Elk County Municipal Solid Waste Management Plan Revised 2011-2013

Prepared By
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ELK COUNTY MUNICIPAL SOLID WASTE MANAGEMENT PLAN

REVISED 2011-2013

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Introduction

During the last decades of the twentieth century, a phenomenon occurred that prompted changes in the way that Americans viewed the issue of municipal waste. Local governments have always assumed a role in establishing how waste should be managed in their jurisdictions. In fact, the local dump was a reality in the Commonwealth of Pennsylvania, where nearly 1100 open dumps still existed during the 1970's. Although these sites were primitive at best by today's standards, they did not cause immediate alarm. They were accepted, primarily, because they provided a cheap and mostly free disposal outlet. Garbage collection was prevalent in urban areas, but was not always available in rural communities.

Beginning in 1960 and continuing at a steadily escalating pace for 30 years, Americans generated municipal waste at a rate greater than the growth of the population. Early on in this period, it became apparent that the town dumps were ill equipped to deal with the ever-increasing waste stream. It also was finally acknowledged that they posed environmental harm. In the past, solid waste management plans were primarily developed at the municipal level. Consequently, these plans contained theory that was rarely practiced. Progressive waste management practices and steps to protect the environment were often dismissed as impractical.

During the 1970's and proceeding into the 1980's, new environmental regulations at the federal level created a wave of activity and trickle down legislation that reached all the way to the core of the problem. In direct response to federal requirements, Pennsylvania instituted significant changes in municipal solid waste management statutes that became the most stringent standards for landfill design and operation in the nation. It also reacted to the transition that would be necessary at the municipal level once open dumps began to disappear. The need to project and prepare for local needs was seen as crucial.

The Municipal Waste Planning, Recycling and Waste Reduction Act of 1988 (Act 101) dictated that municipal waste plans have more tangible results than in the past. Act

101, for the first time, shifted the authority for Municipal Waste Management to the County. This transfer of authority away from the municipalities was intended to give the County the ability to implement the recommendations developed in the planning process. The primary responsibility delegated to a county by Act 101 was to secure sufficient disposal capacity for its waste. Contractual agreements with landfills or other processing facilities were most frequently used to attain this goal. In addition to the disposal concerns, Act 101 required a county to demonstrate to what extent it could feasibly attain the state's recycling initiative.

In 1991, Elk County, in accordance with the provisions of Act 101, presented to the municipalities for ratification a ten-year plan for the management of Elk County Municipal Solid Waste. The final Plan was approved by the Pennsylvania Department of Environmental Protection (PADEP) and subsequently was adopted by the Board of County Commissioners. An update was approved in July 2000 and this project represents the third iteration of the original Plan.

The planning project was actually the culmination of a two-phase study that preceded it. The study primarily examined the recycling programs implemented by the Elk County Solid Waste Authority from an operational and economic perspective. The purpose was to determine the best approach to ensure long-term sustainability of the many services provided by the Authority. In addition, it provided support for municipalities that would be affected by any necessary changes. The step-wise process used in the study, from fact finding through analyses to final recommendations, have been incorporated into the current Plan. The impact of many of those changes on recycling performance and program finances are also included.

Elk County has benefitted from the recommendations made in the original Plan. By securing disposal capacity in professionally operated state of the art landfills, the County ensured its citizens fair and equitable disposal costs and increased protection from future potential environmental liabilities. The provision of voluntary recycling opportunities has conserved valuable natural resources. Enforcement of illegal dumping ordinances and prosecution of violators helps to ensure the quality of life and protect the public health and safety in local communities.

The updated Plan establishes new goals and objectives based on the core needs of the County. It also delineates the responsibility to fund such services at the individual, municipal, and county level. Lastly, it provides legal mechanisms to implement and enforce the recommended changes.

Chapter 1

Generation and Composition

UNDERSTANDING MUNICIPAL WASTE IN ELK COUNTY

At the national level, trends in municipal solid waste have been tracked and monitored in an organized fashion for at least 50 years. The United States Environmental Protection Agency (USEPA) has an extensive database, which documents the rate of municipal waste generation on a frequent basis. In- depth information is available on the types and quantities of specific materials in the overall waste stream. The USEPA also studies and records the amount of waste that is discarded and identifies whether it is recovered for other uses or returned as feedstock into the manufacturing process, which originally produced it. Information is available on the materials that are ultimately converted to energy, or land disposed. States have similar records with varying levels of detail.

This background data is useful in planning for municipal solid waste management. Much of the documented statistics can be used to predict generic outcomes for the nation as a whole. They are equally useful in assessing local needs. However, if the assumptions and benchmarks derived from the national study are to be applied appropriately, it is crucial to closely examine the makeup of one's community. To determine the types, and quantities of waste produced locally, it is necessary to dig deeper and identify the origin and circumstances in which the waste is generated. Population, housing, economic conditions and the overall geography must be considered. Of equal importance is an understanding of attitudes, and behaviors. All of these influence how people opt to manage their waste.

This chapter examines the physical and socio-economic characteristics of Elk County. It offers a snapshot of the people, businesses, and institutions that generate municipal solid waste. History, cultural views, and traditions are discussed within the context

that they affect waste management and overall environmental views and practices. In essence, Chapter 1 provides the foundation upon which meaningful analysis and subsequent recommendations made during the planning process are based.

AN OVERVIEW OF THE COUNTY

Situated in the western quadrant of Northcentral Pennsylvania Elk County is located approximately 40 miles from the New York border and nearly 100 miles from the Ohio state line. Only one major roadway, State Route 219, flows through the County north and south and connects with Interstate 80 in Pennsylvania and Interstate 90 in New York. Therefore, travel times to and from the County, as well as within it, are greater than the distances might imply. Six counties surround Elk County. These include McKean and Warren to the north and northwest respectively; Clearfield and Jefferson to the south and southwest; Cameron directly east and Forrest to the west. Figure 1-1 shows the location of Elk County in relationship to Pennsylvania overall.

FIGURE 1-1 MAP OF ELK COUNTY

GENERAL DEMOGRAPHICS

The US Census Bureau projected that 32,011 people lived within Elk County in 2009. The results of the 2010 US Census showed an actual population for Elk County of 31,946 people. The difference between the 2009 projected and 2010 actual population of Elk County is close. In planning, it is important to establish a baseline year to assure that data and statistics from national, regional, and local sources reflect certain common assumptions. The most recent data available at the national level for waste generation, composition, and disposition is from 2009. Likewise, demographic data from the state is current through 2009. With such a small margin of difference between the two years, it is reasonable to use 2009 as the baseline year for the Elk County Municipal Solid Waste Management Plan, with occasional references to 2010 statistics or comparisons.

TABLE 1-1 ELK COUNTY RURAL AND URBAN DISTRIBUTION OF POPULATION BY MUNICIPALITY 2009

Area	Total Population Estimate	Urban Population	Rural Population	Percent Urban	Percent Rural
Elk County	**32,011**	18,332	16,780	52.2	47.8
Benezette Township	204	0	204	0	100.0
Fox Township	3,549	0	3,549	0	100.0
Highland Township	451	0	451	0	100.0
Horton Township	1,402	0	1,402	0	100.0
Jay Township	1,898	0	1,898	0	100.0
Johnsonburg Borough	2,645	2,645	0	100.0	0
Jones Township	1,606	0	1,606	0	100.0
Millstone Township	86	0	86	0	100.0
Ridgway Borough	4,043	4,043	0	100.0	0
Ridgway Township	2,575	196	2379	7.6	92.4
St. Marys City	13,318	9,669	3649	72.6	27.4
Spring Creek Township	234	0	234	0	100.0

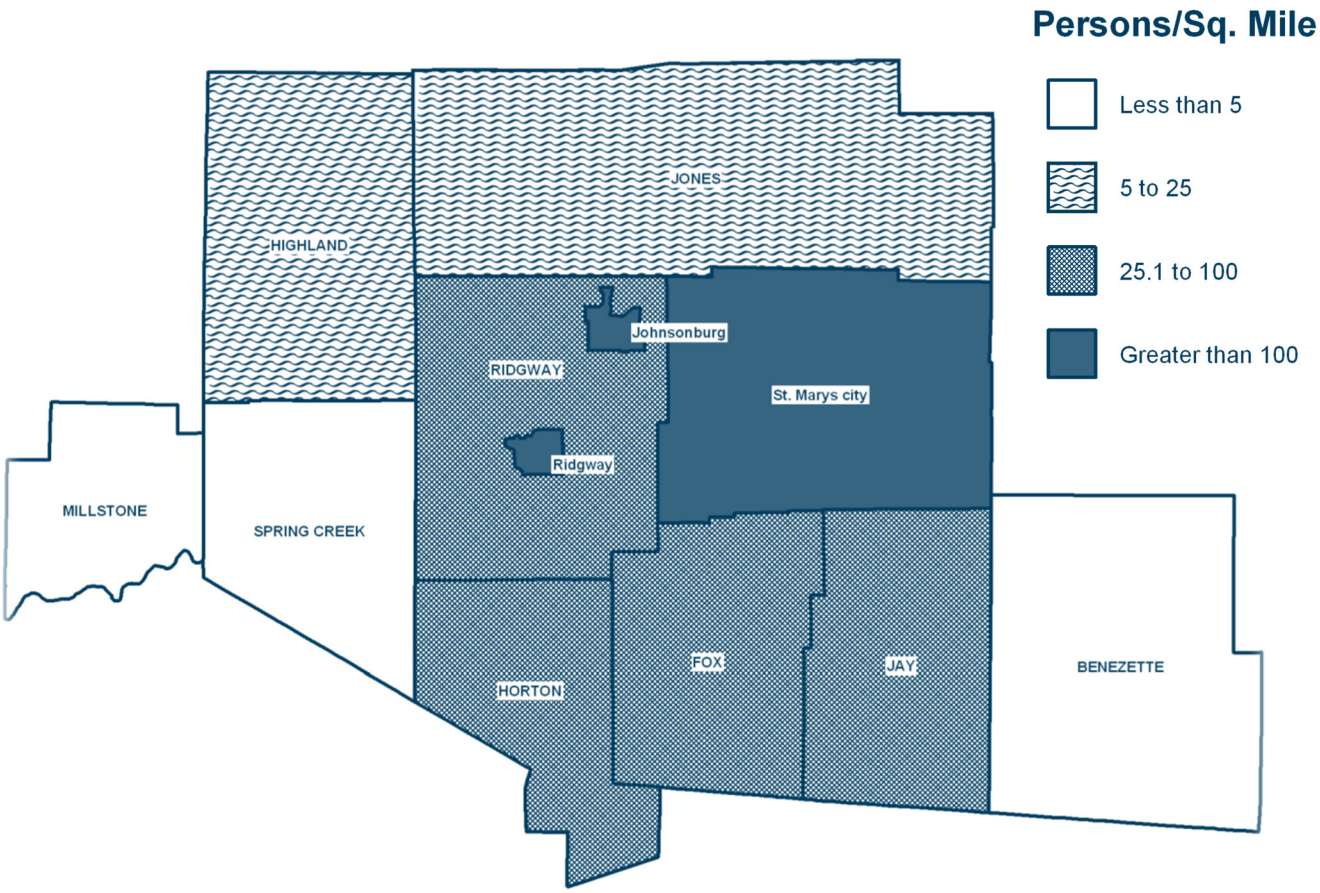
Table 1-1 lists the municipalities in Elk County along with the population of each. The table also illustrates how the population is distributed and whether it is designated as urban or rural based on population density. Ridgway Borough, which is the County seat, and the City of St. Marys are the major population centers in Elk County. The remainder of the County is primarily rural in nature with significantly lower population density.

TABLE 1-2 ELK COUNTY HOUSING UNITS AND POPULATION DENSITY

Area	Total Occupied Housing Units	Square Miles	People per square mile
Elk County	13,931	828.7	38.6
Benezette Township	100	106.8	1.9
Fox Township	1,486	67.3	52.7
Highland Township	205	86.9	5.2
Horton Township	603	57.0	24.6
Jay Township	911	67.8	28.0
Johnsonburg Borough	1,265	3.0	872.9
Jones Township	693	145.4	11.0
Millstone Township	19	41.6	2.1
Ridgway Borough	1,865	2.7	1,514.2
Ridgway Township	1,056	87.3	29.5
St. Marys City	5,655	99.3	134.1
Spring Creek Township	73	63.6	3.7

Table 1-2 shows the occupied housing units in Elk County. It demonstrates the differences in land mass and population density throughout the County. Figure 1-2 provides a graphic demonstration of the population density by each Elk County municipality.

FIGURE 1-2 POPULATION DENSITY



Source Pennsylvania State Data Center

When compared with the 2000 census results, both the 2009 estimates and the actual 2010 head count show Elk County with nearly a nine percent decrease in population. *County Population Projections for Pennsylvania, 2010-2030,* published by the Pennsylvania State Data Center projects a continual decline in Elk County's population

during the next decade. What the census figures do not accurately portray are the seasonal spikes in population from recreational visitors and hunters.

Location, accessibility, population and housing density all factor into the provision and costs of integrated waste management services. Sudden fluctuations in population can result in quantities of waste that overwhelm the regular waste management network. Such issues must be considered when assessing the needs of Elk County.

CONSUMPTION AND CONSERVATION OF NATURAL RESOURCES

Elk County sits on the Allegheny Plateau of the Appalachian Mountains near the headwaters of the West Branch Susquehanna River. In part, it lies within the Allegheny National Forest and the Quehanna Wild Area. Its geography and environmental features have always factored significantly into its socio-economic history. Rich with natural resources, Elk County was ripe for harvesting. Quickly, it was depleted of its most valuable commodities for the short-term economic gain of special interests. The hemlocks of the forest, the minerals, and even the eastern elk, the very namesake of the County, were consumed in entirety. Prevailing practices were uncontrolled and easily ignored during the contemporary prosperity. Pollution and degradation resulted.

Lumbering played a dominant role in the economic growth of the County from the early 19th to the mid-20th century. Drawn by the rich forest, lumbering interests supported local paper mills and tanneries. Coal mining was also an important industry. In 1922, a bulletin compiled for the Commonwealth of Pennsylvania Department of Internal Affairs reported Elk County as the largest producer of bituminous coal in northern Pennsylvania.

Before the advent of laws and regulations, these industries operated without concern for the lingering impact on the local environment.

While industry is still prevalent, the operations and manufacturing processes are more mindful of environmental stewardship than were those in the past. Collectively, powdered metals and carbon industries have replaced resource extraction and paper mills as the primary economic drivers. Many of these businesses established their operations on old manufacturing sites thus revitalizing old Brownfield properties.

One mill remains in operation in 2011 and it is ranked as the second largest employer in the County. With modern wastewater treatment and controls, it has a significantly reduced environmental impact. Ironically, a better understanding of the properties of the operation's waste has resulted in the use of plant residues, which once polluted local waterways, to reclaim hundreds of acres of abandoned strip mines. In addition, the material was utilized to remediate an old waste impoundment at the facility.

SHARING RESPONSIBILITY

It is important to note, that industrial concerns were not solely responsible for the pollution and abuse of the environment. A lack of awareness and concern for public hygiene, health, and safety in the working communities was also a contributing factor. In some instances, the absence of proper services to meet these needs created undesirable conditions. In others, individual actions resulted from blatant disregard for the local surroundings. These same issues exist today.

Local residents are not the only ones that can exercise poor judgment by their disposal practices. Sportsmen, nature enthusiasts, and leisure travelers have

always been attracted by the County's waterways and forests. They are often the cause for the contamination and poor conditions in many of these areas. In some instances, careless actions can actually result in permanent damage through forest fires, flooding and vermin infestation. Therefore, the issues of littering, open burning, and illegal dumping are important to evaluate during the planning process.

The legacy of past industrial endeavors continues to influence the culture and public policy in Elk County. A growing recognition exists for the economic and environmental value of restoring and protecting the natural areas. The focus has changed from unbridled consumption for individual profits to one of conservation to provide long-term public benefits. Elk are present and once again thriving. The largest herd of wild elk east of the Mississippi now roams free in Elk County. Preserving their habitat is vital to the local economy, which prospers from the influx of visitors drawn to observe them. Enforcement of proper waste management practices is an essential component in that effort.

A current threat to the forest in and around Elk County is related once again to the extraction of natural resources. The Marcellus Shale Gas Formation has prompted extensive drilling and exploration throughout the region. Thousands of drilling sites are proposed within State Forests. The impact of these activities as they relate to waste management is discussed in more detail in Chapter 3.

THE PEOPLE AND THEIR HERITAGE

The residents of Elk County maintain the rugged independence demonstrated by the first settlers. The harsh winters and mountainous terrain attracted a select type of individual. Three ethnic groups were dominant among the immigrants that sought employment and subsequently established their homes and families in Elk County. These include the Germans, Italians, and Irish. A common bond among these groups was their religion. This served to assimilate the residents into a cohesive community regardless of whatever other differences existed. Strong family values, preservation of cultural traditions, and respect for the community were influential in their decision-making. These qualities still prevail.

According to the Pennsylvania State Data Center, slightly more than 90% of the population is local natives, who were born in Elk County and still reside there. That is 15% greater than the rate of native Pennsylvanians as a whole. The result is an environment with minimal outside influence and thus slow to change. Current beliefs, attitudes, and lifestyles have varied little over the past several decades. The ability to modify such strong habits and views was considered in determining necessary changes and improvements to the municipal solid waste management system.

IDENTIFYING MUNICIPAL WASTE

For the most part, municipal solid waste is an easy thing to understand. Each day we engage in activities that generate municipal solid waste. We produce it where we live, where we work, where we shop, in our schools, in our medical facilities and in a host of other community activities. It is estimated that as a nation in 2009, each person generated an average of 4.39 pounds of municipal solid waste per day.

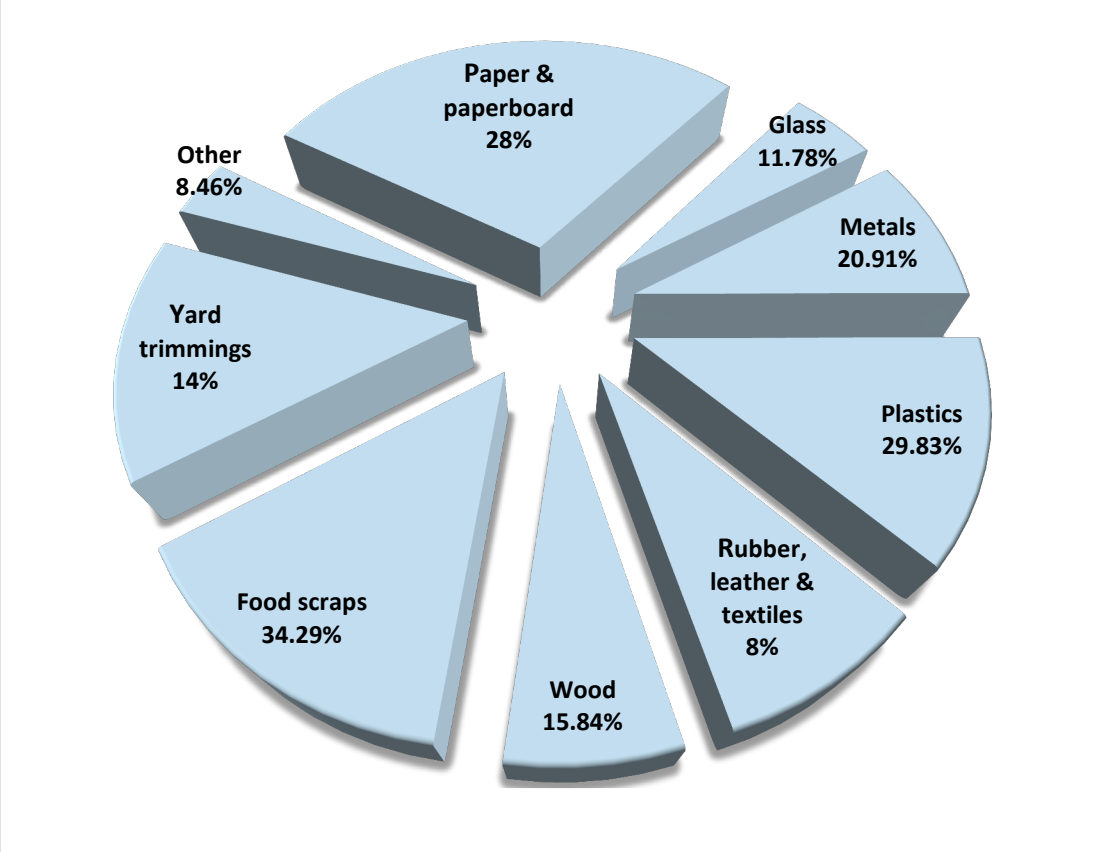
Essentially, things that we purchase or acquire become municipal solid waste when they are discarded. Included in the municipal waste stream are a multitude of familiar items such as, food scraps from our kitchens, junk mail, cardboard boxes, newspapers, bottles, cans, and jugs, old clothing, grass clippings, appliances, furniture, office paper, etc. Each material in this mixture represents a different proportionate value of the total municipal waste stream. From region to region, a number of factors cause the content to fluctuate. Income, education, geography, and other demographics influence the types and amounts of items purchased and ultimately disposed. Often a physical sort of the local waste stream is conducted to provide precise data. However, for general planning purposes, the time and cost to initiate that process is not justifiable. Instead, reliable information from national sources can be utilized to conduct a reasonable analysis of local conditions.

NATIONAL AND STATE MUNICIPAL WASTE TRENDS

The United States Environmental Protection Agency (USEPA) has collected and analyzed data on waste generation, disposal, and diversion from 1960 through 2009. Therefore, historic trends and changes, as well as yearly snapshots are available. The Franklin Associates of Kansas were commissioned by the USEPA to conduct this ongoing study and series of publications. It continues to serve as the definitive survey on the characterization and composition of the national waste stream. Until recently, the reports were published as *"Characterization of Municipal Solid Waste in the*

United States." The most current iteration is titled *"Generation, Recycling, and Disposal in the United States: Facts and Figures for 2009."*

FIGURE 1-3 USEPA COMPOSITION OF MUNICIPAL WASTE GENERATED IN 2009



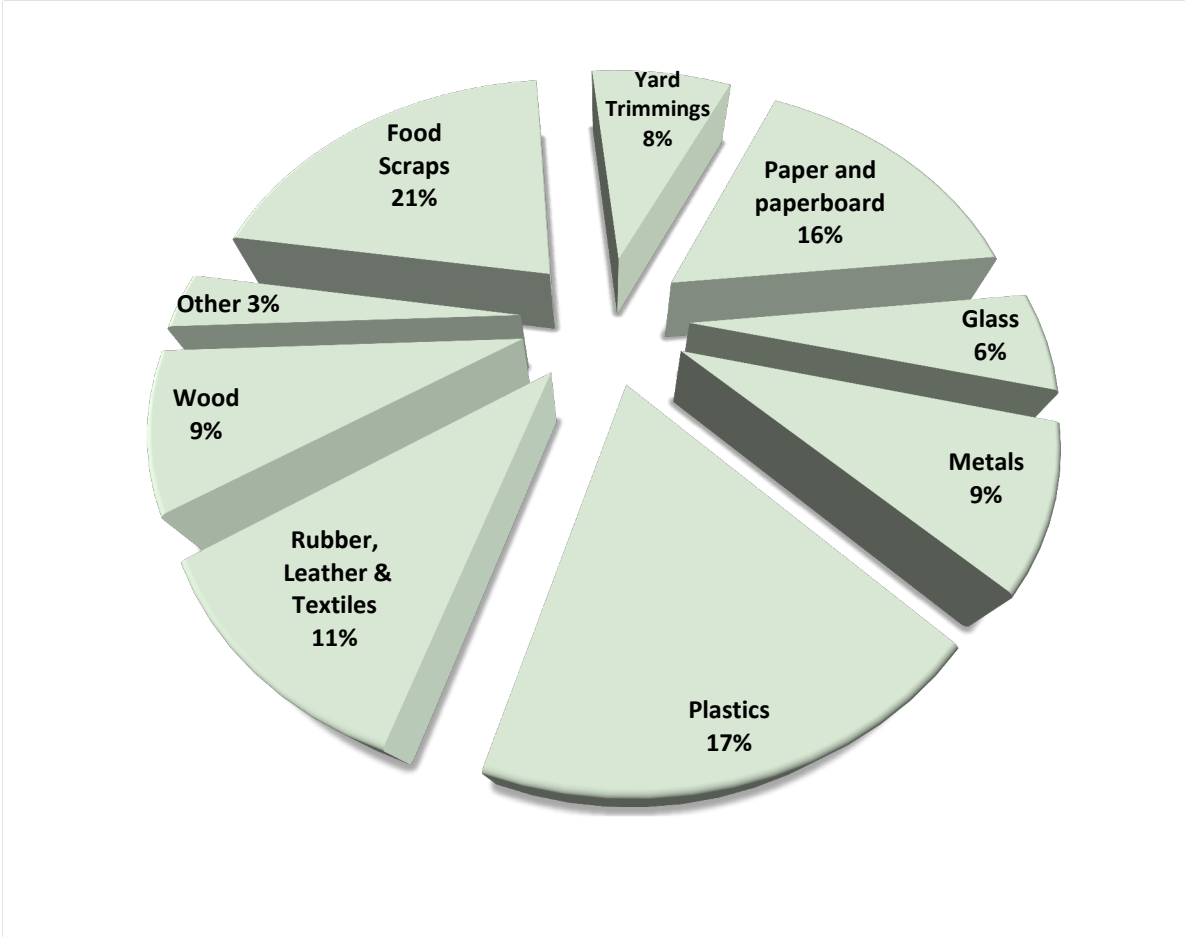
A percentage of each material shown is recovered and diverted from disposal

The project and publications are commonly referred to as "The Franklin Study." It is a useful tool to make initial assumptions and to reveal significant differences and/or anomalies in local programs based on national behaviors and performance. Figure 1-3 shows a breakdown of the percentage by weight of materials that can be found in municipal solid waste based on the findings of the 2009 publication.

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 the same materials exist in

the waste stream, categorizing them by product more clearly illustrates the relationship between product design, purchasing habits, and waste generation.

FIGURE 1-4 USEPA MATERIAL COMPOSITION OF MSW DISPOSED 2009



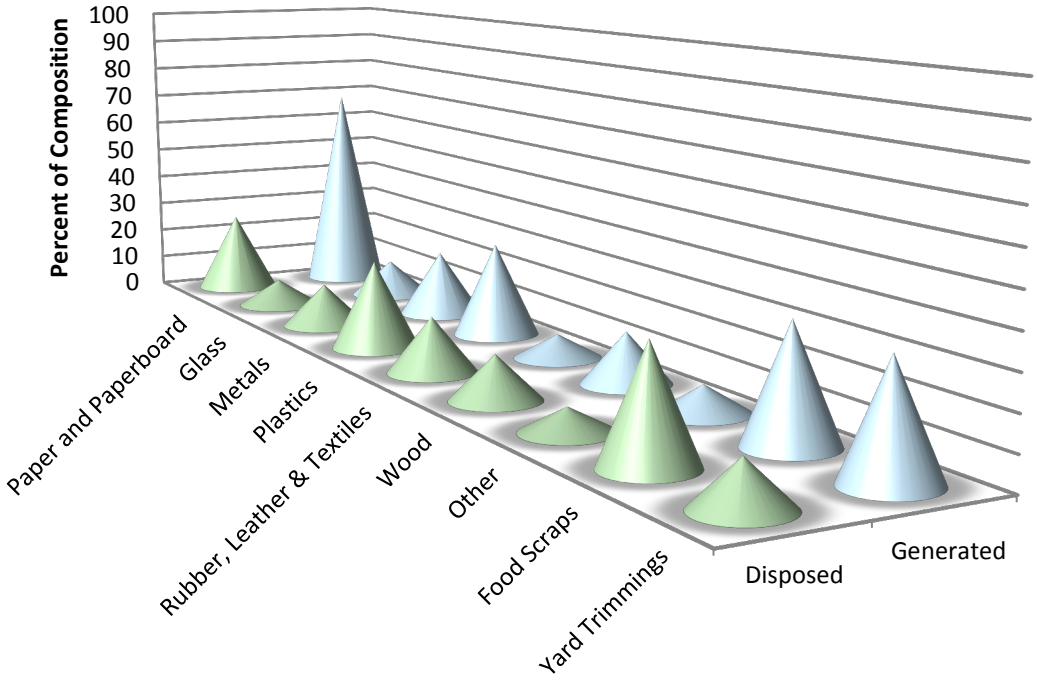
THE IMPACT OF RECYCLING ON WASTE GENERATION AND DISPOSAL

In comparing components of waste generated to waste disposed, there is a distinct difference in the proportional distribution of materials. The differences occur because a portion of each generated material is segregated and diverted for the purpose of recycling, reuse or composting. In areas like Pennsylvania that have municipal recycling programs metal, glass and plastics are less prevalent in the disposed waste stream than in the waste generated. Organics are often banned from landfills and are

targeted for large-scale composting in many areas. Aggressive paper and corrugated cardboard recovery programs are also implemented.

Figure 1-4 shows the composition of municipal waste disposed based on USEPA data from 2009. This chart shows how the proportion of materials shifts when specific materials are captured for recycling. The most substantial change is a reduction in the proportion of paper from 28% of MSW generated to 16% of MSW disposed. There is a corresponding increase in the proportion of plastic disposed. This information also provides some insight on which materials might be candidates for future recovery programs.

FIGURE 1-5 USEPA COMPOSITION MSW GENERATED VERSUS DISPOSED 2009



The results of national recycling efforts for specific materials are more readily visible in Figure 1-5. It shows a side-by-side comparison of national waste generation and disposal composition. The success of aggressive paper and corrugated cardboard recovery programs is clearly demonstrated. Noticeable are the higher proportionate

amounts of organics and plastics that remain. In spite of the growth in collection programs for both materials, they are being generated at an accelerated rate. With disposal bans for organics proposed in many states, as well as deposit bills proposed for disposable beverage containers, the composition of waste disposed could shift in the near future.

STATEWIDE AND REGIONAL WASTE CHARACTERIZATION

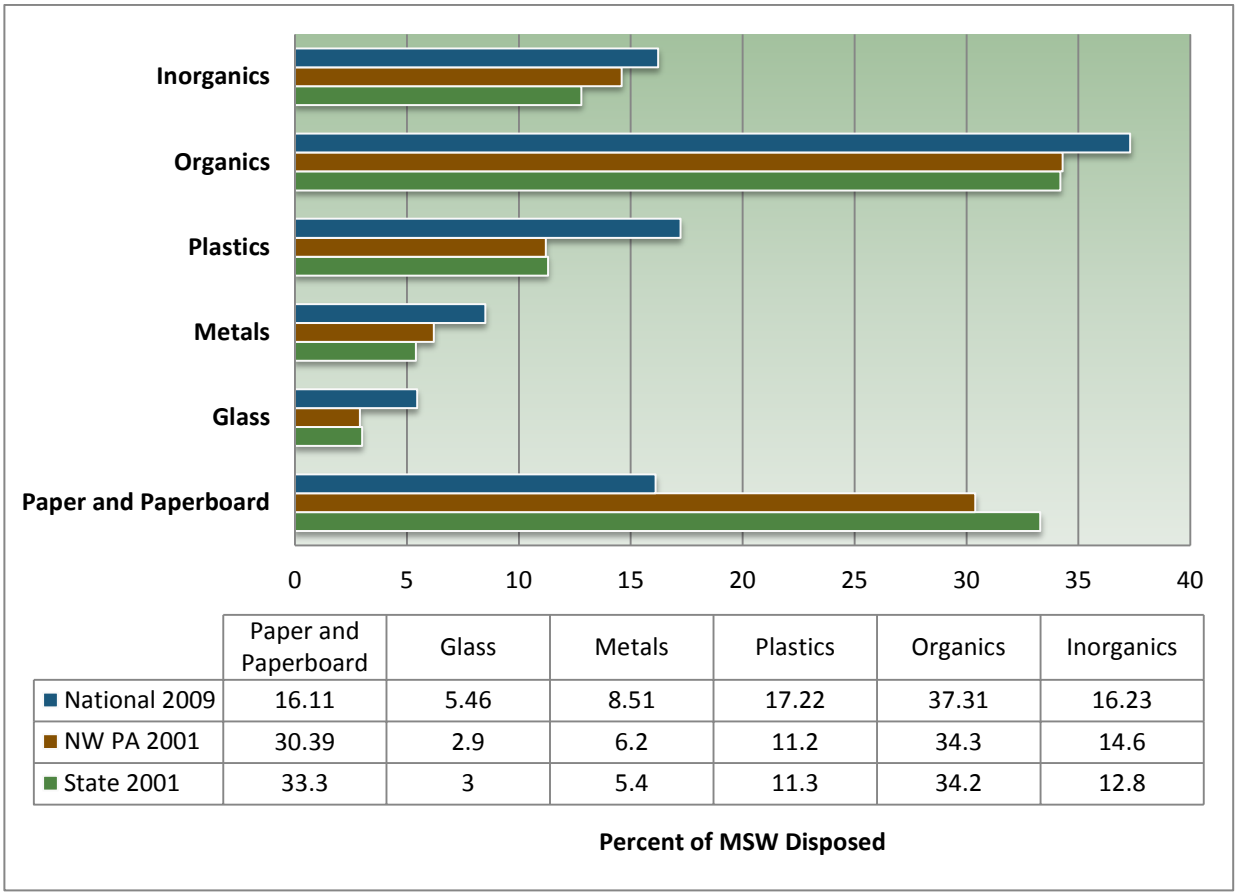
The Pennsylvania Department of Environmental Protection has not performed a statewide characterization study of municipal solid waste since 2001. At that time, PADEP examined waste being disposed in Pennsylvania. While the information was practical and beneficial at the time, much of the data may now be outdated and no longer useful. Since the study was conducted, new methods of collecting and processing material for recycling have become common in many parts of the Commonwealth. These techniques allow for greater quantities of paper and plastics to be recovered. Additionally, stricter enforcement of Act 101 mandates has decreased the volume of leaf waste entering disposal sites. Many curbside collection programs now include collection of yard waste during the entire growing season. Pilots for food waste collection are being implemented in many communities. Based on these current practices, it is suspected that a study done today would show that Pennsylvania's overall figures would more closely resemble the national trends.

NORTHWESTERN PENNSYLVANIA RESULTS

The state's composition study also looked at demographic and geographic variations. The physical sorts were conducted in each of the PADEP designated regions. Results for each region were published, along with the aggregate for the entire state. Whether or not waste originated in a rural, suburban or urban setting was also reviewed.

Elk County is located in the PADEP Northwestern Region. Much the same as the overall 2001 Pennsylvania profile, the Northwestern Region shows significantly more paper and organics remaining in the disposed waste than does the most current USEPA data. Differences can be seen between the regional and state results, but none is significant. Figure 1-6 compares composition of disposed materials in the National, State, and PADEP Northwestern Region.

FIGURE 1-6 COMPOSITION OF NATIONAL, STATE, AND REGIONAL MATERIALS DISPOSED



	Paper and Paperboard	Glass	Metals	Plastics	Organics	Inorganics
National 2009	16.11	5.46	8.51	17.22	37.31	16.23
NW PA 2001	30.39	2.9	6.2	11.2	34.3	14.6
State 2001	33.3	3	5.4	11.3	34.2	12.8

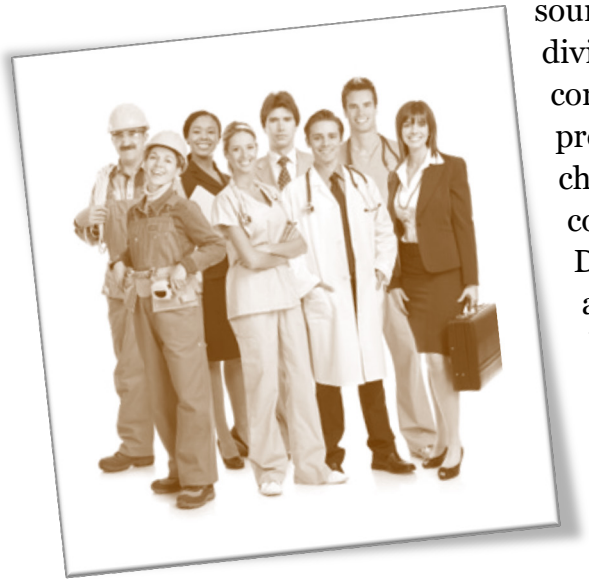
The PADEP's characterization study in general is outdated and perhaps a less than accurate snapshot of current situations. However, for this project, it could offer some insight to local conditions. Elk County has yet to implement the mechanisms and techniques, which have successfully increased recovery elsewhere. Therefore, it is likely that Elk County's waste composition resembles to a greater degree the 2001 results than does other counties. The availability of such technologies and services exists to a limited degree near Elk County. However, without the benefit of municipal collection contracts to justify the investment, it is doubtful if Elk will experience any major changes in the near future.

By comparing the region's older statistics to the USEPA's current data, it is easy to visualize the potential impact that could result from the introduction of modern collection and processing systems. Because the County will rely on current technology

for the near future, when considering the inclusion of certain materials for recycling the USEPA data for waste disposal trends as well as the regional profile was used during the planning process.

SOURCES OF MUNICIPAL WASTE IN ELK COUNTY

Municipal solid waste is generated throughout Elk County. Residences, commercial establishments, government buildings, institutions, and community events are all sources of municipal waste. These generators are divided into two categories: residential and commercial. The majority of generators produce a waste stream that is characteristically similar and contains a comprehensive list of common materials. Differences occur only in the proportionate amounts of certain materials produced in homes or due to the nature of each commercial generator. There are, however, select groups of generators whose municipal waste falls into special categories. The waste may have unique characteristics and/or require special handling. During the development of the revisions to the Plan, it was important for the County to examine the special needs and conditions for all types and sources of municipal solid waste.



RESIDENTIAL

By far, municipal solid waste is generated in the greatest quantities in private homes. "Home" may take on a variety of characteristics depending on the needs and circumstances of families and individuals. Therefore, people who live in a detached home, a condominium, a trailer, or an apartment high-rise, are all considered residential municipal waste generators. It is estimated by the USEPA and the PADEP that in an average community at least 54% of the municipal waste is generated by residents. In rural communities, residences represent the majority of the real estate properties. Elk County municipalities reflect these same conditions. It is reasonable to expect the proportion of rural residential waste to be even higher than in urban areas. Numerous studies support that assumption. To have the greatest impact on pollution

prevention, and to protect public health and safety, it is crucial that the County enforces policies requiring residents to exercise proper waste management practices. Based on the portion of the overall population that they represent, mechanisms to deal with municipal waste generated by seasonal and temporary residents are essential in Elk County.

COMMERCIAL

Generators of commercial municipal waste are more varied than residential generators. The commercial waste stream remains similar to residential municipal waste. The nature of the operation, the volume of sales, and the number of employees ultimately affect the total volume and composition of the municipal waste produced by each generator. Health care, retail service industries, educational institutions, and government agencies provide a significant number of employment opportunities in Elk County All are sources of commercial municipal waste. Although waste generated by these employers differs from that produced in industrial settings, if managed improperly environmental consequences can occur.

Based on data reported by the USEPA, an average of 46% of the municipal waste generated nationally is from commercial sources. With the rural nature of Elk County, commercial waste is assumed to represent a smaller portion of the total municipal waste stream than the national norm.

Following is a brief description of the various segments that represent the commercial category of municipal waste generation.

BUSINESS ESTABLISHMENTS

The Pennsylvania Data Center reports that 799 commercial business establishments were located in Elk County in 2010. This figure includes retailers, wholesalers and a wide variety of service industries. Banks, office complexes, restaurants, hotels, hair salons, plumbers, and other similar operations fall within this category. All are considered commercial generators of municipal waste. Not included in this designation are oil & gas and mining operations, utilities, or manufacturers.

GOVERNMENT FACILITIES

The functions of the federal, state, and local government are conducted in offices and facilities throughout Elk County. Agencies and organizations representing social

services, economic development, the military, environmental, and agricultural are all housed here. The day-to-day operations of township, borough, and county government are located in offices and other facilities throughout the County. Police and fire departments, municipal authorities, libraries, recreational facilities and even prisons are included. Table 1-4 lists the various categories of government offices found in Elk County.

TABLE 1-4 GOVERNMENT FACILITIES LOCATED IN ELK COUNTY

FEDERAL	STATE	COUNTY and LOCAL
Army Corps of Engineers	Department of Health	Elk County Government Agencies
Armed Forces Recruiters	Department of Highways	Elk County Courthouse
Army Reserve Training Center	Department Of Labor & Industry	Elk County Prison
Department of Agriculture	Department of Public Welfare	County Fairgrounds
United States Post Offices	Department of Transportation	Elk County Visitors Bureau
	Driver's License Center	District Justices
	Liquor Control Board Stores	City, Township and Borough Offices
	Pennsylvania State Police	Municipal Authority Offices
		Police and Fire Departments
		Public Libraries

RESIDENTIAL CARE FACILITIES

Included in the category of commercial generators of municipal waste sometimes referred to as institutional are skilled nursing, personal care, and assisted living facilities in the County. While these facilities produce municipal waste commonly found in most residences, they also generate materials that require special handling. Due to the nature of their operations, a portion of the municipal waste generated in these facilities falls into a special category of regulated medical waste, known as infectious chemotherapeutic waste. Table 1-5 shows the residential care facilities in Elk County.

TABLE 1-5 RESIDENTIAL CARE AND ASSISTED LIVING FACILITIES		
Elk County Housing Authority 101 N Mill Ave, Ridgway, PA 15853	**Oak Manor** Community Educational Council Building 4 Erie Ave St. Marys, PA 15857	**Ridgmont Assisted Living** 675 Montmorenci Ave, Ridgway, PA 15853
Elk Haven Nursing Home 785 Johnsonburg Rd, St. Marys, PA 15857	**Pinecrest Manor** 763 Johnsonburg Rd, St. Marys, PA 15857	**Silver Creek Terrace** 791 Johnsonburg Rd, St. Marys, PA 15857

EDUCATIONAL INSTITUTIONS

Three public school districts operate within Elk County. They provide educational opportunities for students ranging from kindergarten through twelfth grade. Several private parochial schools service these same age groups. Other learning centers also exist. These include colleges, technical and vocational schools, and adult continuing education. Tables 1-5, 1-6, and 1-7 list by category the educational facilities within the County.

TABLE 1-5 PUBLIC SCHOOL DISTRICTS IN ELK COUNTY

Johnsonburg Area School District	
	Johnsonburg Area Elementary School
	Johnsonburg Area High School
Ridgway Area School District	
	Francis S Grandinetti Elementary School
	Ridgway Area Middle School
	Ridgway Area High School
St Marys School District	
	Bennetts Valley Elementary School
	Fox Twp. Elementary School
	South St Marys Street Elementary School
	St Marys Area Middle School
	St Marys Area High School

TABLE 1-6 ELK COUNTY PRIVATE SCHOOLS

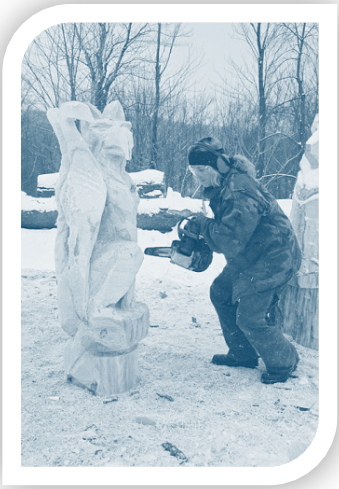
St Marys Catholic Elementary School	**St Marys Catholic Middle School**
St Boniface School	**St Leo School**
Elk County Catholic High School	**Anne Forbes Nursery School**

TABLE 1–7 ELK COUNTY COLLEGES AND TECHNICAL SCHOOLS

University of Pittsburgh 4 Erie Ave # 200, Saint Marys, PA 15857-1453	**Penn State Continuing Education** 4 Erie Ave # 200, Saint Marys, PA 15857-1453

COMMUNITY EVENTS

It is common for communities to come together to socialize and celebrate. These occasions may occur in conjunction with holidays of national importance. Sometimes the events are focused on the activities of local sports teams. Community organizations often organize festivals and carnivals to raise funds for their charitable works. Others stem from long standing traditions honoring local culture and history. These activities all result in the generation of municipal waste. Because of the way it is collected, municipal waste from community events is typically categorized as commercial. Predicting the volume of waste that will be generated at any given event is virtually impossible. Informational flyers, food scraps, packaging, beverage containers, etc. are some of the potential discarded materials. Leaves and manure are also common at fairs and other events where animals are included.



Elk County hosts several fairs, festivals, and other events during the year. Most notable of these is the International Chainsaw Carvers Rendezvous, which is considered the world's largest non-competitive woodcarving event in the world. On an annual basis, reportedly 25,000 people descend on the town of Ridgway just to witness the 200 or more participants in the event. That is nearly the population of the entire County. Because the event is held in mid-winter when travel to and from the area is more difficult and unpredictable, many of the attendees are multi-day visitors. This large volume of people taxes the capabilities of local services and significantly increases the amount of waste and recyclable materials generated.

Events may have similar features, but in reality, each is unique in character. There is little universal data available to project how much waste an event might produce. A number of factors that will affect the amount of waste and how it should be collected

include: the location, the venue, the number of participants, and the types of activities, the availability of food and beverages as well as the manner in which each is prepared, packaged and served are all-important factors that also differ from event to event.

The National Solid Waste Management Association released a technical bulletin in 1985 that listed the amount of waste generated by tourists under a variety of conditions. For years, it has been a reliable source of comprehensive aggregated field data. The bulletin indicated that during a daylong event, depending upon the types of refreshments and activities available at each event, an average of 3 lbs. of waste per attendee per day could be expected. It is assumed that this includes waste generated by the vendors, as well.

Since 1985, changes in the manner in which beverages are dispensed and fast foods are prepared and packaged have had an effect on the event waste stream. Therefore, the accuracy of the 1985 data is probably unreliable in 2011. Nestor Resources, Inc. prepared a special event manual for the Butler County Department of Recycling and Waste Management. As part of the project, a search of reported results from events in Pennsylvania and the nation found that current statistics predict the average rate of event waste generation to be closer to 0.66 pounds per attendee. Much of the waste is organic and a considerable portion of the materials generated can be recycled or composted.

Organized events are not the only instances when people produce waste away from home. Take-out food, single serve beverage containers, and similar items provide the option of dining as we drive or walk along the streets. Fast food and convenience stores are common however. Because Elk County is a destination for leisure travelers, including day-trippers, there is an increasing demand to provide for the management of waste and recyclables generated "on-the-go."

UNIQUE TYPES OF MUNICIPAL SOLID WASTE

Municipal solid waste is inclusive of a wide array of materials generated by a broad scope of sources. The two major categories of generators of municipal solid waste,

which are universally acknowledged, include residential and commercial. There are also some subsets of the waste stream produced primarily from commercial generators. These materials have may be produced by specific activities, have unique characteristics or require special handling. Many states do not factor one or more of these particular types of materials into the overall quantities of municipal waste. In Pennsylvania, however, they fall within the regulatory framework of municipal solid waste. Therefore, in the planning process counties must address how each is managed. It should be noted that in discussions of and projections for residential and commercial municipal waste generation and recycling, although one of the subsets of municipal waste is included, those that require special handling are not included. Estimates for these wastes are provided separately. This section describes these special types of municipal solid waste and offers background on the quantities generated as well as known disposal practices

CONSTRUCTION AND DEMOLITION ACTIVITIES

Construction and Demolition (C&D) waste is managed and accounted for differently from state to state. In recognition of this problem, the USEPA recently suggested that more universal tracking and measurement standards for C&D waste should be established. Public comments were solicited to assess the level of support for this proposal and are currently under review. Construction and Demolition waste is defined and regulated as municipal waste in Pennsylvania. In many other states, it is considered a separate and distinct category of waste, unrelated to municipal waste management. Construction and Demolition projects in residential, commercial, and industrial establishments generate a highly variable composite waste stream. The name itself suggests the different activities that can occur depending on the specific project or job site. Work may include construction, renovation, and/or demolition and any or all of a number of related activities.

Planning and forecasting for C&D waste is more challenging than for municipal waste in general. The variables are numerous. While municipal waste as a whole is relatively consistent, Construction and Demolition waste can fluctuate wildly from month to month and year to year. In places like Pennsylvania, and definitely Elk County, projects are subject to seasonal weather conditions. Swings in the economy can stimulate or deter new development and construction. For all of these reasons, it becomes easier to understand the difficulties in projecting C&D quantities for the long term.

Even on a load-by-load basis, the volume and weight of C&D materials can fluctuate dramatically based on the mix of materials and physical characteristics. Typically, components from demolition projects include asphalt, concrete, earth, sand, trees, steel, brick, lumber, roofing materials, carpet remnants, dry wall, and other similar materials. Loads bound for disposal resulting from new construction activities might also include packaging materials such as cardboard boxes, Styrofoam, nylon or plastic strapping, pallets, etc.

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 Massachusetts Department of Environmental Protection commissioned the first study, which was published as Construction *& Demolition Debris Industry Study in 2007.* The Northeast Waste Management Officials' Association (NEWMOA, whose members represent Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont, was responsible for the second study. In Massachusetts, a literature review of C&D reports and analysis of the results was conducted. Additionally, the report *Construction & Demolition Waste Management in the Northeast in 2006*, reviewed reported disposal and recovery activity in the NEWMOA states. The reports showed a wide difference in generation rates ranging from 0.19 tons per person per year to 0.42 tons per person per year. To allow for a better comparison of the data, state and regional definitions of C&D were clarified. Filters were established to identify specific materials that were included in the various reports. Using these qualifiers provided a median generation rate of 0.31.

Certain materials were excluded from both studies. Asphalt, brick, and concrete (ABC) wastes generated from road and bridge projects are disproportionately heavier than many of the other C&D components. Much of this material is used as clean fill on site. Trees and rocks from land clearing and grubbing are similarly managed and thus all were excluded from the calculations.

ELK COUNTY TRENDS

Pennsylvania disposal facilities in 2010 reported 3,793 tons of C&D waste, which originated in Elk County. This represents approximately 11% of all Elk County municipal waste reported as disposed in Pennsylvania facilities. In 2009, roughly 5,362 tons of Elk County C&D was disposed, representing 15% of the County's municipal waste reported by Pennsylvania facilities. According to the Pennsylvania Department of Environmental Protection, 17.5% of the material disposed in

Pennsylvania landfills can be categorized as C&D waste. Using the rate from the NEWMOA and Massachusetts studies, Elk County would be expected to generate approximately 9,924 tons of C&D waste per year, significantly more than the reported 3,793 or 5,362 tons. Despite the deviations from DEP estimates of C&D waste disposed in landfills and the assumed generation rate from the studies, Elk County's results are probably normal for the locale. Several explanations are plausible.

Construction and Demolition material, which does not reach a landfill, is not necessarily improperly managed or disposed. Much of the brick and concrete and other masonry materials are utilized as clean fill, similar to the manner in which state highway projects manage this material. Contractors also reuse doors, windows, hardware, etc. in other project applications.

The Elk County Solid Waste Authority requires individuals to obtain a permit prior to initiating a demolition project. The permit serves as a reminder to the contractor that the project will be monitored by the Authority for proper waste management practices.

In addition, an Enforcement Officer proactively follows up on illegal dumping of C&D waste and prosecutes identified offenders. Therefore, deterrents exist to prevent undesirable behavior.

Contractors and do-it-yourselfers in Elk County are within close proximity to two landfills. Additionally, a large-scale wood processing facility also operates within the County. Access and convenience are as important as tipping fees for C&D waste because they can offset the cost of transportation to remote facilities with lower disposal rates.

Determining an accurate C&D waste generation rate is difficult. There are reasons to improve the tracking and monitoring of these materials. One is to ensure that all material is handled properly. The reporting requirement of the demolition permit is an easy way to obtain this information. It serves as a form of deterrent against illegal dumping. Enhancing the reporting requirements to include a breakdown of the data by material and providing incentives for deconstruction would prove useful in the development of a C&D recycling program in Elk County at some future date that included a reuse outlet for construction related materials. Consideration of these potential solutions was part of the revision planning process. Further discussion on this issue is provided in Chapter 5.

SPECIAL HANDLING MUNICIPAL WASTE STREAMS

The physical nature and/or chemical composition of certain types of municipal solid waste require them to be managed in a different fashion. Moisture content, consistency, or weight of the material may require specialized containers for storage and transportation. Certain components may necessitate greater handling precautions to protect risks to those that are collecting, transporting, and disposing of the waste. Therefore, these categories of municipal solid waste are controlled and regulated differently.

SEPTAGE AND SEWAGE SLUDGE

The water and human waste that exits our homes, offices, and businesses through drains and pipelines is known as sewage or septage depending upon how it is collected for treatment. Because it is primarily rural, Elk County does not have an expansive network of sewer lines and public wastewater treatment plants (WWTP). As is common, the existing facilities service the most densely populated municipalities of the County. The remaining communities have requirements for the installation of on-lot septic systems. Septic systems must be periodically pumped and the septage is either land applied or transported for treatment at a WWTP. Multi-family dwellings, such as trailer parks and residential care facilities, as well as industrial operations may operate private pre-treatment systems, with the sewage being transported for final treatment,

Raw sewage is eventually treated at WWTP's and dewatered sufficiently to become sewage sludge or biosolids. Some of the septage is transported to WWTP's and is similarly treated. This end waste requires some disposal outlet. Common methods of handling biosolids include, agricultural utilization to fertilize crop producing fields; land reclamation to recover lands impacted by strip mining; composting; distribution to individuals, for use as fertilizer; landfill disposal and incineration.

The overall amount of biosolids generated within Elk County is estimated to be 3,482.75 tons per year. Population estimates, and occupied housing units from 2009 are used in the table. The estimates are based on *Sewage Sludge and Septage Management in Pennsylvania,* a PADEP study that indicates it is reasonable to expect each Elk County household to generate approximately .25 tons of biosolids per year. A breakdown of the estimated biosolids generated by each municipality and which is serviced by a specific WWTP is shown in Table 1-8.

TABLE 1-8 PUBLIC WASTEWATER TREATMENT

Geography	Serviced all or in part by	Occupied ısing Units	Biosolids Generated Tons Per Year
Elk County		**13,931**	**3482.75**
Benezette Township		100	**25**
Fox Township	Fox Township Sewer and Water Authority	1,486	**371.5**
Highland Township	Highland Township Municipal Authority	205	**51.25**
Horton Township	Brockway Municipal Authority	603	**150.75**
Jay Township	Jay Township	911	**227.75**
Johnsonburg Borough	Johnsonburg Municipal Authority	1,265	**316.25**
Jones Township	Johnsonburg Municipal Authority	693	**173.25**
Millstone Township		19	**4.75**
Ridgway Borough	Ridgway Borough/Ridgway Township Municipal Authority	1,865	**466.25**
Ridgway Township	Ridgway Borough/Ridgway Township Municipal Authority Johnsonburg Municipal Authority	1,056	**264**
St. Marys City	St. Marys Municipal Authority	5,655	**1413.75**
Spring Creek Township		73	**18.25**

The annual amount of sewage sludge from Elk County reported by Pennsylvania disposal facilities in 2009 was 2,405 tons and for 2010 was 3,236 tons. Only one landfill, Advanced Disposal's Greentree Landfill, reported receiving sewage sludge from Elk County. Based on national averages, 45% of the total annual biosolids generated are disposed in landfills. This is the equivalent of 0.044 tons per person per year. Based on those assumptions, Elk County would be expected to dispose of approximately 1,408 tons of biosolids in landfills if disposed at the same rate as the national average. The reported data from 2009 and 2010 indicates that the County disposes an average of 0.088 tons per person per year. This is slightly higher than the national average.

There are a number of legitimate reasons for these discrepancies. A simple explanation is that the calculations are estimates, based on the average of collective information. Averages represent the middle ground of all situations; some will exceed the average, and some will be less. The calculation does not take into account local conditions and practices.

Biosolids Disposal in Pennsylvania, a published study conducted by professors from the Penn State University Department of Agriculture in 2007, reports that in spite of the potential for beneficial use, most biosolids generated in the Commonwealth continue to be land disposed. Ease of regulatory approval for this method along with general public acceptance were purported to be the reasons for using landfills, although it was demonstrated that land application proved to be more cost effective. There are two land application sites approved in Elk County, however, the landfill reports would tend to confirm the Penn State study. Another possible reason for the higher than average disposal rate for Elk County biosolids, is that the origin of the sewage sludge is misidentified by transporters at the landfill scales.

REGULATED MEDICAL WASTE

The days of inpatient medical care and long hospital stays have vanished. Slowly, health care providers have prompted medical practitioners to evolve away from centralized facilities. To increase efficiencies and reduce costs, complex procedures are now more commonly performed in the offices of physicians, dentists, and varying outpatient medical care facilities. This decentralization has resulted in a shift in where and how regulated medical waste is generated and managed. Hospitals remain the

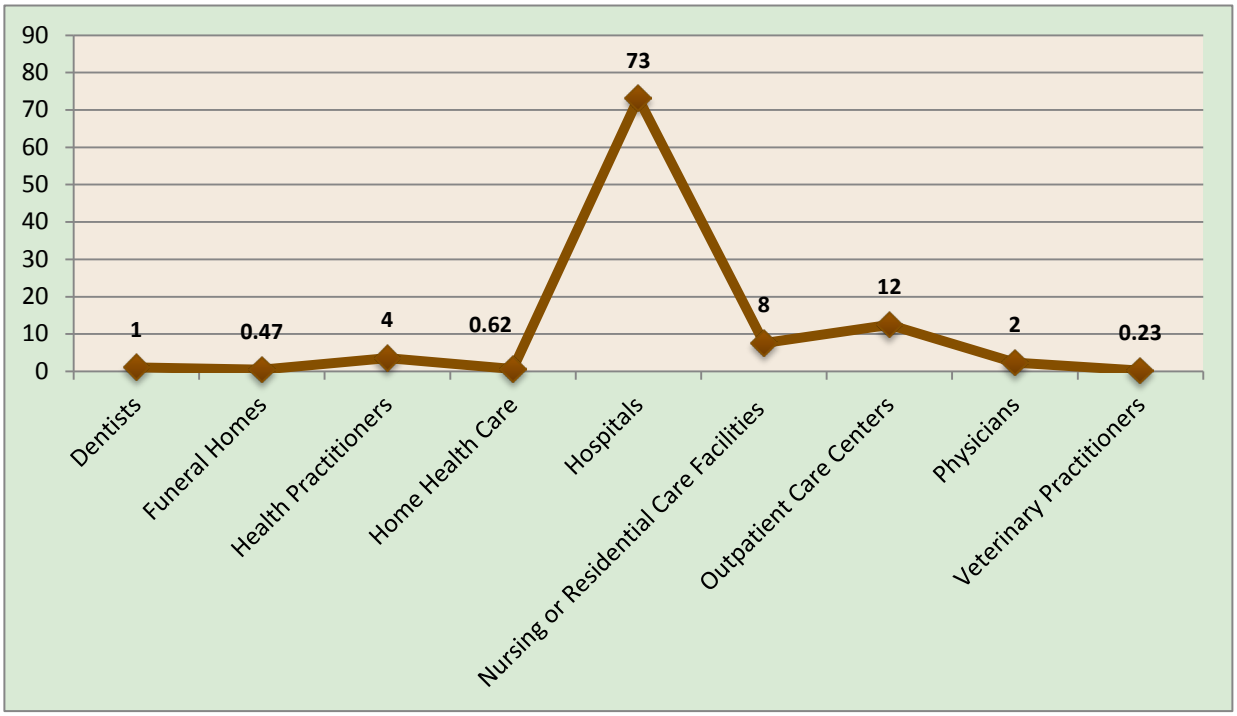
primary source of regulated medical waste, previously known as Infectious and Chemotherapeutic Waste (ICW) in Pennsylvania. However, these remote medical facilities generate sufficient quantities to also require specialized medical waste management services. The material is typically transported to regional processing and disposal facilities.

The PADEP regulates and licenses ICW transporters who are required to submit annual reports of their activities. However, the data is not easily accessed or readily sorted by county. Transporters, treatment facilities, and medical practices are not required to report to the County the amount of ICW generated or processed.

Therefore, the expected rate of generation by type of facility or medical practice, documented in the *Pennsylvania Infectious and Chemotherapeutic Waste Plan, 1990* was used to calculate the volume of regulated medical waste generated in Elk County.

Figure 1-8 shows the estimated volume of regulated medical waste generated by various sources in Elk County.

FIGURE 1-8 REGULATED MEDICAL ESTIMATED TONS GENERATED BY SOURCE 2010



DETERMINING ELK COUNTY WASTE GENERATION RATES

Pennsylvania landfills document and report to the PADEP the amounts and sources of municipal solid waste received and disposed at the facilities on a quarterly basis. The County receives similar reports for the waste, which is identified by transporters as material originating in Elk County. No accurate data is reported on the municipal waste that is handled in other fashions that may be considered undesirable. Therefore, disposal reports provide an accurate representation of what is disposed legitimately, but cannot demonstrate fully the amount of waste that is actually produced.

Establishing the actual municipal solid waste generation rate is one of the first and most important steps in the planning process. With this information, one could subsequently determine the total quantity of waste generated in Elk County, as well as the rates for recycling and disposal. If the components of waste are identified, along with their proportions then aspects of Elk County's waste management program can be compared to other locales and the national average. With this information, possible sources of recyclable materials can be identified along with their potential for recovery.

In 2009, the USEPA reports that Americans generated about 243 million tons of trash and recycled and composted 82 million tons of this material, equivalent to a 33.8 percent recycling rate. On average, we recycled and composted 1.46 pounds of our individual waste generation of 4.34 pounds per person per day. Thus, disposal was 2.88 pounds per person per day. This figure is comparable to statewide results found in Pennsylvania.

Pennsylvania's municipal solid waste composition study conducted in 2001 indicated that for the PADEP Northwestern Region of Pennsylvania, the average rate of municipal solid waste disposed was 2.84 pounds per person per day. This figure is less than the national and statewide average. Using this area's average recycling rate of 15%, the expected diverted tons were applied to determine that the waste generation rate for the Northwestern Region was 3.26 pounds per person per day. The landfill reports do not include waste from the region, which is exported to other states. This likely skews the results.

In Elk County, where disposal of the County's waste out of state is unlikely, the disposal rate in 2001 was 3.61 pounds per person per day and the rate of generation was 4.15 pounds per person per day. The national average for 2001 was approximately 4.50 pounds per person per day. This figure is slightly more than the current national

average of 4.34 pounds per person per day, an indication that, on a per capita basis, municipal waste generation is in decline.

In 2009, Elk County disposed of 23,860 tons of materials considered municipal waste. The average disposal rate for the County was 4.08 pounds per person per day. An additional 4478.4 tons per year of recyclable material (including organics, but minus items not considered to be from municipal sources) were reported by the County. Together, disposal and recycling amount to a total of 28,338 tons generated and an estimated MSW generation rate of 4.85 pounds per person per day. These figures exceed the current national average. Curiously, not only do Elk's rates exceed those seen in the nation in 2009, they also are higher than in 2001 in Elk County as well as the nation. These results are in opposition to the national trends. This could be an indication that in spite of national advancements in waste management technologies, heightened awareness for environmental protection, and improvements in consumer behaviors, in Elk County little has changed, and in fact may have declined over time. However, other explanations may be more reasonable. It is possible, through education and enforcement actions, that more residents utilize proper waste collection and disposal practices and thus more Elk County waste is currently reported from the landfills. The fluctuation in seasonal population may be increasing, as well as their waste, resulting in greater quantities of waste per capita being allocated to the permanent populous. Finally, it is possible that the origin of waste is simply misidentified at the landfill scales.

Table 1-9 shows the estimated waste generation per municipality based on the County's 2009 overall reported rate. The estimated portion of municipal waste projected from residents and commercial sources is illustrated. It is important to note that these projections are strictly estimates. The generation rate could be higher in one municipality and lower in another. Table 1-9 simply provides a snapshot to be used as a baseline for discussions and planning purposes.

TABLE 1-9 ESTIMATED MUNICIPAL WASTE GENERATION BY MUNICIPALITY 2009

Geography	Population 2009	% of Population	Expected Tons MSW Generated	Residential Tons per year	Commercial Tons per year
Elk County	**32,011**	100.00%	28,338	20,404	7,935
Benezette Township	204	0.64%	181	130	51
Fox Township	3,549	11.09%	3,142	2,262	880
Highland Township	451	1.41%	399	287	112
Horton Township	1,402	4.38%	1,241	894	348
Jay Township	1,898	5.93%	1,680	1,210	470
Johnsonburg Borough	2,645	8.26%	2,342	1,686	656
Jones Township	1,606	5.02%	1,422	1,024	398
Millstone Township	86	0.27%	76	55	21
Ridgway Borough	4,043	12.63%	3,579	2,577	1,002
Ridgway Township	2,575	8.04%	2,280	1,641	638
St. Marys City	13,318	41.60%	11,790	8,489	3,301
Spring Creek Township	234	0.73%	207	149	58

ELK COUNTY RATIO OF RESIDENTIAL AND COMMERCIAL MSW

Approximately 75% of the population in the United States, including Pennsylvania, resides in urban areas. According to the Pennsylvania Data Center, in spite of its rural nature, 52% of the residents in Elk County live in urban areas. Almost all of the urban population is clustered within three municipalities Ridgway and Johnsonburg Boroughs and the City of St Marys... The remaining 48% of the people are scattered in less densely populated rural areas of the County.

According to the USEPA, an average of 46% of the municipal waste generated nationally is from commercial sources with 54% from residential generators. A difference in the proportion of wastes from residential and commercial sources in rural compared to urban areas was identified by Pennsylvania's waste disposal characterization study. Statewide, the ratio was 64% residential to 36% from commercial sources. In rural areas, the ratio was 72% to 28%. Although 52% of the population is designated urban, only one of these communities have anything

resembling the big box retailers typical in urban areas. Therefore, in analyzing data from Elk County, a ratio of 72% residential to 28% commercial was used. Elk County's municipal waste generation rate is approximately 4.85 pounds per person per day. Based on the ratio split between residential and commercial sources, the quantity generated from residences is estimated at 72% of this figure, or 3.49 pounds per person per day.

The proportion of commercial to residential waste could change slightly depending on the actual make-up of each community. Understanding the ratio of commercial to residential sources in Elk County is useful in designing cost efficient and realistic collection programs. It also helps in identifying potential sources of recyclable materials. Some recyclable wastes such as cardboard and office paper come primarily from commercial sources. Others, like newspapers and magazines are primarily generated from residential sources. Chapter 4 provides a detailed discussion of material recovery from residential and commercial sources. It also addresses the overall economics of recycling, and future recommendations for Elk County.

SUMMARY

Elk County has witnessed the consequences of overconsumption and destruction of natural resources. Failure to enforce proper waste management practices not only harms the environment, but also jeopardizes public health, safety and the overall quality of life. Many components of municipal solid waste provide opportunities to capture and conserve natural resources. Because municipal solid waste, results from the ordinary and recurring cycle of our daily activities, it presents a unique challenge. How it is generated, who generates it, and the quantities generated are factors to consider. During the planning process, the information presented in this chapter served as a foundation and catalyst for discussions and decisions.

Chapter 2

Transportation and Disposal Network

ELK COUNTY'S CURRENT WASTE MANAGEMENT PRACTICES

At face value, the primary responsibility assigned to each county by Act 101 is to ensure that adequate disposal capacity is available to manage the waste generated within its boundaries. While this is true, to develop a meaningful and responsible municipal solid waste management strategy, it is important to understand the underlying foundation of that requirement. Counties are the guardians of the public health and safety of the citizenry. There are also responsibilities to protect the natural resources and prevent environmental pollution. Key in the policies developed to attain those goals are mechanisms to ensure and enforce the implementation of proper waste management practices.

This chapter explores the methods used in Elk County for waste collection and disposal. It identifies available services and providers. How current trends correspond with the desired goals is discussed. Factors that influence local behavior are identified. The rate of consumption of available disposal capacity by Elk County municipal and residual waste as well as by other counties and out of state sources is addressed. Finally, the effect of all of these issues on the ability of the County to secure future disposal capacity to meet its needs is identified.

COLLECTION PATTERNS

Regardless of the municipality in which they are located, commercial businesses in Elk County can contract directly with the service provider of their choice. This includes the option to self-haul waste generated on-site. As in most areas of the Commonwealth,

local municipalities do not exercise any control or limitations over this choice through an exclusive franchise or by other means.

Residential waste and/or recycling collection, in select Elk County municipalities, is provided as a municipal service. Public employees and vehicles service the waste collection routes in the Borough of Ridgway. A private firm is contracted to collect recyclables at the curb in Ridgway and the City of St. Marys. In Benezette, and Millstone Townships, as well as the Borough of Johnsonburg, waste collection is provided by private contractors. A competitive bidding process is implemented to determine the service provider in each municipality. It can be demonstrated that when comparing similar services, the cost tends to be lower in communities where a single hauler collects from all housing units, than in those where multiple haulers operate. Because of routing efficiencies, single contractor communities can often obtain higher levels of service, such as curbside recycling and/or yard waste collection, for little or no added cost. On the other hand, there is evidence that over time, competitively bid municipal contracts can erode away competition. This is particularly true in areas with limited disposal options, which are not also associated with a collection operation.

The remaining municipalities allow residents to contract directly with the service provider of their choice. This practice is known as subscription service. The provider, the level of service offerings and the cost differs from town to town - in some instances from house to house. Residents either purchase bags or tags identifiable to the contractor, or pay flat fees, which are billed directly by the hauler. Proponents of subscription service claim that it maintains a higher level of competition and thus, over time, keeps prices affordable. Detractors claim that lower route density causes competitors to withdraw from subscription areas and eventually subjects customers to a controlled marketplace.

Because subscribing to waste collection is voluntary, many residents have no service provider. Complicating this issue is the wildly fluctuating and transient nature of the population created by the draw of the seasonal recreational features of the County. Some residents self-haul their own waste to local facilities. Occasionally, a personal choice to use environmentally friendly alternatives such as backyard composting, recycling, or waste minimization reduces or eliminates one's need for waste collection. However, most often, the absence of collection is triggered by other factors, which leads to undesirable disposal practices.

Economic circumstances and/or the willingness to pay can have a great influence on the decision to voluntarily contract with a commercial waste collection firm. When financial conditions are not favorable, even residents with greater environmental scruples can be tempted to discontinue collection service. The likelihood that residents will not subscribe to waste collection services is greatest where the fear of prosecution for illegal dumping is minimal because of lax enforcement measures.

Sadly, 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.

TRANSPORTERS OF MUNICIPAL SOLID WASTE

The private sector primarily dominates waste collection and transportation services in Elk County. Companies may offer one or more services that range from residential curbside collection to commercial dumpster service and roll-off containers for large volumes. In some instances, dump trucks and /or trailers are available for construction demolition and remediation projects. Select transporters offer specialty services for materials that are difficult or potentially dangerous to handle.

Since 2002, transporters of municipal and residual waste are regulated in Pennsylvania by the Waste Transportation Safety Act (Act 90). Waste transportation vehicles (trucks and truck tractors with a registered gross vehicle weight greater than 17,000 lbs, and trailers with a registered gross vehicle weight greater than 10,000 lbs) are required to obtain Waste Transporter Authorization. Act 90 applies to those transporting municipal or residual waste to processing or disposal facilities in Pennsylvania. The law has a broad scope and covers not only those that are typically engaged

Table 2- Waste Transporters Operating in Elk County		
Client Legal Name	Mail Address City	WH ID#
VEOLIA ES SOLID WASTE OF PA, INC.	BROCKWAY	WH0397
PAPER CITY TRANSFER, INC.	JOHNSONBURG	WH4656
JOHNSONBURG MUNICIPAL AUTHORITY	JOHNSONBURG	WH7401
FOX TOWNSHIP SEWER AUTHORITY	KERSEY	WH5705
DOBSONS EXCAVATING	KERSEY	WH7932
P J L TRUCKING, INC.	KERSEY	WH8579
BOROUGH OF RIDGWAY	RIDGWAY	WH0341
EARL J. BULLERS AND SON	RIDGWAY	WH0529
JOE BEAVER EXCAVATING, INC.	RIDGWAY	WH4071
ALLEGHENY CONTRACTING LLC	RIDGWAY	WH4457
BRIGGS EARTHWORK INC.	RIDGWAY	WH4667
WILLIAM D. KINKEAD, III	RIDGWAY	WH4879
HOFFMAN ROOFING, INC.	RIDGWAY	WH4979
VALHALLA CONSTRUCTION CO.	RIDGWAY	WH5854
SORG PROFESSIONAL CONTRACTING	RIDGWAY	WH6691
STEVEN L. MITCHELL	RIDGWAY	WH7163
MICHAEL B. BEAVER	RIDGWAY	WH8577
CITY OF SAINT MARYS	SAINT MARYS	WH0255
ELK WASTE SERVICES, INC.	SAINT MARYS	WH0528
JAMES GROLL CONTAINER SERVICE	SAINT MARYS	WH1864
GROLL'S DISPOSAL	SAINT MARYS	WH1865
T & T CONSTRUCTION, INC.	SAINT MARYS	WH2314
PARSON EXCAVATING	SAINT MARYS	WH4766
BUCKTAIL EXCAVATORS, INC.	SAINT MARYS	WH5667
EAGLE EXPRESS TRUCKING, INC.	SAINT MARYS	WH6104

in the business of waste collection. It also includes others, who may haul construction and demolition debris, roofing material, landscape wastes, and significant quantities of materials from their own manufacturing operations. Therefore, many remodelers, developers, roofing contractors, landscapers and manufacturers, must also comply.

Those haulers that transport waste to out-of-state facilities are not required to obtain authorization. Self-haulers and haulers of small quantities of waste are exempted from the process as well. Transporters of municipal solid waste that requires special handling are licensed under separate programs and therefore are exempt from Act 90 as well.

Table 2-2 lists the transporters of municipal waste with Pennsylvania Act 90 Authorization known to be operating within Elk County.

SPECIAL HANDLING OF MUNICIPAL SOLID WASTE

Certain portions of the municipal solid waste stream generated within Elk County, have unique properties and characteristics that make them more complicated to manage. These wastes are not typically hauled directly to landfills. Often customized equipment is used to deliver these wastes to treatment or pretreatment facilities specifically designed for their management. In some instances, wastes are actually conveyed directly to the facility via pipelines and pumping stations. In Pennsylvania, transporters of special handling wastes are licensed and regulated separately from the Act 90 Waste Transporter Authorization Program. Special handling wastes include; biosolids resulting from treated wastewater and regulated medical wastes, previously known as infectious chemotherapeutic wastes.

MANAGEMENT OF BIOSOLIDS AND RESIDENTIAL SEPTAGE

Elk County has a large land mass, and low housing density. A significant percentage of the population resides here only on a seasonal and temporary basis. Therefore, a network of wastewater treatment plants has developed in just a portion of Elk County. Primarily, this network services the more densely populated areas of Elk County. The operation of these facilities produces biosolids, which are a form of municipal waste. The origin of biosolids begins as wastewater from residences and businesses flows through pipelines to the treatment facilities. At the treatment plants, the wastewater goes through a number of physical, chemical, and biological processes that clean it and remove the solids. The results are biosolids. Biosolids are not raw sewage, but are the

nutrient-rich organic materials derived from wastewater solids that have been stabilized to meet specific processing and quality control standards. Biosolids often are disposed in landfills. Some biosolids are land-applied as a fertilizer to help rejuvenate farmland, forests, and minelands.

LOCAL SEPTAGE CONCERNS

In rural areas, like most of Elk County, the cost to develop a wastewater treatment infrastructure, which includes miles of pipelines and pump stations, is typically cost prohibitive. In these situations, the wastewater from each property is held in a septic tank and periodically emptied by a septage transporter.

In 1992, Elk County conducted a study on septage generation and disposal practices. At the time of the study, the Pennsylvania Department of Environmental Resources (now the Department of Environmental Protection PADEP) was in the process of revising many of its standards and regulations for this material. Uncertainty regarding how these changes would affect those with on lot septic systems, as well as those providing septage services, prompted the study. The purpose of the project was to determine the availability of proper disposal options for local septage transporters .In addition, the project attempted to assess the extent to which local septage transporters used the approved facilities and outlets, over less desirable methods.

Although the study provided a wealth of information on federal and state developments, overall it was rather inconclusive regarding local activities. The report relied heavily on the opinions of local septage haulers who were resistant to a number of issues including; the pending regulatory changes for land application, the operational constraints and requirements of the local wastewater treatment facilities and the impact of outside competition. The ultimate recommendation was for Elk and the surrounding counties to license, track and monitor septage haulers. A reporting system was also suggested.

These recommendations resulting from the Elk County study were briefly implemented. However, since then, Pennsylvania finalized and approved comprehensive regulations for the transportation, treatment, and land application of septage and biosolids. Although the monetary and competitive issues expressed twenty years ago may still be the objections of current septage transporters, random inspections and enforcement by PADEP provide greater assurances that the environmental issues are under control.

TABLE 2-3 BIOSOLIDS AND RESIDENTIAL SEPTAGE LAND APPLICATION SITES

Beneficial Use of Residential Septage				
Operator	**Name**	**Permit**	**Site ID**	**Location**
Buerk's Septic Service	**Ron Buerk Farm**	**PAG098309**	**670747**	**1501 Rosely Rd Saint Marys, PA 15857**

SEPTAGE DISPOSAL OPTIONS

There are two approved methods for the transporter to manage the residential septage. The first option is to transport the septage to a municipal or private wastewater treatment facility or a septage treatment facility where it can be properly treated prior to final disposal. Because facilities within a reasonable driving distance may not be permitted to accept septage, this is not always a viable option. An alternative then is to obtain approval for beneficial use of the septage by land application at an agricultural or reclamation site. Table 2-3 lists the land applications site in Elk County.

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 the transporter. Required information includes, at a minimum: the county and state where the waste was collected; the name and address of the hauler transporting the septage; the name and location of the transfer, processing, or disposal facility where the septage has been or will be delivered; the weight or volume of the septage; and a description of any handling problems or emergency disposal activities. Although a report is not filed, the information must be made available upon request to PADEP inspectors. Table 2-4 lists those septage haulers known to offer services within Elk County.

TABLE 2-4 SEPTAGE HAULERS IN ELK COUNTY

Company	Address
Buerk's Septic Service	1039 Brusselles Street, St. Marys, PA
RAM Environmental Services	1032 Beechwoods Road. Falls Creek, PA 15840
Spong's Septic & Sparkle Johns	829 Johnsonburg Road, Saint Marys, PA
Williams Sanitation Services Inc	411 Williams Road, Reynoldsville, PA 15851-3045

TABLE 2-6 TRANSPORTERS OF INFECTIOUS CHEMOTHERAPEUTIC MEDICAL WASTE

Advant-Edge Solutions Inc 927 Red Toad Rd North East, MD 2190	**Advant-Edge Solutions Of Middle Atlantic Inc** 927 Red Toad Rd Northeast, MD 21901	**Agape Pet Services LLC** 19712 Shepherdstown Pike Boonsboro, MD 21713	**Alpha Bio/Med Services LLC** Po Box 304 Leola, PA 17540-0304
Altoona Regional Health System 620 Howard Ave Altoona, PA 16601	**Asepsis Inc** 424 W Lincoln Hwy, Suite #204 Penndel, PA 19047	**Bestrans Inc** 931 Red Toad Rd North East, MD 21901	**Bio-Haz Solutions Inc** Po Box 420 Lehighton, PA 18235
Bio-Team Mobile LLC 6 E Kendig Rd W Willow Street, PA 1758	**Carlucci Construction Co** 401 Meadow St Cheswick, PA 15024	**Citiwaste LLC** Po Box 360102 Brooklyn, NY 11236	**Clean Harbors Environmental Services Inc** 42 Longwater Dr Norwell, Ma 02061
Coast Medical Supply Inc 200 Tornillo Way Suite 110 Tinton Falls, NJ 07712	**Cole Care Inc** 1001 East Second St Coudersport, PA 16915	**Conservative Environmental Service Inc** Po Box 745 Mechanicsburg, PA 17055	**Curtis Bay Energy Inc** 3200 Hawkins Point Rd Baltimore, MD 21226
Daniels New Jersey LLC 2133-126 Upton Dr #436 Virginia Beach, VA 23454	**Environmental Products & Svc Of VT Inc** 352 State Fair Blvd Syracuse, NY 13204	**Environmental Waste Minimization Inc** 14 Brick Kiln Ct Northampton, PA 18067	**Environmental Transport Group Inc** Po Box 296 Flanders, NJ 07836
Ephrata Community Hospital Po Box 1002 169 Martin Avenue Ephrata, PA 17522-1002	**Geisinger System Services** 100 North Academy Ave Danville, PA 17822-1540	**Hamilton Pet Meadow, Inc.** 1500 Klockner Rd Hamilton, NJ 08619	**Healthcare Waste Solutions Inc** 1281 Viele Ave Bronx, NY 10474
Healthcare Waste Solutions Of PA LLC Dba Genesis Environmental 380 Locust St McKeesport, PA 15132	**JPS Equipment Co** Po Box 788 5038a West Chester Pike Edgemont, PA 19028	**Marcor Remediation Inc** 246 Cockeysville Rd Ste 1 Hunt Valley, MD 21030	**Med Waste Recovery Inc** 9 Broadway Suite 30 Denville, NJ 07834
Med-Flex Inc Po Box 357 Hainesport, NJ 08036	**Orchard Hill Memorial Park Inc** 187 Route 94 Lafayette, NJ 07848	**Pet Memorial Services Corp** 126 Turner Lane West Chester, PA 19380	**Premier Med Waste Transportation Ltd** 642 Willow St Pottstown, PA 19464
S H Bio-Waste Ltd Po Box 2117 Norristown, PA 19404	**Secured Med Waste LLC** 3113 Lauren Hill Dr Finksburg, MD 21048	**S-J Transportation Co Inc** Po Box 169 Woodstown, NJ 08098	**Stericycle Inc** 1525 Chestnut Hill Rd Morgantown, PA 19543
The Cardinal Group Inc 828 N Hanover St Pottstown, PA 19464-4253	**The Pennsylvania State University** 6 Eisenhower Parking Deck University Park, PA 16802	**The Williamsport Hospital** 777 Rural Ave Williamsport, PA 17701	**University Of Pittsburgh** Public Safety Bldg. FL 4 3412 Forbes Ave Pittsburgh, PA 15260
Veolia Es Solid Waste Of PA Inc 6330 Route 219 Brockway, PA 15824	**Veolia Environmental Services Technical Solutions, L.L.C.** 1 Eden Lane Flanders, NJ 07836	**Weavertown Transport Leasing Inc** 2 Dorrington Rd Carnegie, PA 15106	**York Hospital** 1001 S George St York, PA 17405

INFECTIOUS CHEMOTHERAPEUTIC WASTE MANAGEMENT

Transporters of infectious chemotherapeutic waste also fall within the ranks of those requiring a license in Pennsylvania. A stipulation of the license is that each transporter must report the origin and ultimate destination of the waste. Although no infectious chemotherapeutic waste transporters are based within the County, most companies operate within a wide service area, if not the entire state. Table 2-6 shows the infectious chemotherapeutic waste transporters that may operate within Elk County.

DISPOSAL ARRANGEMENTS FROM THE 2000 MUNICIPAL SOLID WASTE PLAN

Disposal capacity is the primary responsibility assigned to Pennsylvania counties under the provisions of the Municipal Waste Planning, Recycling, and Waste Reduction Act of 1988 (Act 101). In the original Elk County Municipal Solid Waste Management Plan and its revision in 2000, the County solicited for capacity and entered into agreements with a number of landfills to fulfill this requirement. The County did not guarantee any prearranged volume of tons to be delivered to each of the facilities. However, by ordinance it did limit haulers to the use of only these facilities for the disposal of all categories of municipal waste that they collect and transport. The agreements covered a period of ten years.

TABLE 2-6 DESIGNATED DISPOSAL FACILITIES FOR ELK COUNTY 2001-2011

Landfill	Permit	Volume Daily /Av Max	County/ Municipality	Address	Owner/Operator
County Landfill	101187 closed	0 0	Clarion/ Farmington	344 Walley Run Drive Leeper, PA 16233	**Allied Waste**
Greentree Landfill	101397	1500 1950	Elk/ Fox Township	635 Toby Road Kersey, PA 15846	**Veolia Environmental Services (now Advanced Disposal)**
McKean County Landfill	101534	2000 2500	McKean/ Sergeant Township	19 Ness Lane Kane, PA 16735	**Casella Waste**

Table 2-6 lists the landfills, which entered into disposal capacity agreements with Elk County after the development of the 2000 Plan update.

ELK COUNTY'S CURRENT REPORTED DISPOSAL ACTIVITY

Based on annual reports submitted to the Pennsylvania Department of Environmental Protection, four landfills received some type of municipal and/or residual waste, which was generated in Elk County. Nearly all of the municipal solid waste was delivered to two of the four landfills with disposal capacity agreements. One of the designated facilities received no Elk County waste. Two landfills without capacity agreements reportedly received small quantities of residual waste from the County.

Table 2-7 illustrates the types and amounts of waste from Elk County reported by Pennsylvania landfills in the year 2010. For each site, a brief narrative is provided that describes how Elk County's municipal waste factors into the overall operation of each facility.

LANDFILLS

A brief description of each landfill, its current overall operation, and its remaining permitted capacity follows.

COUNTY ENVIRONMENTAL LANDFILL

The County Environmental Landfill stopped receiving waste during 2008. The facility had no room for expansion after filling to capacity. Prior to its closure the landfill, located in Leeper, Clarion County, reported minimal quantities of Elk County waste. That year County Environmental Landfill received only 17, 422 tons of waste overall with most of it originating in Clarion County. The site received no out-of-state waste however; at one time, a steady flow of vehicles from sources outside of Pennsylvania could be seen entering the facility.

GREENTREE LANDFILL

Elk County hosts one of the largest disposal facilities in the region, Greentree Landfill. The site, which is located in Fox Township, previously owned and operated by Veolia Environmental Services and now under the ownership of Advanced Disposal. In 2010, the site accepted waste from 36 Pennsylvania counties, including Elk. Greentree has traditionally accepted most of its waste from out-of state sources. Approximately 52% of the 997,440 total tons of waste delivered to the facility in 2010, originated in Connecticut, Delaware, Maryland, New Jersey, and New York. Two states, New York

Table 2-7 Landfills Reporting Elk County Waste Disposed 2010

Facility	Permit	MSW	% MSW	Residual	% RSW	Sludge	% Sludge	C&D	% C&D	Ash Residue	% Ash	Asbestos	% Asbestos	Total Tons	% Total Tons
LAKE VIEW Waste Management	100329	**0**	0%	**0.7**	0. %	**0**	0 %	**0**	0. %	**0**	0%	**0**	0%	**0.7**	**0.0%**
MCKEAN Casella	100361	**7627**	41.1%	**1619**	4.34%	**0**	0%	**1840**	48.5%	**0**	0%	**0**	0%	**11086.**	**15.4%**
WAYNE TOWNSHIP Clinton County SWA	100955	**0**	0%	**70.**	0.19%	**0**	0%	**0**	0. %	**0**	0%	**1**	3.1%	**71**	**0.1%**
GREENTREE Veolia Environmental Services	101397	**10931**	58.9%	**35597**	95.4%	**3236**	100%	**1953**	51.49 %	**8791**	100 %	**33**	96.8%	**60541.**	**84.4%**
		18,557		***37,286***		***3,236***		***379***		***8,791***		***35***		***71,698***	

and New Jersey, account for the majority of not just the out of state waste, but also 47% of the total waste from all sources combined.

This is a dramatic decrease from 2008, when New York and New Jersey accounted for 70% of the 1.1 million tons of waste disposed at the site that year. According to PADEP Annual Facility Reports, 84% of the 71,698 total tons of combined types waste originating in Elk County, or 60,541 tons, was disposed at Greentree during 2010. This includes residual waste, which is produced by local industries in greater quantities than the all of the various categories of municipal waste. The sum of the combination of residual and municipal wastes represented a meager 6% of the landfill's total reported tons. If only the various categories of municipal waste are considered, 24, 911 tons, then Elk County contributed approximately 2% of the annual tons received at Greentree in 2010. Waste is delivered to the landfill by a transportation division of Advanced Disposal (previously Veolia), local independent haulers and long-haul broker transporters. As drilling and exploration continues to develop in the Marcellus Shale Gas Formation, it is anticipated that residual waste tonnages will increase exponentially at Greentree.

LAKEVIEW LANDFILL

Waste Management owns Lakeview Landfill, which is located in Summit Township, Erie County. Less than one ton of residual waste originating in Elk County was reportedly delivered to the facility in 2010. Twelve other counties, as well as the State of New York, compete for disposal capacity at Lakeview. By far the most tonnage comes from Erie County, host to the landfill. In 2009, Erie County disposed of 257, 245 tons of combined municipal and residual waste at Lakeview. Aside from Erie County, the only other significant sources of waste delivered to the site in 2010 was from Crawford County and Mercer counties. In the past, Lakeview Landfill received greater quantities of out-of-state waste. However, it now represents less than 1% of the total tons disposed there.

MCKEAN COUNTY LANDFILL

The McKean County Landfill has experienced an ownership transition recently. This is the second transition in owner/operators since the site was designated to receive Elk County waste in the last Plan revision. Once a public sector facility operated by the McKean County Solid Waste Authority, the landfill is now owned by Casella Waste Services. A rather significant amount of municipal waste from Elk County, 41%, is currently delivered to the site located in Sergeant Township. However, when the

combined total of the various categories of municipal waste and residual waste is considered, on 2010, the site reported 11, 086 tons or 15.4% of all of Elk County's waste. Casella Waste Services currently does not have a transportation division operating in Elk County; therefore, independent haulers deliver Elk County waste to McKean Landfill. Eight counties deliver waste to the facility. These include, Cameron, Clearfield, Jefferson, McKean, Potter, Tioga, Warren, and Elk. A minimal amount of out of state waste comes from New York. Similar to Greentree Landfill, the growing interest in Marcellus Shale Gas exploration and the increasing quantities of drill cuttings, it is projected that greater consumption of landfill capacity will occur at McKean Landfill in the immediate future.

WAYNE TOWNSHIP LANDFILL

It is possible that the Wayne Township Landfill receives waste from more counties than any other facility in Pennsylvania. In varying degrees of quantities, some being less than 1 ton, forty-eight Pennsylvania counties utilized the Wayne Township site for disposal of municipal and/or residual waste in 2010. The Clinton County Solid Waste Authority operates the facility. Elk County disposed of 1 tons of asbestos at the site in 2010 and 70 tons of residual waste. No Elk County municipal waste was disposed there on 2010. The Wayne Township site currently receives no out-of-state waste.

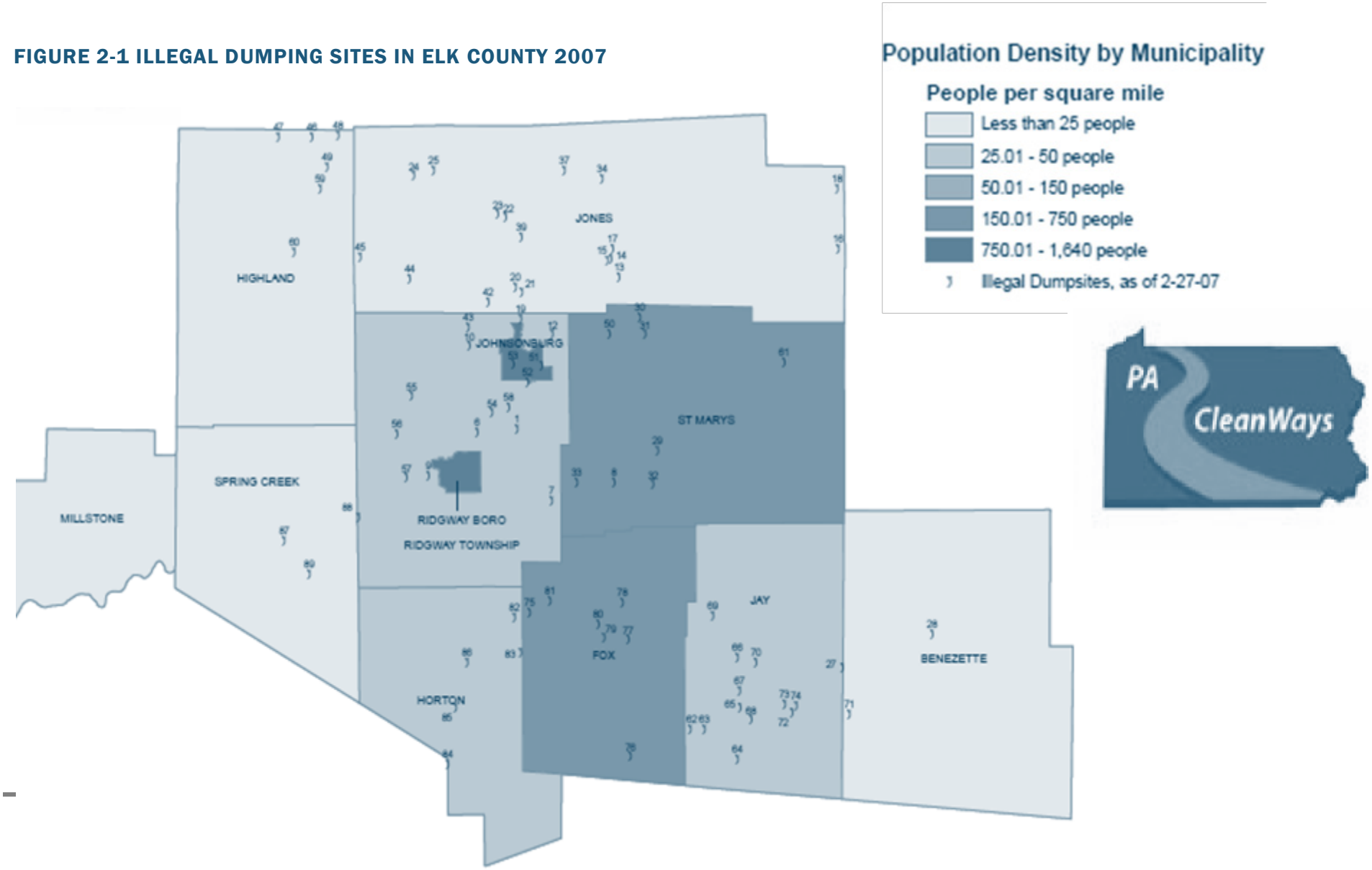
OTHER METHODS OF DISPOSAL

Sadly, not all of the municipal waste generated in Elk County is disposed properly. More than enough evidence exists that individuals seek other means of ridding themselves of household waste and unwanted goods. They may bury it, burn it, disguise it as recycling at local drop-off sites or put it on somebody else's property. All of these activities take considerable effort. Waste must be gathered, loaded, delivered, and unloaded just the same as if it were self-hauled to a permitted disposal facility. This section discusses the motives that steer people toward unacceptable disposal behaviors. It also outlines the effects of those actions.

ILLEGAL DUMP SITES

Studies, surveys, and reports have consistently concluded that illegal dumping tends to be more prevalent in rural areas. Ironically, the very assets that draw people to Elk County -dense forests, low housing density, public lands, etc. - may also be the greatest liabilities when it comes to this issue. The remote acres of land with public access in

FIGURE 2-1 ILLEGAL DUMPING SITES IN ELK COUNTY 2007



Elk County can be an open invitation to discreetly discard waste. The fear of discovery and prosecution diminishes proportionately to the perceived level of enforcement. Consequently, the mere existence of dumpsites breeds more dumping. The assumption is made that the accumulation of garbage is an indicator that previous dumpers escaped detection and punishment. A similar degree of risk is therefore anticipated.

Although unwillingness to pay is a significant reason for people to dump illegally, often a more compelling issue is simply the lack of reasonable and convenient disposal outlets. In communities where curbside collection of waste and recyclables is not mandatory, the incidents of illegal disposal activity increase. The abuse is even more noticeable when such services are unavailable at all. This is also true where normal household waste is collected, but bulk waste and white goods are not. When seasonal and transient residents and tourists simply don't know where items can be disposed, or they depart before the scheduled collection day, the problem is heightened.

The health risks associated with illegal dumping are significant. Rodents, insects, and other vermin are attracted to dump sites. Dumpsites with scrap tires provide an ideal breeding ground for mosquitoes that spread West Nile Virus and encephalitis. Illegal dumping can affect proper drainage of runoff, making areas more susceptible to flooding. In rural areas, burning or spontaneous combustion of dump sites can cause forest fires and severe erosion Additionally, runoff from dump sites containing chemicals may contaminate wells and surface water used as sources of drinking water.

In 2007, Keep Pennsylvania Beautiful (formerly Pa CleanWays) completed a study, which identified the location of illegal dumping sites within Elk County. This study is one in a series of similar projects conducted by Keep Pennsylvania Beautiful in Pennsylvania counties. Figure 2-1 shows the location of the sites and illustrates how population density plays a role.

Seventy-nine dumpsites were identified in Elk County. They were located in ten municipalities. This represents eighty-three percent of the municipalities. Ninety-six percent of the sites were located in an area characterized as rural. Many of the sites identified were older with no recent disposal evident. However, sixty-seven percent were active. The overall estimate of 119 tons of waste included such materials as tires, furniture, and appliances. Much of the waste was in and around waterways. It should be noted that Keep Pennsylvania Beautiful conducts a superficial survey due to safety and legal issues regarding trespassing on private lands. Therefore, the report cautions that this is a small representation of the extent of illegal dumping in Elk County.

MISUSE OF THE RECYCLING DROP-OFF SITES

Not addressed and therefore unmentioned in the Keep Pennsylvania Beautiful survey are the blatant occurrences of illegal dumping at the recycling drop-off sites located throughout Elk County. Contamination routinely happens in any recycling program due to misunderstanding or best intentions of participants. However, a common problem for the Elk County Solid Waste Authority is the use of unmanned drop-off sites as disposal outlets. Offenders are typically those who avoid paying for waste collection, but are just barely environmentally conscientious enough to prevent them from disposing on other's properties. Because the midnight dumpers associate the recycling containers with waste collection, they feel free to shift the cost and responsibility for managing the material to the Authority, minus the guilt associated with hillside or waterway dumping.

CONFRONTING THE PROBLEM

The costs of cleaning-up, monitoring, and prosecuting are significant. Local municipalities bear the ongoing cost for cleaning up illegal dumpsites. Public works or road crews are often dispatched at taxpayer's expense to remove and dispose of discarded items. Based on data from clean-ups conducted by various groups statewide, it is estimated that the cost can range from $700 to $1,000 per ton.

Elk County has a local chapter of Keep Pennsylvania Beautiful that periodically organizes local volunteers to remediate illegal dumping areas. While these events are helpful, in reality, it has been shown that clean-ups may inadvertently encourage illegal dumpers by demonstrating to them that the waste will ultimately be managed by others. Support for this theory is the number of dumpsites recurring in the same location after numerous cleanups. In spite of that, Elk County should continue to

support the efforts of the local chapter of Keep Pennsylvania Beautiful and coordinate volunteers to assist them in the clean-ups of existing dumpsites.

An Enforcement Officer is employed by the County to investigate incidents of improper disposal. The Officer is diligent in using all available resources to find and prosecute the offenders. An ongoing role of the Enforcement Officer is monitoring the recycling drop-off locations. Mobile surveillance cameras are utilized to catch offenders in the act. For activity that is not captured on camera, the Enforcement Officer searches for clues pointing to the source of the material. Similar to the clean-ups, enforcement is an after-the-fact reaction to the illegal dumping. It does provide some preventive measure if for no other reason than fear of prosecution.

The Elk County Solid Waste Authority sponsors the collection of tires and white goods. In addition, the Authority also conducts ongoing collections of discarded electronics, Household Hazardous Waste, and similar materials. Most of these programs are provided free or at minimal cost to residents and local municipalities. This is made possible thanks to support from Greentree Landfill and a variety of grants. Of all of the methods to deter illegal dumping these events are the most proactive and effective means to arrest the problem currently implemented in the County. Ensuring that all residents participated in an organized mandatory waste collection program would be the better solution.

OPEN BURNING

There is no other undesirable waste management practice, which individuals at all levels of the socio-economic spectrum defend more than open burning. Many that would never consider the act of illegal dumping feel free to strike a match and ignite the family's household trash or a pile of brush and leaves. Open burning, remains a common occurrence in Elk County. Burning pits and barrels for burning are visible. Tolerance for open burning stems from the practice being practically ingrained as a tradition in Rural Pennsylvania. In locations like Elk County, where camps and campgrounds are prevalent, it is hard for some to distinguish the line between campfires and burning trash.

The public in general has little to no awareness of the dangers of

open burning. Over the past 50 years, more plastics and other synthetic materials have entered the waste stream. A study on the constituents of emissions of backyard burning published by the USEPA, the NYS Department of Health (DOH) and the NYS Department of Environmental Conservation (DEC) demonstrated that burning about 10 pounds of waste in a household burn barrel can produce as much air pollution as a modern, well-controlled incinerator burning 400,000 pounds of municipal waste.

Smoke from any fire can affect the health of a community. Smoke can trigger asthma attacks. The smoke from campfires, smoldering leaves, as well as from burning trash is released close to the ground where people can easily breathe it. People with heart and lung conditions are vulnerable, as are those with other chronic health problems.

An often-overlooked consequence of backyard burning should be of particular concern in Elk County. Unattended burn barrels and pits can cause accidental fires, which could easily ignite a forest. The loss of property and life along with valuable natural resources poses an immediate as well as a long-term risk to the public health and welfare.

People burn waste for a variety of reasons. The study, *Open Burning in Rural Northeastern Wisconsin: An Analysis of Potential Air Pollution* examined the motivations and behaviors associated with the burning of waste. Convenience, habit, and the avoided cost of trash collection ranked high on the list. These same reasons prompt illegal dumping. Because much, but not all, of the burning is initiated by temporary residents, communities must ensure that other readily accessible disposal options are available to these visitors. The adoption and enforcement of burning ordinances is a step to control burning by local citizens. Some communities kick off the implementation of the ordinance with buy-back programs for the barrels. Just as with illegal dumping, mandating and enforcing waste collection could effectively eliminate the practice.

LITTERING

Litter prevention is a subject with long standing support in Pennsylvania. Nearly sixty years ago, the Pennsylvania Resources Council coined the phrase ”Don’t Be A Litterbug” and introduced its mascot, which is now one of the most familiar national icons. The Litterbug has been through several makeovers to keep up with the style of

the times, but the message has remained the same. In spite of the effectiveness of the campaign in creating public awareness, littering is still an issue that plagues every county in the Commonwealth.

Littering occurs everywhere. Motorists as well as pedestrians are guilty of littering. is a behavior that occurs on a regular basis. Although, studies indicate that women or people in care giving roles may litter less than others may, overall all ages and genders are guilty of littering. Almost unconsciously, people flick cigarette butts to the ground. Gum wrappers, soda cans, and the remains of drive-thru lunches are flung from car windows. Even the most sincere and devoted conservationist has, at a minimum, been tempted to litter, and likely has at some point. 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.

Littering can result from limited availability of waste and recycling receptacles in public places. Certain products tend to increase the prevalence of litter. These include one-use plastic and paper bags; single serve beverage containers, takeout food containers, and cigarettes. Targeted distribution of convenient disposal and recycling containers as well as bans or deposits on some of the offending products could help alleviate the issue. The Pennsylvania Resources Council has tools and collateral material available to local schools and communities to launch educational promotions. Likewise, Keep Pennsylvania Beautiful can also provide assistance.

ASSESSMENT OF AND RECOMMENDATIONS FOR THE DISPOSAL SYSTEM

The number of Elk County homes and businesses with or without a waste collection service provider is unknown. There has never been a formal study conducted in Elk County to document where the gaps in service availability and/or participation may lie. Neither is there background data, which focuses on the habits and practices of transient and seasonal residents. Documented disposal activity at local landfills certainly is an indication that many permanent residents and business owners take responsible actions. Based on the Keep Pennsylvania Beautiful survey, local enforcement investigations, and casual observations, evidence suggests however, that improper waste management practices are prevalent.

Undesirable disposal methods create pollution; endanger public health and safety; and lower property values. Public awareness of the problem and its effects are crucial in modifying this undesirable behavior. Ensuring that convenient and affordable disposal outlets and collection services are available for a wide variety of discarded materials is essential. Enacting proper ordinances and actively enforcing them is the cement that binds the other elements of the program together. To improve the waste management practices in Elk County, recommendations that are more detailed are provided in Chapter 5.

Chapter 3

Projecting Future Capacity Needs

ASSURANCES FROM DISPOSAL FACILITIES

In 1988, Pennsylvania enacted one of its most important pieces of legislation focused on municipal solid waste management issues, the Municipal Waste Planning, Recycling, and Waste Reduction Act (Act 101 of 1988). During the period leading up to and immediately following the adoption of the Act, transition and uncertainty prevailed in the waste industry. Tighter controls introduced in federal and state landfill regulations escalated the costs of permitting, engineering design, and construction. Bonding was required for closure and post closure care. The result was a dramatic shift in the marketplace. Small private and municipal facilities, once the primary disposal outlets, financially struggled to comply. Thousands of landfills closed. Some sold to larger conglomerates intent on internalizing the disposal of waste, which could be collected by their own hauling divisions. This was the birth of the waste industry, as we know it today.

The environmental and regulatory community soon panicked in belief that the recent regulations had actually helped to facilitate corporate monopolization of the remaining landfill capacity. It was commonly predicted that the nation would soon have no place to dispose of a growing waste stream. This sense of crisis influenced the drafting of laws like Act 101 and still has implications in solid waste policies today. Securing long-term disposal capacity and reviewing those needs approximately every ten years became the top priority for Pennsylvania counties. Mandates on municipalities required residential and commercial recycling to divert waste and decrease disposal capacity demands.

Chapter 3 reviews the data and analysis used to determine Elk County's generation and disposal requirements for the next decade. It considers not only the County's disposal

trends, but also the rate at which capacity is being consumed at landfills by other sources. Factors, which could influence the availability of landfill capacity to the County, and alternative methods of disposal and processing are considered. Finally, the decision and justification to solicit for added capacity is discussed.

RETHINKING THE SOLID WASTE CRISIS

The prediction that the nation would run out of landfill space never materialized. Pennsylvania is illustrative of what occurred throughout the nation instead. In the 1980's Pennsylvania had 1100 landfills. By 1990, there were only 71 landfills and today there are 45 operating landfills in Pennsylvania. Those numbers at face value point to a pending critical shortage in capacity and that is how they were promoted. Although fewer in number, mega landfills able to accommodate large volumes of waste replaced the small local dumps. In Pennsylvania, between 1995 and 2000, after losing 1055 landfills in 20 years, the disposal capacity actually doubled.

Other factors also affected the availability of disposal capacity. From 1960 to 1990, the USEPA reported that the rate of municipal waste generation grew faster than population growth. National studies currently show the direction of those rates to be reversed. Business and industry recognized that waste minimization and source reduction practices could impact profitability. To reduce production and shipping costs, products were produced with lighter materials, fewer non-functional parts and less packaging. The rate at which printed material is being replaced by other media increases daily. Recycling programs remove more post-consumer waste from the landfill than ever before. Consequently, the conditions in the waste industry in 2011 are dramatically different from those in 1988.

Since the last Plan Update in 2000, there is a clear downward trend in tons of municipal waste received for most if not all of the landfills designated for disposal of Elk County waste. In many cases, the decrease in tonnage has been dramatic, although it has stabilized somewhat recently. A logical conclusion from this information could be that the County should experience no lack of current or future disposal capacity at the landfills with which it has current disposal agreements. To explore other factors before making such a determination would be more prudent.

COMPETING FOR CAPACITY

Because all counties in Pennsylvania must secure disposal capacity, those that do not own and operate facilities must rely on the cooperation of outside sources. These

operations represent profit centers for the owners and in many cases, the shareholders. Without disposal tonnage, profits decrease. Therefore, it is safe to assume that these facilities must and will continue to seek out reliable sources of waste. By setting aside a portion of the daily disposal capacity for a county, a facility may have to exclude other waste. Most counties will not guarantee any minimum volumes of waste to be delivered for disposal. With no assurance that this daily reserve will be attained, some risk for lost revenue exists. Therefore, the willingness of an operator to ensure that capacity is available on demand can be influenced by a variety of market factors. Other sources of waste may be delivered on a regular basis or in greater quantities. Some waste streams may command a higher price per ton. This section points out three issues that could have an impact on the amount of capacity that will be available for Elk County during the next decade.

OUT OF STATE WASTE

In varying degrees, waste from sources outside of Pennsylvania has factored into the business plans of the landfills designated to receive Elk County municipal waste. It is reasonable to assume that this will continue. Easy access to landfills in Western Pennsylvania is made possible by the network of Interstate Highways. Those, which run east and west, provide direct access to large waste exporting states like New York and New Jersey. The Constitutional support for Interstate Commerce makes it more difficult for states to enact legislation controlling the flow of waste from outside its boundaries.

In recent years, there has been a steady decline in the volumes of out-of-state waste disposed. At one time, nearly 80% of the waste disposed at Greentree Landfill came from out-of-state sources. Today, a little more than half of the site's volume originates outside of Pennsylvania. Another of the sites designated in the 2000 Elk County Municipal Solid Waste Management Plan, also received the majority of its daily volume from out-of-state sources. County Environmental Landfill reached final permitted capacity and has since closed. The decline in out-of-state waste can be attributed to a number of issues including: a change to rail as a mode of transportation by many exporting states; the cumulative negative impact of state fees on the affordability of airspace in our region; and current less favorable economic conditions.. Nevertheless, even if it is at a lesser rate, out-of-state waste will still occupy airspace now thought available to the County.

GENERATION AND MANAGEMENT OF RESIDUAL WASTE

Waste residues from industrial and manufacturing processes are also accepted for disposal at the landfills, which were designated to manage Elk County municipal waste in the 2000 Plan. Pennsylvania regulates these materials as residual waste. Industry in Elk County generates more residual waste in a year than the reported annual amount of municipal waste originating in homes and businesses. A growing source of residual waste is drill cuttings generated from exploration in the Marcellus Shale Gas Formation. For Pennsylvania landfills that have experienced a downturn in municipal waste disposal, the increasing activity in the oil and gas fields is developing into a lucrative market.

The amount of waste generated at each drill site differs somewhat and is dependent on the depth and horizontal distance of the drilling activity. The industry reported disposal of 405,000 tons of drill cuttings in the first 6 months of 2011, up from 198,000 produced in the last half of 2010. Because operators are moving away from encapsulating the cuttings in lined pits for on-site disposal, more of it is being landfilled. As reflected in the current reports, this volume of material is expected to increase into the immediate future.

It is difficult to predict accurately the impact on any given landfill. It is however safe to say that the results will be significant when the number of drill sites projected is considered along with the average drill cuttings generated per well site. Acceptance of this material would accelerate consumption of the excess disposal capacity currently thought to exist. For the first six months of 2011, approximately 2800 tons of drill cuttings

were reported as originating in Elk County and disposed at either Greentree or McKean County landfills. Drilling activity in Elk County is minor at this point. However, local landfills also accept drill cuttings from sites in neighboring counties, like Clearfield that reported over 17,000 tons of drill cuttings disposed in the first six months of 2011.

The Marcellus Shale Gas Formation will have an impact across the Commonwealth for a number of years. If drilling exploration in Elk County proves to be productive, residential and commercial development could flourish as well. Greater demands could occur on the municipal solid waste infrastructure, including disposal capacity. This combined with the known effects of drilling waste provides more reasons to secure disposal capacity for Elk County.

OPERATIONAL ISSUES THAT AFFECT CAPACITY

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

Many landfills with current disposal capacity agreements might not be able to continue to fulfill those obligations without expansions of their permitted areas. Regulatory changes and constraints, permitting moratoriums, prevailing public policy and attitudes can hamper or halt permit modifications and renewals. If approvals cannot be obtained in a timely manner, or worse, not at all, then capacity thought available to Elk County could decrease.

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

see waste redirected to facilities, which were obtained in mergers and acquisitions. Such shifts can accelerate the consumption of capacity.

PROJECTING ANNUAL CAPACITY REQUIREMENTS

In order to determine the future disposal capacity needs of Elk County, certain related data must be gathered. To predict the future, it is important to review and understand trends in current local reported activities. Because waste is typically measured on a per capita basis, it is vital to know if growth or decline is anticipated in local population. Additionally, it is necessary to determine if national data reflects trends that have not yet been realized at the state or local level. This section describes the sources of data used to calculate Elk County's capacity needs. It also illustrates the disposal requirements for the next 20 years.

CURRENT AND PROJECTED POPULATION

The Pennsylvania State Data Center at the Pennsylvania State University has produced State and county population projections for the Commonwealth of Pennsylvania. Table 3-1 shows Pennsylvania and Elk County totals from the 2000 Census and projections for 2010 to 2030. These projections were published in 38 Pa.Bulletin. 4721, Saturday, August 30, 2008. The actual 2010 census reported Elk County's population at 31,946, which is close to the projected population of 31,935. Therefore, the projections through 2030 are presumed to be valid. Over the period 2000 through 2030, the population of Elk County is projected to decrease by 23.0%.

TABLE 3- 1. PENNSYLVANIA POPULATION PROJECTIONS: 2000-2030

	April 1, 2000	July 1, 2010	July 1, 2020	July 1, 2030	% Change	% Change	% Change
County	Census	Projection	Projection	Projection	2000-2010	2000-2020	2000-2030
Pennsylvania	12,281,054	12,540,718	12,871,823	13,190,400	2.1	4.8	7.4
Elk	35,112	31,935	28,909	26,269	-9.1	-17.6	-23.0

FUTURE RATE OF MUNICIPAL WASTE GENERATION

The USEPA tracks and monitors national municipal solid waste generation and disposal rates. Data is available from 1960 to the present. In recent years, the municipal waste 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 waste generation rates will remain unchanged.

REPORTED DISPOSAL ACTIVITY AND PROJECTED NEEDS

Landfills in Pennsylvania report to the PADEP the origin of each type of waste received for disposal. These reports were reviewed to determine the annual waste disposed from Elk County. Reported data for the year 2010 showed that the County disposed of 18,557 total tons of municipal solid waste , 3,793 total tons of construction & demolition waste, and a total of 3,236 tons of sewage sludge. Prior to disposal, various quantities of materials are recovered for recycling in Elk. These materials are already excluded from the disposal figures. The 2010 figures were utilized as a basis to project needs in future years. Total quantities for 2009 and previous years were similar. No significant acceleration of the recycling activities in the County is foreseen and thus the disposal rate is assumed to remain consistent with its current level.

Table 3-2 presents projected disposal capacity requirements for the years 2010 through 2030. The figures are based on a constant per capita generation rate with adjustments due to projected population changes. For Elk County, the quantity is based on the 2010 census population of 31,946.

REQUESTING PROPOSALS FOR FUTURE DISPOSAL OR PROCESSING CAPACITY

From discussion and analyses of conditions, it was determined that the County should advertise and accept proposal's from facilities for additional disposal capacity. The PADEP was notified of the County's determination and a formal request was advertised nationally in the industry trade journal, Waste News. Proposals were solicited. A copy of the public notification is shown in Appendix D.

TABLE 3-2 ELK COUNTY PROJECTED MUNICIPAL WASTE DISPOSAL CAPACITY 2010-2030					
Year	Population	MSW Only	C&D	Sludge	Combined Total
2010	31,946	18,557	3,793	3,236	25,586
2011	31,642	18,381	3,757	3,205	25,343
2012	31,339	18,204	3,721	3,174	25,099
2013	31,035	18,028	3,685	3,144	24,857
2014	30,731	17,851	3,649	3,113	24,613
2015	30,428	17,675	3,613	3,082	24,370
2016	30,124	17,499	3,577	3,051	24,127
2017	29,820	17,322	3,541	3,021	23,884
2018	29,516	17,146	3,505	2,990	23,641
2019	29,213	16,969	3,468	2,959	23,396
2020	28,909	16,793	3,432	2,928	23,153
2021	28,645	16,639	3,401	2,902	22,942
2022	28,381	16,486	3,370	2,875	22,731
2023	28,117	16,333	3,338	2,848	22,519
2024	27,853	16,179	3,307	2,821	22,307
2025	27,589	16,026	3,276	2,795	22,097
2026	27,325	15,873	3,244	2,768	21,885
2027	27,061	15,719	3,213	2,741	21,673
2028	26,797	15,566	3,182	2,714	21,462
2029	26,533	15,413	3,150	2,688	21,251
2030	26,269	15,259	3,119	2,661	21,039

Chapter 4

Recycling in a Rural Setting

OVERCOMING THE CHALLENGES

Few would dispute that recycling programs in rural areas encounter unique obstacles. Lower population and housing densities limit the cost effectiveness of collection. Likewise, the inability to accumulate sufficient quantities of recovered materials within a reasonable time frame reduces the marketability of the processed recyclables. The influx of seasonal residents and/or tourists in outdoor recreational areas creates spikes in waste generation that make it difficult to plan and budget for collection and processing. Additionally, a smaller tax base, which feeds a General Fund already overwhelmed by the demands of a host of other social services, reduces the monies available for recycling.

Elk County faces all of these issues. Yet, for the last two decades, the County has managed to grow a recycling program that rivals any of its urban counterparts in the depth and variety of services. Certain municipalities complement these services with programs of their own. Additionally, there are private sector participants that have investments in collection and processing operations.

This chapter discusses the details of the County and Municipal programs. It offers analyses of the performance of local programs in relation to national trends. A description of private sector capabilities and constraints is included. Lastly, it provides background on events that could jeopardize or alter the level of recycling service available into the future.

COUNTY SPONSORED ACTIVITIES

Opportunities to recycle throughout Elk County are made available by the Elk County Solid Waste Authority and the Elk County Department of Recycling and Solid Waste. A wide range of services provide for the collection and processing of basic recyclable materials like bottles, cans, and newspapers as well as special materials that may be more toxic, difficult to manage, or pose a potential for illicit dumping. Some of the services operate in permanent round-the-clock locations. Others are scheduled as periodic or seasonal collection events. County employees monitor and manage the processing center, the drop-off locations and assist at the special events. Volunteers also provide much needed support at the central collection/processing site. All of the collection programs are contracted to private sector service providers. The County owns and maintains a limited amount of equipment, which was purchased primarily through Act 101, Section 902 grants. This consists of the containers for the permanent drop-off locations. Most recently, the County was awarded funding from the Stackpole-Hall Foundation to acquire a baler for the processing operation. Collection vehicles, containers for special handling material and other processing equipment are all provided by the contractors. Therefore, the operational costs of the programs are much greater than actual capital outlay by the County. As in all programs, those costs are a determining factor in the services Elk County is able to provide. A detailed analysis of the County's sources of revenue and expenditures is provided in Chapter 7.

ELK COUNTY COMMUNITY RECYCLING CENTER

The most recent addition to the Authority's medley of services is the conversion of a former industrial site into a multi-purpose collection and processing center. With the help and creativity of a local youth group, the cold, dark walls came to life with bright and colorful murals. In addition, an aging structure in an underutilized industrial zone was transformed into a community gathering place for like-minded families and individuals interested in conserving valuable resources by recycling.

FIGURE 4-1 MATERIALS COLLECTED AT THE ELK COUNTY COMMUNITY RECYCLING CENTER

- Food & Beverage Containers
- Rinsed

Aluminum and Steel Cans

- (#1 and #2)
- Narrow Mouth Openings
- Rinsed with Lids Removed
- #5 containers
- PET Thermoform

Plastic Bottles & Jugs

- Shrink Wrap
- Flex Bags
- Other Plasrics

Industrial Plastics

- Newsprint
- Inserts & Advertisements

Newspapers

- Hard & Soft Back Books
- Stapled or Glued

Books,Magazines and Catalogs

- Corrugated Packing Boxes

Cardboard

- Cereal, Cracker, Pasta Boxes
- Shoe Boxes
- Six-Pack Inserts

Paperboard

- White and Yellow Pages

Phone Books

- Copy, Printer, Tablet Paper- All Colors
- Envelopes & Junk Mail

Mixed Paper

Located at the Stackpole Center in the City of St. Marys, the center currently operates on Monday, Wednesday and Friday, and the third Saturday of every month. County employees monitor and manage the processing center. A cadre of dedicated volunteers provides support. Pre-sorted materials are received at the facility where they are prepared for shipment to brokers and end users. Figure 4-1 lists the basic materials accepted.

BIRTH OF THE CENTER

The development of the center had its origins in the Authority's use of the property for special collection events. The realization of the facility's full potential became known during the Sustainability Study conducted for the Authority in 2007-2008. The study evaluated the Authority's operations and finances to determine how to sustain its programs for the long-term. A summary of its findings are provided in Appendix B.

Consolidation and elimination of collection points were the primary recommendations of the study. The layout of the site, its familiarity to the public, and its proximity to major thoroughfares all warranted that the concept be given further consideration. Some trial runs and cost comparisons were convincing enough to prompt the Authority to solicit support for the project from the site's owners and the Stackpole Foundation.

SATELLITE DROP-OFF COLLECTION SITES

Currently, six recycling drop-off locations operate throughout the County. Table 4-1 shows the municipalities in which they are located. It also indicates the types of materials accepted at each.

Materials collected at each of the County sites vary based on the availability of local municipal service offerings, site constraints, demographics, and cost. For instance, a reduction in services is warranted where curbside collection programs are implemented, such as in Ridgway Borough and the City of St. Marys. Likewise, in more remote areas like Benezette and Spring Creek Township, the cost of collection and the seasonality of the population dictated the discontinuation of those service locations. Space limitations at other sites reduce the types, size, and number of collection containers that can be serviced in a cost effective manner.

Table 4-1 Elk County Drop-Off Collection Sites

	Aluminum Cans	Bi-Metal Cans	Glass Bottles	Newspaper	Cardboard	Mixed Paper	Plastic 1 & 2
Fox Township	✓	✓	✓	✓	✓	✓	✓
Jay Township			✓	✓	✓	✓	✓
Johnsonburg Borough				✓	✓	✓	
Jones Township			✓	✓	✓	✓	
Ridgway Township	✓	✓	✓	✓	✓	✓	
Horton Township	✓	✓	✓				

SPECIAL COLLECTION PROGRAMS

While most rural counties struggle to collect bottles and cans for recycling, Elk County has demonstrated that it is viable to provide a more extensive list of services. This section offers a description of the comprehensive services available in the County.

ELECTRONIC WASTE

Elk County has one of the few ongoing electronic waste collection programs in Pennsylvania. Through the efforts of volunteers and the Solid Waste and Recycling Department staff, electronics are collected from residents and businesses on a monthly basis. Businesses may also make arrangements for additional collections. The program is supported in part by the Household Hazardous Waste Fund. Additionally, local businesses pay a user fee that is less than an individual company could negotiate for the service. These fees subsidize the program for residents who can discard electronic waste at no cost. This successful program has collected over 1.2 million pounds of electronic waste since its inception.

With enactment of the Covered Device Recycling Act in 2010, manufacturers of certain electronic devices are now required to provide for recycling of their products. Companies must demonstrate that the amount of devices, which were recycled each year on their behalf, are the equivalent to the retail market share of their products sold in the Commonwealth.

FLUORESCENT TUBES

As part of its monthly electronic waste collection program, the County also provides for the collection of florescent tubes. Individuals can deliver these items to the same location where electronics are collected. The service is free to residents, while businesses pay a nominal fee. The County pays an outside contractor to transport the material for processing.

FIGURE 4-2 SPECIAL MATERIALS COLLECTED AT THE ELK COUNTY COMMUNITY RECYCLING CENTER

HOUSEHOLD HAZARDOUS WASTE

Paints, pesticides, fertilizers, cleaning products and other chemicals are commonly found in municipal solid waste. These products share the characteristics of hazardous wastes generated by business and industry. Therefore, although they are exempt from the regulatory requirements when combined by homeowners in their residential trash, removing them from landfills helps to prevent accidental discharge into the groundwater and is beneficial to the environment.

The Elk County Solid Waste Authority periodically sponsors Household Hazardous Waste (HHW) collection events and an ongoing oil-based paint and pesticides collection program. The program is supported in part by the Household Hazardous Waste Fund. Residents dispose of materials free of charge, while the County covers the remaining costs.

UNWANTED PHARMACEUTICALS

The most recent addition to the County's special programs was the collection of outdated and unwanted pharmaceuticals. Sponsored in conjunction with the Elk Regional Medical Center and with funding from the Stackpole Foundation, in 2008 the County hosted a series of such collection events and the first sanctioned by PADEP. The program's focus was to capture prescription drugs that when disposed improperly could have a negative impact on the environment. Another targeted goal was the removal of controlled substances that lead to crime and improper use. The first two events collected a total of 650 pounds of medications and well over 40,000 pills or tablets. Aside from prescription pharmaceuticals, residents also delivered a host of over the counter medications.

WHITE GOODS AND TIRES

Perhaps the most practical of all of the special programs in Elk County are the ongoing collection services for white goods with refrigerants and tires. These services help prevent illegal dumping by providing a proper outlet for the items most commonly found deposited along the roadways and woodlands in rural areas. Residents can discard refrigerator appliances at Reed's Recycling. Advanced Disposal Greentree Landfill accepts appliances and tires. The service is free to residents. However, typically, the Authority covers the expense of CFC removal from appliances, and the processing of the tires. During the Great Pennsylvania Cleanup, Veolia traditionally did provide tire collection and processing at no charge to the Authority. It is anticipated that under the new ownership Advanced Disposal will c continue this service.

WASTE OIL

The Authority sponsors three used oil drop off points. One of the sponsored locations, in Johnsonburg Borough, is serviced by Safety Kleen. Another is located in Ridgway at the NAPA store. The Recycling Center also provides a receiving container for used oil that is collected by Elk Waste. Unrelated to the Authority's program, Auto Zone also accepts used oil for recycling. Across the County numerous used oil drop-offs sites are operated by businesses that utilize the oil in burners to heat their facilities.

MUNICIPAL PROGRAMS

Only two municipalities in Elk County offer curbside collection for recyclables. One of the communities is mandated to provide this service under the provisions of Act 101. In the other community, the service is offered in response to the wishes of its citizens. A small number of municipalities sponsor their own drop-off programs for metals, white goods and tires.

RIDGWAY BOROUGH

It is appropriate for the community that serves as the County seat to be proactive in environmental protection. Residents, businesses, and institutions in this small community have demonstrated that political will and civic pride can overcome what other towns perceive as obstacles in the development of environmental programs. Recycling and composting programs for yard waste and food waste have been implemented successfully here for a number of years.

RESIDENTIAL CURBSIDE RECYCLING PROGRAM

With a population of 4.419 people, Ridgway does not meet the criteria that mandate communities to provide curbside collection of recycling in Pennsylvania. Nevertheless, the Borough of Ridgway voluntarily established a weekly curbside collection program nearly 15 years ago. Although public employees collect waste from local residents, recycling services are provided through a contract with a local hauler. The town collects glass, aluminum and bi-metal cans, plastics #1 and #2 as well as newspaper. Overall, the annual average weight of all materials collected from residents at the curb is 190 tons or .04 tons per person.

COMMERCIAL & INSTITUTIONAL RECYCLING PROGRAM

Recycling is not mandatory for businesses in Ridgway. However, many businesses are known to recycle glass, corrugated cardboard, office paper, and newsprint. Some contract for collection with local service providers while others broker their material directly to market.

YARD WASTE PROGRAM

Ridgway Borough operates its own compost site for leaves collected at the curb each fall. During the year, the site is open on select days of the week for residents to drop-off brush, as well as to obtain free compost for use in their gardening and landscaping. The Borough provides labor and equipment to provide chipping and shredding of brush and other leaf waste.

CITY OF ST. MARYS

The Municipal Waste Planning, Recycling and Waste Reduction Act, requires communities like St Marys, with populations of 10,000 or more, to implement a mandatory curbside collection program. St Marys has vast land area unlike any other mandated community in the Commonwealth. The housing density is not conducive to cost effective curbside collection in many remote areas. The Department of Environmental Protection understood the geographic challenges, however, it made known that the situation did not preclude St Marys from compliance under Act 101.

For years, the City contracted with a local hauler to collect recyclables at the curb, but in a limited area. Until 2008, nearly 24% of the housing units within the jurisdiction were without curbside service. In order to recycle, these households became reliant

upon the County's drop-off collection program with sites located throughout St Marys. Because the non-serviced residents had some access to recycling, there was little or no incentive for the City to incur the additional costs of expanding the curbside service area.

In 2007, the Department requested the City to submit an Action Plan that demonstrated how curbside collection would be reasonably expanded to those residents with homes on serviceable roadways by January 2008. As discussed previously in this chapter, loss of funding forced the County to reduce both the number of sites in St Marys and the types of materials collected. The withdrawal of County services was concurrent with, although unrelated to the Department's requests. Therefore, the City was forced to resolve the lingering needs of its residents. Appendix C outlines the steps taken by St Marys to develop and implement the expanded program and comply with the Act.

DECISIONS TO EXPAND COLLECTION

The study served as a point of discussion for St Marys Council and the City's Recycling Task Force. It demonstrated that through consolidation of routes more homes and a greater variety of materials could be collected without an increase in costs. A small portion of the homes would be supplemented with drop-off services. The effect of losing the County services provided a catalyst for change. A series of meetings were held during which the findings were presented to the public.

Although the results of the study were well received, in the end much of the analysis was ignored. A new vehicle was acquired through Act 101, Section 902 grant funding. In addition, recycling bins were distributed to more homes. The City moved forward in providing curbside service to all homes regardless of location on public or private roadways. Consolidation of routes did not occur. In lieu of user fees the costs of the program remained in the General Fund, placing more demands on an already tight budget. Therefore, the City opted to discontinue collection of plastics at the curb to obtain a discounted per home price.

COMMERCIAL & INSTITUTIONAL RECYCLING PROGRAM

The majority of commercial establishments in St Marys do not comply with the collection requirements of Act 101. While some larger operations actively recycle and report their activities, others have no programs. These establishments abused the privileges of the County drop-offs by leaving large quantities of glass at the sites. This

actually continued for months after the collection of glass was discontinued in April 2007. The absence of separate containers for recyclables at nearly all of the commercial sites is a reasonable indicator that improvements and enforcement are necessary.

YARD WASTE PROGRAM

Although the City collects leaves at the curb on a seasonal basis, it does not offer a regular weekly or monthly collection for all other forms of yard waste. As substitute, St Marys residents are provided access to a yard waste drop-off program through a contracted arrangement between the City and a private processor. Residents are permitted to drop-off brush and other woody waste throughout the year at no charge. Fees for the service are paid for from the City's General Fund.

MUNICIPAL SEASONAL EVENTS

Nearly every community hosts special recycling collections. These programs do not collect at the curb and neither do they include a comprehensive array of materials. Nevertheless, they fill a service void. The most common events are seasonal clean-ups. Communities typically collect bulk items, tires, white goods and other metals. In most cases, the white goods and metals are recycled. Tires are chipped, shredded and often utilized in landfill operations.

NON PROFIT AND INSTITUTIONAL PROGRAMS

RIDGWAY SCHOOLS

Ridgway is the only school district east of the Mississippi to operate an on-campus, in-vessel composting program. The program processes cafeteria waste from all schools in the Ridgway district. Students and faculty sort lunch waste after they eat in the cafeteria. The Environmental Awareness Team, which consists of middle and high school students, collects the waste at the individual schools and transports it to the Francis S. Grandinetti Elementary School. There, the Team mixes it with wood chips and then deposits it into the composting unit.

The system helps to avoid landfill costs of $1,000 each year. Additionally, the compost material, which is used on the school grounds saves the district $2,700 a year in retail costs by avoiding the need to buy soil amendment and fertilizers. The project was financed by $186,000 in Act 101, Section 902, Equipment and Implementation Grants. The funding covered the following expenses: $95,000 for the in-vessel composter and

$31,000 to buy a truck in 2002; $41,000 to build the housing unit in 2004; and $19,000 for a tractor in 2005.

ST MARYS SCHOOLS

The school district in St Marys has struggled to develop its program. Constraints instituted by local service providers have made it difficult by restricting the types and amounts of materials the schools can collect. The district has investigated a direct marketing opportunity for its paper. Expansion of this scenario in conjunction with other institutions in the County could provide a feasible outlet that might even generate enough revenue to cover the transportation costs. The St Marys Catholic Schools have recently taken advantage of the recycling opportunities made available by the Authority at the Recycling Center and now deliver materials on a regular basis.

BENEDICTINE SISTERS

At the root of recycling in Elk County is a long-standing program that has been run by the Benedictine Sisters. The program operates at the St. Joseph Monastery in St Marys. At one point, the Sisters actively collected glass from commercial establishments in the City and other municipalities. However, with the downturn in the glass market, the program is now limited to other materials that are delivered to the facility. Materials accepted include: aluminum cans, aluminum scrap, brass, copper, lead, stainless steel, wire/cable.

ELK REGIONAL MEDICAL CENTER

The Elk Regional Medical Center, which is located in St Marys, for a number of years has actively recycled the old corrugated cardboard generated on-site. The organization is currently exploring ways to expand the types and amounts of paper that could be recycled from the facility.

PRIVATE SECTOR PARTICIPANTS IN RECYCLING

Recycling could not happen in Elk County without the support of the private sector. Although the County and some municipalities have facilitated the growth of their programs with grant-funded equipment, transportation and processing services are outsourced through contractual agreements with commercial operations. The most active private sector participants in Elk County and municipal programs are noted in the following narratives.

ELK WASTE

Since the inception of County's drop-off program and the curbside programs in St Marys and Ridgway, Elk Waste has been the service provider for all of them. The company also has commercial recycling accounts. Elk Waste is a transporter and thus delivers materials for processing rather than operate its own facility. The bulk of material that it collects was delivered to Rustick LLC (now Casella Waste) in McKean County. However, the company now has arrangements with other brokers and processors.

ADVANCED DISPOSAL (PREVIOUSLY VEOLIA ENVIRONMENTAL SERVICES)

Collection and processing are services both offered by Advanced Disposal. Although the company currently does not collect recyclables from residential sources in Elk County, it does have those capabilities. The company does service some commercial and industrial establishments. Materials from these sources are comprised mostly of corrugated cardboard and paper. They are taken to a small processing facility that the company operates in Jefferson County near Brockway.

CASELLA WASTE SERVICES

Formerly a municipal facility operated by The McKean County Solid Waste Authority, this 9000 square foot facility is now owned by Casella Waste Services. The operation was acquired in conjunction with the company's purchase of the McKean County Landfill. The facility served a three county area including McKean, Potter and Elk. Materials from Elk County were delivered as the result of the County's drop-off program and curbside efforts in St Marys and Ridgway. The facility also received receive a small portion of recyclables collected from commercial businesses. Since Casella acquired the facility, it has not processed recyclables at the location. The company instead promotes its ability to transfer local materials to its "Zero Sort" single stream facility in New York.

WOODBED

The Woodbed Company, a division of DeLullo Trucking Corp., is located on DeLaum Road in the St. Marys Industrial Park. The company was established in 2002 with assistance from a PADEP Composting Infrastructure Grant. Funds received through the grant program enabled Woodbed to purchase a grinder to expand its business.

Today the company operates on a 23 acre site and produces color enhanced mulch, and manufactures wood carpet that can be used for surfacing trails and playgrounds.

ACCOMPLISHMENTS AND EXPECTATIONS

According to *Recycling Programs: Attitudes, Costs, and Designs*, a study conducted by the Virginia Rural Economic Analysis Program (REAP), an extremely successful rural recycling program typically recovers approximately 9 percent of the residential waste stream. By including items such as glass, metal containers and newspapers communities can expect to attain that level of recovery. A higher rate of diversion can be achieved simply by adding corrugated containers and/or by including other commercial waste streams. In rural areas, residents and small businesses are the primary generators of waste. Therefore, the volume is less and the composition tends to differ from that of urban waste streams where warehouses, large retail and office complexes exist. However, state expectations do not always compensate for these factors and consequently rural communities are often expected to meet recycling and reduction goals equal to those of their urban counterparts. Elk County is confronted with this situation.

IMPACT OF COMBINED LOCAL RECYCLING EFFORTS

Elk County offers a high degree of recycling and waste diversion opportunities. The cooperation between the County, municipalities, non-profit agencies and the private sector ensure that nearly all geographic areas are provided with some type of collection program during the year. Data reported from those activities documents the types and amounts of materials collected. A key element in any well run endeavor is to establish performance benchmarks. These serve to identify areas with need for improvement and those that contribute to success. A good standard of measurement is to compare one's own current results against previous performance and trends in other areas. The next section describes Elk County's programs as compared to expectations for recovery established by national averages. It also demonstrates the impact of recent operational changes implemented to sustain the overall program for the long term.

COMPARING THE RESULTS

An analysis of Elk County's municipal solid waste generation, composition compared to national figures was performed for the 2006 reported results. It was conducted as part of the Elk County Sustainability Study provided in Appendix B. It demonstrates

TABLE 4-2 ELK COUNTY PERFORMANCE AND NATIONAL TRENDS

Material	2006 Expected Generation tpy	2009 Expected Generation tpy	2006 Expected Recovery tpy	2009 Expected Recovery tpy	2006 Reported Recovery tpy	2009 Reported Recovery tpy	2006 Percent of Expected Recovery	2009 Percent of Expected Recovery
Glass	1236.45	1007.23	312.82	312.80	376.20	148.54	120.26%	47.49%
Aluminum	215.13	191.85	78.09	71.94	20.70	38.65	26.51%	53.73%
Bimetal	241.18	202.28	151.70	133.46	487.60	104.53	321.42%	78.33%
OCC	3502.15	2835.05	2504.04	2304.32	1322.80	2482.93	52.83%	107.75%
Office Paper	745.04	560.96	466.40	416.03	44.00	74.60	9.43%	17.93%
ONP	1364.40	809.12	1212.95	713.19	128.50	342.03	10.59%	47.96%
Plastics	1545.57	347.21	145.28	98.01	36.00	47.02	24.78%	47.97%
Textiles	1022.45	1075	160.83	152.23	30.00	0.00	18.65%	0.00%
Consumer Electronics	297.79	332.61	37.37	62.56	96.70	80.00	258.74%	127%
Rubber Tires	486.88	493.19	169.82	174.13	300.40	96.40	176.89%	55.36%
Small Appliances	104.17	169.96	1.14	11.47	0.00	0.00	0.00%	0.00%
Carpeting	337.42	359.72	6.78	28.15	0.00	0.00	0.00%	0.00%
Furniture	993.01	1029.12	0.00	1.04	0.00	0.00	0.00%	0.00%
Major Appliances	408.75	392.05	262.71	261.71	251.60	55.60	95.77%	21.24%
Yard Waste	3631.23	3461.7	2247.73	2074.93	1155.30	1075.00	51.40%	51.81%
Wood Waste	964.71	1046.85	148.56	232.52	737.00	1602.00	496.08%	688.97%
Lead-Acid Batteries	294.39	291.95	290.86	279.44	92.80	3.2	31.91%	3.45%

the reported weight of material collected against the weight that could be recovered if Elk County recycled at the average rate recovered in communities across the nation. It also includes a discussion of additional materials that may be considered in expanding the program.

The analysis was based on data from an ongoing report commissioned by the U.S. Environmental Protection Agency, commonly known as the Franklin Study, which has tracked generation, composition and disposition of municipal waste since 1960. The 2006 version, officially entitled *Municipal Solid Waste in The United States: 2006 Facts and Figures*, was used to compare to 2006 data from Elk County. The Franklin Study is a periodic review of national waste generation and recycling activities. It presents information on the composition of the nation's municipal solid wastes and the amount by type that are generated, recovered, and disposed.

A similar review and comparison of the current performance of Elk County's combined recycling activities was conducted. The data reflects any differences in performance that may have occurred since the 2006 reports due to the County's revamp of its collection operations and practices. *Municipal Solid Waste in The United States: 2009 Facts and Figures* was used to calculate the 2009 expectations.

MANEUVERING THE TABLE

For readers to understand more clearly the contents and findings shown in Table 4-2, descriptions are provided for the items listed in each column.

Column 1 - Materials reported by one or more sources.

Columns 2 and 3 -Total amount of each material expected to be generated in Elk County, based on national averages, in 2006 and 2009.

Column 4 and 5 – The results that might be expected in 2006 and 2009, if Elk County performed similarly to the national averages for the level of population and types of materials collected.

Columns 6 and 7 – Elk Countywide total tons of material recovered reported by all sources, for 2006 and 2009.

Columns 8 and 9 - Elk Countywide total reported tons of material recovered by all sources for 2006 and 2009, rated based on a percentage achieved of the national

UNDERSTANDING THE RATINGS

A rating is shown for each material. It does not represent the percentage of the total materials recovered, or what is often known as the recycling rate. Rather, it shows whether Elk County's performance is average (100%), better than average (more than 100%) or worse than average (less than 100%) for each material.

In 2009, the Franklin Study estimated that 242.96 million tons per year of municipal solid waste (MSW) was generated in the United States. Of this, an estimated total of 82.02 million tons per year were recovered; a national rate of 33.8%, which is close to the targeted goal of 35% recovery for Pennsylvania. Therefore, a comparison of the County's performance to the national norm, can demonstrate to what degree it has attained Pennsylvania's goal.

It is important to remember that each material is recovered at a different rate. It is the cumulative total recovery of all tons of materials, which are typically accepted in municipal recycling programs, that determines the national rate and the state's goal.

The information shown in Table 4-2 is useful in evaluating the effectiveness of the current recycling program, revealing materials that might be underreported and identifying materials that might be candidates for inclusion in an expanded recycling program. A discussion for each category of materials listed in the table for 2009 is presented here. A similar review for materials generated and recovered in 2006 is included in the Sustainability Study in Appendix B.

GLASS

In 2009, about 3.98% of the total municipal solid waste generated was glass containers, which were recovered nationally at the rate of 31.1%. Residential sources generate about 81% of the glass containers contained in MSW. Based on population, it is estimated that 1,007 tons of waste glass were generated in 2009 in Elk County. If recycled at the national recycling rate, about 313 tons would be the expected recovery. The quantity reported as recycled was 149 tons, 47.49% of the expected recycling rate. The glass reported as recycled was from both residential and commercial sources.

Local Implications: The reduction in the volumes of glass from 2006 to 2009 is expected. The collection of glass at most of the remote drop-off sites was discontinued as a result of the Sustainability Study. It was suspected based on physical observations and the comparative analysis that commercial establishments were responsible for the vast majority of the glass left at the

drop-off sites. The cost to maintain the sites and pay for the recycling of the glass proved to be prohibitive for the Authority . Glass is still collected at drop-off sites where it can be serviced in conjunction with the curbside collection program or where special arrangements have been made with the municipality.

ALUMINUM

Aluminum packaging constituted 0.76% of the total municipal solid waste generated in 2009 and was recovered nationally at the rate of 37.5%. *Residential sources generate about 81% of the aluminum packaging contained in MSW.* Based on population, it is estimated that 192 tons of waste aluminum packaging were generated in 2009 in Elk County. If recycled at the national recycling rate, about 72 tons would be the expected recovery. The quantity reported as recycled was 38.65 tons, 53.73% of the expected recycling rate. All of the aluminum reported as recycled was from residential sources.

Local Implications: The increase in aluminum cans collected from 2006 to 2009 is probably the direct result of the Authority's centralization and consolidation of collection efforts. Because aluminum cans have value, theft of materials from unmanned drop-off sites and curbside containers is common. The Authority's direct control and marketing of this commodity now provides some degree of revenue.

BIMETAL

In 2009, lightly less than 1.0% (0.8%) of the total municipal solid waste generated were bimetal cans; recovered nationally at the rate of 66.0%. Residential sources generate about 85% of the bimetal packaging contained in MSW. Based on population it is estimated that 202 tons of waste bimetal cans were generated in 2009 in Elk County. If recycled at the national recycling rate, about 133 tons would be the expected recovery. The quantity reported as recycled was 104.53 tons, 78.33% of the expected recycling rate.

Local Implications: The increase in bimetal cans collected from 2006 to 2009 is similar to that experienced for aluminum cans and is the direct result of the Authority's changes in its collection methods.

PAPER

Three categories of waste paper are frequently included in recycling programs. OCC refers to old corrugated cardboard. Materials included in this category are primarily

cardboard boxes. Also sometimes included are folding cartons and paper bags. They were not included in this analysis. ONP refers to old newspaper. Included in this category is newsprint and newspaper inserts since the two materials are generally mixed together as disposed or recycled. Office papers include high quality office paper such as stationary, copy paper and computer paper.

OCC

OCC generated nationally in 2009 constituted 11.19% of the total municipal solid waste stream. It was recovered nationally at a rate of 74.4%. Commercial sources generate about 90% of the OCC packaging contained in MSW. Based on population it is estimated that 2,835 tons of waste OCC packaging were generated in 2009 in Elk County. If recycled at the national recycling rate, about 2,304 tons would be the expected recovery. The quantity reported as recycled was 2,483 tons, 107.75% of the expected recycling rate. OCC reported as recycled was from commercial sources and calculated from material reported as commingled from residential sources.

Local Implications: A dramatic increase in the recovery of OCC occurred between 2006 and 2009. It is suspected that the increase in part is due to better reporting enhanced by data provided by national retailers. However, actual recovery has also increased. The central location of the Authority's recycling facility has encouraged greater participation in commercial recycling. Control and segregation of the material has resulted in less contamination and a more marketable material.

ONP

ONP represented 3.19% of the total municipal solid waste generated in 2009 and was recovered nationally at a rate of 88.1%. Residential sources generate about 85% of the ONP contained in MSW. Based on population it is estimated that 809 tons of waste ONP was generated in 2009 in Elk County. If recycled at the national recycling rate, about 713 tons would be the expected recovery. The quantity reported as recycled was 342 tons, 47.96% of the expected recycling rate. Most of the ONP reported as recycled was calculated from material reported as commingled from residential sources.

Local Implications: The recovery of newsprint shows marked improvement over past performance. Similar to conditions for OCC, control and segregation of the material has resulted in less contamination and more marketable materials. There continues to be room for improvement in capturing this material. It is

suspected that much of the ONP is incinerated in local burn barrels or used to ignite indoor fireplaces and stoves. It is also likely that local newspapers are smaller and weigh less than the national average, which in turn results in less ONP tons generated.

OFFICE PAPERS

The estimated annual quantity of office paper in 2009 was 2.21% of the total municipal solid waste stream generated nationally. It was recovered at a rate of 74.2%. Residential sources generate about 25% of the office paper contained in MSW. Based on population it is estimated that 561 tons of waste office paper were generated in 2009 in Elk County. If recycled at the national recycling rate, about 416 tons would be the expected recovery. The quantity reported as recycled was 74.6 tons, 17.93% of the expected recycling rate. All of the office paper reported as recycled was from commercial sources.

Local Implications: The increased recovery in office paper from 2006 to 2009 is suspected to be the result of an attempt by at least one local school district to recover and market paper generated at each of its schools. The potential currently exists to recover more of this material and render it into a marketable commodity. With the Authority's ability to process paper into bales, there should be a greater emphasis on school and commercial recycling.

PLASTIC

Plastics in packaging account for over 80% of all plastic recycled from municipal solid waste. In 2009, plastic packaging was 5.16% of the total municipal solid waste generated and nationally the recovery rate was 13.7%. Residential sources generate about 83% of the plastic contained in MSW. Based on population it is estimated that 349 tons of waste plastic #1 and #2 were generated in 2009 in Elk County. If recycled at the national recycling rate, about 98 tons would be the expected recovery. The quantity reported as recycled was 47 tons, 47.97% of the expected recycling rate. Most of the plastic reported as recycled was calculated from material reported as commingled from residential sources.

Local Implications: The Authority has struggled to deal with the complexities of collecting, processing and marketing plastics in a rural area. The volume of plastic containers compared to weight makes it cost prohibitive to collect and transport plastics from remote drop-off locations. Nevertheless, residents

expect to recycle plastics because of their growing presence in the residential waste stream. The Authority responded to resident demands by offering plastics recycling at the central processing center. The 2009 data shows an increase by weight for plastics collected. This figure would be far more significant if the measurement were to be represented as volume. Residents have supported the program with donations, which pay for the processing and transportation to market.

OTHER MATERIALS

In addition to the Act 101 materials typically included in recycling programs, other materials are included in Elk County's Annual Recycling Report. These materials include clothing and textiles, consumer electronics, rubber tires, yard waste and white goods or major appliances. Other potentially recyclable materials not included in the recycling report are small appliances, furniture and carpeting. Each of these materials is discussed in the following paragraphs.

CLOTHING AND TEXTILES

Residential sources account for about 63% of the total amount of clothing and textiles generated nationally. These materials were recovered at a rate of 14.16%.. Clothing and textiles constituted 4.2% of the total municipal solid waste generated. Based on population it is estimated that 1,075 tons of waste textiles were generated in 2009 in Elk County. If recycled at the national recycling rate, about 152 tons would be the expected recovery. No textiles were reported as recycled in 2009.

Local Implications: It is suspected that local thrift stores ship at least a certain portion of the unsalable clothing and textiles received to central processing locations, where they are marketed for recycling.

CONSUMER ELECTRONICS

The estimated annual generation rate of waste consumer electronics nationally in 2009 was 3.19 million tons per year. Residential sources are estimated to account for about 80% of the total generated. This material constituted 1.31% of the total municipal waste generated and an estimated 0.60 million tons per year were recovered nationally, a rate of 18.8%. Based on population it is estimated that 333 tons of waste consumer electronics were generated in 2009 in Elk County. If recycled at the national recycling rate, about 63 tons would be expected to be recovered. Nearly 80 tons of

consumer electronics were reported as recycled in 2009, or 127% of the national average.

Local Implications: Considering that Elk County has a long-standing consumer electronic collections program, the fact that no data was reported for 2009 in the DEP's ReTRAC software system appears to be a fluke. The data seems to be combined with Household Hazardous Waste in general

RUBBER TIRES

Commercial sources are estimated to account for about 95% of the total waste tires generated because they accept old tires at the time of replacement purchases. Likewise commercial fleets generate more tires than do individually owned vehicles. Tires constituted 1.95% of the total municipal solid waste generated with an estimated national recovery rate of 35.31%. Based on population it is estimated that 493 tons of waste tires were generated in 2009 in Elk County. If recycled at the national recycling rate, about 174 tons would be the expected recovery. The quantity reported as recycled was 96.4 tons, 55.36% of the expected recycling rate. Most of the old tires reported as recycled were dropped off from residential sources.

Local Implications: Tire recovery is an ongoing program for the Authority. Annual events and collection programs conducted in conjunction with local municipalities and Greentree landfill have greatly reduced the incidents of illegal dumping of tires throughout the County. When ongoing programs are in place, it is common to eventually see a decrease for tires recovered as old tires, accumulated prior to available take back programs, are eliminated from residences.

YARD WASTE

Yard waste includes grass clippings, brush and leaves. The estimated annual quantity of yard waste generated nationally in 2009 was 33.2 million tons per year. This material constituted 13.66% of the total municipal waste generated and an estimated 19.9 million tons per year were recovered nationally, a rate of 59.9%. Based on population it is estimated that 3,462 tons were generated in 2009 in Elk County. If recycled at the national recycling rate, about 2,075 tons would be the expected recovery. The quantity reported as recycled was 1,075 tons, about 51.8% of the expected recycling rate. Most of the yard waste reported as recycled was from residential sources. About 2/3 was from residential curbside sources.

SMALL APPLIANCES

The estimated annual generation rate of waste small appliances nationally in 2009 was 1.63 million tons per year. Residential sources are estimated to account for about 95% of the total generated. These items constituted 0.67% of the total municipal waste generated and an estimated 0.11 million tons per year were recovered nationally, a rate of 6.7%. Based on population it is estimated that 170 tons of waste small appliances were generated in 2009 in Elk County. If recycled at the national recycling rate, about 11 tons would be the expected recovery. No small appliances were reported as recycled.

CARPETING

The estimated annual generation rate of waste carpeting nationally in 2009 was 3.45 million tons per year. Residential sources account for about 80% of the total generated. Approximately 270 thousand tons were recycled. Based on population it is estimated that 360 tons of waste carpeting were generated in 2009 in Elk County. If recycled at the national recycling rate, about 28 tons would be the expected recovery. None was reported as recycled.

FURNITURE

The estimated annual generation rate of waste furniture nationally in 2009 was 9.87 million tons per year. Residential sources account for about 80% of the total generated. Only a negligible amount was recycled. Based on population it is estimated that 1,029 tons of waste furniture were generated in 2009 in Elk County. None was reported as recycled.

MAJOR APPLIANCES

Commercial sources are estimated to account for about 90% of the total discarded major appliances generated. This is due to retail policies that often include the retrieval of old appliances as a service to customers upon purchase and delivery of new appliances. These items constituted 1.55% of the total municipal waste generated and an estimated 2.51 million tons per year were recovered nationally. Based on population it is estimated that 392 tons of waste major appliances were generated in 2009 in Elk County. If recycled at the national recycling rate, about 262 tons would be the expected recovery. The quantity reported as recycled was 55.6 tons, 21.24% of the expected

recycling rate. The major appliances reported as recycled were from both residential drop off and commercial sources.

Local Implications: The decreased recovery in major appliances from 2006 to 2009 could be from the downturn in the economy and decreased purchases of new appliances during the two periods. Another potential factor is the current value of metals, which prompts individuals to deliver more appliances directly to scrap yards for a rebate. Much of this material probably goes unreported specifically as major appliances although it may show up in recycling reports as scrap metal in general.

WOOD WASTE

The estimated annual generation rate of waste wood packaging nationally in *2009* was *10.04* million tons per year. Commercial sources account for nearly all of the total generated. Approximately *2.23* million tons were recycled. Based on population it is estimated that 1,047 tons of waste wood packaging were generated in 2009 in Elk County. If recycled at the national recycling rate, about 233 tons would be the expected recovery. The quantity reported as recycled was 1,602 tons, several times the quantity that would be expected. Most of the material was reported to be from residential drop off sources. It is expected that some of this material was yard waste erroneously reported as wood waste. However, based on the existence of a commercial wood waste processing facility in the County, it is more likely that much of the material comes from land clearing and grubbing operations and also from outside of the County.

LEAD ACID BATTERIES

The estimated annual generation rate of waste lead acid batteries nationally in 2009 was 2.8 million tons per year. Commercial sources account for about 95% of the total generated. Approximately 2.68 million tons were recycled. Based on population it is estimated that 292 tons of waste lead acid batteries were generated in 2009 in Elk County. If recycled at the national recycling rate, about 279 tons would be the expected recovery. Approximately 3.2 tons of batteries were reported as recycled in 2009, but which represents 3.45% of the national norm. It is suspected that more lead acid batteries are recycled than are reported.

ENVIRONMENTAL IMPACT OF LOCAL RECYCLING EFFORTS

Recycling and reuse activities are often judged and evaluated solely on the face value of their monetary value as commodities. There are other advantages derived, which are

FIGURE 4-3 REDUCTIONS IN GHG EMISSIONS FROM RECYCLING

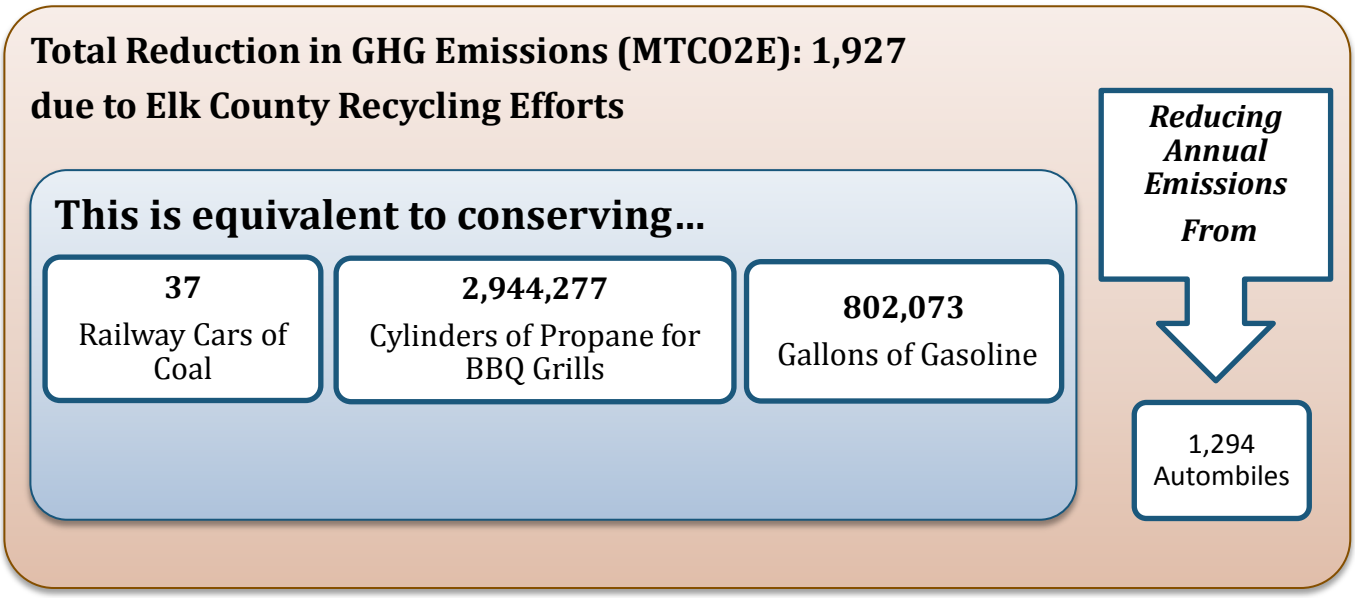
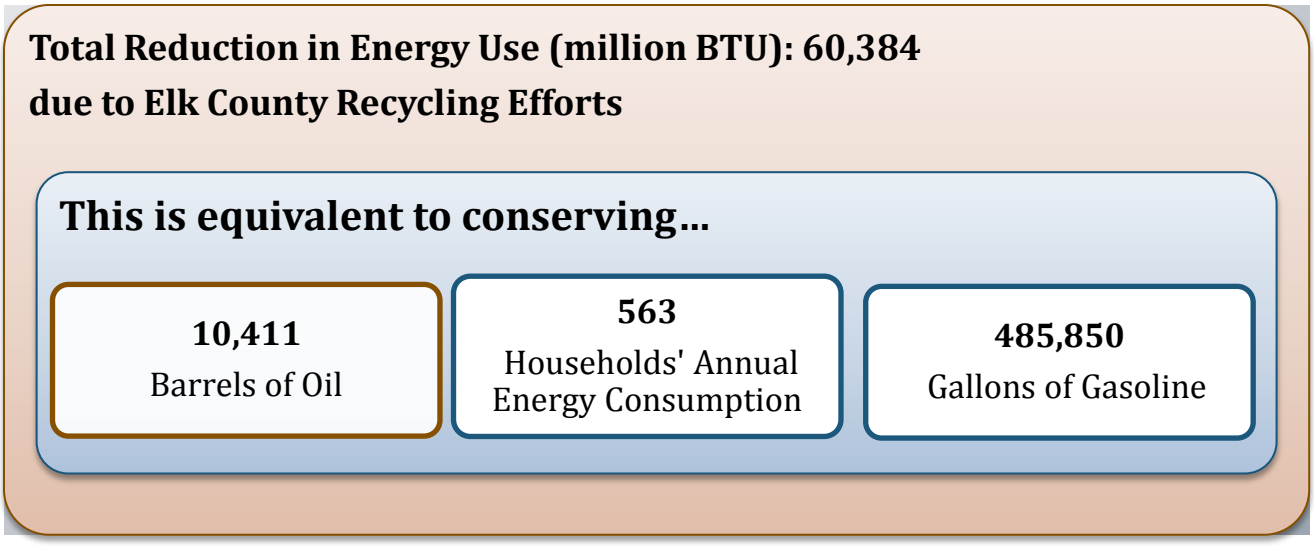


FIGURE 4-4 2009 REDUCTIONS IN ENERGY USAGE FROM RECYCLING



often overlooked and ignored. The impact of these benefits is not immediate and direct to the recycler, who may not be equipped with the knowledge, understanding or tools to measure and quantify the environmental effects of recycling.

The Waste Reduction Model (WARM) is a tool created by the USEPA to track and evaluate greenhouse gas (GHG) emissions reductions. It can be used to assess the performance of a variety of waste management practices. These include source reduction, recycling, combustion, composting, and landfilling.

WARM is an example of a Life-cycle greenhouse gas (GHG) accounting tool. It evaluates and reports the full life-cycle GHG emissions associated with the raw materials extraction, manufacturing or processing, transportation, use, and end-of-life management of a good or service. WARM accounts for all emissions connected to the good or service, regardless of which industrial or economic activities or sectors produce these emissions (e.g., energy, mining, manufacturing, or waste sectors) and when these benefits occur over time. In WARM, the recycling emission factors reflect the difference between making a product with virgin inputs and making a product with recycled raw material inputs. This means that the virgin inputs that would have been necessary to create the specific material are no longer required because this material is being recycled. The emission factors represent the GHG emissions savings associated with recycling one short ton (2000 lbs) of MSW.

Figure 4-3 and Figure 4-4 show the environmental benefits of recycling in Elk County based on WARM. The model calculated emissions in metric tons of carbon dioxide equivalent (MTCO2E), and energy units (million BTU) based on material types commonly found in municipal solid waste in Elk County. GHG savings for Elk County were calculated by comparing the emissions associated with landfilling versus recycling specific materials found in local programs during 2009. These include: glass, cardboard, aluminum and bi-metal cans, mixed plastic containers, newspapers, office papers, and tires.

SUMMARY

The accomplishments demonstrated in Elk County as a result of its overall recycling and waste diversion programs are no small feat. Clearly, the services and programs provided throughout the County are more comprehensive than many offered in metropolitan settings. This pattern of success will require diverse and stable funding resources if it is to continue. Continual monitoring of program performance and

productivity will be necessary to avoid cost overruns and wasteful spending. Finally, the County must build upon its current system by creating new opportunities for the recovery of different types and added volumes of materials. Participation and investment from a variety of stakeholders must be encouraged. A schedule with a course of action to implement these ideas is provided in Chapter 5.

Chapter 5

New Opportunities for Elk County

RESTRUCTURING FOR THE FUTURE

Many government plans, whether for transit, land use, sewage, housing, etc., fall prey to complacency. Municipal solid waste management plans are no different. Often great effort goes into addressing the most visible and current needs. Programs are launched within the first year or so after adoption of the plans. By year three, things revert to the status quo. In many cases, this occurs because the plans themselves were shortsighted and rigid. Overly ambitious and unrealistic plans have the same effect, particularly when available funds and resources fall short of supporting the established goals and objectives. Finding a balance is crucial if plans are to be successful.

This chapter outlines the priority issues identified during the planning process. It provides suggested solutions, some of which were implemented during the project. Firm recommendations are supported with data provided throughout the Plan. Practical guidelines and actions to attain the desired objectives are included. Additional desires and ideas, which currently lack sufficient evidence for conclusive decisions, are targeted for future research and consideration.

The Plan is intended to be a flexible and dynamic tool that offers a suggested path for the Authority to follow during the next decade. Mile markers are established to pace performance and progress. Conditions and circumstances will change and unforeseeable events may occur. The Plan encourages the Authority to validate its course periodically to ensure that its direction remains relevant. To this end, the implementation schedule provides a timeline to conduct further studies, explore new projects, and evaluate the need to add or eliminate programs and/or services.

ACCOLADES FOR ACCOMPLISHMENTS

The 2011 updates and revisions made to the Elk County Municipal Solid Waste Management Plan were based on the views and comments from stakeholders from all factions of the County. Individuals representing a cross section of the community were appointed by the Elk County Board of Commissioners to serve as a gauge to measure public opinion and actions and provide personal perspectives on a variety of related issues. This Solid Waste Advisory Committee was asked to consider the strengths and weaknesses of the current municipal solid waste management system. In addition, they were given the task of envisioning trends and changes that could influence future needs and services.

The Solid Waste Advisory Committee voiced their respect for the private sector investments in the municipal solid waste and recycling infrastructure of Elk County. Committee members recognized that these services are often underutilized. They agreed that the private sector could play a greater role in attaining the County's solid waste management goals. The need for proper rules and enforcement at the municipal level to support this was confirmed. Appreciation was voiced for in-kind services, donations, and other voluntary forms of support for local efforts. Encouragement to increase such support was openly discussed.

"We always overestimate the change that will occur in the next two years and underestimate the change that will occur in the next ten. Don't be lulled into inaction."

Bill Gates,

Microsoft founder and mogul

Overwhelmingly, the Solid Waste Advisory Committee approved and supported the services offered by the Elk County Solid Waste Authority. The Authority was recognized for the role it plays in strengthening the local tourism industry by reducing the incidents of illegal dumping and protecting the natural conditions of the wild areas. Its efforts in public education and promoting environmental awareness were applauded. The comprehensive collection services for recycling and special handling materials were recognized for the value and benefits, which they provided to the quality of life in the community.

IMMEDIATE NEEDS AND LONG-TERM CONSIDERATIONS

The accomplishments of the County, including stakeholders at all levels, are well documented in the Plan. However, a number of issues were identified that offer opportunities for improvements. Recommended changes and revisions are primarily grouped into two distinct categories. Considerable effort was dedicated to the day-to-day functions of the implementing entity of the Plan. Therefore, it is not surprising that the bulk of the recommendations were immediate action oriented items, which focused on the Authority's operational and financial business issues. The Solid Waste Advisory Committee also pointed to the need for the Authority as well as other stakeholders to consider and adjust to new philosophies, behaviors, or future technologies that might present themselves. The remaining recommended actions target these types of issues.

SURVIVAL AND SUSTAINABILITY

At the forefront of the Committee's discussions was concern for the Authority's ability to maintain and grow the valued services, which local communities have come to depend upon and expect. The Authority has long recognized that it had certain vulnerabilities. As a precursor, yet still in conjunction with the overall planning process, the Authority commissioned a study to assess its operations. The purpose of the project was to deliberately and methodically evaluate and suggest improvements that would ultimately provide the Authority with an operation that could be sustained for the long-term. Considerable strides were made to successfully streamline services and reduce costs. Details of the analyses along with justifications for the decisions that were made can be found in Appendix B.

The findings of the evaluation identified actions that could deliver significant savings, most of which were fully implemented during the course of the planning process. Others were initiated and will continue to evolve. Three distinct groups characterize these immediate action oriented recommendations. These include changes to the drop-off collection program; development and expansion of a centralized recycling center; and growth and diversification of revenue sources.

The suggested actions are illustrated in the following series of figures. The changes shown are described in detail in Appendix B and their impact is discussed throughout the Plan. Brief explanations are provided here for the immediate reference and convenience of the reader.

FIGURE 5-1 RECOMMENDED IMPROVEMENTS TO DROP-OFF COLLECTION PROGRAM

Figure 5-1 outlines the steps taken to reduce the expense of the Authority's single most costly service, the satellite drop-off collection program. The primary targets for savings were frequency of collection and payload per pick-up.

FIGURE 5-2 RECOMMENDATIONS FOR CENTRAL COLLECTION AND PROCESSING

Figure 5-2 shows the second phase of the transition in services. The targeted goals of these actions were to provide outlets for materials, which may have been eliminated from the satellite drop-off locations and further reduce collection costs. The shift enabled the Authority to expand services at the existing electronic waste collection site, increase the operating days, and realize a new revenue stream.

FIGURE 5-3 RECOMMENDATIONS FOR FUNDING AND REVENUE GENERATION

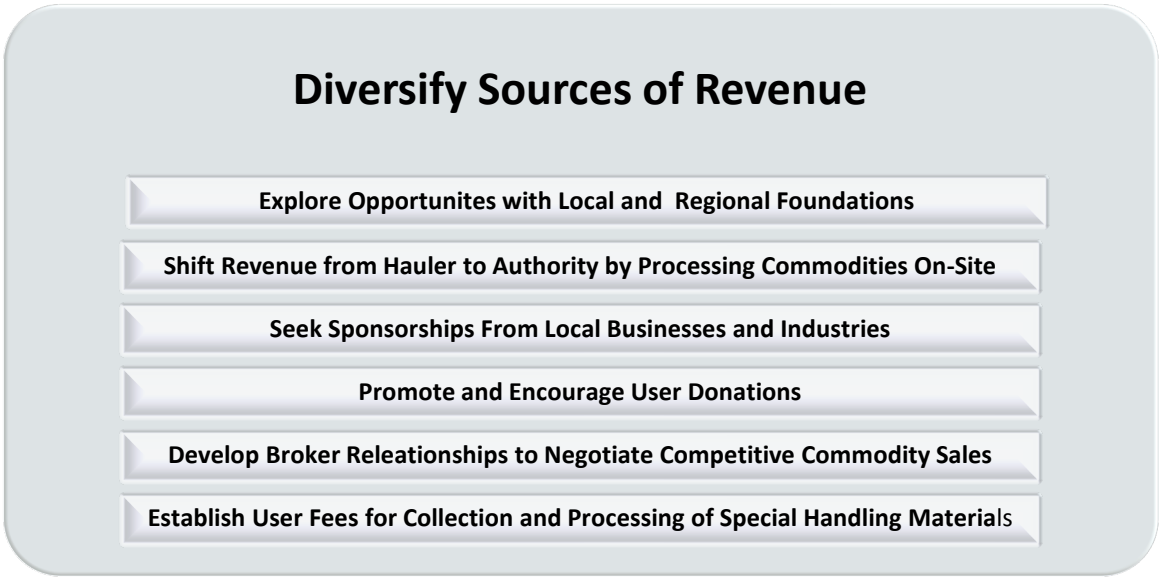


Figure 5-3 lists the ongoing steps required to fund the Authority's programs. New sources of revenue and partnerships have evolved from the first research and inquiries made. Diligence and continued effort in this area is necessary if the Authority hopes to ensure the long term viability of its programs and services.

FUTURE ENHANCEMENTS

Based on the success of its recent accomplishments, it would be easy for the Elk County Solid Waste Authority to proceed without considering any additional changes to its operations. Doing so would continue to serve many of the basic requirements for municipal solid waste management, waste diversion, and recycling. This behavior would be atypical for the staff of the Elk County Solid Waste and Recycling Department and the Authority. Working together, they have established Elk County as an innovative leader not only within the region, but throughout Pennsylvania. The

flexibility and foresight to adjust to ever changing conditions and obstacles has resulted in the prolonged life of the Elk County programs, while other counties in the area continue to struggle for answers. Support for these efforts is confirmed by the level of program participation by local residents and businesses.

Several ideas and suggestions resulting from the planning process require more time and resources than are currently available. Some may have futuristic potential. It is anticipated that the level of energy and creativity exhibited by the staff and the Authority will continue. Therefore, the Plan provides opportunities to explore uncharted territories. Before implementing or improving previous programs and services the County staff and the Authority have been diligent in conducting studies, research, and analyses to ensure the best methods and approaches were utilized. It is safe to assume then that the County and the Authority would pursue a similar course of action to determine the feasibility of ideas or recommendations made for future programs and services. This section outlines those suggestions and concepts that surfaced during the planning process and which warrant further investigation.

EVOLUTION TO A RESOURCE RECOVERY PARK

The success of the Recycling Center is a sign that residents and business owners desire and are willing to travel to a centralized location to use certain services. Typically, the types of individuals who are users of the Center will share common interests in other goods or services. These may be offered by related businesses and industries that often have resources, and sometimes discarded materials, which can be shared or diverted to one another. Clustering all of these operations and activities together within close proximity helps to support the overall profitability and success of each one. This concept is commonly referred to as a Resource Recovery Park, but sometimes called an Eco-Industrial Park.

FEATURES AND BENEFITS

A Resource Recovery Park in Elk County could provide a convenient outlet and resale opportunity for recyclable, reusable and salvageable material generated by Elk County residents and small businesses. It could be the focus of a Brownfield redevelopment project. Most importantly, it could provide job training and growth by introducing new businesses and employment opportunities.

TRAINING AND JOB OPPORTUNITIES

A secondary goal of a Resource Recovery Park can be to offer employment/training opportunities to mentally challenged, physically disabled or under skilled individuals in Elk County. Virtually any of the businesses and operations suggested for a Resource Recovery Park in Elk County have processes and procedures that could provide opportunities for these groups, as well as mainstream workers. Organizations such as ARC, AmeriCorps, VISTA, Goodwill, and the Veterans of America, could be recruited to incorporate an existing operation into the footprint of the Resource Recovery Park. Others may support the establishment of new operations.

WASTE DIVERSION AND PROFITABILITY

Waste haulers are always eager to reduce their disposal costs. In rural areas like Elk County, not only are there limited disposal options, but alternative outlets for the material that is collected may be nonexistent. This results in the needless disposal of good appliances, textiles, reusable building materials, office furniture etc. A Resource Recovery Park could provide Elk County haulers with the option to divert reusable materials for lower charges than at the landfill. By segregating and dropping off used household goods, appliances, building materials from house renovations etc., haulers could reduce their final disposal costs and possibly provide a source of revenue for the Authority and other small businesses.

GROWTH AND DEVELOPMENT

Following is a brief description of how a Resource Recovery Park might develop in Elk County. Core services and related businesses can grow and expand at whatever pace is reasonable, comfortable and that can be supported by local resources at any given point in time.

RECYCLED COMMODITIES DROP-OFF AND PROCESSING

The Recycling Center would remain an integral part of the Resource Recovery Park. It would continue as the traditional outlet for recycled bottles, jugs, cans and papers, as well as electronic discards. Processing of the current materials would continue and potentially expand to include others, which are handled by other processors. Additional materials could be added to complement the operation. For instance, used motor oil could be collected and utilized to heat the facility. Cooking oil could accepted and potentially be converted into biodiesel fuel for the equipment.

White goods, furniture, textiles, small appliances and household goods should also be considered for collection. While some of these items will provide sources of materials that ultimately will be recycled, many are candidates for additional business opportunities and revenue generation.

RESALE STORES

Second-hand or re-use stores commonly evolve at Resource Recovery Parks. These grow largely through the types of materials delivered to the site. In many ways the second hand or re-use store, becomes the main draw of the Resource Recovery Park. Individuals that recycle also see the value in purchasing gently used items. Many times the Resource Recovery Parks are called Drop-and Shop Centers, because people drop-off their recyclables while they shop for and purchase others used goods. This continuous cycle increases the volume of material to the recycling center and the consumer traffic to the retail store. Both experience greater profitability than if they were located apart.

There could be one operator of a large facility or on-site area where all sorts of materials are integrated for retail sale. Similarly, one operator could manage a large store that is divided into departments segregated by common categories like appliances, clothing, etc. Finally, a group of second hand dealers might decide to co-locate in the Resource Recovery Park. The Authority may want to be the only operator. On the other hand, it may determine that other existing second hand dealers, like Goodwill or the Salvation Army, would make good partners in the Resource Recovery Park.

DECONSTRUCTION AND OVERSTOCK BUILDING MATERIALS OUTLET

To avoid competing with existing operations, the Authority might want to specialize in a particular commodity or category of materials, which are not currently marketed. A perfect opportunity for the Authority could be the operation of a resale outlet for deconstruction building materials and those from discontinued, slightly damaged, or mismatched stock donated by large big box retailers.

Deconstruction is a prime source of materials, which are tax deductible when donated to a nonprofit organization. The value of used building material donations can often be substantial - large enough to pay for the costs of deconstruction. Deconstruction of old buildings is proving to be a source of jobs and profits for businesses that understand the intricacies of professional piece by piece dismantling - rather than demolition. The

objective of deconstruction is to salvage as much of the material intact and in a condition feasible for reuse. An attempt is made to save everything-crown molding, mantels, windows, doors, dimensional lumber, nails, screws, bathtub, and plumbing— often, up to 85 percent of the structure — can be inventoried and carted to the reuse store

Some Elk County municipalities have areas and structures on the National Register of Historic Places. These structures must be maintained to certain specifications, which include use of materials contemporary to the period or reasonable facsimile's. Architectural antiques are in great demand by those wishing to restore these structures to their previous grandeur. Good sources of period pieces are structures that are being removed to make way for new development. Likewise, those in such an overall state of disrepair, that they are unsafe or not worth saving can provide a wealth of materials. These are cases where the sum of the parts is truly greater than the whole. Architectural antiques can command top dollar and the buyers need not be limited to the local area.

Historic renovations are not the only market for a building materials outlet. Nor are deconstruction activities the only source of materials. A common practice for stores like Home Depot, Lowe's and Wal-Mart is to off load unsalable inventory to make room for new merchandise. Items donated to other building material resale outlets have included ceramic tiles, windows, wood trim, paint, wallpaper, carpet remnants, fixtures, and the like.

Elk County hosts a considerable number of vacation homes and hunting camps. Many are "fixer uppers" purchased by do-it-yourselfers looking for a bargain. The County also has a population with a lower per capita income than in many areas of Pennsylvania. Fix-it men, who do

odd jobs for people on pensions and lower incomes, rely on discount centers to control the cost of repairs to people who otherwise could not afford the project. It has been reported that second hand doors and windows are some of the biggest sellers.

PROMOTIONAL AND ENVIRONMENTALLY FRIENDLY MERCHANDISE

In addition to second hand goods, the Authority may consider carrying a line of merchandise complementary to its mission. Items such as rain barrels, compost bins, reusable tote bags, vermin-composting bins, how-to books, bird feeders, etc. could provide a minimal amount of return. However, they could also serve as an educational tool. Many recycling organizations advertise their programs through consumer loyalty by offering branded promotional items such as T-shirts, hats, and any number of other things. If Pay-As-You-Throw programs are offered buy haulers or municipalities, the Authority could serve as a retail outlet for the PAYT garbage bags. This service could be provided as a courtesy based on the foot traffic it would provide to the Park. A small handling fee could also be considered based on the time to manage the inventory and consumers.

TEXTILE RECYCLING

Regardless of whoever operates one or more of the retail stores, a reality of second-hand store operation, is the large volume of donated clothing, bedding, window and floor coverings and similar items made of cloth fiber. This material must be handled in a number of ways to prepare the items for use. Unfortunately, stores often receive items in such poor condition that they are not suitable for resale. These discards can create a huge overhead problem in the form of increased disposal costs. Thrift stores are recognized in the waste industry for having overflowing and extremely heavy service dumpsters.

Another solution is to store and prepare textiles for recycling. Textile recycling could provide a lucrative source of income for the Authority if it served as the outlet for these materials from the second hand stores. It could also provide the stores with significant savings.

Organizations, which could operate in the Park, such as Goodwill, may already have a textile recycling program available through their network of stores. Nevertheless, a large portion of discarded textiles remains untapped in the waste stream. A variety of mechanisms can be implemented to capture this material. The Sustainability Study

examined the potential for the Authority to become involved in such a venture and made recommendations to that effect. Appendix B provides the detailed findings.

PAINT RECYCLING

According to the California Department of Resources Recycling and Recovery, the average household stockpiles 1 to 3 gallons of waste latex paint in any given year. Anybody that has ever found themselves in need of an odd color or a small quantity of paint can understand how this occurs. A value added service that the Elk County Solid Waste Authority could add to a building materials outlet is paint recycling. Many centers accept half-full gallon cans of paint and simply resell them off the shelf.

Old latex paint also can be mixed, tinted, and resold. The old donated paint is blended with a virgin white paint and sometimes with other additives to ensure quality and consistency. This process creates larger quantities of paint for resale in consistent and marketable colors. It maintains the same high quality standards of regular paint. Recycled paint can be sold for less than the price for comparable virgin paint available in the retail market.

The Authority has a variety of options if it were to consider handling recycled paint. It could develop a partnership with an existing processor. In exchange for supplying old paint, the Authority would receive a substantial discount on the finished product. The recycled paint would then be offered for sale to the public for a profit. A recycled paint processor could be encouraged to relocate its operation to the Resource Recovery Park and handle the donated paint and all sales. Finally, the Authority could obtain the necessary approvals to recycle paint and manage the process from beginning to end.

GLASS PROCESSING

Glass can be an ongoing problem in rural areas because of the cost of transporting it to a processor. Processing on site can eliminate most of the transportation expense and turn a potential cost into profit. A glass processing operation could benefit from co-locating on the site where significant quantities of glass are delivered. Technology

exists to recycle glass, which does not readily meet the specifications for bottle manufacturers. This cullet used to be sent to the landfill for daily cover. Now there are acceptable methods to process the glass for sandblasting aggregate, swimming pool filter material, ceramic tiles and 'glassphalt' Another potential recycling business could be a small cottage industry that uses the glass in the manufacture of glass bowls, plates and bathroom tiles.

WOODWORKING AND REPAIR

Discarded furnishings with minor damage can be returned to near new conditions by skilled artisans. Additionally, salvaged material can be used to make new products, such as picture frames, benches and tables.

PALLET RECYCLING AND REPAIR

Large quantities of broken and unwanted pallets are generated in industrial situations. Space could be set aside for a small business or community group to receive and repair pallets for resale. The fragments of remaining wood could be sent to the local wood processor

CONCRETE AND AGGREGATE RECYCLING

A variety of aggregates can be produced from recycled inert materials. These include such items as: concrete, bricks, paving stones etc. Because the crushing and screening of aggregates is noisy and dusty, an operator might operate a crushing operation off-site but set up a receiving area for in-bound materials at the Resource Recovery Park, where could also be a large area set aside for marketing the aggregates. Bunkers with landscaping, paving and construction grade aggregates would add another reason for customers to visit the Resource Recovery Park.

GREEN WASTE AND COMPOSTING

Similar to the aggregates, a Resource Recovery Park could function as a yard debris drop-off facility for existing operators. A sales area with bunkers for a range of compost and mulch products could also be located there.

FUNDING MECHANISMS

Because not all of the businesses and processes in the Resource Recovery Park would be under the control of a sole proprietor, the financial risk to launch the venture is

lessened. A variety of revenue sources could be available to support the various businesses located in the Park. Some revenues would be realized through the resale of materials. Since the Resource Recovery Park could function as an employment/training program for clients from social service nonprofit organizations, the operations would be supported to some degree through MH/MR funding.

Corporate sponsorships would be sought from local industries to subsidize the operation. Additionally, grants, in-kind services and donations would also be solicited. Consumers should be required to pay a fair portion of the costs associated with materials that require special handling and processing. Additionally, resale prices should offer a discount, but should not be set so far the below the market rate that they appear to have no value.

POOLING RESOURCES

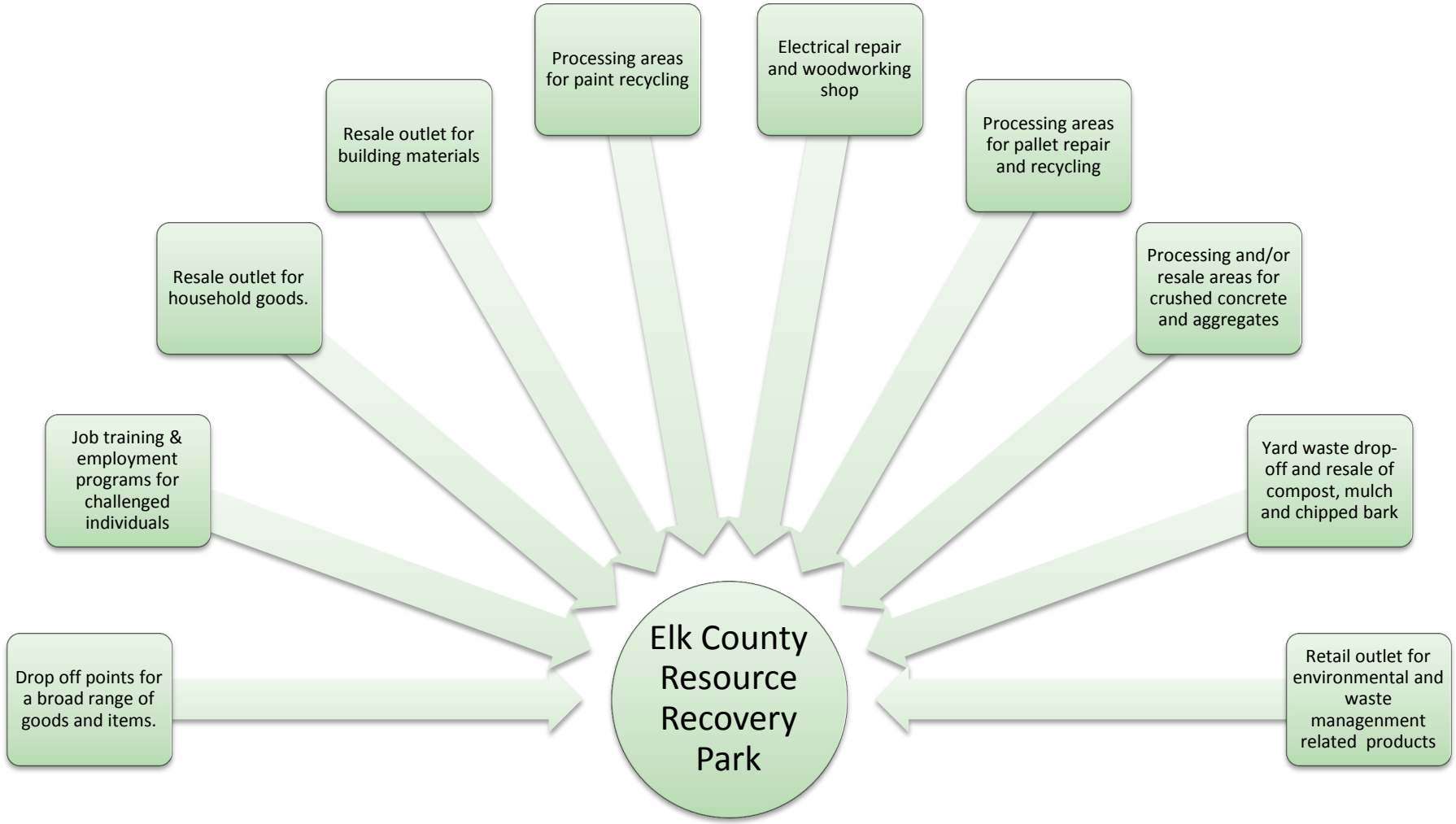
Often, individual rural recycling organizations collect small volumes of materials. Therefore, they are not in a position to negotiate optimal market terms for their commodities. Cooperative marketing allows rural regions to offer larger volumes to potential end-markets. This strategy helps them to achieve higher market value, to obtain better transportation rates and to increase the types of materials accepted by the manufacturer.

The Elk County Solid Waste Authority has developed expertise in marketing recyclable commodities and in negotiating rates for special handling materials. If the service offerings are expanded through a Resource Recovery Park, the lessons learned will increase exponentially. The skills and knowledge attained in these processes, along with the marketing opportunities, will be of value to tenants of the suggested Resource Recovery Park, other local businesses and municipalities, and potentially to surrounding counties.

By organizing and soliciting members for a Market Cooperative, the Authority could take the lead and assume the role of centralized management and administration. It could provide a wide range of services to the members. At a minimum, the Authority could act as a broker to secure end-user markets. It could also maintain all recycling records and arrange for cost-effective transportation to end-users. In essence, it could become the property manager for the complex.

Market Cooperatives members often share costs for public education, consulting, and equipment purchases. Membership fees, technical assistance consulting charges and revenue from the sale of recyclables are all used to fund cooperatives. The Authority should conduct a study to explore the feasibility in developing a Market Cooperative.

FIGURE 5-4 SUGGESTED COMPONENTS FOR AN ELK COUNTY RESOURCE RECOVERY PARK



RESOURCE RECOVERY PARK SUMMARY AND CONCLUSIONS

An overwhelming number of opportunities have been suggested to grow and develop a Resource Recovery Park in Elk County. These are illustrated in Figure 5-4. Based on the initial success of the Recycling Center, it is estimated that the Park could produce similar results. It should be noted that some of the operations could potentially function as standalone projects. However, they could suffer from lack of participation and lower volumes of materials. The ratio for risk and failure would increase. By clustering the activities together, the symbiosis of the businesses and programs creates a greater likelihood for the success of all of them.

Such predictions are promising, but not certain. Creating and operating the current Recycling Center was a task manageable by the Elk County Solid Waste Authority. However, expanding it into a Resource Recovery Park is a project that will require the input and cooperation of a number of different organizations and agencies. Considerable research and analyses will be necessary to determine which functions and processes are appropriate to include in the local mix. Whether or not an element should be added will depend on any number of factors and circumstances at the time. Because it will be the most knowledgeable in the features, benefits and potential partnerships, the Authority should assume the lead in launching the discussions with potential stakeholders and commissioning future studies.

STANDARDS AND EXPECTATIONS

Throughout Elk County, municipal governments may or may not have established solid waste ordinances that outline minimum requirements for the storage, handling, and collection of municipal solid waste. Both Act 101 and the Pennsylvania Municipal Code provide broad authority to municipalities for that purpose. Counties, on the other hand, commonly regulate how municipal waste is disposed. Typically, municipal ordinances outline the length of time that waste can be accumulated. The types and amounts of waste that can be stored as well as specifications for storage containers are defined. The manner, methods, and frequencies for collection are normally included. Prohibitions and constraints against open burning may also be outlined in solid waste ordinances, although addressing this issue in a separate document is common.

It is not uncommon for municipalities to have standards for waste management that differ drastically. This is confusing not only for local residents, but also for enforcement officers that may handle multiple jurisdictions. The County Recycling

Coordinator and the Enforcement Officer should be aware and knowledgeable regarding municipal requirements. It would allow them to communicate issues to residents based on what their local standards may be. To understand if commonalties exist, or if differences are the trend, it would be beneficial for the Elk County Department of Solid Waste and Recycling to conduct a survey and request for these documents. The project would provide insight to strengths and weaknesses that might exist in certain areas or universally. The Department could use these findings to inform and provide assistance to local elected officials as they act to make necessary improvements.

Elk County does have a broad and encompassing countywide solid waste ordinance. While much of it focuses on hauler and disposal facility requirements, some items cover resident behavior. A copy of the ordinance is provided in Appendix H. Amendments are recommended to correct certain aspects of the ordinance. Specifically hauler licensing and administrative fees imposed upon disposal facilities have been ruled invalid by the courts. The ordinance does have a repealer clause; however, in the interest of clarification and consistency, an amendment may be preferred.

COMMERCIAL RECYCLING CAMPAIGN

Since the introduction of the Recycling Center, a steady increase in the amount of materials traditionally generated and recovered by commercial sources has increased. Cardboard and mixed office papers are found in greater volumes in commercial settings than they are in residential. Fiber has provided a solid payback for the Authority since much of it is delivered directly to the Center with no added cost for collection. To improve its cash flow and profitability, the Authority should make a concerted effort to solicit more paper-based materials from commercial establishments. Person to person visits, and multimedia promotional materials should be incorporated into the campaign.

ANTI-LITTER INITIATIVE

Littering is visible on a daily basis in Elk County. Litterers typically lack awareness of the consequences of their behavior. The limited availability of waste and recycling receptacles in public places can trigger littering behavior even in the most conscientious individuals. Based on the amount of tourist traffic that the County experiences, a proactive approach is needed to combat the littering problem. Education, enforcement and convenient disposal and recycling containers could help

alleviate the issue. The County should assist communities by developing anti-litter campaigns. The County will seek out education tool kits and funding for public access containers, which is often available thru programs like the Coca Cola/Keep America Beautiful Bin program. The County will foster grassroots efforts to prevent and correct the results of littering by supporting Keep Pennsylvania Beautiful, and other like-minded organizations.

COMMUNITY EVENT RECYCLING NETWORK

Festival and fair organizers in Elk County municipalities should consider recycling as an integral part of their events. Recycling provides an outlet for both vendors and participants to properly handle paper, packaging materials and beverage containers. In addition, it could add to the volume of materials delivered to the Recycling Center.

By providing the tools to accomplish community event recycling the County could help local municipalities and civic organizations comply with Act 101, reduce litter and promote conservation. The County should seek grant funding for event recycling containers and a trailer that can be shared with local community event organizers. The Recycling Coordinator could establish procedures to schedule and coordinate the utilization of the equipment. In addition, the County should design and provide brochures outlining the steps necessary to implement an event recycling program.

SETTING PRIORITIES AND A SCHEDULE FOR IMPLEMENTATION

The Plan Revisions suggest a variety of actions, which the County could take, to improve upon its existing solid waste management program. In order to maximize those efforts, the County must determine where it will impact the greatest benefit and results. Therefore, a suggested prioritized timeline for implementing the recommendations and revisions is shown in Figure 5-5.

FIGURE 5-5 ELK COUNTY MUNICIPAL SOLID WASTE PLAN IMPLEMENTATION SCHEDULE

2017
•Assess and Evaluate Sustainability of Programs
2018
•Evaluate Progress of Resource Recovery Park
•Determine and Adjust Mix of Services
2019
•Application for Act 101, Section 901 Planning Grant for Plan Update
2020
•SWAC Appointed and Meetings Commence
•Research and Analysis for Plan
2021
•Advertise for Disposal Capacity and Secure Contracts
•Public Review and Comment
•Plan Approvasl and Adoption

Chapter 6

Facilities for Future Waste Management

GUARANTEED DISPOSAL OUTLETS

The need for counties to secure sufficient disposal capacity to directly manage the volumes of municipal waste generated within their jurisdictions is a perpetual concern. It 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 Elk 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 was established to prevent discrimination against or provide favoritism to any facility or organization.

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

VIEWS ON FLOW CONTROL

Elk County has traditionally utilized some form of waste 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 has been debated. Whether owned or operated by the private or public sector, that idea has been consistently rejected. An open menu plan, which allowed for multiple disposal options, was found to be more favorable. Some constraints were still imposed on haulers collecting Elk County municipal waste, even in an open menu plan. The "menu" was restricted to those sites, which met the selection criteria and entered into disposal agreements with Elk County.

Although government controls of any kind are rarely welcomed by businesses, tolerance for the menu system continues in Elk 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 Elk County. Factors such as price, proximity, convenience, access, and site conditions all influenced the flow of waste. In the open 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.

Elk County continues to favor a modified waste flow control scheme. The reasons to maintain the system seem equally justifiable in 2011, as in 1990. An ordinance and reporting process will be utilized 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.

FACILITY SELECTION PROCESS

Act 101 not only assigns to Counties the responsibility of securing sufficient disposal assurance. More importantly, it requires that the method of obtaining those guarantees must be conducted in a fair, open, and competitive manner. This section describes the process implemented in Elk County to procure contractual commitments for disposal for the next ten years.

PUBLIC NOTIFICATION AND SOLICITATION

To seek and acquire disposal capacity for the period 2012-2021, the Elk County Solid Waste Authority, 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 & Recycling News,* a widely circulated trade publication in the waste industry. The actual solicitation is provided in Appendix D. 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 actual Request for Proposals outlining the specifications, contract terms and conditions is provided in Appendix E.

REVIEW AND EVALUATION OF THE PROPOSALS

Five organizations submitted proposals for nine 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. Additionally, detailed criteria for the technical merit review were described. Following is a brief description of the general criteria.

FINANCIAL AND ENVIRONMENTAL LIABILITY PROTECTION

To protect the Board of Commissioners, the Authority and the taxpayers of Elk County, the owner and/or operator of the facility was required in the proposals to demonstrate the resources to sustain the facility. Financial statements for the overall operation were reviewed for this purpose. In addition, facilities had to submit proof of pollution and environmental liability protections coverage, which would continue to be in effect. Proof and amounts of collateral or surety bonding or other financial assurances for closure and post-closure activities was also required.

REGULATORY COMPLIANCE AND OPERATIONAL PERMIT

A detailed compliance history for the facility and its parent company, if applicable, was required. The types and number of alleged violations were reviewed as well as the ability of the operator to resolve those issues.

Proof was required of a current operating permit issued by the environmental regulatory agency within the state in which the facility was located. Proposals from facilities with permit applications pending approval were accepted but with the understanding that although each would be considered for designation no waste could be disposed prior to the issuance of the permit..

DESIGN STANDARDS AND INDUSTRY EXPERIENCE

At a minimum, facilities proposing land disposal were required to demonstrate that their operation and design was, equal to EPA Subtitle D standards for a Municipal Waste

Disposal and Processing Facility. Proposals were to include the liner design, leachate collection and treatment, waste acceptance procedures and the overall operations plan of the facility. The duration and depth of industry experience for the company and the facility's personnel was reviewed. Facilities proposing other processing methods were likewise subject to similar technical criteria.

AVAILABLE PERMITTED AND FUTURE CAPACITY

A commitment to Elk County to reserve and make available capacity for specified amounts and percentages of daily and annual volumes was required. In addition, facilities were required to document the current permitted airspace capacity available to meet the proposed commitment. Each site also had to explain the extent to which future capacity could be made available through permit renewals and expansions.

CONTRACT TERMS AND CONDITIONS

Facilities that fulfilled the administrative requirements and submitted sufficient documentation to meet the technical criteria eventually qualified to enter into contract with Elk County. Copies of the standard universal disposal capacity agreements, which are signed and executed by the Board of Commissioners and the Owner/Operator, are included in Appendix L.

DESIGNATED FACILITIES

Elk County took all possible steps to ensure fair and open market conditions would continue to prevail as they have since the development of the original Plan. The extent of advertising and outreach covered national, regional, and local interests. It is reasonable to conclude that all interested parties submitted proposals.

The facilities that were ultimately selected and allowed to accept Elk County municipal solid waste for disposal are shown in Figure 6-1.

The location of each facility is shown in Figure 6-2.

FIGURE 6-1 FACILITIES DESIGNATED FOR ELK COUNTY WASTE 2012-2021

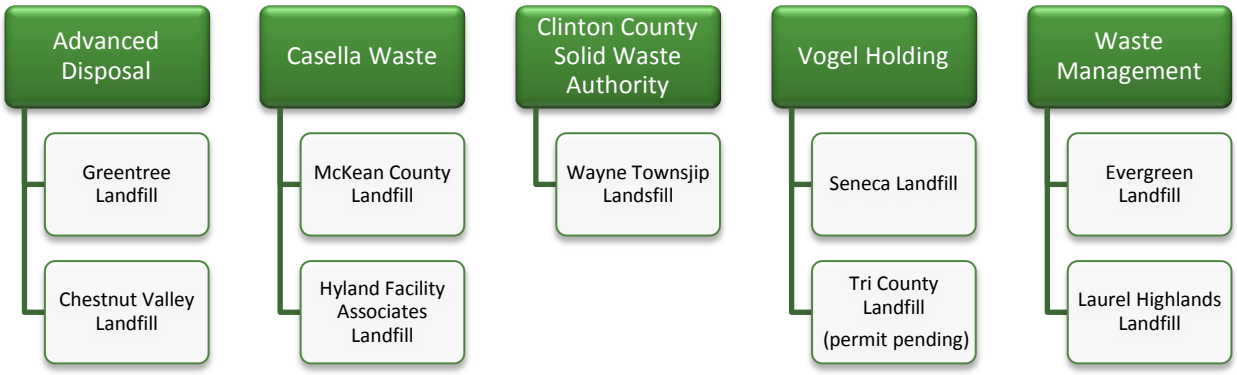


FIGURE 6-2 LOCATION OF ELK COUNTY DESIGNATED LANDFILLS 2012-2021

TABLE 6-1 REVIEW OF PROPOSALS FOR DISPOSAL & PROCESSING CAPACITY

Facility			Contacts		Permit and Operational Status			
Site Name	**Owner**	**Location**	**Technical**	**Operational**	**Permit # Issuing State Expiration Date**	**Operating Days**	**Operating Hours**	**Current operational Constraints**
Chestnut Valley Landfill	Veolia Environmental Services	1184 McClellandtown Rd, McClellandtown, PA 15458	Dean Mori	Don Henrichs	PA 100419	Monday-Saturday (308)	7:00AM-4:00PM Monday-Friday (Sat-7:00 AM-11:00 AM)	NONE
Evergreen Landfill	Waste Management	Route 119 & Luciusboro Road, Coral, PA 15731	Brad Minemyer	Terry Stine	PA 100434 7/26/2017	Monday-Friday (260)	7:00AM-5:00 PM	NONE
Greentree Landfill	Advanced Disposal (formerly Veolia Environmental Services	635 Toby Road Kersey, PA 15846	William Binnie	Don Henrichs	PA 101397 12/8/2018	Monday-Saturday (308)	7:00AM-4:00PM (Sat-7:00 AM-11:00 AM)	NONE
Hyland Facility Associates Landfill	Casella Waste	Route 17 Angelica, NY 14709	Joseph Boyles	Larry Shilling	NY 02S17 5/1/2015	Monday-Saturday (308)	7:00AM-9:00 PM	NONE
Laurel Highlands	Waste Management	196 Wagner Road, Vintondale, PA 15961	Brad Minemyer	Terry Stine	PA 100534 2/22/2018	Monday-Saturday (310)	6:00AM-4:30PM (Sat-7:00 AM-11:00 AM)	NONE
McKean Landfill	Casella Waste	19 Ness Lane, Kane PA 16735	Joseph Boyles	Michael Manderfield	PA 100361 2/23/2021	Monday - Saturday (307)	5:00AM-5:00PM	NONE
Seneca Landfill	Vogel Holding Inc.	421 Hartman Road Evans City, PA 16033	Edward R. Vogel	Edward R. Vogel	PA 100403 10/5/2010	Monday - Saturday (313)	12:00AM - 7:00PM	NONE
Tri County Landfill	Vogel Holding Inc.	159 TCI Park Drive Grove City, PA 16127	Edward R. Vogel	Edward R. Vogel	PA 101295 Pending Approval	Monday-Saturday (310)	7:00AM-3:00PM (Sat-7:00 AM-11:00 AM)	Permit Pending
Wayne Township Landfill	Clinton County Solid Waste Authority	264 Landfill Lane PO Box 209 McElhattan, PA 17748	Jay Alexander	Jay Alexander	PA 100955 9/14/2036	Monday - Saturday (311)	7:00AM-4:00PM	NONE

Facility		Meets Federal, State, Local Standards			Regulatory Compliance			
Site Name	**Host Agreements**	**Design, Leachate Treatment**	**Waste Plan for Emergency Disasters**	**Waste Plan for Facility Emergencies**	**#Violations**	**#** Penalties or Consent Agreements	**# Repeat Violations**	**Unresolved Violations**
Chestnut Valley Landfill	German Township Fayette County	100 mil double liner/ Treatment Off site POTW	YES	YES capacity agreements for back-up landfills	**5**	2	**3**	**0**
Evergreen Landfill	Brush Valley Township Center Township Indiana County	60 mil double liner/ Treatment Off site POTW	YES	YES capacity agreements for back-up landfills	1	1	0	0
Greentree Landfill	Fox Township Elk County	Double composite liner/ Treatment Onsite	YES	YES capacity agreements for back-up landfills	13	5	7	0
Hyland Facility Associates Landfill	Angelica Allegany County	60 mil double liner/ Treatment Off site POTW	YES	YES capacity agreements for back-up landfills	6	1	1	0
Laurel Highlands	Jackson Township Cambria County	60 mil double liner/ Treatment Off site POTW	YES	YES capacity agreements for back-up landfills	4	3	2	0
McKean Landfill	Sergeant Township McKean County	Double composite liner/ Treatment On Site	YES	YES capacity agreements for back-up landfills	0	0	0	0
Seneca Landfill	Jackson Township Lancaster Township Butler County	60 mil double liner/ Treatment On site	YES	YES on site transfer station would haul to other County designated facilities	26	4	12	0
Tri County Landfill	TBD	60 mil double liner/ Treatment On site	YES	YES capacity agreements for back-up landfills	0	0	0	0
Wayne Township Landfill	Wayne Township Clinton County	60 mil double liner/ Treatment Off site POTW	YES	YES capacity agreements for back-up landfills	1	1	0	0

Facility	Financial Assurances			Capacity Agreement		Guarantees for Elk Waste Volumes				
Site Name	**Financial Disclosure**	**Public Liability Protection**	**Environment Pollution & Liability Protection**	**Agrees to Elk's Contract**	**Requires Put or Pay or Minimum Tonnage**	**Maximum Daily Tons**	**Maximum Annual Tons**	**Remaining Permitted Capacity in cubic yards 2010**	**% County Waste will accept**	**Donated tons for non-profits**
Chestnut Valley Landfill	Publicly Held Company Shareholders Report	$1 million	Irrevocable Letter of Credit $10.3 million	YES	NO	**97**	**25099**	**3,594,045**	100%	negotiable
Evergreen Landfill	Publicly Held Company Shareholders Report	$5 million	Surety Bond $1.2 million	YES	NO	50	15,500	8,972,622	62%	10
Greentree Landfill	Publicly Held Company Shareholders Report	$1 million	Irrevocable Letter of Credit $20.4 million	YES	NO	82	25,099	3,602,513	100%	negotiable
Hyland Facility Associates Landfill	Publicly Held Company Shareholders Report	$3 million	$13 million	YES	NO	proposes to accept waste only as McKean Landfill back-up	back-up facility	11,070,000	back-up facility	
Laurel Highlands	Publicly Held Company Shareholders Report	$5 million	Collateral Bond $8.8 million	YES	NO	50	15,500	27,224,588	62%	10
McKean Landfill	Publicly Held Company Shareholders Report			YES	NO	82	25,099	37,699,872	100%	0
Seneca Landfill	Privately Held Company/ provided upon request	$2 million	Surety Bond $6.9 million	YES	NO	6.53	2,045	8,674,014	8%	1
Tri County Landfill	Privately Held Company/ provided upon request	$2 million	Surety Bond Current $704,000	YES	NO	6.53	2,045	TBD	8%	1
Wayne Township Landfill	Provided Independent Auditor's Report	$1 million	Irrevocable Line of Credit $6.4 million	YES	NO	20	6,240	1,212,675	25%	0

Facility		Maximum Tipping Fees 1st Year						
Site Name	**Owner**	**MSW**	**C&D**	**SEWAGE SLUDGE**	**ICW**	**OTHER**	**Add -On Fees, Taxes Surcharges**	**Total Maximum MSW rate with fees**
Chestnut Valley Landfill	Advanced Disposal (formerly Veolia Environmental Services	31.15	31.15	31.15	31.15	N/A	**7.6**	**38.75**
Evergreen Landfill	Waste Management	$44.95	$44.95	$44.95	$44.95	N/A	$8.55	$53.50
Greentree Landfill	Advanced Disposal (formerly Veolia Environmental Services	$31.26	$31.26	$31.26	$31.26	N/A	$7.49	$38.75
Hyland Facility Associates Landfill *guarantees only as back-up facility	Casella Waste	22.75*	22.75*	22.75*	22.75*	22.75*	7.25*	30*
Laurel Highlands	Waste Management	$45.25	$63.75	$63.75	$63.75	N/A	$8.25	$53.50
McKean Landfill	Casella Waste	$22.75	$22.75	$22.75	$22.75	$22.75	$7.25	$30.00
Seneca Landfill	Vogel Holding Inc.	$91.90	$91.90	$91.90	$116.90	$116.90	$8.10	$100.00
Tri County Landfill	Vogel Holding Inc.	$93.75	$93.75	$93.75	$118.75	$118.75	$6.25	$100.00
Wayne Township Landfill	Clinton County Solid Waste Authority	$39.50	$39.50	$39.50	$39.50	$49.50	$10.50	$50.00

DESIGNATING ADDITIONAL FACILITIES

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. Elk 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 Elk County Solid Waste Authority 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 facility (ies) 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 Authority to respond to requests quickly and with lower costs than if a full-scale revision of the overall Plan was necessary.

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 shown in Appendix E. 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 Elk County Solid Waste Authority. The Processing/Disposal Facility Petition for Designation in the Elk County Municipal Solid Waste Management Plan can be found in Appendix F. Once the petitioner submits the form, the Authority will notify the PADEP that a Plan revision may be forthcoming. The Authority will then send to the facility an information packet, which outlines the requirements for designation as a disposal facility.

It will be the responsibility of the Petitioner or the Facility to cover any and all costs associated with the Plan revision. 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

Implementing and Administering the Plan

OVERSIGHT AND ENFORCEMENT OF THE COUNTY'S PROGRAMS

Providing oversight and enforcement of the policies and programs established by the Elk County Municipal Solid Waste Management Plan is technically the responsibility of the Board of County Commissioners. Act 101 does provide allowances for these duties to be delegated to another individual, agency, department, or similar entity. Shifting this responsibility to a designee makes sense because considerable effort and focus is required to attain the goals and objectives outlined during the planning process. Additionally, there is a multitude of PADEP related activities including regulatory compliance, reporting, and grant administration. This chapter identifies the entity responsible for implementing the Elk County Municipal Waste Management Plan. It explains the organizational structure and authority to carry out the programmatic, administrative and enforcement duties associated with the Plan.

DESIGNATED ENTITY

The Elk County Solid Waste Authority was provided by ordinance with the powers to develop and implement the Municipal Solid Waste Management Plan. All duties, responsibilities and powers provided to the County in Act 101 and Act 140 were transferred to the Authority. Appendix G contains the resolution, which serves as the formal record of the establishment of the Authority. Appendix H provides the solid waste ordinance, which outlines the powers of the Authority.

STAFFING

The Authority itself has no employees. To implement its programs, the Authority relies on staff from the Elk County Solid Waste and Recycling Office. In spite of increased service offerings, staffing levels have remained the same for years. A Recycling Coordinator, an Enforcement Officer and an Administrative Assistant coordinate all programs and services. They also monitor and clean-up the drop-off sites, serve as laborers at the recycling drop-off and processing center, and at collection events.

EXECUTIVE MANAGEMENT

A full time Recycling Coordinator is employed by the Solid Waste and Recycling Office. This individual reports to the Authority's Board of Directors and the Elk County Board of Commissioners. The Recycling Coordinator ensures that the guidelines and recommendations set forth in the Plan are implemented according to schedule. The Recycling Coordinator oversees the day-to-day services and operations of the Authority. As the liaison between the Authority and the County, the Recycling Coordinator must regularly communicate with the Commissioners and other related County departments and agencies.

COMMUNITY RELATIONS

For the most part, the Recycling Coordinator serves as the face of the Authority and the County on all solid waste and recycling related issues. The Recycling Coordinator attends community and civic functions and promotes the efforts of the Authority in the media. The Recycling Coordinator is expected to foster good working relationships with municipal officials, and the private sector. It is the responsibility of the Recycling Coordinator to establish guidelines for resolution of complaints from outside sources. The Recycling Coordinator must also ensure that the Commissioners are aware of, invited to participate in pending Authority events, and sponsored activities.

REGULATORY AND LEGISLATIVE AWARENESS

The Recycling Coordinator is ultimately responsible for regulatory compliance. The Director serves as the Authority's liaison with the Pennsylvania Department of Environmental Protection and maintains communications with the Department's Northwest Regional Recycling Coordinator. It is important for the Director to keep abreast of pending legislative initiatives and DEP policy changes that could affect the County, the municipalities and the Authority. The Recycling Coordinator must ensure that the Board and the staff are informed of regulations that impact the operation of

the Authority. Tracking, monitoring, and reporting, on the solid waste and recycling activities within Elk County is also the obligation of the Recycling Coordinator

PROGRAM DEVELOPMENT AND COORDINATION

The Recycling Coordinator is responsible for direct supervision of the Recycling Center and handles the marketing of the recyclable commodities and scheduling shipments. The Recycling Coordinator initiates and supervises public education and community outreach programs, special collection events, planning and feasibility studies as well as the development of new service offerings. Outside contractors are engaged to perform many of these functions including; consulting, legal and financial services. It is the duty of the Director to ensure the performance and cooperation of these vendors.

ENFORCEMENT

A full time Enforcement Officer conducts surveillance, investigates complaints, and prosecutes offenders of the County solid waste ordinance. The primary purpose of the Enforcement Officer is to deter and eliminate illegal dumping.

ADMINISTRATIVE SUPPORT

As the title implies, a full time Administrative Clerk provides support to the Recycling Coordinator in the day-to-day functions of the Authority. The Administrative Clerk performs all of the expected office functions including payroll, bookkeeping, accounts payable and receivable.

FISCAL RESPONSIBILITY

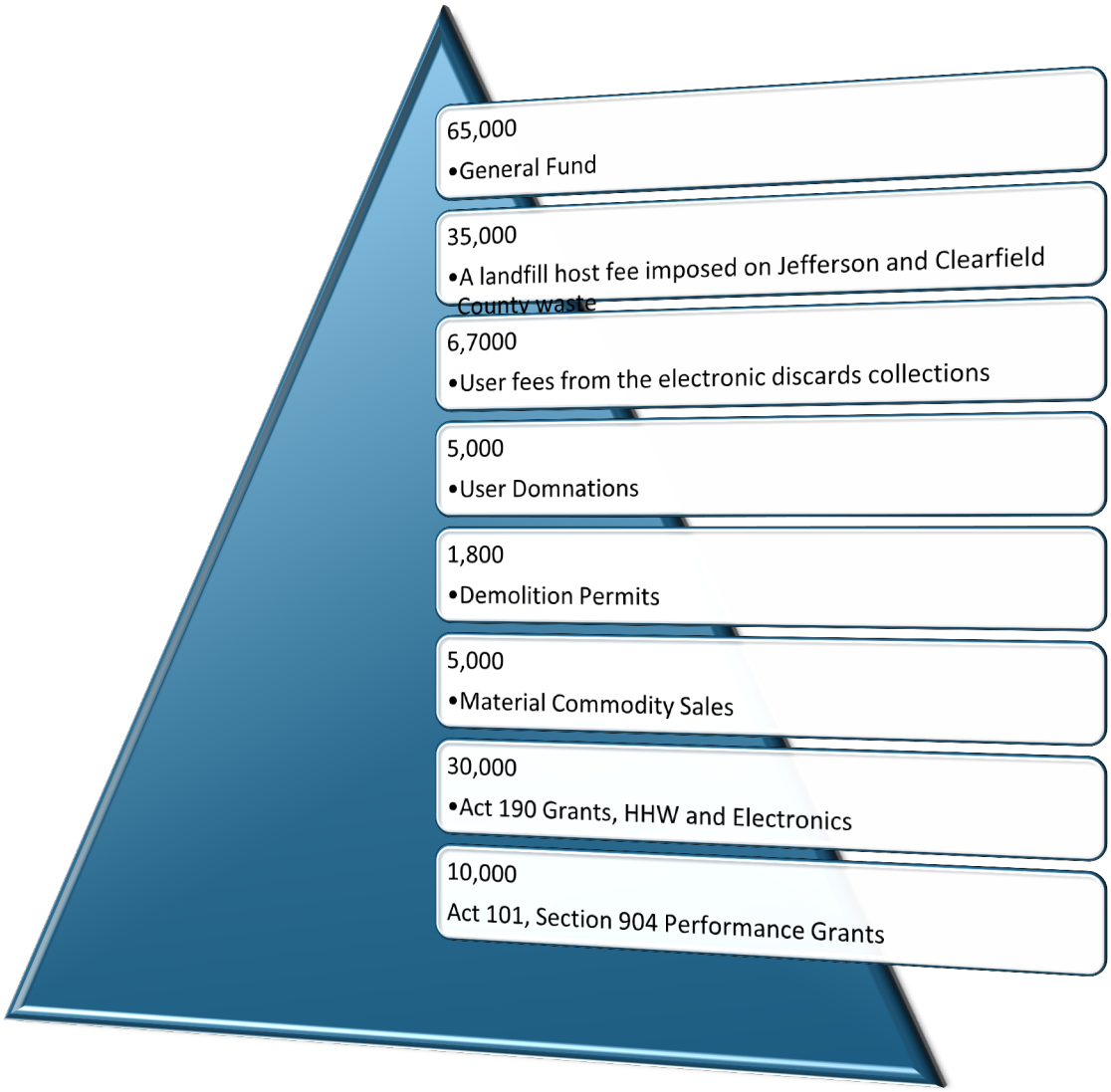
The Recycling Coordinator reviews and assesses the financial status of Elk County Solid Waste and Recycling Office and the Authority. The Recycling Coordinator prepares an annual budget, which is presented to the Board of County Commissioners and the Authority's Directors for approval. The budget details program expenses and all sources of revenue. It also offers projections for any pending changes and other issues of concern. Operating revenue and operating expense summaries are submitted monthly to the Authority Board and to the County Commissioners.

PROGRAM REVENUE

Operating funds for the Elk County Solid Waste and Recycling Office and the Authority come from a variety of sources. Figure 7-1 illustrates the types and amounts of funding received to support solid waste and recycling programs. Other sources of revenue come

from Act 101 Section 900 grants. The Section 903 Grant covers half of the Coordinator's eligible salary and expenses. Section 901 Planning Grants cover 80% of the consulting costs related to planning and feasibility studies and finally, Section 902 Equipment and Implementation Grants provide for 90% of the costs of equipment and program development expenses.

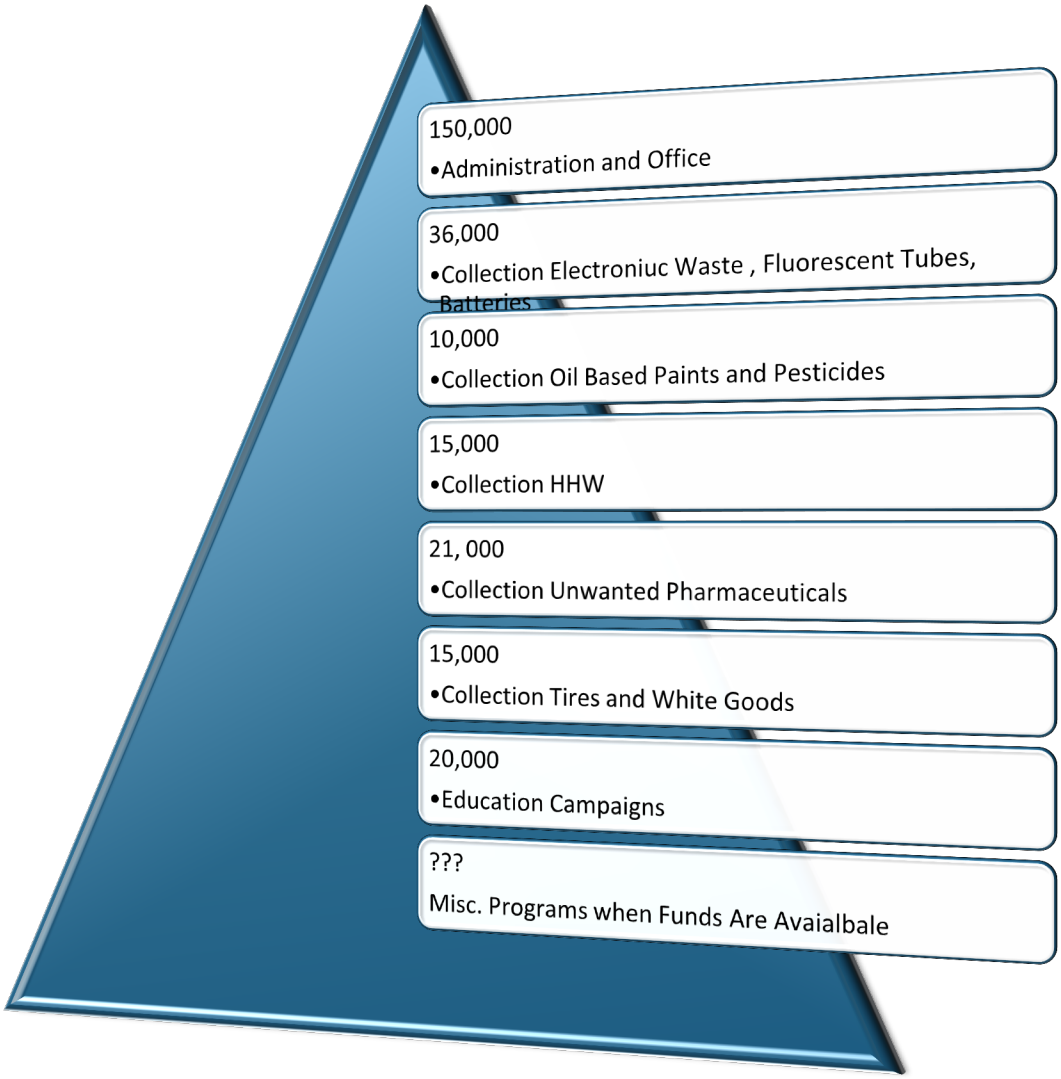
FIGURE 7-1 DEDICATED SOURCES OF REVENUE



PROGRAM COSTS

The overall administrative costs are roughly $150,000 per year. Historically, the operational costs have totaled as much as $163,000 per year, depending on the amount and types of tonnage collected in the various programs. Currently, through the efforts of the Authority, those costs have been reduced to approximately $130,000.

FIGURE 7-2 REPRESENTATIVE EXPENSES



Chapter 8

Public Ownership and Operation

THE ROLE OF THE COUNTY AND MUNICIPALITIES

When the legislature drafted Act 101, they incorporated language into the law that the clearly called for using the services of the private sector to the greatest extent possible. 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. A healthy balance of public and private sector municipal solid waste management services are available in Elk County. Although waste collection and disposal is primarily a function of private businesses, there is a small degree of participation by municipal concerns. Recycling on the other hand is a demonstration of how public/private partnerships work. Collection programs are orchestrated by the public sector. The physical act of servicing residents at the curb, at drop-off locations, or at special collection events is performed by private contractors hired by either county or municipal governments. Processing of recyclables and yard waste is also a shared arena.

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 discussed.

ELK COUNTY FACILITIES AND OPERATIONS

The County owns and maintains a limited amount of equipment, which was purchased primarily through Act 101, Section 902 grants. This consists of the containers for the

permanent drop-off locations. Most recently, the County was awarded funding from the Stackpole-Hall Foundation to acquire a baler for the processing operation.

MUNICIPAL SERVICES

Ridgway is the only Elk County municipality that utilizes public works crews to collect and transport municipal solid waste. In some instances, municipal public workers collect leaves, leaf waste and yard debris. These materials are delivered to a local wood processing site, or local compost sites for processing and composting.

Ridgway and the City of St. Marys each contract with a private hauler to provide curbside recycling for the municipality's residents. The vehicles used in the collection programs, as well as the recycling bins, were purchased with a combination of Act 101, Section 902 Grants and local funds.

INSTITUTIONAL PROGRAMS

One in-vessel composting operation exists in Elk County. It is operated by the Ridgway School District. Equipment used in the program consists of an in-vessel composter and housing unit, a truck and a tractor is a captive operation in an institutional environment The project was financed by $186,000 in Act 101, Section 902 Equipment and Implementation Grants. The program processes cafeteria waste from all schools in the Ridgway district. Students and faculty sort lunch waste after they eat in the cafeteria.

FUTURE PROGRAMS AND FUNCTIONS

Developing and investing in a public sector municipal solid waste infrastructure has been discussed in Elk County during previous planning development periods. It has never been a serious consideration at the County level. . There is no indication from any of the municipalities that such interests or plans exist. It is anticipated that these roles or attitudes will not change during the Plan's implementation period.

Chapter 9

Laws, Regulations, and Contracts

TOOLS FOR IMPLEMENTATION AND ENFORCEMENT OF THE PLAN

Act 101 shifted the responsibility for developing and implementing municipal solid waste management plans from the municipalities to the counties. The Act also provided counties with the authority to enter into contracts and to enact ordinances, rules and regulations necessary to enforce the goals and objectives of the plans. The County has the ability to establish standards for proper waste storage, collection, transportation and disposal for municipal waste generators as well as those engaged in the business of municipal solid waste management. It can also provide for penalties for violations of those rules.

This chapter outlines the tools and mechanisms, which were developed to ensure compliance with the provisions of the 2011 Elk 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.

RESOLUTION TO FORM THE ELK COUNTY SOLID WASTE AUTHORITY

The Board of County Commissioners of Elk County took formal action in 1975 to create a Solid Waste Authority. In the form of a resolution, the Board assigned to the Authority the responsibility to plan and regulate the storage, collection, transportation, processing and disposal of the solid waste in Elk County. The Authority serves in an advisory role to the Elk County Recycling Coordinator. A copy of the resolution is provided in Appendix G.

SOLID WASTE MANAGEMENT ORDINANCE

The County adopted the Municipal Waste Management Ordinance in 2000 to ensure compliance with and facilitate enforcement of the Plan. The original ordinance was amended in 2002 and 2007. During the 2011 planning process, an amendment was drafted to repeal sections on administrative fees and transporter authorization and licensing. Recently, the courts have determined that these issues are not within the statutory powers of counties and municipalities. The ordinance requires those collecting municipal waste in Elk County to transport it to facilities with contractual arrangements guaranteeing capacity to the County. These disposal sites are designated in the Plan. The ordinance is located in Appendix H.

MUNICIPAL WASTE DISPOSAL CAPACITY AGREEMENT

Elk County conducted an extensive procurement process to secure disposal capacity. To prevent inadvertently offering an unfair competitive advantage to one facility over another, the Municipal Waste Disposal Capacity Agreement contains universal terms, conditions, and standards applicable to all facilities. The contractual agreement establishes the service and reporting requirements for each site. It commits the facility to the types and volumes of waste; the maximum tipping fees; emergency provisions; and other items provided in the contractor's proposal.. Each and every facility, which was designated to be in the Plan as a result of the procurement process, as well as any that might petition the County for inclusion in the future, must agree to the provisions of the Municipal Waste Disposal Capacity Agreement. The Request for Proposals located in Appendix E includes the contractual agreement.

PETITION TO ADD A PROCESSING/DISPOSAL FACILITY IN THE PLAN

In the ten-year period of the Plan it is reasonable to assume that new facilities or technical processing opportunities may become available. Changes in facility ownership, construction and permitting of a transfer station, or other business strategies could facilitate requests to direct waste to sites not proposed previously. It is to the County's advantage to consider such opportunities as they arise. To accommodate such requests, the County provides a mechanism to review, approve and add facilities in the future. Appendix F includes the Petition to add a Processing/Disposal Facility in the Plan. The requirements for completing that process are also described. Each facility petitioning the Authority will be subject to the same

criteria set forth in the original Request for Proposals that is included in Appendix E. The PADEP and the municipalities must be notified of the inclusion of the new facility.

RESOLUTION TO ADOPT THE PLAN REVISIONS

Upon completion of this Plan revision, the Elk County Board of Commissioners will adopt the revised Plan in the form of a resolution contained in Appendix I.

Chapter 10

Refocusing Resources and Efforts

TRANSITION MANAGEMENT

Periodic reviews and evaluations of a county's municipal solid waste management plan are required by Act 101. The purpose is to determine if decisions made in the past are still appropriate. It is a time when the costs and benefits of providing programs and services should be examined. New technologies and advancements in waste management and environmental protection should be investigated. The findings of this exercise often lead to policy changes Additions and deletions in service offerings occur. Prevailing circumstances and new priorities prompt the redirection of resources.

The Elk County Municipal Solid Waste Management Plan and the Sustainability Study, conducted as a precursor, identified opportunities for change and improvement. Both projects focused on serving the long-term needs of the County as a whole. Some recommendations affect certain municipalities more directly than others. However, the inconveniences felt by some are outweighed by the benefits derived in ensuring the survivability of the core programs. The findings that fueled many of the changes are included in Appendix B.

This chapter demonstrates that great efforts were taken to communicate the pending changes in advance. It outlines the attention given to offer a smooth transition for all stakeholders.

TRANSFORMATION OF RECYCLING PROGRAM

In preparation for and during the official planning process, representatives from the city, boroughs and townships, as well as the waste and recycling industry were kept

informed. The Board of County Commissioners, the Recycling and Solid Waste Department, and the Elk County Solid Waste Authority facilitated the interactions.

The County established a transition plan, which eliminated locations and consolidated services in a phased approach. It was designed to provide a feasible timeframe for public notification and acclamation. Community officials were notified in writing, and most often with personal visits and phone calls. Advertisements were placed in local newspapers to alert the public of program modifications.

EXISTING MUNICIPAL CONTRACTS AND OPERATIONS

Extensive outreach occurred to the communities most directly affected by changes in program structure and services. Where appropriate, the County sought PADEP funding for professional technical support to municipalities and vendors during the transition. This was particularly true in the City of St. Marys, which would now begin to deal with its Act 101 compliance and implementation responsibilities independently from the County. The County's grant paid for an operational analysis of the City's curbside collection program. The exercise was conducted to determine the effect of incorporating more homes into its curbside recycling collection contract. A review of various funding mechanisms was included. Finally, an overall action plan was developed to bring the City into compliance with Act 101.

The results of those efforts are provided in Appendix C. In addition, records of meetings and interactions with City representatives during the transition are included in Appendix I.

FUTURE RESEARCH AND RECOMMENDATIONS

The ten year Plan anniversary is not the only time to evaluate performance and explore new ideas. The Elk County Municipal Solid Waste Management Plan is a dynamic instrument meant to allow for unforeseen events and opportunities. The Plan takes a big picture look at waste management and recycling practices in the County. Key indicators brought to light issues or concepts that warrant further analysis and investigation. Additional time and resources were not available during the planning process to sufficiently address these topics. Therefore, feasibility studies, pilot programs, and surveys have been incorporated into the Plan's recommendations and implementation schedule . These are outlined in Chapter 5.

Chapter 11

Fair and Open Markets

PROTECTING THE FREEDOM TO OPERATE

Within the Commonwealth of Pennsylvania, all counties are required by Act 101 to secure disposal capacity and demonstrate methods to attain the state's recycling goals. These issues are commonly addressed during the development of a municipal solid waste management plan. Similar requirements are common throughout the nation. Today's state of the art disposal facilities require a considerable investment to design, permit, construct and operate. Based on the economies of scale, it is unreasonable to think that every county would meet is capacity obligations with either its own disposal facility or one operating within its borders. Therefore, to ensure proper management and disposal, it is necessary for waste to move across county and state lines. These same issues apply to the processing and marketing of recyclable commodities.

SHARED ACCESS TO CAPACITY

The Elk County Municipal Solid Waste Management Plan directs transporters delivering Elk County municipal waste for disposal to select from a menu of facilities, which have guaranteed capacity to the County. The list includes sites operating both inside and outside of Elk County. As discussed previously in this document, the provision of multiple facilities allows for a fair, open market and for sufficient capacity available to the County. The same approach was utilized in other counties' plans. Therefore, municipal waste flows naturally through a network of transporters and facilities that have no local, state, or national boundaries.

One of the largest disposal sites in Pennsylvania, Greentree Landfill is located in Elk County. Although, 84% of the waste generated in Elk County is disposed there, it only

represents 2% of the total waste received at the facility. The remainder comes either from Pennsylvania or out of state counties and municipalities, which have contracted directly, or through a transporter, to export material to this facility. A portion also comes from local, regional and out of state businesses and industries equally in need of an environmentally sound disposal option.

Although most of Elk County's waste is disposed locally, it does export municipal, residual, and regulated medical waste to disposal and processing facilities located in other counties. For Elk County municipal waste, there are no reported out-of-state disposal activities. However, it is probable that at least some portion of residual and regulated medical waste cross state lines. Likewise, recyclable commodities are transported elsewhere, including out of state.

COOPERATION AND COMMITMENTS

To manage a portion of its waste, Elk County relies on the cooperation of other counties and states, which permit the operation of disposal facilities in their jurisdictions. In return, Elk County respects the contractual obligations of the local existing facility. In addition, the County understands the operator's need to design, finance, and construct reasonable expansions to meet the required capacity commitments. Therefore, the County will not interfere with the normal operational and regulatory process involved with such expansions. Elk County will neither inhibit the free enterprise of the facility nor prevent it from generating the necessary profits to support those projects.

Chapter 12

Stakeholder Perspectives

COMMUNITY INVOLVEMENT IN THE PLANNING PROCESS

Everybody generates and needs a way to dispose of municipal waste. Consequently, opinions regarding municipal waste management are abundant. Typically, these viewpoints are formulated from the personal perspective of people with different roles and interests. Environmental, economic, political, and social influences all come into play.

It is common for individuals and businesses to believe that the way they manage municipal waste is the norm. It can be contentious when these practices, which are often grounded in local culture and long standing tradition, are threatened. Experience has shown 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.

Public input was an integral part of the Elk County Municipal Solid Waste Management Plan. The opinions and ideas of local stakeholders were actively sought. The representative composition of the participants, the nature of the interactions and issues targeted for discussions are outlined in this chapter.

INVITING A BROAD SPECTRUM OF OPINIONS

On an ongoing basis, the Elk County Solid Waste Authority serves as the liaison between the community and the Board of Commissioners. The Authority consists of members appointed by the Board of Commissioners. These individuals represent a good cross-section of the community. The Authority acts as the agent of the County to implement the Plan and to provide programs and services. Based on its vested interest, by participating in planning decisions the Authority could be seen as having the

appearance of bias or a conflict of interest. Therefore, although the Authority stayed informed and involved, another group was assigned with the task of Plan development.

SOLID WASTE ADVISORY COMMITTEE

To ensure that the Plan would provide a fair and balanced view of conditions in Elk County, the Solid Waste Advisory Committee was established. The Board of Commissioners appointed individuals to represent a specific segment of Elk County as defined by Act 101. These special interest groups included: cities, townships and boroughs; environmental interest groups, private waste and recycling industry companies, local industries, government agencies and elected officials. Ultimately, 18 people were invited to accept positions on the Solid Waste Advisory Committee.

The Committee served an important role in providing realistic reactions and the likelihood of public acceptance for proposed programs and policies. Their contributions are reflected in the final selection and justification of the programs in the Revised Plan. The recommendations and timeline for implementation are provided in Chapter 5.

MEETING CONTENT

In a series of meetings spanning four years, community members offered their perspective on local needs and conditions. To ensure that the discussions would be productive and result in feasible recommendations, the participants were exposed to background information from a variety of sources. The Municipal Waste Planning, Recycling and Waste Reduction Act, as well as other federal and state laws were reviewed. Current and historical local data was presented along with explanations of the leading indicators of performance for both the solid waste and recycling programs. Success stories and failures from other counties were shared.

At various stages of the process, the Project Consultant presented the economics and operational feasibility of a variety of options discussed in the meetings. Short and long term implications of each choice were explored. The impact of program and service decisions on the County, municipalities , and service providers were considered.

Depending on the nature of the session, meetings were facilitated by either the Chair of the Solid Waste Advisory Committee, the Director of the Elk County Solid Waste Authority and/or the Recycling Coordinator. The Project Consultant introduced the varied issues required for consideration as part of the planning process. In addition, the Project Consultant presented raw data and analyses based on accepted professional

standards and recognized sources all of which are seen throughout this document. From this information, the Committee voiced their opinions.

CITY OF ST. MARYS RECYCLING TASK FORCE

Special meetings were also held in conjunction with the City of St. Marys Recycling Task Force and City Council. These were prompted by the findings of the Sustainability Study conducted in 2007-2008, which were incorporated into the Plan's revision. The recommendations focused on the operations of the Elk County Solid Waste Authority, and targeted the need to cut costs and consolidate services. The Study found that a significant portion of the Authority's expenses were the result of subsidizing the Act 101 mandates of the City of St. Marys. Shifting these funds to support Authority programs and services with a more countywide impact was recommended.

Over time, the City's accountability for complying with these requirements became blurred by the convenience and duration of the Authority's involvement. Recognizing that sudden service elimination could result in confusion and ill will, the Authority convened with the St. Marys Recycling Task Force. The purpose of the meetings was to provide for a well-coordinated removal of services and a smooth transfer of these responsibilities back to the City. A transition phase was provided so the City could determine how to meet its Act 101 obligations independently.

Members of the Task Force included City residents and businesses representatives, recycling service providers, select City and County personnel, and a liaison from City Council. The Project Consultant also met with the Task Force and presented at regular meetings of City Council.

PRIMARY CONCERNS AND OBJECTIVES

The Solid Waste Advisory Committee expressed strong views on the need to ensure, to all residents of the County, the availability of convenient and accessible outlets for municipal waste and recyclables. The development of centralized convenient centers to handle recyclables, bulk items, discarded electronics, and tires was favored by Committee members. The impact of seasonal and transient residents on illegal dumping in the County was acknowledged as a serious concern.

Long-term preservation of the County's programs and services was considered essential in protecting public health and safety. However, the ability to implement economically self-sustaining programs with minimal reliance on government subsidies was generally deemed a necessity. The Committee acknowledged the need to

diversifying revenue sources. They debated the pros and cons of various financial options including: incorporating user fees, soliciting sponsorships, increasing host landfill fees, and cost sharing with municipalities.

The Committee wished to ensure a fair and competitive marketplace for waste disposal and collection. Issues such as full and modified waste flow controls, the need for mandatory residential collection, and approaches to securing disposal capacity agreements, stimulated lively discussions and differing opinions. Consensus on the topics was eventually reached. Overwhelmingly, the Committee agreed that public education, particularly school programs, was the key to promoting proper waste management practices.

Based on the views offered by the SWAC members Figure 12-1 illustrates the issues expressed during meeting discussions as priorities for Elk County. The Plan revisions reflect service changes, program enhancements, and policy amendments related to these items. Recommendations and solutions are presented in Chapter 5.

RECORD OF ACTIVITIES AND COMMENTS

Agendas and/or Minutes highlighting the topics and issues considered and discussed at the Solid Waste Advisory Meetings, the Recycling Task Force Meetings, along with comments received from municipalities, PADEP and the general public are located in Appendix J.

FIGURE 12-2 PRIORITIES IDENTIFIED BY THE SOLID WASTE ADVISORY COMMITTEE

Appendix A

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Appendix B

Sustainability Study 2007-2008 -Phase I

RESTRUCTURING THE ELK COUNTY RECYCLING PROGRAM

PLANNING FOR SUSTAINABILITY

in 2007, the County commissioned a Sustainability Study, funded in part through an Act 101, Section 901 Planning Grant. The purpose of the study was to examine the County's current expenditures, sources of revenue, operational performance, and the impact of pending regulatory changes. The study made recommendations to cut costs; allocate funds and services more effectively; transition services to other parties; determine opportunities to increase revenue; and develop cooperative marketing efforts. This excerpt from the study summarizes those efforts and presents the findings and suggestions for improvements.

FINANCIAL STATUS OF THE COUNTY'S RECYCLING PROGRAM

The County has supported its recycling efforts through a variety of sources. These included:

- Fees assessed as part of the Landfill Capacity Agreements
- Fees assessed on Clearfield and Jefferson counties wastes as part of the Landfill Host Agreements
- Fees assessed as part of the Hauler Licensing Program
- Fees assessed for Demolition Permits
- Act 101 Section 904 Performance Grants
- Act 101 Section 903 Recycling Coordinator Grants
- Act 101 Section 902 Equipment Grants
- Act 101 Section 901 Planning Grants
- Match Grants from the Act 190, Household Hazardous Waste Fund

These revenues have enabled the County to maintain a balanced budget while providing an extensive array of recycling services and programs. Recent court rulings have eliminated

the county's ability to collect the fees assessed as part of the Landfill Capacity Agreements, resulting in a $40,000 revenue shortfall for the recycling program.

Pending landfill permit applications in Centre and Clearfield counties could reduce the flow of waste to Elk County. This would decrease the fees assessed as part of the Landfill Host Agreements. Likewise, proposed disposal bans on an extensive array of materials could further lessen tons disposed and thus income derived.

Diminishing monies in the Act 101 Recycling Fund have created a highly competitive situation with preference for disbursements given to mandated municipalities to maintain or achieve compliance with Act 101 requirements. Although monies to support half of the salary and expenses of the County Recycling Coordinator and those based on program performance are awarded equitably regardless of circumstances, funding for equipment and implementation are increasingly difficult for rural communities to obtain. The Recycling Fee will sunset in 2012. Unless reauthorization of the Fee occurs, this source of revenue will be eliminated from the County's budget. On an annual basis, loss of Act 101 funding would have a negative impact of approximately $50,000 on the County's recycling program budget.

When the absence of landfill administrative fees is combined with the potential loss of Act 101 support it is not difficult to understand that the annual budget for recycling programs in Elk County could be in serious jeopardy. The effect would compound over the long term as requirements for planning continue to present themselves and equipment reaches the end of its useful life.

PROGRAM EXPENDITURES

The Elk County Department of Recycling and Solid Waste has a direct budgeted annual average income of $133,000. The Department has always operated with a balanced budget for its program responsibilities. Its annual budgeted operating expenses average $132,000. This figure is not reflective of the actual total cost to run the Department. However, it does accurately represent the financial demands of the programmatic services provided, which are in greatest jeopardy from revenue shortfalls.

GENERAL ADMINISTRATION

Salaries, utilities, supplies and other office expenditures are not included as line items in the Department's budget. Nevertheless, they are expenses borne by the County to operate the programs. They simply are accounted for differently in the overall scheme of County

government. The administrative assistant as well as partial wages for the enforcement officer (the remaining portion of his salary is through his work with the West Nile program) are paid for out of the county's General Fund. Office supplies, telephone, copies, etc., are also paid for through the General Fund budget. Half of the Recycling Coordinator's salary and expenses are paid from the General Fund and the other half is reimbursed through an Act 101 Section 903 grant.

PERIODIC PROJECT COSTS

Grants for planning and studies are not shown as they are not representative of ongoing revenue, nor are the projects regular expenditures. Regulatory requirements do exist for County's to renew and update their plans. Therefore, these costs could play a part from time to time. Likewise, grants and costs for equipment purchases were not included in this exercise. While these items are considered important and recommended for inclusion in all program budgets, the purpose of this evaluation was to look at repeat service costs.

CONTRACTED SERVICES

The County does not operate any of the collection programs with its own personnel. Neither does it own equipment other than containers for the drop-off program. Rather, private service providers contract with the County to offer one or more of the following services:

Transportation and processing of material collected at drop-off sites

Transportation and processing for waste tires

Transportation and processing for the electronics

Transportation and processing for fluorescent lamps and batteries

Transportation and processing for waste oil

Transportation and processing for household hazardous waste

Transportation and processing for unwanted pharmaceuticals

CFC removal for white goods

Nearly 90% of the Department's $133,000 revenue was applied directly to the costs of providing collection services to the residents of the County. The remainder was spent on public information and education related to these programs. Therefore, the recent loss of over $40,000 in revenue forced the County to consider cuts or outright elimination of services. The Sustainability Study prioritized areas for savings and provided an action plan for implementation. The next section offers a discussion of those targeted efforts and justifications for those actions.

ELK COUNTY FINANCIAL SUPPORT OF RECYCLING

Throughout the years, Elk County has provided the primary source of financing for recycling activities. Since 1996, the County has contributed nearly $415,000 in grants and services to support Municipal Recycling Programs. This is the single most expensive line item in the County's recycling budget averaging nearly $50,000 in recent years. Therefore, determining that funds dedicated to this activity were spent effectively was a major part of the Sustainability Study.

COUNTY ALLOCATIONS FOR MUNICIPAL RECYCLING PROGRAMS

To account for the number and origin of residents who benefit from recycling dollars spent, the County conducts surveys to determine where users at drop-off sites and collection events reside. The ever-pressing loss of revenue, made it necessary to examine if funds were spent equitably throughout the County. Additionally, establishing the types and levels of programs to fund in specific geographic areas became a priority. Therefore, data gathered from the surveys was utilized to evaluate the spending patterns and appropriateness of service offerings.

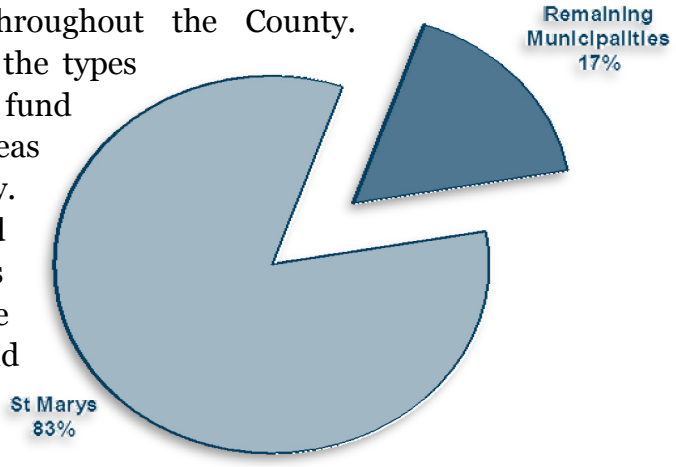

FIGURE B-1 BREAKDOWN OF COUNTY DROP-OFF EXPENSES

The findings revealed that although St Marys residents represent 40% of the County's population; the city received a disproportionate allocation of funds for recycling programs

when compared to other municipalities. It could be argued that the proportion of dollars spent on St Marys residents is misrepresented because of the physical location of the County services within the City limits. However, survey results indicate that users were in fact, overwhelmingly from St Marys.

The disparity is even more significant when one considers that St Marys is mandated to provide curbside services. It may seem surprising that users frequented the drop-off sites in such great numbers when studies clearly indicate that curbside collection is more convenient. However, in this circumstance it can be easily explained. At the time of the Sustainability Study, not all residents in St Marys were serviced by curbside in spite of the PADEP mandate. Additionally, many residents who did have curbside collection had never been provided with recycling bins. St Marys' curbside program is discussed in greater detail in Phase II provided in Appendix C.

COUNTY ALLOCATIONS FOR SPECIAL COLLECTION PROGRAMS

Each year $58,930 in County funds and State funds combined pay for special collections. These include Household Hazardous Waste ($8600), White Goods ($8500), Tires ($6000), Used Motor Oil ($30), Fluorescent Bulb ($900) Electronics ($27,000) and related operational expenses ($7900). In recent years, over $35,947 were dedicated directly to users in St Marys. This represented 61% of the funds spent overall on special collection programs throughout the County. A significant portion is spent on the Electronics collection program. That St Marys is the only municipality in the County with an ordinance banning the disposal of electronic waste, would explain why users in that program are almost exclusively from St Marys.

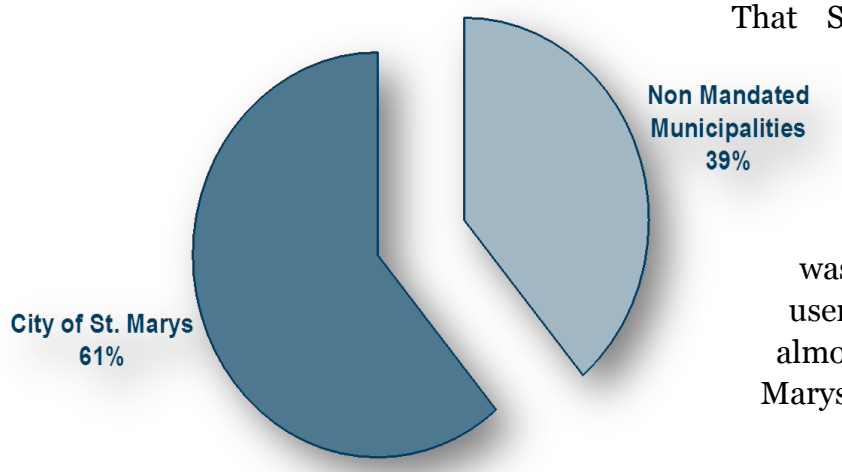

FIGURE B-2 BREAKDOWN OF COUNTY SPECIAL COLLECTION EXPENDITURES

IMPACT OF ELK COUNTY FUNDING ON RECYCLING IN ST MARYS

In 2006-2007, County funding represented more than 31% of the dollars spent in St Marys for residential recycling. County dollars supported the collection of nearly 59% of the Act 101 material designated for recycling that was recovered in St Marys although the City was mandated to collect recyclables at the curb. The bulk of the costs for material recovery was paid by the County, yet the City received nearly $13,000 annually in 904 Performance Grant funding for these combined recycling activities. The Elk County Recycling Coordinator, at no cost to the City, did the research, compiled the data and completed the submission of the grant applications for St Marys.

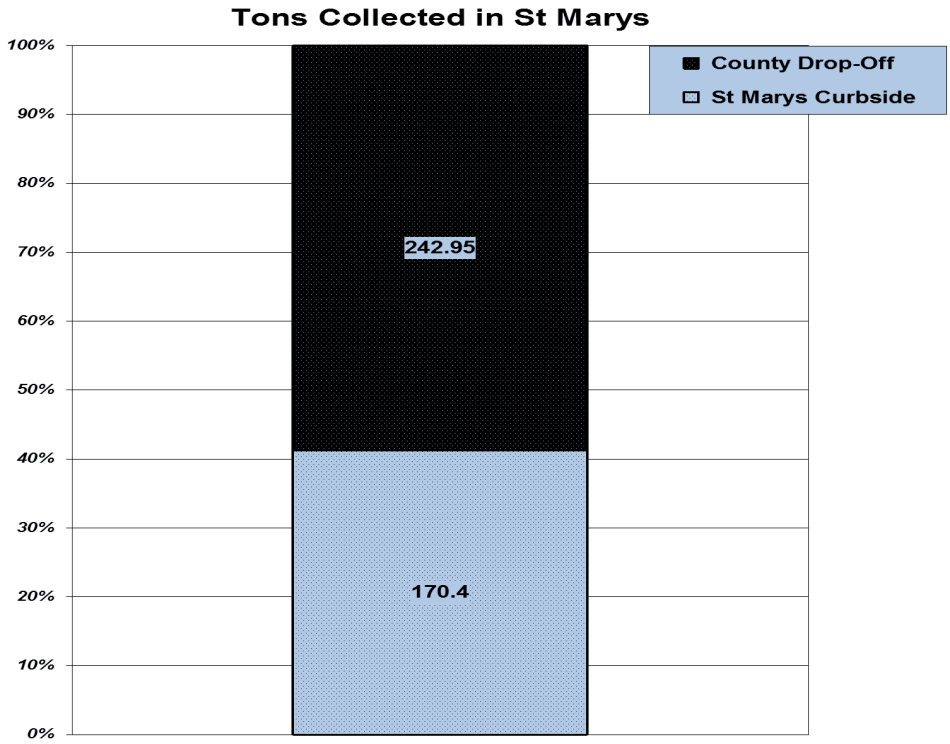

FIGURE D-3 DROP-OFF VS. CURBSIDE RECOVERY IN ST MARYS

Additionally, 100% of the direct costs or grant matches for the material recovered in St Marys for Household Hazardous Waste, White Goods, Tires, Used Motor Oil and Electronics, all came from the County. Lastly, the County also provided match funds for equipment utilized in the City's program.

SERVICE REALIGNMENT AND SAVINGS

The Sustainability Study determined that the greatest expenditure in the County's recycling budget and the one easiest to remedy was to be found in the services provided to the City of St Marys. The Study pointed to the obligations the City had under Act 101 to provide curbside services for its residents making the County's collection redundant. It suggested that much of the material collected at the County Drop-off sites located in St Marys could and should be collected at curbside. Likewise, commercial business users of the County Drop-offs in St Marys could and should be responsible for securing and paying for those collection services. Contamination at the County Drop-off sites in St. Marys was also revealed as a growing expense to the County.

The County spent nearly $200,000 since 1996 to provide drop-off collection in St Marys. The Sustainability Study suggested that sufficient time and monies had been dedicated when other options should have been made available to comply with Act 101 regulatory requirements. It was determined that a reduction in services was justifiable for the County to sustain drop-off collection in areas of the County, where curbside service was unavailable.

A plan to withdraw services from the City began in April 2007 when containers for glass were removed from all but one location. In July 2007, collection of plastic all of at the drop-off sites in St Marys was discontinued. Table D-1 shows the costs from 2006 to 2008 and the savings realized from the removal of the plastic and glass containers from the drop-off the St Marys locations. This recommendation resulted in a total of over $15,000 in savings from 2006 to 2008. It represents nearly half of the cost reduction necessary to operate with a balanced budget for 2008-2009.

Because the County realized that St Marys could face difficulties with such a drastic change, the Sustainability Study provided technical assistance to help the City transition from the previous system to full curbside collection. The results of that move are found in Appendix C in Phase II of the Sustainability Study which is the section devoted to St Marys.

TABLE B-1 ST MARYS DROP-OFF COMPARISON 2006-2007 AND PROJECTIONS FOR 2008					
Cost Comparison for County Drop-off Services in St Marys 2006-2008					
Year	**# of pulls**	**Tons per pull**	**Total tons**	**Cost per ton**	**Total Cost**
2006 Roll-Off Paper /Plastic/ Metal	232	.93	215.55	$100.28	$21,616
2006 Fibrex Containers Glass	231				$4,910
COMBINED TOTAL 2006					**$26,526**
2007 Roll-off January –July (with plastic)	134	.73	98.87	$126.22	$12,480
2007 Roll-Off August-December (without plastic)	54	1.44	77.83	$62.54	$4,868
2007 Roll-off (combined)	188	1.04	194.76	$89.07	$17,348
2007 Fibrex Containers Glass January-April	95				$2,085
2007 Fibrex Containers for Glass May-December	15				$140
2007 Fibrex (combined)	110				$2,225
COMBINED TOTAL 2007					**$19,573**
2008 Roll-Off	120	1.44	186.60	$57.62	$10,752
PROJECTED TOTAL 2008					**$10,752**

ADDITIONAL SAVINGS

Suggestions for other areas of service adjustments were also provided in the Sustainability Study. While not as dramatic as the reductions demonstrated in St Marys, combined they could still have an impact on decreasing the cost overruns facing the County. These ideas included:

Eliminate drop-off service where curbside collection is available

Decrease service frequencies for low volume sites

Potentially switch to roll-off rather than Fibrex containers in Benezette

Centralize Operations

Enlist senior citizens or non-profit agencies to staff the drop-off sites during reduced hours of operation to decrease contamination costs.

INCREASING REVENUE

Recycling programs in Elk County have been supported primarily with grants and per ton host and administrative fees associated with landfill disposal. Marginal income was also realized by fees assessed for licensing and permits. Businesses subsidized the electronics waste collection program by paying reduced fees than those available on the open market for the management of their computer discards.

Recently, at least part of the landfill associated fees have been lost due to court rulings and the source of monies for state funded grants may sunset in the near future. Therefore, the County should proactively renegotiate existing revenue generating disposal agreements, slightly increase licenses and permits, and at the same time seek alternative sources of revenue. Recommendations for boosting the current level of income are described in the following narratives.

HOST COUNTY FEES

Advanced Disposal is the current owner and operator of the Greentree Landfill located in Elk County. The landfill receives an average of 5500 tons per day and a nearly 1.2 million tons of municipal waste annually. Less than 2% of the volume of waste accepted at the site is generated in locally. The majority of waste disposed at the facility originates from

sources out of the county and primarily out of state. Currently the County receives a fee for hosting the facility within its boundaries. Such fees may be negotiated between host counties and landfills under the provisions of Act 101. The bulk of the fee is passed on to out of state generators benefitting from Elk County's resources.

The County's host fee has not been revisited for over a decade. The value of the dollar is less than it was when the original negotiations occurred and thus covers less of the expenses for waste and recycling. Opening the lines of communication with Veolia to explore the potential of a slight increase in the fee could result in enough revenue to sustain the County's program for the long term.

USER FEES

Since the inception of the recycling program, the County has provided service to residents without a requirement for user fees. When other reliable sources of funding exist and cash flow is not a problem, this is a benefit often granted by public entities. Frequently, even in the face of demise, program managers fail to see that user fees are an acceptable solution. Many services have been decreased needlessly and programs have been eliminated because of this reluctance to charge fees.

Across the nation, many government jurisdictions are rethinking this approach. Studies have shown that products and services that are offered free are often perceived as having no value by the consumer. Therefore, participation and use is lower. Additionally, abuse of the system is more prevalent.

A good example of how a fee-based service increased recycling is in the Borough of Milton in Northumberland County, PA. Recently the Borough was forced to impose a monthly fee upon homeowners for curbside collection. The town had implemented a free curbside program for years, but with mediocre success. According to the Borough Manager, once the fee was imposed, residents felt compelled to use a service for which they paid and the recycling participation rate climbed to over 80%

PA CleanWays of Butler/Lawrence Counties has charged fees for years at their special collection events. The organization sponsors collections for household hazardous waste, electronic waste, white goods and tires. Participation at these events is equal to or greater than free events in other counties. Similar evidence of successful fee based events are those sponsored by the Southwestern PA Household Hazardous Waste Task Force.

Elk County should consider charging fees for its special collection services. Public acceptance could initially be attained with lower fees. Over time as consumer's willingness to pay is established, rates could be increased in small increments to make programs sustainable.

COST SHARING

Municipalities in Elk County have benefited from recycling services without directly sharing in the costs. The County Department of Solid Waste and Recycling has willingly paid for these services while maintaining a balanced budget. Their most significant ongoing expenditure is for drop-off collection. Uncertainties in future funding could prompt the County to reevaluate its ability to offer these valued programs. An option that could be considered to preserve the system is for municipalities hosting the sites to contribute toward the cost of operation. Table D- 2 shows the cost per location for recycling services. The table breaks the rates down on a per unit basis to demonstrate the small contribution that would be required from each household. Although the County has not requested support at this point, the figures shown would be helpful to initiate those discussions should the need arise.

TABLE B-2 COST TO PROVIDE DROP-OFF SERVICE BY MUNICIPALITY

Elk County Projected 2008 Drop-Off Collection Costs in each Municipality						
	FOX	JAY	JOHNSONBURG	JONES	RIDGWAY TWP.	ST MARYS
Total Cost	$2,912	$1,416	$4,240	$600	$2,870	10,752
Total Tons Annually	33.20	14.60	38.22	13.66	38.66	186.60
Cost per ton	$87.71	$96.99	$110.94	$43.92	$74.24	$57.62
Average Tons per load	1.28	1.22	0.72	1.14	1.04	1.44
Housing Units	1618	1180	1413	1250	1259	5676
Cost per home per month	$0.15	$0.10	$0.25	$0.04	$0.19	$0.15

FOUNDATIONS, ENDOWMENTS AND GRANTS

Funding from Act 101 Section 900 grants has been a significant source of revenue for recycling programs in Elk County. As previously discussed, in 2012 the Recycling Fund will expire unless the legislature approves its reauthorization. At a minimum, it is expected that even with reauthorization, there will be a decrease in the dollars awarded. Therefore, to

replace these losses, the County should proactively seek out alternative philanthropic sources.

A perfect example of the type of charitable support the County should investigate is The Stackpole Hall Foundation. The organization provided funds for the County's collection of unwanted pharmaceuticals. Corporate giving is another potential revenue stream that could be explored. The Dominion Foundation, the Wal-Mart Foundation, as well as local Wal-Mart stores, are examples of companies that support environmental programs, in the Pennsylvania communities where they operate. Some companies reward programs in which their employees volunteer by offering monetary donations. Other businesses and industries have formal grant programs. Examples of how Wal-Mart has supported community programs in Pennsylvania include the City of Greenville, where employees monitor and maintain the drop-off site for contamination and excess debris. In Millcreek Township, Erie County, the local store donated funds to support a textile recycling collection event. Dominion often provides grants averaging $10,000 for environmental educational campaigns. Individually, these grants and endowments may seem small compared to the funding provided by PADEP. Nevertheless, collectively, they could supplement a shrinking budget.

ANALYZING THE RESULTS FOR 2006

Following is a review of the performance of Elk County's combined recycling activities as it compares to national trends. It demonstrates the reported weight of material collected against the weight that could be recovered if Elk County recycled at the average rate of communities across the nation. It also includes a discussion of additional materials that may be considered in expanding the program.

An analysis of Elk County's municipal solid waste generation, composition compared to national figures was performed. It was based on data from a report commissioned by the U.S. Environmental Protection Agency, commonly known as the Franklin Study, but officially entitled *Municipal Solid Waste in The United States: 2006 Facts and Figures*.

The Franklin Study, initiated in 1960, is a periodic review of national waste generation and recycling activities. It presents information on the composition of the nation's municipal solid wastes and the amount by type that are generated, recovered and disposed. These figures serve as a basis for determining the expected composition of the various materials included in the municipal solid wastes generated in Elk County. The Franklin Study also provides a basis for comparing Elk County's performance in recovering materials through

recycling to the national norm. Data for 2006 from the Franklin Study were used as a basis for this analysis. These are the most recent data available and were used as a basis of comparison to Elk County 2006 data.

TABLE B-4 ELK COUNTY PERFORMANCE AND NATIONAL TRENDS

Material	Expected Generation tpy	Expected Recovery tpy	Reported Recovery tpy	Percent of Expected Recovery
Glass	1236.45	312.82	376.20	120.26%
Aluminum	215.13	78.09	20.70	26.51%
Bimetal	241.18	151.70	487.60	321.42%
OCC	3502.15	2504.04	1322.80	52.83%
Office Paper	745.04	466.40	44.00	9.43%
ONP	1364.40	1212.95	128.50	10.59%
Plastics	1545.57	145.28	36.00	24.78%
Textiles	1022.45	0.83	30.00	18.65%
Consumer Electronics	297.79	37.37	96.70	258.74%
Rubber Tires	486.88	169.82	300.40	176.89%
Small Appliances	104.17	1.14	0.00	0.00%
Carpeting	337.42	6.78	0.00	0.00%
Furniture	993.01	0.00	0.00	0.00%
Major Appliances	408.75	262.71	251.60	95.77%
Yard Waste	3631.23	2247.73	1155.30	51.40%
Wood Waste	964.71	148.56	737.00	496.08%
Lead-Acid Batteries	294.39	290.86	92.80	31.91%

Table D-4 presents the results of the analysis of Elk County's municipal solid waste recycling quantities as compared to national figures based on the Franklin Study data for 2005. . The first column in the table lists categories of materials in municipal solid waste (MSW). Column two entitled "Expected Generation" presents the quantity of the material expected to be generated as waste in Elk County if it were produced at the same rate as it is nationwide. Column three, "Expected Recovery," shows the expected quantity of the material to be recovered in Elk County if it were recycled at the same rate as it is nationwide. Column four entitled "Reported Recovery" presents the various materials documented in Elk County's annual recycling report for 2006. The fifth and final column presents the reported recovery as a percentage of the expected recovery if the materials were recycled at the national rate..

The information shown in Table D-4 is useful in evaluating the effectiveness of the current recycling program, revealing materials that might be underreported and identifying

materials that might be candidates for inclusion in an expanded recycling program. Later in this section a breakdown of the materials reported as recycled by residential or commercial sources is presented.

APPLYING DATA FROM THE FRANKLIN STUDY

To compare Elk County performance with the results of the Franklin Study, one must derive the figures in the study that are comparable to the recycling rates reported by Elk County. This analysis is required because the Franklin Study groups the materials in the national solid waste profile in categories different from the categories reported by Elk County. For example, Elk County reports numbers for glass recycling that are primarily the result of collection of packaging (jars and bottles) in the municipal wastes. In contrast, the Franklin Study reports glass as the total of glass packaging, (10.92 million tons per year) plus glass contained in durable goods (an additional 1.83 million tons per year). Thus, the numbers from the Franklin Study used for glass generated, recycled and disposed need to be the ones pertaining to glass containers and not all glass contained is the municipal solid waste stream. A discussion for each category of materials listed in the table is presented below.

MATERIALS DESIGNATED FOR RECYCLING IN ACT 101

GLASS

The estimated annual quantity of waste glass generated nationally in 2005 was 12.75 million tons per year. Of this, 10.92 million tons per year of glass in the form of containers was included in determining the proportion of waste shown as available discards in the glass category on the table. This material constituted 4.44% of the total municipal solid waste generated and recovered nationally at the rate of 25.3%. Residential sources generate about 82% of the glass containers contained in MSW. Based on population, it is estimated that 1,236 tons of waste glass were generated in 2005 in Elk County. If recycled at the national recycling rate, about 313 tons would be the expected recovery. The quantity reported as recycled was 376 tons, 120.26% of the expected recycling rate. The glass reported as recycled was from both residential and commercial sources.

ALUMINUM

The estimated annual quantity of waste aluminum generated nationally in 2005 was 3.21 million tons per year. Of this 1.31 million tons per year was contained in durable and nondurable goods and was not generally available for recycling. Thus, 1.90 million tons per

year of aluminum in the form of packaging was included in determining the proportion of waste shown as available discards in the aluminum category on the table. This material constituted 0.77% of the total municipal waste generated and recovered nationally at the rate of 36.3%. Residential sources generate about 82% of the aluminum packaging contained in MSW. Based on population, it is estimated that 215 tons of waste aluminum packaging were generated in 2005 in Elk County. If recycled at the national recycling rate, about 78 tons would be the expected recovery. The quantity reported as recycled was 20.7 tons, 26.51% of the expected recycling rate. All of the aluminum reported as recycled was from residential sources.

BIMETAL

Bimetal refers to tin cans that are over 99% steel. Bimetal cans are included in the Franklin study in the category of ferrous metal wastes. The estimated annual quantity of ferrous metal wastes generated nationally in 2005 was 13.77 million tons per year. Of this, 11.40 million tons per year was contained in durable and nondurable goods and not generally available for recycling. (On a national basis, 3.43 million tons per year of ferrous metal was recycled from durable goods for a rate of 30.1 %.) Thus, 2.37 million tons per year of ferrous metal wastes is in the form of containers and other packaging. Included in this figure are 0.24 million tons per year of steel drums and other steel packaging not included in residential recycling programs. The remaining 2.13 million tons per year was used in determining the proportion of waste shown as available discards in the bimetal category on the table. This material constituted 0.87% of the total municipal solid waste generated and recovered nationally at the rate of 62.9%. Residential sources generate about 85% of the bimetal packaging contained in MSW. Based on population it is estimated that 241 tons of waste bimetal cans were generated in 2005 in Elk County. If recycled at the national recycling rate, about 152 tons would be the expected recovery. The quantity reported as recycled was 487.6 tons, over 321% of the expected recycling rate. Unexpectedly large quantities of the bimetal cans, 300.40 tons, reported as recycled were from commercial sources.

PAPER

The estimated annual quantity of waste paper generated nationally in 2005 was 83.94 million tons per year. Of this, about 10.48 million tons per year was in a form that was not generally available for recycling, such as paper plates, towels, tissue, etc.

Three categories of waste paper are frequently included in recycling programs. OCC refers to old corrugated cardboard. Materials included in this category are primarily cardboard

boxes. Also sometimes included are folding cartons and paper bags. They were not included in this analysis. ONP refers to old newspaper. Included in this category is newsprint and newspaper inserts since the two materials are generally mixed together as disposed or recycled. Office papers include high quality office paper such as stationary, copy paper and computer paper.

OCC

The estimated annual quantity of OCC generated nationally in 2005 was 30.93 million tons per year. This material constituted 12.59% of the total municipal solid waste generated and recovered nationally at the rate of 88.9%. Residential sources generate only about 10% of the OCC packaging contained in MSW. Based on population it is estimated that 3,502 tons of waste OCC packaging were generated in 2005 in Elk County. If recycled at the national recycling rate, about 2,504 tons would be the expected recovery. The quantity reported as recycled was 1,322.8 tons, 52.83% of the expected recycling rate. All of the OCC reported as recycled was from commercial sources.

ONP

The estimated annual quantity of ONP generated nationally in 2005 was 12.05 million tons per year. This material constituted 4.90% of the total municipal waste generated and recovered nationally at the rate of 88.9%. Residential sources generate about 85% of the ONP contained in MSW. Based on population it is estimated that 1,364 tons of waste ONP was generated in 2005 in Elk County. If recycled at the national recycling rate, about 1,213 tons would be the expected recovery. The quantity reported as recycled was 128.5 tons, 10.59% of the expected recycling rate. Most of the ONP reported as recycled, 191.1 tons, was from commercial sources.

OFFICE PAPERS

The estimated annual quantity of office paper generated nationally in 2005 was 6.58 million tons per year. This material constituted 2.67% of the total municipal solid waste generated and recovered nationally at the rate of 62.6%. Residential sources generate about 25% of the office paper contained in MSW. Based on population it is estimated that 745 tons of waste office paper were generated in 2005 in Elk County. If recycled at the national recycling rate, about 466 tons would be the expected recovery. The quantity reported as recycled was 44 tons, 9.43% of the expected recycling rate. All of the office paper reported as recycled was from commercial sources

PLASTIC

The estimated annual quantity of plastic waste generated nationally in 2005 was 28.91 million tons per year. Of this, 15.26 million tons per year was contained in durable and nondurable goods and was not generally available for recycling. Thus, 13.65 million tons per year of plastic in the form of packaging was included in determining the proportion of waste shown as available discards in the plastic categories on the table. This material constituted 5.56% of the total municipal waste generated and recovered nationally at the rate of 9.4%. Residential sources generate about 82% of the plastic contained in MSW. Based on population it is estimated that 1,546 tons of waste plastic were generated in 2005 in Elk County. If recycled at the national recycling rate, about 145 tons would be the expected recovery. The quantity reported as recycled was 36.0 tons, 24.78% of the expected recycling rate. Most of the plastic, 32.0 tons, reported as recycled was by curbside collection from residential sources.

OTHER MATERIALS

In addition to the Act 101 materials typically included in recycling programs, other materials are included in Elk County's Annual Recycling Report. These materials include clothing and textiles, consumer electronics, rubber tires, yard waste and white goods or major appliances. Other potentially recyclable materials not included in the recycling report are small appliances, furniture and carpeting. Each of these materials is discussed in the following paragraphs.

CLOTHING AND TEXTILES

The estimated annual generation rate of waste clothing, sheets, towels and similar textiles nationally in 2005 was 9.03 million tons per year. Residential sources account for about 63% of the total generated. Approximately 1.42 million tons were recycled. Based on population it is estimated that 1,022 tons of waste textiles were generated in 2005 in Elk County. If recycled at the national recycling rate, about 161 tons would be the expected recovery. The quantity reported as recycled was 30 tons, about 18.65% of the expected recycling rate. All of the textiles reported as recycled were from commercial sources.

CONSUMER ELECTRONICS

The estimated annual generation rate of waste consumer electronics nationally in 2005 was 2.63 million tons per year. Residential sources are estimated to account for about 80% of the total generated. Approximately 0.33 million tons were recycled, primarily from commercial sources. Based on population it is estimated that 298 tons of waste consumer electronics were generated in 2005 in Elk County. If recycled at the national recycling rate,

about 37 tons would be expected to be recovered The quantity reported as recycled was 96.7 tons, over 258% of the expected recycling rate. The consumer electronics reported as recycled were from both residential drop off and commercial sources.

RUBBER TIRES

The estimated annual generation rate of waste rubber tires nationally in 2005 was 4.3 million tons per year. Commercial sources are estimated to account for about 95% of the total generated. Approximately 1.5 million tons were recycled, primarily from commercial sources. Based on population it is estimated that 487 tons of waste tires were generated in 2005 in Elk County. If recycled at the national recycling rate, about 170 tons would be the expected recovery. The quantity reported as recycled was 300.4 tons, 176.89% of the expected recycling rate. Most of the old tires reported as recycled were from commercial sources.

YARD WASTE

The estimated annual generation rate of yard waste nationally in 2005 was 32.07 million tons per year. Residential sources are estimated to account for about 90% of the total generated. Approximately 20 million tons were recycled. Based on population it is estimated that 3,631 tons were generated in 2005 in Elk County. If recycled at the national recycling rate, about 2,248 tons would be the expected recovery. The quantity reported as recycled was 1,155.3 tons, about 51.4% of the expected recycling rate. All of the yard waste reported as recycled was from residential sources. The relative quantities collected from curbside and drop off sources were about equal to the relative proportions of the population served by each program.

SMALL APPLIANCES

The estimated annual generation rate of waste small appliances nationally in 2005 was 0.92 million tons per year. Residential sources are estimated to account for about 95% of the total generated. Approximately 10 thousand tons were recycled and 910 thousand tons were disposed. Based on population it is estimated that 104 tons of waste small appliances were generated in 2005 in Elk County. If recycled at the national recycling rate, about 1 ton would be the expected recovery. None small appliances were reported as recycled.

CARPETING

The estimated annual generation rate of waste carpeting nationally in 2005 was 2.98 million tons per year. Residential sources account for about 80% of the total generated. Approximately 60 thousand tons were recycled. Based on population it is estimated that

337 tons of waste carpeting were generated in 2005 in Elk County. If recycled at the national recycling rate, about 7 tons would be the expected recovery. None was reported as recycled.

FURNITURE

The estimated annual generation rate of waste furniture nationally in 2005 was 8.77 million tons per year. Residential sources account for about 80% of the total generated. A negligible amount was recycled. Based on population it is estimated that 993 tons of waste furniture were generated in 2005 in Elk County. None was reported as recycled.

MAJOR APPLIANCES

The estimated annual generation rate of waste major appliances (white goods) nationally in 2005 was 3.61 million tons per year. Commercial sources are estimated to account for about 90% of the total generated since retailers often retrieve old appliances as a service to customers when new appliances are delivered. Approximately 2.32 million tons were recycled. Based on population it is estimated that 409 tons of waste major appliances were generated in 2005 in Elk County. If recycled at the national recycling rate, about 263 tons would be the expected recovery. The quantity reported as recycled was 251.6 tons, 95.7% of the expected recycling rate. The major appliances reported as recycled were from both drop off and commercial sources.

WOOD WASTE

The estimated annual generation rate of waste wood packaging nationally in 2005 was 8.52 million tons per year. Commercial sources account for nearly all of the total generated. Approximately 1.31 million tons were recycled. Based on population it is estimated that 965 tons of waste wood packaging were generated in 2005 in Elk County. If recycled at the national recycling rate, about 149 tons would be the expected recovery. The quantity reported as recycled was 737 tons, several times the quantity that would be expected. Most of the material was reported to be from commercial sources.

LEAD ACID BATTERIES

The estimated annual generation rate of waste lead acid batteries nationally in 2005 was 2.6 million tons per year. Commercial sources account for about 95% of the total generated. Approximately 2.57 million tons were recycled. Based on population it is estimated that 249 tons of waste lead acid batteries were generated in 2005 in Elk County. If recycled at the national recycling rate, about 290 tons would be the expected recovery. The quantity reported as recycled was 92.8 tons, 31.91% of the expected amount.

RECOVERY FROM RESIDENTIAL AND COMMERCIAL SOURCES

Tables D-5 and D-6 present a summary of recycling performance in Elk County for residential and commercial sources. Most materials are reported as being recycled below the rate expected if material were recovered at the national rate. Based on the rural nature of Elk County, the lack of curbside collection programs, and the lack of participating commercial establishments these are not surprising results. A few materials are reported at very high rates. These items should be reviewed to determine if they are misreported or if other factors have impact on the results.

A good example of higher than anticipated recovery is the quantity of glass that is reported. It is much higher than would be expected from commercial sources. It is possible that material other than jars, bottles and other packaging is included in the figure. A local influencing factor could be that Straub's Brewery uses only glass bottles rather than aluminum cans placing more glass in the local market place than would be found in other areas. The seasonal influx of tourists and hunters could likewise create a rise in glass generated in these same commercial establishments. Another answer could be found in how glass from residential and commercial sources is allocated on the reports provided by local haulers.

A similar situation appears with bimetal and wood waste. The sources of these reports should be reviewed to determine if significant quantities of non-packaging materials, for example scrap metal rather than cans, are included in the totals. The seasonality of the area and the temporary increase in population could have an impact on the bimetal cans. That there is a wood waste processor located in the County likely contributes to the high volume of material reported. Some of the material could actually originate in other areas.

OCC and office paper are mostly recycled by businesses. The reported numbers appear to be low. There is a possibility that each material is underreported. However, the lack of visible recycling activities at commercial establishments would lead one to believe otherwise.

The reported quantity of consumer electronics is high when compared to national trends. Those results are verifiable and a reflection of the successful electronics recycling program implemented by Elk County. The frequency of collection and the permanence of the program likely boost the recovery.

TABLE B-5 PERFORMANCE OF RESIDENTIAL RECYCLING PROGRAM

Elk County Residential Recycling Comparative Performance				
Material	**Expected Residential Generation tpy**	**Expected Residential Recovery tpy**	**Actual Residential Recovery tpy**	**Percent of Expected Residential Recovery**
Glass	1013.89	256.51	167.40	65.26%
Aluminum	76.41	64.04	20.70	32.33%
Bimetal	205.00	128.95	187.20	145.18%
OCC	350.22	250.40	0.00	0.00%
Office Paper	186.26	116.60	0.00	0.00%
ONP	1159.74	1031.01	37.40	3.63%
Plastics	1267.37	119.13	32.00	26.86%
Textiles	644.15	101.32	0.00	0.00%
Consumer Electronics	238.23	29.90	72.80	243.49%
Rubber Tires	24.34	8.49	62.10	731.34%
Small Appliances	98.96	1.08	0.00	0.00%
Carpeting	269.94	5.43	0.00	0.00%
Furniture	794.41	0.00	0.00	0.00%
Major Appliances	40.88	26.27	51.60	196.42%
Yard Waste	3268.11	2022.96	1155.30	57.11%
Wood Waste	0.00	0.00	25.00	0.00%
Lead-Acid Batteries	14.72	14.54	0.00	0.00%

Table B-6 Elk County Commercial Recycling Comparative Performance

Material	**Expected Commercial Generation tpy**	**Expected Commercial Recovery tpy**	**Actual Commercial Recovery tpy**	**Percent of Expected Commercial Recovery**
Glass	222.56	56.31	208.80	370.82%
Aluminum	38.72	14.06	0.00	0.00%
Bimetal	36.18	22.76	300.40	1320.15%
OCC	3151.94	2253.64	1322.80	58.70%
Office Paper	558.78	349.80	44.00	12.58%
ONP	204.66	181.94	91.10	50.07%
Plastics	278.20	26.15	4.00	15.30%
Textiles	378.31	59.51	30.00	50.41%
Consumer Electronics	59.56	7.47	23.90	319.75%
Rubber Tires	462.54	161.33	238.30	147.71%
Small Appliances	5.21	0.06	0.00	0.00%
Carpeting	67.48	1.36	0.00	0.00%
Furniture	198.60	0.00	0.00	0.00%
Major Appliances	367.88	236.44	200.00	84.59%
Yard Waste	363.12	224.77	0.00	0.00%
Wood Waste	964.71	148.56	712.00	0.00%
Lead-Acid Batteries	279.67	276.32	92.80	33.58%

The expected generation of other materials such as waste textiles, carpeting and furniture is significant enough and may present candidates for inclusion in an expanded recycling program.

FUTURE RECOVERY POTENTIAL

For Elk County to increase its recycling rate the feasibility of expanding service to a greater number of residents and businesses must be explored. Additionally, the potential to add a greater variety of materials to current or expanded collection programs must be determined. This section examines the types and amounts of material with potential for recovery.

AVAILABILITY OF MATERIAL

Table B-7 shows the total projected tons of specific materials found in the municipal solid waste stream in Elk County if they are generated at the same rate as national trends for similar demographic areas. It also shows how those materials are generated proportionately by residents and commercial establishments. Lastly, Table 4-11 indicates the amount of each material currently not collected for recycling and thus still available for recovery. Using Table 4-11 as a measure of those materials that could be readily targeted for additional recovery in Elk County, several items from residential sources appear to be under performers. These include newspaper, plastics, and cardboard. In the commercial sector, cardboard and office paper remain in large quantities. Textiles present opportunities from both sources.

CARDBOARD AND PAPER RECOVERY

Loose paper has a dense weight sufficient to make it feasible to transport to remote processors. Source separated cardboard and newsprint can easily be baled for transport. The value of fiber in today's market has increased dramatically. In August 2008, brokers paid at least $15 per ton for mixed loose residential paper, and up to $115 per ton for baled. Cardboard bales were selling for an average of $125 per ton. While these prices fluctuate, experts predict the market to remain positive for the immediate long term. Thus, an incentive to increase recovery should exist. Elk County should help to coordinate the efforts of generators and haulers in an effort to collect and market more fiber. Opportunities could exist for cooperative marketing and low tech processing.

The largest concentration of commercial establishments in Elk County is likely to be found in the City of St Marys. With enforcement of the mandate for commercial recycling and

creation of an awareness of the responsibility to comply, the City and thus the County would experience a significant increase in the recovery of cardboard and mixed office paper.

TABLE B– 7 ESTIMATED QUANTITIES OF MATERIALS GENERATED BUT NOT RECOVERED FOR RECYCLING

Material	Total Expected Generation	Expected Residential Generation	Expected Commercial Generation	Total Expected Uncollected Generation	Expected Uncollected Residential Generation	Expected Uncollected Commercial Generation
	Tons per year	Tons per year	Tons per year	Tons per year	Tons per year	Tons per year
Glass	1236.45	1013.89	222.56	860.25	846.49	13.76
Aluminum	215.13	176.41	38.72	194.43	155.71	38.72
Bi-Metal	241.18	205.00	36.18	-46.42	17.80	-264.22
OCC	3502.15	350.22	3151.94	2179.35	350.22	1829.14
Office Paper	745.04	186.26	558.78	701.04	186.26	514.78
ONP	1364.40	1159.74	204.66	1235.90	1122.34	113.56
Plastics	1545.57	1267.37	278.20	1509.57	1235.37	274.20
Textiles	1022.45	644.15	378.31	992.45	644.15	348.31
Consumer Electronics	297.79	238.23	59.56	201.09	165.43	35.66
Rubber Tires	486.88	24.34	462.54	186.48	-37.76	224.24
Small Appliances	104.17	98.96	5.21	104.17	98.96	5.21
Carpeting	337.42	269.94	67.48	337.42	269.94	67.48
Furniture	993.01	794.41	198.60	993.01	794.41	198.60
Major Appliances	408.75	40.88	367.88	157.15	-10.72	167.88
Yard Waste	3631.23	3268.11	363.12	2475.93	2112.81	363.12
Wood Waste	964.71	0.00	964.71	227.71	-25.00	252.71
Lead-Acid Batteries	294.39	14.72	279.67	201.59	14.72	186.87

Drop-off sites for mixed paper are already located throughout the County to provide reasonable access to the largest portions of the population. Newspaper is also collected at the curb in the City of St Marys and Ridgway Borough. It is suspected that lesser amounts of residential paper and cardboard are currently collected in the County because of the prevalence of wood burning stoves for heating and the prevalence of open burning as a method of disposal. Education regarding the environmental impact along with restrictions

on open burning could increase recovery. Likewise establishing curbside collection programs in more communities would be beneficial.

RECOVERING TEXTILES

Used textiles can generate between ten to thirty cents per pound depending on market conditions and the quality of the materials. Typically, recyclers provide the transportation free of charge or at a minimum; it is deducted from the value of the textiles collected. Textile recyclers are actively pursuing materials. Therefore, Elk County should explore the potential for recovery of this material.

The once familiar Goodwill and Salvation Army collection boxes are long gone from most parking lots throughout Pennsylvania, but the next generation of boxes from quasi-charitable as well as for-profit organizations has recently replaced them in many areas. Traditional thrift stores, give several reasons for not using collection bins for donations, including the fact that some people use them to get rid of junk that can't be resold or worse yet use them for garbage disposal, ruining the legitimate donations. Additionally, the bins tend to be designed for a lower capacity of material than the collection frequency can handle. Thus, the bins are often overflowing and unsightly. Nevertheless, new organizations trying to capitalize on the value of textiles in the recycling marketplace continue to use drop-off bins as a primary method of collection.

Because of the issues related to the permanent drop-off bins, many for profit textile recyclers offer an alternative to communities with an interest in boosting material recovery. These include collection events and/or periodic curbside collections. Companies often provide giant plastic bags to community organizers to distribute to residents. The bags are then collected during a designated curbside pick-up. Alternatively, communities coordinate a location where materials can be collected and directly placed into a transport vehicle such as a trailer or box van.

Much of the material gathered in these operations is transported to third world countries for resale. Some is redistributed throughout the United States. The remainder is turned into industrial cleaning rags. Other textiles are shredded into fibers used to make new products, such as sound-deadening materials for the automotive industry, archival-quality paper, blankets and even plastic fencing. Linens, shoes, and other types of textiles in addition to clothing are all accepted.

It is important to understand that residents may not participate in public sector programs if they believe they might be diverting materials from local charities. They don’t realize that

county run programs can complement the clothing reuse efforts of local charities. In fact, when asked about the impact of organizations such as Planet Aid, Kiducation and others, officials from both Goodwill and the Salvation Army in Reading, PA, said that the new textile collection programs had no impact on their business. The value of these services is their ability to collect materials that cannot be resold in thrift shops and therefore would ultimately be disposed in landfills. Should Elk County opt to hold textile collection events, it would be important to conduct an extensive education campaign in that regard. To overcome these suspicions, in Millcreek Township, Erie County, PA the municipality hosted the event in conjunction with the City Mission. The local Wal-Mart store provided financial support for promotional expenses and a textile recycler from Canada purchased the materials.

COLLECTING PLASTICS

As the County has experienced, transporting plastics can be costly. In spite of its favorable market prices ranging from 18 to 43 cents per pound in August 2008, the volume of material when compared to its weight presents obstacles in a drop-off program where no compaction capabilities exist. At this point in time, the County does not have the resources to expand plastics recycling to more drop-off locations. The Sustainability Study demonstrated that the recovery of plastics at the curb for all homes in the City of St Marys is plausible at the same cost per home as the former partial collection program. However, the City opted to abandon plastics for a reduced price per home and they are currently collected as a drop-off program sponsored by the local Girl Scout troop. The longevity of that program is not known, as it is dependent on the ability of a local broker to market the material profitably.

Plastics are targeted as one of the potential items that could be banned from disposal in the proposed regulations. The use of plastic in packaging continues to grow. Additionally, increasing demands from the public to recycle plastics are heard by County and municipal officials making this an issue that cannot be easily dismissed. Obviously, cost effective outlets to handle these materials do not currently exist in close proximity to Elk County. Low volumes of materials have not attracted private sector investment. This is not a problem isolated to Elk County, but rather shared throughout the region. Therefore, Elk, and the contiguous counties, will need to work with state community and market development agencies along with the private sector, to create markets for plastics and thus make collection more affordable. Because it takes time to develop such markets, this could become a long-range goal for the County.

SUMMARY

This study demonstrated how subtle changes in the County's programs could reduce cost and increase efficiencies. It also offered justifications and mechanisms to shift compliance and programmatic responsibilities to their rightful sources. Suggestions on funding opportunities to supplement and/or replace current revenues were provided. Those materials with the greatest potential for increased recovery were highlighted along with suggestions for collection programs. Additionally, program shortcomings, operational obstacles and pending regulatory mandates were identified.

Appendix C

Sustainability Study 2007-2008 -Phase II

SUMMARY OF ANALYSIS AND FINDINGS FOR ST. MARYS

EXPANSION OF ST. MARYS' RESIDENTIAL CURBSIDE RECYCLING PROGRAM

The St Marys City Council and the Recycling Task Force initiated a plan to achieve the desired cost and operational efficiencies required to expand the program. Steps were taken to minimize the impact of and prepare for the withdrawal of County services. A study was conducted to analyze existing route performance; identify the potential for routing improvements; explore collection alternatives; project costs; examine funding options; and identify items that should be revised in existing ordinances.

COLLECTION OPTIONS

A variety of collection scenarios were examined for operational efficiencies, material recovery and overall cost comparisons. Choices for both the drop-off program and curbside service were evaluated with consideration given to the impact of one upon the other.

These service possibilities included:

1. Transition of the drop-off service from the County to the City;
    a. reducing the current number of drop-off sites in the City and targeting only areas underserved by lack of curbside service;
    b. limiting the types of material collected in the drop-off program to only those accepted in curbside service areas;
    c. reducing the unmanned locations with 24x 7 service to a once per month manned collection in either a permanent central location or rotational based on regions of the City;
    d. investigation of a partnership with the school district to incorporate school recycling with the community drop-off program with sites located on school property;
2. Expansion of the curbside program to additional households;
    a. total elimination of the drop-off system and transitioning to mandatory curbside collection for all homes;
    b. expansion of the current method and schedule of curbside service to all homes on reasonably serviceable roads;
    c. phased expansion of the current method and schedule of curbside service to all homes on reasonably serviceable roads;

d. a reduction in service frequency and/or types of materials accepted to currently serviced homes with an expansion of that reduced curbside service to all homes on reasonably serviceable roads;

e. a reduction in service frequency and/or types of materials accepted to currently serviced homes with a phased expansion of that reduced curbside service to all homes on reasonably serviceable roads

f. maintain a limited drop-off system with curbside expansion in limited areas;

Discussions of the options centered on cost and practicality.

ROUTE ANALYSIS

With information supplied by the City's current service provider, an analysis was conducted on the existing performance of the collection program in St Marys. Reported statistics regarding the volume and weights of specific material collected were compared to national averages for similar demographic areas. Additionally, set-out rates and participation were reviewed. Mileage, housing density and vehicle capacity were utilized to determine overall route performance. The benchmark results were used to project the impact of varying alternatives, which the City evaluated in order to comply with the Act and ensure that recycling opportunities were available to all of its residents.

The goal of the analysis was to ensure that curbside service was provided to the most feasible amount of the potentially eligible homes, without sacrificing the variety of materials collected. In addition, it was assumed that, at a minimum, once per month drop-off service would be substituted in the remaining areas. The analysis made a distinction between homes on State and City roadways and those on private roadways. The objectives in making this distinction were twofold. Primarily, differentiating between these roadways illustrated the degree of remote areas in the City. Secondly, the City is not required to traverse private roadways to provide services. Often these roads are not maintained to the same standards as public thoroughfares. Therefore, heavy vehicles, such as those used for the collection of waste and recyclables, have difficulty maneuvering. Additionally, heavy vehicles can often damage the roads presenting an issue of liability.

Table C-1 shows the number of unserviced housing units located on different categories of roads within the City limits. At the time of the study, 75% of all homes in St Marys were currently serviced at curbside. Nearly 80% of homes on city or state roadways were serviced at curbside. Approximately 18% of all homes that were not located on private roadways and therefore potentially eligible remained unserviced.

Table C-1 2006 St Marys Residential Units without Curbside Collection		
	Street Miles	House Counts
Located on City Roadways	28.22	**561**
Located on State Roadways	30.09	**493**
Located on Private Roadways	Unknown	**344**
TOTAL NON SERVICED		**1398**
POTENTIALLY ELIGIBLE FOR DIRECT CURBSIDE	58.31*	**1054***

*not required to traverse private roadways

REVIEWING THE DATA

Historical performance statistics were available for the collection routes operating at the time of the study. Elk Waste, the City's service provider, was required to submit monthly reports to the City that included the cubic yards of each material collected, the total weight of combined materials, and the number of homes placing material at the curb per route day. A full year's data was utilized to compile route averages for use in the analysis. Elk Waste's reported information was then compared to the capabilities of the vehicle proposed for use in expansion of the routes. Since collection occurred bi-weekly, 26 data sets per route were available. This was deemed ample to determine existing trends and project potential.

Table C-2 2006 Residential Recycling Route Statistics				
Route#	**Route Day**	**Street Miles**	**House Counts**	**Average Set Outs**
1	**Red Tuesday**	9.78	555	128
2	**Red Wednesday**	8.12	475	74
3	**Red Thursday**	15.57	939	201
4	**Black Tuesday**	12.85	782	172
5	**Black Wednesday**	17.76	721	129
6	**Black Thursday**	11.3	806	173
TOTAL CURBSIDE SERVICE		75.38	4278	

Information supplied by Elk Waste and the City of St Marys

Table C-2 shows the curbside collection routes as they existed at the time of the study. It lists the collection days, which alternated bi-weekly for specific service areas. It shows the number of housing units located on each route day and therefore eligible for service. Lastly, it shows the actual average number of households that placed recyclables at the curb per route day. As evidenced by the reported set outs, the number of routed homes far exceeded the average number of participants per route day. Additionally, the street miles

and house counts demonstrate the inequities in the routes. It also indicates the full service potential of the vehicle and laborers.

Identifying the location of the eligible homes and determining the potential to incorporate them into the existing curbside service was an objective of the route analysis. The City provided street maps showing the location of structures along the roadways. These were used to visualize more accurately the density of housing units on each route. Additionally, it was helpful in targeting routes that could be consolidated thus providing the vehicle capacity and collection time to service more households.

Table 4-6 shows the results of the route analysis. Table 4-7 indicates the market value of materials at the time of the study. Based on the information provided by the City and Elk Waste, route averages were established. These included per route day: 12.57 street miles traveled; 712.57 total housing units; and 145.85 housing units setting material at the curb. Some of the routes exceed this house count by more than 200 homes while others service less than 500 homes. It has been demonstrated that over 900 homes can be serviced on a route. While not a realistic expectation in all areas of the City, based on route miles, house counts, and relative density, collecting from 800 homes per route day seemed a logical target. Although the house count may seem high for a manual collection program, it is compensated by the low set-out rate. By removing homes from the sparsely populated routes and adding to those short of the 800 goal, one and one half route days are freed. This easily makes possible the inclusion of the remaining 1054 homes located on public roadways without additional vehicles or labor.

Total vehicle capacity plays an important role in any collection system. However, in a source separated recycling program, the capacity of each individual compartment designated for a specific material is even more crucial. In order to be cost effective, the compartments must fill at relatively the same rate to decrease trips for unloading. An objective of the analysis was to determine if the variety of materials currently collected could be cost effectively sustained once the routes were expanded to serve more homes.

The cubic yards of each material collected per set-out is shown in the table. It also shows the reported total cubic yards collected per route day in comparison to the capacity per compartment available on the vehicle proposed for the collection routes. Lastly, Table 4-6 illustrates how many housing units can be serviced until the individual compartments reach full capacity.

ST. MARYS RESIDENTIAL CURBSIDE RECYCLING ANALYSIS

TABLE C-3 ST MARYS 2006 ROUTE AVERAGES

Street Miles	House Counts	Set-Outs					
12.57	712.47	145.85	Glass	Paper	Aluminum	Plastic	Bi-Metal
Cubic yards per set out			0.033459	0.014384	0.00173711	0.055366	N/A
Available Cubic Yards Capacity of Proposed Vehicle			6.5	6.5	5	22	4.2
Average Total Cubic Yards Collected			4.88	2.10	0.25	8.11	N/A
# of set outs to reach available capacity			194	451	2878	398	

Information supplied by Elk Waste and the City of St Marys

TABLE C- 4 2006 GROSS MARKET VALUE OF COLLECTED MATERIAL *

	Glass	Paper	Aluminum	Plastic
value: $ per setout	$0.09	$0.20	$0.06	**$0.16**
Annual Tonnage	167.4	37.4	20.7	**32**
Unit Value $ per ton	$10	$130	$920	**$160**
Annual Value	$1,674	$4,862	$19,044	**$5,120**
Potential Performance Grant Value**	**$1,674**	**$374**	**$207**	**$320**

* prior to considering the cost of collection, sorting, transporting and processing

** assuming an average value of $10 per ton

RETAINING VOLUME AND MAXIMIZING ROUTES

According to the daily reports provided by Elk Waste, the compartments containing glass would reach full capacity long before the other sections. This would have the effect of reducing the number of homes that could be collected per route before unloading, and have a negative impact on attaining the 800-house count goal. It was suspected that the reported volume of glass was the direct result of incorporating commercial stops into the residential collection route and servicing the Fibrex drop-off containers, which were also primarily used by commercial businesses. Therefore, in order to provide sufficient capacity to expand service with an 800-house count per route, it was recommended that the Fibrex drop-off sites be discontinued permanently and that commercial businesses be serviced independent of the residential collection routes.

To expand capacity, it was recommended that the proposed collection vehicle be equipped with at least one, if not two compaction units. These units are capable of holding 22 loose cubic yards of plastic. This would offer the ability to attain the 800-house count goal, based on the current rate of collection reported by Elk Waste.

The analysis demonstrated that attaining the 800-house count goal without eliminating types of materials in the curbside program and without additional equipment or labor was feasible. Based on the current rate of collection as reported by Elk Waste, by decreasing the amount of commercial glass collected on the route and making an investment in the new vehicle with a fully operational compaction unit St. Marys should be able to service all of the homes situated on public roadways. While some homes on private roadways would not have curbside collection, in the true sense of the term, the analysis showed that many were situated close and some even within walking distance to public roadways. These households would have the ability to place their recyclables at the curb of the closest public road.

In spite of the ability to incorporate a significant number of previously unserviced homes into the curbside program, the analysis deemed it prohibitive to include them all. The degree of seasonal occupation, increasing distances, poor roadway maintenance and the limited volume of materials projected were considered strong enough obstacles for the study to make alternative recommendations for collection. It was suggested that these homes could be serviced via drop-off collection on a circuit rider basis one time per month. This option would serve to

reduce operational costs for fuel, equipment maintenance and repair, as well as labor.

PROJECTED OVERALL COST OF CURBSIDE EXPANSION

Purely for the purpose of the analysis, it was assumed that the cost would be $1.15 per home per month, which was the cost of the existing program. Additionally, in keeping with the goal, the bi-weekly collection schedule and the types

Current Cost for Curbside Recycling:

$1.15 per home x 4278 = $4919.70 per month = $59,036.40 annually

Projected Cost to add 800 homes:

$1.15 per home x 800 = $920 per month = $11,040 annually

Projected Annual Cost of Curbside Recycling = $70,076.40

Projected Cost for Circuit Rider Drop-off Program:

$85 per collection x 4 collections = $340 per month = $4080 annually

(optionally could be done with city employees)

FUNDING OPTIONS

Financing the additional costs of service expansion was of major concern to the City. Based on the costing information provided in the study City Council explored a variety of funding mechanisms to achieve compliance with the Act.

These included some straightforward methods such as:

General Fund Budget Adjustments

Tax Increases

User Fees via direct billing to each residence with no exceptions

Curbside fees could be more than those in drop-off areas

Could be billed via sewer and water

Could potentially be billed by hauler

Regulatory mechanisms and ordinance revisions were also considered that would require all residents to contract with the hauler of their choice for curbside collection of garbage that would include recycling for one bundled rate. Benefits of this type of system include:

Bundled services should keep rates competitive

Allows all haulers to participate without a municipal contract

Eliminates need for city owned vehicle

Require haulers to register and report recycled tonnage collected

Lastly, Council discussed conducting a competitive bid process that would include not only collection of recyclables, but also waste. The pros and cons of this idea included:

Convenient and easy to manage

Harmful to small independent hauler

Would eradicate competition for the long term

RECOMMENDATIONS FROM THE ANALYSIS

As discussed in this chapter, the study was able to attain its mission. It demonstrated that all homes situated along public roadways and as many as possible along private roads could be collected without sacrificing service frequency or the variety of materials accepted. Following is a brief outline of the recommendations provided in the analysis to achieve the goals:

Purchase a new recycling vehicle to ensure sufficient capacity.

Retain the old vehicle as back-up in the event of equipment failure

Maintain bi-weekly schedule to prevent exceeding single vehicle capacity

Accept newspaper, glass, plastic, aluminum and bi-metal containers

Consolidate current routes to provide more balanced house/mile counts

Consolidation should make available nearly one full and one half route days

800 homes could be added to the new route days

Service remote and seasonal homes via drop-off collection on a circuit rider basis

User fees should be considered to take the burden away from the General Fund

WITHDRAWAL OF COUNTY SERVICES

In addition to the information provided in the analysis, other factors had influence on the development of changes in the City's program. The most significant affect came from the shortfalls in the revenue sources that funded the County's recycling budget.

Garbage collection is mandatory for residents according to St Marys City Code Chapter 20, Solid Waste. However, the statute is not enforced. The County drop-off sites were often utilized by non-complaint residents to dispose of garbage rather than recycling. This contamination contributed to cost overruns in the drop-off program and, in part, influenced the County to reexamine its budget and the level of service it could sustain.

The collection of glass via the County drop-off program ended in April 2007. Reports showed that glass at these sites was primarily generated by local businesses, which have the responsibility to contract for such services on their own. The excessive volume of material, the labor to handle the overflow, and the poor market conditions for glass prompted the County's decision.

The analysis showed that it was feasible for plastics to remain a part of the curbside program in St Marys. Plastics collected at the County drop-off sites were almost solely from residential sources that had access to curbside recycling. Therefore, rather than continuing to assume the costs for that collection, the County removed roll-off service for plastics in July 2007.

Nestor Resources, Inc.
208 Kozy Corner Road
Valencia, PA 16059

Phone: 724-898-3489
Fax: 724-898-3592
E-mail: info@nestorresources.com
Internet: www.nestorresources.com

Nestor Resources, Inc.

ST MARYS RECYCLING PROGRAM STUDY
ACTION PLAN FOR ACT 101 COMPLIANCE

Background

Under the provisions of Act 101, the Municipal Waste Planning, Recycling and Waste Reduction Act, St Marys is required to implement a mandatory curbside collection program. Although the City currently provides curbside recycling, nearly 24% of the housing units within the jurisdiction are without such service. St Marys has vast land area unlike other mandated communities. The housing density is not conducive to cost effective curbside collection in many remote areas. While the Department of Environmental Protection understands this complication, it has made known that this does not preclude St Marys from compliance under Act 101. Therefore, the Department has requested an Action Plan that demonstrates how the City will reasonably expand curbside collection to those residents with homes on serviceable roadways. Additionally, the Department requests a plan for drop off service to compensate for the remaining housing units. Development of ordinances and enforcement mechanisms , as well as an educational program, are requirements of the Action Plan.

The Plan must provide for final implementation of the expanded program and compliance with the Act by January 2008.

Action Plan

To achieve the desired cost and operational efficiencies required to expand the program, the St Marys City Council and the Recycling Task Force have initiated the following plan.

April-June 2007

Initial Withdrawal of County Services

The collection of glass via the County drop-off program will occur in April. Initial reports show that glass at these sites is primarily generated by local businesses. However, some increase is expected in the volume of glass collected at the curb. The City will track the impact of the withdrawal of drop-off program for use in its future service considerations.

Route Analysis

With information supplied by the City's current service provider, Nestor Resources, Inc will conduct an analysis of the current performance of the collection program in St Marys. Reported statistics regarding the volume and weights of specific material collected will be compared to national averages for similar demographic areas. Additionally, set-out rates and participation will be reviewed. Mileage, housing density and vehicle capacity will be utilized to determine overall driver performance. The benchmark results will be used to project the impact of varying alternatives, which the City will evaluate in order to comply with the Act and ensure that recycling opportunities are available to all of its residents.

Collection Options

A variety of collection scenarios will be examined for operational efficiencies, material recovery and overall cost comparisons. These include:

- Transition of the drop-off service from the County to the City;
    - reducing the current number of drop-off sites in the City and targeting only areas underserved by lack of curbside service;
    - limiting the types of material collected in the drop-off program to only those accepted in curbside service areas;
    - reducing the unmanned locations with 24x 7 service to a once per month manned collection in either a permanent central location or rotational based on regions of the City.
    - investigation of a partnership with the school district to incorporate school recycling with the community drop-off program with sites located on school property;
- Expansion of the curbside program to additional households;
    - total elimination of the drop-off system and transitioning to mandatory curbside collection for all homes;
    - expansion of the current method and schedule of curbside service to all homes on reasonably serviceable roads;
    - phased expansion of the current method and schedule of curbside service to all homes on reasonably serviceable roads;
    - a reduction in service frequency and/or types of materials accepted to currently serviced homes with an expansion of that reduced curbside service to all homes on reasonably serviceable roads;
    - a reduction in service frequency and/or types of materials accepted to currently serviced homes with a phased expansion of that reduced curbside service to all homes on reasonably serviceable roads;
    - maintain a limited drop-off system with curbside expansion in limited areas;

Review of Ordinances, Contracts and Implementing Documents

Act 101 requires the City to mandate recycling to its residents and commercial establishments. The consultant will review the existing ordinances and enforcement mechanisms in place and provide commentary.

June 2007

Presentation of Initial Findings and Recommendations

The Recycling Task Force and City Council will be presented the options that are the most cost effective to achieve the desired compliance. Explanations and justifications for the findings will be provided by the consultant.

July 2007

Final Withdrawal of County Services

The County is expected to remove additional roll-off service for aluminum, plastic and bi-metal in July. The City will need to examine the continuing need for these sites to residents unserviced via curbside collection.

Evaluation and Selection from Recommended Options

The Recycling Task Force and City Council will be discuss and consider the options provided by the consultant to select the scenario which best meets the needs of the residents.

August 2007

Establish Budget and Equipment Procurement

Funding Options

Financing the additional costs of service expansion is of major concern to the City. Based on the costing information provided by Nestor Resources, Inc. City Council will explore a variety of funding mechanisms to achieve compliance with the Act. These include:

- Reduction of costs/services in other solid waste related programs such as seasonal clean-ups.
- Inclusion of user fees for seasonal clean-ups
- Direct user fees for all or a portion of the program via:
    - Property tax
    - Per capita tax
    - Sewage/water bills
    - Garbage bills

Collection Equipment

A vehicle and additional collection bins will be necessary to implement the expanded program. City Council will ensure that the process for obtaining the equipment required will be implemented no later than August to guarantee delivery by January..

September 2007

Report to DEP

The City will report to the DEP its intent to move forward with the desired selection. The report will include final implementation dates, funding methods and collection scenario.

September- October 2007

Revise Collection Routes

The Recycling Task Force will work together with the service provider and the consultant to make any changes necessary in the collection routes, service days and frequency.

October- November 2007

Design Educational Material

Information regarding service days, frequency of collection and materials accepted will be developed based on the ultimate method of collection selected by City Council.

Revision of Ordinances, Contracts and Implementing Documents

Act 101 requires the City to mandate recycling to its residents and commercial establishments. Based on the options selected for program expansion and funding, City Council will approve any amendments to the existing ordinances, enter into any necessary contracts or revisions and create enforcement mechanisms that meet the new service offerings.

December 2007

Distribution of Recycling Bins and Educational Material

Educational pamphlets, advertisements and other methods of community outreach will be utilized to inform residents of changes in the recycling program. Additionally, collection bins will be distributed to the expanded service areas.

Placement of Drop-off Containers

Where applicable, drop-off containers will be situated in the expanded service areas with service to begin in January.

January 2008

Expanded Collection Program Commences
Compliance Achieved

Depending on the option selected by City Council, curbside service will be initiated in either a full scale or phased approach. It is anticipated that either option will place the City in full compliance with Act 101 as a mandated community.

Appendix D

Public Solicitation for Capacity Assurance

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Fax: 330-836-7409
Email: wlionetti@crain.com
Web: wasterecyclingnews.com

Aug. 8th - Deadline: July 29t
COMPRESSED NATURAL GAS ALTERNATIVES

Aug. 22nd
WASTECON SHOW ISSUE
Deadline: Aug. 12th

Sept. 5th
WASTECON POST SHOW
Deadline: Aug. 26th

REQUEST FOR PROPOSAL

REQUEST FOR PROPOSALS
MUNICIPAL SOLID WASTE DISPOSAL AND PROCESSING CAPACITY
ELK COUNTY SOLID WASTE AUTHORITY ON BEHALF OF THE BOARD OF COUNTY COMMISSIONERS, RIDGWAY, 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 Elk County Board of Commissioners has determined that additional waste disposal or processing capacity for municipal solid waste (MSW), including construction/demolition (C/D) waste and sewage sludge generated within the County is required for a period covering the next ten years. The Elk County Solid Waste Authority, on behalf of the Board of County Commissioners, is hereby soliciting proposals for disposal and processing capacity for Elk County generated MSW, to begin in 2012.

SOLICITATION FOR MUNICIPAL SOLID WASTE DISPOSAL AND PROCESSING CAPACITY

The Elk County Solid Waste Authority will receive sealed proposals until 2:00 p.m., Prevailing Time on Tuesday, August 22, 2011. Printed copies of the Request for Proposals (R.F.P.) may be purchased on or after July 26, 2011 only from Bekki Titchner, Recycling Coordinator, Elk County Solid Waste Authority, Elk County Courthouse Annex, 300 Center Street, PO Box 448, Ridgway, PA 15853 by pre-payment of a non-refundable amount of $50.00 per proposal. Proposers should make checks payable to Elk County. All sealed proposals must include an executed Representations and Certifications Affidavit as provided in Section 5 of the proposal package. All proposals must be made on the Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. The Proposer is required to submit two (2) original and two (2) copies of the Proposal to Elk County Solid Waste Authority at the address listed below. Envelopes 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: Elk County Solid Waste Authority, Elk County Courthouse Annex, 300 Center Street, PO Box 448, Ridgway, PA 15853. Attention: Ms. Bekki Titchner, Recycling Coordinator, Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals. Elk County Board of Commissioners reserve 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

REQUEST FOR PROPOSAL

City of San Antonio, Texas and CPS Energy
are evaluating the feasibility of Waste to Energy in the San Antonio area and have issued a Request for Information.
Submittals are due on August 24, 2011.
For a copy of the RFI, please contact Arthur Butcher at CPS Energy.
ajbutcher@cpsenergy.com or (210) 353-2756
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We're on the WEB! wasterecyclingnews.com

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Appendix E

Process to Secure Capacity Assurance

REQUEST FOR PROPOSALS AND SAMPLE CONTRACT

Elk County

The Elk County Solid Waste Authority
on behalf of
The Board of County Commissioners

Request for Proposals

Municipal Solid Waste
Disposal Capacity
2012-2021

Elk County

The Elk County Solid Waste Authority
on behalf of
The Board of County Commissioners

REQUEST FOR PROPOSALS
MUNICIPAL SOLID WASTE
DISPOSAL CAPACITY
2012-2021

Project Consultant and Primary Contact

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INTRODUCTION

The Elk County Board of Commissioners through the Elk County Solid Waste Authority is accepting proposals for the disposal of municipal waste generated within the County of Elk. Through this Request for Proposal, the County will select the disposal facilities and method of disposal to ensure disposal 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 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 Elk County.

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

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

Sealed Proposals in response to this RFP are due Tuesday, August 23, 2010 on or before 2:00 PM. To qualify for consideration, two originals and two copies of the proposal are to be submitted to:

Elk County Solid Waste Authority
Elk County Courthouse Annex
300 Center Street, PO Box 448
Ridgway, PA 15853
Attention: Ms. Bekki Titchner, Recycling Coordinator

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

The County of Elk 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 capacity in accordance with Act 101. Elk County will evaluate the potential of utilizing one or more of the facilities, which have submitted qualified proposals. After the evaluation of the proposals is complete and based on the recommendations, which result from it, the Elk County Board of Commissioners will execute the disposal 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 capacity for municipal waste generated within the County and to perform disposal service in accordance with the conditions set forth in Section 4, Contract Provisions, of this RFP. The contractor shall operate a fully permitted disposal 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 Elk 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 capacity, which is both economically feasible and environmentally sound, for the municipal waste generated within the County's borders for a period of a minimum of ten years.

REQUIREMENTS FOR SUBMITTING PROPOSALS

To be considered as a response qualified for review, proposals must meet the requirements set forth in this Section. **Four copies of the proposal** must be provided and each copy must contain all of the required information and forms. **Two of the four copies must be clearly marked "ORIGINAL"** and contain the **original signatures in blue ink** and certifications as indicated. If the proposal is accepted by the County, one of the originals will be returned to the contractor once it is executed by the Board of Commissioners. 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. Envelopes/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: ***Elk County Solid Waste Authority, Elk County Courthouse Annex, 300 Center Street, PO Box 448, Ridgway, PA 15853, Attention: Ms. Bekki Titchner***

Contractors proposing multiple facilities for the County's consideration must complete and submit a separate proposal package for each facility.

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.

ORGANIZATION OF THE PROPOSAL

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

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 Disposal
    b. Reserved Capacity
11. Representations and Certifications
12. Contractor Information
13. Voluntary Sponsorships

COVER LETTER AND SIGNATURE REQUIREMENTS

A cover letter, which is addressed to Ms. Bekki Titchner, Recycling Coordinator, Elk County Solid Waste Authority, 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 capacity contract and all forms in the proposal requiring signatures. One copy of the proposal document must be clearly marked as the original and contain the original forms, the disposal capacity contract and cover letter. **The original forms, the disposal capacity contract, and the cover letter shall be signed in "BLUE" ink.** The other copies may be reproductions.

STATEMENT OF 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 facilities to Elk County. A list of the counties and/or municipalities currently contracting with the facility for disposal 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 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.

COMPLIANCE HISTORY

A compliance history shall be provided for the organization 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 C, 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. **Organizations submitting proposals for multiple sites may submit one all-inclusive Compliance history that lists the site-specific compliance histories as well as the history for the parent organization.**

CERTIFICATE OF PERMIT

A copy of the approved current operating permit for the organization's facility proposing to accept waste shall be submitted along with copies of approvals for any addendums or revisions approved since its issuance by the State Regulatory Agency with direct oversight for the facilities operation.

Facility Design and Operational Plan

The organization submitting the proposal shall provide a short description of the disposal facility it intends to utilize in response to this RFP. 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. Responses should be comprehensive and informative without being encyclopedic.

All facilities must include in their descriptions the name and location of the facility (including the names of the municipalities in which it is physically located), an outline of its operating plan for the life of the facility including post closure care, a description of the daily record keeping procedures and measurement of waste, its waste acceptance and monitoring program, and also its environmental emergency response plan. In addition, a landfill shall submit a brief description of its liner system and method of leachate control, monitoring, and treatment.

Other types of disposal 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.

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 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 facility shall be included. The method by which uninterrupted disposal service will be provided to Elk 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.**

Available Capacity (Airspace)

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 may submit Page 1 of the PADEP Annual Facility Report, which requires the facility to calculate the available airspace in cubic yards.**

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 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 proof of sufficient financial responsibility for the operation of the facility along with proof of pollution liability and public liability insurance. The bonding requirements of the facility should also be provided. The form, dollar amount, terms, conditions, and limits shall be stated.

The organization must also demonstrate in the proposal 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 at the time the contractor is selected and also at the time that the disposal capacity contract is executed.

Proof of sufficient financial resources will be in the form of complete 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 services contract.

Signed Contract

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

Contract Form A-Cost of 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.

VOLUNTARY SUPPORT OF PROGRAMS

Sponsorship Commitment Form
Included in this packet is a solicitation for financial sponsorships for the programs and services provided by the Elk County Solid Waste Authority. Such monetary support is strictly voluntary, however, the signed form must be included with the proposal.

Section 2

EVALUATION CRITERIA

The County of Elk 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 system.

Regulatory Compliance

Contractors will be evaluated on their overall compliance history with attention given toward severity of violations, consistency of violations and 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 service for the needs outlined by the County in this RFP.

Technical Design and Operational Plan

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

Solid Waste Management Experience

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

Minimum and Maximum Waste Volume Expectation

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

Tipping Fees and Annual Costs

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

Based upon these criteria, the contractor(s) will be selected. The Board of County 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

Elk County Background Information

Location and General Characteristics

Elk County is located in Northwestern Pennsylvania. One major roadway, State Route 219, flows through the County north and south and connects with Interstate 80 in Pennsylvania and Interstate 90 in New York. Ridgway Borough and the City of St. Marys serve as the major population centers in the County. Each of these municipalities is located from 25 to 30 miles north of Interstate 80. The remainder of the County is primarily rural in nature with significantly lower population density. Parts of the County lie within the Allegheny National Forest. Figure 1 on the following page shows an outline of the County on a map of Pennsylvania.

Collection and Disposal Network

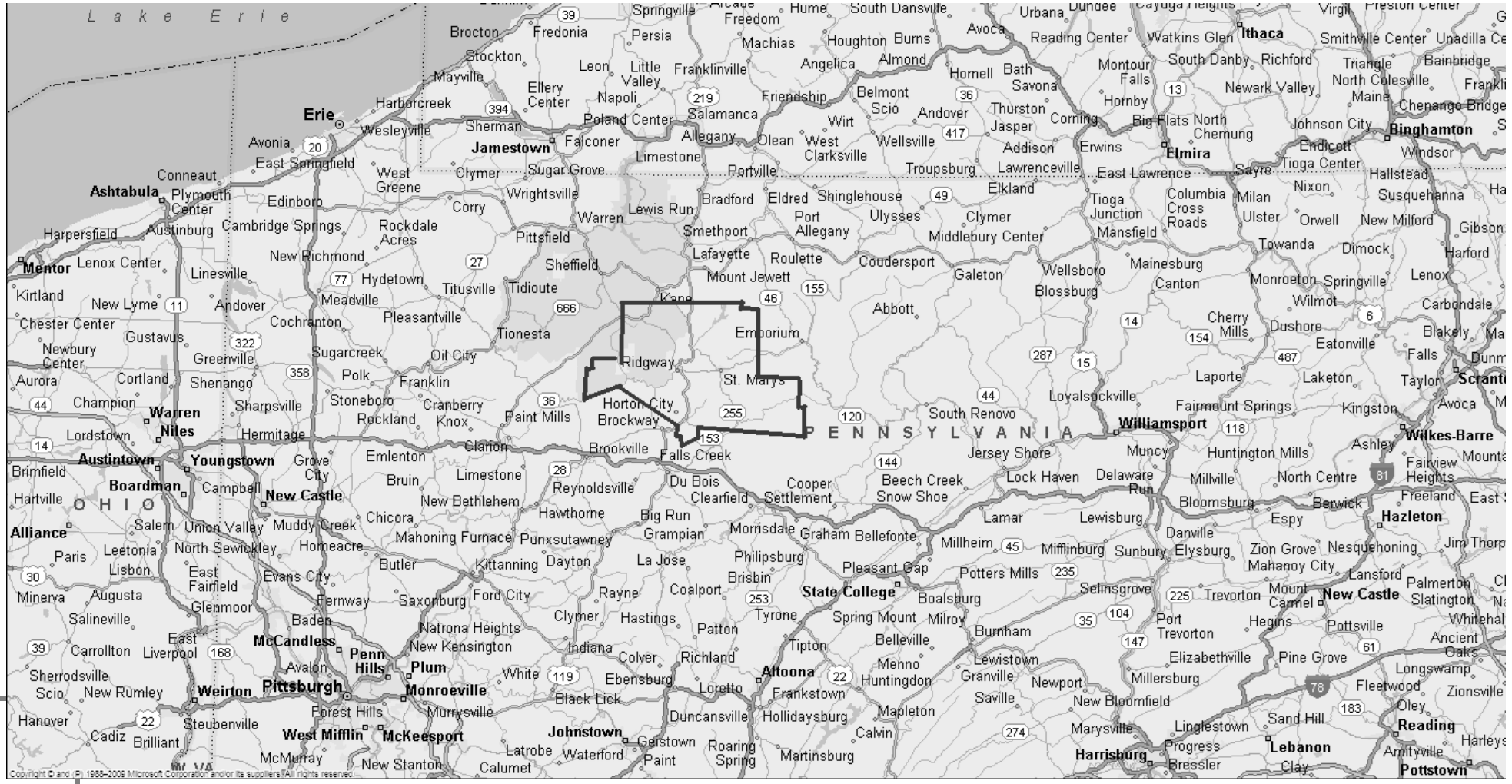
For the most part, residential waste collection is not mandated in Elk County. A limited number of municipal contracts exist for waste collection and one municipality provides this service with its own employees and equipment. Private subscription service prevails. Residents that opt to enter into a subscription agreement may select from a small number of private sector haulers. Numerous contractors and businesses are also known to have Act 90 Waste Transporter Authorization to collect and transport municipal waste. Curbside recycling collection is provided in Ridgway Borough and the City of St. Marys. Drop-off recycling collection is also provided by the Elk County Solid Waste Authority in select areas and at a centralized processing center.

One landfill is located within the County. Much of the County's waste has traditionally been disposed there. However, landfills in nearby counties also report disposal of municipal waste that originates in Elk County. There currently are no permitted transfer facilities located within the County or within close proximity.

In its current municipal solid waste management plan, Elk County has utilized a form of flow control. In accordance with the provisions of Act 101, the County entered into disposal capacity agreements with qualified disposal facilities. Haulers are required to use any of the facilities with current agreements in place. No guarantees, or put or pay provisions, were made by Elk County for minimum waste volumes to be delivered for disposal as part of any of the existing agreements. Proximity and competitive tipping fees have the greatest competitive impact.

The existing disposal agreements were due to expire beginning in 2011. New contracts will be executed with qualified facilities, based on the content of this RFP, for a minimum of ten years, with services beginning in 2012. Components of the municipal waste stream that may not have been part of the original plan or disposal contracts will be included in the new agreements.

Figure 1 Location of Elk County, Pennsylvania



This table presents projected disposal capacity requirements for the years 2010 through 2030. The figures are based on a constant per capita generation rate with adjustments due to projected population changes. For Elk County, the quantity is based on the estimated 2010 population of 31,946 from the Pennsylvania State Data Center. This is the baseline year used for projections and analysis in the Plan. These projections were published in 38 Pa. Bulletin. 4721, Saturday, August 30, 2008.

ELK COUNTY POPULATION AND WASTE GENERATION

Year	Population	MSW Only	C&D	Sludge	Combined Total
2010	31,946	18,557	3,793	3,236	25,586
2011	31,642	18,381	3,757	3,205	25,343
2012	31,339	18,204	3,721	3,174	25,099
2013	31,035	18,028	3,685	3,144	24,857
2014	30,731	17,851	3,649	3,113	24,613
2015	30,428	17,675	3,613	3,082	24,370
2016	30,124	17,499	3,577	3,051	24,127
2017	29,820	17,322	3,541	3,021	23,884
2018	29,516	17,146	3,505	2,990	23,641
2019	29,213	16,969	3,468	2,959	23,396
2020	28,909	16,793	3,432	2,928	23,153
2021	28,645	16,639	3,401	2,902	22,942
2022	28,381	16,486	3,370	2,875	22,731
2023	28,117	16,333	3,338	2,848	22,519
2024	27,853	16,179	3,307	2,821	22,307
2025	27,589	16,026	3,276	2,795	22,097
2026	27,325	15,873	3,244	2,768	21,885
2027	27,061	15,719	3,213	2,741	21,673
2028	26,797	15,566	3,182	2,714	21,462
2029	26,533	15,413	3,150	2,688	21,251
2030	26,269	15,259	3,119	2,661	21,039

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 copies.

MUNICIPAL WASTE DISPOSAL SERVICE CONTRACT

THIS MUNICIPAL WASTE DISPOSAL SERVICE CONTRACT (hereinafter referred to as the "Contract") entered this_____day of_____, by and between

THE COUNTY OF ELK, Elk County, Pennsylvania, hereinafter referred to as the "County"

AND

_____hereinafter referred to as the "Contractor" "

Name of Facility/Parent Company"

whose permitted landfill Permit No _____ issued by _____ _____ is located in _____,_____(Municipality)(ies), _____County, _____State.

WITNESSETH:

WHEREAS, the Board of County Commissioners, acting through the Elk County Solid Waste Authority, have developed and adopted the 1991 Municipal Waste Management Plan for Elk County and its revisions in 2000 and 2011 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 Elk County have duly approved and ratified this 1991 Municipal Waste Management Plan for Elk County pursuant to the requirements of section 501 of Act 101; and,

WHEREAS, this 1991 Municipal Waste Management Plan for Elk County and its revisions in 2000 and 2011 requires that all municipal waste generated within Elk County must be disposed only at a municipal waste processing and disposal facility that is designated by the County pursuant to this plan to insure the availability of adequate permitted processing and disposal capacity for the municipal waste generated in Elk 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 Elk 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 Elk 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, the undersigned hereby agrees as follows:

I. DEFINITIONS

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

Acceptable Waste -Waste that Contractor is permitted to manage, process, store and/or dispose at the Landfill, in accordance with its Permit for a Solid Waste Disposal and/or Processing 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 Landfill's Waste Acceptance Policy as defined herein.

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

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

Bulky Waste (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.

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 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 Elk, Pennsylvania, acting by and through the Elk County Board of County Commissioners and/or the Elk County Solid Waste Authority or their designated representative.

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.

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 forejoining.

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 issued on July 25, 2011 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 landfill 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 seg., or other applicable Federal, State or local law; or any other material that the Contractor concludes would require special handling or present an endangerment to the landfill, the public health or safety, or the environment.

II. SCOPE OF CONTRACT

1. Designation as Disposal site

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

2. Effective Date

This Contract shall become effective on the date set forth below. The contractor shall begin providing municipal waste processing and disposal, service for the County under the terms and conditions of this Contract on January 1, 2012 or such date as the landfill with a pending permit application receives a permit approved by the DEP (or the equivalent regulatory agency in state which the facility is located) for receipt of municipal waste under the Permit.

3. Term of contract

The term of this Contract shall commence on the effective date, and shall terminate on the earlier of (a) any event, the effect of which is to permanently terminate the validity of the DEP (or the equivalent regulatory agency in state which the facility is located) Permit for the Landfill, 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 by for by the Contract in compliance with all applicable federal and state regulations and laws. The contract and the work to

be performed as described herein is also subject to the provisions of all pertinent municipal ordinances which shall be made a part thereof with the same force and effect as if specifically set out therein.

5. Breach of Contract

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

6. Penalties and Liquidated 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 Elk County's approved Plan and the continued availability of sufficient processing or disposal capacity *and* it is further understood and agreed that the reports to be submitted under this Contract in the format required will be received by the County on the dates specified in this Contract.

C. If the Contractor neglects, fails or refuses to provide the municipal waste processing and disposal services in accordance with the terms and provisions of the Contract, and as a result thereof there is a disruption or termination of the municipal waste processing and disposal services to be performed by Contractor under this Contract, then the Contractor does hereby agree, as a partial consideration for the awarding of the Contract, to pay to the County an amount to be determined as hereinafter set forth as liquidated damages for such breach of Contract for each and every calendar day that such service is disrupted or terminated.

D. The amount of liquidated damages shall be equal to any additional total waste disposal cost (i.e., any disposal cost in excess of the amount that haulers normally would have paid for disposal of the

same amount of waste at the Contractors' landfill 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' Landfill) if any, that the haulers have incurred for transportation 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 liquidated 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 liquidated 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 detective performance.

11. County's Obligations

County shall not be obligated by the terms of this Agreement to guarantee the delivery to Contractor's landfill 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 Disposal Capacity Contract between the County and the Contractor, superseding all prior disposal capacity agreements or contracts, if any, except as otherwise provided in this Contract,. No amendment or modifications of the terms and conditions of the Contract shall be effective unless such amendment or modification is in writing

and signed by authorized representatives of all parties entitled to receive a right or obligated or perform a duty under the Contract. A signed original amendment to the Contract shall be furnished to all parties to be attached to the original Contract. The County and the Contractor agree that any existing municipal waste 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 not withstanding 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 .ail, 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: **Elk County Solid Waste and Recycling Office, Elk County Courthouse Annex**
> **300 Center Street, PO Box 448, Ridgway, PA 15853**
> **Attention: Ms. Bekki Titchner, Recycling Coordinator**

Contractor: _____

Address: _____

Attention: _____

With a copy to: _____

Attention: _____

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 and process and (dispose) specified quantities and types of Municipal Waste originating from sources located in Elk 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 disposal facility, the Contractor will be required to exhibit flexibility in the operating hours for accepting wastes from Elk 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 transporter authorized by the Pennsylvania Waste Transportation Safety Act 90 regarding the acceptance of waste materials at his facility. Any complaints received by the County will be directed to the Contractor. In the event the Contractor cannot satisfactorily resolve a complaint within five (5) days after receipt of the complaint, the County shall have the right to demand a written explanation or satisfactory resolution of the complaint pursuant to the breach of contract provisions herein.

7. Municipal Recycling Programs

The County and individual municipalities in Elk County shall have the right to establish and operate any municipal recycling programs, including drop-off recycling centers and curbside collection programs, to source separate and remove recyclable materials from the municipal waste stream prior to the delivery of the waste to the Contractor's facility. The Contractor shall notify the County in the event Contractor becomes aware that materials that are being collected by the County in its recycling program are being routinely delivered to Contractor for waste 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 registered by the county. The waste haulers authorized by the Pennsylvania Waste Transportation Safety Act 90 shall be responsible for the prompt removal and disposal of any such unacceptable waste and shall bear all costs associated with the subsequent removal, transportation 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 tees, 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 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 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 $3.25/ton surcharge for the recycling fund, post-closure trust fund and County or host municipality benefit fee imposed on Pennsylvania landfill facilities by Act 101 ($3.00/ton surcharge for resource recovery facilities), 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 landfill facility or, in the case of a transfer station, to weigh all municipal waste delivered to the County designated processing or disposal facility by the transfer station. The scale used to weigh municipal waste shall conform to the Weights and Measurement Act of 1965 (73 P.S. sections 1651- 1692) and applicable regulations thereunder; the operator of the scale shall be a licensed public weighmaster under the Public Weighmasters Act (13 P.S. sections 1771-1796) and any regulations.

2. Daily Operational Records

The Contractor shall make and maintain an operational log for each day that Municipal Waste is received, processed or disposed. At a minimum, the following information shall be recorded in the daily operational log:

A. The total weight of each type of Municipal Waste received at the facility from all sources;

B. The County from which the Solid Waste originated, or if the waste originated from outside the state, the state from which the waste originated; and

C. The name of each waste hauler or transporter delivering Municipal Waste to the facility.

3. Quarterly Operation Reports

The Contractor shall prepare and submit on forms approved by the County a quarterly operation report. The quarterly operation reports shall be submitted to the County on or before the 20th day of April, July, October and January of each year for the preceding three (3) month calendar period ending on the last day of March, June, September and December, respectively. At a minimum, the following information shall be included in each quarterly operation report:

A. The total weight of each type of Municipal Waste received from all sources within the County during each month of the quarterly reporting period;

B. The names of the waste haulers or transporters and self-haulers that delivered waste originating from sources in Elk County.

c. A summary of the total weight, by municipality, of each type of Municipal Waste received each month from each waste hauler or transporter and self-hauler delivering waste originating from sources in Elk 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 Elk County; and

E. A summary of the total weight, by municipality, of Municipal Waste received from each municipality in Elk County delivering Municipal Waste to the Contractor during each month.

4. Annual Operation Report

The Contractor shall prepare and submit on forms approved by the County an annual operation report for each calendar year or other fiscal year approved by the County. The annual operation report shall be submitted to the County on or before June 30th of each year unless an alternate submission date is approved by the County. At a minimum, the following information shall be included in the annual operational report:

A. The total weight of each type of Municipal Waste received from all sources during the annual reporting period;

B. The names of the waste haulers or transporters and self- haulers that delivered waste originating from sources in Elk County;

C. A summary of the total weight, by municipality, of each type of Municipal Waste received each month from each waste hauler or transporter and self-hauler delivering waste originating from sources in Elk County; and

D. A summary of the total weight, by municipality, of each type of Municipal Waste received each month from all waste haulers delivering waste originating from sources in Elk county;

E.. For municipal waste landfills, a description of the capacity or volume used during the past year and the remaining permitted capacity based upon the annual topographic survey information;

F. A current Certificate of Insurance as evidence of continuing insurance coverage for public liability insurance as required under the Contract;

G. For resource recovery or municipal waste processing facilities, the name and the location of the landfill disposal facilities where any bypassed wastes, Unprocessible waste and waste by-products, such as incinerator ash, were ultimately disposed;

H. Copies of all notices of violation, civil penalty assessments and/or administrative orders issued by federal, state or county regulatory authorities to the owner and/or operator of the facility during the year; and

I. If available to the Contractor, Certificate of good standing- from its bonding company.

J. The annual operating reports that must be prepared and submitted to the DEP by Pennsylvania processing and disposal facilities (or equivalent regulatory agency in the state in which the facility is located) may constitute acceptable information for portions of the annual operating report for the purposes of the Contract, provided they are accompanied by completed and accurate forms approved by the County along with any required supporting information.

5. Administrative Inspections

Upon reasonable notice, and during regular business hours, the County and its authorized representatives shall have access to Contractors' logs and records pertaining to the quantities and sources of Municipal Waste for the purpose of verifying compliance with the terms and conditions of this Contract.

6. Special Reporting Requirements

The Contractor shall provide written notification to the County of any permit modification applications for the following types of permit changes, on the same date the application is first submitted to the Pennsylvania DEP (or equivalent regulatory agency in the state in which the facility is located):

A. Changes in the permitted site volume or capacity,

B. Changes in the permitted average and/or maximum daily waste volume or loading rates,

C. Changes in the excavation contours or final contours, including the final elevations and slopes,

D. Changes in the permitted acreage, and

E. Changes in ownership.

V. PUBLIC LIABILITY INSURANCE REQUIREMENTS

1. Insurance Requirement

The Contractor shall be required to maintain in full force and effect throughout the term of the Contract, and any renewal or extension thereof a general liability insurance policy to provide continuous coverage against third party claims for property damage and personal injury, as specified in Chapter 271 of the DEP's Municipal Waste Management Regulations (Pennsylvania Bulletin, Vol. 18, No. 15, April 9, 1988) and the following section. The effective date of the required insurance policy shall be prior to the initiation of any waste 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 120-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, licensed 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 assign shall indemnify and save harmless the county, their officers, agents, servants and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses and attorney fees resulting from any willful or negligent act or omission of the Contractor or its successors or assigns, its officers, agents, servants and employees in the performance of this Contract; provided however, that the Contractor or its successors and assigns shall not be liable for any suits, actions, legal proceedings, claims,

demands, damages, costs, expenses and other attorney fees arising out of the award of this Contract or the willful or negligent act or omission of the County, their officers, agents, servants and employees.

VIII. PERMITS

The Contractor shall be responsible for obtaining any and all permits necessary for the construction and operation of the Municipal Waste processing and disposal facilities required to comply with the terms and conditions of the Contract, and any and all costs or expenses of obtaining such permits. Failure to obtain and maintain permits shall constitute a breach of this contract.

IX. Right-to-Know Law

The Pennsylvania Right-to-Know Law, 65 P.S. § 67.101-3104, applies to this Contract.

Unless the Contractor provides the County in writing, with the name and contact information of another person, the County shall notify the Contractor's Project Coordinator using the Contractor information provided by the Contractor in the legal contact information provided in this Contract, if the County needs the Contractor's assistance in any matter arising out of the Right-to-Know LAW ("RTKL"). The Contractor shall notify the County in writing of any change in the name or the contact information within a reasonable time prior to the change.

Upon notification from the County that the County requires the Contractor's assistance in responding to a RTKL request for records in the Contractor's possession, the Contractor shall provide the County within 14 calendar days after receipt of such notification, access to, and copies of, any document or information in the Contractor's possession which arises out of the Contract that the County requests ("Requested Information") and provide such other assistance as the County may request in order to comply with the RTKL. If the Contractor fails to provide the Requested Information within 14 calendar days after receipt of such request, the Contractor shall indemnify and hold the County harmless for any damages, penalties, detriment or harm that the County may incur under the RTKL as a result of the Contractor's failure, including any statutory damages assessed against the County.

The County's determination as to whether the Requested Information is a public record is dispositive of the question as between the parties. The Contractor agrees not to challenge the County's decision to deem the Requested Information as Public Record. If the Contractor considers the Requested Information to include a request for a Trade Secret or Confidential Proprietary Information, as those terms are defined by the RTKL, the Contractor will immediately notify the County, and will provide a written statement signed by a representative of the Contractor explaining why the requested material is exempt from public disclosure under the RTKL within seven (7) calendar days of receiving the request. If, upon review of the Contractor's written statement, the

County still decides to provide the Requested Information, the Contractor will not challenge or in any way hold the County liable for such a decision.

The County will reimburse the Contractor for any costs associated with complying with this provision only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.

The Contractor agrees to abide by any decision to release a record to the public made by the Office of Open Records, or by the Pennsylvania Courts. The Contractor agrees to waive all rights or remedies that may be available to it as a result of the County's disclosure of Requested Information pursuant to the RTKL. The Contractor's duties relating to the RTKL are continuing duties that survive the expiration of this Contract and shall continue as long as the Contractor has Requested Information in its possession.

WITNESS the execution hereof, as of the date and year first written.

COUNTY OF ELK,

BOARD OF COMMISSIONERS

_____

_____

_____

ATTEST:_____

CHIEF CLERK

(SEAL)

CONTRACTOR:_____

Title: _____

WITNESS;

_____

Form A – Cost of Disposal

Maximum Tipping Fees Per Ton For Each Category of Waste The maximum tipping fee shall not exceed the posted gate rate. **Include all applicable surcharges, fees, taxes from Legislation, Regulation, or Programs of State, Federal, County or Host Municipalities** **Show a breakdown of those fees in the following table**						
	MSW	**Construction Demolition**	**Sewage Sludge**	**Approved ICW**	**Other**	**Other**
Base Tipping Fee **(without taxes, and other fees)**						
List Name of Fee, Tax, Surcharge below.	**List Amount for Each Fees, Taxes, Surcharges that will apply to Elk County MSW**					
Total Tipping Fee including all fees and surcharges						

Form B -Reserved Capacity FACILITY:_____

Types and Quantities of Municipal Solid Waste Specify tons per day and tons per year

Year	MSW Only	C&D	Sludge	Other	Other	Total
2012						
Tons Per Day						
Tons Per Year						
2013						
Tons Per Day						
Tons Per Year						
2014						
Tons Per Day						
Tons Per Year						
2015						
Tons Per Day						
Tons Per Year						
2016						
Tons Per Day						
Tons Per Year						
2017						
Tons Per Day						
Tons Per Year						
2018						
Tons Per Day						
Tons Per Year						
2019						
Tons Per Day						
Tons Per Year						
2020						
Tons Per Day						
Tons Per Year						
2021						
Tons Per Day						
Tons Per Year						

Form B - Part II Reserved Capacity

Total Combined Quantities of all Accepted Categories of Municipal Waste

YEAR	TOTAL ELK MSW TONS PER YEAR (all categories)	PERCENTAGE Reserving Capacity for % of Elk MSW Annually	ANNUAL TONS Reserving Capacity for #Tons Elk MSW Annually	OPERATING DAYS Estimated Annual Working Days	TONS PER DAY Reserving Capacity for #Tons Elk MSW Daily
2012	25,099				
2013	24,857				
2014	24,613				
2015	24,370				
2016	24,127				
2017	23,884				
2018	23,641				
2019	23,396				
2020	23,153				
2021	22,942				

Operating hours from _____to _____Monday through Friday and from _____to _____on Saturdays,

Indicate tons of Elk 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

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 Elk County any money or other thing of value either directly or indirectly.

2. **Acceptance Period**

I agree to allow 120 days from the date of this proposal for acceptance thereof by the Commissioners of Elk 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 Elk 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 2011, at_____

By_____ (name)

_____ (title)

SEAL *_____ (company)*

Date:_____

On _____, 200_, 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 _____2010

_____

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 Disposal Facility _____

Permit #/Date Issued/State _____

Location_____

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 an 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 2011 at_____

By_____ (name)

_____ (title)

SEAL *_____ (company)*

Date:_____

On _____, 2011, 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 _____2011_

_____

My Commission expires_____ Notary Public

Section 6

VOLUNTARY SUPPORT FOR LOCAL PROGRAMS

The Elk County Solid Waste Authority on behalf of Elk County provides numerous solid waste and recycling related programs to local citizens. In 2006, the Authority began to deliberately and methodically evaluate and improve its operations. Considerable strides were made to successfully streamline services and reduce costs. The evaluation resulted in significant savings. A number of the Recycling drop-off collection sites were condensed to a centralized receiving and processing facility. An ongoing assessment of the operation continues to achieve added cost reductions by adjusting the scheduled frequency of collection and elimination of more recycling drop-off collection sites.

The receiving and processing facility operates under rather primitive conditions. A materials broker provides a baler and the Stackpole Foundation assisted with funds for minimal upgrades to allow for the functionality of the facility. Labor is provided by a group of volunteers.

PROGRAM COSTS

The Authority itself has no employees. To implement its programs, the Authority relies on staff from the Elk County Solid Waste and Recycling Office. A Recycling Coordinator, an Enforcement Officer and an Administrative Assistant coordinate all programs and services. They also monitor and clean-up the drop-off sites, serve as laborers at the recycling drop-off and processing center, and also at collection events The County uses monies from the General Fund to support the costs of these personnel, as well as general administration and office functions. Those overall administrative costs are roughly $150,000 per year.

Historically, the operational costs have totaled as much as $163,000 per year, depending on the amount and types of tonnage collected in the various programs. Currently, through the efforts of the Authority, those costs have been reduced to approximately $130,000.

Services provided by the Authority are listed here with approximate individual costs.

- Recycling drop-off collection and processing center ($35,000)
- A monthly collection for electronic discards, fluorescent lamps and batteries ($36,,000)
- A summer program for collection of oil based paints and pesticides, ($10,000)
- An annual household hazardous waste collection event, ($15,000)
- Periodic collection events for unwanted pharmaceuticals ($21,000)
- Tire and white goods recycling drop-off locations ($15,000)

Future program when funds permit

- Proposed Public Education And Promotion Of Proper Solid Waste Management Practices ($20,000)

BUDGETARY REQUIREMENTS

The Authority has always been able to operate with a balanced budget and did not develop services in excess of its operating budget and revenue. Based on court rulings, payments of administrative fees were discontinued by landfills receiving Elk County's waste. These fees represented about 33% of the Authority's revenue. Since then, as described previously, the Authority took extreme steps to reduce costs and downsize its operation. The Authority relies on diverse sources to fund the variety of worthwhile programs and services that it provides. Many of these sources are vulnerable to the economic climate, market values and legislative initiatives.

Dedicated Sources of revenue shown in approximate rounded figures include:

- A landfill host fee imposed on Jefferson and Clearfield County waste ($35,000)
- User fees from the electronic discards collections ($6700)
- Donations from local users ($5000)
- Demolition permits($1800)
- Revenue stream from material commodity sales ($5000)
- Act 101, Section 904 Performance Act 101, ($10,000)
- Act 190 Grants for HHW and Electronics (30,000)

REQUEST FOR PROGRAM SPONSORSHIP AND SUPPORT

The combined revenue sources currently provide approximately $88,000. Clearly, the cost of even the downsized services is now greater than the available revenue. The Authority is operating on reserves intended for equipment replacements and emergencies. With this new annual operating deficit of $45,000-$50,000, in short time, the Authority will be forced to discontinue these valuable services to the citizens of Elk County. To prevent such a situation, the Authority is seeking sponsorships to support its programs. Sponsors may opt to fund all or part of the operation.

FEATURES AND BENEFITS

There are numerous advantages to sponsorship. Many benefits are derived from the sponsored activities and programs that could provide direct offsets necessary to balance any perceived harms of an operation. The beneficial features of the programs include:

1) A promotional public education campaign will serve to reduce the incidents of illegal dumping, littering and open burning, by increasing the number of residents that utilize professional waste collection services .

2) The centralized recycling processing center and the satellite drop-off sites ensure that recycling opportunities are available to underserved residential areas.

3) The permanent electronics recycling collection program diverts hazardous materials from disposal and ensures that these items are handled by certified demanufacturers and processors.

4) Regularly scheduled collections of unused and unwanted pharmaceuticals reduce potential biologically damaging chemicals from entering the water supply. It deters crime and prevents unintended deaths by removing access to these medications from dealers and young adults.

5) By providing convenient outlets for tires and appliances, two of the most common items found in illegal dumpsites, the incidents of illegal dumping are reduced as well as the potential for West Nile Virus.

PROMOTION AND RECOGNITION

The Authority will ensure that the residents of Elk County are made fully aware of the importance which the contribution has in sustaining local services. In appreciation, sponsors will receive high visibility, with full logo and name recognition, in promotional materials, newsletters, press releases, social marketing and other media. Depending on the level of donation, recognition will occur per each event, per collection site, and/or per program. For sponsorships greater than $40,000 annually recognition will occur for all events, collection sites and/or programs.

All of the programs and services are available for sponsorship opportunities and negotiations.

SPONSORSHIP COMMITMENT FORM

Suggested Annual Renewing Sponsorship Levels	To support the programs and services of the Elk County Solid Waste Authority, we agree to provide a sponsorship grant at the level we have indicated at left.
$55,000	Describe here, any alternate sponsorship arrangement that the organization desires to propose:
$40,000	
$25,000	
$15,000	
Other $	
Decline	

Indicate Any Preferred Programs for Sponsorship

	Recycling Drop-Off Collection		Household Hazardous Waste Annual Collection Event,
	Recycling Processing Center		Unwanted Pharmaceuticals Collection Events
	Electronics Recycling Center		Tire And White Goods Recycling
	Collection Of Oil Based Paints And Pesticides,		Public Education Campaign To Promote Proper Waste Collection

Indicate Preferred Schedule of Payments for Sponsorship	Monthly $	Quarterly $	Annually $

Facility/Organization	
Contact Name	Title
Phone	Email
Authorized Signature	Date
Attest	Date

Monetary gestures offered to sponsor and support the programs of the Elk County Solid Waste Authority are strictly voluntary. Sponsorships and donations cannot be considered in the evaluation of proposals or designation of a facility for inclusion in the Elk County Municipal Solid Waste Management Plan.

Appendix F

Process to Secure Capacity Assurance

PETITION TO ADD A PROCESSING/DISPOSAL FACILITY

Elk County Municipal Solid Waste Management Plan
Petition for Facility Designation

The Elk County Solid Waste Authority secured Disposal Capacity Agreements sufficient to handle all municipal waste generated within Elk County from 2012-2022. Disposal of Elk County municipal solid waste is restricted to facilities designated in the Elk County Municipal Solid Waste Management Plan. Each met criteria established in a formal Request for Proposals and entered into a uniform agreement with the County. Additional facilities can be added to the list of disposal designees provided they meet the same criteria and execute the same contract specified in the original Request for Proposals.

Procedures and Instructions to Petitioner

- This form must be used to notify the Authority of a party's interest in using another facility. 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.

- A disposal/processing facility, a hauler, a transfer station, a municipality or a business must complete and submit the petition form to the Elk County Solid Waste Authority

- Within 30 working days of the receipt of a petition, the Elk County Solid Waste Authority will send to the petitioner, 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. The Authority will also inform the petitioner and the facility of the costs to process the petition.

- Upon receipt of the completed proposal from the petitioning facility, and the check for the processing costs, the Elk County Solid Waste Authority will notify the Elk County Board of Commissioners and the Pennsylvania Department of Environmental Protection of its intentions to add a facility.

- The Elk County Solid Waste Authority 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 Elk County Solid Waste Authority 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 , the Elk County Solid Waste Authority will formally submit the addition of the facility and the Pennsylvania Department of Environmental Protection for approval.

- Upon approval by the Pennsylvania Department of Environmental Protection, the Elk County Solid Waste Authority will present the contract to the Elk County Board of Commissioners to execute .

- The Authority will notify by letter, the petitioner and all County municipalities that the facility has been added to the Plan.

Elk County Municipal Solid Waste Management Plan
Petition for Facility Designation

Please complete and submit this form to:
Elk County Solid Waste Authority
Elk County Courthouse Annex
300 Center Street, PO Box 448, Ridgway, PA 15853
Phone: (814) 776-5374

Petitioner

Name: _____

Organization: _____

Street Address: _____

City/State/Zip Code_____

Phone Number: _____

Fax Number: _____

E-Mail Address: _____

Party responsible for total costs of Plan Revision to add facility:

Name _____Title_____

Signature_____ Date_____

Facility

Name of Facility: _____

Owner/Operator of Facility:_____

Location of Facility:

Street Address: _____

City/State/Zip Code_____

Facility Contact Person: _____

Mailing Address if different than Facility

Street Address: _____

City/State/Zip Code_____

Contact Information

Phone Number: _____

Fax Number: _____

E-Mail Address: _____

Explain the need to have this facility included in the Plan: (Attach Additional Sheets if Necessary)

Appendix G

Resolution to Form Authority

NOTICE

Notice is hereby given that a resolution was adopted by the Commissioners of Elk County, Pennsylvania, at a regular meeting of the Board of Commissioners on July 14, 1975, which expressed the desire of the County of Elk to organize a Solid Waste Authority under the Act of 1945, May 2, P.L. 382, as amended; and set forth the proposed Articles of Incorporation in full, which resolution is as follows:

RESOLUTION

Signifying the desire and intention of the County of Elk, Pennsylvania, to organize an Authority under the Act of Assembly, May 2, 1945, P.L. 382, as amended; setting forth the proposed Articles of Incorporation in full; defining the purposes and powers of the said Authority; and authorizing the officers of the said County to do all things requisite for the organization of an Authority under the said Act.

Whereas, it is the desire of the County of Elk, Pennsylvania, to organize an Authority under the provisions of an Act of Assembly, May 2, 1945, P.L. 382, as amended;

Section 1. Now, therefore, be it resolved and enacted by the Commissioners of the County of Elk, Pennsylvania, that it is the intention of said Commissioners to organize such an Authority.

Section 2. The proposed Articles of Incorporation of the Authority in full are as follows:

A. The name of the Authority shall be the "Elk County Solid Waste Authority".

B. The purpose of this Authority shall be to plan and regulate the storage, collection, transportation, processing and disposal of solid waste in Elk County.

C. This Authority is formed under the Act of May 2, 1945, P.L. 382, Section 3.

D. No other Authority has been organized under said Act or the Act of June 28, 1935, (Pamphlet Laws 463) in or for Elk County, Pennsylvania.

E. Elk County is the incorporating municipality of this Authority and its municipal authorities are:

Commissioner Francis L. Kuntz, 532 Church Street, St. Marys, Pennsylvania

Commissioner Thomas G. Gorman, R. D. 1, Kersey, Pennsylvania

Commissioner Dean J. Williams, Sr., 332 Mill Street, Johnsonburg, Pennsylvania

F. Names, addresses and terms of office for the first members of the Board of this Authority are as follows:

Samuel R. Crocco, Benezette, Pa. - 5 yrs.

David P. Cooper, P. O. Box 149, Ridgway, Pa. - 4 yrs.

Herbert Damier, Oak St., Wilcox, Pa. - 4 yrs.

Raymond G. Lecker, Ford Road, St. Marys, Pa. - 3 yrs.

Clare Sembert, 299 Maurus St., St. Marys, Pa. - 2 yrs.

Edward Flacinski, 103 Clarion Rd., Johnsonburg, Pa. - 1 yr.

Oreste Gigliotti, Laurel Lane, St. Marys, Pa. - 1 yr.

Articles of Incorporation and a proof of the publication of this notice will be filed with the Secretary of the Commonwealth no less than three days after this advertisement.

Executed by the Commissioners of Elk County this 14th day of July, 1975.

Francis L. Kuntz, Chairman

Thomas G. Gorman

Dean J. Williams, Sr.

ATTEST:

William Gaffey
William Gaffey
Chief Clerk

SEAL

Appendix H

County Solid Waste Ordinance

RECEIVED SEP 2 0 2000

COPY

ORDINANCE NO. 2000-2

ELK COUNTY MUNICIPAL WASTE MANAGEMENT ORDINANCE

ESTABLISHING REGULATIONS FOR THE ACCUMULATION, COLLECTION AND DISPOSAL OF MUNICIPAL WASTE AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, Section 303 of the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, P.L. 566, Act No. 101 imposes a duty on each county to insure the availability of adequate permitted processing and disposal capacity for the municipal waste which is generated within its boundaries;

AND WHEREAS, Act 101 requires each county to adopt a municipal waste management plan for municipal waste generated within its boundaries;

AND WHEREAS, Act 101 grants to each county the power to adopt ordinances, resolutions, regulations and standards for the collection and transportation of municipal waste in order to carry out its plan;

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ELK, PENNSYLVANIA, as follows:

Section 1. SHORT TITLE.

This ordinance shall be known as the "Elk County Municipal Waste Management Ordinance".

Section 2. DECLARATION OF POLICY.

The purpose of this ordinance is to coordinate and regulate the storage, collection, and transportation of all municipal waste generated within Elk County in order to protect the public safety, health and welfare of the residents of Elk County and to facilitate enforcement of the Elk County Solid Waste Management Plan.

Section 3. DEFINITIONS.

The definitions contained in Section 103 of Act 101, as it may from time to time be amended, are here incorporated by reference. Certain additional words and phrases, when used in this ordinance, shall have the following meanings:

Act 101 - The Pennsylvania Waste Planning, Recycling and Waste Reduction Act, Act of July 28, P.L. 556, Act No. 101, 53 P.S. Section 4000.101 et seq., as from time to time amended.

Approved Container - Can, mechanical bin, box, disposable container (plastic garbage bag) or any other container approved by the Commissioners used for the transportation and storage of garbage and rubbish. Approved containers shall be capable of tight closure, have

suitable handle(s), be water tight and fly-proof, and be able to be carried easily by the collector.

Asbestos - Waste that contains asbestos extracted from asbestos ore as applied to demolition and renovation operations. The term includes only friable asbestos and non-friable asbestos from Asbestos Hazard Emergency Response-Act (AHERA) regulated removals. The term also includes asbestos waste collected from pollution control devices.

Asbestos Waste - Friable - A special handling waste containing of asbestos extracted from asbestos ore and containing more than 1.0% asbestos by weight, that with hand pressure can be crumbled, pulverized, or reduced to powder when dried.

Asbestos Waste - Non Friable - A special handling waste consisting of material that contains asbestos extracted from asbestos ore that cannot with hand pressure be crumbled, pulverized or reduced to powder when dried. Non-friable asbestos waste includes transite board, siding, asbestos shingles and floor tiles.

Ashes - The residue resulting from the burning of wood, coal, or other combustible material. This definition excludes ashes resulting from industrial processes.

Ash Residue - Non-hazardous residue from a municipal waste incinerator. Ash residue is a special handling waste.

Authority - The Elk County Solid Waste Authority.

Authorized Collector - A person, individual, partnership, or corporation or employer or agent thereof authorized by contract with the municipality to collect solid waste from residential, commercial and institutional properties as herein defined under the terms and conditions of this ordinance. In the event of municipal collection, this definition shall include the governing body and employees thereof.

Bulky Waste - Large items of refuse including, but not limited to, appliances, large auto parts, furniture, and large trees and branches which require collection in other than conventional compactor refuse collection vehicles.

Chemotherapeutic Waste - A portion of solid waste resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells. Chemotherapeutic waste does not include waste containing antineoplastic agents that are listed by DER as hazardous waste. Chemotherapeutic waste is a special handling waste.

Collector - The person, firm, agency, or public body or employee or agent thereof who is engaged in the collection or transportation of solid waste.

Commercial Establishment - An establishment engaged in non-manufacturing or non-processing business. The term includes stores, markets, office buildings, restaurants, shopping centers and theaters.

Commissioners - The Board of Commissioners of Elk County.

Compostable Material - Organic material that can be degraded by a controlled microbial process to produce a relatively nuisance-free product of potential value as a soil conditioner.

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

Construction/Demolition Waste - A type of municipal solid waste resulting from the construction or demolition of buildings or other structures, including but not limited to, wood, plaster, metals, dry wall, wall board, non-asbestos roofing materials, asphaltic substances, bricks, block and unsegregated concrete. The term also includes dredging waste. The term does not include the following if they are separated from other waste and are used for clean fill:

(a) uncontaminated soil, rock, stone, gravel, unused brick, block and concrete.

(b) waste from land clearing, grubbing and excavation including trees, brush stumps and vegetative materials.

Materials used and uncontaminated may be exempted when legitimately reused.

Container - A portable device in which waste is stored or transported.

Coordinator - The individual designated by the Commissioners to be responsible for municipal waste management for the County.

County - County of Elk

DEP - The Pennsylvania Department of Environmental Protection, or its successor agency.

Detachable Container - Any metal container which may be mechanically lifted or emptied into the collection vehicle.

Disposal Site - A site, location, tract of land, area or premises where disposal has occurred, is occurring or will occur.

Dump - A site for the consolidation of waste from one or more sources which has little or no management.

Elk County Solid Waste Authority - The municipal authority organized by the County on July 14, 1975, to plan and regulate the storage, collection, transportation, processing, and disposal of solid waste in Elk County.

Elk County Solid Waste Management Plan - The plan prepared by the County under the provisions of Act 101, as from time to time amended, and as approved by DEP.

Farm Property - A parcel or parcels of land devoted to agriculture; either to raising crops, livestock, poultry, or pasture.

Garbage - Animal or -vegetable waste resulting from the handling, preparation, cooking and serving of foods. It does not include wastes from industrial processing or manufacturing of food products, bodies of dead animals, or human or animal excrement.

Hazardous Waste - Garbage, refuse or sludge from an industrial or other wastewater treatment plant; sludge from a water supply treatment plant or air pollution control facility; and other discarded material, including solid, liquid, semisolid or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining, or agricultural operations, and from community activities; or a combination of the above; which because of its quantity, concentration or physical, chemical or infectious characteristics may do one of the following:

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

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

Incinerator - An enclosed device using controlled combustion for the primary purpose of thermally breaking down solid waste.

Infectious Waste - As defined in the regulations set forth at 25 Pa. Code Section 271, promulgated by DEP, as from time to time amended.

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

Municipality - A city, borough, incorporated town, township, county or an authority created by one or more of the foregoing.

Municipal Waste - any garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material, resulting from operation of residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition

of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial, or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility, excluding septage and infectious/chemotherapeutic wastes which are disposed at a permitted facility. The term does not include source-separated recyclable materials and other special handling wastes. This definition does include construction/demolition wastes.

Municipal Waste Management - the purposeful systematic control of the storage, collection, transportation, processing and disposal of municipal waste.

Operator - A person or municipality engaged in solid waste processing or operating a disposal facility.

PCB - A chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees or a substance which contains that substance. PCB Containing Waste Material is residual waste containing PCB's in concentrations of less than 50 P.P.M. The term also includes residual waste containing PCB's in concentrations of 50 P.P.M. or more that is not regulated under the Toxic Substance Control Act, the Resource Recovery Act, or as a hazardous waste.

Person - An individual, partnership, corporation, institution, cooperative enterprise, municipal authority, Federal Government or agency, State institution or agency - including the Department of General Services and the State Public School Buildings Authority - or another legal entity which is recognized by law as the subject of rights and duties.

Private Collector - A collector licensed by the County to provide collection services to residential, commercial, or institutional properties on a private contract basis.

Recyclable Materials - Materials specified by the municipality or County for separate collection in accordance with recycling regulations. Such materials may include, but not be limited to, aluminum products, ferrous containers, bi-metal containers, glass containers, newspapers, magazines and periodicals, plastic containers, and yard wastes.

Recycling - The separation, collection, processing, recovery, and sale or reuse of recyclable materials which would otherwise be disposed of as solid waste.

Refuse - All solid wastes, except body wastes, including, but not limited to, garbage, ashes, bulky waste and rubbish; except that refuse shall specifically exclude hazardous waste, residual waste and special handling waste.

Residential Property - Property used as a dwelling, including any building having up to three dwelling units in one building. Multiple dwelling residential buildings containing four or more dwelling units, for purposes of this ordinance, shall be treated as a commercial establishment, but said buildings shall continue to be subject to all of the requirements of this ordinance relating to residential property.

Residual Waste - Garbage, refuse, other discarded materials or other waste, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, mining and agricultural operations and sludge from an industrial, mining or agricultural waste supply treatment facility, waste water treatment facility or air pollution control facility, if it is not hazardous. The term does not include treatment sludges from coal mine drainage treatment plants, disposal of which is being carried on under and in compliance with a valid permit issued under the Clean Streams Law. Special handling waste is included in this definition if special waste is stored, transported, processed or disposed at a municipal waste management facility.

Residue - Solid materials remaining after burning, including but not limited to ashes, metals, glass, ceramics and unburned organic substances.

Rubbish - Solid waste exclusive of garbage (e.g., nonrecyclable glass, metal, paper or plastic and non-compostable plant material, wood, or non-putrescible solid waste).

Salvage Operation - Any business, trade or industry engaged in whole or in part in salvaging or reclaiming any product or material, including, but not limited to, automobiles, metals, chemicals, shipping containers, or drums.

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

Sanitary Landfill - A method approved by the Pennsylvania Department of Environmental Resources for disposing of refuse on land without creating nuisances or hazards to the public health or safety. This is done by confining refuse to the smallest practical volume, and covering it with a layer of earth at the conclusion of each day's operation or at such more frequent intervals as may be necessary.

Scavenging - Uncontrolled or unauthorized removal of solid waste materials.

Septage Waste - Waste generated from the pumping or cleaning of on-lot septic tanks.

Sludge - A portion of municipal waste consisting of solid, semisolid or liquid waste generated from a municipal, commercial or

industrial waste treatment facility or waste water treatment plant, water supply treatment plant or air pollution control facility, exclusive of the treated effluent from a waste water treatment plant. Sludge includes coarse screenings, grit and dewatered or air-dried sludge, septic and holding tank pumpings and ether residues from a residential, municipal, commercial or institutional water supply treatment plant or air pollution control facility. Sludge does not include any materials that are residual or hazardous wastes. Sludge is a special handling waste.

Solid Waste - Any waste, whether solid, liquid, semisolid or contained gaseous material, including municipal, residual or hazardous waste.

Solid Waste Management Act - The Pennsylvania Solid Waste Management Act, Act of July 7, 1980, P.L. 380, Act No. 97, 35 P.S. Section 6018.101 et seq., as from time to time amended.

Special Handling Waste - Solid waste that is not hazardous waste and; that requires the application of special storage, collection, transportation, processing or disposal techniques due to the quantity of material generated or its unique physical, chemical or biological characteristics. The term includes sewage sludge, infectious waste, chemotherapuetic waste, ash residue from a solid waste incineration facility, asbestos containing waste and PCB containing waste, waste oil, fuel contaminated soil, waste tires and water treatment plant sludges.

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

Yard Waste - Leaves, grass clippings, prunings and other discarded materials from lawns and gardens.

Section 4. DELEGATION OF RESPONSIBILITY.

The Commissioners hereby delegate to the Elk County Solid Waste Authority all of the duties and responsibilities of the County of Elk for municipal waste management within the County of Elk under Act 101 and the Pennsylvania Solid Waste Management Act, subject only to the condition that all plans and regulations for municipal waste management be first approved by the Commissioners prior to implementation. In pursuance of said responsibilities, the Elk County Solid Waste Authority shall have the following powers:

A. To approve and regulate the establishment, maintenance and operation of private municipal waste collection, storage and transportation services;

B. To aid and assist the Commonwealth of Pennsylvania in the application and enforcement of rules and regulations pertaining to municipal waste management;

C. To adopt, issue and enforce such local rules and regulations as are necessary to implement and carry out the intent of this ordinance;

D. To assist in the review of permits required by the Commonwealth of Pennsylvania for siting and operation of transfer, processing and disposal facilities;

E. To enforce this ordinance by appropriate legal proceedings, including, but not limited to warning notices , and civil and criminal suits.

Section 5. ELK COUNTY SOLID WASTE COORDINATOR.

The Elk County Solid Waste Authority shall have the power to appoint, and to assign its duties and responsibilities to, an individual, who shall have the title of Elk County Solid Waste Coordinator.

Section 6. SOLID WASTE ADVISORY COMMITTEE.

A. The Commissioners shall create a Solid Waste Citizens Advisory Committee, composed of at least 14 members, one of whom shall be the Elk County Solid Waste Coordinator. The membership of the Advisory Committee shall represent a community cross section of interested citizens, which shall include representatives of all classes of municipalities within the County, citizen organization, industry, any private solid waste industry operating within the County, any private recycling or scrap material processing industry operating within the County, and any other persons deemed appropriate by the Commissioners.

B. The members of the Committee, except for the Elk County Solid Waste Coordinator, shall be appointed by the Commissioners.

C. The Commissioners shall annually appoint one of the members to be chairperson of the Committee.

D. The duties of the Committee shall be:

1. To meet at least semi-annually or whenever called by the Commissioners or by the chairperson of the Committee to discuss issues of municipal waste management;

2. To make an annual report with recommendations to the Commissioners; and

3. To assist the Elk County Solid Waste Coordinator in the development of municipal waste management rules and regulations.

Section 7. DUTIES OF OWNERS AND OCCUPIERS OF PROPERTY.

A. No person shall permit any municipal waste to accumulate for a period of longer than seven (7) days upon property owned or occupied by said person in the County.

B. Owners and occupiers of residential property shall make all municipal waste accumulated on the property available for collection -by a collector licensed under this Ordinance, unless the owner or occupant delivers the waste directly to a County designated disposal facility.

C. All municipal waste accumulated on any residential property in the County shall be collected and transported to a facility approved by DEP by the municipality or by a collector licensed under this Ordinance; except that recyclable materials may be collected, conveyed and disposed of by property owners from their own property for the intended purposes of depositing such recyclables in recycling centers, provided they comply with provisions of this ordinance pertaining to refuse containers and vehicles, and providing they remove their recyclables to a site approved by the municipality.

D. All municipal waste accumulated on commercial and institutional properties shall be collected, conveyed and disposed of by collectors licensed by the County, Where a commercial or institutional establishment contracts directly with a collector, the fee or payment shall be a matter of private agreement between the owners or occupiers and the collector. Owners of nonresidential properties may collect, convey and dispose of privately generated solid waste by their own containers and/or trucks, providing they comply with the provisions of this Ordinance applicable thereto.

E. No building, structure or part thereof in excess of 800 square feet in floor area shall be demolished and removed from the property without first obtaining a permit from the County to remove such construction-demolition waste resulting from the demolition activity. The property owner removing the waste shall provide the County with proof of disposal within five (5) working days after completion of the waste removal from the site. Property owners and contractors should, wherever possible, reclaim materials resulting from the demolition in order to reduce the volume of disposal.

F. It shall be unlawful for any person to collect and dispose of any municipal waste within the County except as provided in this Ordinance.

Section 8. PROHIBITED MUNICIPAL WASTE.

A. It shall be unlawful to keep or allow in or about any dwelling or upon any land or other premises within the municipality any municipal waste which is obnoxious or offensive by reason of dust or odor, or which attracts insects or vermin, except in containers which are leak-

and fly-proof and are so designed as to prevent dissemination of the waste by wind, weather or other causes.

B. It shall be unlawful to cause or permit the accumulation of any municipal waste which constitutes a danger to health or safety. It shall be presumed that such a danger exists where such municipal waste is accumulated for a period of more than ten (10) days.

C. No volatile liquids, explosives, radioactive material, or containers which would explode upon contact with heat or fire shall be placed for collection, except small (retail-sold) spray cans.

D. No hazardous waste shall be stored or placed for collection on residential properties except for small quantities of such waste normally found in the household and available on a retail basis to the homeowner.

E. No hazardous waste shall be collected or stored in any manner which may result in such waste being mixed with other municipal waste.

F. Special handling waste shall be managed in the manner required by DEP regulations and landfill permit requirements. Where prohibited, special handling waste may not be collected or stored in any manner which may result in such waste being mixed with other municipal waste.

Section 9. STANDARDS FOR STORAGE PRIOR TO COLLECTION.

A. Every person shall provide sufficient approved containers for receiving and holding solid waste. Containers shall be kept in a sanitary condition at all times.

B. Garbage and rubbish shall be stored in an approved container.

C. Garbage shall be drained of liquids.

D. Containers shall be kept tightly covered at all times.

E. Containers shall be stored on the owner's property.

F. When mechanical bins or detachable containers are in use, they shall be easily accessible to the collection vehicle.

G. All municipal waste shall be stored in containers, except yard waste and newspapers, magazines, or books.

H. Municipal waste may be placed at curbside for collection purposes provided that the waste is contained in approved containers and is not placed at the curbside more than 24 hours before the regularly scheduled time for collection.

I. Yard waste may be placed next to containers if it is tightly secured, not more than 4 feet in length, nor more than 28 inches in diameter, and not more than 45 pounds in weight.

J. Newspapers and magazines must be tied securely or placed in cardboard boxes or other suitable containers with a maximum weight of 50 pounds including container.

K. Sharps (lancets, needles and syringes) used for health care purposes in households shall be placed in a strong plastic container with a tight-fitting lid before disposal in the household garbage. Other types of household medical waste, including dressings, bandages, disposal sheets and medical gloves, are to be placed in a securely tied plastic bag before disposal in the household garbage.

L. The Commissioners specifically reserve the right to modify and to specifically provide for some other receptacle for the handling of municipal waste which the Commissioners may at some future time deem to be acceptable, appropriate, and beneficial for handling of said municipal waste material.

Section 10. STANDARDS FOR COLLECTION.

A. Each municipality shall develop and implement a system for the collection of municipal waste from all occupied property within the municipality. The system may provide for collection by the municipality, by an authorized collector, or by private collectors licensed under Section 13 of this ordinance, or any reasonable combination thereof.

B. All residential properties shall use the system of collection established within the municipality unless the owner or occupier establishes a plan for collection approved by the Elk County Solid Waste Authority.

C. Collectors shall provide reasonable service to all who desire service and have paid the required fee.

D. All household municipal waste shall be collected at least once each week, with the exception of bulky waste, for which arrangements shall be made in advance with the collector. All institutional, commercial and industrial municipal waste shall be collected at least once each week, and more often as required by generated volumes and environmental problems.

E. Each collector shall establish and record a regular collection schedule. If a collection day falls on a holiday, the collector shall notify all customers when collection will be made.

F. All collection and transportation vehicles shall be constructed of metal or other impervious materials, able to be enclosed or fitted

All waste materials dropped on streets or roads shall be immediately picked up.

G. Place of Collection -

1. Containers shall be used for the purpose of collection, be placed at the curb or street line, at ground level, and be made readily accessible to the collector.

2. Notwithstanding provisions of this ordinance, residential property owners, commercial establishments, or other persons may, by mutual agreement with collectors, be permitted to place containers at a location on their property other than as specified in paragraph G(1) above.

3. Collections shall be made from all properties throughout the municipality. This shall include all streets, dedicated or otherwise, and shall include those streets that are temporarily closed for repairs or construction. In the latter case, special collection points shall be designated by the governing body of the municipality if the condition of the street would prevent access thereto by the collector's truck.

H. Frequency of Collections -

1. Collection: Schedule and Routes

All household municipal waste shall be collected at least once each week, with the exception of bulky waste, for which arrangements shall be made in advance with the collector. All institutional, commercial and industrial municipal waste shall be collected as often as required by generated volumes and environmental problems.

2. Hours

Collections shall be made at those hours mutually agreed upon between the collector and the governing body. Hours agreed upon shall be so indicated within the collection contracts or licenses.

Section 11. REGULATION OF AUTHORIZED COLLECTORS.

A. Where a municipality has selected authorized collectors, all residential municipal waste within the municipality shall be collected by the authorized collectors.

B. The collection of municipal waste shall be done only by the persons, firms or corporations authorized by the municipality.

C. All authorized collectors must be licensed by the County pursuant to this ordinance.

D. Contracts with authorized collectors shall comply with Section 304, of Act 101.

Section 12. REGULATION OF PRIVATE COLLECTORS.

A. Where a municipality permits collection of municipal waste by private collectors, no person shall collect, remove, haul or convey any municipal waste through or upon any of the streets or alleys of the municipality, or dispose of the same in any manner or place, without first obtaining a license from the County.

8. A license shall not be required of private owners collecting and removing their own privately-generated refuse by approved containers and vehicles to a DEP-approved disposal site or to an authorized recycling center.

C. A license shall not be required of roofers and remodeling contractors for the collection, removal, hauling or conveying of construction/demolition waste generated in the ordinary course of their roofing or remodeling business. Roofers and remodeling contractors shall handle and dispose of all such wastes in full compliance with all other provisions of this Ordinance.

Section 13. LICENSING OF COLLECTORS.

A. No person shall collect, remove, haul or convey any municipal waste through or upon any of the streets or alleys of the County or dispose of the same in any manner or place without first obtaining a license from the County.

B. The Elk County Solid Waste Authority is authorized to prescribe a form for original license applications. The Elk County Solid Waste Authority may also prescribe a form for renewal license applications.

C. Each application for a license shall be accompanied by a fee set by the Elk County Solid Waste Authority, subject to approval by the Commissioners. The Authority may establish different fees for original and renew applications. The Commissioners shall have a minimum period of thirty (30) calendar days to review any application and approve or deny it.

D. All licenses shall be issued for the calendar year or remaining portion thereof. There shall be no reduction in the license fee for a license issued after the beginning of any calendar year.

E. No license shall be granted if the method of disposal shall not conform to the requirements of this ordinance or of any municipality wherein the collection or disposal of municipal waste is to be made, Such requirements may include, but not be limited to, a provision requiring the collection and transportation of recyclable materials in accordance with a municipal recycling ordinance.

F. No licensed collector shall make any change in the procedures for collection and disposal of municipal waste by him without first receiving the approval of the Elk County Solid Waste Authority.

G. All collectors shall be required to have motor vehicle and workmen's compensation insurance in such reasonable amounts as are determined by the Elk County Solid Waste Authority; and the collectors shall from time to time provide the Authority with appropriate certificates showing that such insurance is continuously in effect.

Section 14. COLLECTION VEHICLES, EQUIPMENT AND PERSONNEL.

A. All vehicles used for collection of municipal waste shall be equipped with compacting devices or equivalent types of closed bodies and shall have enclosed cargo space, unless such collection is done by private individuals from municipal waste generated on private property, in which case, approved containers shall be utilized and all other provisions of this Ordinance affecting such collection shall be adhered to.

B. It shall be unlawful to collect, haul, transport, or convey municipal waste in open, unenclosed vehicles, unless such refuse is hauled in an approved container from private property by the owner; except that open-type vehicles may be used only for the collection of large items of refuse which cannot, because of size, be collected in the manner specified in paragraph A above.

C. Vehicles shall at all ties be in good and proper mechanical condition and in compliance with the minimum safety and sanitary regulations of the laws of the Commonwealth of Pennsylvania, the County of Elk, and the municipality.

D. The collector shall furnish proof of ownership of the vehicle(s) to be used, or a written lease or rental agreement with the titled owner.

E. Vehicles and equipment shall not be overloaded so that garbage or trash may spill or drop on the highways or streets, nor shall the equipment be so designed or maintained so as to permit the leakage of fluids. All vehicles shall be regularly cleaned and kept in proper condition and shall bear the name and address of the contractor plainly visible on both sides of the vehicle.

F. The Elk County Solid Waste Authority may require that the Elk County Solid Waste Coordinator inspect all vehicles for compliance with the provisions of this Ordinance, prior to the issuance of any original license or renewal license.

G. Each vehicle shall have at least one broom and shovel to clean up refuse that may be spilled or otherwise scattered during the process of collection.

H. The collector shall file with the governing body a list of all vehicles and equipment with identification information thereon. Change in equipment shall be promptly reported to the governing body so that at all times their records will be correct and accurate.

I. The collector, at his expense, shall store and park the equipment at a convenient and lawful place. No trucks or equipment may be parked or stored on any street within the County, except during actual collection periods, or be stored at any location which creates an odor nuisance for neighboring property owners.

Section 15. STANDARDS FOR STORAGE AFTER COLLECTION.

No storage of municipal waste after collection and before disposal shall be permitted except for partially-full collection vehicles which have made a final pick up for the day; provided that such collection vehicle shall not be permitted to hold municipal waste longer than 24 hours and that such collection vehicles be parked in a place where there is no significant likelihood of creating an odor nuisance for neighboring property owners.

Section 16. STANDARDS FOR DISPOSAL.

A. It shall be unlawful for any collector to dump, process destroy, bury or otherwise dispose of municipal waste within the jurisdictional limits of the municipality except at facilities approved and permitted by DEP.

B. All collectors shall dispose of municipal waste generated in the County only at a facility authorized under the Elk County Municipal Waste Management Plan and approved by DEP.

Section 17. PROHIBITED ACTIVITIES.

A. It shall be unlawful for any person to scavenge any materials delivered and deposited for disposal except as may be provided for in the County's municipal waste rules and regulations promulgated under this ordinance.

B. It shall be unlawful for any person to salvage or reclaim any solid waste except at a properly permitted facility in which salvage is an integral plan of operation.

C. It shall be unlawful to make garbage available for animal consumption unless such refuse has been heat-treated to kill any disease agent therein.

D. It shall be unlawful for any person to throw, place or deposit, or cause or permit to be thrown, placed or deposited, any municipal waste in or upon any street, alley, sidewalk, body of water, public or private property except as provided in this ordinance.

Section 18. REGULATIONS.

The collection of municipal waste in the County and the disposal thereof shall be subject to such further reasonable rules and regulations as may from time to time be adopted by the Commissioners.

Section 19. INJUNCTIVE POWERS.

The Commissioners shall have the right, in addition to all other remedies provided by law, to petition a court or agency of appropriate jurisdiction to enforce the provisions of this ordinance and any regulations issued thereunder by injunctive relief.

Section 20. PENALTIES.

A. Any person who violates any provision of this ordinance shall, upon conviction, be guilty of a summary offense, punishable by a fine of not less than $300 nor more than $1,000, or by imprisonment for a period of not more than 30 days, or both. Each day a violation shall be considered a separate and distinct offense.

B. In addition to appropriate civil and criminal penalties, the Commissioners shall have the right at any time, and without refund of any part of the license fee, to suspend or revoke the license of any collector for any of the following causes:

1. False or misleading statements in the application for a license;

2. Lapse or cancellation of insurance coverage;

3. Collecting or transporting refuse in a careless or negligent manner resulting in dirt, odor or any unsanitary condition;

4. Failure to deposit municipal waste at a disposal site approved by DEP;

5. A violation of any part of this Ordinance or any other Ordinances of the municipality, or any applicable State law or County ordinance or regulation.

6. Failure to make payment of any fees, such as landfill tipping fees, Act 101 fees and any fees the County of Elk may collect on municipal waste generated within Elk County.

Section 21. ADMINISTRATIVE FEE.

A. The disposal of municipal waste (except special handling waste) generated within Elk County shall be subject to an administrative fee established from time to time by resolution of the Commissioners on a per ton basis.

B. Where the municipal waste is deposited at a disposal facility located in Elk County, or Where the County has an agreement with the disposal facility regarding collection of the fee, the administrative fee shall be collected by the operator of the disposal facility at the time of collection of tipping fees. In all other cases, the collector of the municipal waste or the private owner who disposes of his own waste shall pay the administrative fee directly to the County on the same periodic basis as payments are required from disposal facilities.

C. Payments of administrative fees shall be made to the County on or before January 31, April 30, July 31 and October 31 of each year for fees collected or due for the three complete calendar months immediately preceding the respective due dates.

D. Delinquent payments of the administrative fee shall bear interest at the rate of ten (10%) per cent pet annum from the due date of each such payment.

E. Each person required to collect administrative fees or required to make direct payment to the County under this Section shall maintain complete and accurate records of the amount of municipal waste generated within the County which is subject to the administrative fee. Such records shall be made available to the County for inspection upon reasonable notice and during regular business hours.

F. All administrative fees collected by the County shall be deposited to a special fund, to be known as the "Solid Waste Management Fund", to be used by the County solely for the purposes of the management and disposition of solid waste according to specific guidelines established from time to time by the Commissioners.

Section 22. SEVERABILITY.

The provisions of this Ordinance are intended to be severable. If any of its sections, paragraphs, or sentences be held illegal, invalid or unenforceable, such illegality, invalidity or unenforcability shall not affect or impair any of the remaining Sections, paragraphs or sentences of this Ordinance.

Section 23. REPEALER.

Ordinance No. 1, adopted January 5, 1993, as amended, is repealed in its entirety.

BOARD OF COMMISSIONERS

Attest: Peggy Charrak
Chief Clerk

Christine Lavarge 9/19/00

Joseph E Koch

County of Elk

COUNTY OF ELK
ORDINANCE NO. 2002-02

AMENDING THE ELK COUNTY MUNICIPAL WASTE MANAGEMENT ORDINANCE BY PROHIBITING THE DEPOSIT OF CERTAIN MATERIALS IN RECYCLING AND DETACHABLE CONTAINERS; REQUIRING PERMITS FOR DEMOLITION ACTIVITIES; AND REGULATING THE PROCESS OF DISPOSAL OF DEMOLITION WASTE.

WHEREAS, the County of Elk has adopted Ordinance No. 2000-2, entitled the "Elk County Municipal Waste Management Ordinance", to regulate the collection and disposal of municipal waste;

AND WHEREAS, the County has experienced many complaints regarding the improper deposit of materials in recycling and detachable containers and the improper disposal of demolition waste;

NOW THEREFORE, the Board of Commissioners of the County of Elk ordains as follows:

Elk County Ordinance No. 2000-2, known as the Elk County Municipal Water Management Ordinance, is amended in the following respects:

1. Section 17 of said ordinance is amended by adding the following additional provisions:

"E. It shall be unlawful for any person to cause or permit the deposit of any material, except recyclable materials, in any container designated by a municipality for the deposit of recyclable materials.

F. It shall be unlawful for any person to cause or permit the deposit of any bulky waste, yard waste, dead animal hides or other wastes not constituting municipal waste into a detachable container without the prior written consent of the owner or lessee of the container."

2. Section 7(E) of the ordinance is amended to read as follows:

"E. No building, structure, or part thereof designed for residential or seasonal use or occupancy shall be demolished and removed without first obtaining a permit from the County to remove such demolition waste resulting from the proposed demolition activity. No building, structure or part thereof in excess of 500 square feet and designed for non-residential use or occupancy shall be demolished and removed from the property without first obtaining a permit from the County to remove such demolition waste resulting from the proposed demolition activity. Any such permit issued by the County shall require the demolition and removal of the waste therefrom to be completed within six months after issuance of the permit. The property owner removing

the waste shall provide the County with proof of disposal within five (5) working days after completion of the waste removal from the property. Property owners and contractors should, wherever possible, reclaim materials resulting from the demolition in order to reduce the volume of disposal."

ADOPTED THIS 3rd day of September, 2002.

COUNTY OF ELK

Attest: Peggy Charrak
Chief Clerk

BOARD OF COMMISSIONERS

COUNTY OF ELK
ORDINANCE 2007- 03

AN ORDINANCE OF THE COUNTY OF ELK AMENDING THE MUNICIPAL WASTE MANAGEMENT ORDINANCE BY INCLUDING AMONG ENUMERATED PROHIBITED ACTIVITIES THE BURNING OF CONSTRUCTION/DEMOLITION WASTE AS DEFINED THEREIN.

WHEREAS the County of Elk has adopted Ordinance No. 2000-2 entitled the "Elk County Municipal Waste Management Ordinance", (hereinafter, "the Ordinance"), to regulate the collection and disposal of municipal waste, recyclable materials, etc.;

WHEREAS the Ordinance at §3 (relating to definitions) defines "municipal waste" so as to include "construction/demolition waste";

WHEREAS the Ordinance at §3 defines "construction/demolition waste" as follows:

> "Construction/Demolition Waste – A type of municipal solid waste resulting from the construction or demolition of buildings or other structures, including but not limited to, wood, plaster, metals, dry wall, wall board, non-asbestos roofing materials, asphaltic substances, bricks, block and unsegregated concrete. The term also includes dredging waste. The term does not include the following if they are separated from other waste and are used for clean fill:
>
> (a) uncontaminated soil, rock, stone, gravel, unused brick, block and concrete.
>
> (b) waste from land clearing, grubbing and excavation including trees, brush stumps and vegetative materials.
>
> Materials used and uncontaminated may be exempted when legitimately reused."

WHEREAS the Ordinance at §17 (relating to prohibited activities) expressly identifies certain actions as being prohibited;

WHEREAS the Ordinance at §17 heretofore has not identified the burning of construction/demolition waste as a prohibited activity;

AND WHEREAS the County of Elk now deems it appropriate to identify the burning of construction/demolition waste as a prohibited activity so as to further protect the public safety, health and welfare of the residents of Elk County:

NOW, THEREFORE the Board of Commissioners of the County of Elk ordains as follows:

1. Elk County Ordinance No. 2000-2, known as the Elk County Municipal Waste Management Ordinance, is amended at §17 thereof (relating to prohibited activities) by adding a new subdivision—namely, subdivision E to read as follows:

"E. It shall be unlawful for any person to burn any construction/demolition waste."

2. All remaining, non-contradictory provisions of the Ordinance are hereby reaffirmed and ratified.

3. This Ordinance shall take effect (immediately)/(in 30 days) from the date of adoption.

ADOPTED this 13th day of November, 2007.

COUNTY OF ELK:

By: _____
Commissioner

By: _____
Elk County Solid Waste Authority
Chairman

By: _____
Commissioner

By: _____
Commissioner

Attest: _____
Chief Clerk

COUNTY OF ELK
ORDINANCE NO. 2002-02

AMENDING THE ELK COUNTY MUNICIPAL WASTE MANAGEMENT ORDINANCE BY PROHIBITING THE DEPOSIT OF CERTAIN MATERIALS IN RECYCLING AND DETACHABLE CONTAINERS; REQUIRING PERMITS FOR DEMOLITION ACTIVITIES; AND REGULATING THE PROCESS OF DISPOSAL OF DEMOLITION WASTE.

WHEREAS, the County of Elk has adopted Ordinance No. 2000-2, entitled the "Elk County Municipal Waste Management Ordinance", to regulate the collection and disposal of municipal waste;

AND WHEREAS, the County has experienced many complaints regarding the improper deposit of materials in recycling and detachable containers and the improper disposal of demolition waste;

NOW THEREFORE, the Board of Commissioners of the County of Elk ordains as follows:

Elk County Ordinance No. 2000-2, known as the Elk County Municipal Water Management Ordinance, is amended in the following respects:

1. Section 17 of said ordinance is amended by adding the following additional provisions:

"E. It shall be unlawful for any person to cause or permit the deposit of any material, except recyclable materials, in any container designated by a municipality for the deposit of recyclable materials.

F. It shall be unlawful for any person to cause or permit the deposit of any bulky waste, yard waste, dead animal hides or other wastes not constituting municipal waste into a detachable container without the prior written consent of the owner or lessee of the container."

2. Section 7(E) of the ordinance is amended to read as follows:

"E. No building, structure, or part thereof designed for residential or seasonal use or occupancy shall be demolished and removed without first obtaining a permit from the County to remove such demolition waste resulting from the proposed demolition activity. No building, structure or part thereof in excess of 500 square feet and designed for non-residential use or occupancy shall be demolished and removed from the property without first obtaining a permit from the County to remove such demolition waste resulting from the proposed demolition activity. Any such permit issued by the County shall require the demolition and removal of the waste therefrom to be completed within six months after issuance of the permit. The property owner removing

Appendix I

Resolution to Approve Plan

RESOLUTION NO._____

WHEREAS, the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, as amended (Act 97) established a comprehensive planning and regulatory framework for the storage, collection, transportation, processing and disposal of solid waste, including municipal waste; and

WHEREAS, the Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, P.L. 528, No. 101 (Act 101) gave the County primary responsibility for planning for municipal waste management within its boundaries and for ensuring sufficient disposal capacity for all municipal waste generated within its boundaries; and

WHEREAS, Section 303(d) of Act 101 authorizes counties to enter into an agreement with another person, including a municipal authority, pursuant to which that person undertakes to fulfill some or all of the County's responsibilities under Act 101 for municipal waste planning and implementation of the approved County Plan; and

WHEREAS, the Elk County Solid Waste Authority (Authority) was established for the purpose of planning for the effective, efficient, reliable and environmentally safe storage, collection, transportation, processing and disposal of solid waste; and

WHEREAS, the County Board of Commissioners designated the Authority as the agency to prepare the revision to its prior Plan; and

WHEREAS, pursuant to the request of the County Board of Commissioners, the Authority has prepared (as a revision to the prior Plan) the Elk County Municipal Solid Waste Management Plan of 2011-2013 (the 2011-2013 Plan); and

WHEREAS, the County Board of Commissioners believes that the 2011-2013 Plan is appropriate and necessary to protect the health and welfare of the residents of the County; and

WHEREAS, the County Board of Commissioners believes that effecting and carrying forth the 2011Plan will enable the County and each municipality to continue to

realize the benefits of an effective, efficient, reliable and environmentally safe system for the storage, transportation, processing and disposal of solid waste.

NOW, THEREFORE, upon consideration of the foregoing matters, the County Board of Commissioners approves the following Resolutions:

1. RESOLVED, the 2011-2013 Elk County Municipal Solid Waste Management Plan is approved.

2. RESOLVED, that the proper officers of the County are authorized and directed to take such actions and execute and deliver on behalf of the County such instruments as shall be necessary or appropriate to carry forth the 2011-2013 Plan.

Approved this _____ day of _____, 2013.

COUNTY OF ELK

By: _____
Ronald T. Beimel , Commissioner

By: _____
June H. Sorg , Commissioner

By: _____
Daniel R. Freeburg, Commissioner

ATTEST:

_____
, Chief Clerk

Appendix J

Meeting Minutes and Public Comments

Recycling Task Force Committee

Minutes
November 16, 2006

The regular monthly meeting of the Saint Marys Recycling Task Force Committee was held on Thursday November 16, 2006 at 4:00 pm at City Hall. Members in attendance were: Bob Bauer, Todd Breindel, Diane Cheatle, Russ Braun, Bekki Titchner, Steve Skok, Darlene Nortum and Tina Gradizzi-Gnan.

Absent members: Guy McUmber, Mark Kopp and Dave Meier

Visitors: Emily Leithner, Michele Nestor, Dick Dornisch and Dave Stubber

The meeting was called to order by Chairman, Bob Bauer, and followed by the Pledge of Allegiance. Minutes from the October 19, 2006 meeting were approved as written.

Bekki noted that the Electronics Center is open this Saturday and they are always looking for volunteers. There is ¾ of a load already at the center and they should have a full load after this weekend's collection. The county received their approval from the State to collect fluorescent lamps and batteries. Fliers were handed out to the members. Additional training for volunteers is needed. Public education is a definite and pricing for alternative packaging is needed. Businesses are encouraged to use the same containers the lamps were delivered in for recycling. An area at the center has been cleared for the collection of the fluorescent lamps and batteries. The collection will begin in December.

There will be an additional collection day added in December after Christmas. The regular collection day will be Saturday December 16th from 9:00 am to 1:00 pm and Thursday December 28th from 1:00 pm to 5:00 pm. Volunteers are needed.

Tina received a report from Bob DeLullo on the compost site. Bob DeLullo reported things are going well at the site and even though we were down for a couple of months this year he feels that the tonnage will be up from last year. He said the program continues to grow and that residents have been cooperating. Most of the landscaping businesses have purchased their permits for the remainder of the year. Bob Bauer stated that the permits are for brush only (grass, leaves, trimmings, etc.) and that no permit is required for wood waste, i.e. pallets. Bob DeLullo monitors the site closely and has been looking at ways the city can help reduce their costs.

As a follow up to the last recycling meeting a list of streets and number of households on each street was compiled for the additional areas being considered for curbside expansion. The breakdown is as follows:

State/City Roads:	524 x $1.15/household = $602.60/month
Private Roads:	112 x $1.15/household = $128.80/month

In order for the city to take on additional collection areas, another curbside truck would have to be purchased. Diane stated that the compactor would not be able to hold more plastic; it is packed to capacity with the current collections. Elk Waste would be able to collect at the proposed areas but would need additional equipment. The current truck is run three days a week. Michele Nestor stated that time is of the essence when purchasing additional curbside collection equipment because starting sometime next year the regulations for the engines are going to change. The city has funding for curbside equipment in their 2004 grant from DEP and the funds are available until May 9, 2007. When we applied for the 2004 grant the county had agreed to pay the 10% match, however, given the county's current financial situation it was suggested we apply for funding through DCED with the help of our State Representative for the matching funds. In March 2006 a grant was submitted to DCED for assistance with the cost of our curbside program and our compost program, however, no letter of acceptance has been received to date. It was also suggested that we discuss our situation with the Stackpole Hall Foundation as part of the environmental planning process for their five-year funding plan.

Diane Cheatle is going to check with Marty Shuller from Ridgway to get the specifications for their curbside truck.

Steve Skok was asked to follow up with council to get their input on the additional costs for expanding the curbside service area.

We are completely out of curbside containers. A budget was requested for $2,000 to purchase additional curbside containers and desk side containers for businesses to assist them with their recycling efforts. The funds would be reimbursed through the City's 2005 grant, however, the request for funding was turned down at this time due to the city's tight budget.

Under non agenda items…the county had a table at the Women's Health Fair at the SMAHS on Saturday October 28th; several people stopped by to ask questions; various education material was handed out (Electronics Center, City's Curbside Calendars, Household Hazardous Waste Collection, City's Drop off Program, How to Dispose of Medical Waste, City's Newsletter) and a container was available for collecting batteries. The attendance was down from last year according to Paulette Schreiber.

The special meeting at 6:00 pm following the regular task force meeting was announced and finally, a draft of the Fall 2006 brochure was emailed to Bekki and Bob for their comments.

Michele Nestor gave the committee an update on what has been discussed between her, the county and the city and what she will offer the county and city through her scope of services. Bekki also gave the committee an update on where the legislation stands on the administration fee that was being offered to the county from the landfill.

The next recycling meeting will be held on Thursday December 14, 2006 at 4:30 pm in the main council room at City Hall. There being no further business to discuss Chairman, Bob Bauer, adjourned the meeting.

(tgg112706)

Recycling Task Force Committee
Minutes
February 9, 2007

The regular monthly meeting of the Saint Marys Recycling Task Force Committee was held on Friday February 9, 2007 at Noon at City Hall. Members in attendance were: Bob Bauer, Todd Breindel, Steve Skok, Russ Braun, Bekki Titchner, Diane Cheatle, Guy McUmber, Dave Meier and Tina Gradizzi-Gnan.

Absent members: Mark Kopp and Darlene Nortum

Visitors: Dave Greene, Christine Gavazzi and Emily Leithner

The meeting was called to order by Chairman, Bob Bauer, and followed by the Pledge of Allegiance. Minutes from the January 18, 2007 meeting were approved as written.

Bob asked for an update on the status of the 2004 and 2005 grants from the PA Department of Environmental Protection. The 2004 – 902 grant was issued May 10, 2005 and will terminate May 9, 2007. The scope of work covered under the 2004 grant is:

> Public Education: Under this category, the City will conduct a recycling education program consisting of public notices, pamphlets and newsletters. Any administration or distribution (i.e. postage) costs associated with this category may also be claimed as match.
>
> Collection Equipment: Under this category, the City will purchase approximately 6,600 curbside containers and a recycling truck.

The 2005 – 902 grant was issued October 3, 2006 and will terminate October 2, 2008. The scope of work covered under the 2005 grant is:

> Public Education: Under this category, the City will conduct a recycling education campaign consisting of seminars, newsletters and fliers. Any administration or distribution (i.e. postage) costs associated with this category may only be claimed as match.

Collection Equipment: Under this category, the City will purchase approximately 100 14-quart, 100 28-quart, 25 centralized, 25 event and 30 drop-off/park containers.

Diane and Chet have been working on getting quotes. Diane reported that one quote was received for the cab and chassis in the amount of $55,000. The cab and chassis are on the lot and a box would have to be added, which would cost approximately $48,000. The time frame involved would be putting the truck together.

Bob asked Guy McUmber if it would be possible to get an extension on the 2004 grant. Guy stated that it is possible to get a 3-month extension; the City would have to submit a written request to DEP. Tina will put the request together for signatures.

The group reviewed the current collection area and it was determined that approximately 4,800 households have curbside collection out of approximately 6,700 households. There are still a few areas that can be added to curbside, however, some of the areas are just not economically feasible to have curbside collection.

Guy McUmber stated that the City is unique and that DEP does realize the city's situation as well as their financial issues. He stated that the mandate is to provide curbside recycling citywide, however, the city is not mandated to have a complete "contract" system. There are a handful of communities in the Commonwealth who have a "conscription" system between the hauler and the homeowner. The City would require curbside in the more outlying areas but not necessarily have a contract.

The suggestion was made to provide the residents in the outlying areas with larger containers collected once a month. One concern that was addressed was the residents in the outlying areas are already paying for the curbside service through their tax dollars and they would be paying double through the "conscription" system.

Guy stated that the participation rate in most areas is about 60%; the City's participation rate for their curbside program is approximately 30%. The committee went on to discuss the number of items that are collected at the curb and the market for those materials. The City is mandated to recycle at least three items at the curb once a month. The problem for some residents is they do not have an area to store their recyclables for a month.

Russ Braun stated that Nestor Resources needs direction from the City as to the study. The scope of services that was originally outlined in the 901-grant application for Nestor Resources to perform the study for Elk County has since changed. Dave Greene stated that the City would like to see cost figures on recycling three items at the curb once a month citywide; cost comparison between one truck or two trucks on the road; comparison on continuing our current program citywide and financing options.

Bekki reported that the City recycled 19 tons of plastic last year by curbside alone. Christine Gavazzi asked that the minutes from the meeting be emailed to Michele Nestor for her records along with a letter confirming the city's direction. Michele will also be in Elk County on Monday or Tuesday next week and Bekki suggested that Dave and Tina make themselves available to meet with Michele on either day.

In other business, the Electronics Center will be open Saturday February 17 from 9:00 am to 1:00 pm and volunteers are needed. Last month 65 vehicles dropped off electronics.

The next recycling meeting will be held on Thursday March 15 at 4:30 pm in the main council room at City Hall. There being no further business to discuss the meeting was adjourned.

(tgg021207)

Recycling Task Force Committee
Minutes
March 12, 2007

The regular monthly meeting of the Saint Marys Recycling Task Force Committee was held on Monday March 12 at 4:30 pm at City Hall. Members in attendance were: Bob Bauer, Steve Skok, Bekki Titchner, Diane Cheatle, and Tina Gradizzi-Gnan.

Absent members: Mark Kopp, Darlene Nortum, Todd Breindel, Russ Braun, Dave Meier and Guy McUmber

Visitors: Councilman Dick Dornisch

The meeting was called to order by Chairman, Bob Bauer, and followed by the Pledge of Allegiance. Minutes from the February 9, 2007 meeting were approved as written.

A letter was received from DEP stating that a three-month extension was granted for the city's 2004 – 902 grant. The new termination date is August 9, 2007.

The Elk County Electronics Recycling Center will be open this weekend and volunteers are needed. The battery and lamp collection at the center is going well and a representative from ECSR in Crawford County will coming soon to pick up what is at the center.

A group of sixth graders from the St. Marys Area Middle School are interested in initiating the school's recycling program. Bekki and Tina have been meeting with the students and their teacher. The group has determined how much recycling is being generated on a daily basis. Bekki and Tina will continue to meet with the group to assist them with their recycling program. Bekki also noted that St. Leos School is interested in starting a recycling program at their school. She will keep us posted.

A letter was received from DEP requesting that the city provide them with a plan to achieve compliance with Act 101 by April 1, 2007. The letter was faxed to Michele Nestor for her review and comments. Michele feels confident that with her research she will be able to put a plan together that meets the requirements of Act 101 and will be acceptable to DEP.

Tina has been receiving the annual reports from area businesses. The information needs to be reported to the county no later than March 28. So far the cooperation from everyone has been very positive.

Bekki will be meeting with the Cleanways Group to request a cleanup of a large illegal dumpsite along Route 120 just past the gas company. Bekki will be doing a letter of request for assistance from the city and volunteers will be needed.

Steve Skok asked that cost estimates for a curbside recycling truck and containers be given to council prior to their meeting on the 19th and he will be requesting that the purchase of a truck and containers be added to the agenda under topics for discussion.

The next recycling meeting will be held on Thursday April 12 at 4:30 pm in the main council room at City Hall. There being no further business to discuss the meeting was adjourned.

(tgg031307)

Recycling Task Force Committee
Minutes
April 12, 2007

The regular monthly meeting of the Saint Marys Recycling Task Force Committee was held on Thursday April 12, 2007 at 4:30 pm at City Hall. Members in attendance were: Bob Bauer, Steve Skok, Bekki Titchner, Darlene Nortum, Dave Meier, Todd Breindel and Tina Gradizzi-Gnan.

Absent members: Mark Kopp, Russ Braun, Diane Cheatle and Guy McUmber

Visitors: Councilman Tom Farley, Manager Dave Greene and Resident Fred Krug

The meeting was called to order by Chairman, Bob Bauer, and followed by the Pledge of Allegiance. Minutes from the March 12, 2007 meeting were approved as written.

Volunteers are needed for the April 21st electronics collection day. On Monday April 16 another load of electronics will be loaded and hauled to Hallstead, PA. The Battery and Lamp Collection is going well.

The annual report information was tabulated and given to the county. As late reports are received by the city the information is emailed to the county to update their report to DEP. Based on tonnage from prior years, Bekki Titchner stated the corrugated cardboard figures a slightly low this year. The number of businesses submitting their reports this year is down as well.

The Household Hazardous Waste Collection will take place on May 12 from 10:00 am to 2:00 pm in the Keystone Parking Lot and the following weekend, May 19, will be the City's Clean-up Day as well as the monthly Electronic Collection Day.

A discussion was held on the purchase of a recycling truck. Steve Skok asked how the old recycling truck was acquired by the city and what can we do with it. Tina will contact DEP for this information. One of council's concerns is the 2006 budget does not have funding for two recycling trucks being operated. Some of the suggestions made by Michele Nestor are limiting

the collection of three items at curbside and decreasing collection to once a month rather than every other week.

Dave Greene suggested that Elk Waste be present so we can get their opinion on some of the suggestions being made. Tina will contact Elk Waste representatives.

Tom Farley asked when council needed to make the decision on the truck. Do they have to spend the money by August 9 or do we just have to be under contract prior to the expiration date of the contract. Tina will contact DEP. Tom Farley would also like to see what kind of plan is going to be implemented for the use of this new truck. He also asked if Nestor Resources could have their plan ready for council to review in either May or June so council can make a decision before budget talks begin. Tina will talk with Michele to see if this is feasible.

Bob Bauer requested a report be provided to council answering the following:

1. Nestor Resources – Accelerate Action Plan to May or June
2. DEP Grant – Does money have to be spent by Aug. 9th or will they accept being under contract for the purchase of the new truck
3. Time frame when council has to make a decision on purchase of truck
4. List of locations where city's white glass containers will be removed

Bekki gave the committee an update on when removal of certain container will take place. The county will begin removing the two large white glass containers on May 25th, which are located on Depot Street and South Michael. The Plastic and Aluminum containers will be removed July 27th. The county will begin running ads for the removal of containers in The Daily Press beginning next week and run for 24 consecutive ads.

No decisions were made on the purchase of additional containers.

It was reported that the blue containers located at the various parks are being removed. The containers are located at the front and back of Benzinger Park, behind the restrooms at Luhr Park and one at Memorial Park.

Under non-agenda items, the compost site located off Wilson Road is open daily from dusk to dawn. Last year the tonnage reported was 932 tons (702 tons brush/shrubbery; 138 tons grass; 92 tons leaves). The tonnage is up from 2005 even with the site being closed for a couple of months in 2006.

On Friday April 27th volunteers are needed, beginning at 9:00 am, to help clean up an illegal dump site located at the bottom of Hanes Hill. If there is time remaining that day, another site located along Portland Mills Road is set for clean up. On Thursday May 17, beginning at 9:00

am there is a site located off State Road, Route 120, scheduled for clean up. Volunteers are also needed for that day.

During the reporting of annual reports, Bekki and Tina noticed that businesses have been dropping off tires during the City's clean up days. Bekki stated that the county provides the funds for the tire collection for residents only, not businesses. She asked that the City put a plan in place to eliminate businesses from dropping off tires during their clean up days. There are several companies that come into Elk County to pick up tires from local businesses. Tina will talk with the person who does the ads for the cleanup days to state in the ads that the tire collection is only for residents and not businesses.

The next recycling meeting will be held on Thursday May 10, 2007 at 4:30 pm in the main council room at City Hall. There being no further business to discuss the meeting was adjourned.

(tgg041307)

Recycling Task Force Committee
Minutes
July 19, 2007

The regular monthly meeting of the Saint Marys Recycling Task Force Committee was held on Thursday July 19, 2007 at 4:30 pm at City Hall. Members in attendance were: Darlene Nortum, Bekki Titchner, Steve Skok and Tina Gradizzi.

Absent members: Mark Kopp, Russ Braun, Diane Cheatle, Dave Meier, Bob Bauer, Todd Breindel and Guy McUmber

Visitors: Manager Dave Greene, Deputy Mayor Denny Nero, Michele Nestor, Amy Cherry and Joann Seltzer

The meeting was called to order by Co-Chair, Tina Gradizzi, and followed by the Pledge of Allegiance. Minutes from the May 15, 2007 meeting were approved as written. There was no meeting in June.

Steve Skok reported that Spring Clean-up day, which was held on May 19, 2007, was successful. They filled ¾ of a 14 yard roll-off with electronics and approximately 100 residents dropped off electronics at the center.

Bekki Titchner reported that the center's three-year anniversary was in June and load #27 is ready to be picked up. The center is open this weekend, July 21st and volunteers are always needed.

The curbside collection truck has been ordered and we're expecting delivery in September. The curbside containers were ordered and have arrived. Tina has a supply in her office, there are approximately 150 at the center and the remaining 800 are being stored at Elk Waste.

The paperwork for our 2004 and 2005 DEP 902 grants have been submitted and the city is working with Guy McUmber, Judy Taylor and Teresa Willey.

A proposal will be put together for council's review at their next meeting to address the expansion of curbside services, circuit riders for areas not serviced by curbside and materials collected at the curb.

Under non-agenda items, Michele Nestor reported that through her research she believes that if the city expands their curbside program then they may have to reduce the number of items collected at the curb. One suggestion was eliminating newsprint and having residents put their newsprint in the county's mixed paper bins on Depot Street and South Michael.

A letter was sent to the Elk County Solid Waste Authority notifying them that the city will be submitting their own 904 Performance Grant applications until further notice.

A new brochure that was created for public education was passed around for comments.

The suggestion was made, via phone call, from a resident for the committee to consider starting a recycling program for smaller businesses in St. Marys.

The next recycling meeting will be held on **Thursday August 16, 2007 at 4:30 pm** in the main council room at City Hall. There being no further business to discuss the meeting was adjourned.

Recycling Task Force Committee
Minutes
August 16, 2007

The regular monthly meeting of the Saint Marys Recycling Task Force Committee was held on Thursday August 16, 2007 at 4:30 pm at City Hall. Members in attendance were: Bob Bauer, Todd Breindel, Bekki Titchner, Russ Braun, Steve Skok and Tina Gradizzi.

Absent members: Mark Kopp, Diane Cheatle, Dave Meier, Darlene Nortum and Guy McUmber

Visitors: Manager Dave Greene, Deputy Mayor Denny Nero, Dick Dornisch and Joann Seltzer

The meeting was called to order, followed by the Pledge of Allegiance. Minutes from the July 19, 2007 meeting were approved as written.

Tina met recently with a gentleman who is interested in setting up a drop off program for residents and small businesses to collect glass and possibly plastics in the future. He would like to use the white containers that were used by the county at their drop off sites. Bekki suggested we talk with DEP to see if the containers can be used for collecting from businesses since they were supplied to the city for residential use only. Tina will talk with DEP concerning this issue.

There have been several curbside bins and calendars distributed to residents. Those who do not have curbside service are urged to utilize the curbside service of a friend or a family member until other options are presented to them for their area.

The list of proposed streets/roads to add to the curbside program was reviewed, based on a report received earlier from Elk Waste. The following suggestions were made:

From 1094 South Michael all the way to Lecker Road
Do not include Lecker Road Extension
Remove Rosely Road
Remove Blair Road
North St. Marys from 620 to the Windfall intersection
Windfall Road to North St. Marys Street intersection
Remove Taft Road
Remove Glen Hazel Road

Remove Siecker Road
Remove Timberline Road
Remove North Paul Road
Add Benzinger Road to Golf Course
Add Mulligan Road
Private Road Weidow Crest, Flagstone and Silver Creek bring bins out to main road

The original proposal would result in an increase of 524 home. The above changes would decrease the number of households to 289. The goal is to add at least 500 more homes in order to satisfy DEP's qualifications. The group discussed adding circuit rider drop off sites to the program for the areas not on the curbside program. The suggestion was made to find three convenient locations; drive the curbside truck to the locations the first three Saturdays of the month from 10:00 am to 2:00 pm. Another suggestion made concerning the curbside program was to eliminate newsprint. Tina was asked to contact the current hauler to ask if this change would make a difference in adding additional areas.
Based on the above information, a final proposal will be given to council Monday night for their review.

The compost site is going well. Monthly News Releases are placed in The Daily Press reminding residents of the service. The last one was published July 25th.

Bekki reported that things are going well at the Electronics Center and another load was picked up today and there is still ½ a load left at the center. Volunteers are needed for this weekend's collection.

The current education material for the drop off sites needs to be updated as well as some of the city's brochures. All education material has been pulled from the city's display units and will be replaced with the latest brochure.

It is time to focus on the annual reports for businesses. A new list of businesses will be created and a letter with additional education material will be sent to businesses to begin preparing them for the reporting of their 2007 recycling figures.

Under non-agenda items – The suggestion was made to ask council to place an ad in The Daily Press to accept bids for the old recycling truck. This item will be added to council's proposal for Monday night.

The next recycling meeting will be held on **Thursday September 13, 2007 at 4:30 pm** in the main council room at City Hall. There being no further business to discuss the meeting was adjourned.

Elk County Solid Waste Advisory Committee/Solid Waste Authority Joint Meeting
January 29, 2008
4:30 PM

Solid Waste Advisory Committee Meeting

Those Present:

Dan Freeburg (SWAC), Donald Zeller (SWAC), John Caribardi (SWAC), Andy Sorg (SWAC), Tom Moran (SWAC), Eric Patton (SWAC), Coletta Corioso (SWAC), Becky Polaski (Press), Matthew Pfeufer (SWAC), Roger Bowers (SWA), Dave Stubber (SWA), Gretchen Rokosky (Press), Joann Seltzer (Press), John Buerk (SWAC), David Carter (SWAC), Ron Beimel (SWA), Pam Cousins (SWAC), Murray Lilley (SWAC), Wendell Lion (SWA), Dick Dallasen (SWA), Bill Boylan (SWAC), Marty Schuller (SWAC) Jim DeVittorio (SWA), Emily Leithner (SWAC/SWA), Bekki Titchner (SWAC/SWA), Russ Braun (SWA), Robin Dubler (SWA), Peggy Aharrah (SWAC), Don Henrichs (Veolia Greentree Landfill), Tony LaBenne (SWAC) and Michele Nestor (Consultant)

The meeting was called to order by Russ Braun with the Pledge of Allegiance.

Russ advised that the Solid Waste Advisory Committee will meet first. He then introduced Michele Nestor of Nestor Resources, who gave a PowerPoint presentation regarding the role of the Solid Waste Advisory Committee.

Michele went over her PowerPoint presentation, which is attached hereto. Topics discussed included the planning process, roles and responsibilities of participants, scope of municipal waste, existing plan overview and future tasks and meetings.

Following Michele's presentation, Bekki stated that the Commissioners must appoint a chairperson to the SWAC. She questioned Attorney DeVittorio, as to whether that would come as a recommendation from the SWAC to the board of Commissioners? Attorney DeVittorio stated that that would be a fair reading of the ordinance.

There was a nomination to elect Commissioner Dan Freeburg as Chairperson as well as a nomination to elect John Buerk and Bill Boylan as Chairperson. Bekki stated that the role of the Chairperson is basically to run the meetings. Dan asked to withdraw his name, stating that John Buerk has more experience in the business. Bill Boylan also asked to withdraw his name as he is a new member and doesn't know a whole lot about the procedures. The motion to elect John Buerk as chairperson of the SWAC Board carried with a unanimous vote.
Michele stated that at the next meeting she will come back with an overview to show members what is happening in the county. She stated that without that foundation, everyone will just be spinning their wheels with ideas. Russ suggested giving each member a copy of the Solid Waste Plan to give them an idea of what is in it.

Solid Waste Authority Reorganizational Meeting

At this time, the meeting was turned over to Solicitor, Jim DeVittorio, for reorganization of Officers.

Election of Officers:

CHAIRMAN: Dick Dallasen made a motion to nominate Russ Braun as chairman for 2008. Robin Dubler seconded the motion and it carried with a unanimous vote.

With this nomination the meeting was turned over to Chairman, Russ Braun for election of Vice Chairman and Secretary.

VICE CHAIRMAN: Russ Braun made a motion to nominate Dick Dallasen as vice-chairman for 2008. Wendel Lion seconded the motion and it carried with a unanimous vote.

SECRETARY: Wendel Lion made a motion to nominate John Moran as secretary for 2008. Russ Braun seconded the motion and it carried with a unanimous vote.

Appointment of Solicitor:

Russ Braun made a motion to appoint Attorney, James DeVittorio as Solicitor for 2008. Dick Dallasen seconded the motion and it carried with a unanimous vote.

Set Meeting dates for 2008:

Meeting dates were set for the last Tuesday of each month at 4:30p.m., with the May, July and December meetings being cancelled.

Solicitor DeVittorio suggested that the Solid Waste Authority formally make a designation that the County of Elk or the County Treasurer serve as the designee for any authority funds. Wendell Lion made a motion whereby the Board would recognize the County or the County Treasurer as designee to handle funds for the Board. Robin Dubler seconded the motion and it carried with a unanimous vote.

Solid Waste Authority Regular Meeting

Approval of Previous Meeting Minutes:

Dick Dallasen made a motion to approve the November 27, 2007 meeting minutes. Wendell Lion seconded the motion and it carried with a unanimous vote.

Recognition of Visitors:

None

Correspondence:

a) Landfill Inspection Reports: Three landfill inspection reports were passed around for review with no comment.

b) Fee Statement From Solicitor DeVittorio: This was passed around for review with no comment.

c) Letter to Authority From BSA Troop 99 Committee Rep. Stephen Shaffer: Russ stated that this letter came about when the girl scouts had proposed using the boy scout troop's building at Memorial Park in St. Marys for their weekly plastics collection. Russ stated that since then, the girl scouts have started the collection at the Proctor House in St. Marys.

d) Letter From Greentree Regarding Tipping Fees For 2008: Bekki stated that the fee will increase, but the price per ton will remain the same as it has for several years.

e) Letter From Greentree Regarding Environmental Fee/Fuel Surcharge: Included in correspondence mailed to Authority members.

f) Letter From Rustick Regarding Discontinuation Of Administrative Fee: Russ stated that Rustick quit passing along the administrative fee along quite a while ago and this letter is just a formal acknowledgment that they will no longer pay the fee.

g) Letter From St. Marys Requesting Match For New Recycling Truck: Bekki stated that a check dated January 18th was sent to St. Marys for the match on the truck. The check totaled $5,578.13.

h)

Solid Waste Management Fund Update:

The Authority reviewed the Administrative Fund Reports with no questions.

Standing Reports:

a) Recycling/Solid Waste Coordinator's Report:
2007 Annual Report: Bekki stated that the annual report forms were mailed out and she has received some reports back already.

Contamination Update: Bekki stated that there have been some contamination issues at the Depot Street site. She stated that last week she, Dave and Emily removed a whole pickup truck of glass and plastics from the site. There was also illegally dumped trash, which Dave is following up on.

Landfill Odor Issues: Bekki stated that she spoke with Jack Crow of DEP and he reported that the Department received a call on January 4th from a complainant who reported he detected landfill odors the previous night at his home located northeast of the landfill.

HHW 2008: The collection will be held Saturday, April 26, 2008 and we will once again piggyback on the ChemSweep program. Bekki stated that apparently the Department of Agriculture is negotiating with Care Environmental to be the contractor for the Chem-Sweep program.

HHW Developments: Bekki stated that the company who currently does our fluorescent bulb and battery pick up has made application to the State to do HHW in Crawford County where they are located. Bekki stated that if that is the

case and we are able to get approval, we could actually have a regular HHW drop-off once a month and have ECS&R there to collect the waste.

Electronics Update: Bekki stated that there were 103 cars at electronics in January. Load #31 went out of the center last week and she stated that there is probably at least another half a load left in the center. She also mentioned that ECO International is going to renegotiate with us for some lower prices on electronics.

b) Greentree Landfill Status Report: Don Henrichs reported on the odor complaint at the beginning of January which was checked out by Rudy Polino and Jerry Zimmerman. Since then they have had a couple calls but no persistent odors. They are currently adding more odor control wells in their active areas. As far as the gas plant, Don reported that they received an award from the EPA for project of the year for 2007. Don also reported that volume is down at this time and he stated that it probably has to do with the time of the year and also the fuel costs.

c) Enforcement Officer Report: In the last two months Dave has traveled 1,500 miles, worked 210 hours and reviewed four demolition permits. He has had four investigations, two of which have led nowhere and two are still open. He also stated that he met with both District Justices regarding the Ordinance change and they are both on board with the change.

d) St. Marys Recycling Task Force Meeting: Russ stated that the task force did not meet in January, as they did not have a quorum.

New Business:

a) Appoint New Member To The Board: Russ stated that this will be a recommendation to the commissioners and not an appointment. Commissioner Biemel stated that the Commissioners talked about the appointment and they thought that Pam Cousins of Jay Township should be appointed to the Board. Wendell Lion stated that he would like to recommend Michael Keller as he is a supervisor in Fox Township and also has been a prior member of the Board. After some discussion, Wendel Lion made a motion to recommend to the commissioners that Mike Keller be appointed to the Board. Dick Dallasen seconded the motion and it carried with a unanimous vote.

b) Presentation by Consultant Michele Nestor: She gave her presentation at the SWAC meeting.

Visitors Comments: None

Other Items Requiring Attention: Bekki stated that the County Commissioners Association is pushing the reauthorization of the Administrative Fee.

Adjournment:

Dick Dallasen made a motion to adjourn the meeting. Roger Bowers seconded the motion and it passed with a unanimous vote.

The next meeting of the Elk County Solid Waste Authority will be held on Tuesday, February 26, 2008 at 4:30 p.m. at the Elk County Courthouse Annex, Conference Room #2.

INTRODUCTORY PRESENTATION

Elk County Municipal Solid Waste Management Plan Revisions

Solid Waste Advisory Committee
January 29, 2008

Nestor Resources, Inc.
Michele Nestor

Agenda

- Introductions
- Recent Accomplishments
- Planning Process
- Roles and Responsibilities of Participants
- Scope of Municipal Waste
- Existing Plan Overview
- Future Tasks and Meetings

Vision without action is a daydream. Action without vision is a nightmare.

Japanese Proverb

Actions preceding this meeting

- Initiated study to examine sustainability
- Targeted the largest expenditures
- Appropriately shifted costs and mandated responsibility back to municipality
- Focused on St Marys in the transition
- Cut overhead without significant reduction in material recovery
- Proposed consolidating efforts of study and requirements for planning into one project

Goals & Objectives of Planning Process

- Examine sources, amounts, and disposition of municipal waste
- Determine future needs and guidelines for disposal
- Secure disposal capacity agreements
- Establish benchmarks in existing program to measure future performance
- Determine realistic potential to meet the state's recycling goals

How will we attain the goals and objectives?

- Determine realistic generation and recovery rates based on local demographics
- Evaluate the impact and effectiveness of the existing plan
- Explore reasonable methods and alternatives to compliment and enhance the existing plan
- Provide the tools to ensure the plan can be implemented and enforced
- Ensure sufficient sources of revenue to sustain the recommended programs
- Establish a timeline to implement recommendations
- Comply with PADEP guidelines

Roles and Responsibility

- Elk County SWAC
  - Gain Awareness and Understanding of Issues
  - Offer Input from Balanced Spectrum of Stakeholders
- Elk County's Consultant
  - Provide Background and Experience
  - Evaluate and Advise
  - Facilitate County's Compliance
- Elk County Commissioners
  - Ultimate Approval of Plan and Submission to PADEP
  - Implement and Enforce the Plan

How does it become a plan?

- Meetings on most significant issues
- Input from committee
- Analyses and recommendations
- Final Approval –
  - Solid Waste Authority
  - Public Comment Period
  - County Commissioners
  - PADEP

What is municipal waste?

- Household garbage and refuse
- Lunchroom and office waste
- Construction and demolition waste
- Yard trimmings
- Some special types
  - Sewage Sludge, Septage, Medical Waste

Who makes it?

- Residents
- Business Offices
- Retailers and Wholesalers
- Restaurants
- Schools, Colleges, Nursing Homes, Prisons
- Government Buildings and Facilities
- Hospitals, Clinics and Medical Offices
- Community Events

Where did we succeed?

- County Entity Directs Programs
- Private Sector Participation
- County-wide Drop-off Recycling
- Special Collection Programs
- Established Funding Mechanisms
- Operated within Budgetary Limits

Major Issues Facing Us

- Court Rulings and Funding Mechanisms
- Pending Disposal Bans and Infrastructure
- Fragmented Municipal Efforts
- Recycling Markets
- Education/Awareness
- Illicit Dumping
- Enforcement

Now What?

- Decide of you want to be a SWAC member
- Shift focus from St Marys to remaining municipalities
- Schedule future SWAC meetings to present and discuss findings and recommendations
- 4 to 6 SWAC meetings during 14 months

Future SWAC Meeting Topics

- Overall generation and recovery
- Current disposal practices and future needs
- Results of the request for disposal capacity
- Potential draft ordinances, contracts, regulations
- Program costs and revenue sources
- Market and infrastructure development
- Recommendations based on our analyses and the comments presented during these meetings

Elk County Solid Waste Advisory
Committee Meeting
March 25, 2008
5:30 PM

Solid Waste Advisory Committee Meeting

Those Present:

Murray K. Lilley (SWAC), Tony LaBenne (SWAC), Matthew Pfeuffer (SWAC), David Carter (SWAC), Donald E. Zeller (SWAC), Dan Freeburg (SWAC), John J. Caribardi (SWAC), Eric S. Patton (SWAC), Jim Cathers (SWAC), Marty Schuller (SWAC), James Groll (SWAC), Tom Wehler (SWAC), Coletta Corioso (SWAC), John Buerk (SWAC – Chairman), Russ Braun (SWA), Dave Stubber (SWA), Robin Dubler (SWA), Bekki Titchner (SWAC/SWA), Emily Leithner (Secretary), Michele Nestor (Consultant – Nestor Consulting)

The meeting was called to order by John Buerk with the Pledge of Allegiance.

John then introduced Michele Nestor to the committee and turned the meeting over to her.

Michele stated that at the last meeting there was a request that a copy of the existing Solid Waste Plan be sent to each member of the Committee and that was done.

Michele stated that the existing plan is very atypical of what she would see in other counties. She would like to make the plan more in depth and more representative of Elk County.

In going through the existing plan, Michele stated that the existing plan is real generic as it doesn't talk that much about Elk County and what makes the county unique. It also doesn't talk about the economy here or the kind of people or industry that are in the county. She thinks those things would be beneficial to add to the plan. Also, she

wants to tie the solid waste plan to the county's comprehensive plan. She would like to do a lot more with the septage, sewage, medical and demolition waste that is generically approached in chapter one. She asked to hear from the committee the true challenges in managing waste in rural communities.

Regarding the landfills that currently handle the wastes in the county, Michele would like to talk about who is really taking the waste and where it was supposed to go as some of the waste may be misreported. She would also like to look at some outlets for wastes that might be weak and alternative methods of disposal. Specifically in Elk County, there is land application of septage. She stated she would like to identify all the sites so everyone in the county is aware of where they are, who hauls that material and how it is handled. Michele also thinks it would be beneficial to talk about illegal dumping as the county has an enforcement officer, which is lacking in a lot of counties. She would also like to talk a little bit about burning of trash.

Michele mentioned that every authorized transporter will be listed in the new plan. She stated that most people just think of the people who pick up household waste and the waste from businesses as your licensed haulers, when in fact, the laws of Pennsylvania cover a host of other people.

The committee will also look into what kind of disposal capacity the county will need in the future. Michele believes this part might get a little tricky as there are some pending disposal bans and if those bans pass, the amount of disposal capacity needed in a landfill will diminish. The challenge is going to be what can be done with all the banned items. Michele feels that this is where the planning process is really important for the county because the county will need an infrastructure to handle some of the things that can potentially be banned so they aren't being tossed along the streams or over the banks.

The description of recyclable materials will come back to those landfill bans again as a lot of the material is going to have to be recycled. The committee will need to look for ideas on how this material should be handled. Michele stated that DEP is now requiring that any municipality that wants grant funding, will have to pass an ordinance requiring mandatory waste collection. Chapter five will include a detailed budget for the authority and the county programs, as the committee is going to have to justify the decisions that are made. Michele stated that from this point forward, the Department is going to be looking at how it issues grants based on foresights. The ideas are really going to have to be thought out for the next ten years.

Michele stated that once the landfill contract is completed, the committee will need to identify new landfills and potentially different ways of managing material.

Besides the above-mentioned discussion Michele stated that the biggest discussion that will take place is if some of the committee's decisions determine that the county ought to have stricter enforcement, stricter requirements or different kinds of ordinances. These would be in the form of recommendations to the commissioners, because ultimately this group is an advisory committee.

Michele then asked for questions or comments from the committee. Coletta asked what kind of problems the County has encountered over the last 10 years as it relates to the existing plan. Bekki stated that the biggest problem that wasn't planned for was the loss of a major funding source, which was the administrative fee money. Bekki also stated that another thing that wasn't discussed in the existing plan was septage.

Michele stated that she noticed that Elk County is a very seasonal county; so at certain times of the year there is an increase in population, which generates more waste. The problem being trying to educate the population that comes from out of town about the county's recycling and solid waste programs.

Michele stated that another avenue that is probably lacking in the current plan, which the committee might want to explore, is that because Elk County is rural and the volume of material is minimal, it makes it tough to make money. She would like to look into the option of collective marketing. She also stated that there are specific wastes that the committee has to deal with but will not deal with wastes coming out of industries, mining wastes or anything that is residual. Michele stated that the committee will be able to identify whether the wastes are being managed correctly. She mentioned that the committee can change County regulations but they can't be any less strict than state regulations. She stated that the role of the committee is to make sure there is an infrastructure that collects the material that is fair to everyone.

Michele would like to look into what kind of services the county should be providing to make sure that they are servicing not only the residents but also the people in industry.

Eric Patton mentioned that a significant problem that he sees in Millstone Township is that a significant percent of the their garbage and their recyclables come from other counties. He stated that they have an unmanned drop-off for garbage and recyclables at their township building, which is in close proximity to the county line. He also stated that since he is in such a remote location it is very hard to get a contractor to come out and pick up garbage or recyclables.

Elk County Solid Waste Advisory Committee Meeting
November 10, 2008
5:30 PM

Solid Waste Advisory Committee Meeting

Those Present:

Tony LaBenne (SWAC), Matthew Pfeuffer (SWAC), Donald E. Zeller (SWAC), James Groll (SWAC), Pam Cousins (SWAC), John Buerk (SWAC – Chairman), Russ Braun (SWA), Robin Dubler (SWA), Bekki Titchner (SWAC/SWA), Emily Leithner (Secretary), Michele Nestor (Consultant – Nestor Consulting)

The meeting was called to order by John Buerk with the Pledge of Allegiance.

John stated that the Chapter 4 of the Solid Waste Plan was sent to all members of the SWAC and the meeting today was to discuss the Chapter.

Michele stated that this is just the beginning of the plan. She stated that a lot of the information was gathered during a sustainability study that has been conducted for the past year and a half. She wanted the committee to understand the status of the County's programs and what is already going on with other municipalities. She also wanted to talk a little bit about market conditions of recyclables because that is what drives a lot of decisions. She stated that right now recycling markets have tanked because of the recession. Just because the markets dropped, it doesn't mean that recycling is going to fail, but it means that it is something that needs to be understood when decisions are being made for municipalities within the County.

Pam Cousins wanted to mention that Jay Township has an individual who collects glass from residents for recycling. Michele stated that he should be added to the non-profit section of the chapter. Bekki also mentioned that in Horton Township, Veolia sponsors their drop-off program at the township building. Michele stated that this will fall under a municipal program.

Michele stated that the biggest problem right now is how to sustain financially what programs are already in place. She asked for suggestions/comments on charging for recycling or possibly negotiating with the landfill. Bekki stated that right now her only revenue from the landfill is a $.50 per ton host fee that is assessed to Jefferson and Clearfield counties. Bekki stated that at this point that is what the entire budget is based upon. She also stated the obvious concern that another landfill will be cited in Clearfield or Jefferson County or that those counties will decide to take their waste someplace else and then she will have no source of income. The County has also lost around $200,000 in host fees in the last three years because of the diversion of certain materials for beneficial use.

Michele also mentioned that the doors of communication have been opened with Veolia Landfill. She stated that there are no promises but at least there is some communication. She and Bekki believe that with an increase as small as a dime per ton, the Authority could fund all of their programs forever. Michele stated that if no more revenue is found within the next few years then the drop-off program will more than likely be discontinued.

Matt Pfeufer asked how it is that the Authority isn't already in the red, when they have no income. Michele stated that the Authority has done a great job of managing the money that it does have. The Authority has approximately forty thousand dollars coming in annually, which is from the $.50 per ton fee for Clearfield and Jefferson counties. She stated that the Administrative Fee, that is no longer collected, brought in another forty to fifty thousand dollars annually. She stated that right now, every month the Authority is running in the red. The largest expense to the Authority is the county-wide drop off, which averages about $2,700 per month. Jim Groll suggested charging user fees for recycling and Bekki stated that the Authority has started to ask for donations at the electronics center. Michele stated that she is working on easing into user fees. Bekki's concern with charging user fees is that people are going to start throwing recyclables over the bank instead of paying user fees. Pam suggested that if the prosecution of illegal dumpers was made more visible, maybe that would deter illegal dumpers. Bekki stated that in the past, the landfill donated money to Authority for a reward for illegal dumping. Russ suggested bringing the visible prosecution of illegal dumpers up at the next Solid Waste Authority Meeting.

Matt Pfeufer also questioned whether the Authority thought about cutting services to cut down on costs. Michele stated that a lot of services have already been cut. She also stated that the Authority talked about eliminating plastics for about a year but the consensus was that politically, it is just not doable right now. They haven't eliminated the possibility completely. Bekki wanted to point out that glass was eliminated at the drop-off sites in St. Marys over a year ago and glass is still being cleaned up at those sites. Matt then suggested eliminating the drop-off sites completely from St. Marys.

Bekki mentioned that the drop-off's are there for all the paper products that are not picked up curb side as well as tin cans. Matt stated that he spoke with the City Recycling Coordinator and they were talking about eliminating the site on South Michael so that everything can be collected at the Depot Street site. He thought that the City could take over the drop-off at the Depot Street site and basically only have corrugated cardboard and mixed paper and possibly moving bi-metal cans to the curbside program. Michele stated that the other issue was that there was some concern on the part of Elk Waste that maybe they couldn't handle the volume on an every-other week collection route. Matt stated that they were thinking about eliminating newspaper curbside as it doesn't work anyway with the climate as the paper is getting wet and is then useless. Michele stated that that isn't true. Matt then stated that if they take over the container on Depot Street that they would only take paper products as the cardboard is too bulky. He also stated that he assumes the bins were paid for through a 902 grant and he suggested that if the City takes over the drop-off containers, that the County could donate the containers to the City. Bekki stated that the issue with that, is that the County still needs an extra container for a swap and those containers are the same containers that are used in other municipalities. Bekki also stated that the Authority is in the middle of a contract with Elk Waste and everyone would have to sit down at the table to come to an agreement that would work for everyone. Bekki stated that if the City felt that they could take over that portion of the program, it would save the Authority a lot of money. Michele thought that this is definitely worth discussing with the City.

Matt stated that by looking at the report, they felt that the Authority's money could be best spent elsewhere. He also stated that they were considering asking the Authority to eliminate electronics recycling. Bekki stated that they Authority is never going to eliminate electronics recycling as we are one of fourteen places in the whole state that does electronics recycling. Russ also stated that the City has an ordinance that requires their residents to recycle electronics. Matt stated that the City would eliminate their ordinance and Bekki replied that still won't stop the program but will just make it voluntary to City residents.

After much discussion, Michele stated that if the City is willing to take over the cost of the drop-off, that that would be a huge plus to extend the life of the Authority and the other services that the Authority provides.

Elk County Solid Waste Advisory
Committee Meeting
August 25, 2009
5:30 PM

Solid Waste Advisory Committee Meeting

Those Present:

Coletta Corioso (SWAC), David Carter (SWAC), Tony LaBenne (SWAC), Matthew Pfeuffer (SWAC), Donald E. Zeller (SWAC), Andy Sorg (SWAC), Pam Cousins (SWAC), John Buerk (SWAC – Chairman), Russ Braun (SWA), Bekki Titchner (SWAC/SWA), Emily Leithner (Secretary), Michele Nestor (Consultant – Nestor Consulting)

The meeting was called to order by John Buerk with the Pledge of Allegiance.

Bekki stated that as of last fall the market for recycling crashed. The McKean County Recycling Center, who previously had taken the plastics and paper from Elk County's drop-off program, stopped taking recyclables at the beginning of January. At that time, Ed Yahner of Veolia, stated that they would take Elk County's material for $15.00 per ton for processing. As a result of the containers now having to be hauled to Brockway, the County's hauler, Elk Waste, incurred additional costs which were also passed along to the Authority. Then in May, Veolia called and stated that the costs of recycling plastics and paper would be raised from $15 per ton to $50 per ton, which works out to be about an extra $700 a month for the processing of materials. To put this in perspective, Bekki stated that in 2008 a total of $30,000 was spent on the drop-off program and as of June of this year a total of $28,000 had already been spent on the program.

John Buerk suggested Bekki contact the Stackpole-Hall Foundation for funding and Bekki stated that she has received grants from Stackpole-Hall in the past for other programs.

Michele stated that the $35 a ton processing fee increase from Veolia isn't just a random price. She stated that $50 per ton is a very reasonable and common price for processing recyclables. She stated that the problem with this area is that there is low volume and a great distance to get it to market.

Michele stated that Elk County has eight months left on the current hauling contract with Elk Waste. She suggested that changes be made to the new contract; otherwise she feels the Authority will be out of business in approximately two years. Some ideas that were tossed around included shrinking the drop-off program to a 1-day manned container at each site throughout the County and a drastic or worst case measure would be to reduce all service to one central drop-off location that would operate several days a week or every other Saturday.

John suggested talking to the legislators regarding a bottle bill. Don Zeller asked why a tax cannot be added to property taxes. Michele stated that counties have the ability to assess so many mills, but they are not allowed to tax for solid waste in Pennsylvania. Michele stated that it has been suggested to legislators that instead of putting it through the landfill, just to give the counties or the municipalities the taxing authority and let the voters vote with their wallets.

Michele stated that in moving forward, Elk County will be renegotiating the landfill contract soon. She stated that some of the things that could be asked for are not always flat out dollars and cents. She suggested asking for in-kind services or sponsorships of programs.

Bekki stated that there has been talk from Fox Township about them possibly taking over and paying for the recycling of the materials from their site but she doesn't have a definite answer.

John Buerk suggested looking into the Congressional Accountability Act. Pam Cousins suggested that Bekki look to the Palumbo Foundation for funding.

Bekki explained that all of the County's programs are funded through garbage from Clearfield and Jefferson Counties. Elk County residents do not pay one penny for any recycling program that is offered through the County. She also stated that if Clearfield or Jefferson Counties decide to build a new landfill and all their trash goes there, the Authority will have no income. Coletta Corioso suggested that everyone in the County needs to understand that they are not paying for the services of recycling. She stated that when people don't understand, than it is harder to generate a revenue. She also suggested that the County run an educational program giving everyone the correct information and then maybe they wouldn't be so opposed to being charged a fee to recycle.

Pam Cousins stated that because Jay Township's container is only available during office hours it makes recycling very inconvenient for those residents working the typical 9-5 job.

Michele stated that since municipalities have an easier time charging fees than counties, she is looking at the following scenario in some other counties: For the privilege of having a drop-off site in a municipality, that municipality would pay for the fees for their site as they have the ability through taxes, sewer and water to push that fee down to the users but that the County would bid out all the services.

Matt Pfeufer stated that he didn't think it would be an issue to reduce services in St. Marys to save the County $11,000 per year as the City does have the curbside recycling program. He also didn't think the City would be very receptive to taxing the residents for the drop-off recycling program.

Elk County Solid Waste Advisory Committee
&
Elk County Solid Waste Authority
Joint Meeting
June 28, 2011

Those Present:

SWAC Members: Chairman John Buerk, Jim Groll, Don Zeller, Matthew Pfeufer, Commissioner Dan Freeburg, Andy Sorg, and Carl Tamin

SWA Members: Chairman Russ Braun, Mike Keller, John Moran, Fred Krug, Tom Buck, Dick Dallason and Robin Dubler

Recycling/Solid Waste Coordinator: Bekki Titchner
Elk County Recycling Secretary: Diane Myers
Solid Waste Enforcement Officer: Dave Stubber
Elk Conservation District Manager: Steve Putt
One member of the press and Chet Cheatle from Elk Waste

The meeting was called to order at 4:30 p.m. by Russ Braun with the Pledge of Allegiance. Russ explained that the SWAC would be meeting first followed by the regular Solid Waste Authority Board. It was noted that Michele Nestor, Consultant, would not be able to attend due to a family emergency and that Bekki would provide the necessary information for the meeting. SWA Chairman Braun then turned the meeting over to SWAC Chairman John Buerk.

Chairman John Buerk stated that since he had not received any information from Michele Nestor, he would turn the meeting over to Bekki Titchner.

Request for Proposal (RFP) for Landfill Capacity:

Bekki reported that the next step for the SWAC will be the completion of the RFP for landfill capacity for the next ten years. The SWAC needs to discuss how they want to move forward with the RFP. Then the RFP will have to be advertised in a national publication. In the past we have used Waste and Recycling News. Once published, the interested landfills will have four weeks to submit their proposals to us. Michele will review all proposals received and they will be submitted to the SWAC for review.

In the past, we have entertained any landfill that wants to be in our plan as long as they met the minimum requirements outlined in the RFP. There has been much discussion as to how Clearfield County handled their recent RFP process. Bekki stated that asking for support or sponsorship of programs could happen, but it should be over and above any contract that we have for landfill capacity assurance and added that this is what the SWAC previously indicated it wished to do.

She then opened the floor for discussion.

John Buerk expressed concern that the SWAC has not met in quite a while and Bekki stated that Michele was very busy with other solid waste plans but they would be meeting quite frequently over the next few months because our grant ends in mid-October and all billable expenses must be submitted by that time. SWA Chairman Russ Braun also noted that by waiting, we have the advantage of knowing how other counties handled their RFP's. The discussion concerning Clearfield plan was that the capacity assurance was tied to other benefits to the county.

Bekki reminded the Committee that in the past the RFP was simply for landfill capacity assurance. Mike Keller questioned why we would not consider other options that would benefit the SWA and Recycling Program. Russ stated that if only certain landfills could provide these benefits to the county, it would put local haulers at a disadvantage by only being able to haul to these designated landfills. Mike again questioned as to why the criteria of added benefits could not be included to any landfill that wants to participate in the plan. Russ again explained that some of the landfills may not be able to offer the same benefits as the larger landfills could. Mike again suggested that it would benefit the county to have some other options included in the RFP that would benefit the recycling program.

There was also discussion on the issue of "Flow Control" and the legality of hauling all waste to one privately owned landfill without a transfer station in place. Bekki also explained that some counties are asking for monetary benefits but the courts have ruled that the counties cannot get an administrative fee from waste disposal so it cannot be mandated in your solid waste plan that a landfill is supposed to give you money. There was discussion about asking landfills for services such as sponsoring a specific recycling collection or not charging for recycling processing fees. Bekki will forward these questions to Michele and have a response for the Committee members before the next meeting. She stated that the big question is whether a landfill being able to provide extra services should be a requirement in being included in our solid waste plan.

John Buerk questioned about any new landfills that may be formed after the plan is in place. Bekki explained that a new landfill could petition to be part of our solid waste plan. There was also discussion about landfill capacities with all the increased activity with drilling sludge being taken to the landfills. It was noted that drilling sludge is not considered municipal waste.

If a landfill guarantees us landfill capacity for ten years, they must meet this obligation even if they have to move any other additional waste to another area.

Bekki stated that she will send out a packet with the next meeting notice having Michelle address the concerns and comments expressed in this meeting.

The meeting of the Solid Waste Advisory Committee was adjourned at 5 p.m.

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Nestor Resources, Inc.

July 6, 2011

To: Bekki Titchner
From: Michele Nestor
RE: Requests for Disposal Capacity

First, let me apologize for the inconvenience caused by my inability to attend the last Authority/SWAC meeting. I appreciate everybody's understanding of the situation.

I reviewed the questions that came from the meeting. As I started to address them, it became evident that in spite of the long list, it was simply one question. As you are aware, the first and foremost responsibility of a county is to secure disposal capacity for the duration of the plan (10 years). At face value, there appears to be a number of ways to seek out and obtain guarantees for that capacity. However, those selections become more complicated once you begin to understand the obstacles and ramifications. Therefore, it is probably easier for me to answer this by outlining the various scenarios and options that we have available.

OPTIONS

1. ZERO FLOW CONTROL. It is possible to simply ask a landfill to guarantee capacity to the county, without any procurement process. In such an arrangement, there would be no flow control, no price caps and no protection. Waste could be delivered to any permitted landfill in and out of state. There have been instances of such arrangements, but it sounds easier than it is to achieve. There is no incentive for a landfill to commit daily or annual tonnage. Therefore, securing the contract can be an uphill battle. Determining when that capacity is actually available could be an argument, and not practical to an independent hauler. In addition, demonstrating to the DEP that this capacity is actually committed to the county can be challenging.

2. FLOW CONTROL TO COUNTY OWNED FACILITY. It is possible for a county to flow all of its waste to a landfill, which is under its direct ownership. The US Supreme Court has affirmed this action is a very narrow and circumstantial ruling.

3. FLOW CONTROL TO ANOTHER PUBLIC FACILITY. The PADEP believes that it is also possible for a county to flow control all of its waste to a facility in which the county has no vested interest, yet is owned by another public entity. That is a very broad interpretation which is ripe for litigation, if for no other reason than to have the courts make a clear determination on such a case.

   In both scenarios 2 AND 3, the county does not issue any type of solicitation. However, the Plan is required to document the benefits of such arrangements to the exclusion of using a private sector facility. The benefits can be the ability to generate revenue to pay for other

related services, such as recycling, composting, etc. However, there must be more than simply financial reasons to justify such an arrangement…life cycle costs, pollution prevention, greenhouse gas emissions, etc. Flow control is achieved through ordinances.

4. FLOW CONTROL TO ONE OR MORE PRIVATE FACILITIES. The most common option used by Pennsylvania counties is to flow control waste to one or more privately owned facilities. The process that ultimately determines which landfills are selected by a county and that haulers are subsequently limited to use must be conducted in a fair, open and competitive manner. It must meet a variety of federal and state laws.

   Although it is not specifically required, in order to demonstrate that the method of selection passes all of the legal tests, counties typically use the "Request for Proposals" (RFP) process. An RFP creates a level playing field by laying out the rules in advance. It also is used to ensure that all interested parties are invited to the table.

   The RFP establishes the criteria by which the facility (ies) will be selected. It is important that the criteria are clear. Equally, if not more importantly is how it will be used to rate or rank the proposed facilities. Any issue that would serve to eliminate a landfill from consideration must not be artificially slanted to favor one over another. Attempts to skew who can submit a proposal by selectively notifying only preferred operators would not be considered fair open and competitive.

   The criteria cannot favor in state over out of state facilities. Neither can the criteria inadvertently provide a private facility in state with an economic competitive advantage over out of state facilities.

Several of the comments centered on what can be asked for in a contract. The answer to that is simple and complex at the same time. For starters:

1. A county cannot ask for something unless it has the statutory authority.

2. Court rulings have superseded the right of counties to require payment of administrative fees as part of the capacity agreements.

3. A county cannot require the payment of a fee or other monetary support as a condition of the selection process.

4. Fees and other forms of support must be voluntary. Mandatory fees or financial support could be considered coercive.

5. A landfill cannot be eliminated from a plan solely for not offering a voluntary fee or other form of financial support. Essentially, that removes any leverage that a county has in the negotiating process.

There are counties that have required payment of fees in their contracts. The fees have been given a variety if names, but in the end it is still a mandated fee. Some of these were as high as $4 per ton. DEP has informed these counties that they must redo their selection process or their plans will not be approved. Private sector landfills have issued letters to these counties indicating that litigation would be imminent if the fee requirement was enforced.

Several questions were asked on the Clearfield RFP and process. It would be easier for me to address those in person.

Elk County Solid Waste Advisory Committee
&
Elk County Solid Waste Authority
Joint Meeting
August 30, 2011

Those Present:

SWAC Members: Chairman John Buerk, Jim Groll, Pam Cousins, Tony LaBenne, Matt Pfeufer,

SWA Members: Chairman Russ Braun, Mike Keller, John Moran, Fred Krug, Tom Buck, Dick Dallason and Robin Dubler

Recycling/Solid Waste Coordinator: Bekki Titchner
Elk County Recycling Secretary: Diane Myers
Solid Waste Enforcement Officer: Dave Stubber
Consultant: Michele Nestor

Two members of the press, Chet Cheatle from Elk Waste, Don Henrichs from Greentree ES

The meeting was called to order at 5:00 p.m. by Chairman John Buerk following the regular Solid Waste Authority Board meeting.

Request for Proposal (RFP) for Landfill Capacity:

Consultant Michele Nestor reported that the RFP's were advertised and we received proposals from seven landfills. She referred everyone to the table on page 136 of the proposal and questioned Greentree Landfill's remaining capacity. It was noted that this number was not accurate and would be corrected. She also noted that every landfill was missing some criteria required in the proposals, and that she has notified them of the items that were needed. She then referred to page 137 of the proposal which showed the "Not to Exceed" pricing of each landfill for the first year. Some of the proposals showed increases in rate after the first year and haulers may still be able to negotiate their own rates.

Greentree Landfill and McKean Landfill have both agreed to accept 100% of Elk County municipal waste which would be 82 tons per day. No out-of-state landfills submitted proposals and there were no issues with the contract. Michele stated that she did not bring the voluntary sponsorship information with her to the meeting as she felt that those voluntary sponsorships really have nothing to do with a landfill being accepted into the plan.

Landfills that submitted proposals were:

a. Evergreen Landfill
b. Greentree Landfill
c. Laurel Highlands
d. McKean Landfill
e. Seneca Landfill
f. Tri County Landfill
g. Wayne Township Landfill

Michele then opened the floor for questions.

John Buerk questioned Greentree Landfill's representative about the ability to accept car wash waste. Don Henrichs stated that it should not be a problem as they are currently upgrading their systems.

Chet Cheatle questioned Don Henrichs about the 7% surcharge that is currently in effect at Greentree Landfill. Don stated that there would no longer be a surcharge and there is a flat rate that will be charged with the possibility of a small percentage on annual increases as stated in the proposal.

John Buerk notified the committee that he would be resigning from the SWAC due to health reasons. He then recommended that Chester Cheatle be assigned to the SWAC to fill the vacancy. Since the regular Solid Waste Authority Board was present, a motion was made by Dick Dallason, seconded by Robin Dubler, to recommend to the County Commissioners that Chester Cheatle be appointed to the Solid Waste Advisory Committee. All were in favor. Bekki stated that she would prepare the letter to send to the Commissioners.

The meeting of the Solid Waste Advisory Committee was adjourned at 5:20 p.m.

Appendix K

Addendums

This section is reserved for any future amendments to the Plan that may be necessary prior to the next formal planning process.

Appendix L

Executed Capacity Agreements

This section is reserved for the disposal capacity agreements that will be executed by the Elk County Board of County Commissioners and Landfill Contractors upon approval of the Plan.