractor information provided by the Contractor in the legal contact information provided in this Contract, if the County needs the Contractor's assistance in any matter arising out of the Right-to-Know Law ("RTKL"). The Contractor shall notify the County in writing of any change in the name or the contact information within a reasonable time prior to the change.

Upon notification from the County that the County requires the Contractor's assistance in responding to a RTKL request for records in the Contractor's possession, the Contractor shall provide the County within 14 calendar days after receipt of such notification, access to, and copies of, any document or information in the Contractor's possession which arises out of the Contract that the County requests ("Requested Information") and provide such other assistance as the County may request in order to comply with the RTKL. If the Contractor fails to provide the Requested Information within 14 calendar days after receipt of such request, the Contractor shall indemnify and hold the County harmless for any damages, penalties, detriment or harm that the County may incur under the RTKL as a result of the Contractor's failure, including any statutory damages assessed against the County.

The County's determination as to whether the Requested Information is a public record is dispositive of the question as between the parties. The Contractor agrees not to challenge the County's decision to deem the Requested Information as Public Record. If the Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, the Contractor will immediately notify the County, and will provide a written statement signed by a representative of the Contractor explaining why the requested material is exempt from public disclosure under the RTKL within seven (7) calendar days of receiving the request. If, upon review of the Contractor's written statement, the County still decides to provide the Requested Information, the Contractor will not challenge or in any way hold the County liable for such a decision.

The County will reimburse the Contractor for any costs associated with complying with this provision only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.

The Contractor agrees to abide by any decision to release a record to the public made by the Office of Open Records, or by the Pennsylvania Courts. The Contractor agrees to waive all rights or remedies that may be available to it as a result of the County's disclosure of Requested Information pursuant to the RTKL. The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession.

WITNESS the execution hereof, the parties expressly intending to be legally bound pursuant to the Uniform Written Obligations Act, 33 Pa. C.S. § 6, Contractor and County have caused this contract to be executed by their respective duly authorized agents, as of the date and year first written.

COUNTY OF WARREN,

BOARD OF COMMISSIONERS

CHAIR DATE _____

Chairman

(SEAL)

ATTEST: _____

, Chief Clerk,

CONTRACTOR

CONTRACTOR: _____

WITNESS; _____

TITLE: _____

Form A – Cost of Processing and Disposal Name of Facility

Maximum Tipping Fees Per Ton For Each Category of Waste

The maximum tipping fee shall not exceed the posted gate rate.

Include all applicable surcharges, fees, taxes from Legislation, Regulation, or Programs of State, Federal, County or Host Municipalities

Show a breakdown of those fees in the following table

Indicate any annual escalators that will apply or attach a separate table demonstrating future rates.

	MSW	Construction Demolition	Sewage Sludge	Approved Regulated Medical Waste	Other	Other
Base Tipping Fee (without taxes, and other fees)						
List Name of Fee, Tax, Surcharge below.	List Amount for Each Fees, Taxes, Surcharges that will apply to Warren County MSW					
Total Tipping Fee including all fees and surcharges						

Form B -Reserved Capacity

FACILITY: _____

Types and Quantities of Municipal Solid Waste

Specify tons per day and tons per year

Year	MSW Only	Sludge	C&D	Regulated Medical	Other	Total
2016-2017						
Tons Per Day						
Tons Per Year						
2017-2018						
Tons Per Day						
Tons Per Year						
2018-2019						
Tons Per Day						
Tons Per Year						
2019-2020						
Tons Per Day						
Tons Per Year						
2020-2021						
Tons Per Day						
Tons Per Year						
2021-2022						
Tons Per Day						
Tons Per Year						
2022-2023						
Tons Per Day						
Tons Per Year						
2023-2024						
Tons Per Day						
Tons Per Year						
2024-2025						
Tons Per Day						
Tons Per Year						

Form B - Part II Reserved Capacity

Total Combined Quantities of all Accepted Categories of Municipal Waste

YEAR	TOTAL WARREN MSW TONS PER YEAR * (all categories)	PERCENTAGE Reserving Capacity for % of Warren MSW Annually (all categories)	ANNUAL TONS Reserving Capacity for #Tons Warren MSW Annually (all categories)	OPERATING DAYS Estimated Annual Working Days	TONS PER DAY Reserving Capacity for #Tons Warren MSW Daily (all categories)
2016	32,401				
2017	32,184				
2018	31,967				
2019	31,753				
2020	31,539				
2021	31,328				
2022	31,118				
2023	30,909				
2024	30,701				
2025	31,303				
2026	30,848				

Operating hours from _____ to _____ Monday through Friday and from _____ to _____ on Saturdays,

Indicate tons of Warren County Municipal Waste donated by Contractor per year for non-profit activities including but not limited to road adoptions and open dump clean-ups: _____ tons

Notices All notices, demands, requests, and other communications under this contract shall be delivered to:

Contractor: _____

Address: _____

Attention: _____

With a copy to: _____ Attention: __

Section 5

- **REQUIRED FORMS**

The following forms shall be completed, signed by an official authorized to bind the Offeror, and attached to the proposal.

1. Form C- Representations and Certifications
2. Form D- Contractor Information

FORM C- REPRESENTATIONS AND CERTIFICATIONS

Company _____

Facility _____

Authorized Official _____

An officer of the organization submitting the proposal empowered and authorized to sign such documents makes the following representations and certifications as part of this proposal:

1. Certification of Non Collusion and Independent Price Determination

I certify that as an officer of _____, I have lawful authority and have thus been empowered to submit and execute the proposal contained herein; that neither have I nor any representative of _____ has either directly or indirectly entered into any agreement, express or implied with any representative or representatives of other companies or individuals submitting such proposals for the object of controlling of price, the limiting of proposals submitted, the parceling out of any part of the resulting contract or subject matter of the proposal or proposals or any profits thereof; and that I nor any representatives of _____ have not nor will not divulge the sealed proposal to any person or persons except those having a partnership or other financial interest with him or her in the proposal or proposals until after the said sealed proposal or proposals are opened.

I further certify that neither I nor any representative of _____, have been a party to collusion among proposers in restraint of the freedom of competition by agreement to make a proposal at a fixed price or to refrain from submitting a proposal or with any state official or employee as to quantity, quality, or price in any discussions between proposers and any County official concerning exchange of money or other things of value for special consideration in the letting of the contract and that neither I nor any representative of _____ have paid, given, donated or agreed to pay give or donate to any official, officer, or employee of Warren County any money or other thing of value either directly or indirectly.

2. Acceptance Period

I agree to allow 180 days from the date of this proposal for acceptance thereof by the Commissioners of Warren County.

3. Ambiguity

I recognize and accept that in the case of any ambiguity or lack of clarity in stating fees, prices or other information and conditions in the proposal, the County shall have the right to construe such prices or information and conditions in a manner most advantageous to the County or to reject the proposal.

4. Contingent Fee Representation

I certify that _____ has not employed or retained any company or person other than a full time bona fide employee working solely for _____ to solicit or secure this contract nor has it paid or agreed to pay any company or person other than a full time bona fide employee working solely for _____ any fee commission, percentage or brokerage fee contingent upon or resulting from the award of this contract. I agree to furnish any information relating to both conditions as requested by Warren County.

5. Equal Employment Opportunity

I assure that neither the employees, applicants for employment, nor those of any labor organization, subcontractor or employment agency in either referring or furnishing employee applicants are discriminated against by _____.

Executed under penalty of perjury this _____ day of 2016, at _____

By _____ (name)

_____ (title)

SEAL _____ (company)

Date: _____

On _____, 2016, before me, the undersigned, a Notary Public in and for _____, personally appeared _____, known to me to be the _____ of Company that executed the within instrument on behalf of the Proposer therein named, and acknowledged to me that such Proposer executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal in the County of _____, this _____ day of _____ 2016.

Notary _____

My Commission expires _____ Notary Public

• *FORM D- CONTRACTOR INFORMATION*

Company_ _____

Address _____

Phone _ _____ Fax _ _____

Owner/President_ _____

Type of organization (corporation, joint venture, partnership, individual)

- _____

For joint ventures, indicate role and ownership share of each participant. Providing information for each. List any and all subcontractors.

Proposed Processing and Disposal Facility _ _____

Permit #/ State /Date Issued/Expiration _ _____

Physical Location
(County/Municipalities)_ _____

Have you or any officer of the company or facility ever failed to complete any contract awarded in your own name or that of the company or facility?

If yes, explain who, where and why___ _____

Have you or any officer of the company or facility ever failed to complete any contract awarded in your own name or that of any other company or facility?

If yes, explain who, where and why___ _____

Are you or any officer of the company or facility engaged in any contracts for services similar to those contained in the proposal herein?

If yes, explain who, where and when _____

Have you or any officer of the company or facility your partners or joint ventures been party to a lawsuit issued within the past three years that might impact your ability to perform the obligations of this contract?

If yes, explain who, where and why _____

Have you submitted a complete and accurate compliance history outlining any and all judicial actions, convictions, consent orders or agreements, violations, and resolutions for any environmental, or public health and safety laws and regulations?

Explain or comment on any desired actions _____

Executed under penalty of perjury this _____ day of 2016 at _____

By _____ (name)

_____ (title)

SEAL _____ (company)

Date: _____

On _____, 2016, before me, the undersigned, a Notary Public in and for _____, personally appeared _____, known to me to be the _____ of Company that executed the within instrument on behalf of the Proposer therein named, and acknowledged to me that such Proposer executed the same. In witness whereof, I have hereunto set my hand and affixed my official seal in the County of _____, this _____ day of _____ 2016 _____

My Commission expires _____ Notary Public

Appendix C

15 Technical Review of Proposals for Disposal Capacity

The Warren County
Department of Planning
and Zoning

On Behalf of Warren
County

Recommendations
for Designation of
Disposal and
Processing Facilities



Nestor Resources, Inc.

WARREN COUNTY

MUNICIPAL SOLID
WASTE
MANAGEMENT
PLAN

2017-2026

DISPOSAL CAPACITY
PROCUREMENT

Administrative
Review and
Technical
Evaluation of
Proposals

Submitted On

July 11, 2016

RESPONSIBILITY FOR GUARANTEEING DISPOSAL CAPACITY

Based on the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101), the fundamental purpose of the Warren County Municipal Solid Waste Management Plan is to project future waste generation and recovery and to secure adequate capacity for the disposal of the remaining material. Capacity guarantees are to provide for a 10-year span. A variety of mechanisms can be utilized that satisfy this requirement. Each has procedural and legal implications that can be benefits or detractors depending upon local circumstances. Historically, Warren County directed the flow of municipal waste generated within its borders to the Grunderville Landfill, which was owned and operated by the Warren County Solid Waste Authority. Upon Grunderville closure in 1991, Warren County has utilized a formal procurement process including a contractual agreement as the preferred guarantee of capacity. The same mechanism was chosen to fulfill the capacity assurance requirement of Act 101 for the 2016 Plan Update.

PROJECTING DISPOSAL CAPACITY NEEDS

Waste generation is driven in part by population and other demographic influences. For Warren County, the sources of relevant demographic information included the U.S. Census Bureau and the Penn State Data Center. For data related to waste generation, disposal and recycling, facility reports submitted to PADEP and records maintained by the County and municipalities were reviewed. National trends in waste generation, recovery, and disposal were also considered. Other information is drawn from professionally recognized and well documented assumptions. Based on these combined factors, the capacity required by the County for the next ten years was calculated.

During the planning process trends in Warren County's current disposal practices were identified. The utilization of regional transfer stations and their potential for misreporting the origin of waste at destination disposal facilities was identified. The impact of that practice on accurately accounting for Warren County's municipal waste was reviewed. The consumption of disposal capacity by other counties, states, and industrial generators at the facilities previously designated in the 2004 Plan was evaluated. The degree of which recycling efforts reduced the need for disposal capacity was also factored into the projections. No indication of pending capacity deficits were uncovered in the exercise. However, because current agreements are set to expire within the next year, it was necessary for the County to secure new guarantees.

CAPACITY PROCUREMENT PROCESS

A Request for Proposals for Disposal Capacity was issued by the Warren County Department of Planning and Zoning. The PADEP, who was notified of the County's intent to solicit for capacity assurances, posted the official solicitation notice in Pennsylvania Bulletin. In addition, the solicitation appeared in the digital online national trade publication, Waste 360.

To reach the greatest number of potentially interested parties, in addition to public notification, the County circulated the Request for Proposals through industry trade organizations and to facilities within the region permitted to dispose and/or process municipal solid waste. These combined efforts assured that facilities located both within and out of the state would be informed of the County's request.

SELECTION CRITERIA

Proposal submission guidelines specified the format and content required for administrative completeness and technical merit review. Facilities were required to adhere to these instructions. The selection process was non-biased. All facilities and disposal processes were given equal consideration and opportunity. The potential need to make inquiries regarding the content of the proposals, ask for supplemental documentation, or request further clarifications were built into the technical review process. Categorized criteria and established requirements used in the review and selection process are described below. No one criteria held particular weight over another.

PERMIT STATUS AND REMAINING CAPACITY

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

REGULATORY COMPLIANCE FINANCIAL STRENGTH AND RISK ASSESSMENT

Regulatory compliance is a measure of potential liabilities. A review of the compliance history of the facility was included in the assessment. The compliance history for each company and facility was reviewed and condensed as a tabulation of violations, consent orders, penalties, etc.

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

INDUSTRY QUALIFICATIONS AND EXPERIENCE

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

TECHNICAL DESIGN AND OPERATIONAL METHODS

The ability to meet Federal, State, and Local standards for the operation of a municipal solid waste disposal facility was required. The technical design of the proposed facility and disposal process were evaluated based on the use of proven and accepted technology, demonstrated and approved alternatives, and best engineering practices. The effectiveness of design components such as liner composition, leachate treatment, methane gas recovery, combustor units, boiler design was considered.

The quality of operational plans for waste acceptance, emergency management, and contingencies for pollution prevention and control, safety, operational efficiency and energy production were important.

MINIMUM AND MAXIMUM ALLOWABLE DISPOSAL REQUIREMENTS

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

MAXIMUM GATE RATES AND POTENTIAL COST TO COUNTY

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

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

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

PROPOSAL REVIEW AND EVALUATION

Respondents to the Request for Proposals included: Advanced Disposal Services, Casella Waste Management, Chautauqua County, NY, Waste Management, and Vogel Holding. Combined, proposals for a total of eight landfills offered daily, annual, or contingency capacity assurances to the County. These were examined and reviewed to determine compliance with the submission criteria. The facilities that meet the criteria will be officially designated after the final approval of the Plan.

During the review and evaluation process, as minor mistakes were noted, requests were made to eliminate deficiencies. Answers and clarifications were provided and incorporated as received. . The results of the proposal evaluation are presented in five sections following these narratives. Each section represents a segment of the legal, technical, operational, and financial selection criteria. Tables show the proposed facilities with their responses and demonstrated information condensed for presentation purposes.

SECTION 1 CONTRACTORS, PROPOSED FACILITIES, LEGAL FORMALITIES

Facility	Owner		Contacts		Capacity Agreement		
	Owner	Site Location	Technical	Operational	All Required Forms and Signature	Agreed to Contract Terms and Conditions Exceptions or Comments	Requires Put or Pay or Minimum Tonnage
Chautauqua County Landfill	Chautauqua County	3889 Towerville Road Jamestown, NY 14701	Tracy Pierce	Kelly Rhinehart	YES	YES	NO
Hyland Landfill	Casella Waste Management	6653 Herdman Road Angelica, NY	Jerry Leone	Robert Krass	YES	YES	NO
Greentree Landfill	Advanced Disposal Services	635 Toby Road Kersey, PA 15846	Andrew Thomas	Don Henrichs	YES	YES	NO
LakeView Landfill	Waste Management	851 Robison Road Erie, PA 16509	Craig Hahlen	Craig Hahlen	YES	YES	NO
McKean Landfill	Casella Waste Management	19 Ness Lane Kane, PA 16735	Jerry Leone	James Manno	YES	YES	NO
Mostoller	Advanced Disposal Services	7095 Glades Pike Road Somerset, PA 15501	Stephen Ott	Don Henrichs	YES	YES	NO
Northwest Sanitary Landfill	Waste Management	1436 West Sunbury Road West Sunbury, PA 16061	Craig Hahlen	Craig Hahlen	YES	YES	NO
Seneca Landfill	Vogel Holding Inc.	421 Hartman Road Evans City, PA 16033	Edward R. Vogel	Edward R. Vogel	YES	YES	NO

SECTION 2 PERMIT STATUS AND CONDITIONS OF OPERATIONS

Facility	Local	Permitted	Accessibility and Terms of Use			
Site Name	Host Agreements	Permit # Issuing State Expiration Date	Remaining Permitted Capacity 2012	Current Constraints or Limitations	Operating Days Per Year	Operating Hours
Chautauqua County Landfill	Chautauqua County	NYSDEC 9-0636-00006/00013 10/6/2025	7,441,860 cyds	None	(250) Monday-Friday	7:30AM-3:30PM
Greentree Landfill	Fox Township Elk County	PA 101397 12/08/2018	32,273,274 cyds	NONE	Monday- Saturday (280)	7:00 AM- 4:00 PM (Sat-7:00AM -11:00 AM)
Hyland Landfill	Angelica Allegany County, NY	NY 9-0232- 00003/00002 5/1/2025	9,733,784 cyds	NONE Proposed as back- up facility only	Monday-Friday (260)	7:00AM-4:00PM Monday-Friday (Sat-on holiday weeks only)
LakeView Landfill	Summit Township Erie County	PA 100329 8/13/2020	16,994,176 cyds	NONE	Monday-Friday (260)	7:30AM-3:30PM Monday-Friday
McKean Landfill	Sergeant Township McKean County	PA 100361 2/23/2021	33,000,000 cyds includes western expansion	NONE	Monday- Saturday (257)	8:00AM-3:30PM Monday-Friday (Sat-on demand)
Mostoller Landfill	Somerset & Brothers Valley Townships Somerset Country	PA 101571 12/17/2024	6,510,423 cyds	NONE	Monday- Saturday (280)	7:30AM-3:30PM Monday-Friday 7:00-9:00AM Saturday
Northwest Sanitary Landfill	Clay Township Butler County	PA 100585 3/23/2026	1,298,591 cyds	NONE	Monday-Friday (260)	6:30AM-3:00PM Monday-Friday
Seneca Landfill	Jackson Township Lancaster Township Butler County	PA 100403 10/5/2017	6,105,199 cyds confirming	NONE	Monday - Saturday (313)	800AM-3:00PM Monday-Friday (Sat-8:00 AM-11:00 AM)

SECTION 3

FACILITY DESIGN, REGULATORY COMPLIANCE, AND FINANCIAL ASSURANCES

Facility	Design and Contingencies			Regulatory Compliance			Financial Assurance		
	Design, Leachate Treatment	Waste Plan for Emergency Disasters	Waste Plan for Facility Emergencies	# Violations	# Penalties, Consent Orders, Settlement Agreements	Unresolved Violations	Financial Disclosure	Public Liability Protection	Environment Pollution & Liability Protection
Chautauqua County Landfill	Double composite liner Treatment Off site	YES	YES on site transfer	2	1	0	Municipal	\$2 million	Financial Test \$16.950 million
Greentree Landfill	Double composite liner Treatment Onsite	YES	YES submitted capacity agreements for proposed back-up landfill	8	5	0	Privately Held Company/ Provided upon request	\$3 million	Surety Bond \$32,772,841
Hyland Landfill	Double composite liner Treatment Off site	YES	Submitted capacity agreements strictly as a back-up landfill	9	2	0	Publicly Held Company Shareholders Report	\$3 million	Surety Bond \$7.9 million
LakeView Landfill	Double composite liner Treatment Onsite	YES	YES submitted capacity agreements for proposed back-up landfill	5	2	0	Publicly Held Company Shareholders Report	\$5 million	Surety Bond \$12.6 million
McKean Landfill	Double composite liner Treatment Onsite	YES	YES submitted capacity agreements for proposed back-up landfill	9	3	0	Publicly Held Company Shareholders Report	\$3 million	Surety Bond \$25.3 million phased
Mostoller	Double composite liner Treatment Off site	YES	YES submitted capacity agreements for proposed back-up landfill	4	1	0	Privately Held Company/ Provided upon request	\$5 million	Surety Bond \$1.8 million
Northwest Landfill	Double composite liner Treatment Onsite	YES	YES submitted capacity agreements for proposed back-up landfills	10	4	0	Publicly Held Company Shareholders Report	\$5 million	Surety Bond \$9.5 million
Seneca Landfill	60 mil double liner Treatment On site	YES	YES on site transfer station would haul to other County designated facilities	32	7	0	Privately Held Company/ Provided upon request	\$2 million	Collateral Bond \$9.8 million

SECTION 4 DAILY AND ANNUAL CAPACITY GUARANTEES

Facility		Guarantees for County Waste Volumes		Daily Tons Reserved Capacity for Types of Waste				
Site Name	Owner	Maximum Annual Volume in Tons	% County Waste will accept	MSW	C&D	Sludge	Other	Donated Tons for Non Profits
Chautauqua County Landfill	Chautauqua County	25,000	25%	60	20	20	N/A	0
Greentree Landfill	Advanced Disposal Systems	32,401	100%	110	20	20		0 tons
Hyland Landfill	Casella Waste Management	32,401	100%	114.20	5.29	5.12	0.03	0 tons
LakeView Landfill	Waste Management (backup facility)	32,401	100%	114	5	5	0.04	25 tons
McKean Landfill	Casella Waste Management	32,401	100%	114.20	5.29	5.12	0.03	0 tons
Mostoller Landfill	Advanced Disposal Systems	32,401	100%	110	20	20		
Northwest Landfill	Waste Management	32,401	100%	114	5	5	0.04	25 tons
Seneca Landfill	Vogel Holding Inc.	6,480.2	20%	15.5	2.1	2.1	1.0	1 ton

SECTION 5 SCHEDULE OF MAXIMUM CHARGES

Facility Site Name	Maximum Base Disposal Rate 1st Year					Add-on Costs Fees, Taxes, Surcharges	Total Maximum Disposal Rate with Fees 1st Year				
	MSW	C&D	SEWAGE SLUDGE	ICW	OTHER		MSW	C&D	SEWAGE SLUDGE	ICW	OTHER
Chautauqua County Landfill	\$100	\$120	\$100	N/A	N/A	0	\$100	\$120	\$100	N/A	N/A
Greentree Landfill	\$45.01	\$45.01	\$45.01	\$45.01	N/A	\$7.99	\$ 53.00	\$ 53.00	\$ 53.00	\$ 53.00	N/A
Hyland Landfill	\$37.81	\$37.81	\$37.81	\$37.81	\$37.81	3.69	\$41.50	\$41.50	\$41.50	\$41.50	N/A
LakeView Landfill	\$91.61	\$91.61	\$91.61	\$91.11	N/A	\$7.74	\$99.35	\$99.35	\$99.35	\$99.35	
McKean County Landfill	\$44.00	\$44.00	\$44.00	\$44.00	N/A	\$7.50	\$51.50	\$51.50	\$51.50	\$51.50	N/A
Mostoller Landfill	\$42.52	\$42.52	\$42.52	\$42.52		\$10.48	\$ 53.00	\$ 53.00	\$ 53.00	\$ 53.00	
Northwest Landfill	\$75.92	\$75.92	\$75.92	\$75.92	N/A	\$7.65	\$83.52	\$83.52	\$83.52	\$83.52	N/A
Seneca Landfill	\$102.70	\$102.70	\$102.70	\$102.70	\$102.70	\$8.30	\$111.00	\$111.00	\$111.00	\$111.00	\$111.00

RECOMMENDATIONS FOR DISPOSAL FACILITY DESIGNATION

The review and evaluation of the proposals determined that all of the facilities meet the established selection criteria. Some of the facilities are operating with permits that will expire before 2025. A few have capacity that could be greatly depleted during the term of the contract, but have room for expansion and design modifications. In these instances, actions to modify or renew existing permits are expected to result in approvals. All qualify to become designated disposal facilities in the Warren County Municipal Solid Waste Management Plan. In summary, the Warren County will execute and enter into disposal capacity agreements with the facilities shown here. The table is arranged in alphabetical order by the owner/operator with each corresponding facility listed below

Advanced Disposal Services <ul style="list-style-type: none">•Greentree Landfill•Mostoller Landfill Back-up Facility:
Casella Waste Management <ul style="list-style-type: none">•McKean County Landfill•Hyland Landfill Back-up Facility:
Chautauqua County New York <ul style="list-style-type: none">•Chautauqua County Landfill
Vogel Holding <ul style="list-style-type: none">•Seneca Landfill
Waste Management <ul style="list-style-type: none">•LakeView Landfill•Northwest Landfill

Appendix D

17 Process for New Designation of Processing/Disposal Facility

**Warren County Municipal Solid Waste Management Plan
Petition for Designation as Processing/Disposal Facility**

Warren County has secured Disposal Capacity Agreements for a sufficient amount of disposal capacity for all municipal waste generated within the County. However, the County recognizes that new disposal and processing opportunities may present themselves from time to time. Therefore, Warren County has established guidelines to include added facilities during the ten-year period of its current Municipal Solid Waste Management Plan. Municipalities, haulers, and/or transfer stations must use this form to notify the County of a party's interest in using another facility. Information provided in this form will be used by the County to contact a facility representative and send the requirements necessary to qualify the facility as a participant in the Plan. The facility must meet all of the same criteria required in the original Request for Proposals for Disposal Capacity, including execution of the Contract as presented. Any and all costs associated with the Plan revision to add a facility shall be the responsibility of either the Petitioner or the Facility as indicated and authorized by a signature on this form.

**Please complete and submit the form to:
Planning Director, Warren County Department of Planning and Zoning
Warren County Courthouse
204 4th Ave. Warren, PA 16365 Phone: (814)-728-3512**

Petitioner

Name: _____

Organization: _____

Address: _____

Phone Number: _____ Fax Number: _____

E-Mail Address: _____

Facility

Name of Facility: _____

Contact Person: _____

Address: _____

Phone Number: _____ Fax Number: _____

E-Mail Address: _____

Explain the need to have this facility included in the Plan: (Attach Additional Sheets if Necessary)

Party responsible for total costs of Plan Revision to add facility:

Name _____ Title _____

Signature _____ Date _____

Procedures and Instructions to Petitioner

A disposal/processing facility, a hauler, a municipality or a business must complete and submit the petition form to the Warren County Department of Planning and Zoning.

Within 15 working days of the receipt of a petition, the Warren County Department of Planning and Zoning will send to the petitioner or the facility, a request for proposal for disposal capacity outlining the same requirements and format for submission as the original document utilized in the selection of those facilities currently designated in the Plan.

Upon receipt of the completed proposal from the petitioning facility, the Warren County Department of Planning and Zoning will notify the Pennsylvania Department of Environmental Protection of its intentions to add a facility.

The Warren County Department of Planning and Zoning will review and respond to the information in the proposal within 45 working days.

If information in the submitted proposal is complete, accurate and meets the accepted criteria, , the Warren County Department of Planning and Zoning will notify by letter all municipalities within the County of the intent to add a facility to the Plan. The County will accept comments for a period of thirty days.

After the thirty day comment period, Lawrence-Mercer County Recycling/Solid Waste will formally submit the addition of the facility to the Pennsylvania Department of Environmental Protection for approval.

Upon approval by the Pennsylvania Department of Environmental Protection, the Warren County Department of Planning and Zoning will notify by letter all County municipalities that a facility has been added to the Plan.

At that time the requesting facility, hauler, municipality, or business will also be notified that the facility is formally designated in the Plan for disposal of Warren County generated municipal waste.

Appendix E

18 Ordinances

MUNICIPAL WASTE MANAGEMENT AND RECYCLING ORDINANCE

WARREN COUNTY, PENNSYLVANIA

ORDINANCE NO.

AN ORDINANCE OF WARREN COUNTY, PENNSYLVANIA, PROHIBITING THE ACCUMULATION, AND BURYING OF GARBAGE AND OTHER REFUSE MATERIALS UPON PUBLIC AND PRIVATE PROPERTY IN WARREN COUNTY, EXCEPT IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE; REQUIRING THAT ALL GARBAGE, RUBBISH, AND OTHER REFUSE BE CONVEYED TO A TRANSPORTATION, PROCESSING OR DISPOSAL FACILITY DESIGNATED BY THE WARREN COUNTY MUNICIPAL WASTE MANAGEMENT PLAN; REGULATING THE CARE AND REMOVAL OF GARBAGE, RUBBISH, AND OTHER REFUSE MATERIALS; SPECIFYING THAT SOURCE SEPARATED RECYCLABLE MATERIALS CANNOT BE MIXED WITH MUNICIPAL SOLID WASTE FOR TRANSPORT AND DISPOSED; PROVIDING FOR REPORTING; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, the Board of County Commissioners have adopted for Warren County the 1990 Municipal Waste Management Plan and its subsequent revisions in 2004 and 2017 in accordance with the requirements of Section 501 of the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101), and said Plan has been duly ratified by the municipalities of Warren County; and

WHEREAS, the Board of Commissioners of the County (the "County Board") has designated the Warren County Department of Planning and Zoning as the agency to prepare the Warren County Municipal Waste Management Plan (the "Plan"); and

WHEREAS, the requirements of Act 101 will be best carried forth by adopting this Ordinance and implementing and carrying forth the Plan; and

WHEREAS, as result of adoption of the Plan and its subsequent revisions by the Board of Commissioners and approval by Pennsylvania DEP. this Ordinance represents a primary reporting vehicle for implementation of County responsibilities in conjunction with the continuing responsibilities of each municipality regarding storage, collection, processing and recycling of municipal solid waste subject to the limitations, requirements, and penalties as provided in Act 101:

WHEREAS, the County has adopted and approved the Plan;

WHEREAS this Ordinance shall repeal and replace Ordinance 2 of 1992.

NOW, THEREFORE, it is hereby enacted and ordained by the County of Warren as follows:

SECTION 1: DEFINITIONS

The following words and phrases as used in this Ordinance shall have the meaning ascribed herein, unless the context clearly indicates a different meaning:

Act 97 - The Pennsylvania Solid Waste Management Act of 1980 (P.L. 380, No. 97, July 7, 1980) as now or hereafter amended.

Act 101 - The Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act (SB528, Act 1988-101, July 1988) as now or hereafter amended.

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

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

Construction/Demolition Waste - Solid waste resulting from the construction or demolition of buildings and other structures, including, but not limited to, wood, plaster, metals, asphaltic substances, bricks, block, and unsegregated concrete. The term also includes dredging waste. The term does not include the following if they are separate from other waste and are used as clean fill: (i) uncontaminated soil, rock, stone, gravel, unused brick and block and concrete; (ii) waste from land clearing, grubbing and excavation, including trees, brush, stumps, and vegetative material.

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

County - The County of Warren, Commonwealth of Pennsylvania or the Warren County Board of County Commissioners.

County Designated Facility - Any solid waste storage, collection, transfer, processing, or disposal facility or site (i) constructed, owned, or operated by or on behalf of the County or (ii) which may be utilized by County residents, Transporters, and commercial or institutional establishments pursuant to contracts between the facility owners and the County.

County Rules and Regulations - The Rules and Regulations adopted and revised from time to time by the County.

Department or DEP - The Pennsylvania Department of Environmental Protection (DEP).

Designated Facility – A disposal or processing facility which guarantees disposal capacity to Warren County through a contractual agreement.

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

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

Existing Contract - Any contract of any Municipality, for the storage, collection, transportation, processing, or disposal of Regulated Municipal Waste generated or located within the County which (i) was legally entered into, (ii) when entered into was legally enforceable, and (iii) was in force prior to the adoption of the Plan pursuant to Act 101, excluding renewals of such contracts.

Garbage - Any solid waste derived from animal, grain, fruit, or vegetable matter that is capable of being decomposed by microorganisms with sufficient rapidity to cause such nuisances as odors, gases, or vectors.

Hauler or Private Collector – A Transporter.

Hazardous Waste - Any solid waste or combination of solid wastes, as defined in Act 97, which because of its quantity, concentration or physical, chemical or infectious characteristics may: (1) cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

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

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

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

Municipal Waste OR MSW - Garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semi-solid or contained gaseous material, resulting from the operation of residential, municipal, commercial, or institutional establishments OR from community activities; and any sludge not meeting the definition of residual or hazardous waste from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. MSW includes, as per Commonwealth law, construction/demolition waste, municipal sludges, asbestos, infectious/chemotherapeutic waste and incinerator ash residue. The term does not include source separated recyclable materials or material approved by DEP for beneficial use.

Municipality - Any borough, township, or city within the County.

Occupied Dwelling - A permanent building or fixed mobile home that is currently being used on a regular or temporary basis for human habitation.

Permit - A permit issued by the Pennsylvania DEP, or a permit and/or license issued by a state and/or local regulatory agency, as required, to operate a municipal waste disposal, processing, or transfer facility.

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

Plan or MSW Plan - The County Municipal Waste Management Plan approved pursuant to the Act.

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

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

Recycling Facility - A facility employing a technology that is a process that separates or classifies municipal waste and creates or recovers reusable materials that can be sold to or reused by a manufacturer as a substitute for or a supplement to virgin raw materials. The term **recycling facility** shall not mean transfer stations or landfills for solid waste, nor composting facilities or resource recovery facilities.

Refuse - All solid waste materials which are discarded as useless.

Regulated Waste – Municipal Waste generated within the County and regulated by the County pursuant to this Ordinance and the County Rules and Regulations.

Residual Waste - Any garbage, refuse, other discarded materials or other waste, including solid, liquid, semi-solid or contained gaseous material resulting from industrial, mining and agricultural operations; and sludge from an industrial, mining or agricultural water supply treatment facility, wastewater treatment facility or air pollution control facility, if it is not hazardous.

Resource Recovery Facility - A processing facility that provides for the extraction and utilization of materials or energy from municipal waste that is generated off-site, including, but not limited to, a facility that mechanically extracts materials from municipal waste, a combustion facility that converts the organic fraction of municipal waste to usable energy, and any chemical and biological process that converts municipal waste into a fuel product.

Rubbish - All non-putrescible municipal waste except garbage and other decomposable matter. This category includes but is not limited to ashes, bedding, cardboard, cans, crockery, glass, paper, wood and yard cleanings.

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

Scavenge/Scavenging - The unauthorized and uncontrolled removal of material or recyclables placed for collection or from a solid waste processing or disposal facility.

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

sewage sludge at a municipal sewage collection and treatment system, or grit, screenings and nonorganic objects from septic and holding tank pumpings.

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

Source Separated Recyclable Materials - Materials generated or collected within the County that (i) are separated from municipal waste at the point of origin by the generator in accordance with the Plan and (ii) are recycled. The term does not include material separated from source separated recyclable materials.

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

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

Transportation - The off-site removal of any solid waste or recyclables at any time after generation.

Transporter - Any person, firm, partnership, corporation or public agency who is engaged in the collection and/or transportation of municipal waste and/or recyclables.

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

Unacceptable Waste - any material that by reason of its composition, characteristics or quality, is ineligible for disposal at a landfill pursuant to the provisions of the resource conservation and recovery act of 1976, 42 U.S.C. '2605(e), the Pennsylvania solid waste management act, 35 p.s. '6018.101, et seq., or other applicable federal, state or local law; or any other material that the county designated facility concludes would require special handling or present an endangerment to the landfill, the public health or safety, or the environment.

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

SECTION 2: Implementation

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

SECTION 3: Waste Flow Control

All Municipal Waste shall be transported to and delivered to a County Designated Facility. No Person shall transport or deliver, or cause to be transported or delivered, Municipal Waste to a Facility other than a County Designated Facility unless such transport or delivery is expressly provided for in the Plan and the County Rules and Regulations. Specifically exempted from this requirement are medical wastes, sewage sludge and waste deemed unacceptable by the County, subject to the following provisions:

- a) Medical Waste (infectious and/or chemotherapeutic wastes as defined by the Pennsylvania Department of Environmental Protection) shall be disposed of by an approved hospital incinerator or may be collected for disposal by a party duly licensed for such purposes by the Pennsylvania Department of Environmental Protection.
- b) Sewage Sludge: Sludge from sanitary sewage plants, water treatment plants, and related non-hazardous, non-residual sludge shall be:
 - 1. Disposed of at a County Designated Facility.
 - 2. Disposed of at a permitted sludge disposal storage facility or through permitted land application.
 - 3. Disposed of via an approved composting operation.
 - 4. Disposed of in any way which has the specific approval of the Pennsylvania Department of Environmental Protection.
- c) Any wastes which the County deems unacceptable shall be disposed of in any way which has the specific approval of the Pennsylvania Department of Environmental Protection.
- d) Materials collected for recycling may be delivered and sold to end users or recycling facilities.

Also exempted from this Ordinance are any wastes subject to a valid disposal agreement where such agreement predates the approved original County Plan and is valid per the requirement of Act 101.

SECTION 4: PROHIBITED ACTIVITIES

- 1. It shall be unlawful for any person to accumulate or permit to accumulate upon any public or private property within the County, any garbage, rubbish, bulky waste, or any other municipal or residual solid waste except in accordance with the provision of this Ordinance and the Department Rules and Regulations adopted pursuant to Act 97 and Act 101.
- 2. It shall be unlawful for any person to dispose of any solid waste in the County except in accordance with the provisions of this Ordinance and any Department Rules and Regulations adopted pursuant to Act 97 and Act 101.
- 3. It shall be unlawful for any person to scavenge any materials from any municipal waste or source separated recyclable materials that are stored or deposited for collection within the County without the prior written approval by the owner of the materials.
- 4. It shall be unlawful for any person to salvage or reclaim any solid wastes within the County except at an approved and permitted resource recovery facility under any Department Rules and Regulations adopted pursuant to Act 97 and Act 101.
- 5. It shall be unlawful for any person to throw, place or deposit, or cause or permit to be thrown, placed or deposited any solid waste in or upon any street, alley, sidewalk, body of water, public or private property within the County except as provided in this Ordinance.

6. It shall be unlawful for any person to mix source separated recyclable materials with solid waste in the same compartment of a vehicle for transport or to dispose of source separated recyclable material..

SECTION 5: STANDARDS AND REGULATIONS FOR COLLECTION AND TRANSPORTATION

1. All Transporters shall comply with the following:
 - a. All municipal waste collected within the County shall be conveyed by the collector or Transporter to a transfer station, processing facility, and/or disposal site designated by the County pursuant to the approved MSW Plan.
 - b. Any trucks or other vehicles used for the collection and transportation of municipal waste must comply with the requirements of Act 97 and Act 101 and any Department regulations adopted pursuant to Act 97 and Act 101, including the Title 25, Chapter 285, Subchapter B Regulations for the Collection and Transportation of Municipal Waste.
 - c. All solid waste shall be collected and transported so as to prevent public health hazards, safety hazards and nuisances.
 - d. All Transporters shall be responsible for maintaining a current list of customers serviced and records of the amounts and types of waste and recyclables collected within the County. Such records and customer lists shall be available for inspection and be provided to the County or its designated representatives upon request.
 - e. All Transporters shall be responsible for reporting, on forms provided by the Warren County Department of Planning and Zoning, the types and amounts of materials collected for recycling within Warren County and the facility to which they were delivered..

SECTION 6: WARREN COUNTY RULES AND REGULATIONS

- 1) In order to carry forth the power and duty to implement the Plan and this Ordinance, the County shall have the power in its discretion to adopt and enforce the County's Rules and Regulations.
- 2) County Rules and Regulations shall, at a minimum:
 - a) Identify the County Designated Facility(s) where persons and Transporters may dispose of regulated waste;
 - b) Specify such predisposal processing or separation or other requirements as are deemed necessary or convenient for the protection of public health and safety and the efficient, effective, reliable, and safe operation of the System;
 - c) Establish fees for use of the System; reporting mechanisms, and
 - d) Establish fees and penalties for violations of County Rules and Regulations, which fees and penalties may be established as determined by the County in an amount designed to protect the public health and safety and the System and to compensate the County for the costs, damages, and lost revenues related to any such violation. These fees and penalties for

violations are in addition to those provided by Act 101.

- 3) County Rules and Regulations shall ensure the efficient, effective, reliable and safe operation of the System.

SECTION 7: DISPOSAL

All Municipal Waste generated within the County shall be processed or disposed by a Designated Facility in the Plan which through a contractual agreement has guaranteed disposal capacity to Warren County. All Designated Facilities guaranteeing capacity shall hold valid permits for such processing or disposal from the DEP or by an out of state facility holding similar state approval. No Person shall transport or deliver, or cause to be transported or delivered, Municipal Waste to any point other than a Designated Facility unless otherwise provided for by the County Plan or the County's Rules and Regulations. Certain municipal wastes are exempted from this requirement as set forth by Section 3 of this Ordinance.

- 1) Source Separated Recyclable Materials may not be disposed.

SECTION 8: EXISTING CONTRACTS

- 1) Nothing in this Ordinance shall be construed to impair the obligation of any Existing Contract.
- 2) No renewal or modification of any Existing Contract, and no new contract for the processing or disposal of Regulated Municipal Waste shall be entered into after the effective date of this Ordinance unless such renewal or modification or new contract shall have the prior written consent of the County and shall conform to the requirements of the Plan, this Ordinance and all County Rules and Regulations.

SECTION 9: UNLAWFUL AUTHORITY

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

SECTION 10: VIOLATION ENFORCEMENT

In the event that any person is found to be in violation of this Ordinance, the County may issue a written notice of violation to the alleged violator. This notice shall be in writing and sent by certified mail with return receipt requested. The notice shall state the nature of the violation(s) and the necessary corrective actions required in detail. The person notified shall be provided a reasonable time period (stated in notice) to either correct the violation(s) or appeal.

SECTION 11: PENALTIES

Any Person violating any provision of this Ordinance, or any provision of County Rules and Regulations, shall, upon conviction thereof in a summary proceeding, be sentenced for each violation to pay:

- A. First Offense: A fine of not less than \$50 and not more than \$300 plus costs of prosecution.
- B. Second Offense: A fine of not less than \$100 and not more than \$300 plus costs of prosecution.
- C. Third and Subsequent Offenses: \$300 plus costs of prosecution.
- D. In default of the payment of such fine and costs, to undergo imprisonment for not more than ten (10) days

Each violation of any provision of this Ordinance or of any provision of the County Rules and Regulations, and each day that such a violation shall exist, shall constitute a separate violation and offense.

SECTION 12: ENFORCEMENT AND PROSECUTION

The County shall administer and enforce the provisions of this Ordinance and the provisions of the County Rules and Regulations.

SECTION 13: INJUNCTIVE RELIEF

The County may petition the Court of Common Pleas in Warren County for an injunction, either mandatory or prohibitive, to enforce any provisions of this Ordinance.

SECTION 14: CONCURRENT REMEDIES

The penalties and remedies set forth in this Ordinance are in addition to, not in lieu of, any fines, penalties or remedies provided in the County Rules and Regulations. The existence or exercise of any remedy shall not prevent the County from exercising any other remedy (a) provided under (i) this Ordinance or (ii) the County Rules and Regulations, or (b) available at law or equity.

SECTION 15: NOTICE

At least thirty (30) days prior to the effective date of any County Rules and Regulations, the County shall publish in a newspaper of general circulation within the County a notice that a copy of proposed County Rules and Regulations are available for public review and comment.

SECTION 16: SEVERABILITY

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

SECTION 17: EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days prior to the commencement date of the disposal capacity contracts with the County facilities.

ENACTED AND ORDAINED into an Ordinance this the ____ day of _____, 19__.

Warren County

By:

Title:

ATTEST:

(Municipal Seal)

Secretary

Appendix F

19 Resolution to Approve the Plan

19.1.1

Resolution #3103

**RESOLUTION BY THE WARREN COUNTY BOARD OF COMMISSIONERS
ADOPTING THE WARREN COUNTY 2017 MUNICIPAL SOLID WASTE MANAGEMENT
PLAN**

WHEREAS, the Warren County Board of Commissioners have undertaken the development of a Municipal Solid Waste Management Plan for Warren County in accordance with the requirements of the Solid Waste Management Act of 1980 (Act 97) and the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101); and

WHEREAS, this revised Municipal Solid Waste Management Plan for Warren County was financed in part by a grant from the Pennsylvania Department of Environmental Protection and local funds and services provided by the Warren County Commissioners; and


WHEREAS, upon the recommendations of the Warren County Solid Waste Advisory Committee, the Warren County Department of Planning and Zoning and the Warren County Board of Commissioners have reviewed and approved the recommendations of this proposed plan to insure the availability of adequate permitted processing and disposal capacity for the municipal waste generated within Warren County.


NOW, THEREFORE, BE IT RESOLVED, that the Warren County Board of Commissioners do hereby approve and adopt the 2017 Municipal Solid Waste Management Plan for Warren County pursuant to the requirements of Section 501 of the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101).

ADOPTED this 14th day of March 2018.

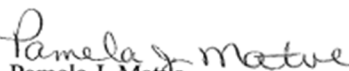
COMMISSIONERS OF WARREN COUNTY


Benjamin Kafferlin
Chair


Cindy Morrison
Vice Chair


Jeff Eggleston
Secretary

Attest:


Pamela J. Matve
Chief Clerk

Appendix G

20 Meeting Minutes and Public Comments

20.1.1.1

**WARREN COUNTY SOLID WASTE ADVISORY COMMITTEE
MEETING AGENDA
MAY 18, 2015 1:30 PM**

Introductions

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

- Statutory Authority
- Disposal Capacity
- Potential to meet state recycling goals
- Reporting/Accountability

Review of the planning process as it relates to Act 101

- Act 101 requires counties to update their plans every 10 years
- Revisions are triggered by expiration of disposal capacity agreements
- Revision process begins three years prior to expiration
- Revisions can be triggered by substantial changes - (changes in waste flow control, public ownership of facilities, elimination of recycling, changes in entity delegated to implement the plan, etc.)

Roles

- County Commissioners
- Implementing Entity
- SWAC – makeup/why
- Consulting Team
- DEP

The Planning Process -Step-by-step

- Submit 901 Grant Application – can take 3-6 months for approval
- Grant funds are encumbered for 24 months from date of contract execution.
- Realistic planning timeline – approximately 16- 22 months depending on PADEP involvement, ratification process, unforeseen issues.
- Solid Waste Advisory Committee (SWAC) Meetings to cover the most significant issues
- Input from committee and municipalities
- Analyses and recommendations from consultant
- Preliminary courtesy review offered to PADEP (optional)
- Final Approval – Planning Department reviews and releases to Commissioners, Board of County Commissioners approval , PADEP has 60 days to review and approve

Substantial revisions require ratification by 50 percent of municipalities with 51 percent of population.

Overview of current plan

- Basic philosophy/premise
- Projected versus actual performance
- Accomplishments/Benefits
- Unfinished business – still relevant?

What's changed since then?

- Impact of court rulings on hauler licensing and waste flow issues
- New PADEP Technical Guidance for Plan Development
- Recent regulatory changes for electronic waste
- Loss of administrative fees that supported programs
- The Evolving Ton

Goals & Objectives of Current Planning Process

- Determine future needs and guidelines for disposal capacity agreements
- Develop a method of obtaining required reports to comply with PADEP
- Establish benchmarks in existing program to measure future performance
- Determine realistic potential to meet the state's recycling goals (i.e. Can we afford this? Define County/municipality responsibilities. Engage/incentivize private sector investment to reduce overhead.)
- Identify services desired by the local community and develop a practical & least cost approach
- Develop guidelines, tools, other mechanisms to help local communities implement recycling programs (shifts the cost and responsibility to municipalities as allowable per Act 101)
- Explore available options and delegate an entity to implement the plan
- Develop a feasible action plan and timeline to implement any changes required

Baseline Perspectives & Current Future Vision

- Stakeholder Evaluation of waste/recycling/composting management practices
 - Residential
 - Commercial
 - Institutional
 - Local Government
- Adequacy of Services and Programs
 - Municipal
 - Local Government
 - State
 - Private Sector
- Enforcement Mechanisms - Effectiveness
 - Ordinances – county/local
 - Laws/Regulations – state
 - Prosecution/Penalties

Milestones/Expectations for Future Meetings

MINUTES
WARREN COUNTY SOLID WASTE ADVISORY COMMITTEE
Warren County Courthouse
Commissioners' Conference Room
1:30 P.M.
Tuesday, May 19, 2015

The first meeting of the Warren County Solid Waste Advisory Committee was called to order at 1:30 p.m. on Tuesday, May 19, 2015 at 1:30 p.m. by Daniel Glotz, Warren County Planning Director. The meeting was held at the Warren County Courthouse in the Commissioners' Conference Room.

Mr. Glotz introduced himself and explained the responsibility of the Advisory Committee, which is to develop an update to the plan, along with the consulting firm, who is represented by Michele Nestor, of Nestor Resources, whose firm was selected through an RFP process, to assist with the update.

Introductions

Those in attendance and who introduced themselves were:

Dan Glotz, Planning Director, Warren County Planning Department
Michele Nestor, Nestor Resources, Inc.
Kevin Baldwin, Metalico
Laurie Burdick, Warren County Planning Department Secretary
Joe Scully, Glade Township Supervisor
Al Fox, Mead Township Supervisor
Steve Vanco, Warren County Commissioner
Rene Johnson, Warren County Solicitor
Mike Holtz, City of Warren
David Hildebrand, City of Warren
Carman Fedele, Sr., Tidioute Lions Club
Kevin Downey, Whirley Industries
Lisa Hagberg, Youngsville Borough Manager

Overview of Act 101 – The Municipal Waste Planning Recycling and Waste Reduction Act of 1988

Mr. Glotz explained that the primary role of the Advisory Committee is to review and update the solid waste plan on an as needed basis, typically every 10 years according to DEP. A few who were in attendance today were on the update process several years ago and he thanked them for serving again and also welcomed the new members. The two major components that are the primary focus are garbage and recycling.

Review of the planning process as it relates to Act 101

Ms. Nestor gave the Advisory Committee information on her background and presented an agenda to the committee.

Ms. Nestor explained that Act 101 requires the counties to re-visit their plans every 10 years and update them. There are a couple things that trigger the update; 1) the Committee has a responsibility to see that the County has enough disposal capacity (which is currently being contracted out to a number of facilities) and the contracts are getting ready to expire this year and 2) the date of the plan. She said, as Dan Glotz stated, there are really only two things the Advisory Committee needs to do; 1) secure disposal capacity and 2) demonstrate to the State how the 35 percent recycling goal could be met.

Roles

The County Commissioners have the responsibility of going through the exercise and making sure the plan is implemented; however, the Commissioners can delegate those responsibilities as they see fit.

The Planning Department, at this point, is the implementing entity.

Ms. Nestor explained how those on the advisory committee were chosen per the requirements of Act 101 and what their roles are.

Ms. Nestor explained that her role is to give direction to the Advisory Committee and be sure that the law is complied with, as well as providing the necessary background data to DEP. She will walk them through the process step-by-step.

The DEP's role is to have the final say. The Plan goes to the Commissioners, who will approve it, and then the DEP then has a courtesy review before it is released to the public.

The Planning Process Step-by-step

Ms. Nestor expects the time frame to be 12 to 14 months, with a total of 4 to 6 meetings. She explained what would be discussed at the future meetings.

Once the Plan is put together, the Committee will have a chance to read through it. The Plan will then be forwarded to the County Commissioners, who will approve it, and then the Plan is forwarded to DEP.

Substantial revisions require ratification by 50 percent of municipalities with 51 percent of population

If the Committee comes up with creative ideas that would cost the county extra funds or change the way things municipalities do significantly, then they would need 50 percent of the municipalities to ratify the plan with 51 percent of the population. However, she doesn't foresee that happening. Dan Glotz stated that he had informed DEP that there would be a non-substantial revision to the plan when he notified the DEP that they were going to begin the process.

Overview of current plan

Dan Glotz reviewed the chapters of the current plan and gave some information on the plan process.

What's changed since then?

Ms. Nestor talked about the changes that have taken place including fees and revenues and court rulings. The waste stream itself has also dramatically changed, especially less newspapers, more plastics, more food waste, and more electronic waste. She feels that the electronic waste will be a big issue in the planning process.

Goals & Objectives of Current Planning Process

Ms. Nestor prompted a discussion regarding how people in local municipalities or businesses handle waste collection and recycling and what they think the next 10 years should look like in Warren County.

Joe Scully explained that his municipality, Glade Township, has a drop-off location for recyclable items, which is open 24-7, and is not restricted to Glade Township residents. When a bin is filled, the secretary calls Advanced Disposal to pick it up. The bill for picking up is \$230.36.

Dan Glotz stated that Advanced Disposal is picking up at the drop-off centers. He said there are seven drop-off centers; one in Glade, Pleasant, Cherry Grove, Columbus, Eldred and Sheffield Townships and Tidioute Borough. There are multiple

pick-ups per month. The municipalities that have recycling through the County are cost sharing and the County or Authority pays the rest.

Tidioute Borough, represented by Carman Fedele of the Lion's Club, recycles 250,000 lbs. a year. Newsprint is hauled to Jamestown. They also recycle cardboard. Their drop-off center is open 24-7. He said they actually make money on it.

The City of Warren also has a curbside recycling program according to David Hildebrand. He suggested the municipalities utilize the 904 grant program to increase revenue.

Ms. Nestor suggested that we figure out a way to enhance the reporting through the County to share or cover the costs.

Youngsville Borough, according to Lisa Hagberg, has a curbside, once-a-month, recycling program. Council just recently voted to have a twice-a-month pick-up and they pick up newsprint and cardboard. They only have about 25 percent participation at this point. They just started zero sort last Fall. They use white bags and their Youngsville Borough truck to pick up the recyclable material. They are not charged a fee to dump at Advanced. She would like to have bins but because of the cost, it is cheaper for them to use their own truck and pay their employees rather than tipping fees, etc. for hauling.

Dan Glotz mentioned that in some counties, the residents buy a key and when they go to the drop-off center, they swipe the key and close the gate when they leave. It might be a way to pay for part of the recycling program at the local level.

Ms. Nestor stated that there is new grant money waiting to come to be. They did a survey through Penn State and they found that even when people have reasonable access to waste collection, the haulers don't want to collect bulk items in the rural areas, because it fills up their trucks and they can't go as far on their route. She believes the grants will become available by September for convenience centers, which will be targeted in rural areas, and she feels progress could be made.

A discussion ensued regarding Iron Mountain and shredding of paper materials. Ms. Nestor suggested exploring a marketing consortium of some kind where counties close together could utilize the same pick-up services.

Kevin Downey, from Whirley Industries, talked about his company's recycling program, including plastics, industrial, and residential for their employees.

Ken Baldwin, from Metalico, stated that his company takes metals, such as washing machines, aluminum cans, etc.

Rene Johnson, County Solicitor, stated that in updating our plan, in terms of the new statistics for garbage and waste stream, we need to think about the fact that the population numbers have decreased in Warren County, making our demographics look different than they previously did. The current plan anticipated the population would increase.

Ms. Nestor stated that our waste has decreased by 30 percent since the current plan, and our disposal rates are lower than on the east coast. She stated we are land-fill rich in this area. The tides have turned, and what we can recycle now is more, so it will make a big difference in how we look at things.

Youngsville Police and the Warren County Sheriff's Office currently have a drug take-back program.

Dan Glotz stated that for paint cans, the lids can be taken off so the contents will dry up, then the cans can be disposed of.

Lisa Hagberg stated that Cummins has a day in September when they take paint, tires, electronics, batteries, etc.; however the wait is long.

Milestones/Expectations for Future Meetings

At the next meeting, Ms. Nestor will bring the disposal statistics, and the discussion will be on how many people participate in collection, where we are lacking services, illegal dumping, what she would expect to see in the County per capita, what we are seeing and why there is a gap, if there is one, which will paint a picture as to where services are needed.

Dan Glotz stated that he will notify everyone once the next meeting is scheduled.

Adjournment

Meeting adjourned at 3 p.m.

Respectfully submitted,

Laurie A. Burdick
Department Secretary
Warren County Planning & Zoning
204 Fourth Avenue
Warren, PA 16365
814-728-3512
814-728-3517 (fax)

MINUTES
WARREN COUNTY SOLID WASTE ADVISORY COMMITTEE
Warren County Courthouse
Conference Room #133, first floor
1:30 P.M.
Tuesday, December 8, 2015

The second meeting of the Warren County Solid Waste Advisory Committee was called to order at 1:30 p.m. on Tuesday, December 8, 2015 by Daniel Glotz, Warren County Planning Director. The meeting was held at the Warren County Courthouse in Conference Room #133 on the first floor.

Mr. Glotz re-introduced Michele Nestor, the consultant, of Nestor Resources. Mr. Glotz stated that it has been awhile since we had our last meeting because he was waiting for the grant approval from DEP. The grant was approved and the contract has been signed by the Commissioners.

Ms. Nestor presented an outline and stated that the agenda would include what disposal has been like for the last ten (10) years since the last plan, where the Solid Waste regulations come from, the transporters in the County, what disposals looked like over the past ten years, and, then, some of the “bad” things people do in the County.

Attendance:

Those in attendance were:

Dan Glotz, Planning Director, Warren County Planning Department
Michele Nestor, Nestor Resources, Inc.
Laurie Burdick, Warren County Planning Department Secretary
Mike Holtz, City of Warren
David Hildebrand, City of Warren
Kevin Downey, Whirley Industries
Lisa Hagberg, Youngsville Borough Manager

How Municipal Waste Management is Regulated

The regulations start with the federal government, go down to the DEP, and the county has a certain level, but eventually the laws trickle down to the municipalities.

“RCRA” (Resource Conservation Act) deals with hazardous waste, (what we see in industry) established the laws for landfills, and was the law that introduced the liners in landfills. Subtitle D dictated what the state regulations had to be (where Grunderville made its transition).

The other set of federal laws, “CERCLA” deals with the superfund sites. If there wasn’t a responsible party around to deal with the closure of a landfill, the federal funds kicked in, but they do their best to track down anybody who has ever disposed of anything in that type of site.

In Pennsylvania, there are a ton of laws that deal with municipal waste. Act 97, (*Solid Waste Management Act*) the granddaddy of all the solid waste laws, is still in effect but has been amended many times. The other laws deal with more specific things.

Act 101, the *Municipal Waste Planning, Recycling, Waste Reduction Act*, is the one that will be used the most in the planning process, which is the law that mandated recycling and is what has required the plans to be the way they are now, and sets up host municipality fees, penalties, and dictates to the state that they have to recycle in their buildings.

Act 190 is the *Waste Tire Recycling Act*.

Act 90, the *Waste Transportation Safety Act* gave transporters a requirement to be authorized by the state and took powers away from the county and municipalities.

The last law to be discussed, that affects all of us, is the *Covered Device Recycling Act* (Act 108).

Warren County does have a Solid Waste Management Ordinance. The other document is a Resolution that says the Authority has been the implementing agent of the Plan.

Transportation & Disposal Infrastructure

The list of PA authorized waste transporters that Ms. Nestor presented was reviewed and discussed.

Disposal Trends

Ms. Nestor presented charts and graphs in her outline and discussed the disposal statistics over the last 10 years, the Warren County Population vs. disposal, trends, disposal rates, disposal facilities, disposal sites, and disposal destinations.

Undesirable Practices

Ms. Nestor's information is from 2009, but she reported on illegal dumping in Warren County. These sites are either visible or partially visible from the road. It is never known how deep the debris is on these sites.

Future Meeting

At the next meeting, approximately in February or March, Ms. Nestor stated that we will take a look at recycling.

Adjournment

Meeting adjourned at 2:43 p.m.

Respectfully submitted,

Laurie A. Burdick
Department Secretary
Warren County Planning & Zoning
204 Fourth Avenue
Warren, PA 16365
814-728-3512
814-728-3517 (fax)

MINUTES
WARREN COUNTY SOLID WASTE ADVISORY COMMITTEE
Warren County Courthouse
Commissioners' Conference Room
1:30 P.M.
Monday, August 22, 2016

The third meeting of the Warren County Solid Waste Advisory Committee was called to order at 1:30 p.m. on Monday, August 22, 2016 by Daniel Glotz, Warren County Planning Director. The meeting was held at the Warren County Courthouse in the Commissioners Conference Room.

Mr. Glotz re-introduced Michele Nestor, the consultant, of Nestor Resources. Mr. Glotz stated that the main purpose of the meeting today is to review the summary of the proposals from landfills to accept trash in Warren County for the next ten (10) years.

Ms. Nestor presented a handout entitled "*Recommendations for Designation of Disposal and Processing Facilities*". Since the commissioners are new, she reviewed the process with them, explaining Act 101, the law that dictates that we do the county plan for waste management. She discussed disposal capacity, which she stated is not an issue because there is so much land fill capacity in PA. She asks the landfills in their request for proposals to guarantee a cap on pricing so they can never charge the haulers more than they say in their contract. They can negotiate lower prices but they can never charge more. The proposals received include contracts and are all from landfills that are known, long-standing, and currently take Warren County's waste. Ms. Nestor reviewed the proposals to be sure they met all the criteria, including having a current permit issued by the state. She also reviewed their compliance history, design of their landfills, and some of their financial securities. She said, basically, all of the landfills that submitted proposals met the criteria. She reviewed and discussed the pricing chart in the handout on Page 11 with the attendees.

Attendance:

Those in attendance were:

Dan Glotz, Planning Director, Warren County Planning Department

Michele Nestor, Nestor Resources, Inc.

Laurie Burdick, Warren County Planning Department Secretary

Joe Scully, Glade Twp.
Carmen Fedele, Tidioute Lions Recycling
Cindy Morrison, Commissioner
Ben Kafferlin, Commissioner
Jeff Eggleston, Commissioner
Lisa Hagberg, Youngsville Borough Manager
Al Fox, Mead Twp.
David Hildebrand, City of Warren

Next Steps:

Contracts for landfills to accept trash will need to be signed by our Commissioners. We have two (2) signed originals from each landfill so we can keep one and send one to the landfill. The Commissioners will have the contracts reviewed by the County Solicitor and add this to a future agenda for a regular Commissioners meeting.

A discussion took place regarding recycling. We are struggling here at the County level with what to do as far as providing recycling. This will be addressed at a future Solid Waste Advisory Committee meeting.

Adjournment

Meeting adjourned at 2:39 p.m.

Respectfully submitted,

Laurie A. Burdick
Department Secretary
Warren County Planning & Zoning
204 Fourth Avenue
Warren, PA 16365
814-728-3512
814-728-3517 (fax)

MINUTES
WARREN COUNTY SOLID WASTE ADVISORY COMMITTEE
Warren County Courthouse
Commissioners' Conference Room
1:30 P.M.
Monday, December 12, 2016

The fourth meeting of the Warren County Solid Waste Advisory Committee was called to order on Monday, December 12, 2016 by Daniel Glotz, Warren County Planning Director. The meeting was held at the Warren County Courthouse in the Commissioners Conference Room.

Mr. Glotz stated that we are beyond contracting with the landfills and now focused on recycling in this process. He turned the meeting over to Michele Nestor, the consultant, of Nestor Resources.

Ms. Nestor presented a handout entitled "Re: *Warren County – 2013 Recycling Quantities.*" She stated that the narrative in the handout is basically an explanation of the method they used to prepare the information. It's not an exact science, but they took the numbers that were reported from three of the towns that do curbside recycling and the whole county drop-off program, looked at them and compared them to national standards for the same kind of demographics and broke them down into various materials.

Ms. Nestor began with Table 1 on Page 3. This information is from 2013, which was the last year that the national data was comprehensively available, but it gives a pretty good feel for the figures they are looking for. Tidioute Borough, the City of Warren, what the County reported for drop-off, some random commercial numbers, and Youngsville Borough figures were reviewed.

Table 2 on Page 5 was then reviewed. This information contained the predicted quantities for recyclables, broken down according to materials, based on the entire population in Warren County.

Table 3 on Page 7 showed the County totals and included drop-off and curbside pick-up reported and predicted recycling figures and rates.

Individual Tables 3A (Tidioute Borough), 3B (City of Warren), 3C (Warren County Drop-off and Commercial), and 3D (Youngsville Borough) were the last tables to be

reviewed and discussed. The drop-off locations are in Glade, Columbus, Sheffield, Cherry Grove, and Pleasant.

Attendance:

Those in attendance were:

Dan Glotz, Planning Director, Warren County Planning Department
Michele Nestor, Nestor Resources, Inc.
Laurie Burdick, Warren County Planning Department Secretary
Joe Scully, Glade Twp.
Cindy Morrison, Commissioner
Ben Kafferlin, Commissioner
Jeff Eggleston, Commissioner
David Hildebrand, City of Warren
Kevin Downey, Whirley Industries
Mike Holtz, City of Warren

Adjournment:

Meeting adjourned at 2:55 p.m.

Respectfully submitted,

Laurie A. Burdick
Department Secretary
Warren County Planning & Zoning
204 Fourth Avenue
Warren, PA 16365
814-728-3512
814-728-3517 (fax)

MINUTES

WARREN COUNTY SOLID WASTE ADVISORY COMMITTEE

Warren County Courthouse

Commissioners' Conference Room

1:30 P.M.

Wednesday, June 14, 2017

The fifth meeting of the Warren County Solid Waste Advisory Committee was called to order on Wednesday, June 14, 2017 by Daniel Glotz, Warren County Planning Director. The meeting was held at the Warren County Courthouse in the Commissioners Conference Room.

Mr. Glotz introduced Regina Schweinsberg from DEP in Meadville and asked all in attendance to introduce themselves. Mr. Glotz stated that we have been working on the plan for a while and are now deep into the recycling piece of it, which is the primary reason for the meeting today. He stated that Michele has completed some chapters of the Solid Waste Plan and will be getting them out to everyone for review. He turned the meeting over to Michele Nestor, the consultant, of Nestor Resources.

Mrs. Nestor gave a PowerPoint presentation which included:

- How recycling is being carried out in various counties throughout Pennsylvania

Mrs. Nestor explained that there is no one-set way in Pennsylvania, and she described the various ways recycling is being handled in several counties. She further explained that in some counties, the municipalities take care of the recycling.

- Where you find material and how you decide what you want to collect

Mrs. Nestor explained that there are a lot of factors that need to be taken into consideration before deciding what to collect, and the ability to separate the material is very important. The volume of each kind of material should be considered because one of the materials, if being separated, may fill up faster than the others resulting in some containers being transported more frequently. Different materials are harder to process than others.

- Residential vs. commercial

Mrs. Nestor explained that you have to decide who is going to be your target market. Mrs. Nestor also talked about recycling cardboard and glass.

- The different kinds of equipment systems that are used and why that makes a difference in the choices that are made

Mrs. Nestor explained the various kinds of collections that take place, including conventional frontload (dumpsters behind commercial stores), side load (where everything is separated, materials are clean, but expensive collection costs), roll-offs, and trailers (which are very common).

Mrs. Nestor also explained manual collection, semi-automated, and fully-automated systems.

- Difference between convenience centers vs. full-fledged material processing centers

A convenience center is the recipient of the materials and they sell them to someone who processes them. They don't typically sort or store on site, but they are manned, which makes them different from a drop-off site.

Mrs. Nestor discussed having a long-term vision, including considering the various options and costs involved for collecting and processing materials.

Commissioner Jeff Eggleston gave a short presentation regarding utilization of the County warehouse for a potential recycling facility.

Attendance:

Those in attendance were:

Dan Glotz, Planning Director, Warren County Planning Department

Laurie Burdick, Warren County Planning Department Secretary

Carmen J. Fedele, Sr., Tidioute Lions Recycling

Lisa Hagberg, Youngsville Borough

David Hildebrand, City of Warren

Regina Schweinsberg, DEP, Meadville Office

Kevin Downey, Whirley Industries

Mike Holtz, City of Warren

Jeff Eggleston, Commissioner

Michele Nestor, Nestor Resources, Inc.

Adjournment:

Meeting adjourned at 3:30 p.m.

Respectfully submitted,

Laurie A. Burdick

Department Secretary

Warren County Planning & Zoning

204 Fourth Avenue

Warren, PA 16365

814-728-3512

814-728-3517 (fax)

MINUTES
WARREN COUNTY SOLID WASTE ADVISORY COMMITTEE
Warren County Courthouse Commissioners' Conference Room
1:30 P.M. Thursday, November 9, 2017

The sixth and final meeting of the Warren County Solid Waste Advisory Committee was called to order on Thursday, November 9, 2017 by Daniel Glotz, Warren County Planning Director. The meeting was held at the Warren County Courthouse in the Commissioners Conference Room.

Michele Nestor presented two handouts. The first was an outline for the meeting that included discussion of prevailing conditions, contributing factors, recommendations for the County, and a plan implementation schedule. The second was a draft of the Management and Recycling Ordinance that will have to be adopted by the County once the process is complete. The Ordinance will go out to the municipalities for a 30-day review period. Ms. Nestor discussed the draft and explained some of the items contained therein.

Attendance:

Those in attendance were:

Dan Glotz, Planning Director, Warren County Planning Department
Laurie Burdick, Warren County Planning Department Secretary
Carmen J. Fedele, Sr., Tidioute Lions Recycling
Lisa Hagberg, Youngsville Borough
Kevin Downey, Whirley Industries
Mike Holtz, City of Warren
Jeff Eggleston, Commissioner
Michele Nestor, Nestor Resources, Inc.

Adjournment:

Meeting adjourned at 2:30 p.m.

Respectfully submitted,

Laurie A. Burdick, Department Secretary
Warren County Planning & Zoning
204 Fourth Avenue
Warren, PA 16365
814-728-3512
814-728-3517 (fax)

Appendix H

21 Executed Disposal Capacity Agreements

Please Note:

- In the official hard copy, office version of the Warren County Municipal Solid Waste Management Plan, the executed disposal capacity agreements are inserted behind this cover sheet.
- In copies of the printed published version of the Warren County Municipal Solid Waste Management Plan, the executed disposal capacity agreements are not inserted behind this cover sheet but are available for review at the offices of the Warren County Department of Planning and Zoning.
- For the CD-ROM electronic digital version of the plan, the executed disposal capacity agreements are not incorporated into the document, but are provided in a separate folder on the disk.
- For the internet version of the plan, the executed disposal capacity agreements are not incorporated into the document, but are available for review at the offices of the Warren County Department of Planning and Zoning.

calendar days after receipt of such notification, access to, and copies of, any document or information in the Contractor's possession which arises out of the Contract that the County requests ("Requested Information") and provide such other assistance as the County may request in order to comply with the RTKL. If the Contractor fails to provide the Requested Information within 14 calendar days after receipt of such request, the Contractor shall indemnify and hold the County harmless for any damages, penalties, detriment or harm that the County may incur under the RTKL as a result of the Contractor's failure, including any statutory damages assessed against the County.

The County's determination as to whether the Requested Information is a public record is dispositive of the question as between the parties. The Contractor agrees not to challenge the County's decision to deem the Requested Information as Public Record. If the Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, the Contractor will immediately notify the County, and will provide a written statement signed by a representative of the Contractor explaining why the requested material is exempt from public disclosure under the RTKL within seven (7) calendar days of receiving the request. If, upon review of the Contractor's written statement, the County still decides to provide the Requested Information, the Contractor will not challenge or in any way hold the County liable for such a decision.

The County will reimburse the Contractor for any costs associated with complying with this provision only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.

The Contractor agrees to abide by any decision to release a record to the public made by the Office of Open Records, or by the Pennsylvania Courts. The Contractor agrees to waive all rights or remedies that may be available to it as a result of the County's disclosure of Requested Information pursuant to the RTKL. The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession.

WITNESS the execution hereof, the parties expressly intending to be legally bound pursuant to the Uniform Written Obligations Act, 33 Pa. C.S. § 6, Contractor and County have caused this contract to be executed by their respective duly authorized agents, as of the date and year first written.

COUNTY OF PENNSYLVANIA
WARREN

Cindy Morrison DATE 10/13/16
County Executive

ATTEST: Pamela J. Matol
Director of Administration

(SEAL)

CONTRACTOR: COUNTY OF CHAUTAUQUA

CONTRACTOR: Stephen M. Abdella
Stephen M. Abdella

WITNESS: Sharon L. Howell
DATE: 7/8/16

TITLE: Acting County Executive

WITNESS the execution hereof, the parties expressly intending to be legally bound pursuant to the Uniform Written Obligations Act, 33 Pa. C.S. § 6, Contractor and County have caused this contract to be executed by their respective duly authorized agents, as of the date and year first written.

COUNTY OF WARREN,

BOARD OF COMMISSIONERS

Dorothy Morrison CHAIR DATE 10/13/16
Chairman

Benjamin Kappulis

Jeff Egypt

ATTEST: Samela J. Matos
Chief Clerk,

(SEAL)

CONTRACTOR

PATRICIA BELDEN
Notary Public, State of Vermont
My Commission Expires Feb. 10, 2019

CONTRACTOR: John W. Casella

WITNESS: Patricia Belden

TITLE: President/Secretary of Casella Waste Management of N.Y., Inc.
managing partner of The Hyland Facility Associates.

WARREN COUNTY DISPOSAL CAPACITY

38



WITNESS the execution hereof, the parties expressly intending to be legally bound pursuant to the Uniform Written Obligations Act, 33 Pa. C.S. § 6, Contractor and County have caused this contract to be executed by their respective duly authorized agents, as of the date and year first written.

COUNTY OF WARREN,

BOARD OF COMMISSIONERS

Lindy Morrison CHAIR DATE 10/13/16
Chairman

Benjamin Kuylenstierna

Jeff Eyrte

(SEAL)

ATTEST: Pamela J. Matole
Chief Clerk,

CONTRACTOR

CONTRACTOR: David Balbierz

WITNESS: Michael Magee
Mike Magee

TITLE: Area Vice President

WARREN COUNTY DISPOSAL CAPACITY

38

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COUNTY OF WARREN,

BOARD OF COMMISSIONERS

Lindy Morrison CHAIR DATE 10/13/16
Chairman

Benjamin Zupalla

Jeff Egan

(SEAL)

ATTEST: Camela J. Motive
Chief Clerk,

CONTRACTOR

CONTRACTOR: [Signature]
Casella Waste Management of Pennsylvania, Inc.
TITLE: President and Secretary

WITNESS: Patricia Belden

PATRICIA BELDEN
Notary Public, State of Vermont
My Commission Expires Feb. 10, 2019



WARREN COUNTY DISPOSAL CAPACITY

38

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COUNTY OF WARREN,

BOARD OF COMMISSIONERS

Lindy Morrison CHAIR DATE 10/13/16

Chairman

Benjamin Kuffner

Jeff Egypt

(SEAL)

ATTEST: Pamela J. Matve
Chief Clerk,

CONTRACTOR

Donald J. Heule

CONTRACTOR: ANS Mastoller Landfill, LLC WITNESS:

[Signature]

TITLE: WESTERN PA LIF GM

WARREN COUNTY DISPOSAL CAPACITY

28

WITNESS the execution hereof, the parties expressly intending to be legally bound pursuant to the Uniform Written Obligations Act, 33 Pa. C.S. § 6, Contractor and County have caused this contract to be executed by their respective duly authorized agents, as of the date and year first written.

COUNTY OF WARREN,

BOARD OF COMMISSIONERS

Lindy Morrison CHAIR DATE 10/13/16
Chairman

Benjamin Kasper

Jeff Eyster

(SEAL)

ATTEST: Samela Motoc
Chief Clerk

CONTRACTOR

CONTRACTOR: Dave Balbierz
Dave Balbierz

WITNESS: Michael Magee
Mike Magee

TITLE: Area Vice President

WITNESS the execution hereof, the parties expressly intending to be legally bound pursuant to the Uniform Written Obligations Act, 33 Pa. C.S. § 6, Contractor and County have caused this contract to be executed by their respective duly authorized agents, as of the date and year first written.

COUNTY OF WARREN,

BOARD OF COMMISSIONERS

Linda Morrison CHAIR DATE 10/13/16
Chairman

Benjamin Koffel

Jeff Egypt

ATTEST: Renee J. Motwe
Chief Clerk,



CONTRACTOR

CONTRACTOR: Edward R. Vogel
Edward R. Vogel

WITNESS: Marcus J. [Signature]

TITLE: Vice President - Seneca Landfill, Inc.