



WYOMING COUNTY MUNICIPAL SOLID WASTE MANAGEMENT PLAN

PREPARED ON BEHALF OF
THE WYOMING COUNTY BOARD OF COMMISSIONERS



Nestor Resources, Inc.

Inside Front Cover

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WYOMING COUNTY
MUNICIPAL SOLID WASTE
MANAGEMENT PLAN
REVISED 2018

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Introduction

Communities have always struggled to manage the waste generated by their residents and businesses. Initially, managing municipal waste was a purely practical perspective. Eliminating unsightliness and odors was the sole concern. A common solution to municipal waste management was often the town dump. They attracted vermin, emitted odors, and often smoldered or burned out of control. The infamous Centralia coal seam fire was allegedly ignited when the town dump was set afire to make more room for waste. Despite the hazards, open dumps did not cause immediate alarm, primarily, because they provided a cheap and mostly free disposal outlet.

Beginning in 1960 and continuing at a steadily escalating pace for 30 years, Americans generated municipal waste at a rate greater than had ever been seen. It exceeded the pace of population growth. It quickly 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.

New environmental regulations were introduced at the federal level. Pennsylvania's municipal solid waste management statutes enacted during that period became the most stringent standards for landfill design and operation in the nation. Thousands of municipal open dumps disappeared. The need to project and prepare for local needs along with mechanisms to ease this transition was 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. Several counties chose to develop and build publicly owned and operated landfills and/or waste to energy complexes. Most counties entered contractual agreements with landfills or other processing facilities to attain this goal.

HISTORY OF WYOMING COUNTY'S MUNICIPAL WASTE MANAGEMENT PLANNING

In 1993, Wyoming County, in accordance with the provisions of Act 101, presented to the municipalities for ratification a ten-year plan for the management of Wyoming 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. Updates and revisions were developed and approved in 2000 and in 2007. This project represents the fourth iteration of the original Plan.

BENEFITS OF WYOMING COUNTY MUNICIPAL SOLID WASTE PLANNING

Wyoming County benefitted from the original Plan's recommendations. The County secured disposal capacity to ensure its citizens fair and equitable disposal costs. The use of professionally operated state of the art landfills decreased the risk of future environmental liabilities. The County's support of voluntary recycling opportunities helped to conserve valuable natural resources.

IMPACT OF LOCAL RECYCLING EFFORTS

Despite often limited resources, recycling has always been an important component in the Wyoming County Municipal Solid Waste Management Plan. The County recognized from the onset that there are other advantages derived which are not immediate and financially direct to the recycler. The impact of these benefits is often overlooked and ignored.

Measuring and quantifying the environmental effects of recycling is complicated. Sharing this information with the community is an effective way to demonstrate the value of their recycling efforts.

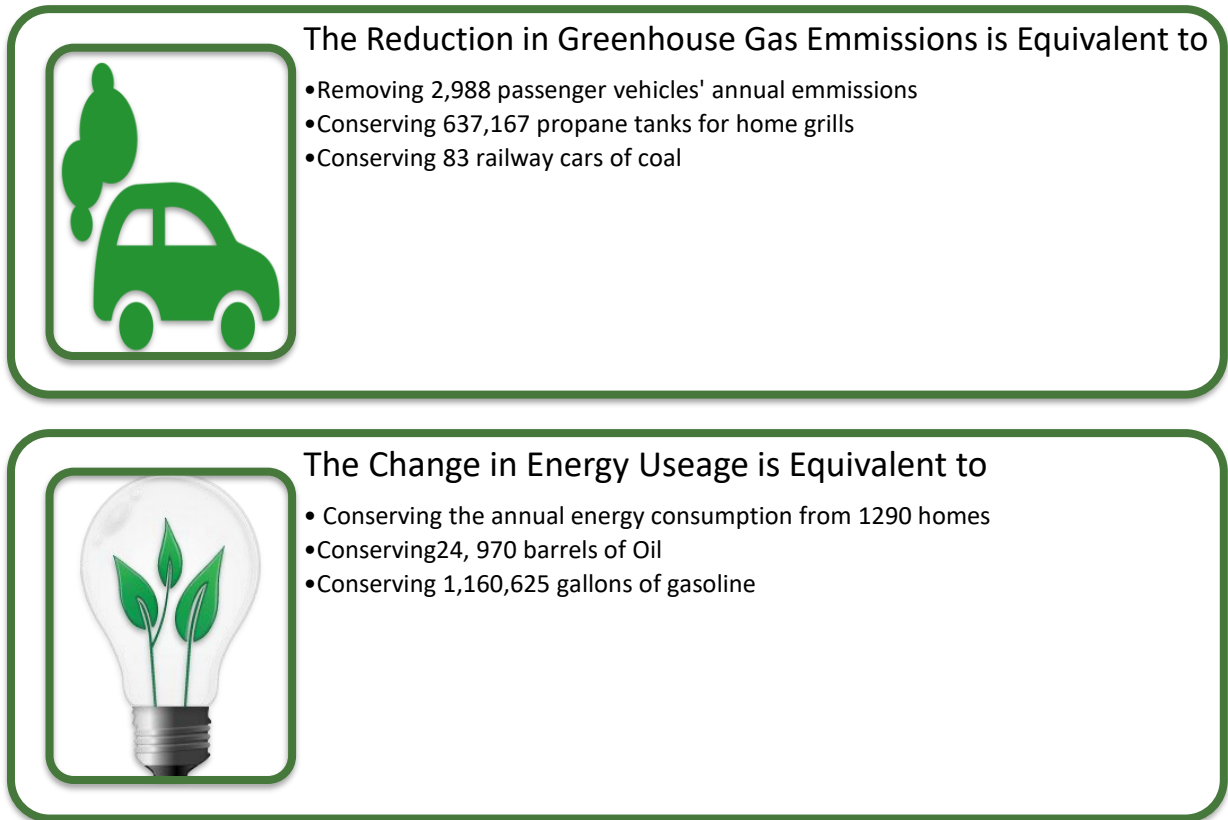
The Waste Reduction Model (WARM) is a tool created by the USEPA to simplify this process. It can track and evaluate greenhouse gas (GHG) emissions reductions. It can be used to assess the performance of a variety of waste management practices. These include source reduction, recycling, combustion, composting, 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 0-1 shows the environmental benefits of recycling in Wyoming 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 Wyoming County. GHG savings for Wyoming County were calculated by comparing the emissions associated with landfilling versus recycling specific materials found in local programs during 2013. These include glass, cardboard, aluminum and bi-metal cans, mixed plastics, newspapers, office papers, wood waste and tires.

Figure 0-1 Environmental Benefits of Wyoming County's Recycling



MOVING FORWARD

The planning process is designed to examine existing facts, statistics, and circumstances that indicate strengths and weaknesses in municipal solid waste management policies and programs. The findings help planners identify future needs with the ultimate objective of providing adequate resources and mechanisms to accommodate for them. The Wyoming County Municipal Solid Waste Management Plan documents the progression of research and discovery that led to the decisions and recommendations, which will be implemented during the ten-year period of the Plan.

Chapter 1

Generation and Composition

UNDERSTANDING MUNICIPAL WASTE IN WYOMING COUNTY

It is widely accepted that local governments have the responsibility to ensure the municipal solid waste generated within their jurisdictions is managed properly. The planning process is a valuable exercise that helps local leaders determine the adequacy of current waste and recycling services. Additionally, plan development evaluates the appropriateness of local municipal waste management behaviors and practices. Finally, it addresses future needs and the resources, that will be required to handle them responsibly.

This chapter examines the physical and socio-economic characteristics of Wyoming 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.

DATA DRIVEN DECISIONS

Having reliable data coupled with the knowledge and experience to interpret it are critical components of the overall planning process. Municipal and county leaders are expected to follow certain industry standards and assumptions to assess local conditions. Research beyond the locally recorded waste disposal and recovery figures offers planners and program managers a platform for comparison.

Data sources on economic conditions, history, heritage, the people, and their environment can point to unique circumstances influencing local practices. Atypical trends may require special attention and creative solutions. Understanding the lifestyles, education, housing,

employment, of the area can contribute important insight into the ease or difficulty in implementing potential changes.

The federal government tracks and monitors statistics and trends vital to the planning process. The Pennsylvania State Data Center located in Harrisburg, PA, works in conjunction with the US Census Bureau to gather and compile state, county, and municipal demographic data within the Commonwealth. The Center also issues estimates and projections on population, housing, employment, and related issues.

Gathering and compiling accurate and useful information is a daunting task for these agencies. Therefore, certain data is processed periodically, while other statistics are estimated annually. In addition, specific topics may be reported solely at the state level. Some are available on a countywide basis, while others are provided in more detail by municipality.

Whether up or down, over the next thirty years the projected fluctuations in Wyoming County's demographic profile are negligible.

Therefore, a comparative analysis of national and local data from the baseline year 2013 offers a statistically close representation of current waste generation, recovery, and disposal performance.

Planners prefer to establish a baseline year to assure that data and statistics from national, regional, and local sources reflect certain common assumptions. Certain allowances are always necessary, due to the timeliness and availability of data from government agencies. The Wyoming County Municipal Solid Waste Management Plan utilizes a consistent reference year for all comparative analysis. Some statistics strictly relevant to local conditions are from years within reasonable proximity to the baseline.

During the development of the plan the most recent data available at the national level for waste generation, composition, and disposition was from 2013. It was used along with Wyoming County's 2013 estimated population and the 2013 reported waste and recycling data. The detailed analysis is found in Chapter 4.

The estimates and thirty-year projections from the Data Center suggest that whether up or down the fluctuations in Wyoming County's population are miniscule. Likewise, recent history shows negligible change in the overall demographic profile. Therefore, it is reasonable to assume that using Wyoming County's 2013 reported data in a comparative analysis with

2013 national statistics will also offer an acceptable representation of current waste generation, recovery, and disposal performance.

HISTORICAL AND CONTEMPORARY PERSPECTIVES

Until the American Revolution the area we know as Wyoming County was occupied solely by indigenous tribes. Located in the northeastern corner of Pennsylvania, the County is bisected diagonally by the North Branch of the Susquehanna River. Flowing northwest to southeast, the Susquehanna is abundant with tributaries.

After the war, settlers were drawn to the resources of the river system, teeming with shad, adjacent to virgin hemlock forests, and surrounded by fertile river valleys. Settlements were established throughout the Wyoming Valley along the Tunkhannock, Bowman and Mehoopany Creeks.

Within less than a hundred years, the growing population demanded easier access to government facilities and services. In 1842, a large tract of land was carved from Luzerne County and Wyoming County was born. The Borough of Tunkhannock was designated as the county seat. Physically, Wyoming County is surrounded by five counties. Luzerne County is situated at the southern border. Susquehanna County forms the northern border with Bradford County and Sullivan County situated to the west and Lackawanna County to the east.

The early economy thrived from the development of fisheries, canneries, tanneries and mills. that needed to transport goods to market. Local industry aided the development of a railway system whose freight was not limited to coal and lumber, but also people. Rail passengers included wealthy businessmen and their families making their way to major industrialized cities. On their stops, they looked for entertainment and comfortable amenities. Ironically, the resources that brought wealth and prosperity were depleted in short time. Natural resources were extracted and consumed at the same rate throughout Pennsylvania. In most cases, the remaining legacy was eroded soils, polluted waterways, and poor quality of life.

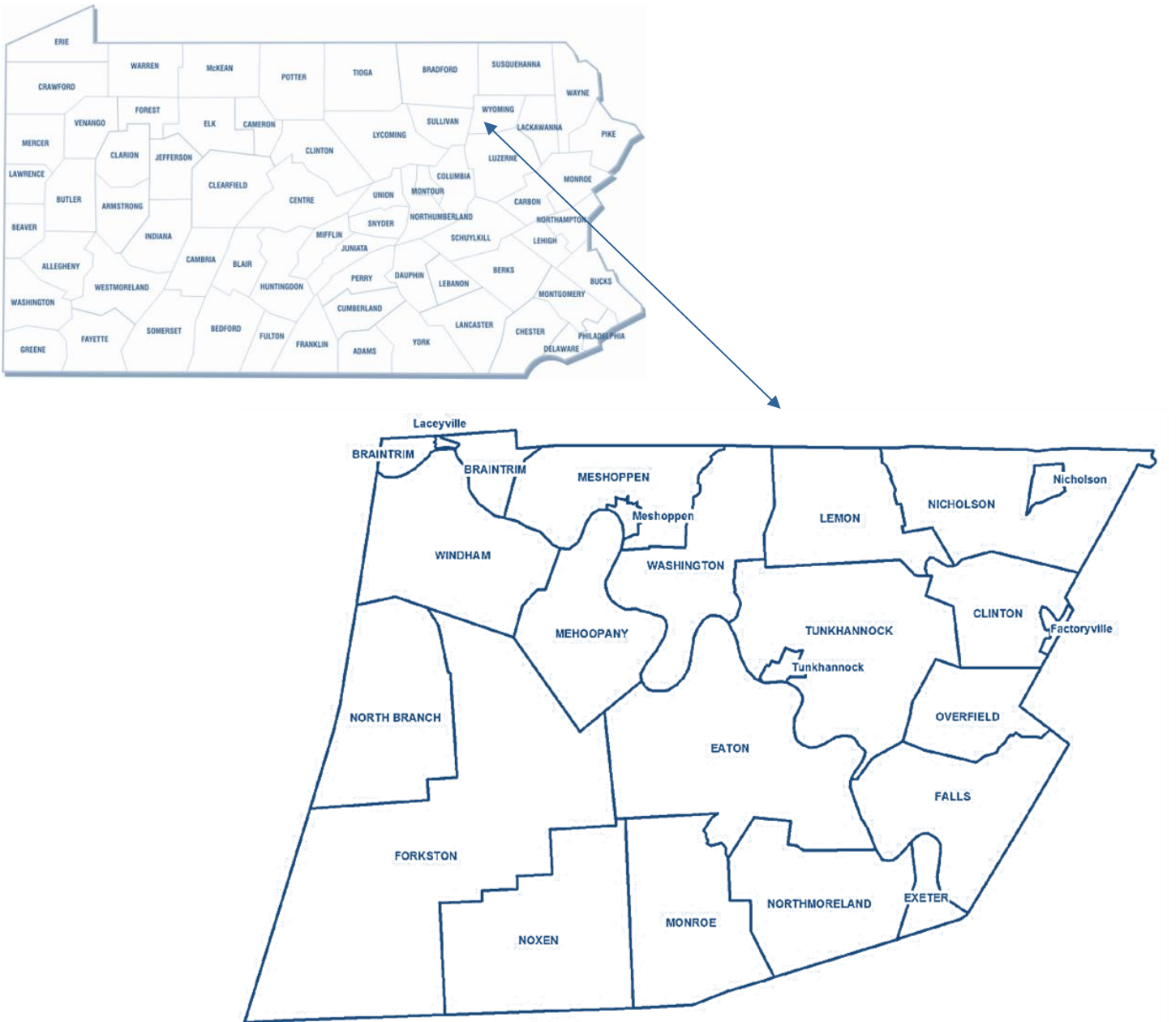
Consequently, to avoid our previous mistakes, the citizens and leaders of Wyoming County together with other Pennsylvanians support and implement conservation efforts in many ways. The goals and objectives of the Wyoming County Municipal Solid Waste Management Plan are perfect examples. Proper waste management practices prevent illegal dumping and encourage recycling. These policies provide measures to support resource conservation, enforce pollution prevention, and promote public health and safety.

GOVERNMENT STRUCTURE

Pennsylvania uses population to categorize counties into eight classifications. Wyoming County is ranked as a 7th class county. Only four counties with populations from 20,000 to 44,999 people fall within this category. A board of commissioners consists of the three highest elected officials in Wyoming County government. Departments and agencies are assigned with specific areas of responsibilities. Local government is made up of twenty-three municipalities with five boroughs, and eighteen townships.

Figure 1-1 shows the location of Wyoming County in relationship to Pennsylvania overall. Municipal boundaries are outlined.

Figure 1-1 Map of Wyoming County and Municipalities in Relationship to Pennsylvania



Source US Department of Commerce and The Pennsylvania State Data Center

DEMOGRAPHIC PROFILE

Population is a key driver of waste generation. Location, accessibility, and housing density also factor into the provision and costs of integrated waste management services. To design appropriate policies and implement sufficient waste management services, the planning process reviews these issues

POPULATION

The US Census Bureau reported the July 1, 2010 population for Wyoming County was 28,276 people. That is a 0.7 percent increase from the 2000 US Census when the population was recorded as 26,080 people.

County Population Projections for Pennsylvania, 2010-2040, published by the Pennsylvania State Data Center projects a continuation of the 0.7 percent increase through 2020. This slight uptick skews the fact that from 2010 to 2040 an overall decline of 0.035 percent is still projected to occur. To update and supplement the long-range projections, the Census Bureau and Data Center also provides interim estimates. The Data Center estimates Wyoming County's 2014 population at 28,131. evidence that the decline is already in progress.

Overall, Wyoming County is considered rural. A county is rural when the number of persons per square mile within the county is less than 284. Eighty-three percent of the County's population reside in rural areas with significantly lower population density. A municipality is rural when the population density within the municipality is less than the statewide density of 284 persons per square mile, or the total population is less than 2,500, unless more than 50 percent of the population lives in an urbanized area as defined by the U.S. Census Bureau. All other municipalities are considered urban.

Table 1-1 lists the municipalities in Wyoming County and for each the 2014-estimated population, land mass, population density, and the rural/urban designation.

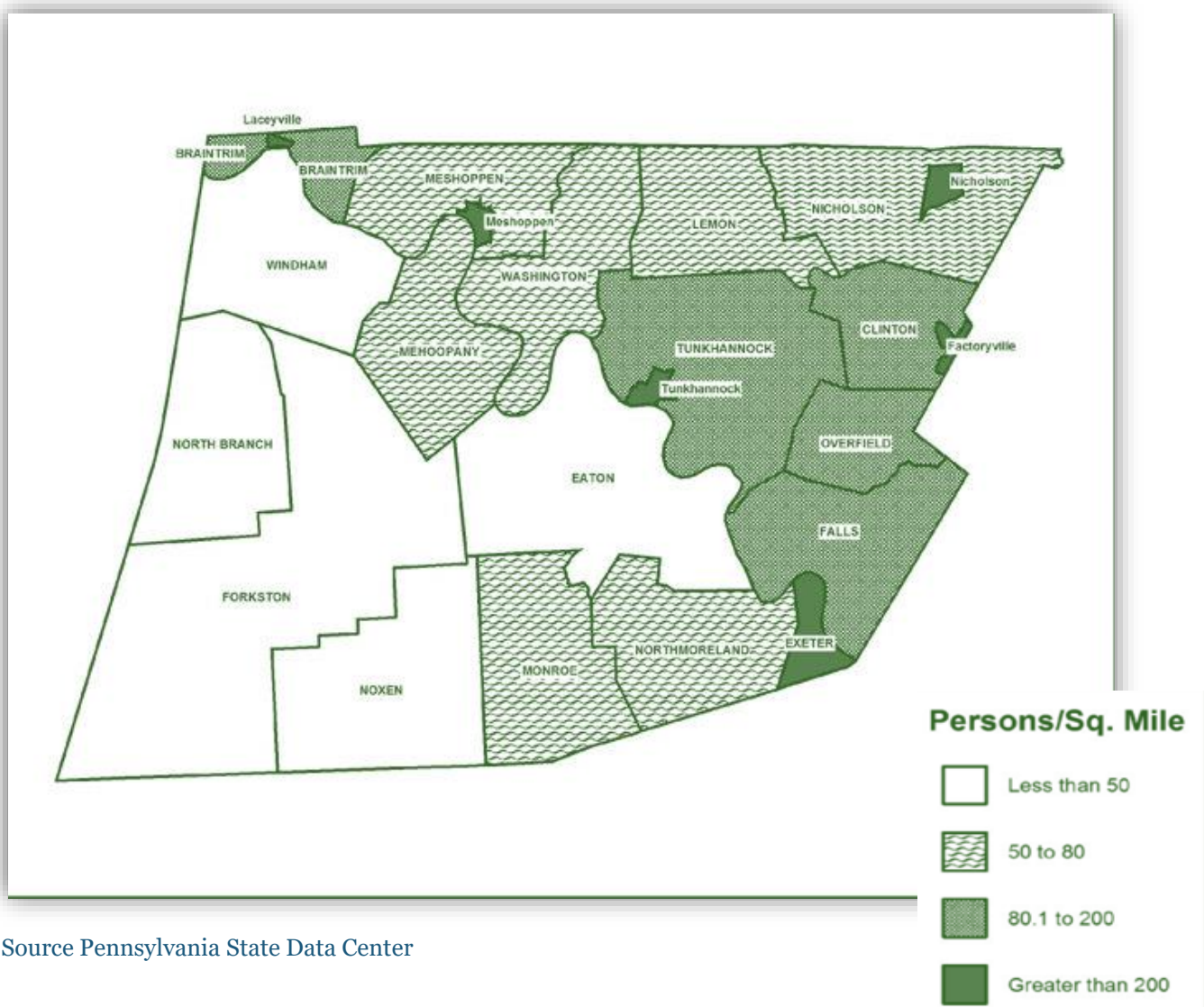
Figure 1-2 provides a graphic demonstration of the population density by each Wyoming County municipality.

Table 1-1 Wyoming County Population with Rural and Urban Designations

Area name	Estimated Population July 1, 2014	Land Area	Persons per Square Mile	Urban/Rural Designation
Wyoming County	28,131	397.32	70.8	Rural
Braintrim Township	501	5.83	85.9	Rural
Clinton Township	1,302	12.37	105.3	Rural
Eaton Township	1,525	35.99	42.4	Rural
Exeter Township	681	3.13	217.6	Rural
Factoryville Borough	1,214	0.71	1,709.90	Urban
Falls Township	1,976	20.59	96	Rural
Forkston Township	389	70.41	5.5	Rural
Laceyville Borough	371	0.19	1,952.60	Urban
Lemon Township	1,232	16.06	76.7	Rural
Mehoopany Township	907	17.18	52.8	Rural
Meshoppen Borough	565	0.69	818.8	Urban
Meshoppen Township	1,050	15.71	66.8	Rural
Monroe Township	1,639	21.19	77.3	Rural
Nicholson Borough	750	1.17	641	Urban
Nicholson Township	1,363	22.84	59.7	Rural
North Branch Township	212	22.37	9.5	Rural
Northmoreland Township	1,549	19.66	78.8	Rural
Noxen Township	881	28.71	30.7	Rural
Overfield Township	1,653	9.94	166.3	Rural
Tunkhannock Borough	1,805	0.91	1,983.50	Urban
Tunkhannock Township	4,343	30.65	141.7	Rural
Washington Township	1,387	18.75	74	Rural
Windham Township	841	22.26	37.6	Rural

Source Pennsylvania State Data Center and US Census Bureau

Figure 1-2 Population Density 2014



Source Pennsylvania State Data Center

HOUSING

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

For 2014, Wyoming County had an estimated 13,296 available housing units and 82 percent were occupied. Of these, 78 percent were owner occupied, while renters occupied the remaining 22 percent. Because renters can be transient, more frequent education and enforcement efforts are necessary to ensure good waste management and recycling habits.

Table 1-2 lists the number of total housing units in each municipality, and shows the number of units occupied and vacant

Approximately 77 percent of the residential housing units in Wyoming County are single family detached homes. Similar to single family detached units but categorized separately because of other structural differences, mobile homes represent over 12 percent and single family attached homes, commonly called “row houses,” account for another 1.26 percent.

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

The Borough of Tunkhannock is the only municipality where public workers collect waste and recycling from all homes. Elsewhere in the County, residents voluntarily subscribe to collection service with the hauling company of their choice. There are no Wyoming County communities that work with a single service provider selected through a competitive bidding process. Chapter 2 provides a closer look at the available municipal solid waste infrastructure, reported collection and disposal activity for all types of municipal waste and a variety of undesirable waste management practices.

Table 1-2 2014 Wyoming County Total Estimated and Occupied Housing Units by Municipality

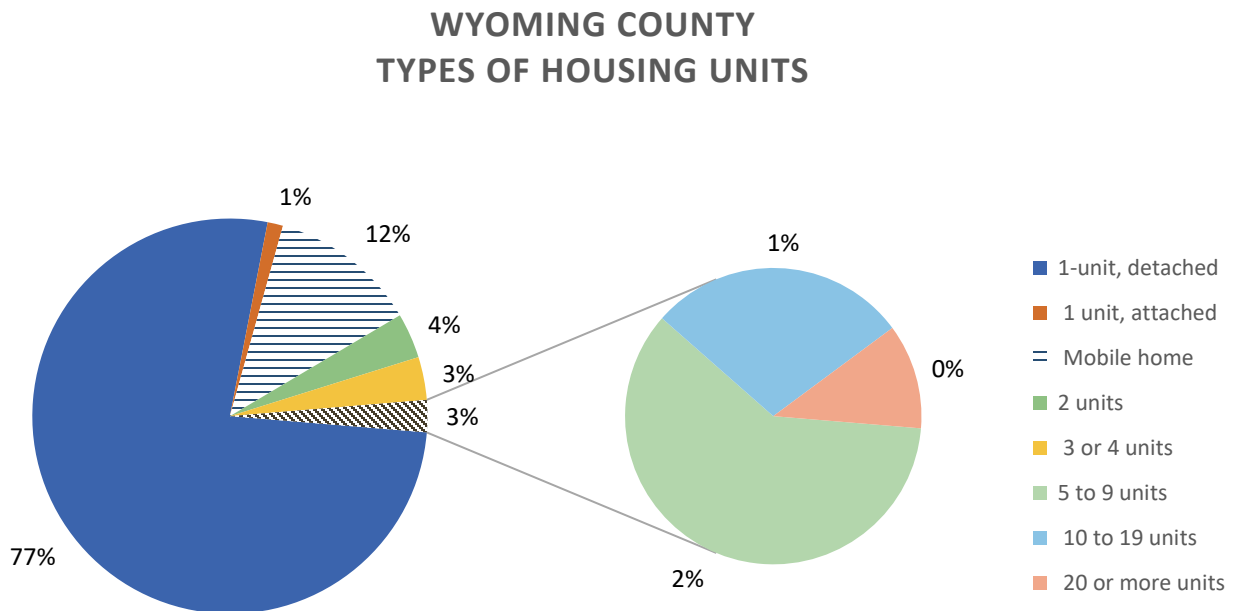
Geography	Total housing units	Total Occupied housing units	Percent; Total Occupied housing units	Total Vacant housing units	Percent; Total Vacant housing units
Braintrim Township	275	161	58.5%	114	41.5%
Clinton Township	565	537	95%	28	5%
Eaton Township	805	643	79.9%	162	20.1%
Exeter Township	411	317	77.1%	94	22.9%
Factoryville Borough	314	285	90.8%	29	9.2%
Falls Township	774	663	85.7%	111	14.3%
Forkston Township	290	128	44.1%	162	55.9%
Laceyville Borough	212	169	79.7%	43	20.3%
Lemon Township	762	590	77.4%	172	22.6%
Mehoopany Township	442	346	78.3%	96	21.7%
Meshoppen Borough	202	154	76.2%	48	23.8%
Meshoppen Township	507	391	77.1%	116	22.9%
Monroe Township	721	637	88.3%	84	11.7%
Nicholson Borough	401	357	89%	44	11%
Nicholson Township	703	595	84.6%	108	15.4%
North Branch Township	130	88	67.7%	42	32.3%
Northmoreland Township	653	578	88.5%	75	11.5%
Noxen Township	472	366	77.5%	106	22.5%
Overfield Township	973	627	64.4%	346	35.6%
Tunkhannock Borough	896	829	92.5%	67	7.5%
Tunkhannock Township	1856	1631	87.9%	225	12.1%
Washington Township	527	495	93.9%	32	6.1%
Windham Township	405	308	76%	97	24%
Wyoming County	13296	10895	81.94%	2401	18.06%

Source Pennsylvania State Data Center and US Census Bureau

Ten percent of Wyoming County housing units include various types of multi-family dwellings with from 3 to more than 20 units per structure. These are often called apartments, townhouses or condominiums. When there are more than four units attached in a structure curbside collection can be difficult due to the configuration of the housing complex and parking areas. Multi-family dwellings are typically serviced by placing one or more large dumpsters in communal areas to be shared by the occupants. Because of their collective use, these areas are difficult to monitor, and recycling contamination is often a problem,

The various types of residential housing units found in Wyoming County are shown in Figure 1-3.

Figure 1-3 Categories of Wyoming County Housing Units 2014



Source US Census Bureau

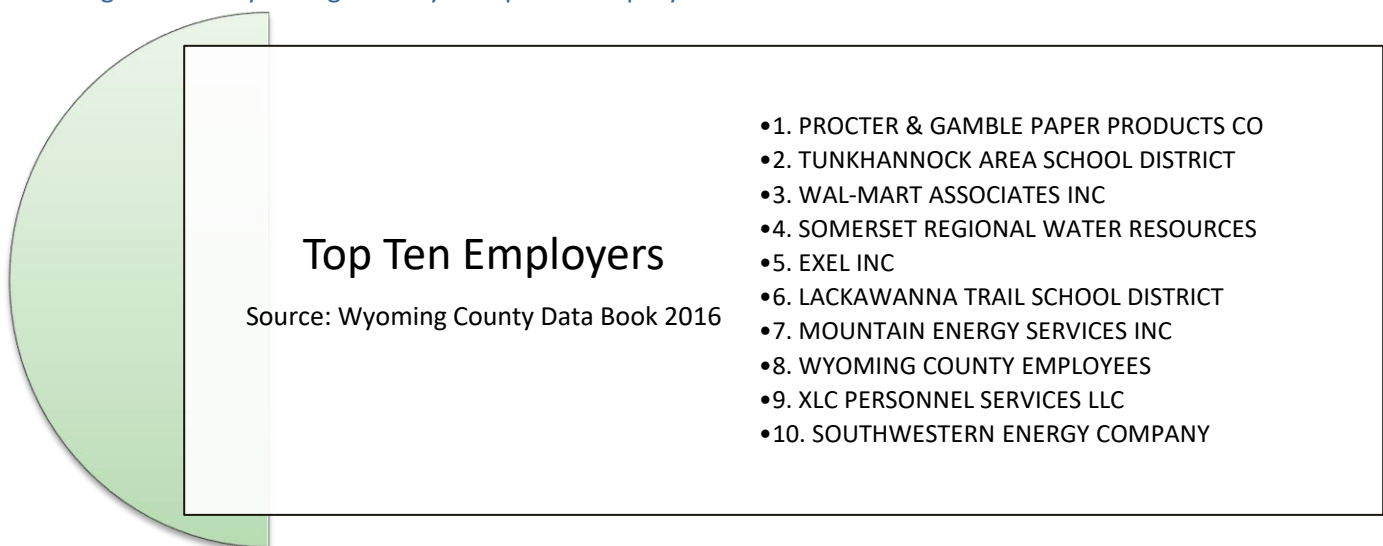
ECONOMIC INFLUENCES

In addition to population, housing and other general demographics, Penn State Data Center provides statistical data and business patterns including the types and number of establishments, the number of employees in each category, and the associated payroll. The results for each county are updated and published on a regular basis.

CURRENT ECONOMIC CONDITIONS

The *2016 Wyoming County Data Book* features statistical information reported up through 2014. It is easy to see from the data; little remains of the original industrialization that fostered the early growth of the County. Of the top ten employers in Wyoming County, collectively, energy extraction and related services dominate the rankings. However, an individual employer, Procter and Gamble, the only manufacturer, ranks first. Similarly, Wal-Mart, the only retailer, is ranked third. and serves as an indicator of how employment opportunities have changed. Public sector employment is highly represented, as well. School districts and county government are representative of this group of employers. Figure 1-4 lists the top ten employers in Wyoming County

Figure 1-4 Wyoming County's Top Ten Employers for 2014



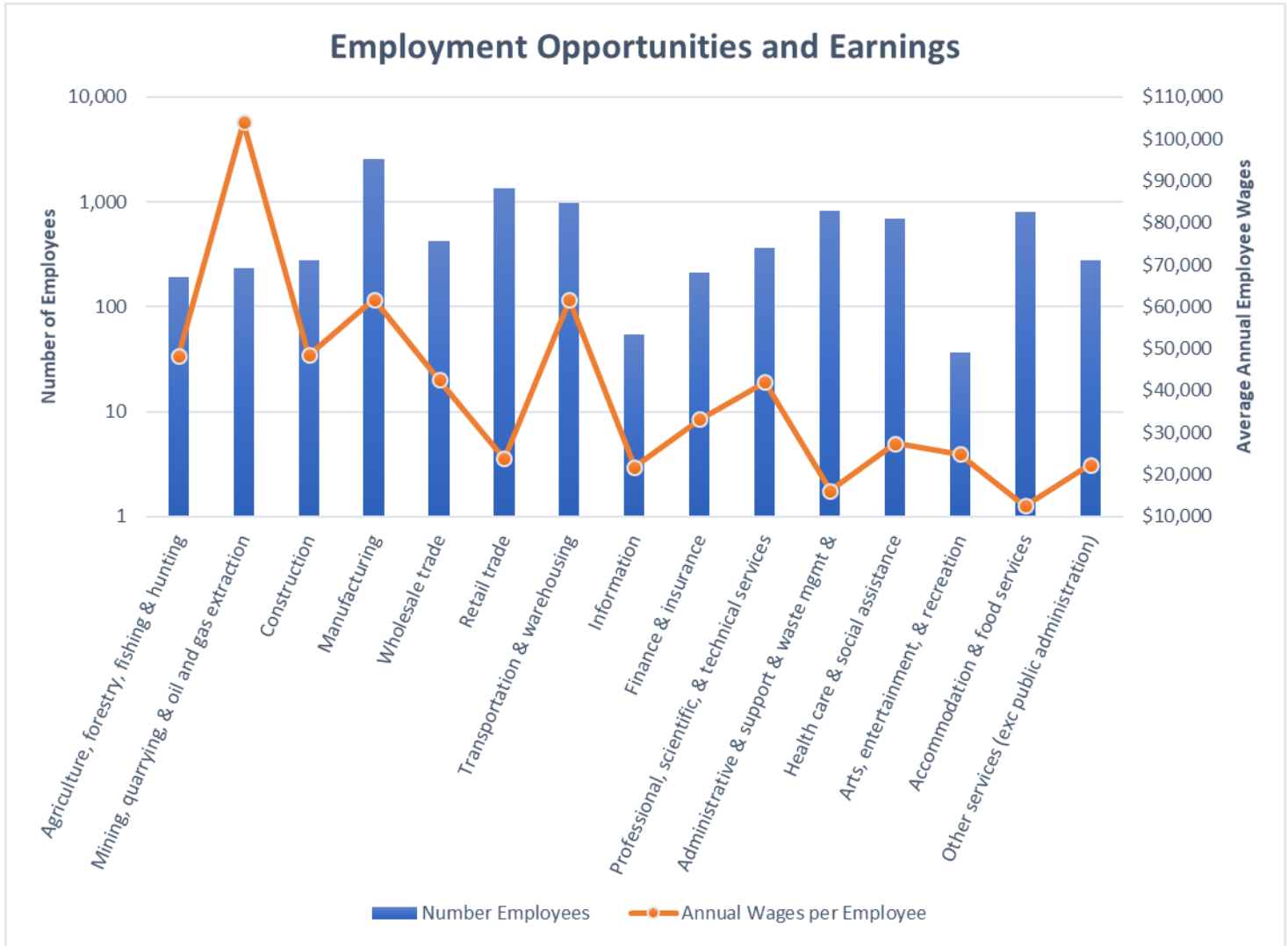
Missing from the top ten are companies in the health care and social services. Growth in this sector is common throughout the Commonwealth and the nation. Tunkhannock Hospital and Geisinger Clinic are shown within Wyoming County's top twenty-five.

It does not necessarily follow that being among the top employers signifies where employees receive the highest wages, at least in the private sector.

For the private sector, workers in the oil and gas industry receive the highest average salaries and the only ones exceeding \$100,000. It is unclear, however, which specific job descriptions or classifications pay those amounts. The second highest average wages are within the \$60,000 range and paid to workers in transportation/warehousing and manufacturing. These are followed by, agriculture/ lumbering, construction and the wholesale trade which all pay from \$40,000 to \$50,000. Wages for government offices and school districts that employ a significant portion of the workforce were not disclosed in the 2016 Wyoming County Data Book. Likewise, the 2014 County Business Patterns is absent that data.

Figure 1-5 illustrates the categories of employment, the number of employees, and wages paid. It shows that higher paying employment opportunities are fewer than those with lower wages.

Figure 1-5 Wyoming County's Top Ten Employers for 2014



Another way to understand local economic conditions is to look at personal income on a household or per capita basis. It directly affects the purchasing power and quality of life for local residents.

The median household income in Wyoming County is \$51,021, which is slightly lower than the statewide median of \$53,115. Wyoming County per capita income averages \$26,250, which is also lower than \$28,912, the Pennsylvania average.

Family households in Wyoming County average \$62,068 compared to the average Pennsylvania family household at \$67,521. Non-family households average \$26,500 which is not only less than the \$30,032 average for non-family households in Pennsylvania, but also less than the average per capita income in the state. Because all households have many similar fixed costs, non-family households have considerably less discretionary funds. The disparity between male and female annual income in Wyoming County is approximately \$14,000. Where females are head of household, the gap often affects the quality of life for children.

Approximately 11 percent of the population is living below the poverty level. In some communities, there is a huge disparity in financial circumstances from family to family. In Washington Township, the average family's income is roughly \$75,833, well above the state and local median. Interestingly, Washington Township also has one of the highest percentages of people living below the poverty level. The difference is easily explained by looking at family households, likely to have dual incomes, and non-family households, which could represent people on fixed incomes, such as the elderly, and disabled. In Washington Township the difference is nearly \$40,000. In Tunkhannock Borough where family households have average incomes of \$77,000, non-family households are \$18,000.



Considering these differences is useful in determining the appropriate types of waste and recycling services for various areas of the County. “Willingness to pay” is a determining factor in implementing waste management and recycling programs. Programs designed with cost sensitivity to household incomes are likelier to gain public acceptance and to succeed.

MUNICIPAL SOLID WASTE – HERE, THERE, AND EVERYWHERE

Municipal solid waste is so integrated into our daily lives that we give it little thought. In a consumer culture like ours, nearly everything we purchase or acquire becomes municipal waste when discarded. Consequently, we produce municipal solid waste where we live, where we work, where we shop, in our schools, in our medical facilities and in a host of other community activities. Each discarded item proportionately affects the overall composition of the total municipal waste stream.

Municipal solid waste consists of everyday items such as product packaging, grass clippings, furniture, clothing, bottles, food scraps, newspapers, appliances, and batteries. In addition to identifying specific groups of materials like metals, glass, paper or plastic, broad categories of

products are also used in analyses of municipal solid waste. These include durable goods, non-durable goods, containers and packaging, organic wastes such as food and yard trimmings, and miscellaneous inorganic wastes. Although each may consist of one or more recyclable materials, categorizing them by product is a more accurate way of describing what we purchase, discard, and recycle. For instance, we all have windows, mirrors, and decorative glassware in our homes. Yet when we talk about recycling glass, we generally mean glass bottles and jars.

Using the product categories clearly illustrates the relationship between product design, purchasing habits, and waste generation. With the emergence and growth of product stewardship legislation and regulations, there is increasing demand for sustainable design that allows for remanufacturing, reuse, and recycling.

A description of the USEPA product categories is shown in Table 1-3.

TABLE 1-3 USEPA CATEGORIES OF PRODUCTS AND NON-PRODUCTS IN MUNICIPAL SOLID WASTE

PAPER AND PAPERBOARD

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

GLASS

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

METALS

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

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

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

PLASTICS

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

RUBBER AND LEATHER

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

TEXTILES

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

WOOD

The sources of wood in MSW include furniture, other durable goods (e.g., cabinets for electronic equipment), wood

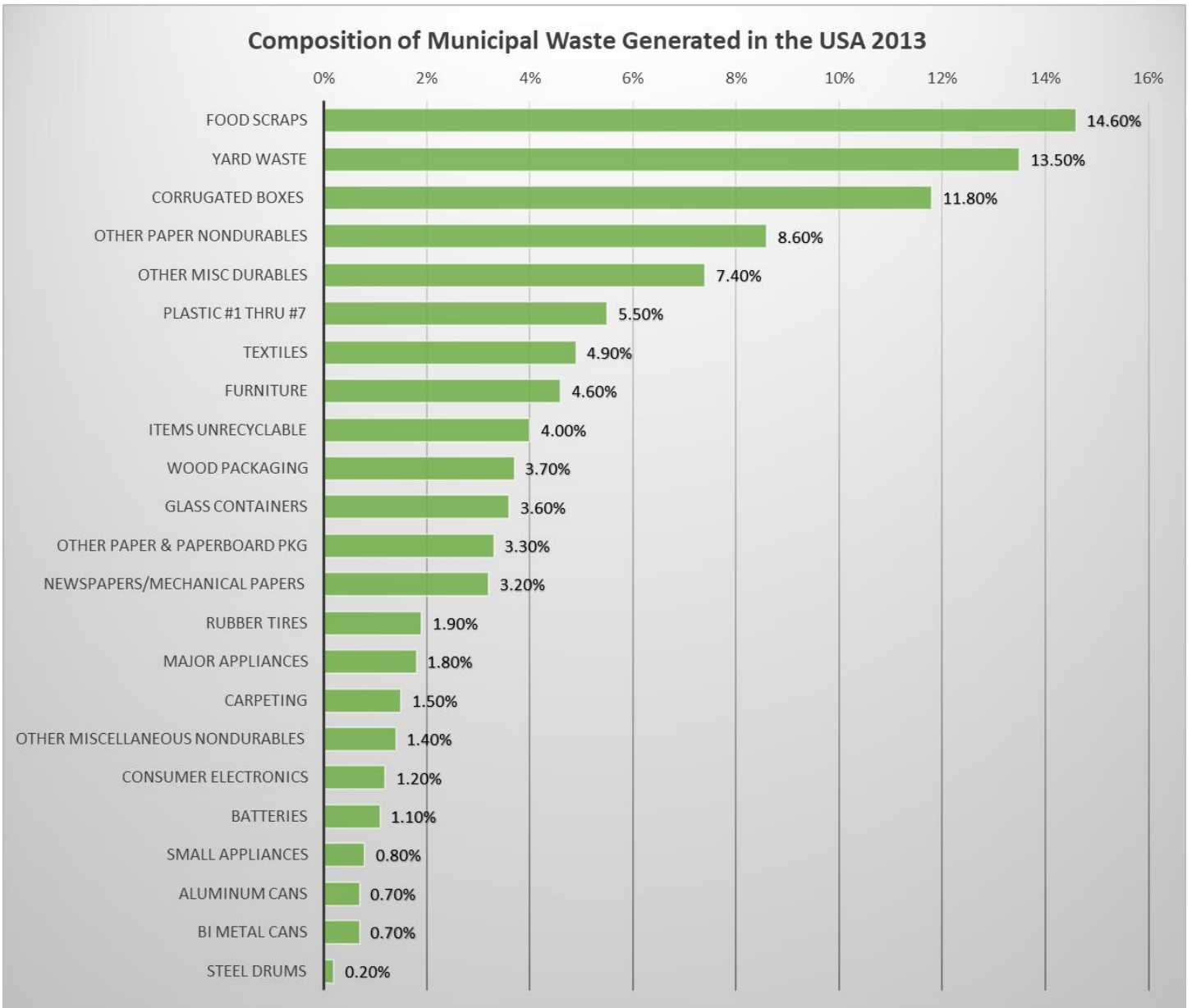
Municipal solid waste is relatively consistent across the nation. From region to region, a number of factors may cause the content of municipal solid waste to fluctuate. Income, education, geography, weather, and other demographics influence the types and amounts of items purchased and ultimately discarded.

Two factors continue to minimize the regional differences in waste composition. The growth of big box retailers like Walmart and the popularity of online shopping sites like Amazon, our purchasing habits are more homogenous than ever before. There is no longer lag time for trends to make it from the coasts to the heartland. New products and goods can be introduced online and arrive on retail shelves in Los Angeles, Phoenix, Detroit and New York City, etc. on the same day. The advancements in product distribution affect the make-up of our discards as well. Unfortunately, rural areas can be ill-equipped to collect, process and market the types and volumes of resulting material. Understanding the content of the waste stream ensures that local services are designed to manage materials appropriately.

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

Figure 1-6 provides a detailed breakdown of the composition of municipal solid waste in 2013 according to the USEPA. The chart represents the total waste generated prior to recovery of materials for recycling and prior to disposal.

Figure 1-5 2013 Composition of Municipal Solid Waste in the United States



LEGAL INFLUENCES

As commonplace as municipal waste can be, it is equally confusing on several levels. An extensive set of federal, state and local laws and requirements create the regulatory framework for the broad spectrum of solid waste management. Inconsistencies exist in the scope of materials and categories considered solid waste from state to state and by the federal government. It can be problematic to interpret and compare data accurately unless the differences are identified upfront. To complicate things further, who and where municipal solid waste is generated can equally affect how it is defined and categorized.

REGULATING WASTE BY ITS SOURCE

Defining a waste by who generates it or by where it was generated, rather than by its chemical or physical characteristics or environmental impact is often a more practical way for regulatory agencies to monitor and enforce proper waste management practices. Therefore, there are items commonly found, in both industries and households which often are regulated differently with each source required to use different disposal methods.

Even within the municipal solid waste stream, different sources of generators are defined. These include the broad categories of residential and commercial, with the commercial sector broken down into more specific types of businesses and operations. Although the basic contents of the waste stream remain the same, i.e. paper, plastic, glass, food, etc. the proportion of the materials differs depending on which source generated it.



Regulatory agencies often define a waste by who generates it rather than by its physical or chemical properties.

Commonly found household products and chemicals may require stricter handling and disposal methods when used in an industrial setting.

The ability to identify the specific sources of the municipal waste generated is of major importance in the planning process. By knowing not only the overall quantities of a material, but also the amounts generated from various sources, enables jurisdictions to target education and recovery programs where they will get the best return on their efforts.

FURTHER DEFINING THE WASTE STREAM

There are a number of categorized subsets of solid waste. In general, USEPA considers discards from residential, commercial, and institutional establishments to be the “municipal” subset of solid waste. It is commonly referred to as “MSW.”

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

It should be noted that estimates for these types of special handling municipal solid waste and detailed discussions of how they are managed are provided separately within the Plan. They are not included in the projections or narratives for residential and commercial/institutional municipal waste generation and recycling.

SOURCES OF MUNICIPAL WASTE IN WYOMING COUNTY

Municipal solid waste is generated in residences, commercial establishments, government buildings, institutions, and at community events. These generators are divided into two categories: residential and commercial. Regardless of the generator, the waste stream is characteristically similar. The proportionate amounts of certain materials produced in homes may differ from commercial establishments. Due to the nature of each commercial generator, their waste may differ slightly from one another.

There are select groups of commercial and institutional generators whose municipal waste falls into special categories. The waste may have unique characteristics and/or require special handling. The special needs and conditions for all types and sources of municipal solid waste are addressed in the Plan.

RESIDENTIAL MUNICIPAL WASTE GENERATORS

Municipal solid waste is generated in the greatest quantities in private homes. Depending on the needs and circumstances of families and individuals, “Home” may take on a variety of characteristics. Residential sources include single-family detached homes as well as townhouses, condominiums, apartments, mobile home parks, etc.

According to the USEPA in an average community, at least 54 percent of the municipal waste is generated by residents. In rural communities, residential properties tend to exceed commercial real estate. It is reasonable to expect the proportion of rural residential waste to be even higher than in urban areas. A statewide, study conducted in 2005 for PADEP reported that the ratio of municipal solid waste from residential sources was 64 percent. However, in Pennsylvania’s rural areas, the study found that residents generated as much as 72 percent of the municipal solid waste. In Wyoming County 67 percent of the population, lives in areas considered rural. It is likely that residents in the County’s rural settings generate a higher proportion of municipal solid waste than commercial establishments. Because each Wyoming County community has slightly different ratios of urban and rural areas, the percentage of residential and commercial waste will shift slightly from town to town.



The sum of the County's reported disposal and recovery quantities result in a municipal solid waste generation rate that is significantly lower than anticipated when compared to the national norm. Based on the portion of the overall municipal waste stream that they represent it is crucial for residents to exercise proper waste management practices. To have the greatest impact on pollution prevention, and to protect public health and safety, policies and enforcement mechanisms to deal with municipal waste generated by residents are essential in Wyoming County.

COMMERCIAL MUNICIPAL WASTE GENERATORS

Identifying the number and nature of commercial establishments is helpful in planning for municipal waste management and the potential for material recovery. The commercial waste stream remains similar to residential municipal waste. Commercial waste generators, however, are more varied. 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. Although waste generated by these employers differs from that produced in industrial settings, if managed improperly environmental consequences can occur.

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

BUSINESS ESTABLISHMENTS

In 2015, the Pennsylvania Data Center reports 288 commercial business establishments located in Wyoming County. All are considered commercial generators of municipal waste. Many have the potential to develop commercial recycling programs. Included in this category are retail stores and wholesale outlets, along with a variety of service industries. Banks, realtors, lawyers, professional office complexes, restaurants, hotels, hair salons, plumbers, and other similar operations also fit into the commercial business category.

OTHER BUSINESSES ESTABLISHMENTS EXCLUDED FROM THE CATEGORY

Employers in the categories of agriculture, mining, manufacturing, utilities, construction, and other industrial related operations are not considered commercial waste generators under the federal or state municipal solid waste regulations. Therefore, they have been excluded here.

GOVERNMENT FACILITIES

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. There are also a number of federal and state agencies with offices and facilities with a presence in Wyoming County. Agencies and organizations representing social services, economic development, the military, environmental, and agricultural are all housed here.

EDUCATIONAL INSTITUTIONS

Two major public school districts operate in Wyoming County, Tunkhannock School District and Lackawanna Trail School District. Combined, the districts have 9 separate facilities, which include elementary schools, a middle school, a junior/senior high school and a high school. They provide educational opportunities for 5,075 students ranging from kindergarten through twelfth grade. Three private elementary and/or secondary schools operate in Wyoming County. There is one technical vocational school and one college. Educational institutions generate significant quantities of recyclable paper and compostable organics from their lunch rooms.

RESIDENTIAL CARE FACILITIES

Sometimes referred to as institutional facilities, skilled nursing, personal care, and assisted living facilities are included as commercial municipal waste generators. While these facilities produce municipal waste commonly found in most residences, they also generate materials that require special handling. Due to the nature of their operations, a portion of the municipal waste generated in these facilities falls into a special category of regulated medical waste,

previously known as infectious chemotherapeutic waste. These special handling wastes are discussed in the next section.

COMMUNITY EVENTS

Wyoming County hosts several fairs, festivals, and other events during the year. Most notable of these is the Wyoming County Community Fair and Fort Wyoming Folk Festival. These activities all result in the generation of municipal waste. 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.

Because of the way it is collected, municipal waste from community events is typically categorized as commercial.

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.

UNIQUE TYPES OF MUNICIPAL SOLID WASTE

Select operations generate solid waste which requires special handling and processing methods. These wastes include sewage sludge and regulated medical waste. Certain activities can produce municipal waste with a distinctly different composition than typical residential or commercial sources. An example is waste resulting from construction and demolition.

The USEPA and many other states do not factor one or more of these types of materials into the overall quantities of municipal waste. In Pennsylvania, however, they all fall within the regulatory framework of municipal solid waste. Therefore, in the planning process counties must address how each is managed. To do an apples-to-apples comparison with national statistics, none of these unique waste streams are factored into the general residential or

commercial analyses in the Plan. The data and issues surrounding each of these subsets of municipal waste are discussed and evaluated separately.

SOLID WASTE FROM CONSTRUCTION AND DEMOLITION ACTIVITIES

Construction and demolition (C&D) waste is a perfect example of a waste stream that is defined and regulated as a sub-set of municipal waste in Pennsylvania but viewed differently by USEPA and in other states. In many other states, it is considered a separate and distinct category of waste, associated with industrial activities and unrelated to municipal waste management. In recognition of this problem, the USEPA recently suggested that more universal tracking and measurement standards for C&D waste should be established. Recent reports from USEPA are beginning to include some level of data regarding this waste stream. However, it is not as comprehensive as the information gathered on municipal waste. Because it is generated under specific circumstances, has unique components, and is collected and managed differently than regular residential or commercial municipal waste, C&D waste warrants individual attention.



Construction and demolition (C&D) waste is a perfect example of a waste stream that is defined and regulated as a sub-set of municipal waste in Pennsylvania, but viewed differently by USEPA and in other states.

Planning and forecasting for C&D waste is more challenging than for municipal waste in general. The variables are numerous. While municipal waste overall is relatively consistent, C&D waste can fluctuate wildly from month to month and year to year. In places like Pennsylvania, and Wyoming County, projects are subject to seasonal weather conditions. Swings in the economy can stimulate or deter new development and construction. For all

these reasons, it becomes easier to understand the difficulties in projecting C&D quantities for the long term.



Many components of C&D waste can be recycled.

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 several related activities.

The mix and physical characteristics of materials in the waste stream can vary in residential, commercial, or industrial settings, and even on a load-by-load basis. Demolition projects tend to generate asphalt, concrete, earth, sand, trees, steel, brick, lumber, roofing materials, flooring, plaster, dry wall, and other similar materials. Typically, demolition loads

contain larger quantities of these materials since essentially entire structures are being discarded. Some materials can be recycled such as wood, drywall, and carpeting, among others. During new construction projects discards tend to include trimmings from dry wall, framing, carpet remnants, etc. Packaging materials such as cardboard boxes, Styrofoam, nylon or plastic strapping, pallets, etc. are among the other materials, which are often bound for disposal from new construction activities. Efficient builders have very little trimming waste, as they measure and purchase accordingly.

WYOMING COUNTY CONSTRUCTION AND DEMOLITION WASTE STATISTICS

According to the Pennsylvania Department of Environmental Protection, 17.5 percent of the material disposed in Pennsylvania landfills can be categorized as C&D waste. Inclusive of all sub-sets of municipal solid waste as delineated in Pennsylvania, C&D waste represents approximately 18 percent of all Wyoming County municipal waste disposed in Pennsylvania

facilities. Wyoming County's results are close to those estimated by the PADEP and are probably normal for the locale.

Determining an accurate C&D waste generation rate is difficult. Improvements to the tracking and monitoring of these materials would provide a more accurate assessment of local activity. This is an important step in ensuring that all material is handled properly. According to data collected by Keep Pennsylvania Beautiful from illegal dump surveys and cleanups, C&D waste is the most dominant and frequently found material at these sites. A reporting requirement as a condition of building and demolition permits is an easy way to obtain this information. It serves as a form of deterrent against illegal dumping.

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, Wyoming County has a limited network of sewer lines and public wastewater treatment plants (WWTP), which service the most densely populated municipalities of the County. Structures in the remaining communities on-lot septic systems. Many of these systems are older and according to the County's Comprehensive Plan, may actually be malfunctioning cesspools that predated modern septic system standards. 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, which is typically disposed in landfills. In 2013, 343 tons of Wyoming County sewage sludge were disposed according to Pennsylvania landfill reports. A similar amount was reported each year during the last 10-year planning period. All of the sludge was disposed at Keystone Sanitary Landfill located in Dunmore, PA.

Although reporting of septage or biosolids is not required, the companies that transport septage within Wyoming County are regulated and monitored by PADEP. Thus, it is assumed that these materials are managed properly. The septage transporters along with the landfills that manage Wyoming County sewage sludge are addressed in Chapter 2.

Six wastewater treatment plants (WWTP) service the needs of Wyoming County communities.

Table 1-5 lists the wastewater treatment plants in Wyoming County and the municipalities, which are serviced by each.

Table 1-5 Wyoming County Wastewater Treatment Plants	
Wastewater Treatment Facility	Service Area
The Factoryville Borough and Clinton Township Joint Municipal Sewer Authority	Factoryville Borough and Clinton Township
Tunkhannock Borough Municipal Authority	Tunkhannock Borough and Tunkhannock Township
Laceyville Borough Joint Municipal Authority Wastewater Treatment Plant	Laceyville Borough
Westgate Water & Sewer Municipal Authority	Washington Township
Lemon Township & Tunkhannock Township Joint Municipal Sewer Authority	Lemon Township and Tunkhannock Township

REGULATED MEDICAL WASTE

Hospitals are no longer the primary source of complicated medical treatment or surgical procedures. Inpatient medical care and long hospital stays are rare. 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, previously known as Infectious and Chemotherapeutic Waste (ICW) in Pennsylvania, is generated and managed.

Although hospitals remain the largest source of Regulated Medical Waste, the satellite medical facilities provide an extensive volume of patient care that results in quantities significant enough to require specialized medical waste management services. The material is typically transported to regional processing and disposal facilities.

The PADEP regulates and licenses medical waste transporters. A requirement of the licensed transporters is 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 the amount of regulated medical waste generated or processed to the County. Since both medical facilities, transporters of regulated medical waste and the processors of the material are highly regulated by state and federal laws, it is safe to assume that regulated medical waste is well managed in Wyoming County.

SUMMARY

Local municipal solid waste generation, disposal, and recovery has not varied much since the last update of the Wyoming County Municipal Solid Waste Management Plan in 2007. Based on population projections, little is expected to change within the next ten-year planning period. That makes identifying strengths and weaknesses within the system easier to identify. Likewise, it provides opportunities for practical improvements with reasonable expectations for success. Many components of municipal solid waste provide opportunities to capture and conserve natural resources. The information presented in Chapter 1 serves as a foundation for decisions and recommendations made during the planning process.

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Chapter 2

Municipal Solid Waste Infrastructure

AVAILABILITY AND USE OF SERVICES

An adequate collection, transportation, and disposition network designed to handle the various components of the waste stream is the foundation of every successful municipal solid waste management plan. To facilitate the operation of the infrastructure, a successful plan establishes fair standards. It conveys clear expectations for all stakeholders. In addition, it has mechanisms to enforce the implementation of sound waste management practices by residents, businesses, and service providers alike.

When counties were delegated with the statutory authority to plan for municipal waste management, it was accompanied by an inherent obligation to serve as the guardian of the public health and safety. Meaningful and accountable municipal solid waste management strategies assume an inevitable responsibility to conserve our natural resources and prevent environmental pollution. Key in attaining these goals are policies that make it easier to do the right thing and enforcement mechanisms with penalties commensurate to the level of offense.

Chapter 2 presents the broad infrastructure of transporters, facilities, and other services available to meet the needs of Wyoming County. It discusses how the system is utilized in comparison to projections and recommendations made in the 2007 Plan revision. The narratives explore factors that influence actual waste collection and disposal behaviors and point to issues that require added attention and/or remedies.

Finally, Chapter 2 identifies the effect of these issues on the ability of the County to secure future disposal capacity to meet its needs in accordance with the provisions of the Municipal Waste Planning, Recycling, and Waste Reduction Act of 1988 (Act 101).

MUNICIPAL SOLID WASTE COLLECTION AND TRANSPORTATION SYSTEM

In Wyoming County, a comprehensive network of waste transporters serves varied needs.

Traditional curbside collection and commercial dumpster service and roll-off containers for large volumes are readily available to residents and businesses throughout the County. Some transporters also provide dump trucks and/or trailers for construction demolition, drill cuttings and remediation projects. Specialty services are also available for materials that are difficult or potentially dangerous to handle.

While some municipalities may periodically haul waste from clean-ups only Tunkhannock Borough uses municipal employees and equipment to collect residential household waste and recycling. Private sector services are more varied and complex.

STATEWIDE TRANSPORTER REGULATION AND AUTHORIZATION

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. It covers not only those that are typically engaged in the business of waste collection, but also 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.

Exceptions

The Act does allow for a limited amount of exceptions for transporters and some for specific types of facilities

Exempt from the requirement to obtain Act 90 Authorization are:

- Transporters that collect waste in Pennsylvania but utilize an out of state disposal facility
- Transport vehicles with a registered gross vehicle weight less than 17,000 lbs.,
- Transport trailers with a registered gross vehicle weight less than 10,000 lbs.

Certain processing and/or disposal facilities may accept material from transporters without the Act 90 Authorization. These include:

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

A detailed, up-to-date and comprehensive list of the transporters of municipal and residual waste with Pennsylvania Act 90 Authorization located within or regularly servicing Wyoming County can be found at this link .

http://www.depreportingservices.state.pa.us/ReportServer/Pages/ReportViewer.aspx?/Waste/Waste_Trans_Safety_Auths

The list is kept current and shows active, inactive, revoked, and expired authorizations

Table 2-1 shows the local transporters who engage in residential and commercial collection services

Table 2-1 Wyoming County Residential and Commercial Waste Transporters

Name	Location
Bull Dogge Disposal	3450 SR2003 Springville, Pa 18844
C & K Sanitation	5312 SR 309 Monroe Township, Pa 18618
County Waste	1000 Underwood Road Olyphant, Pa 18447-18448
H & D Waste	4222 SR 87 Mehoopany, Pa 18629
R.G. Browns Refuse	48716 Route 6 Laceyville, Pa 18623
Searles	200 Old Highway Road Dallas, Pa 18612
Waste Management	13 Peggy Parkway Dunmore, Pa 18512

WYOMING COUNTY’S TRANSPORTER REQUIREMENTS

Wyoming County Ordinance No. 1993-1 (Wyoming County Municipal Waste Management Ordinance) established a licensing system for transporters of municipal solid waste who collect and transport waste from and through Wyoming County.

The Municipal Waste Management Ordinance was adopted not only to institute minimum standards for vehicles and collection equipment, but primarily to enforce the municipal solid waste flow control provisions of the Wyoming County Municipal Solid Waste Management

Plan. Measures to fulfill the Act 101 reporting requirements were incorporated as well. To alleviate transporter confusion and reluctance, the ordinance established clear-cut expectations for reporting, including penalties for failure to comply.

The flow control mechanism supports the contractual agreements with disposal facilities guaranteeing disposal capacity for the County's municipal solid waste. Licensed haulers were directed to use one or more of the landfills that executed agreements with Wyoming County.

Since the Municipal Waste Management Ordinance was adopted in 1993, the Pennsylvania Supreme Court ruled that the provisions of the Waste Safety Transportation Program superseded all licensing programs established by local county and municipal ordinances. Therefore, much of Ordinance No. 1993-1 is considered invalid. Although a severability clause allows those portions of the Ordinance not affected by the court ruling to stand, the licensing language is so pervasive that it would be difficult to enforce the remaining requirements.

Whether to repeal, amend, and/or adopt a new ordinance are options available to Wyoming County. Repealing the standing ordinance and replacing it with one that addresses local waste management practices and offers enforcement against illegal dumping was discussed by the Advisory Committee. A replacement ordinance is included in Appendix E.

REQUIREMENTS FOR TRANSPORTERS OF SPECIAL HANDLING WASTE

Certain portions of the municipal solid waste stream generated within Wyoming 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.

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

REGULATED MEDICAL WASTE TRANSPORTERS

The PADEP has regulatory authority for regulated medical waste (formerly called infectious chemotherapeutic waste). Aside from stipulating standards for storage and handling of regulated medical waste the regulations establish licensing requirements for transporters. The license calls for transporters to report the origin and ultimate destination of the regulated medical waste. Because processing facilities for medical waste are far less numerous than municipal waste landfills, most transporters operate within a wide service area, if not the entire state. Wyoming County does not impose any additional licensing or reporting requirements on medical waste transporters. There are no regulated medical waste transporters based within the County.

SEPTAGE TRANSPORTERS

In Pennsylvania, transporters of residential septage must register with the PADEP. Haulers register with PADEP based on the location of their business, not on their service area. It is common for transporters to cross county lines to provide such services. Transporters are required to maintain logs with specific data for each load of septage collected and transported. There are no reporting requirements for septage transporters, however, the information must be made available upon request to PADEP inspectors. In addition to PADEP registration, many counties also require septage transporters to register and report on the activities conducted within the county's jurisdiction. Wyoming County does not impose any additional registration or reporting requirements on septage transporters.

Table 2-2 lists the septage transporters who advertise the availability of services in Wyoming County.

Table 2-2 Registered Septage Haulers Servicing Wyoming County	
Company	Location
Avalanche Septic Services	PO Box 1 Sterling · PA 18463
Centermoreland Concrete Products	12 Creamery Road Tunkhannock, PA 18657-5861
Crawford Septic Tank Cleaning Draintech, Inc. of Wilkes Barre	139 Douglas Rd Sugar Run, PA 18846 719 Demunds Road Dallas, PA 18612
May's Septic Tank Cleaning Services	324 Old Tavern Road Hunlock Creek, PA 18621
Reeves Rent-A-John, Inc.	1015 Whites Ferry Road Falls, PA
Rural Septic	643 Oliver Rd Meshoppen PA 18630
Valley Septic Service	1733 Lakeside Drive Harveys Lake, PA 18618

CONTRACTUAL DISPOSAL CAPACITY FACILITIES FROM THE 2007 PLAN

Ensuring that residents and businesses have outlets able to manage the volume and weight of municipal waste generated is the primary responsibility assigned to counties by Act 101. To meet that requirement, the County solicited for capacity and entered into agreements with two landfills. One as the primary facility and the other to serve as its back-up if ever needed. The agreements covered a period of ten years. The contracts that were executed during the last Plan update in 2007 are set to expire during this planning process.

Table 2-3 lists the landfill and its backup facility, which entered into disposal capacity agreements with Wyoming County after the development of the 2007 Plan update.

Table 2-3 Wyoming County Designated Disposal Capacity Facilities 2007-2017

OWNER/OPERATOR	Facility Name County/State
DeNaples	Keystone Landfill Lackawanna County, PA Commonwealth Environmental Systems Schuylkill County, PA (backup facility)

There are serious discrepancies between the language of the 2007 Request for Qualifications, the 2007 Plan update, and Ordinance 1993-1. Although the County did not guarantee any prearranged volume of tons to be delivered specifically to each facility, it did include other limitations and stipulations. The County clearly conveys its intent to exercise its power of flow control and thereby limit the disposal destinations to a menu of designated facilities. This is evident in several places. By ordinance the County limits disposal of all categories of municipal waste collected and transported to solely those facilities that entered into disposal capacity agreements with the County.

The Facility Qualification Request reinforces the requirement of Ordinance 1993-1. The language in the body of the 2007 Plan suggests, however, that the County simply prefers rather than requires haulers to use the facility that executed the capacity agreement and is thus designated. It further states they are free to dispose of waste at any permitted landfill without regard to the existence of an executed capacity agreement. In direct contrast to this statement, the Petition to Add a Facility describes the purpose of the petitioning process as a means for haulers to request additional landfill designations, under the same requirements as the initial Facility Qualification Request.

WYOMING COUNTY’S REPORTED DISPOSAL ACTIVITY

Disposal and processing facilities in Pennsylvania are required to submit annual reports to PADEP. The reports list the types, quantities and origin of the waste by state and for Pennsylvania, the county. Except for some small random loads, municipal solid waste

followed a similar pattern throughout the period of the 2007 Plan. Interestingly, despite the conditions of Wyoming County Ordinance 1993-1 and the fact that only one landfill executed a disposal capacity agreement and was designated in the 2007 Plan, from 2006 through 2016 numerous landfills reported some type of municipal and/or residual waste, which was generated in Wyoming County. Residual waste was reported by a wider selection of landfills.

DISPOSAL DESTINATIONS

In addition to Keystone Landfill, Alliance Landfill, Bradford County Landfill, were reported recipients of significant quantities of Wyoming County municipal solid waste.

KEYSTONE SANITARY LANDFILL

The only disposal facility to execute a disposal capacity agreement with Wyoming County in 2007 was Keystone Sanitary Landfill.

Located in Dunmore, Old Forge and Throop Boroughs, Lackawanna County, Keystone is owned and operated by Keystone Quarry Inc. The landfill reportedly received waste from 14 Pennsylvania counties in 2016. This varies slightly depending on the year. The landfill receives more waste originating in Lackawanna and Luzerne, than other Pennsylvania counties. Out-of-state waste, however, traditionally consumes the most significant volume of air space capacity at Keystone. In 2016, the disposal of waste originating in New York, New Jersey and Connecticut represented 71 percent of the municipal waste disposed at the site.

Wyoming County transporters delivered 5,170 tons to Keystone in 2016 or 35 percent of the County's municipal waste disposed. Overall, Wyoming County's municipal waste accounts for less than one percent of all the waste disposed at Keystone annually.

ALLIANCE SANITARY LANDFILL

Waste Management's Alliance Sanitary Landfill did not guarantee disposal capacity to Wyoming County under a contractual agreement. Nevertheless, 35 percent of Wyoming County's disposed municipal waste was managed at Alliance in 2016. This represents about 2 percent of the total waste received at the site. The site receives municipal waste and

residual waste from 11 Pennsylvania counties as well as from Maryland, Connecticut, New Jersey and most notably from New York. Alliance is in Lackawanna County in Ransom Township and Taylor Borough.

BRADFORD COUNTY LANDFILL

The Northern Tier Solid Waste Authority owns and operates the Bradford County Landfill. As its name implies, the facility is located in West Burlington Township, Bradford County. In 2016, Bradford took approximately 28 percent of Wyoming County's disposed municipal waste, or 2407 tons. The landfill receives waste from 6 counties, but primarily Bradford and Tioga. The site reported no out-of-state waste in 2016. Wyoming County did not secure an executed disposal capacity agreement from the Northern Tier Solid Waste Authority in 2016.

During the period of the 2007 Plan, in addition to Keystone, Alliance and Bradford, 10 other facilities reported disposal of Wyoming County residual waste. Those that received the greatest quantities were Cumberland County Landfill currently owned and operated by Advanced Waste and the Lancaster County Waste to Energy Facility owned and operated by the Lancaster County Solid Waste Management Authority.

Figure 2-2 shows the locations of the disposal and processing facilities in Pennsylvania that regularly accepted municipal and residual waste from Wyoming County. The names of these sites are shown on the map. Several other facilities that may have periodically taken smaller quantities of Wyoming County waste during that period, as well as some that could accept Wyoming County waste in the future are shown as highlighted squares.

Distance is a factor in the overall cost of waste management. The map includes a circle that represents a radius of 100 miles from, Tunkhannock Borough, the largest concentration of population within the County. It also shows a jagged line that represents a one-hour drive time from Tunkhannock. The map helps to illustrate why certain facilities are more apt to receive significantly more waste from Wyoming County than many others do receive. All of the sites that receive municipal waste regularly are within the one-hour drivetime zone

A local transfer station operation could quickly alter these results. A transfer operation could provide small vehicles a closer outlet to dispose of waste than the current facilities. The waste

would be consolidated and compacted into much larger vehicles capable of hauling longer distances with a greater payload. Two transfer stations within or near Wyoming County are currently proposed. One is in Susquehanna County near Montrose, PA and the second is in Monroe Township, Wyoming County

Table 2-4 shows the amounts of municipal and residual waste each landfill reported from 2006 through 2016. With minimal major manufacturing, Wyoming County typically generates and disposes of less residual waste than it does municipal waste. Cuttings from exploration and drilling in the Marcellus Shale Gas Formation have increased residual waste disposal, but not as dramatically as in Susquehanna County where oil and gas exploration initially blossomed. The trend is expected to be short lived and residual waste quantities were already decreasing in 2016.

Wyoming County municipal waste follows a relatively consistent course. There are some notable spikes in municipal waste disposal. These appear to occur in years when large volumes of construction and demolition waste were disposed due to catastrophic storms with wind and ice damage and subsequent flooding.

Figure 2-2 Location of Facilities Reporting Greatest Quantities of Wyoming County Municipal and Residual Waste Disposed 2006-2016

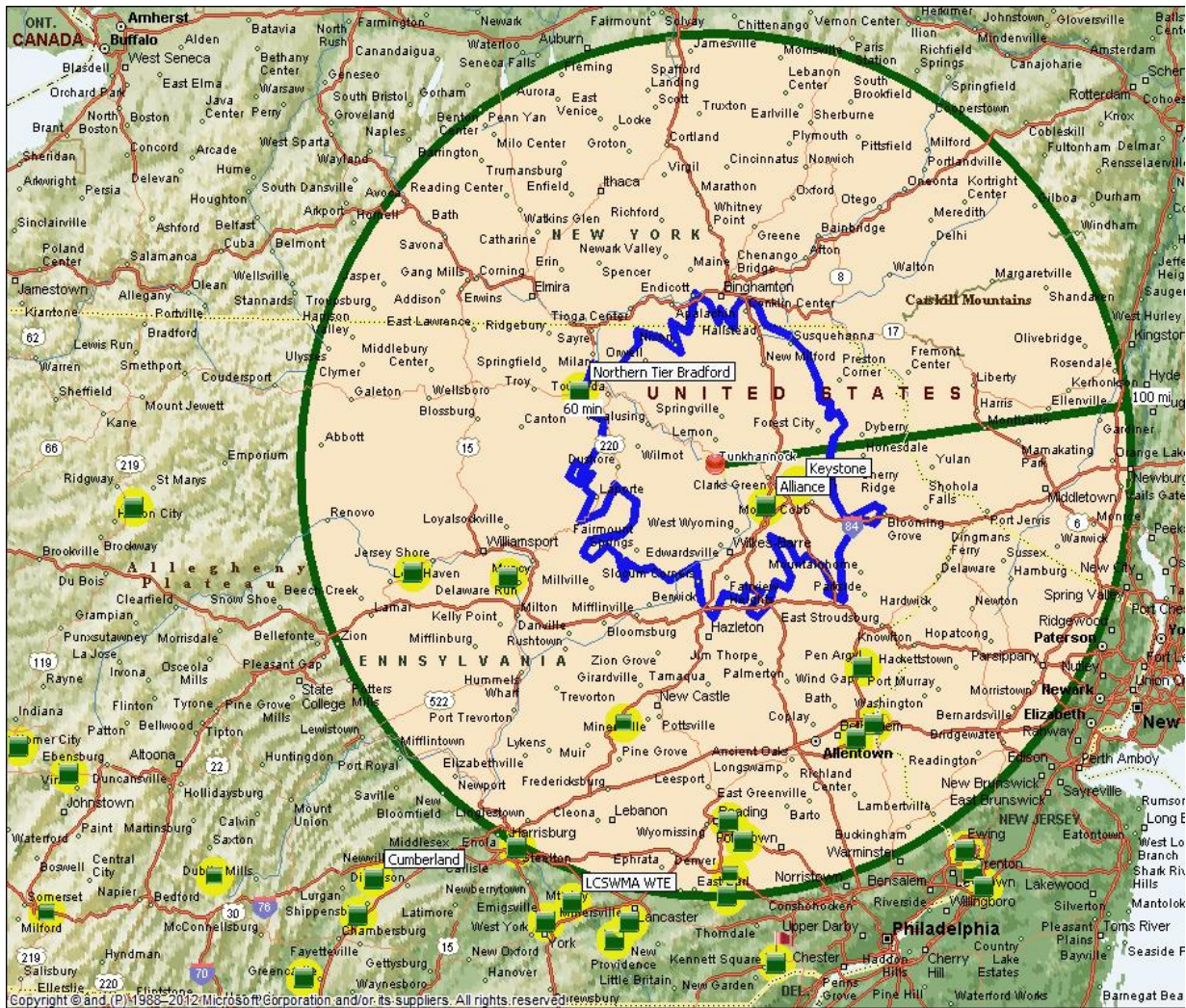


Table 2-4 Wyoming County Reported Disposal Destinations 2006-2016

	2006			2007			2008		
	TOTAL	MSW	RSW	Total	MSW	RSW	Total	MSW	RSW
EVERGREEN LANDFILL									
WESTERN BERKS REFUSE AUTHORITY LANDFILL									
IESI PA BETHLEHEM LANDFILL									
ALLIANCE SANITARY LANDFILL	6,843	6,843	0	7,528	7,528	0	7,876	241	0
IESI PA BLUE RIDGE LANDFILL									
CUMBERLAND COUNTY LANDFILL									
CLINTON COUNTY SOLID WASTE AUTHORITY				2	0	2	2	2	0
LYCOMING COUNTY RESOURCE MANAGEMENT									
BRADFORD COUNTY SANITARY LANDFILL	5,410	3,130	2,280	4,892	3,525	1,363	6,898	5,086	0
KEYSTONE SANITARY LANDFILL	6,681	6,603	78	4,648	4,526	122	5,470	335	388
VEOLIA GREENTREE LANDFILL	5	0	5						
LCSWMA FREY FARM LANDFILL									
LANCASTER COUNTY SWMA WTE	10,219	0	10,219	6,045	0	6,045	5,867		5,867
TOTAL	29,158	16,575	12,582	23,115	15,579	7,532	26,113	5,664	6,255

Table 2-4 Wyoming County Reported Disposal Destinations 2006-2016 continued

	2009			2010			2011		
	Total	MSW	RSW	Total	MSW	RSW	Total	MSW	RSW
EVERGREEN LANDFILL									
WESTERN BERKS REFUSE AUTHORITY LANDFILL									
IESI PA BETHLEHEM LANDFILL				0	0	0	0	0	0
ALLIANCE SANITARY LANDFILL	8,425	8,425	0	7,307	17,091	7,876	7,685	7,685	0
IESI PA BLUE RIDGE LANDFILL							108	0	108
CUMBERLAND COUNTY LANDFILL							11,088	0	11,088
CLINTON COUNTY SOLID WASTE AUTHORITY				203	4	2	1,406	0	1,406
LYCOMING COUNTY RESOURCE MANAGEMENT							5	0	5
BRADFORD COUNTY SANITARY LANDFILL	3,603	2,744	859	5,119	2,813	2,306	4,932	4,053	879
KEYSTONE SANITARY LANDFILL	4,312	4,116	196	16,602	9,273	5,667	12,670	5,554	7,117
VEOLIA GREENTREE LANDFILL									
LCSWMA FREY FARM LANDFILL									
LANCASTER COUNTY SWMA WTE	4,707		4,707	6,815	0	6,815	11,961	0	3,427
TOTAL	21,047	15,285	5,762	36,047	29,181	22,665	49,856	17,292	24,030

Table 2-4 Wyoming County Reported Disposal Destinations 2006-2016 continued

	2012			2013			2014		
	Total	MSW	RSW	Total	MSW	RSW	Total	MSW	RSW
EVERGREEN LANDFILL	3,269	2,007	1,262						
WESTERN BERKS REFUSE AUTHORITY LANDFILL	40	0	40						
IESI PA BETHLEHEM LANDFILL									
ALLIANCE SANITARY LANDFILL	11,046	7,996	3,050	34,662	6,462	28,200	26,553	5,731	20,822
IESI PA BLUE RIDGE LANDFILL									
CUMBERLAND COUNTY LANDFILL	14,314	0	14,314	2,881	0	2,881	17	0	17
CLINTON COUNTY SOLID WASTE AUTHORITY				10	0	10			
LYCOMING COUNTY RESOURCE MANAGEMENT	16	0	16	6	0	6	1	0	1
BRADFORD COUNTY SANITARY LANDFILL	4,023	3,580	443	5,229	4,771	458	5,818	4,607	1,212
KEYSTONE SANITARY LANDFILL	7,107	5,759	1,348	9,209	5,203	4,006	11,495	6,527	4,968
VEOLIA GREENTREE LANDFILL									
LCSWMA FREY FARM LANDFILL									
LANCASTER COUNTY SWMA WTE	4,562	0	4,562	4,047	0	4,047	3,621	0	3,621
TOTAL	44,377	19,342	25,034	56,043	16,436	39,607	47,505	16,865	30,640

Table 2-4 Wyoming County Reported Disposal Destinations 2006-2016 continued

	2015			2016		
	Total	MSW	RSW	Total	MSW	RSW
EVERGREEN LANDFILL						
WESTERN BERKS REFUSE AUTHORITY LANDFILL						
IESI PA BETHLEHEM LANDFILL						
ALLIANCE SANITARY LANDFILL	6,573	6,074	499	5,469	5,406	63
IESI PA BLUE RIDGE LANDFILL						
CUMBERLAND COUNTY LANDFILL						
CLINTON COUNTY SOLID WASTE AUTHORITY	2	0	2			
LYCOMING COUNTY RESOURCE MANAGEMENT	10	2	8			
BRADFORD COUNTY SANITARY LANDFILL	6,989	5,059	1,931	6,569	4,161	2,408
KEYSTONE SANITARY LANDFILL	5,972	5,715	258	6,554	5,170	1,384
VEOLIA GREENTREE LANDFILL						
LCSWMA FREY FARM LANDFILL	116	0	116			
LANCASTER COUNTY SWMA WTE	3,506	0	3,506	3,244	0	3,244
TOTAL	23,169	16,849	6,320	21,836	14,738	7,099

Figure 2-3 provides a graphic representation of which facilities manage most of Wyoming County’s municipal waste. Figure 2-4 shows a comparison between municipal waste and residual waste disposal by the landfills which received the greatest amounts.

Figure 2-3 Landfills Reporting Disposal of Wyoming County Municipal Solid Waste 2006-2016

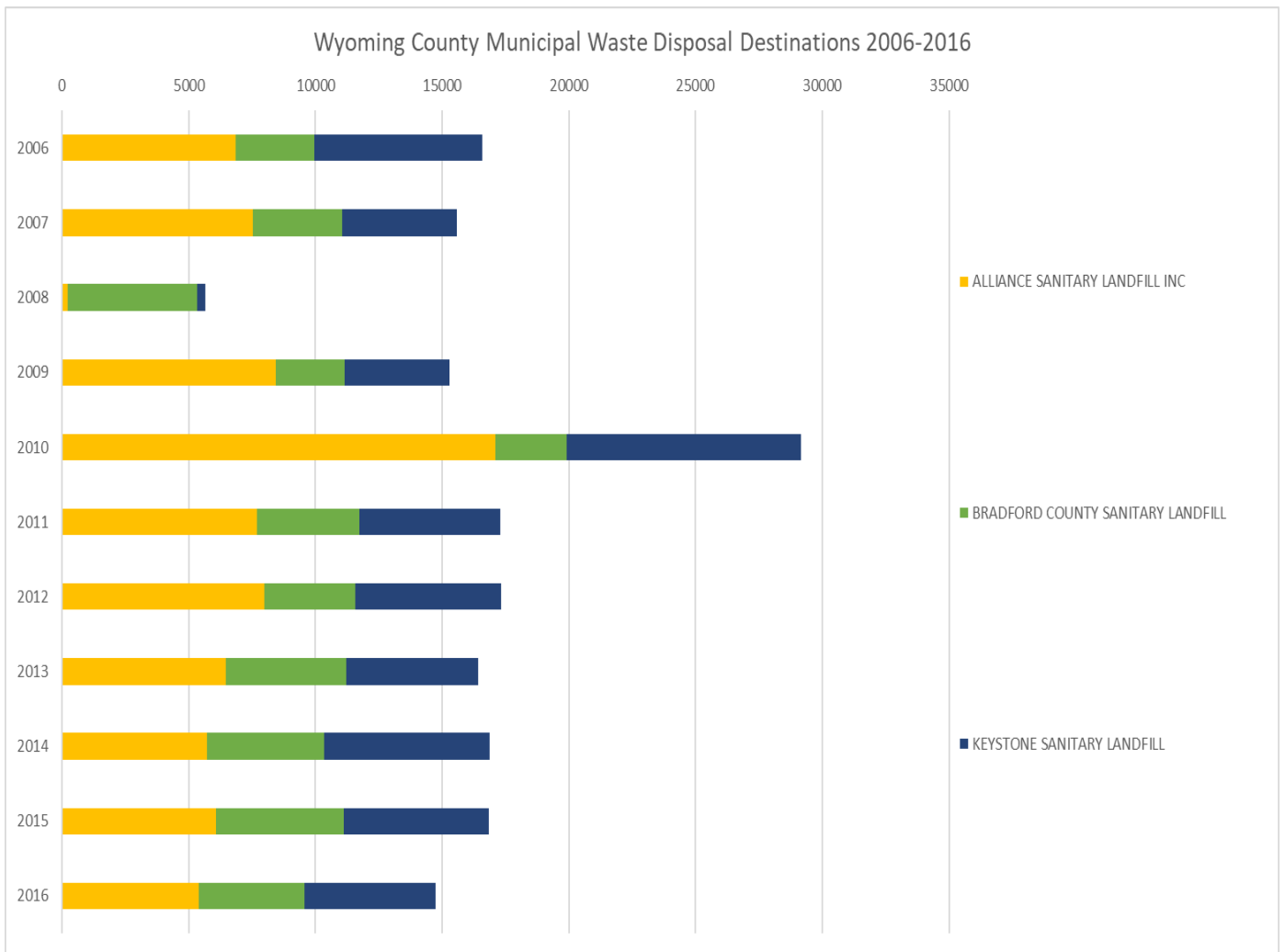
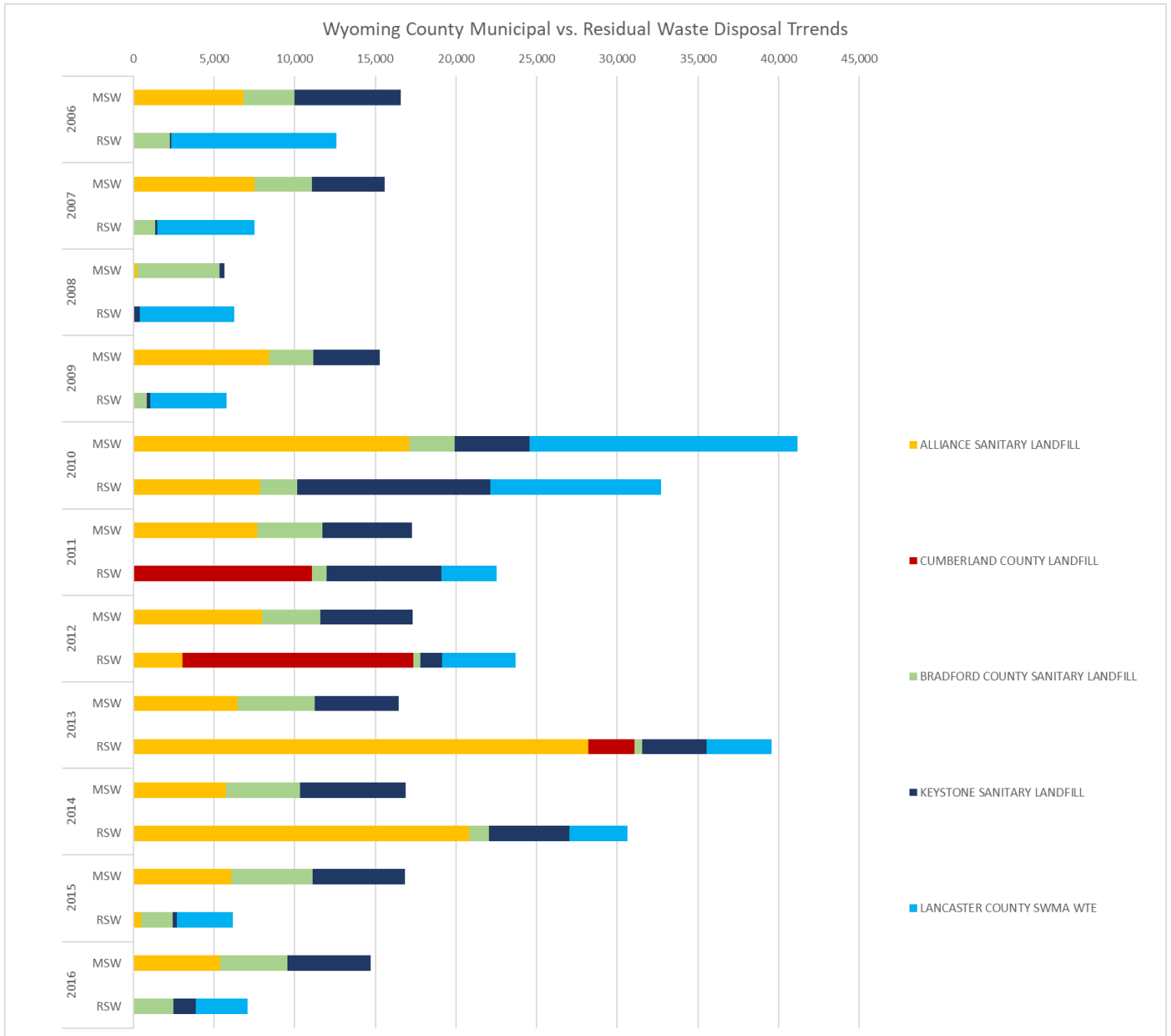


Figure 2-4 Wyoming County Municipal vs Residual Waste Disposal Trends



INDIVIDUAL BEHAVIOR AND PRACTICES

Although a variety of waste collection services are available across Wyoming County, utilization or demand does not always measure up to the supply. Local municipalities do not exercise any control or limitations over this service through an exclusive franchise or by other means. Instead, residents and business owners voluntarily determine how they will manage their waste. The exception is Tunkhannock Borough, where residential waste collection is provided as a municipal service. There public employees and vehicles service the waste and recycling collection routes.

Throughout Wyoming County, the service provider, the level of service offerings and the cost differs from town to town - in some instances from house to house. In lieu of municipal contracts, many residents directly engage the service provider of their choice. This practice is known as subscription service. Residents either purchase bags or tags identifiable to the contractor, or pay flat fees, which are billed directly by the hauler.

Few, if any, local solid waste ordinances require residents or businesses to subscribe to a waste collection service, or to demonstrate the use of a legitimate alternative. Even where ordinances may exist, enforcement is difficult because multiple service providers operate within the same municipality. With collection days and times varying per hauler, it is harder to spot those who lack service.

When residents and businesses lack service, they seek other outlets for their waste. Some residents may self-haul their own waste to disposal facilities, but that option is limiting with no transfer stations or landfills located in Wyoming County. 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.

CONTRIBUTING CIRCUMSTANCES AND OUTCOMES

Personal economic circumstances greatly influence if a person voluntarily subscribes to a commercial waste collection service. Even those with high environmental principles can

decide to discontinue collection service when faced with limited funds. Where lax enforcement measures and fear of prosecution for illegal dumping is minimal, the likelihood that residents will not subscribe to waste collection services is greatest.

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. Complicating this issue is the reluctance of hauling companies to service areas where low route density, geography, unmaintained private roads and other features affect productivity. As a result, many individuals fail to act responsibly.

Consequently, recycling drop-off collection sites become contaminated with garbage. Businesses are forced to use locking containers to deter freeloaders who deposit their waste in them without permission. 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.

Evidence suggests these issues exist in Wyoming County.

ILLEGAL DUMPING ACTIVITIES

There is nothing positive to say about illegal dumping. Yet despite the widely known health and environmental hazards it causes; illegal dumping persists throughout Pennsylvania. Neither urban nor rural areas are immune. Wyoming County is no exception.

Dumpsites attract rodents, insects, and other vermin that spread diseases like West Nile Virus and encephalitis. Illegal dumping can impair proper drainage and facilitate erosion making areas more susceptible to flooding. Additionally, runoff from dump sites containing chemicals may contaminate wells and surface water used as sources of drinking water.

In 2013, Keep Pennsylvania Beautiful (formerly Pa CleanWays) completed a ten-year study which surveyed every Pennsylvania county for the evidence of illegal dumping. The locations of dumpsites were recorded using a GIS system and the types and quantities of materials were logged in a database. Wyoming County was one of the last counties to be surveyed.

Surveyors identified 14 illegal dumping sites dispersed amongst 11 of the 23 municipalities in Wyoming County. Of these sites, 79 percent had recent dumping activity. Wyoming County municipalities primarily meet the population density criteria that defines an area as rural. The findings of other studies, surveys, and reports have consistently concluded illegal dumping tends to be more prevalent in rural areas. Therefore, it is no surprise that rural municipalities were the setting for all of the illegal dumping locations.

For safety and other legal issues regarding trespassing on private lands Keep Pennsylvania Beautiful was restricted to a superficial survey with sites mainly seen from the roadside. Due to these constraints, the report cautions that this is a small representation of the extent of illegal dumping in Wyoming County.

Warning of penalties for illegal dumping violations were posted at only one site, yet it did not serve as a successful deterrent to the ongoing active dumping. This is a common phenomenon. The fear of discovery and prosecution for an illegal dumper diminishes in direct proportion to the perceived level of enforcement. In posted areas, the assumption is made that the accumulation of garbage is an indicator that previous dumpers escaped detection and punishment. Consequently, the mere existence of dumpsites breeds more dumping.

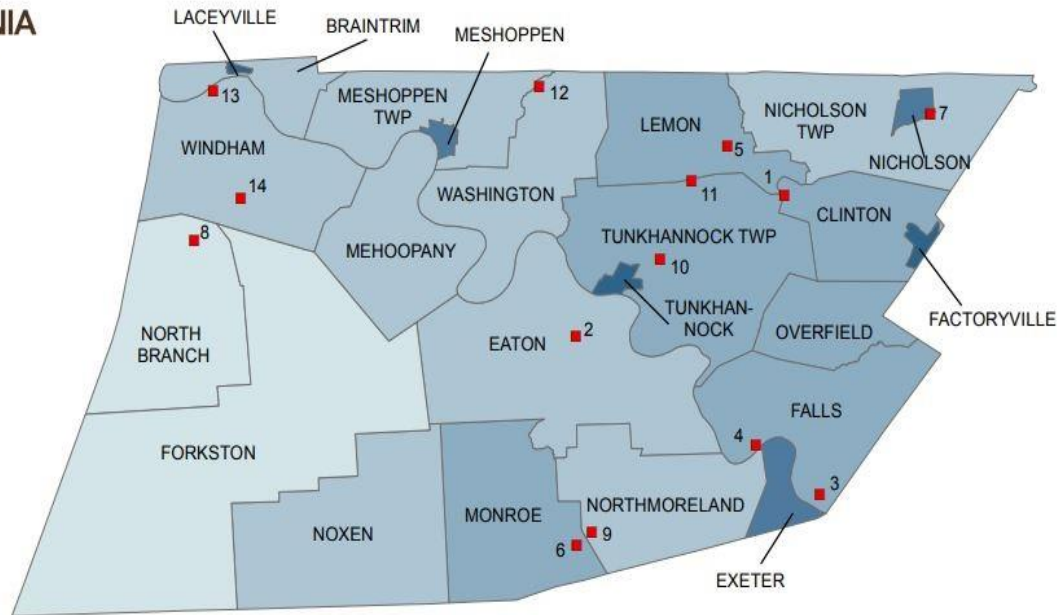
The surveyors used a set of standard assumptions based on the types and numbers or volumes of materials visible on the surface to assess the resources needed for future remediation. Frequently documented items included recyclables and bagged waste and visible household trash, confirming suspicions that an unwillingness to pay for waste collection services is common. Tires were found frequently and in large numbers. Nearly 500 tires were spotted, and more are likely covered by soil, leaves and other debris. Based on observations and common assumptions, Keep Pennsylvania Beautiful estimated from 0.25 - 20 tons of material were disposed at each site totaling 50.5 tons for all locations.

Figure 2-5 shows the location of the illegal dumpsites identified by Keep Pennsylvania Beautiful and illustrates how population density plays a role.

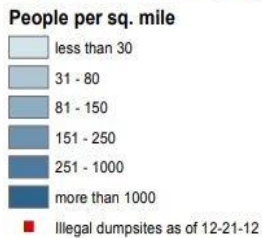
Figure 2-5 Illegal Dumping Sites in Wyoming County Recorded in 2012



Wyoming County, Pennsylvania Illegal Dumpsites and Population Density December 2012



Population Density by Municipality



© 2013 Keep Pennsylvania Beautiful
Map Prepared by Caesar deChicchis
UCSUR, University of Pittsburgh



CONFRONTING THE PROBLEM

Preventing pollution caused from illegal dumping is important to the local water supply and Wyoming County's tourist economy.

Local municipalities bear the ongoing cost for cleaning up illegal dumpsites. Public works or road crews are often dispatched at significant taxpayer's expense to remove and dispose of abandoned waste. Keep Pennsylvania Beautiful has catalogued the costs of its own clean-up efforts. In addition, it has surveyed counties and municipalities to determine the average cost per ton for such efforts. Based on their findings, the cost of collection/transportation and disposal along with the value of the labor and materials is approximately \$1,000 per ton. For municipalities that does not include the value of other projects that should be addressed by public works crews that must deal with this problem.

The Wyoming County Recycling Center sponsors periodic collection events for electronics, and other hard to manage items. Most of these programs are provided at minimal cost to residents and local municipalities. Ensuring that all residents participated in an organized mandatory waste collection program might be the preferred solution in some areas. However, the likelihood of that occurring in Wyoming County is small. These events have been a proactive and effective means to arrest the problem. Having the Recycling Center be a permanent site for collections that occurred year-long, would be an important improvement.

RELATED ISSUES

Implementation of the Wyoming County Municipal Solid Waste Management Plan has decreased some of the visible signs of open dumping in the County. Still, active illegal dumpsites exist. The Advisory Committee discussed ways to arrest the growth of illegal dumping before it becomes unmanageable. Creating greater overall public awareness for the importance of proper storage, collection, and disposal practices was favored. Important to the Committee were problematic actions, which may not be readily viewed as illegal dumping by the average person, but that result from the same characteristic behavior.

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 the Commonwealth. Contamination routinely happens in any recycling program due to misunderstanding or best intentions of participants. However, not all contamination is an innocent mistake.

A common problem for county and municipal programs 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 program, minus the guilt associated with hillside or waterway dumping.

Wyoming County faces this dilemma. Disposing of these unwanted materials is costly and detracts from the ability of the Recycling Center to provide other desired services. There is increased concern that the introduction of single stream recycling in which all material can be mixed together in some of the private sector collection programs will heighten the incidence of contamination at the Recycling Center, which requires materials to be separated.

THEFT OF SERVICE

Sadly, those who fail to pay for proper removal of their waste may 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.

LITTER CONTROL

Litter prevention has long-standing support in Pennsylvania. What is now known as the Pennsylvania Resources Council coined the phrase "Don't Be A Litterbug" nearly sixty years ago and introduced its mascot, which is now one of the most familiar national icons. The Pennsylvania Resources Council has tools and collateral material available to local schools and communities to launch educational promotions. The image of the Litterbug has evolved

over time, but the original message has never changed. Both continue as an effective campaign in creating public awareness. Yet the consequences of littering still plague every county in the Commonwealth.

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.

Several times per day, smokers are confronted with the decision of how to handle the disposal of cigarette butts. According to studies conducted by Keep America Beautiful, cigarette butts alone account for trillions of pieces of litter each year. Since the introduction of smoke free office buildings, restaurants and other public areas, smokers and discarded cigarette butts gather in greater quantities around the entrances/exits to buildings.

Similarly, litter can accumulate at high transition points where people are leaving one activity or environment and entering another. For instance, people tend to litter when they are leaving or getting into their vehicles, entering a store, getting on or off public transportation, etc. Littering in these areas can result from limited availability of waste and recycling receptacles in public places. Grant funding is periodically available for purchasing public venue containers.

OPEN BURNING

No other undesirable waste management practice is defended by individuals at all levels of the socio-economic spectrum more than open burning. Tolerance for open burning is practically ingrained as a tradition in Rural Pennsylvania. Little thought is given to striking a match and igniting the family's household trash or a pile of brush and leaves. Where camps and campgrounds are prevalent, it is hard for some to distinguish the line between campfires and burning trash. People burn waste for a variety of reasons. Convenience, habit, and the avoided cost of trash collection rank high on the list. This commonly makes burning bans contentious issues. These same reasons prompt illegal dumping.

The public in general has little to no awareness of the dangers of open burning. Smoke from any fire can affect the health of a community. The smoke from backyard burning is released

close to the ground where people can easily breathe it. Smoke can trigger asthma attacks. People with heart and lung conditions are vulnerable, as are those with other chronic health problems. An often-overlooked consequence of backyard burning should be of particular concern in Wyoming 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.

Open burning remains a common occurrence in Wyoming County. 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.

ENFORCEMENT TO DETER ILLEGAL DUMPING

Regardless of how many laws and ordinances are adopted, without enforcement they are all meaningless. State and local agencies have varying degrees of statutory authority that enables them to act on illegal dumping and littering offenses. Figure 2-5 outlines the types of situations in which various agencies may act on reported cases of illegal dumping.

Figure 2-5 Enforcement of Littering and Illegal Dumping Statutes

THESE ENTITIES TYPICALLY HAVE LOCAL ENFORCEMENT POWERS

Local Police or County Sheriff

Municipal Code Enforcement

County Code Enforcement

County Health Department

WHICH STATE AGENCY TO CALL UNDER SPECIFIC CONDITIONS

PA State Police

- Problem area is not covered by a local police department.
- Problem is on public land, such as a state road right-of-way.
- Problem is on private land, and the complainant owns that land which is not covered by local police jurisdiction.

PA Department of Environmental Protection

- Illegal dumping has occurred.
- You may also find other numbers to file a complaint by using DEP's online "Emergency Response Contact Numbers in Your Area" chart.

PA Fish and Boat Commission

- The trash lies in or near surface waters, particularly trout streams.

PA Game Commission

- Litter and dumping occurs on State Game Lands and on private property that is open to hunting.

PA Bureau of Forestry

- Littering and dumping impacts State Forests.

PA Bureau of State Parks

- Littering and dumping impacts State Parks.

**Source Keep Pennsylvania Beautiful:*

ASSESSMENT OF AND RECOMMENDATIONS FOR THE DISPOSAL SYSTEM

The Solid Waste Advisory Committee examined historical data and physical evidence of municipal waste programs and activities in Wyoming County. They also shared their personal insight as stakeholders in the system. Members of the Committee acknowledged the evidence of some illegal dumping, but they were in general agreement that the problem has greatly reduced from the past.

The Committee agreed that an adequate network for collection, transportation, and disposal is available throughout the County, but may be underutilized.

Landfills remain the primary method of disposal due to availability and affordability.

During the discussions, members expressed concern for the actions of citizens who were unable or unwilling to pay for service. Key indicators such as random incidents of illegal dumping, ongoing contamination issues at recycling drop-off sites, and the prevalence of burn barrels were mentioned as confirmation of the problem.

While in agreement, that mandatory waste collection could resolve these issues, the Committee was not compelled to recommend a countywide ordinance with the requirement but favored better enforcement of existing or future local ordinances that targeted illegal dumping.

The Committee was informed that the Solid Waste Ordinance conflicted with the state's authority to regulate haulers under the Waste Transportation Safety Act, Act 90. Revisions to the ordinance were suggested and discussed. The new ordinance is included in Appendix E.

Several areas for improvement were identified in this review of current waste management trends. The decisions and justifications for the County's future policies and programs are presented in Chapter 5 and the details of any resulting changes to local laws are discussed in Chapter 9.

Chapter 3

Estimates of Future Disposal Needs

FACTORS INFLUENCING AVAILABILITY OF CAPACITY

About two-thirds of the way through the 20th century the results of decades of poor industrial waste management surfaced. Poorly regulated disposal practices required such extensive remediation that in some instances entire towns were permanently evacuated. Medical waste and raw sewage washed ashore closing public beaches along the Great Lakes and the Atlantic Coastline. Pollution to the land, air, and water was so pervasive that the federal government created the United States Environmental Protection Agency to establish and enforce stricter standards.

Equally abysmal was municipal solid waste management. Vast numbers of open dumps existed across the country. Some were privately owned, but the bulk of them were municipal operations. Pennsylvania recognized and loosely regulated similar small dumpsites and emerging sanitary landfills in the Commonwealth. From 1960 to 1990, as municipal waste generation escalated at a pace never seen before, it became evident that local governments were not adequately prepared to address the issue.

The concern influenced a flurry of legislative and regulatory activity nationwide. The solid waste policies adopted then have far-reaching implications, even today. Tighter controls trickled down to state landfill regulations. Consequently, disposal facilities experienced significant cost increases for permitting, engineering design, and construction Bonding was required for closure and post closure care.

For small private and municipal facilities, once the primary disposal outlets, the new economics of waste management were cost prohibitive. Many opted to close. Some with

sufficient growth potential sold to larger conglomerates intent on internalizing the disposal of waste, which could be collected by their own hauling divisions. These circumstances and events prompted the birth of the waste industry as we know it today.

With the elimination of a municipal landfill operation, disposal as a local function ceased. Communities who were once self-reliant, became dependent on facilities owned and operated by others. Securing long-term disposal capacity became of utmost importance. For municipalities, the consequences of ignoring years of prodding to plan and develop facilities to properly manage municipal waste from their communities finally became a reality. This couldn't be truer than in Pennsylvania, which officially shifted that power and responsibility from municipal government to counties when it enacted the Municipal Waste Planning, Recycling, and Waste Reduction Act (Act 101 of 1988). Not only did Act 101 shift the power to make decisions for disposal capacity to counties, in return it established mandates on the municipalities to divert waste and decrease disposal capacity demands.

Although circumstances in the marketplace have changed since the inception of Act 101, disposal capacity is still a relevant issue in the planning process. Recycling and other source reduction and waste minimization efforts have been successful in lessening municipal waste demands on existing disposal capacity. Despite the general decrease in municipal waste disposal nationwide, the waste industry continually reacts and adjusts to economic circumstances and opportunities. For Wyoming County to ensure that disposal capacity will be abundant, available and affordable into the future, it is important to understand the impact of these influences.

Chapter 3 reviews the data and analysis used to determine Wyoming County's generation and disposal requirements for the next decade, 2018 thru 2028. It considers current County disposal trends. The rate at which capacity is being consumed by other sources is explored to determine the impact on Wyoming County's needs. Alternative methods of disposal and processing are considered. Finally, the decision and justification to solicit for added capacity is discussed.

CAPACITY CONSUMPTION VERSUS COMMITMENTS

All counties in Pennsylvania must demonstrate the availability of sufficient disposal capacity. The majority of counties are dependent on outside sources, because, like Wyoming, they do not own and operate facilities. In these instances, to demonstrate their obligation under Act 101 typically counties seek capacity guarantees through contractual commitments.

Disposal operations represent profit centers for the owners and in many cases, the shareholders. At a minimum, facilities know the targeted quantities needed to meet daily operating expenses. To realize a profit, facilities must continually seek out new reliable sources of waste to exceed that goal.

Most capacity agreements are one sided. Facilities are required to set aside a portion of the daily disposal capacity for a county, yet counties do not guarantee any minimum volumes of waste to be delivered for disposal. A variety of market factors may affect an operator's decision to contractually guarantee the availability of capacity on demand. With no assurance that this daily reserve will be attained, the risk for lost revenue could be a detractor to some facilities. In the absence of inbound waste, profits decrease. Other sources of waste may be delivered on a consistently regular basis or in greater quantities. Other types of waste may have characteristics or properties, which command a higher price per ton. Local politics or agreements may be restrictive. Actual operating practices may enhance or detract from available capacity.

COMPETITION FOR CAPACITY

The whole concept of securing disposal capacity stems from the fact that other sources are equally reliant on the same facilities to manage their waste. In addition to the volume of waste from other sources, operating practices could reduce the amount of capacity projected to be available for Wyoming County during the implementation period of the Plan, 2018 thru 2028.

OUT OF STATE WASTE

From the outset of development, accepting waste from sources outside of Pennsylvania was a natural business decision for most of landfills that service Wyoming County. Proximity to large waste exporting states like New York and New Jersey combined with the network of Interstate Highways provided affordable disposal despite the cost of transportation. Courts

have consistently ruled against any state’s legislation aimed at controlling the flow of waste from outside sources based on the Dormant Commerce Clause in the U.S. Constitution.

Waste diversion initiatives will continue to reduce the amount of waste exported from the northeastern states. Expansion of the recycling infrastructure and new technologies capture greater amounts of material. The development of composting facilities and digesters in close proximity to the sources of generation coupled with bans on the disposal of organic waste will have the most significant impact. Nevertheless, even if it is at a lesser rate, out-of-state waste will still occupy airspace in Pennsylvania landfills. Based on current conditions, it is unlikely that it will ever represent a majority ratio of the tons disposed across the state. However, for select landfills it could remain a viable enterprise.

INFLUENCE OF RESIDUAL WASTE

It is difficult to predict accurately the impact of drilling waste on any given landfill.

Acceptance of this material does accelerate consumption of the excess disposal capacity currently thought to exist.



Pennsylvania regulates waste residues from industrial and manufacturing processes apart from municipal solid waste. This “residual waste” is accepted for disposal by the landfills designated to manage Wyoming County’s municipal waste. Pennsylvania’s industries have historically generated more residual waste annually than the reported annual amount of municipal waste originating in homes and businesses. Only a portion of the residual waste generated is disposed in municipal waste landfills. Many types of residual waste stream have beneficial uses. Others can be reused by the generator or another industry in lieu of virgin materials in the manufacturing process. Select industries have captive disposal facilities used solely for waste produced in their own operations.

A new and growing source of residual waste emerged since 2010. For Pennsylvania landfills that have experienced a downturn in municipal waste disposal, the exploration and drilling activity in the Marcellus Shale Gas Formation has developed into a lucrative market.

Drilling activity is influenced by the price of the oil and natural gas. Natural gas exploration and drilling will have an impact across the Commonwealth for a number of years. Areas in and surrounding Wyoming County were the earliest to experience the significant growth in the oil and gas industry along with supporting services. That original intensity of drilling has subsided, but some remains.

It is difficult to predict accurately the impact of drilling waste on any given landfill. The amount of waste generated at each drill site differs somewhat and is dependent on the depth and horizontal distance of the drilling activity. Acceptance of this material does accelerate consumption of the excess disposal capacity currently thought to exist. When exploration is productive, greater demands on disposal capacity could occur. The unpredictable nature of drilling activities and the resulting waste provides more reasons to secure disposal capacity for Wyoming County.

DESIGN AND OPERATIONAL ISSUES

Landfills are not created equally. 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. Sites with similar acreage, elevations, and permitted daily volumes may have differing capacity remaining in each facility. 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.

Timing is another factor. Although currently operating with active permits, some landfills with current disposal capacity agreements may require additional approvals or modifications to proceed with 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 Wyoming County could decrease.

CORPORATE AND FINANCIAL INFLUENCES

A disposal facility is primarily a business. Sales activity, corporate directives, and administrative issues can affect the consumption of disposal capacity. Increases in permitted

volumes due to windfall contracts, catastrophic events, economic conditions, or company policies can accelerate the rate at which capacity is used. Mergers and acquisitions within the waste industry occur on a regular basis. Integrated companies that own hauling operations prefer to internalize disposal at their own facilities. It is common to see waste redirected to newly acquired facilities or to a facility operated by the new owner of a hauling operation. Such shifts can alter the normal consumption of capacity.

CLOSURES

An issue that is occurring more frequently in Eastern Pennsylvania, but which is often overlooked is the number of facilities approaching or currently in final closure. Landfills in this region accepted large volumes of out of state waste and many were also the disposal choice for the more populated counties of the state. Consequently, their disposal capacity was depleted more rapidly. Those reliant on out of state waste for revenue may not be able to supplement those losses sufficiently with the smaller quantities of municipal solid waste generated locally. The investment necessary to support additional permitted capacity may not be justified. Communities with host fees, who benefit from high volume disposal activities suddenly become less tolerant when those funds diminish. When the return on investment is negative, or when the public negatively influences regulatory decisions on expansion permits, landfills close.

With a continuing decline in waste disposal and the inability to provide the same economic benefits to local municipalities or shareholders, the closure of landfills is a very real possibility. Fewer operating landfills may be in operation before expiration of the 10-year implementation period of the Wyoming County Municipal Solid Waste Management Plan from 2018 through 2028. This could have a detrimental impact on the availability of disposal capacity in the area. It could also affect disposal costs.

REDUCING DISPOSAL CAPACITY NEEDS

The rapid growth of municipal solid waste generation and disposal between 1960 and 1990 slowed and finally peaked in the early 2000's. Since then the nation experienced a decline in the per capita waste generation and disposal rates, which now resemble those from 1990. A combination of circumstances influenced the reversal of that unprecedented growth.

Business and industry finally made the connection between waste minimization and profitability. Products are now produced with lighter materials, fewer non-functional parts and less packaging. All reduce shipping and handling costs and create less waste. The demise of printed publications increases daily as more advertising shifts to digital sources. Email, texting and other forms of digital messaging continue to erode the use of traditional printed postal services. Recycling programs remove more post-consumer waste from the landfill than ever before. These conditions are not expected to change moving forward. In fact, organic waste is the current component targeted for diversion.

PROJECTING ANNUAL CAPACITY REQUIREMENTS

In order to determine the future disposal capacity needs of Wyoming County, 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. This section describes the sources of data used to calculate Wyoming 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 Wyoming County totals from the 2010 Census and projections for 2010 to 2040.

Table 3-1 Population Projections

	July 1, 2010	July 1, 2020	July 1, 2030	July 1, 2040	% Change	% Change	% Change
	Census	Projection	Projection	Projection	2010-2020	2010-2030	2010-2040
Pennsylvania	12,711,308	13,230,170	13,759,594	14,132,588	4.10%	8.20%	11.20%
Wyoming County	28261	28460	28146	27269	0.70%	-0.40%	-3.50%

FUTURE RATE OF MUNICIPAL WASTE DISPOSAL

The USEPA tracks and monitors national municipal solid waste generation and disposal rates. Data is available from 1960 to the present. It should be noted that Wyoming County's reported municipal solid waste disposal rate, was only 0.49 tons/person/year, slightly below the national discard rate of 0.525 tons/person/year for the same material.

As discussed previously, sewage sludge, construction & demolition waste, and medical waste are not factored in to USEPA's national municipal solid waste statistics. Those materials accounted for another 0.11 tons/person/year for Wyoming County.

To some degree, misreporting may contribute to the lower than average disposal rate. Other factors are more probable. In rural counties residents tend to be accepting of open burning as a disposal mechanism. That perspective combined with the ability to voluntarily subscribe to waste collection service typically produces lower than average expected results.

Prior to disposal, various quantities of materials are recovered for recycling in Wyoming. These materials are already excluded from the disposal figures. No significant changes to recycling activities in the County are foreseen and the disposal rate is assumed to remain consistent with its current level.

Table 3-2 presents projected disposal capacity requirements for the years 2017 through 2040. The figures are based on a constant per capita generation rate with adjustments due to projected population changes. For Wyoming County, the quantity is based on the 2015-estimated population of 27,521 and the disposal activity reported for that year.

Table 3-2 Wyoming County Projected Disposal Capacity Requirements

Year	Population	MSW	Sludge	C&D	Total
2015	27,521	13,424	343	3,082	16,849
2017	27,510	13,480	275	3,026	16,781
2018	27,500	13,475	275	3,025	16,775
2019	27,489	13,470	275	3,024	16,769
2020	27,479	13,465	275	3,023	16,762
2021	27,468	13,459	275	3,022	16,756
2022	27,458	13,454	275	3,020	16,749
2023	27,447	13,449	274	3,019	16,743
2024	27,437	13,444	274	3,018	16,736
2025	27,426	13,439	274	3,017	16,730
2026	27,416	13,434	274	3,016	16,724
2027	27,405	13,429	274	3,015	16,717
2028	27,395	13,423	274	3,013	16,711
2029	27,384	13,418	274	3,012	16,704
2030	27,374	13,413	274	3,011	16,698
2031	27,363	13,408	274	3,010	16,692
2032	27,353	13,403	274	3,009	16,685
2033	27,342	13,398	273	3,008	16,679
2034	27,332	13,393	273	3,006	16,672
2035	27,321	13,387	273	3,005	16,666
2036	27,311	13,382	273	3,004	16,660
2037	27,300	13,377	273	3,003	16,653
2038	27,290	13,372	273	3,002	16,647
2039	27,279	13,367	273	3,001	16,640
2040	27,269	13,362	273	3,000	16,634

REQUESTING PROPOSALS FOR FUTURE DISPOSAL OR PROCESSING CAPACITY

The discussions and analyses of conditions led the County to advertise and accept proposals 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 360.

A copy of the public notification is shown in Appendix A. The Request for Proposals is included as part of Appendix B. A review of the proposals and the landfills, which committed disposal capacity to Wyoming County, are included in Appendix C. A mechanism to designate additional landfills in the future is provided in Appendix D.

Chapter 4

Challenges and Rewards of Rural Recycling

WYCOMING COUNTY ACCOMPLISHMENTS

Pennsylvania counties and local municipalities with municipal waste management and recycling policies and programs are expected to follow the provisions of the Municipal Waste Planning, Recycling, and Waste Reduction Act (Act 101). The roles and responsibilities differ between each level of government.

The Act directs counties to develop local ordinances and enforcement policies for proper waste management. Under the law, mandates for recycling fall to those municipalities with certain levels of population and density. Based on the most recent data from the US Census Bureau, there are no Act 101 mandated municipalities in Wyoming County. Consequently, all recycling county and municipal efforts in Wyoming County are voluntary and occur because of the desire and dedication of residents, organizations, and elected officials.

Chapter 4 discusses the details of the collective recycling activities in Wyoming County. It offers background information on the laws and regulations that influence recycling throughout the Commonwealth. The overall performance of the recycling activities and a comparison to national and state trends is included. It also describes the hurdles often encountered in sustaining these programs. Issues such as the feasibility of various sources of revenue; the nature of grant funding; the availability of recoverable materials; and the feasibility of future initiatives are also discussed. Lastly, Chapter 4 speculates on events and conditions that could jeopardize or place added demands on the current recycling system.



Distance between rural homes and even communities, along with less than desirable roadway conditions, can present barriers for collection programs

Under even the most favorable conditions, the long-term survival of a recycling program is never a guarantee. A multitude of variables and conditions influence the success and profitability. Labor, time, money and equipment are all necessary components. An equally important factor that sometimes goes overlooked is the presence or absence of the will or desire of those individuals expected to participate in the program at all. Rural settings amplify these factors when compared to urban areas.

Distance between rural homes and even communities, along with less than desirable roadway conditions, can present barriers for collection. These same issues also hamper efforts to transport materials to market. Resale values for many commodities commonly cannot offset these operational expenses. This places greater pressures on program managers to find and create new markets close to home. A drawback to rural market development is the lower generation rate of materials available for recovery for manufacturing feedstock or other end uses. Such conditions are common in Wyoming County.

Because recyclable material is recovered and brokered as a commodity, the public

often has the perception that recycling services should be free. Just as with other commodities, the cost of extracting, processing, and delivering the materials to market is offset to some degree by the sales revenues. Demand and prices paid for recyclables have and will continue to fluctuate, depending on market conditions. In some instances, the economic “value” of recovering certain recyclable materials is primarily the avoided cost of disposal. In other words, the cost of processing the material for recycling may be less than disposing of it in a landfill. Nevertheless, processing as well as transportation remains a cost rather than revenue to the generator and collector. When the market values are insufficient to cover costs, then the operation must be supported with other sources of income.

PUBLIC PERCEPTION AND WILLINGNESS

An individual’s views on recycling are not always the same as their actions. Where curbside collection is either unavailable or less frequent, the handling of materials, including sorting, rinsing, storing, and transporting heavily influence whether recycling is embraced or rejected by an individual. Recycling certain materials or certain recycling collection methods may be perceived as time consuming when compared to the alternative of disposal. The unfortunate and all too frequent result is recyclable materials are disposed instead of recovered for recycling. What becomes obvious in rural recycling programs throughout the nation is that, given convenient opportunities, individuals will recycle and when there are obstacles, they will not. Where there is a weak infrastructure, inadequate municipal requirements for waste collection, and a lack of enforcement, illegal dumping can become epidemic. Similar circumstances exist in Wyoming County.

Other factors influence an individual’s desire to recycle. *The Effects of Behavior and Attitudes on Drop-off Recycling Activities* published in January 2010 in Resources, Conservation, and Recycling, investigates how and why certain people utilize a recycling program while others do not. The study revealed a key element mostly overlooked in previous studies - peer pressure. In communities where people perceived recycling to be a social norm, the findings of the study showed that recycling participation and recovery was higher.

It infers that targeted and

effective education campaigns can create community expectations sufficient to drive others to recycle. Interestingly, the study found that beliefs about the environmental effects of recycling were not significantly related to the degree of participation and use of the program.

A vital and integral component of any service program is affordability. A community's willingness to pay is a strong determinant in its acceptance of a recycling program. Municipal officials and residents must be made aware that regardless of how a program is structured; the citizens ultimately pay its costs. For



Given convenient opportunities, individuals will recycle and when there are obstacles, they will not.

citizens, “payment” can take on a variety of forms. Direct fees for service are most recognizable and have been shown to create the highest perceived value for related programs. Taxes and indirect fees are also used.

All too often recycling is considered a free service. Material Flows for a Sustainable City, an article from the International Review for Environmental Strategies, states the thought that recycling is “free” stems from the origins of recycling in preindustrial countries. Labor was cheap and material values were high. This prompted people to salvage and resell material voluntarily as a form of income. This still occurs in Third World countries. With greater affluence, material recovery becomes less market driven, scavenging decreases, and recycling occurs in a more structured fashion. In the United States, labor costs tend to be higher than the market value of material, yet residents’ desire and expect recycling programs to be available in their communities. Therefore, costs must be covered by fees or other forms of funding. These conditions and expectations exist in Wyoming County.

A variety of studies over the years has demonstrated the importance of making citizens aware of all of the costs associated with a recycling program. One of these projects, Case Studies in Rural Solid Waste Recycling, was conducted by the Rural Economic Analysis Program (REAP) at Virginia Polytechnic Institute. Aside from explicit and obvious costs, these researchers also took into consideration implicit costs such as the time and effort to sort and prepare materials, the expense of gas to transport materials to a collection site, etc. These real costs are often ignored in other comparative cost analyses of curbside and drop-off programs. It was found that an understanding of high implicit costs could sway the public into opting for the direct cost of a curbside collection program over the indirect costs associated with a drop-off program.

REGULATORY OBLIGATIONS FOR RECYCLING

The Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988) was a milestone piece of legislation for Pennsylvania. It established the first regulatory requirements for residential and commercial recycling in the Commonwealth. To accomplish its goals and objectives, the law delegated specific duties to counties and municipalities. In doing so, Act 101 also included provisions to protect the interests of private sector scrap and recycling operations.

COUNTY RESPONSIBILITIES


For counties, the emphasis of responsibility provided by Act 101 is ensuring that proper waste management policies and practices are developed and implemented. In addition, counties must provide for sufficient disposal capacity for the municipal solid waste generated. There are no directives in



MUNICIPAL WASTE PLANNING, RECYCLING AND WASTE REDUCTION ACT OF 1988

DUTIES OF COUNTIES

- Secure adequate disposal capacity
- Develop plan to ensure proper waste management and to reach state recycling goals
- Adopt ordinances, rules and regulations to implement and enforce the plan
- Data management and reporting
- Technical support to municipalities
- Recycling programs are voluntary



BASED ON THE RESULTS OF THE 2010 US
CENSUS, IN WYOMING COUNTY NO
MUNICIPALITIES MEET THE ACT 101
POPULATION AND DENSITY CRITERIA WHICH
MANDATES RECYCLING.

ALL COUNTY AND MUNICIPAL RECYCLING
PROGRAMS ARE STRICTLY VOLUNTARY.

the Act for counties to implement recycling programs. Collection and processing operations conducted by counties are done so on a purely voluntary basis. Counties do have administrative assignments for reporting recycling activities. Another role is the development of a municipal solid waste management plan, which requires a demonstration of how the county will attain the state's recycling goal or justify why it cannot.

ACT 101 MANDATES FOR MUNICIPAL PROGRAMS

Unlike counties, Act 101 places the responsibility to implement recycling programs squarely on those municipalities with the highest populations and/or population densities. Unique mandates fall upon municipalities with populations of 10,000 or more, and those with populations of 5,000 or more with a population density of greater than 300 people per square mile. For these municipalities Act 101 establishes requirements for certain services and standards for collection frequency. Under the Act, mandated communities must also have mechanisms to ensure that commercial, institutional, and government establishments recycle and manage leaf waste accordingly. In addition to the original requirements of Act 101, mandated communities are subject to amendments to the law which resulted from the enactment of Act 140 of 2006. Act 140 introduced a requirement for an ordinance which mandated waste collection, and for the municipality to support a program that enforces against illegal dumping activities.

Provisions of the Act are inclusive of commercial, institutional, and municipal establishments, which are located in mandated municipalities. These entities must recycle and separate leaf waste for composting. The municipality is not required to ensure the service to commercial establishments; however, they are expected to enforce the mandate.

Recycling in Wyoming County is made available through a combination of public and private interests. The County, municipalities and private businesses are all participants. While

recycling opportunities exist throughout the County, there are no consistent programs from town to town. How and what materials are collected vary depending on location and service provider. Therefore, education is more difficult, and awareness suffers.

COUNTY PROGRAMS

Wyoming County takes an active role in the growth of recycling opportunities for residents and local businesses. The County serves as developer, facilitator and coordinator of a multitude of services. It also assumes operational responsibilities for the collection and processing of recyclables from a variety of sources. Basic services include the recycling of traditional materials like bottles, cans, paper and plastics. Programs are also offered for materials with more complex regulatory requirements. To reinforce the value and benefits of waste minimization and recycling, outreach efforts are made to continually educate and inform the public. This section provides background on the programs currently operating in Wyoming County.

THE WYOMING COUNTY RECYCLING CENTER

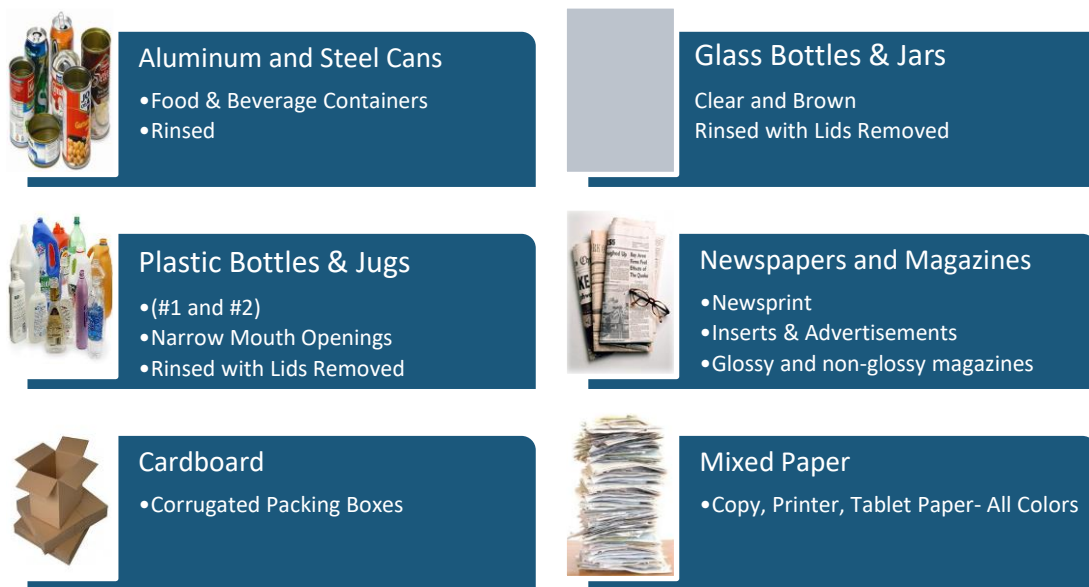
For nearly thirty years, Wyoming County has supported the operation and growth of the Wyoming County Recycling Center. The Center provides residents with an outlet for a large amount of materials that could otherwise be mismanaged. The Center accepts aluminum and steel food and beverage cans, glass bottles and jars, plastic bottles and jugs, newspapers, magazines, cardboard and mixed paper. These materials are sorted, consolidated, sold and shipped to end users. In down markets, the Center may pay end users to take the commodities.

A prime reason for the Center's survival has been the ongoing financial support from the Board of County Commissioners. Each year, on an ongoing basis the County's budget includes an allocation from the General Fund tax base to supplement the Center's income. These funds primarily cover the salaries of the small workforce. Rural areas are subject to a smaller tax base to support the demands of a host of other social services. The subsidy for the operation is a strong indication the Recycling Center is a priority to the County.

The Wyoming County Recycling Center. provides a variety of services. To supplement the income from material sales, the Center has relied on several revenue sources that are shrinking or no longer available. The need to seek new sources of revenue or increased income from existing sources could occur within the Plan's ten-year period. In addition, it could be

necessary to restructure existing programs or create new service offerings. Program offerings and associated financial concerns are discussed in this chapter.

Figure 4-1 Materials Accepted at the Wyoming County Recycling Center



DROP-OFF RECYCLING COLLECTION PROGRAM

The most visible of Wyoming County’s service offerings is the countywide drop-off recycling program. Currently, the drop-off collection program represents the greatest quantities of material from residential sources in the County’s program. The County provides the containers for the sites, which are transported to the Center by municipal employees. Municipalities enter into an agreement with the County to host, supervise and maintain the sites. For a fee, the County can also serve as the transporter of the containers to and from the collection sites.

In addition to the Center, drop-off sites are located in four municipalities throughout the County. These include and Washington Township, Factoryville Borough and Clinton Township. Benton Township in Lackawanna County also has a site. Figure 4-2 shows the locations of the collection sites.

Figure 4-2 Wyoming County Drop-off Recycling Collection Sites



ELECTRONIC WASTE COLLECTION EVENTS

With enactment of the Covered Device Recycling Act in 2010 (CDRA), certain electronic devices are banned from disposal in Pennsylvania. These include desktop, laptop, and tablet computers, monitors, peripheral devices, and televisions. The manufacturers of these devices are now required to provide for recycling of their products without charge to consumers. Companies must demonstrate that the number 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. Implementation of the law has proven to be problematic. The established quotas fall short of the items actually returned each year for recycling. As a result, arguments have ensued over who is responsible for the cost of handling the excess material. Complicating matters, at the time the disposal ban was introduced the commodities markets for materials salvaged from electronic devices took a dramatic downturn. During the development of the Plan, legislators were considering amendments to CDRA which would ensure that the full cost of managing waste electronic equipment would not fall to consumers and local governments as an unfunded mandate.

The Wyoming County Recycling Center periodically hosts special collection events for waste electronic equipment discarded by residents. Many items are accepted at no charge to the resident. There is a cost for televisions, however, which are the most frequently discarded items. The charge for televisions is directly related to the cost of processing leaded glass found in the screens and low demand for it in the marketplace.

Figure 4-3 shows the waste electronic equipment accepted at the events. Note that large appliances are also accepted. Current models have digital controls and computer chips which can have value to recyclers in addition to the scrap metal.

Figure 4-3 Wyoming County Electronic Collection



MUNICIPAL PROGRAMS

Tunkhannock Borough is the only municipality in Wyoming County with a curbside recycling collection program. Others with drop-off recycling sites outside of the County's program contract directly with a private hauler to provide this service to their residents. A few municipalities conduct their own electronic waste collection events as well. Typically, these are held in conjunction with seasonal clean-ups.

PRIVATE SECTOR EFFORTS

In addition to the Wyoming County drop-off recycling system a few private sector participants have investments in collection and processing operations. A few offer curbside recycling, while others service only commercial accounts and municipal drop-off sites. Private sector geographic coverage is limited, however, and their customer base for recycling still remains small.

Some of the private sector material is delivered to the Wyoming County Recycling Center. Other private sector programs, however, now collect recyclable materials as a single stream. In other words, all recyclable materials accepted in the program can be mixed together in the same collection bin. This includes clear, brown and green glass bottles and jars; plastic bottles and jugs; aluminum cans and bottles; steel cans and bottles; and newspapers, magazines and corrugated cardboard.

Single stream collection is intended to significantly reduce a hauler's operational costs from previous systems. These previous methods included source separated where each material is collected separately or a dual stream system where paper and cardboard is segregated from plastic, glass and metal containers. The downside of single stream recycling is that contamination levels are decidedly higher than the other two methods of collection and processing.

The ability to collect all of these materials together in a single stream was made possible by new mechanical and optical sorting capabilities. The Wyoming County Recycling Center is not equipped to process single stream materials, nor can it manage the cost of disposal for the increased contamination.

COMMERCIAL RECYCLING

In rural areas, residents and small businesses are the primary generators of waste. Therefore, the quantity of commercial waste is less, and the composition tends to differ from that of urban waste streams where warehouses, large retail and office complexes exist. Consequently, rural communities face a greater challenge meeting recycling and reduction goals. Lower material volumes can have a negative impact influences generating sufficient revenue to cover operational costs. Wyoming County is confronted with this situation.

The Wyoming County Recycling Center processes materials received directly from commercial establishments. Corrugated cardboard from commercial establishments is the single greatest material by weight received at the Center from all sources combined. Plastic containers and film also play a role. Most of these materials have contributed to advancements toward reaching the state's recycling goals. There are costs associated with processing the material.

There are several large commercial and industrial establishments that recycle regularly. Proctor and Gamble is one of the Center's largest and most consistent customers. Many of the chain stores, like Walmart, recycle through arrangements made by corporate headquarters and a private vendor. Getting the remainder of the commercial businesses to recycle continues to be a challenge.

IMPACT OF COMBINED LOCAL RECYCLING EFFORTS

Wyoming County may have fewer recycling and waste diversion opportunities than urban and suburban areas. In spite of that, cooperation between the County, municipalities, and the private sector ensure that a wide portion of the County is provided with some type of collection program during the year. Data reported from those activities documents the types and amounts of materials collected.

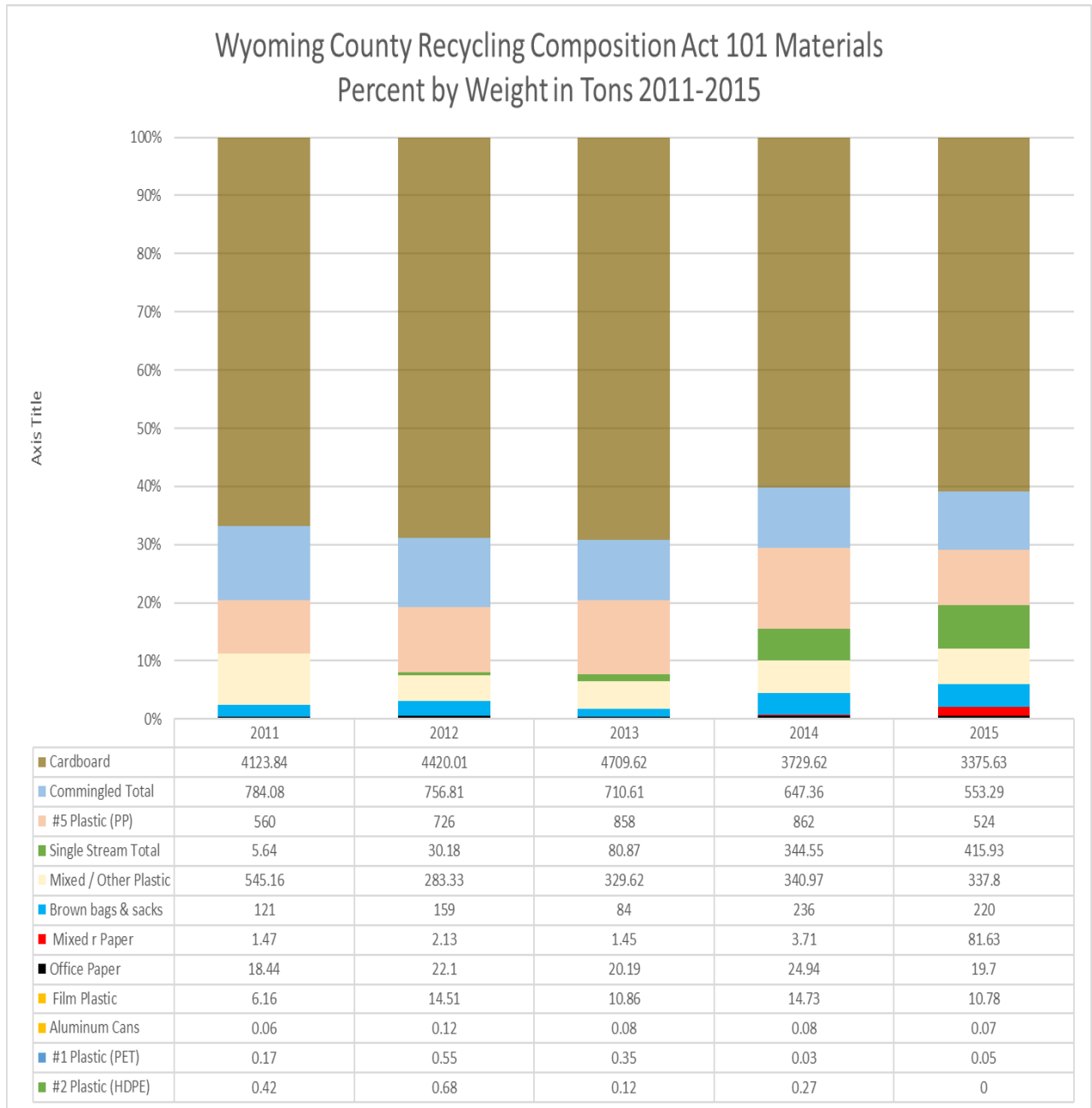
The focus of the Wyoming County Municipal Solid Waste Management Plan is to evaluate the County's performance in recycling materials designated in Act 101 and additional items commonly found in households and commercial businesses. Other items have been excluded from the discussions.

Figure 4-4 shows only the recycling activity for Act 101 materials reported from all sources in Wyoming County and processed at the Wyoming County Recycling Center from 2011 through 2015. The data presented here is suspected to be somewhat less than if recycling activities that go unreported were also counted.

Figure 4-4 also illustrates how the mixture of materials in the recycling stream have proportionately shifted over time. The significance of recovering paper and paperboard products, as well as plastics is easier to see in the chart. Notable is the growth of materials reported as a single stream.

The downward trend in certain materials recycled resembles what is seen nationwide. Newspapers are getting smaller and, in some cases, disappearing as a form of information media all together. Plastic packaging weighs less. For many cleaning and personal care products the contents are now in concentrated form making the plastic package itself a smaller size. It is safe to assume that some of the paper, plastic, and cardboard reported separately in previous years now is included in the single stream reported weights

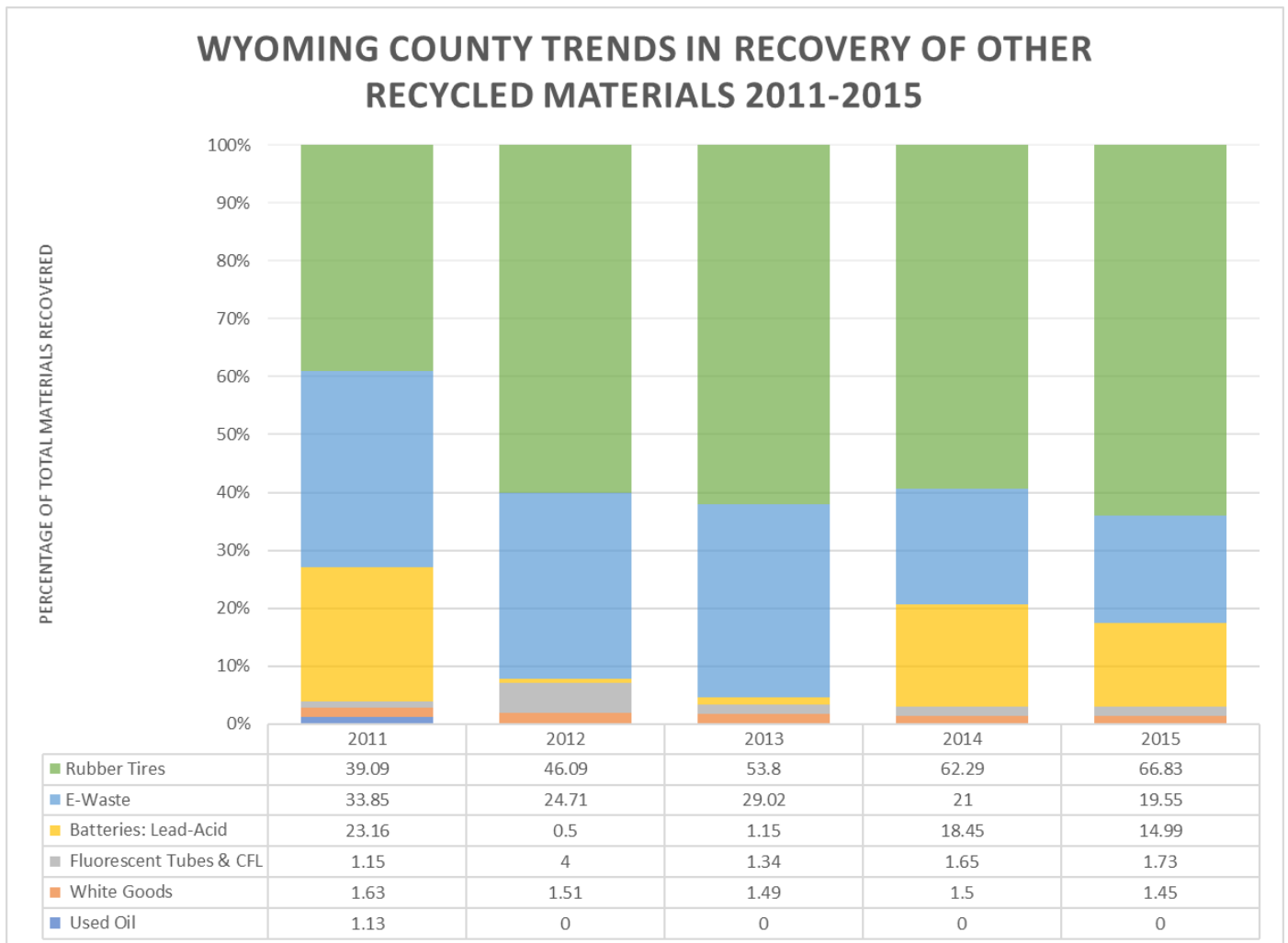
Figure 4-4 Countywide Recycling Material Composition Trends 2011-2015



RECYCLING EFFORTS BEYOND ACT 101

Aside from the materials collected in the County and municipal curbside and drop-off programs, additional amounts of materials are recovered from commercial and residential sources each year. Figure 4-5 lists the materials, reported from local collection events and commercial outlets over the past five years.

Figure 4-5 Recovery Trends in Other Reported Wyoming County Recycled Materials

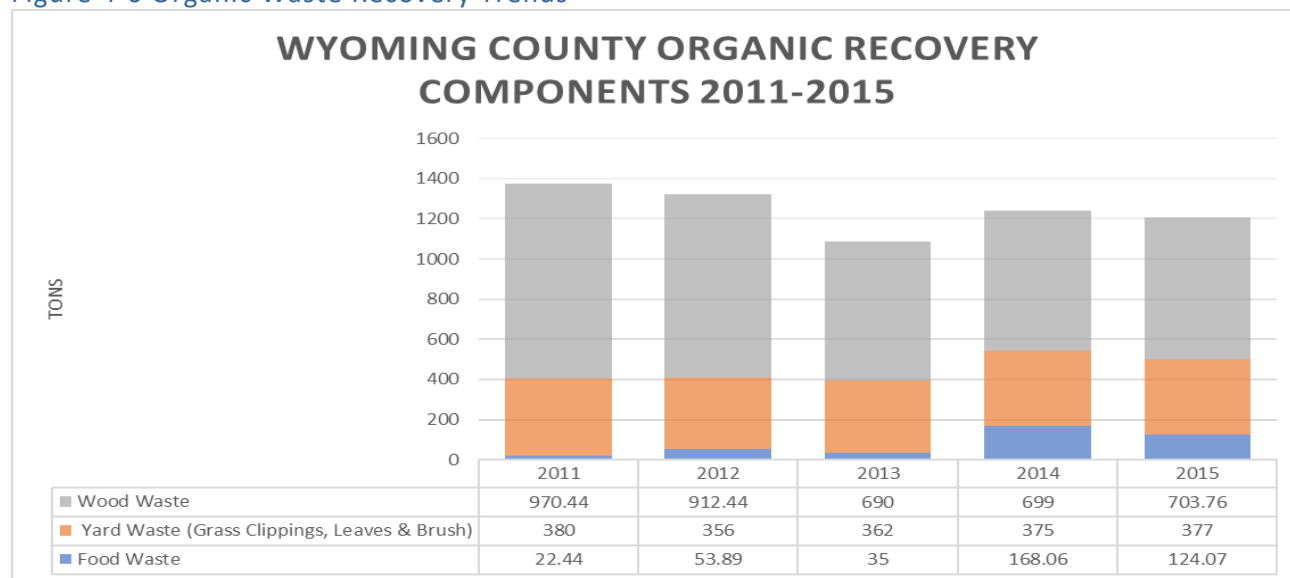


RECOVERY OF ORGANIC MATERIALS

The success of recycling other materials and goods has diverted significant quantities of paper and packaging waste from disposal. Discarded organic waste has since become larger proportionately by weight than many other fractions of the municipal waste stream. Organic materials include grass clippings, leaves, garden plants and vegetables, and brush Wood packaging and food waste are part of the category as well. Capturing organic waste for composting and other processes is becoming the norm throughout the United States. A better approach is to reduce the amounts generated.

Food waste is a major component of organic waste. Increasingly, a coalition of the federal government, retailers, manufacturers, and a number of nonprofit agencies are taking steps to inform the public about preventing food wasting. Better food safety labeling, a tolerance for less than perfect looking fruit and vegetables, along with improved mechanisms to direct excess food to those in need are all effective ways to keep food waste from landfills. Figure 4-6 Shows the growth of Wyoming County’s efforts to capture organic waste for recovery.

Figure 4-6 Organic Waste Recovery Trends



ACCOMPLISHMENTS VERSUS EXPECTATIONS

One way to improve recycling performance is to monitor and measure the types and amounts of materials recovered. It is important to evaluate how local results compare to other similar communities. Using standardized metrics to analyze recovery on a material specific basis can lead to new opportunities for improvement. Such insight helps program managers see which local efforts are effective in capturing specific materials and which are underperforming.

This section provides a review of the overall results of Wyoming County's recycling activities from all sources that reported in 2013. The PADEP's ReTRAC software reporting system was used as a source of information for this analysis. County Recycling Coordinators are required to utilize the system to submit their annual reports. The analysis compares the local data to national figures. Commentary is offered on any unusual or unexpected findings. Suggested improvements are indicated, as well.

METHODOLOGY

Population is a known driver of waste generation. In other words, typically where more people live, greater quantities of waste are produced. Factors like income, education and age can have an influence on a per capita basis. Where those factors are similar, population is the determining factor in projecting the total amount of waste a community will generate, recover, and dispose. This was used to evaluate Wyoming County.

To benchmark Wyoming County's reported activity, the analysis utilizes population and waste generation, recovery and disposal data estimated for the United States by the United States Environmental Protection Agency (EPA). These findings are applied along with the estimated population for Wyoming County to predict anticipated waste generation, recycling and disposal on the county level for 2013. The estimates will then be compared to the locally reported data.

The county recycling quantities will be predicted by calculating the ratio of the estimated population for Wyoming County in 2013 to the estimated national population in 2013 and applying this ratio to national recycling data. The predicted recycling values for Wyoming County will then be compared to recycling data reported by the county as a method of evaluating performance.

NATIONAL DATA

The EPA issues an annual report that provides a quantitative and qualitative analysis of Municipal Solid Waste (MSW) generation, recycling and waste disposal in the United States. The report includes and combines data from commercial and residential sources. The EPA has collected and reported data on the generation and disposal of waste within the United States from 1960 to the present. The most recent available version of the report *Advancing Sustainable Materials Management: Facts and Figures Report (EPA Report)* is publicly available through the EPA Website. To accurately correspond with EPA's national findings, the Plan uses 2013 as a base year for Wyoming County data presented within this Memo corresponds to the 2013 calendar year report which was issued June 2015.

Reported MSW generation in the United States increased approximately 1.0% from 251 million tons in 2012 to 254 million tons in 2013 and the generation per capita increased from 4.38 to 4.40 pounds per day. On a national basis, approximately 65 million tons (25.5%) of MSW were recycled and 22 million tons (8.8%) were composted for a total of 87 million tons (34.3%) of MSW recycled and composted in 2013. This is close to the targeted goal of 35% recovery for Pennsylvania, making this a good benchmark for comparing Wyoming County's performance.

The 2013 EPA Report identifies a total U.S. population of 316,129,000. Based upon this population, and the reported generation, recovery and disposal, data MSW handling can be estimated on a per capita basis for the U.S. as follows (average across the calendar year).

MSW Generation: 4.40-lbs/person/day

MSW Disposal: 2.89-lbs/person/day

MSW Recovery: 1.51-lbs/person/day

These assumptions were used to predict the amount of waste, expected to be generated, recovered and disposed in Wyoming County in 2013, if the County performs at the same rate as the national averages. The estimates were then compared to the reported data from the same year.

WYOMING COUNTY REPORTED RECYCLING

The 2013 recycling data for Wyoming County was obtained using the Re-TRAC Connect waste management software. The Municipal Waste Planning Recycling and Waste Reduction Act (Act 101) requires Pennsylvania counties to report municipal waste generation and recycling data to the Pennsylvania Department of Environmental Protection (DEP) on an annual basis. PADEP currently uses the Re-TRAC software system for reporting and tracking this information. Recyclables are reported by weight and broken down into categories of products and materials which are assigned unique codes. This analysis focuses on commonly recycled products and materials designated as recyclables by Act 191. It also includes others that are commonly recycled by residential and commercial sources and incorporated into the USEPA report.

Table 4-1 lists each recycled material reported by Wyoming County for 2013. The code used by PADEP to identify the specific category of material is shown, as well as the reported weight in tons for each type. Table 4-?? Shows those materials designated for recycling in Act 101.

Table 4-1 Wyoming County 2013 Act 101 Reported Recycled Materials

Recycled Materials and Products Material Code	PADEP	Re-TRAC Reported Recycling (tons)
Glass Containers	GL1 through GL4	0.00
Aluminum Cans	AA1	0.08
Bi-Metal Cans	F02	0.00
Plastic #1 Through #7	PL1 through PL8	1,198.95
Plastic #1 and #2	PL1, PL2	0.47
Newsprint	PA2	0.00
Other Paper Nondurables (Book, Magazines, Paper, etc.)	PA1, PA3, PA4, PA6	21.64
Corrugated Boxes	CO1	4,709.62
Other Paper & Paperboard Packaging	C02	84.00
Combined Materials		
Commingled	N/A	710.61
Single Stream	SS1	80.87

Because Wyoming County residents and businesses have access to systems in which acceptable glass, plastic and metal containers can be mixed or commingled together in one bin, or in other system those items as well as paper and cardboard can be mixed together in a single stream for collection, the reported weights in those systems represent the combined weight of all types of materials included in the program. In other words, additional quantities of glass, plastic, metal and paper are included in those categories. In the comparative analysis, those figures are adjusted to more accurately represent each separate type of material

Table 4-2 lists other materials generated by residential and commercial sources, which are commonly recycled. The Table lists each recycled material reported by Wyoming County for 2013. The code used by PADEP to identify the specific category of material is shown, as well as the reported weight in tons for each type.

Table 4-2 Other Materials Recycled in Wyoming County

Recycled Materials and Products	PADEP Material Code	Re-TRAC Reported Recycling (tons)
Furniture	M04, MT1	0.00
Rubber Tires	M01	53.80
Batteries, Lead-Acid	B01	1.15
Major Appliances	F03	1.49
Consumer Electronics	CR1	29.02
Yard Waste	Y01	362.00
Wood Waste (Packaging)	WW1	690.00
Food Waste	SSF	35.00
Clothing / Textiles	M03	0.00

WYOMING COUNTY PREDICTED MSW RATES

According to the US Census Bureau and the Pennsylvania State Data Center, the estimated population of Wyoming County during the 2013 calendar year was 28,142 persons. *Advancing Sustainable Materials Management: Facts and Figures Report (EPA Report)* provides us with the national per capita rates for MSW generation, disposal and recovery quantities. By applying the national per capita rates to the population of Wyoming County, we are able to predict Wyoming County's 2013 MSW generation, disposal and recovery quantities, assuming the County performed similarly to the national rate,

In 2013, PADEP disposal facility reports showed 14,910 tons of municipal waste with Wyoming County listed as the origin. The reported 14,910 tons is quite similar to the anticipated 14,860-tons calculated from the national rates and local population. Likewise, Wyoming County's combined reported quantities of specific recovered materials, 7,966 tons, were a close match to the expected combined quantities of the same materials determined by applying the national rates to local population. Together they provide us with a total generation of 22, 876 tons, just slightly more than the 22, 621 tons anticipated using the national averages. Consequently, Wyoming County's per capita generation, recovery, and disposal rates also mirror the national rates. Figure 4- 7 shows the national per capita rates, the 2013 predicted and reported quantities for the County, as well as the Wyoming County reported per capita rates

It should be noted that using the national averages to predict local MSW rates assumes the same level of performance as in similarly populated areas. It however does not factor in potential regional variations such as climate, economic activity and local or state regulations. Additionally, although the County and the EPA Report combine data from both residential and commercial sources, local commercial activity varies between jurisdictions, as well as the nation. Still, the EPA Report provides valuable data which is useful to capture a "snapshot" of local waste trends and to identify obvious anomalies.

Table 4-3 presents the 2013 Wyoming County expected municipal waste generation, recovery and disposal quantities. These were calculated using the County's population and applying the national per capita rates for each category. Table 4-3 also indicates, based on weight, the percentage of the total municipal waste composition each material represents when generated, recovered and disposed.

Figure 4-7 National Versus Wyoming County Municipal Waste Generation, Recovery and Disposal Trends 2013

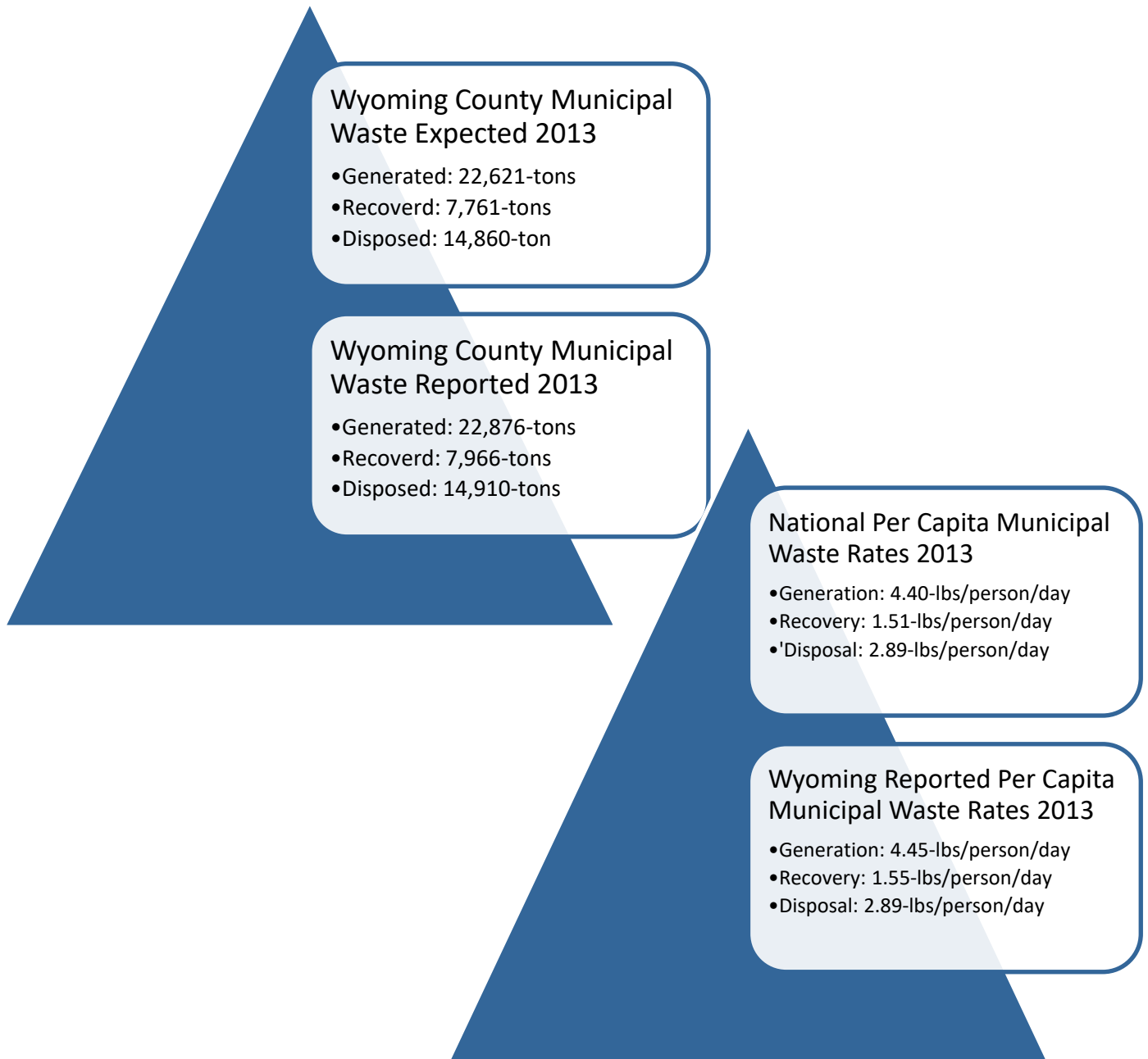


Table 4-3 – Wyoming County Predicted 2013 MSW Quantities Generated, Recovered and Disposed

Recycled Materials and Products	Predicted Generation		Predicted Recovery		Predicted Discards	
	(tons/yr)	(% of total)	(tons/yr)	(% of total)	(tons/ yr)	(% of total)
Traditional Recycled Materials						
Glass Containers	824	3.64%	280	3.61%	544	3.66%
Aluminum Cans	113	0.50%	62	0.80%	51	0.34%
Bi-Metal Cans	166	0.74%	118	1.51%	49	0.33%
Plastic #1 Through #7	1,245	5.50%	182	2.34%	1,063	7.15%
Plastic #1 and #2	326	1.44%	100	1.28%	226	1.52%
Newspapers/Mechanical Papers	717	3.17%	480	6.18%	237	1.59%
Other Paper Nondurables	1,952	8.63%	807	10.39%	1,146	7.71%
Corrugated Boxes	2,675	11.83%	2,367	30.50%	308	2.07%
Other Paper & Paperboard Pkg.	758	3.35%	210	2.71%	547	3.68%
Total Traditional Materials	8,773	38.78%	4,517	58.20%	4,256	28.64%
Other Recycled Materials						
Textiles	1,104	4.88%	163	2.10%	941	6.33%
Carpeting	340	1.50%	21	0.28%	319	2.14%
Furniture	1,034	4.57%	1	0.01%	1,034	6.96%
Rubber Tires	425	1.88%	172	2.21%	253	1.70%
Batteries, Lead-Acid	256	1.13%	254	3.27%	3	0.02%
Major Appliances	398	1.76%	233	3.01%	165	1.11%
Small Appliances	174	0.77%	11	0.14%	163	1.10%
Consumer Electronics	280	1.24%	113	1.46%	166	1.12%
Other Miscellaneous Durables	1,682	7.44%	21	0.28%	1,661	11.18%
Steel Drums	47	0.21%	37	0.48%	10	0.07%
Total Other Recycled Materials	5,740	25.31%	1026	13.22%	4,715	31.73%
Organics						
Wood Packaging	838	3.70%	220	2.83%	618	4.16%
Yard Waste	3,045	13.46%	1,834	23.63%	1,211	8.15%
Food Scraps	3,299	14.58%	164	2.11%	3,135	21.10%
Total Organic Materials	7,182	31.67%	2,218	28.58%	4,964	33.41%
Sub-Total All Recycled Items	21,694	95.90%	7,761	100.00%	13,934	93.76%
Sub-Total Non-Recycled Items	927	4.10%	0	0.00%	927	6.24%
TOTAL	22,621	100.00%	7,761	100.00%	14,860	100.00%

WYOMING COUNTY RECYCLING PERFORMANCE

Table 4-4 shows the actual combined reported results of the recycling programs in Wyoming County. It also shows what results might be expected if Wyoming County performed similarly to the national averages for the level of population and types of materials collected. Results and comparisons are listed for residential and commercial sources combined. Finally, Wyoming County is rated based on a percentage achieved of the national averages. This is not the percentage of materials recovered, or what some would call the recycling rate. Rather, it shows whether Wyoming's performance is average (100%), better than average (more than 100%) or worse than average (less than 100%) for each material. The last column in the Table 4-4 shows the recycling rate for each material and the overall rate for the combined total. Figure 4-8 provides guidelines for reading the table.

For purposes of this evaluation, single stream and commingled quantities were broken down into categories of commonly recycled materials using the national averages. In summary, the commingled quantities were assumed to include glass containers, aluminum cans, bi-metal cans and Plastics #1 through #7. Single stream was assumed to include the same items as commingled but also included paper products such as newsprint, corrugated boxes, books, magazines and others.

Figure 4-8 How to Interpret the Data in Table 4-

Column 1 Recycled Materials and Product

- Materials and Products found in the municipal solid waste stream

Column 2 Re-TRAC Reported Recycling

- Individual recycled materials and products reported by Wyoming County

Column 3 Adjusted Reported Recycling

- Tons originally reported as single stream or commingled allocated to specific material and product categories reported in Column 2 based on known percentages of the overall composition.

Column 4 Predicted Recovery

- The tons of each specific material expected to be recovered if Wyoming County performed at the national rate

Column 5 National Recovery Rate

- The percentage of each material recovered of the total tons generated prior to disposal.

Column 6 Recycling Performance

- The degree which Wyoming County's recovery compares to the national average.
- 100% means the County performs the same as the national average.
- More than 100% indicates it performs better than the national average.
- Less than 100% means it performs below the national average

Column 7 Wyoming County Recycling Rate

- The percentage of total tons of materials generated which are captured and recovered for recycling

Table 4-4 –Wyoming County 2013 Performance Analysis Based on National Recovery Rates

Recycled Materials and Products	Re-TRAC Reported Recycling (tons)	Adjusted Reported Recycling ¹ (tons)	Predicted Recovery (tons)	Predicted Recovery Rate (%)	Recycling Performance (%)	Wyoming's Recovery Rate
Traditional Recycled Materials						
Glass Containers	0.00	274	280	34.02%	97.58%	33.19%
Aluminum Cans	0.08	61	62	55.12%	97.71%	53.83%
Bi-Metal Cans	0.00	115	118	70.59%	97.58%	68.88%
Plastic #1 Through #7	1,198.95	1,376	182	14.59%	757.79%	110.56%
Plastic #1 and #2	0.47	98	100	30.60%	98.06%	30.06%
Newsprint	0.00	8	480	66.96%	1.76%	1.17%
Other Paper Nondurables	21.64	36	807	41.31%	4.44%	1.95%
Corrugated Boxes	4,709.62	4,751	2,367	88.49%	200.72%	177.61%
Other Paper / Paperboard Packaging	84.00	88	210	27.73%	41.74%	11.57%
TOTAL ACT 101 MATERIALS	6,014.29	6,709	4,506	28.64%	148.89%	42.64%
Other Recycled Materials						
Furniture	0.00	0	1	0.09%	0.00%	
Rubber Tires	53.80	54	172	40.46%	31.31%	12.66%
Batteries, Lead-Acid	1.15	1	254	98.46%	0.45%	0.44%
Major Appliances	1.49	1	233	58.61%	0.64%	0.37%
Consumer Electronics	29.02	29	113	40.45%	25.67%	10.68%
Clothing / Textiles	0.00	0	163	14.76%	0.00%	0.00%
TOTAL OTHER MATERIALS	85.46	85	936	30.73%	9.08%	2.79%
Organics						
Yard Waste	362.00	362	1,834	60.23%	19.74%	11.88%
Wood Waste (Packaging)	690.00	690	220	26.25%	313.81%	82.37%
Food Waste	35.00	35	164	4.96%	21.37%	1.05%
	1172.46	1172	3,154	33.41%	37.16%	12.41%

A REVIEW OF RECYCLING COMMODITIES

The recycling evaluation summarized for Wyoming County is a product-based evaluation where MSW generation, disposal and recovery is grouped into major products including containers and packaging, non-durable goods, durable goods, food, yard trimmings and other materials. The product-based characterization allows for an easy comparison of national averages to county reported data as the product quantities are already publicly available (county and national). Details of the various products expected to be generated by Wyoming County residential and commercial sources are discussed in the following narratives.

In most of the categories, Wyoming County falls at or near the national average. That is an impressive accomplishment for a rural operation with less curbside collection opportunities. There are some striking anomalies where the reported data far exceeds expectations. There are equally as many categories where the performance seems very low. Commentary is provided for certain materials that offers, when possible, explanations for the deviation from the norm.



— Wyoming County falls at or near the national average for recovery of most materials. That is an impressive accomplishment for a rural operation. Further investigation is warranted where the reported data far exceeds expectations and also where the performance seems very low.

GLASS CONTAINERS

Glass containers include bottles and jars used for beer, soft drink, wine, liquor, food and other products. The estimated quantity of glass containers generated nationally in the 2013 calendar year was 9.26 million tons or 3.64% of the total MSW generation of which 3.15 million tons were recovered at a rate of 34.0%. Residential sources generate approximately 80 to 85 percent of the glass containers contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it is estimated that 824 tons of glass containers were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 280 tons could be expected. In the 2013 calendar year, no glass container recycling was individually reported. However, 274 tons was estimated to be included in single stream or commingled. Total glass container recycling in Wyoming County was estimated to be 274 tons or 97.58% of the national average.

Observation: Glass is the one commodity which residents expect to recycle. It is unclear why the commodity sales and reported data do not coincide. However, it is suspected that some of the glass is collected by other sources who fail to report the activity. Unfortunately, the cost to process and transport the glass is greater than any return which may exist. In today's market, it is common to pay end users to take the glass. 105 tons of glass were shipped from the Recycling Center in 2013 at a cost of \$2,270. The Center may want to explore alternative uses for glass that may be less costly in a rural area.

ALUMINUM CANS

Aluminum cans include beer and soft drink cans including all carbonated and noncarbonated soft drinks, tea, tonic, waters and juice beverages. The estimated quantity of aluminum cans generated nationally in the 2013 calendar year was 1.27 million tons or 0.50% of the total MSW generation of which 0.57 million tons were recovered at a rate of 55.1%. Residential sources generate approximately 80 percent of the aluminum cans contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 113 tons of aluminum cans were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 62 tons could be expected. In the 2013 calendar year, aluminum

can recycling was reported as 0.08 tons with another 61 tons estimated to be included in single stream or commingled. Total aluminum can recycling in Wyoming County in the 2013 calendar year was estimated to be 61 tons or 97.71% of the national average.

Observation: The amount of aluminum cans which the Recycling Center sold in 2013 totaled approximately 13 tons, far less than the estimates using the national rates. It is not unusual for residential collection programs to see less aluminum than anticipated since people are more likely to return these cans to buy back centers. In addition, individuals are known to steal aluminum cans from drop-off sites. Close proximity to New York where there are deposit laws could influence those habits as well. Finally, the amounts collected by private sector haulers who do not use the Recycling Center, go unreported.

BIMETAL CANS

Bimetal cans include steel and bimetallic beer, soft drink, food and other cans. The estimated quantity of bimetallic cans generated nationally in the 2013 calendar year was 1.87 million tons or 0.74% of the total MSW generation of which 1.32 million tons were recovered at a rate of 70.59%. Residential sources generate approximately 80 to 85 percent of the bimetallic cans contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 166 tons of bimetallic cans were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 118 tons could be expected. No bi-metal can recycling was individually reported in the 2013 calendar year. However, 115 tons were estimated to be included in single stream or commingled. Total bimetallic can recycling in Wyoming County in the calendar year was estimated to be 115 tons or 97.58% of the national average.

Observation: Nearly 39 tons of bi-metal cans were sold by the Recycling Center in 2013, far less than the estimates using the national rates. It is not unusual for residential collection programs to see fewer bi-metal cans than predicted because people do not like the inconvenience of rinsing the cans. As with some of the other materials, a portion of the bi-metal cans are likely collected by private haulers who fail to report these activities. Than anticipated since people are more

PLASTICS (#1 THROUGH #7)

Plastic containers and packaging are generated from a variety of different resins. This analysis focused on Plastics #1 through #7 which include containers and packing made from polyethylene terephthalate (PET), high-density polyethylene (HDPE), polyvinyl chloride (PVC), low-density polyethylene (LDPE), polypropylene (PP), polystyrene (PS) and mixed resins. The estimated quantity of plastic containers combined from these resins nationally in 2013 was 13.98 million tons or 5.50% of the total MSW generation of which 2.04 million tons were recovered at a rate of 14.59%. Residential sources generate approximately 80 to 95 percent of the plastic containers and packaging contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 1,245 tons of plastic containers and packaging were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 182 tons could be expected. In the 2013 calendar year, plastic containers and packaging recycling was reported as 1,198.95 tons with another 177 tons estimated to be included in single stream or commingled. Total plastic container and package recycling from these resins in Wyoming County was estimated to be 1,376 tons or 757.79% of the national average.

Observation: The overwhelming amount of plastics found in the municipal waste stream comes from our homes. It is believed that this extraordinarily high volume of plastics reported reflects material from an industrial setting rather than commercial and residential sources. The Wyoming County Recycling Center receives materials from Proctor and Gamble. Since industrial/manufacturing waste and recycling is not included in the national study, pre-consumer materials from such sources would skew the analysis disproportionately.

PLASTICS (#1 AND #2)

Recycling of plastic containers generated from PET (Plastic #1) and HDPE (Plastic #2) resins were also examined. The estimated quantity of plastic containers combined from these resins nationally in 2013 was 3.66 million tons or 1.44% of the total MSW generation of which 1.12 million tons were recovered at a rate of 30.6%. Residential sources generate approximately 80 (PET) to 95 (HDPE) percent of the plastic containers and packaging contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 326 tons of plastic containers and packaging were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 100 tons could be expected. In the 2013 calendar year, plastic containers and packaging recycling was reported as 0.47 ton with another 98 tons estimated to be included in single stream or commingled. Total plastic container and package recycling from these resins in Wyoming County was estimated to be 98 tons or 98.06% of the national average.

Observation: The Recycling Center sold approximately 72 tons of plastics #1 and #2 in 2013 .somewhat less than the national rates might indicate. This is not a significant deviation considering plastic are more difficult to transport to a drop-off location . In addition, they can be more difficult to pick off a sorting line and are more easily contaminated than some other materials.

NEWSPRINT

Newsprint or newspapers in the largest nondurable paper product. The USEPA in 2010 expanded the commodity classification for newsprint to also include directories and other mechanical papers in addition to newspapers. The estimated quantity of newsprint generated nationally in 2013 was 8.05 million tons or 3.17% of the total MSW generation of which 5.39 million tons were recovered at a rate of 66.9%. Residential sources generate approximately 85 percent of the newsprint contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 717 tons of newsprint were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 480 tons could be expected. There was no newsprint recycling individually reported in the 2013 calendar year. However, 8 tons were estimated to be included in single stream. Total newsprint recycling in Wyoming County was estimated to be 8 tons or 1.76% of the national average.

Observation: The Recycling Center shipped approximately 149 tons of newsprint in 2013 , much lower than the national rates might indicate. Rural communities tend to have smaller newspapers which in turn influences the weight of material available for recycling. These areas also rely on wood burning stoves and fireplaces for heat. It is

common to use newsprint to ignite a fire in either type of unit. This could account for the lower recovery rate for paper. Again, other sources could be collecting the material.

OTHER PAPER (NONDURABLES)

Other paper nondurables includes books, magazines, office-type papers, standard mail, commercial printing, tissue paper and towels, paper plates and cups and other non-packaging paper. The estimated quantity of other paper nondurables generated nationally in 2013 was 21.93 million tons or 8.63% of the total MSW generation of which 9.06 million tons were recovered at a rate of 41.3%. Residential sources generate approximately 85 percent of the other paper nondurables contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 1,952 tons of other paper nondurables were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 807 tons could be expected. In the 2013 calendar year, other paper nondurables recycling was reported as 21.64 tons with another 14 tons estimated to be included in single stream. Total other paper nondurables recycling in Wyoming County was estimated to be 36 tons or 4.44% of the national average.

Observation: A little more than 100 tons of mixed papers were processed and sold by the Recycling Center in 2013, This is higher than the reported and adjusted data. It is, however, dramatically lower than reported on a national basis. The Recycling Center does not currently encourage recycling of junk mail and other printed papers. That would negatively influence the low rate of recovery.

CORRUGATED BOXES

In 2013, corrugated boxes were the largest reported single product category of MSW. The estimated quantity of corrugated boxes generated nationally in 2013 was 30.05 million tons or 11.83% of the total MSW generation of which 26.59 million tons were recovered at a rate of 88.5%. Commercial sources generate approximately 90 percent of the corrugated boxes contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 2,675 tons of corrugated boxes were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 2,367 tons could be expected. In the 2013

calendar year, corrugated boxes recycling was reported as 4,709.6 tons with another 41 tons estimated to be included in single stream. Total corrugated boxes recycling in Wyoming County was estimated to be 4,751 tons or 200.72% of the national average.

Observation: In 2013, only 44 tons of cardboard were processed and sold by the Recycling Center. This data matches favorably with the quantities expected to remain in the mix of materials received at the Center. The remainder of the reported cardboard is likely from large commercial and potentially industrial accounts. Cardboard is mainstay of most recycling operations as its value remains relatively stable compared to other commodities. Once primarily found in commercial sources, online shopping has created a greater volume of this material from residential sources.

OTHER PAPER AND PAPERBOARD (CONTAINERS AND PACKAGING)

Other paper and paperboard containers and packaging includes gable top and aseptic cartons (milk, juice, etc.), folding cartons, bags and sacks, wrapping papers and others. The estimated quantity of other paper and paperboard generated nationally in 2013 was 8.51 million tons or 3.35% of the total MSW generation of which 2.36 million tons were recovered at a rate of 27.7%. Residential sources generate approximately 65 percent of the other paper and paperboard contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 758 tons of other paper and paperboard were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 210 tons could be expected. In the 2013 calendar year, other paper and paperboard recycling was reported as 84 tons with another 4 tons estimated to be included in single stream. Therefore, the total other paper and



Fiber and fiberboard are the foundations of most recycling programs.

Overall, the Wyoming County Recycling Center processes less of these materials than expected.

paperboard recycling in Wyoming County was estimated to be 8 tons or 41.74% of the national average.

Observation: Overall, it appears that the Wyoming County Recycling Center avoids fiber and fiberboard all together. Although these materials may be difficult to manage at the drop-off facilities, the Center may want to investigate ways to capture clean material at the Center or through a profit share program with local businesses and institutions.

FURNITURE AND FURNISHINGS

Furniture and furnishings include, but is not limited to, household and office furniture, mattresses and curtains. The estimated quantity of furniture generated nationally in 2013 was 11.62 million tons or 4.57% of the total MSW generation of which 10 million tons were recovered at a rate of 0.1%. Residential sources generate approximately 80 percent of the furniture and furnishings contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 1,034 tons of furniture and furnishings were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 1 ton could be expected. There was no furniture recycling reported in the 2013 calendar year.

RUBBER TIRES

Rubber tires includes vehicle tires from automobiles, trucks, motorcycles and others. The estimated quantity of rubber tires generated nationally in 2013 was 4.77 million tons or 1.88% of the total MSW generation of which 1.93 million tons were recovered at a rate of 40.46%. Commercial sources generate approximately 95 percent of the rubber tires contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 425 tons of rubber tires were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 172 tons could be expected. In the 2013 calendar year, total rubber tires recycling in Wyoming County was reported as 54 tons or 31.31% of the national average.

BATTERIES (LEAD-ACID)

Lead-acid batteries includes batteries from automobiles, trucks, motorcycles and others. The estimated quantity of lead-acid batteries generated nationally in 2013 was 2.88 million tons or 1.13% of the total MSW generation of which 2.85 million tons were recovered at a rate of 98.96%. Commercial sources generate approximately 95 percent of the lead-acid batteries contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 256 tons of lead-acid batteries were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 254 tons could be expected. In the 2013 calendar year, total lead-acid batteries recycling in Wyoming County was reported as 1 ton or 0.45% of the national average.

Observation: Lead acid batteries are recovered at a high rate throughout the nation. It is likely that these items are recycled in Wyoming County in greater quantities than were reported. Automotive repair shops and scrap yards manage a large percentage of these items.

MAJOR APPLIANCES

Major appliances, which are often referred to as “white goods” include refrigerators, washing machines, water heaters and others. The estimated quantity of major appliances generated nationally in 2013 was 4.47 million tons or 1.76% of the total MSW generation of which 2.62 million tons were recovered at a rate of 58.61%. Commercial sources generate approximately 90 percent of the major appliances contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 398 tons of major appliances were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 233 tons could be expected. In the 2013 calendar year, total major appliances recycling in Wyoming County was reported as 1 ton or 0.64% of the national average.

Observation: For 2013, Wyoming County reported a significant amount of recycled scrap metal. It was not included in the analysis since it is not designated as a recyclable

component of residential and commercial municipal waste by Act 101 or USEPA. It is possible that appliances are included in the reported tons of scrap metal.

CONSUMER ELECTRONICS

Consumer Electronics include, but are not limited to, TVs, VCRs, DVD players, video cameras, stereo systems, telephones and computer systems. The estimated quantity of consumer electronics generated nationally in 2013 was 3.14 million tons or 1.24% of the total MSW generation of which 1.27 million tons were recovered at a rate of 40.45%. Residential sources generate approximately 80 percent of the major appliances contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 280 tons of consumer electronics were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 113 tons could be expected. In the 2013 calendar year, total consumer electronics recycling in Wyoming County was reported as 29 tons or 25.67% of the national average.

Observation: The current circumstances for consumer electronic recycling have been hampered by the failed implementation of the Covered Device Recycling Act. The Act continues to interfere with the normal flow of discarded electronic equipment into the waste and recycling streams. With a disposal ban and escalated fees to discard items in what was to be a “no charge” system, surveys show us that many consumers are holding their devices until a better solution develops. Therefore, any comparison to national averages may be negatively affected by the situation.

YARD WASTE

Yard waste or yard trimmings includes grass, leaves, tree and brush trimmings. The estimated quantity of yard waste generated nationally in 2013 was 34.2 million tons or 13.46% of the total MSW generation of which 20.6 million tons were recovered at a rate of 60.23%. Residential sources generate approximately 90 percent of the yard trimmings contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 3,045 tons of yard waste were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 1,834 tons could be expected. In the 2013 calendar year,

total yard waste recycling in Wyoming County was reported as 362 tons or 19.74% of the national average.

Observation: In rural areas property owners tend to have sufficient space to properly manage yard waste on site. With no Act 101 mandated communities required to provide yard waste collection and management, the reported results are not unusual.

WOOD WASTE (PACKAGING)

Wood waste (packaging) includes mostly wooden pallets and also wooden crates. The estimated quantity of wood packaging generated nationally in 2013 was 9.41 million tons or 3.70% of the total MSW generation of which 2.47 million tons were recovered at a rate of 26.25%. Commercial sources generate approximately 100 percent of the wood packaging contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 838 tons of wood waste were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 220 tons could be expected. In the 2013 calendar year, total wood waste recycling in Wyoming County was reported as 690 tons or 313.81% of the national average.

Observation: The reportedly greater quantities of wood waste packaging suggest that pallets from industrial sites may be included in the data

FOOD WASTE (SCRAPS)

Food waste includes uneaten food and food preparation waste from residential and commercial sources. Commercial sources include grocery stores, restaurants (sit down and fast food), institutional sources and industrial sources. It should be noted that pre-consumer sources are not included in the national estimates. The estimated quantity of food waste generated nationally in 2013 was 37.06 million tons or 14.58% of the total MSW generation of which 1.84 million tons were recovered at a rate of 4.96%. Residential and commercial sources are estimated to equally contribute to food waste contained in MSW.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 3,299 tons of food waste were generated in Wyoming County and if recycling was performed at the national rate, a recovery of 164 tons could be expected. In the 2013 calendar year, total food waste recycling in Wyoming County was reported as 35 tons or 21.37% of the national average

Observation: Supermarkets are large generators of food waste. Many, like Weiss Markets, actively divert food waste to commercial composters and local food pantries. For a rural county, the opportunity to divert food waste to on-farm composting sites is greater than in urban areas.

CLOTHING / TEXTILES

Clothing and textiles includes clothing, footwear, towels, sheets and pillowcases. The estimated quantity of clothing and textiles generated nationally in 2013 was 12.4 million tons or 4.88% of the total MSW generation of which 1.83 million tons were recovered at a rate of 14.76%. Residential sources range from approximately 60 to 90 percent.

Based on a population of 28,142 persons in Wyoming County in 2013, it was estimated that 1,104 tons of clothing and textile waste was generated in Wyoming County and if recycling was performed at the national rate, a recovery of 163 tons could be expected. There was no clothing/textiles recycling reported in the 2013 calendar year.

Observation: The recovery of textiles can offer a new source of revenue to local government programs. The Wyoming County Recycling Center should investigate the feasibility of hosting periodic textile collection events.

FINDINGS AND COMMENTS

In summary, it appears that for the 2013 calendar year, the Wyoming County Recycling Center performed at or nearly equal to the national averages for most traditionally recycled materials. Wyoming County appeared to underperform in the recovery of the following products; newsprint, other paper nondurables, other paper & paperboard packaging, furniture, rubber tires, lead-acid batteries, major appliances, consumer electronics, yard waste, food waste and clothing / textiles.

Observations and brief suggestions for improvements were offered throughout the discussions of each commodity. In the next section future goals and actions are suggested.

FUTURE OUTLOOK

Material recovery facilities are designed to collect, process, and sell recyclable commodities. In general, each is built with a base capacity to receive and process a predetermined quantity of materials per shift. The estimated fixed costs to run the facility are calculated using the labor and other resources needed to operate at base capacity. To ensure profitability, the goal of a material recovery facility is to receive and process more material per shift without exceeding the base estimated costs.

Identifying potential opportunities for savings while processing more is an important part of the ongoing daily process. Peak performance could be defined by the maximum volume of high value material processed absent a need or cost for additional laborers, hours, or equipment, etc. Experienced facility managers know to remain cognizant of the saturation point when material is too great for the base operational capacity, but insufficient to warrant added shifts, more employees, processing lines, equipment, or space. Since controlling operational costs is a priority for any facility, this is an important factor in determining the types and sources of materials to pursue.

When facilities receive less material than assumed in estimating costs for base capacity it is equally, if not more problematic than when there are material overruns. In these instances, operational efficiencies alone cannot make up for the loss of revenue. The Wyoming County Recycling Center is highly vulnerable to sudden shortfalls in material volumes and market prices. The answer may be to diversify and consider materials

The partnership with the municipalities is essential for the Wyoming County Recycling Center to continue operations. Some municipal sites, which were formerly part of the County system, recently migrated to private service contractors. The resulting reduction in material has a negative impact on the Center's net income.

Commercial material recovery also underperforms. The majority of businesses lack a willingness to pay for pick-up service. Small commercial establishments and institutions are

encouraged to deliver their materials directly to the Center, when other options are not available. Getting more commercial establishments to pay for collection with haulers who utilize the Center or at a minimum deliver their materials to the Center would help to offset a number of fixed operating costs. Schools are another source

SUGGESTED IMPROVEMENTS

Wyoming County recognizes that there are a number of materials other than bottles, cans, and papers that can be recycled. Many others require special handling because of size or chemical characteristics. To accommodate the needs of Wyoming County residents to dispose or discard these items the County in partnership with other organizations provides permanent outlets or periodically hosts collection events.

COMMERCIAL CARDBOARD AND OFFICE PAPER RECOVERY

If there is anything noticeably lacking at the Wyoming County Recycling Center, it is a steady stream of fiber and fiberboard materials. Most of these materials provide the financial foundation for other recycling facilities.

Cardboard and high grade office papers are found in greater volumes in commercial settings than they are in residential. Due to the popularity of online shopping, quantities of cardboard continue to increase in residential sources. To improve its cash flow and profitability, the Center should make a concerted effort to solicit more corrugated cardboard from residential sources and clean white office paper from commercial establishments. Fiber provides a solid payback when it is delivered directly to the Center with no added cost for collection. Use of the drop-off trailer system for commercial and residential cardboard should be discouraged and fees for collection should realistically be commensurate with operating costs.

DOCUMENT DESTRUCTION

Document destruction services provide a dual benefit to the community. Promoting the use of this service for a fee to Wyoming County's local governments, school districts and other large institutions should be considered. The offices of medical and legal practitioners as well

as insurance agencies are good sources of office paper and users of document destruction services. Promoting file purging and hosting document destruction days during tax season has been a successful way to grow this business for other facilities.

TEXTILE RECYCLING

Residential sources account for more than 60% of the total waste clothing, sheets, towels, and similar textiles generated. These textiles constituted 4.88% of the total municipal waste generated in 2013. The 2012 annual recycling report did not show any recorded activity for clothing and textiles. It is suspected that clothing and textiles are being recycled within Wyoming County, but are not being captured in the reporting system. Groups like Kiducation, and others place drop-off bins in retail parking lots to collect discarded clothing. In addition to clothing, other groups also seek out bedding, linens, draperies, fabric samples and remnants, etc. The Salvation Army has a permanent outlet. Only a portion of the ones received at the retail store is suitable for resale. Much of this unsalable material once went directly to

the landfill. However, now these stained, torn, and otherwise undesirable items of clothing are turned into industrial rags or fibers for other products.



Many textile brokers support these efforts by providing the tools to do one-day events or periodic curbside collections.

Some even spot a van for this purpose.

Many textile brokers support these efforts by providing the tools to do one-day events or periodic curbside collections. Some even spot a van for this

purpose. Educators can also be enlisted to sponsor programs in which promotional bags are issued for students to deliver textiles to their schools. Studies have shown that these additional efforts do not hurt local non-profit secondhand stores, because the majority of the items collected at the curb are not suitable for resale

These temporary textile drives would not consume much needed long-term storage space for other recycling commodities processed at the Wyoming County Recycling Center. Because the material would be turned over rapidly to the textile broker, issues such as mold, mildew and vermin would not be of concern.

Textiles in the recent past were generating more than \$100 per ton in revenue. With that level of return, it would be worthwhile for the Progressive Workshop to research textile brokers to find a reliable partner. Once found, the Center could consider promoting periodic textile recycling campaigns at local schools and churches and hosting textile recycling collections at the Wyoming County Recycling Center.

CONVENIENCE CENTER FOR HARD TO RECYCLE ITEMS

Perhaps the most practical of all of the special programs that could be sponsored by the Wyoming County Recycling Center is to become a permanent outlet or convenience center for “hard to recycle” materials and products. The Center offers a convenient location where residents are able to take materials such as, white goods, lead acid batteries, tires and scrap metal for collection. Metals, batteries and appliances could then be sent to local scrap yards to be recycled. Tires could be sent to special processors where they may be reclaimed for fuel or recycled into mulch, asphalt or other items.

SUMMARY

The accomplishments demonstrated in Wyoming County as a result of its overall recycling and waste diversion programs operated by the Wyoming County Recycling Center, the municipalities and the private sector are no small feat. Clearly, the services and programs provided are a benefit to the County. Continual monitoring of program performance and productivity will be necessary to avoid cost overruns and wasteful spending. Finally, the Recycling Center must build upon its current system by creating new opportunities for the recovery of different types and added volumes of materials.

Chapter 5

Improving Waste Management and Recycling

FUTURE GOALS AND OBJECTIVES FOR WYOMING COUNTY

The Wyoming County Municipal Solid Waste Management Plan is intended to be a flexible and dynamic tool that offers a suggested path for the County and the Wyoming County Recycling Center to follow during the next decade. Conditions and circumstances will change, and unforeseeable events may occur. The Plan encourages the County to validate its course periodically to ensure that its direction remains relevant. The implementation timeline allows for future studies to explore new projects and evaluate the need to add or eliminate programs and/or services.

This chapter outlines the most important issues identified during the planning process. It provides practical solutions based on the availability and constraints of local resources. Practical guidelines and actions to attain the desired objectives are included. If sufficient evidence was lacking for conclusive decisions, these are targeted for future research and consideration.

RECOGNIZING SUCCESS

Wyoming County has an active Solid Waste Advisory Committee whose members include individuals representing a cross section of the community. Committee members were appointed by the Wyoming County Board of Commissioners to provide personal perspectives on a variety of related issues. This diversity served as a natural filter for public opinion and acceptance of proposed programs and services.

The Committee pointed out the strengths and weaknesses of the current municipal solid waste management system. In addition, they offered insight to conditions that could influence future needs and services. Members also offered comments on future needs and suggestions for how problematic issues might be addressed.

Overwhelmingly, the Solid Waste Advisory Committee approved and supported the services offered by the Recycling Center on behalf of Wyoming County. The value and benefits of operating the Wyoming County Recycling Center and the recycling collection services were recognized for improving the quality of life for all residents in the community.

The Committee was respectful of private sector investments in the municipal solid waste and recycling infrastructure in Wyoming County. Underutilization of these services by local residents and businesses was a concern. With proper rules and enforcement at the municipal level the committee agreed that the private sector could play a greater role in attaining the County's solid waste management goals. Committee members expressed frustration with the ongoing challenges to accomplish this objective.

The Committee favored forging stronger partnerships with private sector transporters to facilitate the growth of curbside recycling and increase the volume of material processed at the Recycling Center. Another added concern was the weakening of municipal participation in the drop-off collection network. A goal of the Center is to regain this business.

FUTURE OPPORTUNITIES TO EXPLORE

Throughout the Plan, the strengths and weaknesses of Wyoming County's overall waste management system are well documented. In addition to County sponsored programs, the efforts of municipal governments, the private sector, businesses and residents are acknowledged. Some remaining issues offer opportunities for improvements and for business ventures.

Financial constraints and market conditions can limit program development. Cost and available resources were factored into recommendations offered in the Plan. Program quality and sustainability took priority over quantity of services. Strengthening core services and adding only those that readily complement the operation was the goal. The recommendations lean toward cautious consideration and fact finding as well as exploring rate structures for new programs.

INCENTIVIZE THE MOST DESIRABLE MATERIALS

Small rural recycling operations may be at a disadvantage when it comes to negotiating better pricing from commodities brokers. Without large volume of materials, they lack the leverage of their larger urban counterparts. On the other hand, many smaller operations still accept source separated materials. If the operation is run efficiently and adheres to consistent standards for the materials it accepts, often it can command top dollar when it is time to market its commodities.

Since the onset of single stream recycling collection by commercial haulers, the Wyoming County Recycling Center slowly and progressively lost noticeable volumes of material that had been a constant for many years. Consequently, a loss in revenue followed.

Convenience is what attracts residents and service providers to single stream collection. No sorting is required by the resident and the transporter can haul the materials mixed together in the same vehicle compartment. Of course, the time, effort, and ultimate cost to make the materials marketable still exists. It falls to the processor. Additionally, the processor faces the problem of disposing of all the materials that are not recyclable but ended up in the recycling bin, as well as the actual garbage residents throw in their bins.

The quality of single stream materials is often lesser than from source separated operations like Wyoming County's Recycling Center. Therefore, during times when markets are depressed it is harder for the material to be sold. Single stream recyclers are currently unsuccessful in finding outlets for many materials, even when they are willing to pay. Clean materials, like those from the Wyoming County Recycling Center, become even more desirable when buyers can be selective.

Knowing the types and quality of materials that provide the most revenue for the least effort is a vital step toward sustainability. Equally important is knowing the sources where these materials are generated.

To make up for the lost revenue, the Center should look for the materials, which have stable pricing when a long-term average is considered. These include corrugated cardboard and high-grade office paper. Clean mixed paper has dropped in value, but small recyclers are still reporting income from processing this grade.

Businesses and industry in Wyoming County likely generate significant quantities of corrugated cardboard from materials and goods they receive in their operations. Likewise, schools, hospitals and commercial and municipal offices all generate various classes of office paper. Recycling should commonly be implemented by each County, state, and municipal agency and facility. The Wyoming County Recycling Coordinator should conduct waste audits of government facilities to identify the types and volume of materials currently collected and to determine if a greater quantity of materials could be cost effectively added to the program.

A few of these establishments may be willing to deliver materials to the Center without much coaxing. Others, however, may require an incentive to help them see the benefit of recycling.

Residents currently generate higher volumes of corrugated cardboard than in the past. On-line shopping and home deliveries are the cause. Haulers capture most of this material but

may be taking it to the landfill. The opportunity to save disposal fees and perhaps even get a rebate could prompt them to take the initiative to segregate the material and deliver it to the Recycling Center.

DIVERSIFY MATERIALS ACCEPTED

A good way to protect the Wyoming County Recycling Center from the impact of fluctuating recycling commodities market is to diversify the services offered and materials accepted. Alternative materials have proven to be better sources of revenue than recycling bottles and cans. Some of these materials work best when collected as part of a regional cooperative effort of similar organizations. The collective volume from a joint effort makes the source more attractive to end user or processor. It can also increase the per pound or ton payout to the collector.

Textile recycling can be launched as a standalone program. However, carpet recycling is a program that could only be initiated in a rural area like Wyoming County with the partnership of several of the neighboring counties. The feasibility of collecting carpet and carpet padding requires additional study and evaluation.

UNIVERSAL ACCESS TO WASTE AND RECYCLING COLLECTION

Throughout Wyoming 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. Fewer have arranged for the collection of waste and recyclables from their residents in a competitive bidding process. Both Act 101 and the Pennsylvania Municipal Code provide broad authority to municipalities for those purposes.

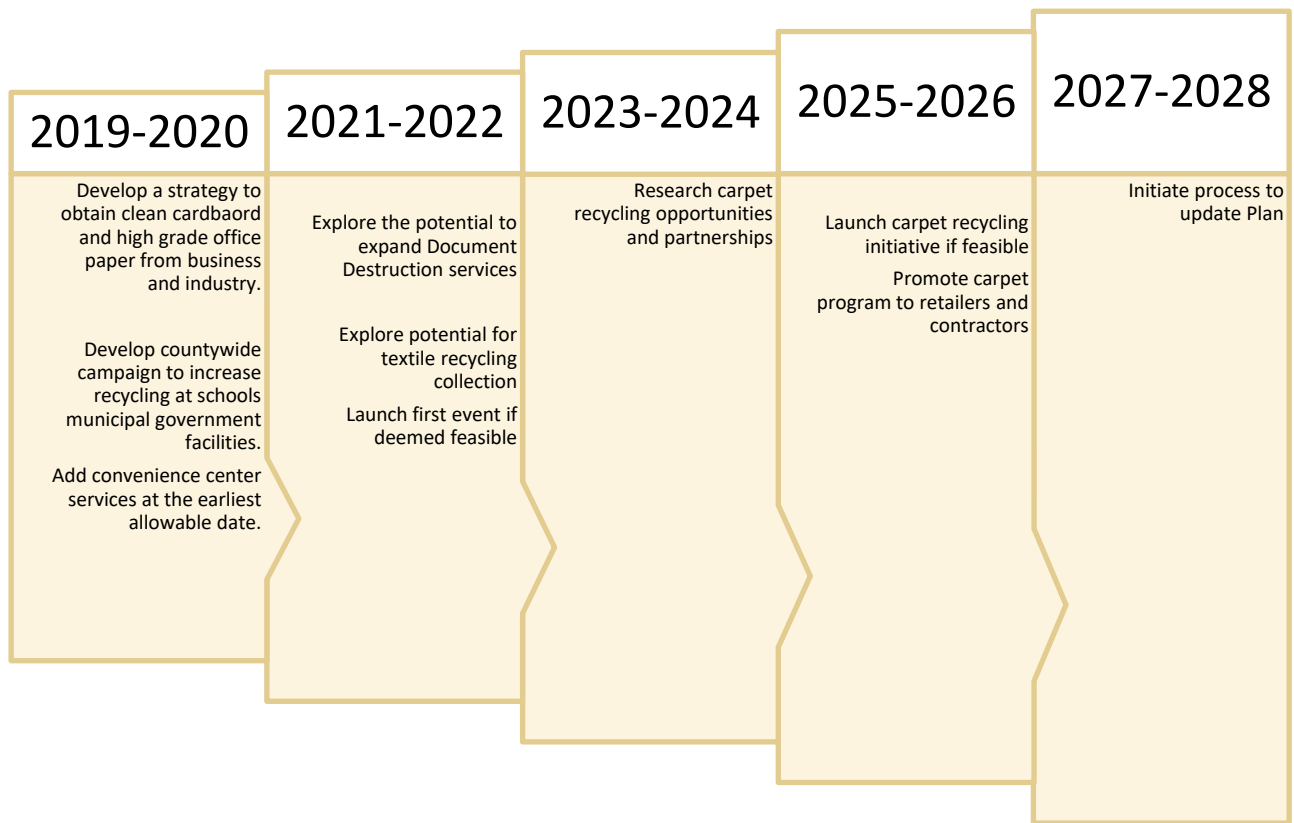
It was noted during the planning process that a number of residents in Wyoming County do not use the services of a waste hauler. The lack of willingness to pay is a major obstacle. For some the availability of service is non-existent or in remote areas, where participants are fewer, cost prohibitive. The consequences of these circumstances are noticeable in the number of active illegal dumpsites.

Establishing the Wyoming County Recycling Center as a Convenience Center that for a fee could also accept bagged waste, and other hard to manage materials could alleviate the problem. To initiate this added service requires a modification in the PADEP regulations to allow for small rural transfer stations and creation of a General Permit which would be required for the operation. The state's Solid Waste Advisory Committee targeted the development of convenience centers as a priority for PADEP in their Act 101 workshops.

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. To maximize those efforts, the County must determine where it will attain the greatest benefit and results. Therefore, a suggested prioritized timeline for implementing the recommendations and revisions is shown in Figure 5-1.

Figure 5-1 Wyoming County Municipal Solid Waste Plan Implementation Schedule



Chapter 6

Facilities Designated for Waste Management

GUARANTEED DISPOSAL OUTLETS

Guaranteeing the availability of and access to future disposal outlets outweighs all other responsibilities delegated to counties by the Municipal Waste Planning, Recycling, and Waste Reduction Act (Act 101 of 1988). Capacity assurances are a primary component of Wyoming County's Municipal Solid Waste Management Plan. The process to acquire these agreements was designed to provide equal opportunities to Pennsylvania disposal and processing facilities as well as those located beyond the borders of the Commonwealth. In addition, the selection criteria were established to prevent discrimination against or provide favoritism to any facility or organization.

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

VIEWSON FLOW CONTROL

The need for counties to secure sufficient disposal capacity to directly manage the volumes of municipal waste generated within their jurisdictions can be a concern. Places like Wyoming County, where no county owned disposal or processing facility operates, are more vulnerable to market fluctuations. Because of its dependence on remote disposal facilities, Wyoming County has always used contractual agreements and some form of waste flow control as part of its overall municipal solid waste management scheme. Wyoming County continues to favor a modified waste flow control scheme. The reasons to maintain the system seem equally

justifiable in 2018, as in 1990. The feasibility of dedicating all the County's waste to a single facility was considered but consistently rejected in previous planning exercises . Flow control to a sole facility, exclusive of all others, dictates the destination and the cost of disposal. In contrast, a more favorable menu option was selected and continues to be implemented. A menu plan provides multiple disposal options allowing normal market conditions to prevail.

Minor constraints are imposed on haulers collecting Wyoming County municipal waste, even in a menu plan. Disposal options will be limited, to those qualified facilities that have accepted the terms and conditions of the disposal capacity agreement. An ordinance will be utilized to ensure compliance. Although government controls of any kind are rarely welcomed by businesses, tolerance for the menu system continues in Wyoming County because it has yet to conflict with the natural choices made by local transporters.

Factors such as price, proximity, convenience, access, and site conditions all influenced the flow of waste. 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. It is within reason for a transporter to seek out the disposal option that provides the best competitive advantage. In the menu system, haulers may use one or more of the designated facilities to suit their operational needs. They may opt to use some of the facilities for economic reasons and others for convenience.

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. Vertical integration of collection and disposal operations, creation of new ventures, and expansion of business relationships can still develop under a menu plan.

An adequate array of designated 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 Wyoming 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 2018 thru 2027, the Wyoming County Board of County Commissioners issued a Request for Proposals. To ensure that all interested parties would be aware of the opportunity to provide capacity to the County, a public notification was posted in the *Pennsylvania Bulletin*. Additionally, a display advertisement was published in *Waste 360* a widely circulated trade publication in the waste industry. The actual solicitation is provided in Appendix A. 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 B.

REVIEW AND EVALUATION OF THE PROPOSALS

Wyoming 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.

Four organizations submitted proposals for six landfills, which they own and operate. Although publicized nationally, no out-of-state facilities 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.

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

DESIGNATED FACILITIES

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

Figure 6-1 Facilities Designated for Wyoming County Waste 2017-2027

Clinton County Solid
Waste Authority

- Wayne Township Landfill

Keystone
Environmental

- Commonwealth Environmental Landfill
- Keystone Sanitary Landfill

Northern Tier Solid
Waste Authority

- Bradford County Landfill #2

Waste Management

- Alliance Landfill
- Grand Central Landfill

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. Wyoming 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 Wyoming County Clerk 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 County to respond to requests quickly and with lower costs than with a full-scale revision.

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

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

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Chapter 7

Implementation and Administration

OVERSIGHT AND ENFORCEMENT OF PROGRAMS AND POLICIES

The Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988) assigns a multitude of duties to counties. These include items such as regulatory compliance, reporting, and grant administration. Likewise, the Wyoming County Municipal Solid Waste Management Plan establishes several local goals and objectives. By default, the responsibility to implement these policies and programs falls to the highest-ranking elected officials in county government. For Wyoming County, that is the Board of Commissioners. Because considerable effort and focus is required to perform these duties, Act 101 allows another individual, agency, department, or similar entity to assume these responsibilities on behalf of the Board of Commissioners. Act 101 includes funding mechanisms to support a staff position in each county assigned to these activities.

Chapter 7 identifies how the responsibilities for implementing the Wyoming County Municipal Solid Waste Management Plan are assigned. It explains how specific programs are carried out. Staff and other resources necessary to fulfill the Plan's recommendations are discussed as well.

SHARED RESPONSIBILITIES

Overall, the Wyoming County Board of Commissioners has retained responsibility for priority items in the Plan such as securing disposal capacity. The Chief Clerk on behalf of the County Commissioners administers the capacity agreements with the designated landfills and is the recipient of any required reports or securities associated with the contracts. In addition, the Commissioners and the Chief Clerk the primary responsibility for oversight and enforcement of other solid waste management related issues in Wyoming County. The Director of the

Wyoming County Recycling Center is the agent of the County assigned the duties of Recycling Coordinator. The assignment includes the responsibility to develop and implement the parts of the Municipal Solid Waste Management Plan related to recovery and recycling.

A high priority is fostering good working relationships with municipal officials, the public, and the private sector. A high priority for all of the responsible parties is fostering good working relationships with municipal officials, the public, and the private sector.

RECYCLING COORDINATOR

In addition, the Director assumes all duties and powers provided to the County in Act 101 for reporting and for implementing the guidelines and recommendations for recycling set forth in the Plan according to schedule.

COMMUNITY OUTREACH AND MARKETING

To the public, the Recycling Coordinator is the official representative of Wyoming County on all solid waste and recycling related issues. Most questions, and complaints filter through the Recycling Center. The Recycling Coordinator promotes recycling programs through a variety of outreach efforts and participation in community and civic functions and in the media.

REGULATORY AND LEGISLATIVE AWARENESS

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

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

Data management is also the obligation of the Recycling Coordinator. Tracking and monitoring the solid waste and recycling activities within Wyoming County is necessary for the Coordinator to fulfill the Act 101 reporting requirements.

PROGRAM DEVELOPMENT AND COORDINATION

The Recycling Coordinator is directly responsible for operating the Wyoming County Recycling Center and has oversight of the facility and employees. The Recycling Coordinator evaluates the performance of the recycling program and negotiates for the sale of materials

collected and processed for recycling. Additionally, the Recycling Coordinator must stay aware of grant opportunities and prepare and submit requests for PADEP funding to support the operation. The Recycling Center hosts special collection events in conjunction with the County.

FINANCIAL SUPPORT FOR THE RECYCLING PROGRAM

Operating funds for the Wyoming County Recycling Center and the drop-off recycling collection program are the responsibility of the County. Commodity sales are an important source of revenue to support the day to day operations. However, the laborers are considered County employees and when markets fall short, the County continues to support these salaries.

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

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

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

SUMMARY

Successful Plan implementation is reliant on the continued involvement of all stakeholders. The Wyoming County Board of Commissioners, the Chief Clerk, and the Recycling Coordinator monitor and respond to the individual and collective needs and positions of the municipalities regarding solid waste and recycling issues. Programs and services are designed to complement and support local efforts.

The County also maintains a good working relationship with the private sector. Their efforts have traditionally complemented those offered by the Recycling Center. By collaborating with these groups and service providers, the Wyoming County continues to encourage the growth of comprehensive waste management services in all municipalities. Developing partnerships rather than fostering competition for the same materials is a goal of the plan.

Chapter 8

County and Municipal Operations

SERVICES, FACILITIES AND EQUIPMENT

When the legislature drafted Act 101, they incorporated language into the law that 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 is available in Wyoming County. Although waste collection and disposal are primarily a function of private businesses, at least one municipality actively engages in this service. 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. Some of the drop-off locations are serviced by the municipality in conjunction with the Recycling Center. Processing of recyclables, one primarily a function of the Wyoming County Recycling Center, is now offered by private concerns.

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.

WYOMING COUNTY FACILITIES AND OPERATIONS

Wyoming County owns and operates the Wyoming County Recycling Center. The County also owns equipment used to operate a recycling drop-off collection program. The equipment was acquired primarily with funds provided through Act 101, Section 902 grants. This collection equipment includes containers/trailers for the permanent drop-off locations. In addition, processing equipment such as balers, a sorting line, and related items used at the Center are also owned by the County.

MUNICIPAL SERVICES

Tunkhannock Borough is the sole municipality that utilizes a public works crew to collect and transport municipal solid waste and recycling. Seasonally, the Borough also collects leaf waste offers a clean-up collection for bulky items.

FUTURE PROGRAMS AND FUNCTIONS

Developing and investing in a public sector municipal solid waste infrastructure has never been a serious consideration at the County or municipal level. It is anticipated that these roles or attitudes will not change during the Plan's implementation period.

Chapter 9

Ordinances, Rules, and Contracts

IMPLEMENTATION AND ENFORCEMENT MECHANISMS

Under Act 101 the responsibility for developing and implementing municipal solid waste management plans belongs to the counties. To accomplish this, Act 101 allows counties to enter into contracts, to enact ordinances, and to establish rules and regulations necessary to enforce the goals and objectives of the plans. A county can also provide for penalties for violations of those rules.

This chapter outlines the tools and mechanisms, that Wyoming County which were developed to ensure compliance with the provisions of the 2016 Wyoming 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.

MUNICIPAL WASTE DISPOSAL CAPACITY AGREEMENT

The procurement process to secure contracts for Wyoming County disposal capacity was conducted in a fair, open and competitive manner. All efforts were made to prevent inadvertently offering an unfair advantage to one facility over another. Wyoming County's Municipal Waste Disposal Capacity Agreement contains universal terms, conditions, and standards applicable to all facilities. The contractual agreement does the following:

- establishes the service to be provided
- outlines reporting requirements,
- defines the types and volumes of waste to be accepted,

- sets the maximum allowable tipping fees,
- calls for emergency provisions and other items provided in the contractor’s proposal.

Every facility designated to be in the Plan as a result of the procurement process had to agree to the provisions of the Municipal Waste Disposal Capacity Agreement. No exceptions were allowed.

The Request for Proposals located in Appendix B 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 D 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 Department will be subject to the same criteria set forth in the original Request for Proposals included in Appendix B. The PADEP and the municipalities must be notified of the inclusion of the new facility.

SOLID WASTE MANAGEMENT ORDINANCE

Ordinance 1993-1 was adopted by the Wyoming County Board of Commissioners to facilitate enforcement of the Plan. It includes transporter licensing and facilitate reporting requirements. Upon the enactment of the Waste Transportation Safety Act, Act 90, the courts determined that issues such as administrative fees and transporter authorization and licensing are not within the statutory powers of counties and municipalities.

During the planning process the consultant recommended revisions to the ordinance. The new ordinance abandons a licensing program. It still requires those collecting municipal waste in Wyoming County to provide their state issued authorizations to the County. In addition, haulers must transport municipal waste to facilities with contractual arrangements guaranteeing capacity to the County. These disposal sites are designated in the Plan. The ordinance is located in Appendix F.

RESOLUTION TO ADOPT THE PLAN REVISIONS

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

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Chapter 10

Refocusing Resources and Efforts

THE PROS AND CONS OF PRESERVING THE CORE SERVICES

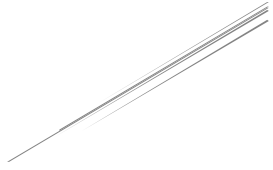
Periodic reviews and evaluations of a county's municipal solid waste management plan are required by Act 101. The purpose is to determine if decisions made in the past are still appropriate. It is a time when the costs and benefits of providing programs and services should be examined. New technologies 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 2018 Wyoming County Municipal Solid Waste Management Plan Update identifies opportunities for change and improvement. The process prioritizes long-term needs of the County as a whole. Issues like single stream recycling contamination, current loss of markets, and a reduction in materials processed by the Recycling Center were the prime topics of discussion during the planning process. Certain municipalities more directly affected these concerns by eliminating their partnership with the Recycling Center in favor of third-party collection services. The Committee agreed the perceived inconveniences felt by some over the Center's requirements to source



The Committee agreed the perceived inconveniences of the Center's requirements to source separate materials are outweighed by the benefits derived.

The source separated materials provide a higher return in the marketplace and greater revenues to the Center thus ensuring the survivability of this core



separate materials are outweighed by the benefits derived in ensuring the survivability of the core program. The source separated materials provide a higher return in the marketplace and greater revenues to the Center.

ONGOING EFFORTS AND TRANSITION

The Wyoming 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. The County should explore these items as presented in a timeline included in Chapter 5.

Chapter 11

Cooperation in the Marketplace

SHARING ACCESS TO CAPACITY

The requirement for counties to ensure disposal capacity is not unique to Pennsylvania's Act 101. Similar requirements are common throughout the nation. These issues are typically incorporated into the municipal solid waste management planning process. It is unreasonable to think that every county would meet its capacity obligations with either its own disposal facility or one operating within its borders. Today a state-of-the-art disposal facility represents a considerable investment to design, permit, construct and operate. The return is based on the economies of scale. Fewer but much larger sites can handle significantly more volume than the combined capabilities of the numerous smaller operations that were previously common. 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.

THE FLOW OF WASTE WITHOUT BOUNDARIES

The Wyoming County Municipal Solid Waste Management Plan directs transporters delivering Wyoming County municipal waste for disposal to select from a menu of facilities, which have guaranteed capacity to the County. The sites all operate outside of Wyoming County. As discussed previously in this document, the provision of multiple facilities allows for a fair, open market with sufficient capacity guaranteed available to the County. The same approach is utilized in other counties' plans. Therefore, municipal waste flows naturally through a network of transporters and facilities without the restriction of local, state, or national boundaries.

MULTIPLE COMMITMENTS

To manage its waste, Wyoming County relies on the cooperation of other counties and states, which permit the operation of disposal facilities in their jurisdictions. In return, Wyoming 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. Wyoming County will neither inhibit the free enterprise of the facility nor prevent it from generating the necessary profits to support those projects.

Chapter 12

Public Perception and Acceptance

STAKEHOLDER PARTICIPATION IN THE PLANNING PROCESS

Most individuals and businesses believe the way they manage municipal waste is the norm. Often grounded in local culture and long-standing tradition, our viewpoints reflect personal perspectives based on environmental, economic, political, and social influences. Our familiarity with the issue fuels strong opinions regarding municipal waste management. When people perceive these practices are threatened, the result is often public outcry.

By bringing various interest groups together during the planning process the result is likelier to be consensus for future policies and programs. Allowing for this exchange and interaction ultimately leads to better understanding and cooperation when new practices are implemented.

The opinions and ideas of local stakeholders were actively sought during the development of the Wyoming County Municipal Solid Waste Management Plan. 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 Wyoming County Recycling Coordinator serves as the liaison between the community and the Board of Commissioners on solid waste and recycling issues. Together with the Board of Commissioners and the Chief Clerk, the recycling Coordinator also acts as the agent of the County to implement the recycling related parts of the Plan and to oversee the programs and services provided by the Wyoming County Recycling Center on behalf of the County. During the planning process, additional people are enlisted to avoid the appearance of bias or a conflict of interest as decisions are made.

SOLID WASTE ADVISORY COMMITTEE

To ensure that the Plan would provide a fair and balanced view of conditions in Wyoming County, the Solid Waste Advisory Committee (SWAC) was established. The Board of Commissioners appointed individuals to represent a specific segment of Wyoming 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, and social service agencies. Ultimately, in addition to County representation, six people were invited to accept positions on the Solid Waste Advisory Committee. The Committee structure and participants are shown in Figure 12-1

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

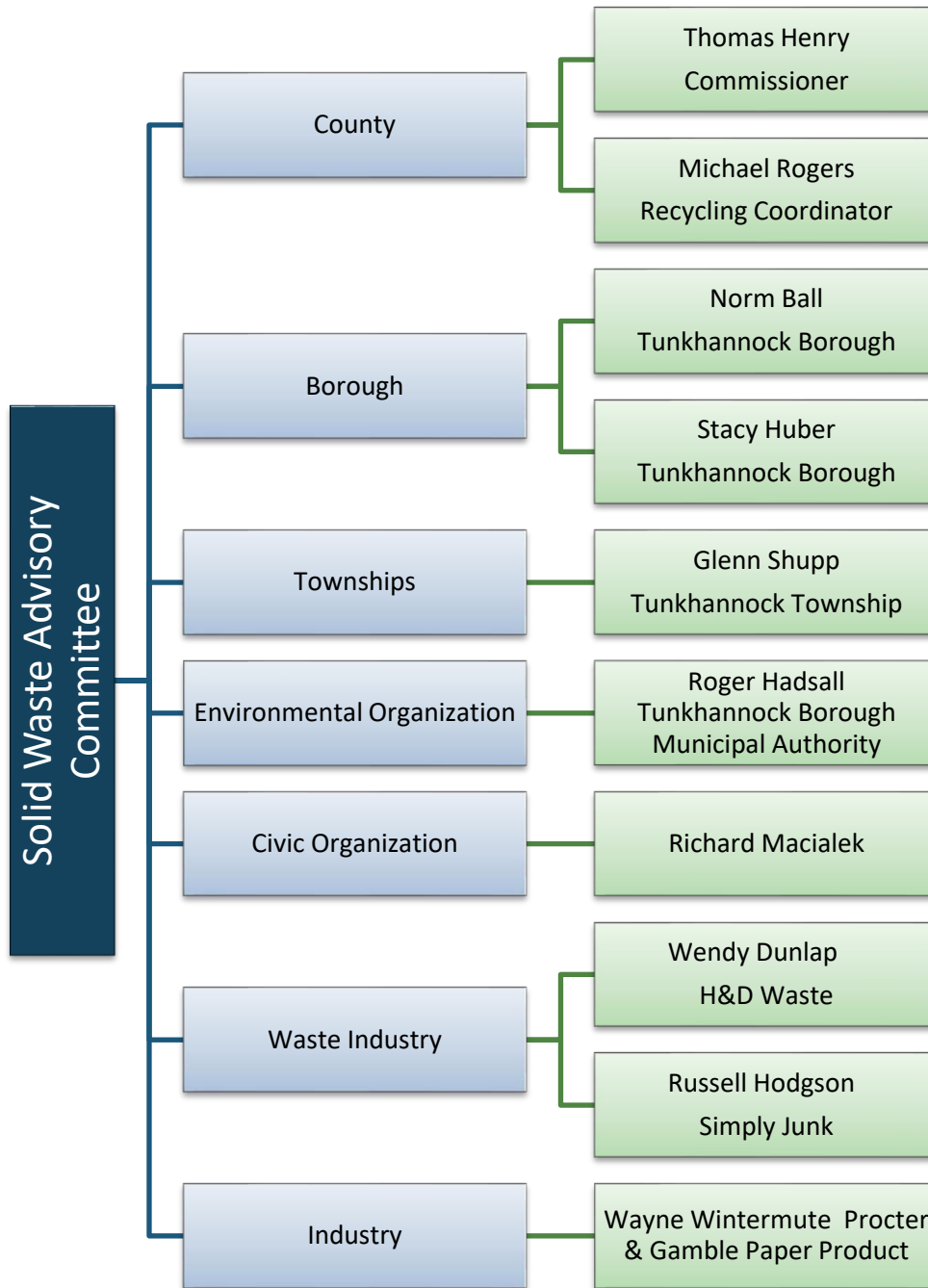
A series of meetings during the planning process outlined a variety of local needs and conditions currently affecting County and municipal programs. In addition to the committee's perspectives, the participants were exposed to background information from state and national sources. From this combination of information, the Committee voiced their opinions.

Historical trends were presented based on local data. Current issues were identified 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.

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. The Committee actively discussed a variety of options to address program weaknesses in every meeting. Short and long-term implications of program and service decisions on the County, municipalities, and service providers were considered.

Each meeting touched on a specific segment of the Plan. However, the primary focus and concern of the Committee was the need to preserve the Recycling Center and its associated services.

Figure 12-1 Structure and Representation of the Solid Waste Advisory Committee



PRESERVATION OF SERVICES

Long-term preservation of the Recycling Center's current programs and services was considered essential in protecting public health and safety. The Committee acknowledged the need for the Wyoming County Recycling Center and the drop-off collection program to diversify. The addition of materials, services and revenue sources were discussed. The Committee wished to ensure a fair and competitive marketplace for waste disposal and collection. Competition from single stream processors and their impact on the quality and quantity of material recovered was identified as the single most problematic trend facing the operation. Overwhelmingly, the Committee agreed that public education, particularly school programs, was the key to promoting proper waste management practices.

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. Members supported transitioning the Recycling Center into a facility able to accept a broad variety of materials in addition to the standard recyclables. Bulky waste items, appliances, mattresses, discarded electronics, and tires were all favored by Committee members. How to fund these operations was left unanswered, but a charge model, along with hope that pending legislation for ewaste collection may resolve the problem.

Based on the views offered by the SWAC members the Plan revisions reflect program enhancements, and any necessary policy amendments related to these items. Recommendations and solutions are presented in Chapter 5.

RECORD OF ACTIVITIES AND COMMENTS

Documentation of the topics and issues considered and discussed at the Solid Waste Advisory Meetings, along with comments received from municipalities, PADEP and the general public are located in Appendix H.

Appendix A

Public Solicitation for Capacity Assurance

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

In accordance with Pennsylvania Code Title 25. Environmental Protection. Chapter 272.225 Municipal Waste Planning Recycling and Waste Reduction (as amended December 22, 2000), the Board of Commissioners of Wyoming County has determined that additional waste disposal or processing capacity for municipal solid waste (MSW), including construction/demolition (C/D) waste and sewage sludge generated within the County is required for a period covering the next ten years. The Wyoming County Board of Commissioners is hereby soliciting proposals for disposal capacity for MSW generated in Wyoming County PA with contract approval and execution anticipated by October 2017.

The Request for Proposals (RFP.) will be available from the Wyoming County Chief Clerk on or after Monday, June 12, 2017. There is a \$50 fee for printed copies. All proposals must be made on and inclusive of the required Proposal Forms and be in accordance with the Requirements for Submitting Proposals contained in the Request for Proposals. Proposers may withdraw their proposal at any time prior to the scheduled closing time for receipt of proposals. The Wyoming County Board of Commissioners reserves the right to reject any or all proposals, to waive any irregularities and/or information in any proposal and to make an award in any manner, consistent with applicable laws, which is deemed to be in the best interest of the County

The Wyoming County Office of the Chief Clerk will receive sealed proposals until 3:00 p.m., Prevailing Time on Wednesday, July 12, 2017. The Proposer is required to submit two (2) hard copies, each executed in blue ink and labeled "original," and two (2) separate electronic media, (CD-ROMs or Flash Drives) each with a copy of the proposal in MS Word or pdf format. The proposals must be packaged, sealed, and clearly labeled to show the statement "Proposal Disposal Capacity" and the name and address of the Proposer.

Proposals should be submitted and be addressed to:

Office of the Chief Clerk, Wyoming County, Wyoming County Courthouse, 1 Courthouse Square,
Tunkhannock PA, 18657. Attention: Mr. William Gaylord

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Appendix B

Process to Secure Capacity Assurance

REQUEST FOR PROPOSALS AND SAMPLE CONTRACT

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ISSUED BY
THE WYOMING COUNTY BOARD OF COMMISSIONERS

REQUEST FOR PROPOSALS WYOMING COUNTY, PA

**MUNICIPAL SOLID WASTE
DISPOSAL AND PROCESSING CAPACITY
2018-2027**

Wyoming County

William Gaylord

Chief Clerk

Wyoming County Court House

1 Courthouse Square

Tunkhannock, PA 18657

Michael Rogers

Recycling Coordinator

Project Consultant

Primary Contact for Proposal Related Questions

Michele Nestor

Nestor Resources, Inc.

Valencia, PA 16059

Phone: (724) 898-3489

INTRODUCTION

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

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

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

Sealed Proposals in response to this RFP are due on Wednesday, July 12, 2017, by 3:00 PM. To qualify for consideration, the Proposer must submit two (2) hard copies, each executed in blue ink and labeled "original," and one (1) "copy" formatted as MS Word or pdf files each on separate electronic media, CD-ROMs or Flash Drives.

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

**Wyoming County Board of Commissioners
Wyoming County Courthouse, Office of the Chief Clerk
1 Courthouse Square, Tunkhannock, PA 18657**

Attention: Mr. William Gaylord, Chief Clerk

Submit the electronic media to :

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

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

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

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

Section 1

PROCUREMENT APPROACH

PURPOSE OF REQUEST FOR PROPOSALS

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

COUNTY DESIGNATION OF FACILITIES AND EXECUTION OF CONTRACTS

If the proposal is accepted by the County, one of the originals will be returned to the Contractor once it is executed by the County. The County anticipates that the proposals will be reviewed, accepted and contracts executed on or about October 1, 2017. The contract term will commence immediately upon execution by the County.

PENNSYLVANIA RIGHT-TO-KNOW LAW

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

REQUIREMENTS FOR SUBMITTING PROPOSALS

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

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

Packages containing the proposals must be sealed and clearly labeled to show the name and address of the Proposer, the statement "Proposal-Disposal Capacity" and be addressed to: ***Wyoming County Office of the Chief Clerk, Wyoming County Courthouse, 1 Courthouse Square, Tunkhannock, PA 18657, Attention: Mr. William Gaylord, Chief Clerk***

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

- Two printed and separately bound hard copies must be clearly marked “ORIGINAL” and contain the forms, contract and certifications as indicated and be executed with original signatures in blue ink.
- One (1) CD-ROMs or Flash Drives with each containing a copy of the proposal formatted as an MS Word or pdf file. Each CD-ROM or Flash drive must contain all of the required information, forms, contract and certifications. The electronic file must be saved to clearly identify the facility by name.

For Contractors proposing multiple facilities

- **Separate Hard Copies Required for Each Proposed Facility** the Contractor must submit two printed and *separately bound* hard copies clearly marked “ORIGINAL” which contain the forms, contract and certifications as indicated and be executed with original signatures in blue ink.
- **Shared Electronic Media for All Proposed Facilities** One (1) CD-ROM or Flash Drive containing a copy of the proposal for each facility formatted as a pdf file. Each CD-ROM or Flash Drive must contain all of the required information, forms, contract and certifications for each facility. An electronic file must be created for each facility, must be saved to clearly identify the facility by name. However, the CD-ROM or Flash Drive may contain the files for all of the facilities submitted by the contractor.

Emergency Back-up Disposal and Processing

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

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

CAREFULLY READ THE DESCRIPTIONS AND INSTRUCTIONS FOR EACH OF THE SECTIONS LISTED.

AVOID SUBMITTING MORE INFORMATION AND DOCUMENTATION THAN THE RFP REQUESTS OR REQUIRES.

ORGANIZATION OF THE PROPOSAL

The proposal must consist of the following information organized into sections.

Each section must be in the order shown below, separated by clearly labeled tabs/dividers:

- Cover Letter
- Statement of Qualifications
- Experience and Qualifications of Managers and Supervisors
- Compliance History
- Certificate of Permit
- Facility Design and Operational Plan
- Permitted Volumes in Tons, Operating Hours and Performance Guarantee
- Current Available Permitted Capacity in Cubic Yards
- Financial Assurances
- Completed and Signed Contract
 - Cost of Processing and Disposal
 - Reserved Capacity
- Representations and Certifications
- Contractor Information

COVER LETTER AND SIGNATURE REQUIREMENTS

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

An officer of the organization submitting the proposal empowered and authorized to sign such documents shall sign the cover letter. The same individual signing the cover letter shall sign the disposal and processing capacity contract and all forms in the proposal requiring signatures. Two copies of the

proposal document must be clearly marked as the original and contain the original forms, the disposal and processing capacity contract and cover letter. **The original forms, the disposal and processing capacity contract, and the cover letter shall be submitted as printed hard copy and signed in "BLUE" ink.**

A copy shall be submitted as electronic media, (CD-ROM or Flash Drive) in MS Word or pdf format with each file saved to include and clearly identify the name of the facility.

STATEMENT OF ORGANIZATION'S QUALIFICATIONS

The organization submitting the proposal shall provide sufficient information to demonstrate and prove experience, management, and resources required to provide consistent, reliable, and legal disposal and processing facilities to Wyoming County.

- A list of the **counties** currently contracting with the facility for disposal and processing capacity shall be included.
- A list of the host municipalities with which the facility has secured host agreements shall be included.
- Experience in the successful operation of disposal and processing facilities shall be documented. **This section should be limited to 4 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. (GM, Ops., Technical, Financial)

FACILITY COMPLIANCE HISTORY

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

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

Organizations may submit a copy of **PADEP Form HWC, Compliance History, (not Form C-1)** in lieu of a written description of the compliance history. Facilities located in other states that require completion

of a similar document may submit it in lieu of a written description provided that document includes all of the information required in this section.

CERTIFICATE OF PERMIT

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

FACILITY DESIGN AND OPERATIONAL PLAN

The organization submitting the proposal shall provide a short description of the disposal and processing facility it intends to utilize in response to this RFP. **Do not include the entire narrative from the facility's permit. Pennsylvania Facilities should not include the full Form 14 from their permit application. Please provide only short excerpts to demonstrate each point.**

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

All facilities must include in their descriptions:

A paragraph or two describing the general procedural mechanism for each item listed below. **Do not submit** the complete description from the facility's permit.

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

Requirements unique to the type of facility: (no more than two–three paragraphs each item)

A **LANDFILL** shall submit a brief description of:

- ✓ its liner system,
- ✓ methane recovery and utilization and
- ✓ method of leachate control, monitoring, and treatment, , (on-site/off-site).

OTHER TYPES of disposal and processing facilities shall include

- ✓ a detailed description of the technology and equipment utilized to process Municipal Waste,
- ✓ the byproducts of the process and

- ✓ the methods of handling the byproducts.

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

PERMITTED VOLUMES AND OPERATING HOURS AND PERFORMANCE GUARANTEE

In this section the following information shall be provided:

- ✓ The current permitted average and maximum daily, yearly, and life-of-permit tonnage limits shall be listed for the organization's disposal and processing facility utilized in response to this RFP.
- ✓ The hours that facility is permitted to accept waste shall be listed.
- ✓ an outline of the preferred procedures for accepting an excessive amount of waste resulting from a natural disaster or other emergency in the County at the proposed facility
- ✓ In addition, a contingency plan for accepting waste outside of the normal operating hours or during emergency or temporary closure of the disposal and processing facility.
- ✓ The method by which uninterrupted disposal and processing service will be provided to Wyoming County in the event that an emergency or other uncontrollable circumstance precludes the use of the facility.

BACK UP FACILITIES

Back-up facilities proposed for the purpose of emergency or temporary service must also submit a complete response to this RFP along with a signed contract.

If not submitting a multi-facility proposal, the Contractor may fulfill the requirement for an emergency back-up facility by providing an agreement with a third-party facility that has submitted a proposal package.

AVAILABLE CAPACITY (AIRSPACE OR BURNER CAPACITY)

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

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

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

FINANCIAL ASSURANCES

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

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

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

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

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

SIGNED CONTRACT

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

Contract Form A-Cost of Processing and Disposal

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

Contract Form B- Reserved Capacity

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

ADDITIONAL REQUIRED FORMS

Form C- Representations and Certifications

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

Form D -Contractor Information

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

Section 2

EVALUATION CRITERIA

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

Financial Stability

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

Regulatory Compliance

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

Operating Permit Status and Capacity

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

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

Technical Design and Operational Plan

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

Solid Waste Management Experience

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

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

Tipping Fees and Annual Costs

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

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

WYOMING COUNTY BACKGROUND INFORMATION

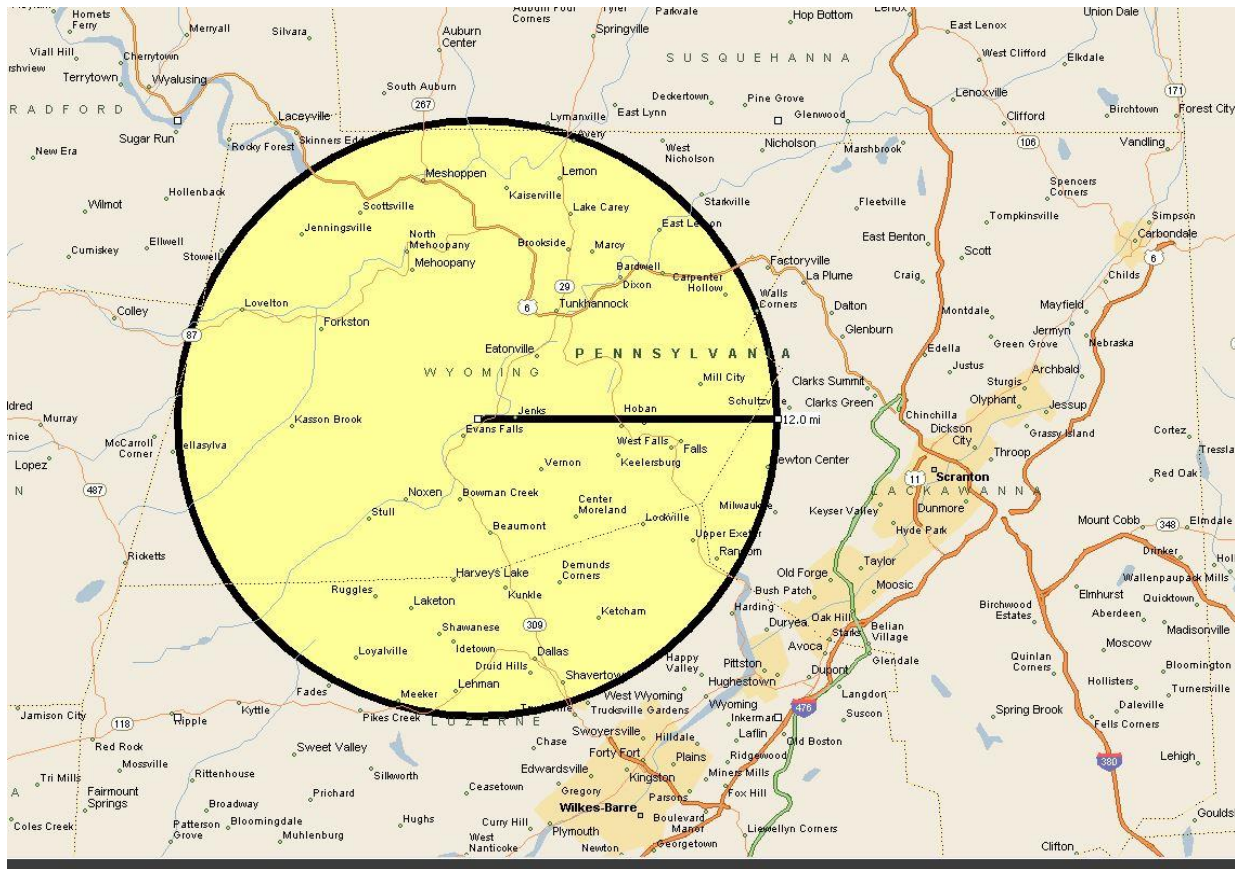
LOCATION AND GENERAL CHARACTERISTICS

Wyoming County is located in the upper corner of northeast Pennsylvania. less than an hour's drive from the City of Wilkes -Barre and the City of Scranton. Wyoming County is bordered on the north by Susquehanna County, on northwest is Bradford County, on the southwest by Sullivan County, on the east by Lackawanna County and on the south by Luzerne County.

Major transportation routes include. State Route 29, which runs north to the New York State line, and south where it converges into US Route 309 toward Allentown and Philadelphia. US Route 309 intersects with Interstate 81 in Wilkes Barre. [U.S. Route 6](#) provides east-west access and connects the County to the City of Scranton and also intersects with Interstate 81 and Interstate 476. In total area, Wyoming County is only 783 square miles, however, differences in communities, lifestyles and services occur from one side of the County to the other.

Wyoming County is classified as a seventh-class county, an indication of its small population, less than 30,000 people. The Borough of Tunkhannock is the county seat.

Figure 1 General Location of Wyoming County, Pennsylvania



CURRENT PROCESSING AND DISPOSAL PRACTICES

The Wyoming County Municipal Solid Waste Management Plan utilizes a modified form of flow control. In accordance with the provisions of Act 101, the County entered into processing and disposal capacity agreements with a number of qualified processing and disposal facilities. Disposal is limited to those sites designated in the Plan; however, local haulers, businesses, and municipalities may use one or more of the facilities. The current disposal capacity contracts are due to expire beginning in 2017

Proximity and business relationships affect the actual flow of waste more than any ordinance. A large portion of Wyoming County's municipal waste is currently disposed at Alliance Landfill and Keystone Sanitary Landfill, both located in Lackawanna County. Bradford County Landfill also receives considerable quantities. No guarantees, or put or pay provisions, were made by Wyoming County for minimum waste volumes to be delivered for processing and disposal as part of any of the existing agreements. It is anticipated that on or around October 1, 2017, new contracts will be executed with qualified facilities, based on the content of this RFP, for a minimum term of ten years.

PROJECTED LANDFILL CAPACITY REQUIREMENTS

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

Population. The Pennsylvania State Data Center at the Pennsylvania State University has produced State and county population projections for the Commonwealth of Pennsylvania. Presented below are county totals from the 2010 Census and projections for 2010 to 2040.

Table 1. Wyoming County Population Projections: 2010-2040

County	July 1, 2010	July 1, 2020	July 1, 2030	July 1, 2040	Percent Change	Percent Change	Percent Change
	Estimate	Projection	Projection	Projection	2010- 2020	2010- 2030	2010- 2040
Pennsylvania	12,711,308	13,230,170	13,759,594	14,132,588	4.10%	8.20%	11.20%
Wyoming	28261	28460	28146	27269	0.007	-0.004	-0.035

Estimated Future Generation Rate for MSW. The USEPA reports on national MSW generation and disposal rates. In recent years, the generation rate per capita has been about 0.85 tons/person/year with little variation. The discard rate has also been relatively constant at about 0.52 tons/person/year. Thus, for projection purposes, it was assumed that per capita generation rates will remain unchanged.

Table 2 presents projected disposal capacity requirements for the years 2017 through 2040. The figures are based on a constant per capita generation rate with adjustments due to projected population changes. The 20167 population was already less than the projected 2020 and 2030 population and decreases were estimated 2020 to 2040

*Table 2. Projected Landfill Capacity Requirements Wyoming County
2016 through 2040 in Tons)*

Year	Population	MSW	Sludge	C&D	Total
2017	27,510	13,480	275	3,026	16,781
2018	27,500	13,475	275	3,025	16,775
2019	27,489	13,470	275	3,024	16,769
2020	27,479	13,465	275	3,023	16,762
2021	27,468	13,459	275	3,022	16,756
2022	27,458	13,454	275	3,020	16,749
2023	27,447	13,449	274	3,019	16,743
2024	27,437	13,444	274	3,018	16,736
2025	27,426	13,439	274	3,017	16,730
2026	27,416	13,434	274	3,016	16,724
2027	27,405	13,429	274	3,015	16,717
2028	27,395	13,423	274	3,013	16,711
2029	27,384	13,418	274	3,012	16,704
2030	27,374	13,413	274	3,011	16,698
2031	27,363	13,408	274	3,010	16,692
2032	27,353	13,403	274	3,009	16,685
2033	27,342	13,398	273	3,008	16,679
2034	27,332	13,393	273	3,006	16,672
2035	27,321	13,387	273	3,005	16,666
2036	27,311	13,382	273	3,004	16,660
2037	27,300	13,377	273	3,003	16,653
2038	27,290	13,372	273	3,002	16,647
2039	27,279	13,367	273	3,001	16,640
2040	27,269	13,362	273	3,000	16,634

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 electronically formatted copy. The contract shall become effective on the date the agreement is signed by the Wyoming County Board of Commissioners

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MUNICIPAL WASTE PROCESSING AND DISPOSAL SERVICE CONTRACT

THIS MUNICIPAL WASTE PROCESSING AND DISPOSAL SERVICE CONTRACT (hereinafter referred to as the "Contract") entered by and between THE COUNTY OF WYOMING, Tunkhannock, Pennsylvania, hereinafter jointly referred to as the "County" AND

(Name of Facility/Parent Company)

hereinafter referred to as the "Contractor" whose permitted processing and disposal facility Permit No _____ issued by _____ is located in

_____(Municipality)(ies),

County, _____ State.

WITNESSETH:

WHEREAS, the County, acting through the Board of Commissioners has developed and adopted the 1991 Municipal Waste Management Plan for Wyoming County and its revisions in 2007 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 Wyoming County have duly approved and ratified this 1991 Municipal Waste Management Plan for Wyoming County pursuant to the requirements of section 501 of Act 101; and,

WHEREAS, this 1991 Municipal Waste Management Plan for Wyoming County and its revisions in 2007, requires that all Municipal Waste generated within Wyoming 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 Wyoming County; and

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

WHEREAS, the Contractor wishes to be designated by the County as one of the Municipal Waste processing or disposal facilities where the Municipal Waste generated within Wyoming 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 Wyoming County and to further set forth the agreements between the parties with respect thereto;

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

I. DEFINITIONS

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

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

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

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

Bulky Waste (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 Processing and Disposal Service Contract, between the County and the Contractor.

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

County -The County of Wyoming, Pennsylvania, acting by and through the Wyoming County Board of Commissioners, 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.

Wyoming County- a seventh class county located in the Commonwealth of Pennsylvania

Facility—Land, structures and other appurtenances or improvements where municipal waste processing and disposal is approved and permitted to occur under Federal and state law. A Facility includes a landfill, a resource recovery facility, a waste-to-energy facility, a digester and/or other municipal solid waste processing and

disposal technologies operating under the provisions of a permit approved and issued by the Pennsylvania Department of Environmental Protection or the state regulatory agency in which the operation is located.

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

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

Hazardous Waste -A solid waste or combination of solid wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics may: (1) cause or significantly contribute to an increase in mortality or an increase in morbidity in either an individual or the total population; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed or otherwise managed; or (3) is otherwise defined as "hazardous" by any Federal or State statute or regulation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

require special handling or present an endangerment to the landfill, the public health or safety, or the environment.

II. SCOPE OF CONTRACT

1. Designation as Processing and Disposal Site

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

2. Effective Date

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

3. Term of contract

The term of this Contract shall commence on the effective date, and shall terminate on the earlier of (a) any event, the effect of which is to permanently terminate the validity of the DEP Permit for the Facility (or the equivalent regulatory agency in state which the facility is located) or (b) Ten (10) years, or (c) terminated in writing by consent of both parties.

4. Compliance with Applicable Laws

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

5. Breach of Contract

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

6. Penalties and Actual Damages

A. It is hereby understood and mutually agreed by and between the Contractor and the County that the Municipal Waste processing and disposal services to be performed under this Contract are vital for the protection of public

health and welfare *and* it is further understood and agreed that the services to be performed under this Contract will be commenced on the date specified in this Contract.

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

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

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

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

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

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

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

7. Force Majeure

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

Contractor or the County and which the contractor or County was unable to avoid by exercise of reasonable diligence.

8. Assignment of Contract

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

9. Change of Ownership

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

10. Waivers

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

11. County's Obligations

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

12. Illegal and Invalid Provisions:

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

13. Joint and Severable Liability

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

14. Binding Effect

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

15. Entire Agreement /Amendments to the Contract

The provisions of this Contract, together with the Agreements and exhibits incorporated by reference, shall constitute the entire Municipal Waste Processing and Disposal Capacity Contract between the County and the

Contractor, superseding all prior processing and disposal capacity agreements or contracts, if any, except as otherwise provided in this Contract. No amendment or modifications of the terms and conditions of the Contract shall be made prior to the date the Contract is duly executed by the Wyoming County Board of Commissioners. Once the Contract is duly executed by the Wyoming County Board of Commissioners, no amendment or modifications of the terms and conditions of the Contract shall be effective unless such amendment or modification is in writing and signed by authorized representatives of all parties entitled to receive a right or obligated or perform a duty under the Contract. A signed original amendment to the Contract shall be furnished to all parties to be attached to the original Contract. The County and the Contractor agree that any existing Municipal Waste processing and disposal contracts between them are hereby rendered null and void and superseded by this Contract.

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 proposal submitted by the Contractor, shall be without effect on the construction of any provisions or terms of the final contract if they alter, vary or contradict the Contract.

17. Notices

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

For the County:

***Office of the Chief Clerk,
Wyoming County Courthouse,
1 Courthouse Square, Tunkhannock PA 18657
Attention: Mr. William Gaylord***

For the Contractor:

Notice Address as shown on Form B.

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

III. SERVICE, OPERATIONS, AND PERFORMANCE

1. Services of the Contractor

The Contractor agrees to accept, process and dispose specified quantities and types of Municipal Waste originating from sources located in Wyoming 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 shown on Part B 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 ("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 Act 90 as well as those regularly engaged in the business of waste collection and transportation in Wyoming County during the hours shown on Form B, excluding generally recognized business holidays, including without limitation (President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas and New year's Day). In the event of any lengthy travel time from sources in the County to an out-of-county processing and disposal facility, the Contractor will be required to exhibit flexibility in the operating hours for accepting wastes from Wyoming County. The Contractor shall have complete discretion to make additional arrangements for accepting waste at any earlier or later hours and/or on Sundays.

6. Complaints

The Contractor shall receive and respond to all complaints from waste transporters authorized by Act 90 as well as those regularly engaged in the business of waste collection and transportation in Wyoming County 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 Wyoming County shall have the right to establish and operate any municipal recycling programs, including drop-off recycling centers and curbside collection programs, to source separate and remove recyclable materials from the Municipal Waste stream prior to the delivery of the waste to the Contractor's facility. The Contractor shall notify the County in the event Contractor becomes aware that materials that are being collected in the County and/or municipal recycling programs are being routinely delivered to Contractor for waste processing and disposal. The Contractor shall cooperate with the County in reaching the Commonwealth of Pennsylvania's Recycling goals.

8. Title to Solid Waste

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

9. Unacceptable or Hazardous Waste

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

10. Basis and Method of Payment

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

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

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

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

11. Rate Escalation and Adjustments

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

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

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

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

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

12. County Administration/Recycling Surcharge

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

IV. RECORD KEEPING AND REPORTING REGULATED WASTE

1. The Contractor will be required to install and maintain a scale to weigh all incoming waste to the contractor's Municipal Waste processing or disposal facility or, in the case of a transfer station, to weigh all Municipal Waste delivered to the County designated processing or disposal facility by the transfer station. The scale used to weigh Municipal Waste shall conform 3 Pa.C.S. Chapter 41 (relating to the Consolidated Weights and Measures Act) and 70 Pa. Code Part I (relating to weighmasters) and applicable regulations thereunder;. The operator of the scale shall be a licensed public weighmaster under 3 Pa.C.S. Chapter 41 and 70 Pa. Code Part I. and applicable regulations thereunder;

2. Daily Operational Records

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

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

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

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

1. Loads from transfer facilities should be made distinguishable from those directly hauled.

3. Quarterly Operation Reports

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

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

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

c. A summary of the total weight of each type of Municipal Waste received each month from each waste hauler or transporter and self-hauler delivering waste originating from sources in Wyoming 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 Wyoming County. Loads from transfer facilities should be made distinguishable from those directly hauled; and

E. A Contractor that operates, or whose parent company operates, a transfer station that receives Wyoming County municipal waste for transport to one of the designated facilities shall also submit a report from the transfer station showing:

1. The names of the waste haulers or transporters and self-haulers that delivered Municipal Waste originating from sources in Wyoming County.

2. A summary of the total weight of each type of Municipal Waste received each month from each waste hauler or transporter and self-hauler delivering waste originating from sources in Wyoming County.

3. The total amount of tons of Wyoming County Municipal Waste transported from the transfer station to each disposal facility designated in the Plan to receive waste from Wyoming County.

The inbound and outbound tons of Wyoming County waste must reconcile.

4. Annual Operation Report

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

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

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

C. For Resource Recovery or other Municipal Waste processing facilities, the name and the location of the landfill disposal facilities where any bypassed wastes, unprocessable waste and waste by-products, such as incinerator ash, were ultimately disposed;

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

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

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

5. Administrative Inspections

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

6. Special Reporting Requirements

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

A. Changes in the permitted site volume or capacity,

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

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

D. Changes in the permitted acreage, and

E. Changes in ownership.

V. PUBLIC LIABILITY INSURANCE REQUIREMENTS

1. Insurance Requirement

The Contractor shall be required to maintain in full force and effect throughout the term of the Contract, and any renewal or extension thereof a general liability insurance policy to provide continuous coverage against third party claims for property damage and personal injury, as specified in Chapter 271 of the DEP's Municipal Waste Management Regulations (Pennsylvania Bulletin, Vol. 18, No. 15, April 9, 1988) and the following section. The effective date of the required insurance policy shall be prior to the initiation of any waste processing and disposal services under this Contract. Contractor shall cause County to be added as an additional insured on all policies of insurance required under the terms of this Contract.

2. Proof of Insurance Coverage

The Contractor shall be required to submit to the County proof of insurance coverage upon execution of the Contract. At a minimum, the proof of insurance shall consist of a certificate of insurance which:

A. States the name of the insurance company, the insured owner and facility covered by the policy.

- B. Identifies the kinds of coverage provided by the policy and the amounts of coverage, exclusive of legal costs.
- C. Identifies the beginning and ending dates for the policy.
- D. Specifies that a minimum 30-day period written notice shall be given by the insurer to the County and the Owner, by certified mail, before any cancellation or other termination of the policy becomes effective.
- E. States that the insurer is liable for payment on the policy without regard for the bankruptcy or insolvency of the insured.
- F. Be signed by an authorized agent of the insurance company.

3. Maintenance of Insurance Coverage

The Contractor shall be required to submit to the County a current certificate of insurance as evidence of continuous insurance coverage as part of the annual operation report required under the Contract. The annual certificate of insurance shall contain the same information and provisions as specified in the original proof of insurance certificate under the requirements of the preceding paragraph. Failure to submit the required proof of insurance or to maintain the required minimum insurance coverages would be considered a default by the Contractor in accordance with the provisions of the Contract.

VI. NONDISCRIMINATION

Neither the Contractor nor any subcontractor nor any person(s) acting on his behalf shall discriminate against any person because of race, sex, age, creed, color, religion, national origin or any other protected category.

VII. INDEMNIFICATION

The Contractor or its successors and assigns shall indemnify and save harmless the County, their officers, agents, servants and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses and attorney fees resulting from any willful or negligent act or omission of the Contractor or its successors or assigns, its officers, agents, servants and employees in the performance of this Contract; provided however, that the Contractor or its successors and assigns shall not be liable for any suits, actions, legal proceedings, claims, demands, damages, costs, expenses and other attorney fees arising out of the award of this Contract or the willful or negligent act or omission of the County, their officers, agents, servants and employees.

VIII. PERMITS

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

IX. Right-to-Know Law

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

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

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

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

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

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

WITNESS the execution hereof, the parties expressly intending to be legally bound pursuant to the Uniform Written Obligations Act, 33 P.S. §6, Contractor and County have caused this contract to be executed by their respective duly authorized agents, as of the date and year first written.

COUNTY OF WYOMING

, Chair

DATE _____

Chief Clerk

ATTEST: _____

CONTRACTOR

CONTRACTOR: _____ WITNESS: _____

TITLE: _____

Form A - Cost of Processing and Disposal

Name of Facility _____		Maximum Tipping Fees Per Ton for Each Category of Waste				
The maximum tipping fee shall not exceed the posted gate rate.						
Include all applicable surcharges, fees, taxes from Legislation, Regulation, or Programs of State, Federal, County or Host Municipalities						
Show a breakdown of those fees in the following table Indicate any annual escalators that will apply or attach a separate table demonstrating future rates.						
	MSW	Construction Demolition	Sewage Sludge	Approved Regulated	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 Wyoming 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
2018-2019						
Tons Per Day						
Tons Per Year						
2019-2020						
Tons Per Day						
Tons Per Year						
2020-2021						
Tons Per Day						
Tons Per Year						
2021-2022						
Tons Per Day						
Tons Per Year						
2022-2023						
Tons Per Day						
Tons Per Year						
2023-2024						
Tons Per Day						
Tons Per Year						
2024-2025						
Tons Per Day						
Tons Per Year						
2025-2026						
Tons Per Day						
Tons Per Year						
2025-2026						
Tons Per Day						
Tons Per Year						
2026-2027						
Tons Per Day						
Tons Per Year						

Form B - Part II Reserved Capacity

Total Combined Quantities of all Accepted Categories of Municipal Waste

YEAR	TOTAL WYOMING MSW TONS PER YEAR (all categories)	PERCENTAGE Reserving Capacity for % of Wyoming MSW Annually (all categories)	ANNUAL TONS Reserving Capacity for #Tons Wyoming MSW Annually (all categories)	OPERATING DAYS Estimated Annual Working Days	TONS PER DAY Reserving Capacity for #Tons Wyoming MSW Daily (all categories)
2018	16,775				
2019	16,769				
2020	16,762				
2021	16,756				
2022	16,749				
2023	16,743				
2024	16,736				
2025	16,730				
2026	16,724				
2027	16,717				

Operating hours from _____ to _____ Monday through Friday and
from _____ to _____ on Saturdays,

Indicate tons of Wyoming County Municipal Waste donated by Contractor per year for non-profit activities including but not limited to road adoptions and open dump clean-ups: _____ tons

Notices

All notices, demands, requests, and other communications under this contract shall be delivered to:

Contractor: _____

Address: _____

Attention: _____

With a copy to: _____ Attention: _____

Section 5

REQUIRED FORMS

The following forms shall be completed, signed by an official authorized to bind the Offeror, and attached to the proposal.

1. Form C- Representations and Certifications
2. Form D- Contractor Information

FORM C- REPRESENTATIONS AND CERTIFICATIONS

Company _____

Facility _____

Authorized Official _____

An officer of the organization submitting the proposal empowered and authorized to sign such documents makes the following representations and certifications as part of this proposal:

1. Certification of Non Collusion and Independent Price Determination

I certify that as an officer of _____, I have lawful authority and have thus been empowered to submit and execute the proposal contained herein; that neither have I nor any representative of _____ has either directly or indirectly entered into any agreement, express or implied with any representative or representatives of other companies or individuals submitting such proposals for the object of controlling of price, the limiting of proposals submitted, the parceling out of any part of the resulting contract or subject matter of the proposal or proposals or any profits thereof; and that I nor any representatives of _____ have not nor will not divulge the sealed proposal to any person or persons except those having a partnership or other financial interest with him or her in the proposal or proposals until after the said sealed proposal or proposals are opened.

I further certify that neither I nor any representative of _____, have been a party to collusion among proposers in restraint of the freedom of competition by agreement to make a proposal at a fixed price or to refrain from submitting a proposal or with any state official or employee as to quantity, quality, or price in any discussions between proposers and any County official concerning exchange of money or other things of value for special consideration in the letting of the contract and that neither I nor any representative of _____ have paid, given, donated or agreed to pay give or donate to any official, officer, or employee of Wyoming County any money or other thing of value either directly or indirectly.

2. Acceptance Period

I agree to allow 180 days from the date of this proposal for acceptance thereof by the Commissioners of Wyoming 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 Wyoming 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 2017, at _____

By_ _____ (name)

_____ (title)

SEAL _____ (company)

Date:_____

On _ _____, 2017, 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 _____ 2017.

Notary _____

My Commission expires _____ Notary Public

FORM D- CONTRACTOR INFORMATION

Company_ _____

Address _____

Phone _ _____ Fax _ _____

Owner/President_ _____

Type of organization (corporation, joint venture, partnership, individual)

For joint ventures, indicate role and ownership share of each participant. Providing information for each. List any and all subcontractors.

Proposed Processing and Disposal Facility _ _____

Permit #/ State /Date Issued/Expiration _ _____

Physical Location
(County/Municipalities)_ _____

Have you or any officer of the company or facility ever failed to complete any contract awarded in your own name or that of the company or facility?

If yes, explain who, where and why____ _____

Have you or any officer of the company or facility ever failed to complete any contract awarded in your own name or that of any other company or facility?

If yes, explain who, where and why _____

Are you or any officer of the company or facility engaged in any contracts for services similar to those contained in the proposal herein?

If yes, explain who, where and when _____

Have you or any officer of the company or facility your partners or joint ventures been party to a lawsuit issued within the past three years that might impact your ability to perform the obligations of this contract?

If yes, explain who, where and why _____

Have you submitted a complete 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 2017 at _____

By _____ (name)

_____ (title)

SEAL _____ (company)

Date: _____

On _____, 2017, 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 _____ 2017 _____

My Commission expires _____

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Appendix C

Process to Secure Capacity Assurance

TECHNICAL REVIEW OF DISPOSAL CAPACITY PROPOSALS

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ESTABLISHING FUTURE DISPOSAL CAPACITY REQUIREMENTS

The Municipal Waste Planning, Recycling, and Waste Reduction Act (Act 101 of 1988) requires Pennsylvania counties to secure disposal capacity for waste generated within their jurisdictional boundaries. Capacity guarantees are to provide for a 10-year span. During the last update and revision to the Plan, Wyoming County entered into disposal capacity agreements with numerous disposal facilities during the last update and revision to the Plan. These contracts are set to expire beginning in 2018.

A review of Wyoming County's current disposal practices was conducted in the summer of 2017. Based on the reported disposal data, along with published population projections the capacity required by the County for the next ten years was calculated. The impact of recycling efforts was also factored into the projections. The capacity projections were compared to current market conditions and issues that could affect the consumption and availability of capacity. Disposal of residual and/or out-of-state waste at the facilities used by Wyoming County was reviewed. The process showed no immediate capacity deficits. The pending expiration of the existing agreements, however, along with some recent opposition to permit renewals for landfills currently accepting Wyoming County waste, were sufficient reasons to solicit for capacity as part of the current planning process.

FAIR, OPEN, AND COMPETITIVE PROCUREMENT PROCESS

Act 101 requires counties to conduct a fair, open, and competitive process to secure disposal capacity guarantees. Based on guidance from PADEP and references from numerous court rulings, a variety of methods to secure disposal capacity are available for counties to satisfy the requirement. Wyoming County concluded that a Request for Proposals was the most prudent way to ensure all facilities and disposal processes were given equal consideration and opportunity.

To alert facilities located both within and out of the state, the request was posted in the Pennsylvania Bulletin and published in Waste360, a national trade journal. Industry trade organizations were asked to distribute the solicitation to their membership. Finally, organizations with facilities that have historically accepted waste from Wyoming County were made aware of the RFP.

SELECTION CRITERIA

The Request for Proposals established clearly defined proposal submission guidelines and content, to which all facilities were expected to adhere. Proposals were reviewed for administrative completeness and e technical merit. The technical review process built in allowances for the County to request supplemental documentation or further clarifications as needed. The criteria represented a series of categories, each with established requirements. A description of each category, in no order of value or importance follows.

OPERATIONAL STATUS AND REMAINING CAPACITY

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

FINANCIAL STRENGTH AND RISK ASSESSMENT

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

FACILITY DESIGN AND OPERATION

The ability to meet Federal, State, and Local standards for the operation of a municipal solid waste disposal facility was required. The technical design of the proposed facility and disposal process were evaluated based on the use of proven and accepted technology, demonstrated and approved alternatives, and best engineering practices. The review considered the role of design components in the proposed facility and disposal process for pollution prevention and control, safety, operational efficiency, and energy production. These included but were not limited to; liner composition, leachate treatment, methane gas recovery, combustor units, boiler design, and capacity. The effectiveness of operational plans for waste acceptance, emergency management, and contingencies were also considered.

INDUSTRY QUALIFICATIONS AND EXPERIENCE

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

REGULATORY COMPLIANCE

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

MINIMUM AND MAXIMUM ALLOWABLE DISPOSAL REQUIREMENTS

The evaluation included the ability of the facility to accept all or some of the municipal solid waste generated by Wyoming County on a daily and annual basis during the ten-year period of the Plan. The

criteria made clear that “Put or Pay” disposal guarantees for predetermined quantities of Wyoming County waste were considered disincentives to recycling and therefore objectionable to the County.

MAXIMUM GATE RATES AND POTENTIAL COST TO COUNTY

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

No conditions were imposed on the disposal rate other than the facility-defined cap. The use of one or more of the designated facilities remains a matter of choice for haulers throughout the 10-year period of the Plan. The maximum rates do not preclude the ability of parties to negotiate lower fees based on business relationships and other factors.

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

REVIEW AND EVALUATION

The procurement process prompted responses from three organizations with ownership of one or more of the five proposed facilities. The facilities that met the criteria will be officially designated to receive Wyoming County municipal waste with any exceptions as defined in the capacity agreement after the final approval of the Plan.

During the review and evaluation process, no deficiencies and questions were noted in any of the proposals. The results of the proposal evaluation are presented in five sections following these narratives. Each section represents a segment of the legal, technical, operational, and financial selection criteria. Tables show the proposed facilities with their responses and demonstrated information condensed for presentation purposes.

SECTION 1 CONTRACTORS, PROPOSED FACILITIES, LEGAL FORMALITIES

Site Name	Facility		Contacts		Capacity Agreement		
	Owner	Site Location	Technical	Operational	All Required Forms and Signatures	Agreed to Contract Terms and Conditions Exceptions or Comments	Requires Put or Pay or Minimum Tonnage
Alliance Landfill	Waste Management	398 South Keyser Avenue Taylor, PA 18517	Tara Hemmer	Tara Hemmer	YES	YES	NO
Bradford County Landfill #2	Northern Tier Solid Waste Authority	108 Steam Hollow Road Troy, PA 16947	Micah Baker	Scott Sample	YES	YES	NO
Commonwealth Environmental Landfill	Commonwealth Environmental Systems LP (DeNaples)	9 Commonwealth Road Higgins, PA 17938	Brett Dexter	David Leung	YES	YES	NO
Grand Central Landfill	Waste Management	910 W. Pennsylvania Avenue Pen Argyl, PA 18072	Charles Raudenbush	Ron Myer	YES	YES	NO
Keystone Sanitary Landfill	Keystone Sanitary Landfill Inc (DeNaples)	249 Dunham Drive Dunmore, PA 18512	Joe Dexter	Joe Dexter	YES	YES	NO
Wayne Township Landfill	Clinton County Solid Waste Authority	264 Landfill Lane PO Box 209 McElhattan, PA 17748	Jay Alexander	Jay Alexander	YES	YES	NO

SECTION 2 PERMIT STATUS AND CONDITIONS OF OPERATIONS

Facility	Local	Permitted	Accessibility and Terms of Use			
Site Name	Host Agreements	Permit # Issuing State Expiration Date	Remaining Permitted Capacity 2016	Current Constraints or Limitations	Operating Days Per Year	Operating Hours
Alliance Landfill	Taylor Borough Ransom Township Lackawanna County	PA 100933 10/31/20	28,447,417 cyds	NONE	Monday-Saturday 305	7:00 AM-4:00 PM Monday-Friday 7:00 AM-9:00 AM Saturday
Bradford County Landfill #2	Hamilton Township West Burlington Township Tioga County Bradford County	PA 101243 11/12/2019	5,154,098 cyds	NONE	Monday-Saturday 305	8:00 AM-4:00 PM Monday-Friday 8:00 AM-NOON Saturday
Commonwealth Environmental Landfill	Reilly Township Foster Township Frailey Township Wyoming County	PA 101615 1/31/2027	11,871,158 cyds	NONE	Monday-Friday (305)	6:00AM-3:00PM Monday-Friday
Grand Central Landfill	Pen Argyl Borough Wind Gap Borough Plainfield Township Northampton County	PA 100265 8/1/2028	7,335,652 cyds.	NONE	Monday-Saturday 305	7:00 AM-4:00 PM Monday-Friday 7:00 AM-9:00 AM Saturday
Keystone Sanitary Landfill	Throop Borough Dunmore Borough Lackawanna County	PA 101247 4/6/2025	18,369,136 cyds	NONE	Monday-Saturday (306)	6:00AM-3:00PM Monday-Friday (Sat-6:00 AM-11:00 AM)
Wayne Township Landfill	Wayne Township Clinton County	PA 100955 9/14/2036	92,869 cyds	NONE	Monday -Saturday (312)	7:00 AM-4:00PM Monday-Friday (Sat-7:00 AM-noon)

SECTION 3

FACILITY DESIGN, REGULATORY COMPLIANCE, AND FINANCIAL ASSURANCES

Facility	Design and Contingencies			Regulatory Compliance			Financial Assurance		
	Site Name	Design, Leachate Treatment	Waste Plan for Emergency Disasters	Waste Plan for Facility Emergencies	# Violations	# Penalties, Consent Orders, Settlement Agreements	Unresolved Violations	Financial Disclosure	Public Liability Protection
Alliance Landfill	Double composite liner Treatment On site	YES	YES submitted capacity agreements for back-up landfill	1	0	0	Publicly Held Company Shareholders Report	\$5 million	Surety Bond \$21.6 million
Bradford County Landfill #2	Double composite liner Treatment Off site	YES		27	6	0			\$9.6 million
Commonwealth Environmental Landfill	60 mil double liner Treatment On site	YES	YES has agreement with another County designated facility	4	0	0	Privately Held Company/ Performance guarantee provided upon request	\$2 million	Surety Bond \$18.7 million
Grand Central Landfill	Double composite liner Treatment Onsite	YES	YES submitted capacity agreements for proposed back-up landfills	6	2	0	Publicly Held Company Shareholders Report	\$5 million	Bond \$31.4 million
Keystone Sanitary Landfill	60 mil double liner/ Treatment On site	YES	YES submitted capacity agreements for proposed back-up landfill	8	0	0	Privately Held Company/ Provided upon request	\$2 million	Surety Bond \$21.6 million
Wayne Township Landfill	60 mil double liner Treatment Off site	YES	YES on-site transfer station would haul to other County designated facilities	1	1	0	Provided Independent Auditor's Report	\$1 million	Irrevocable Line of Credit \$6.4 million

SECTION 5 SCHEDULE OF MAXIMUM CHARGES

Facility Site Name	Maximum Base Disposal Rate 1st Year					Add-on Costs Fees, Taxes, Surcharges	Total Maximum Disposal Rate with Fees 1st Year				
	MSW	C&D	SEWAGE SLUDGE	ICW	OTHER		MSW	C&D	SEWAGE SLUDGE	ICW	OTHER
Alliance Landfill	96.25	96.20	96.20	N/A	N/A	10.03	106.55	106.50	106.50	N/A	N/A
Bradford County Landfill #2	40.15	40.15	40.15	41.5	47.50	7.35	47.50	47.50	47.50	N/A	60.75
Commonwealth Environmental Landfill	64.00	64.00	64.00	N/A	64.00	12.25	76.25	76.25	76.25	N/A	76.25
Grand Central Landfill	94.85	94.85	94.85	104.85	N/A	11.15	106.00	106.00	106.00	116.00	N/A
Keystone Sanitary Landfill	90.00	90.00	90.00	N/A	90.00	9.71	99.71	99.71	99.71	N/A	99.71
Wayne Township Landfill	50.00	50.00	50.00	50.00	60.00	9.00	59.00	59.00	59.00	59.00	69.00

RECOMMENDATIONS FOR DISPOSAL FACILITY DESIGNATION

Based upon our review and evaluation of the proposals, Nestor Resources, Inc. has determined that all the facilities meet the established selection criteria. Some of the facilities are operating with permits that will expire before 2027. A few have capacity that could be greatly depleted during the term of the contract but have room for expansion and design modifications. In these instances, actions to modify or renew existing permits are expected to result in approvals.

All qualify to become designated disposal facilities in the Wyoming County Municipal Solid Waste Management Plan.

In summary, Nestor Resources, Inc. makes the recommendation for the Wyoming County Board of Commissioners to execute and enter into disposal capacity agreements with the facilities shown here. The table is arranged in alphabetical order by the owner/operator with each corresponding facility listed below.

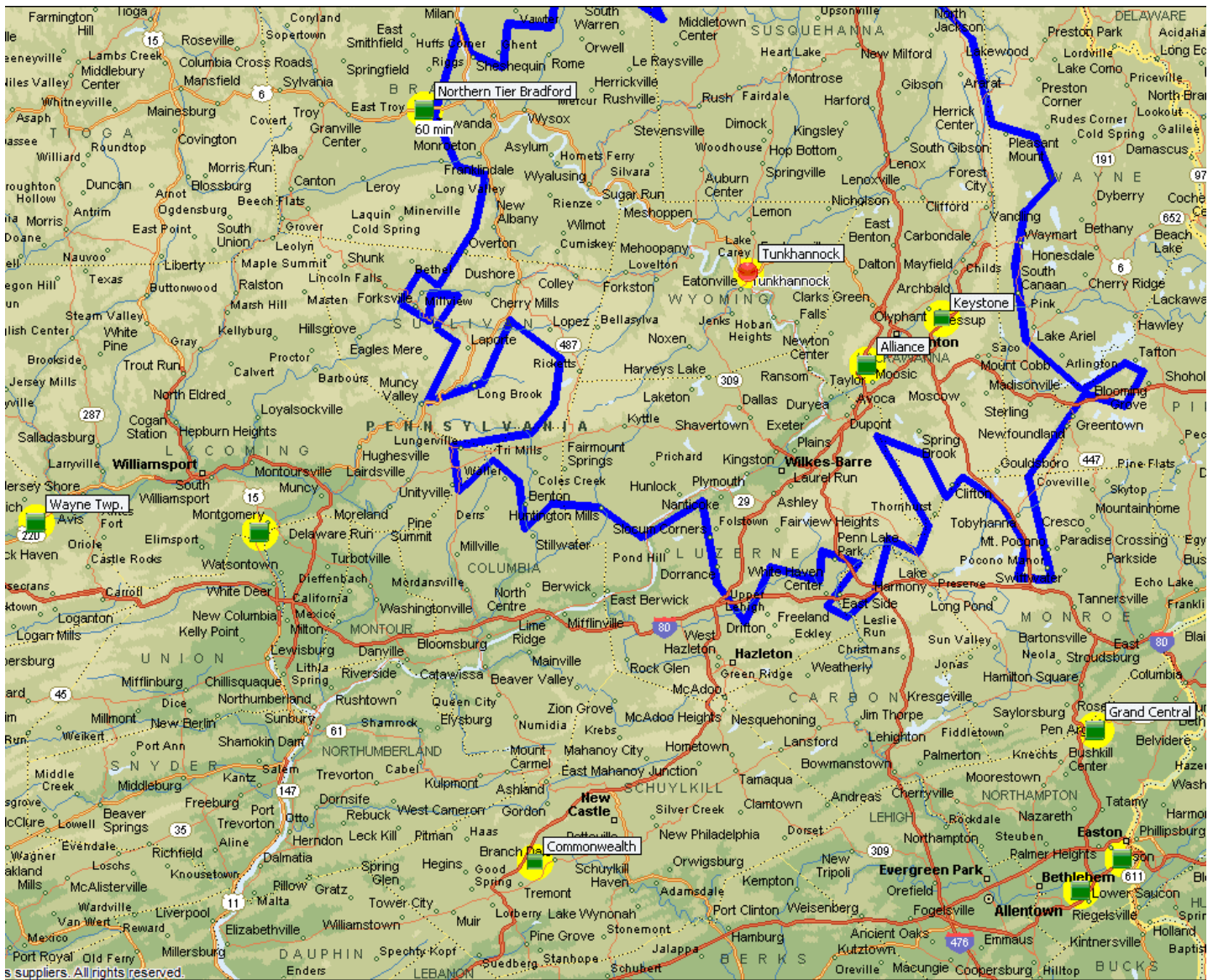
Clinton County Solid Waste Authority
Wayne Township Landfill

Keystone Environmental
Commonwealth Environmental Landfill
Keystone Sanitary Landfill

Northern Tier Solid Waste Authority
Bradford County Landfill #2

Waste Management
Alliance Landfill
Grand Central Landfill

LOCATION OF RECOMMENDED DISPOSAL FACILITIES FOR DESIGNATION



Appendix D

Process to Secure Capacity Assurance

PETITION TO ADD A PROCESSING/DISPOSAL FACILITY

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Wyoming County Municipal Solid Waste Management Plan Petition for Facility Designation

The Wyoming County Board of Commissioners secured Disposal Capacity Agreements sufficient to handle all municipal waste generated within Wyoming County from 2018-2027. Disposal of Wyoming County municipal solid waste is restricted to facilities designated in the Wyoming 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 Wyoming County Office of the Chief Clerk 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 Wyoming County Office of the Chief Clerk
- Within 30 working days of the receipt of a petition, the Wyoming County Office of the Chief Clerk 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 Office of the Chief Clerk 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 Wyoming County Office of the Chief Clerk will notify the Wyoming County Board of Commissioners and the Pennsylvania Department of Environmental Protection of its intentions to add a facility.
- The Wyoming County Office of the Chief Clerk 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 Wyoming County Office of the Chief Clerk 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 Wyoming County Office of the Chief Clerk 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 Wyoming County Office of the Chief Clerk will present the contract to the Wyoming County Board of Commissioners to execute .
- The Wyoming County Office of the Chief Clerk will notify by letter, the petitioner and all County municipalities that the facility has been added to the Plan.

Wyoming County Municipal Solid Waste Management Plan Petition for Facility Designation

Please complete and submit this form to:

Office of the Chief Clerk, Wyoming County, Wyoming County Courthouse,
1 Courthouse Square, Tunkhannock PA, 18657.

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)

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Appendix E

Ordinances

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COUNTY SOLID WASTE AND RECYCLING TRANSPORTERS ORDINANCE

COUNTY SOLID WASTE AND RECYCLING ORDINANCE

ORDINANCE NO. _____
COUNTY OF WYOMING, PENNSYLVANIA

AN ORDINANCE OF THE COUNTY OF WYOMING, PENNSYLVANIA, PROHIBITING THE ACCUMULATION, AND BURYING OF GARBAGE AND OTHER REFUSE MATERIALS UPON PUBLIC AND PRIVATE PROPERTY IN WYOMING COUNTY, EXCEPT IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING WASTE FLOW CONTROL REQUIREMENTS; DIRECTING SOLID WASTE TO DESIGNATED PROCESSING AND/OR DISPOSAL SITES; SETTING STANDARDS FOR COLLECTION AND TRANSPORTATION; ESTABLISHING REPORTING REQUIREMENTS AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

WHEREAS, Act 101 of 1988, the Municipal Waste Planning, Recycling and Waste Reduction Act 101 requires that counties accept responsibilities including the preparation and implementation of Municipal Solid Waste Management Plans that provide for the processing and disposal of the municipal waste generated within their boundaries for at least ten years; and ensure maximum feasible waste reduction and recycling of municipal waste or source separated recyclable material.

WHEREAS, it is the position of the Pennsylvania Department of Environmental Protection that counties may implement a waste flow control mechanism ensuring that the municipal waste generated within the county is disposed at the disposal sites designated in the county plan; and

WHEREAS, the Board of County Commissioners has adopted and approved the 1992 Wyoming County Municipal Solid Waste Management Plan, in accordance with the requirements of Section 501 of Act 101, and said Plan was duly ratified by the municipalities of Wyoming County, and Plan Revisions adopted in 2007 and again in 2019 (herein the "Plan"); and

WHEREAS, the County adopted the County Ordinance No. 1993- 1 on January 5, 1993, which Ordinance is being repealed and replaced by this Ordinance; and,

WHEREAS, the County has the power and duty to adopt any such ordinances deemed necessary to implement its Municipal Solid Waste Management Plan and its revisions by the authority vested to the County pursuant Act 101.

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

SECTION 1- SHORT TITLE

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

SECTION 2- DEFINITIONS

The following words and phrases as used in this Ordinance shall have the meaning ascribed to them herein, unless the context clearly indicates a different meaning:

Act 90 -- The Pennsylvania Waste Transportation Safety Program (HB 2044, Act 2002-90, June 29, 2002)

Act 97 -- The Pennsylvania Solid Waste Management Act of 1980 (P.L. 380, No.97, July 7, 1980)

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

Commercial Establishment -- Any establishment engaged in nonmanufacturing or nonprocessing business, including, but not limited to, stores, markets, offices, restaurants, shopping centers and theaters.

Construction/Demolition Waste -- Solid waste resulting from the construction or demolition of buildings and other structures, including, but not limited to, wood, plaster, metals, asphaltic substances, bricks, block and unsegregated concrete. The term does not include the following if they are separate from other waste and are used as clean fill: (i) Uncontaminated soil, rock, stone, gravel, brick and block, concrete and used asphalt (ii) Waste from land clearing, grubbing and excavation.

County -- Wyoming County or the agency or individual herein designated as the County's representative for the purposes of this Ordinance.

County Transporter -- Any person, firm, partnership, corporation, or public agency who is engaged in the collection and/or transportation of municipal waste and/or recyclables.

Department or DEP -- The Pennsylvania Department of Environmental Protection.

Disposal -- The deposition, injection, dumping, spilling, leaking or placing of solid waste into or on the land or water in a manner that the solid waste or a constituent of the solid waste enters into the

environment, is emitted into the air or is discharged to the waters of the Commonwealth of Pennsylvania

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

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

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

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

Municipality -- Any local municipal government within Wyoming County, including a borough, township, county or an authority created by any 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 under Act 97 from any municipal, commercial or institutional water supply treatment plant, wastewater treatment plant, or air pollution control facility. The term does not include any source-separated recyclable materials. For the purposes of this Ordinance, the term "Municipal Waste" shall include all types of municipal waste except infectious and chemotherapeutic waste and septage waste.

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

Municipal Waste Landfill -- A facility using land for disposing of municipal waste. The facility includes land affected during the

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

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

Person -- Any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, municipality, state institution and agency, or any other legal entity recognized by law as the subject of rights and duties. In any provisions of this Ordinance prescribing a fine, penalty or imprisonment, or any combination of the foregoing, the term "person" shall include the officers and directors of any corporation or other legal entity having officers and directors.

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

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

Recyclables -- All metals, glass, paper, leaf waste, plastics and other materials, which would otherwise be disposed or processed as municipal waste, that are collected, separated, recovered for sale or reuse.

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,

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

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

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

Transporter -- Any person, firm, partnership, corporation or public agency who is engaged in the collection and/or transportation of municipal waste and/or recyclables.

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

SECTION 3 -STANDARDS FOR COLLECTION AND TRANSPORTATION

All Transporters operating within the County must comply with the following minimum standards and regulations:

1. A. All trucks or other vehicles used for collection and transportation of municipal waste must comply with the requirements of Act 97, Act 90, and Act 101 as currently enacted or hereafter amended, and Department regulations adopted pursuant to Act 97, Act 90 and Act 101, including the Title 25, Chapter 285, Subchapter B Regulations for the Collection and Transportation of Municipal Waste.
2. B. All collection and transportation vehicles conveying municipal waste and/or recyclables shall be operated and maintained in a manner that will prevent creation of a nuisance or a hazard to public health, safety and welfare.

Section 4 - PROHIBITED ACTIVITIES

1. It shall be unlawful for any person to accumulate or permit to accumulate upon any public or private property within the County, any garbage, rubbish, bulky waste, or any other municipal or residual solid waste except in accordance with the provision of this Ordinance and the Department Rules and Regulations adopted pursuant to Act 97 and Act 101.
2. It shall be unlawful for any person to dispose of any solid waste in the County except in accordance with the provisions of this Ordinance and any Department Rules and Regulations adopted pursuant to Act 97 and Act 101.
3. It shall be unlawful for any person to scavenge any materials from any municipal waste or source separated recyclable materials that are stored or deposited for collection within the County without the prior written approval by the owner of the materials.
4. It shall be unlawful for any person to salvage or reclaim any solid wastes within the County except at an approved and permitted resource recovery facility under any Department Rules and Regulations adopted pursuant to Act 97 and Act 101.
5. It shall be unlawful for any person to throw, place or deposit, or cause or permit to be thrown, placed or deposited any solid waste in or upon any street, alley, sidewalk, body of water, public or private property within the County except as provided in this Ordinance.
6. It shall be unlawful for any person to mix source separated recyclable materials with solid waste in the same compartment of a vehicle for transport or to dispose of source separated recyclable material.
7. It shall be unlawful for any person to collect and or transport municipal waste from any sources within Wyoming County in a manner that is not in accordance with the provisions of this Ordinance and the minimum standards and requirements established by Act 90, Act 97, and in Chapter 285 of the DEP's Municipal Waste Management Regulations, (as amended) or any other applicable state law.

8. It shall be unlawful for any person to transport any municipal waste collected from sources located within Wyoming County to any processing or disposal facility other than a municipal waste disposal or processing facility that is a designated disposal site under the approved Wyoming County Act 101 Municipal Solid Waste Management Plan. The following types of municipal waste and materials are exempt from this sub-section:

- a. Transporters that deliver waste to a transfer facility shall be exempted from use of the designated disposal facilities provided that the transfer facility ultimately transports waste received from Wyoming County to facilities that are designated disposal sites under the approved Wyoming County Act 101 Municipal Solid Waste Management Plan
- b. Transporters of regulated medical waste shall be exempted from use of the designated disposal facilities.
- c. Transporters of sewage sludge shall be exempted from use of the designated disposal facilities if proof of an approved land application or composting facility is provided.
- d. Transporters of septage shall be exempted from use of the designated disposal facilities but must provide proof of use of a DEP approved land application or permitted wastewater treatment facility for disposal.
- e. Transporters of recyclables shall be exempted from use of the designated disposal facilities but must provide proof that the recyclables are taken to a material recovery processing facility or marketed for end use.

SECTION 5- EXEMPTED ACTIVITIES

The following activities shall not be subject to the provisions of this Ordinance with respect to standards for collection, prohibited activity or penalty:

- A. Municipalities participating in municipally sponsored clean-up days during the time that such vehicles or municipalities are engaged in those municipally sponsored clean-up activities.

B. Municipalities participating in county or municipally sponsored recycling collection during the time that such vehicles or municipalities are engaged in those county or municipally sponsored recycling activities.

C. The transportation of less than 500 pounds of municipal waste and/or recyclables collected and/or transported as part of a non-commercial activity occasionally occurring at an individual residence.

SECTION 6- REPORTING REQUIREMENTS

1. All County Transporters shall maintain current, up-to-date records of the customers serviced within Wyoming County. Such records and customer list shall be subject to inspection and must be made available to the County or its authorized agents upon request.

2. Each Transporter shall prepare and submit on forms provided by the County, a typewritten or legibly printed bi-annual report to the Recycling Coordinator. The report shall be submitted on or before the last day of the following months: July, and January. At a minimum, the following information shall be included in each quarterly report

A. The total weight of each type of municipal waste and/or recyclables collected from all sources located in Wyoming County during each month of the reporting period;

B. The name of each processing or disposal facility and/or material recovery or end market the hauler used during the reporting period and the total weight of each type of municipal waste and/or recyclable that was delivered to each site during each month of the reporting period;

C. The name of each municipality in Wyoming County in which the hauler collected municipal waste and/or recyclables from any source during the reporting period;

SECTION 7: WYOMING COUNTY RULES AND REGULATIONS

1) In order to carry forth the power and duty to implement the Plan

and this Ordinance, the County shall have the power in its discretion to adopt and enforce the County's Rules and Regulations.

2) County Rules and Regulations shall, at a minimum:

- a) Identify the County Designated Facility(s) where persons and Transporters may dispose of regulated waste;
- b) Specify such predisposal processing or separation or other requirements as are deemed necessary or convenient for the protection of public health and safety and the efficient, effective, reliable, and safe operation of the System;
- c) Establish fees for use of the System; reporting mechanisms, and
- d) Establish fees and penalties for violations of County Rules and Regulations, which fees and penalties may be established as determined by the County in an amount designed to protect the public health and safety and the System and to compensate the County for the costs, damages, and lost revenues related to any such violation. These fees and penalties for violations are in addition to those provided by Act 101.

3) County Rules and Regulations shall ensure the efficient, effective, reliable and safe operation of the System.

SECTION 8 - PENALTIES

Any Person violating any provision of this Ordinance, or any provision of County Rules and Regulations, shall, upon conviction thereof in a summary proceeding, be sentenced for each violation to pay:

- A. First Offense: A fine of not less than \$50 and not more than \$300 plus costs of prosecution.
- B. Second Offense: A fine of not less than \$100 and not more

than \$300 plus costs of prosecution.

C. Third and Subsequent Offenses: \$300 plus costs of prosecution.

D. In default of the payment of such fine and costs, to undergo imprisonment for not more than ten (10) days

Each violation of any provision of this Ordinance or of any provision of the County Rules and Regulations, and each day that such a violation shall exist, shall constitute a separate violation and offense.

SECTION 9: ENFORCEMENT AND PROSECUTION

The County shall administer and enforce the provisions of this Ordinance and the provisions of the County Rules and Regulations.

SECTION 10 - INJUNCTIVE POWERS

The County or its designated agency may petition the Court of Common Pleas of Wyoming County for an injunction, either mandatory or prohibitive, in order to enforce any of the provisions of this Ordinance.

SECTION 11 - SEVERABILITY

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

SECTION 12 -CONFLICT

Any ordinances or any part of any ordinances, which conflict with this Ordinance are hereby repealed insofar as the same is specifically inconsistent with this Ordinance. This Ordinance specifically repeals and vacates the County Ordinance No. 1993-1 adopted on January 5, 1993.

SECTION 13- IMPLEMENTATION

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

EFFECTIVE DATE

This Ordinance shall take effect on _____, 2019.

ORDAINED AND ENACTED into an Ordinance this _____ day of _____, 2019.

COUNTY OF WYOMING BY THE
BOARD OF COUNTY COMMISSIONERS

ATTEST:

Thomas S. Henry Chairman

Judy Kraft-Mead, Vice-Chairwoman

(COUNTY SEAL)

Michael Stabinsky, Commissioner

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Appendix F

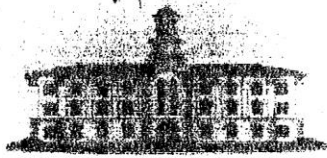
Drop-off Site Agreements

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Thomas S. Henry
Chairman

Judy Kraft Mead

Ronald P. Williams



William Gayford
Chief Clerk

James E. Davis
Solicitor

Commissioners of Wyoming County
1 Courthouse Square
Tunkhannock, PA 18657
(570) 996-2273
(570) 836-7244

Wyoming County Recycling Trailer Contract

In order to use a Wyoming County Recycling Trailer a municipality must sign a contract with Wyoming County Recycling Center. The Agreement is a one year agreement, renewable automatically for a successive one year term, unless either the county or the township gives notice to the other in writing, not less than 30 days from the end of the current term of intent to terminate or modify said agreement. There is a \$15/ton tipping fee for recycling tonnage brought to the recycling center. The municipality is responsible for transporting the recycling trailer to the Wyoming County Recycling Center. The municipality is requested to call the recycling center before bringing the recycling trailer to be unloaded. In an emergency if the municipality cannot bring it, they can call the recycling center at least one day ahead of time to come and get the trailer. The recycling center would give the municipality handouts to be put into the municipalities mailing for education. The Wyoming County Recycling Center is responsible for the the recycling trailer unless the municipality does something to it.

Bonnie Rosink
Supervisor

Date: 7/23/14

David Souza
Supervisor

Date: 7/23/14

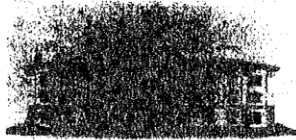
Tom Henry
Tom Henry
Chairman
Wyoming County Commissioners

Date: 7/16/14

Thomas S. Henry
Chairman

Judy Kraft Mead

Ronald P. Williams



William Gaylord
Chief Clerk

James E. Davis
Solicitor

Commissioners of Wyoming County

1 Courthouse Square
Franklin, PA 18637
(570) 996-2273
(570) 836-7244

This is a Contract for Municipalities that have the Wyoming County Recycling Center pick up our recycling trailer at their site and take it to the Wyoming County Recycling Center to be unloaded.

This is a one year contract that will automatically renew unless written cancellation is received including an explanation for cancellation 60 days prior to date of renewal. If the Wyoming County Recycling Center for any reason needs to make changes to this contract, the municipality will be notified 60 days prior to the renewal date.

Recycling Tonnage Tipping Fee is \$25.00/ton (Flat Rate \$15.00 and Additional \$10.00 per ton.)

Municipalities Requirement:

1. Calls for pickup of the recycling trailer must be made one day prior to pick up and the trailer must be full.
2. If possible recycling items should be placed in the recycling trailer or if trailer is full placed in one pile beside it.
3. In the winter months please remove snow from the top and sides of the recycling trailer making it safe for travel.
4. If for some reason the County Recycling Center cannot pick up the trailer, the municipality will be responsible to bring the trailer to our Recycling Center and pay the flat rate of \$15/ton with a maximum of 4-6 times a year.
5. The Recycling Center will give the municipality educational handouts of general recycling items accepted at the Recycling Center two times a year to put into their mailing.

6. Since the County paid one-third of the cost of purchasing security cameras to be placed in the recycling trailer sites for Passapatanz Borough and Clinton Township, if any unacceptable items are found in the recycling trailer by the Recycling Center and the Center is unable to locate a source on these items. Therefore, it will be the responsibility of the municipality to retrieve the security camera and contact the Recycling Center.
7. The Wyoming County Recycling Center will need the names and telephone numbers of the municipality worker(s) who will be responsible for letting the Recycling Center know when the recycling trailer is full or any other issues related to the recycling trailer. This is needed for 606 records.

Charles E. Kubic
Supervisor

Date: 6/17/14

John F. Buchner
Supervisor
Passapatanz Borough Manager

Date: 6-13-14

John Henry
Chairman
Wyoming County Commissioners

Date: 6-19-14

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Appendix G

Resolution to Approve Plan

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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 County department or agency, 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 County Board of Commissioners designated the Wyoming County Office of the Chief Clerk and the Recycling Coordinator to prepare the revision to its prior Plan; and

WHEREAS, pursuant to the request of the County Board of Commissioners, the Wyoming County Office of the Chief Clerk and the Recycling Coordinator have prepared (as a revision to the prior Plan) the Wyoming County Municipal Solid Waste Management Plan of 2018 and

WHEREAS, the County Board of Commissioners believes that the 2018 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 2018 Plan 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 2018 Wyoming 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 2018 Plan.

Approved this ____ day of _____, 2019.

COUNTY OF WYOMING

By: _____
Commissioner

By: _____
Commissioner

By: _____
Commissioner

ATTEST:

Chief Clerk

Appendix H

Meeting Minutes and Public Comments

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SOLID WASTE ADVISORY COMMITTEE MEETING APRIL 19, 2017

April 19, 2017 SWAC Meeting 6:00 P.M. at the Wyoming County Recycling Center

Agenda:

We reviewed the draft on Chapter 4 Challenges and Reward of Rural Recycling for the Solid Waste Plan with Consultant Michele Nestor. We also discussed about a Convenience Center at the recycling center and items that we could be taking to help increase revenues and tonnages. The only minor changes that Mike Rogers seen was on page 120.

We discussed concerns for the glass that comes to the recycling center and other more convenient ways to recycle the glass. We talked to Roger Hadsall that is a Solid Waste member that works for Tunkhannock Borough Municipal Water Authority on usage of glass instead of sand for some of their processes at the water treatment plant.

Mike Rogers stated that on March 31, 2017 an acceptance letter was received from DEP for the 901 A Municipal Waste Planning Grant. The Commissioners and Chief Clerk have to sign the agreement and send it back to DEP so that we can be reimbursed 80% of the total cost of \$55,012 for doing the Solid Waste Plan. DEP's cost is 80% \$44,010 and the Counties cost is 20% \$11,002 for doing the revision of the Solid Waste Plan. The agreement was signed and returned back to DEP on April 20th

Wyoming County Recycling is having an Electronic Event on May 6th from 9to 12. The next Electronic Event is scheduled for September 9th from 9 to 12. Michele Nestor was letting us know what is going on with the CDRA for electronics future and the sunset dates for Grants.

A draft of The Request For Proposal was received on April 19th from Michele Nestor for the County Solicitor to look over for the Solid Waste Plan.

No one had any questions. The meeting was from 6:00 p.m. to 7:30 p.m.

The next SWAC meeting is scheduled for September 21st 6:00 p.m. at the recycling center unless there is a need for a meeting before that.

Present:

Roger Hadsall

Tunkhannock Borough Municipal Authority

Glenn Shupp

Tunkhannock Township

Norm Ball	Tunkhannock Borough
Stacy Huber	Tunkhannock Borough
Richard Macialek	Lion's Club
Tom Henry	Wyoming County Commissioner
Mike Rogers	Wyoming County Recycling Coordinator
Absent:	
Wendy Dunlap	H & D Waste
Russell Hodgson	Simply Junk
Wayne Wintermute	Procter & Gamble

SOLID WASTE ADVISORY COMMITTEE MEETING SEPTEMBER 20,2017

SWAC MEETING ON SEPTEMBER 20, 2017 AT THE WYOMING COUNTY RECYCLING CENTER FROM
6:00 P.M. TO 7:00 P.M.

Present:

Glenn Shupp	Tunkhannock Township
Richard Macialek	Lion's Club
Norm Ball	Tunkhannock Borough
Michele Nestor	Consultant for SW Plan
Wayne Wintermute	Procter and Gamble
Roger Hadsall	Tunkhannock Borough Municipal Authority
Tom Henry	Wyoming County Commissioner
Michael Rogers	Wyoming County Recycling Coordinator

Absent:

Stacy Huber	Tunkhannock Borough
Wendy Dunlap	H&D Waste
Russell Hodgeson	Simply Junk

Agenda:

The Committee reviewed the documents of the Wyoming County Municipal Solid Waste Disposal Capacity Procurement and Chapter 6 of the Facilities Designated for Waste Management of our Solid Waste Plan for years 2018-2027. It also was discussed that a meeting with Wyoming County Municipalities be set up to get feedback from them on any recycling or solid waste issues.

The Governor's Budget Plan, future grants, the convenience center and the items that we might take at the convenience center was discussed.

A report was given on how the Electronic Events went for May and September of this year. Also, dates for the 2018 Electronic Event was discussed.

Tonnage for the recycling center was presented and the current markets concern and prices.

No one had any comments.

The Solid Waste Advisory Committee Meeting for 2018 will be on April 19th and September 20th in 2018 at 6:00 p.m. for both dates and it will be at the Wyoming County Recycling Center. Unless there is a need for a meeting prior to that. Adjourn

SOLID WASTE ADVISORY COMMITTEE MEETING MAY 1, 2018

May 1, 2018 SWAC Meeting 6:00 p.m. at the Wyoming County Recycling Center

Agenda:

The SWAC, Consultant Michele Nestor, Commissioner Tom Henry and Recycling Coordinator Mike Rogers talked to Mark Ide and Bill Feher of EIO Waste Solution from Monroe Township in Wyoming County about the opening up of a Transfer Station at their site in Wyoming County. Bill Feher said that they are working on all of the paperwork to start the process for the Transfer Station, they talk to the Monroe Township Supervisors and received their approval and also talked to Wyoming County Planning and the Wyoming County Recycling Coordinator about the Transfer Station. Michele Nestor informed Mark and Bill that they would have to use a landfill that was in the Wyoming County Solid Waste Plan and they said that they would be using Wayne Township Landfill in Clinton County, which will be in our new Solid Waste Plan. Bill also said that they would estimate that they would receive about 30 to 40 ton daily of MSW and informed us on the other items that they were going to be doing at the Transfer Station is clean wood waste, scrap metal and single stream recycling which they already do. It is only Municipal Solid Waste, No Residual. They will be working with DEP with any permits and paperwork needed. Bill Feher said that they would keep the County, Township and DEP informed through the process. Michele Nestor, Tom Henry and Mike Rogers said it would be good to work together on anything to help each other out.

Other Topics:

Michele Nestor went over the rough drafts of Chapter 9 Ordinances, Rules and Contracts, Chapter 12 Public Perception and Acceptance, Chapter 3 Estimates of Future Disposal Needs, Chapter 7 Implementation and Administration and Chapter 11 Cooperation in the Market. Also, we discussed a Convenience Center and possibly changing the Ordinance on Illegal Dumping.

Mike Rogers informed attendees that the Wyoming County Recycling will be having an Electronic Event for the year 2018 on May 19th and September 8th both dates hours are from 9:00 a.m. to 12:00 p.m. Michele Nestor stated they are still working on the revamping of the CDRA.

No one had any questions. The meeting was from 6:00 p.m. to 8:00 p.m.

The next SWAC meeting is scheduled for September 20, 2018 6:00 p.m. at the Wyoming County Recycling Center unless there is a need for a meeting before that.

Adjourn

Present:

Russell Hodgson	Simply Junk
Stacy Huber	Tunkhannock Borough
Richard Macialek	Lion's Club
Norm Ball	Tunkhannock Borough
Mark Ide	EIO Waste Solution (Special Guest)
Bill Feher	EIO Waste Solution (Special Guest)
Glenn Shupp	Tunkhannock Township
Roger Hadsall	Tunkhannock Borough Municipal Authority
Tom Henry	Wyoming County Commissioner
Michele Nestor	Consultant- Nestor Resources
Mike Rogers	Wyoming County Recycling Coordinator

Absent:

Wayne Wintermute	Procter & Gamble
Wendy Dunlap	H&D Waste

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Appendix I

Executed Capacity Agreements

PLEASE NOTE:

In the original hard copy, published version of the Wyoming County Municipal Solid Waste Management Plan, the executed disposal capacity agreements are inserted behind this cover sheet. The original is kept in the files of the Wyoming County Office of the Chief Clerk. Printed copies of the Plan do not contain the executed agreements.

- For the cd rom electronic digital version of the plan, the executed disposal capacity agreements are not incorporated into the document but are provided in a separate folder on the disk.
- For the internet version of the plan, the executed disposal capacity agreements are not incorporated into the document but are available for review at the offices of the Wyoming County Office of the Chief Clerk.

