



MUNICIPAL SOLID WASTE ORDINANCE REVISION

Presentation: September 21, 2020
Public Hearing: October 5, 2020

Presented by:
Donald T. Nunes, MLA
Director of Public Works



PRESENTATION TOPICS

- **GOAL OF THE MUNICIPAL SOLID WASTE (MSW) ORDINANCE REVISION**
- HOW WE ARRIVED HERE
- FUTURE OF MSW IN CONNECTICUT
- MSW AND RECYCLING DATA
- DIFFERENCE BETWEEN TOWN ORDINANCE CHAPTER 70 – SOLID WASTE AND DPW POLICY
- REVISIONS TO THE CURRENT ORDINANCE
- IMPLEMENTATION





GOAL OF THE MUNICIPAL SOLID WASTE (MSW) ORDINANCE REVISION

UPDATE	Update our solid waste ordinance to improve efficiency , safety, remove ambiguity and introduce future cost savings.
IMPLEMENT	Implement quality and quantity standards.
REDUCE	Reduce MSW tonnage by diverting more into the recycling program and limiting residential capacity.
FLEXIBILITY	Account for facility changes, creating adjustable policy to meet changing needs and current MSW climate.



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HOW WE ARRIVED HERE

- NUMEROUS MEETINGS WITH THE TOWN COUNCIL DPW SUBCOMMITTEE OVER THE LAST 18 MONTHS
- MULTIPLE WORK SESSIONS WITH THE OFFICE OF THE TOWN ATTORNEY
- REVIEWS OF THE ORDINANCE BY DPW STAFF INCLUDING FRONT LINE EMPLOYEES, CREW LEADERS, DIVISION MANAGERS AND ADMINISTRATIVE STAFF
- ATTENDANCE AT SEVERAL CONFERENCES FROM CENTRAL CONNECTICUT SOLID WASTE AUTHORITY (CCSWA), MATERIALS INNOVATION AND RECYCLING AUTHORITY (MIRA) AND THE STATE OF CONNECTICUT TO UNDERSTAND TRENDS AND THE STATE OF MSW



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FUTURE OF MSW IN CONNECTICUT

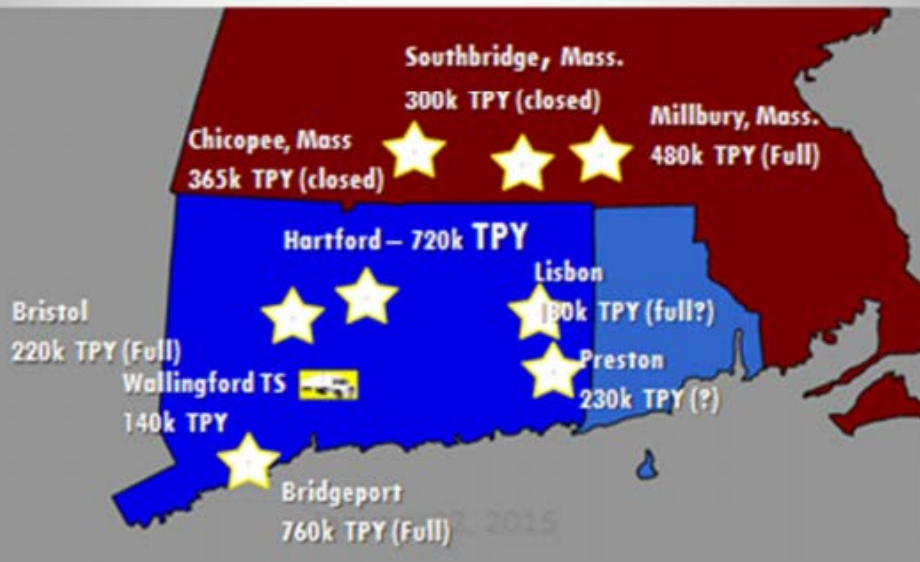
- IN JULY 2020, GOVERNOR LAMONT REJECTED A PROPOSAL TO SPEND MORE THAN \$330M TO UPGRADE MIRA.
- GOVERNOR LAMONT STATES, “I cannot support sending hundreds of millions of state taxpayer or electric ratepayer dollars to MIRA to attempt to keep a failing, decades-old facility running, right here in Hartford, where it impacts our vulnerable residents. A permanent trash export operation is also a nonstarter. It’s time for new ideas.”
- SHORT TERM OPTIONS INCLUDE RENOVATING THE HARTFORD PLANT OR SHIP THE TRASH OUT OF STATE.
- RENOVATING MIRA COULD PRODUCE TIPPING FEES UP TO \$145/TON.





FUTURE OF MSW IN CONNECTICUT

Regional MSW Disposal Capacity



*TPY = TONS PER YEAR

- THE STATE OF CONNECTICUT HAS NO SIGNIFICANT IN-STATE WASTE-TO-ENERGY (WTE) CAPACITY AVAILABLE.
- NO MSW LANDFILLS IN THE STATE.
- THE NEW YORK AND SOUTHERN NEW ENGLAND REGIONS SIMILARLY HAVE NO AVAILABLE CAPACITY.
- IF EXPORTING MSW IS THE OPTION, THE MARKET WILL BE GOVERNED BY TRANSPORTATION COSTS IN ADDITION TO TIPPING FEES.



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MSW AND RECYCLING DATA

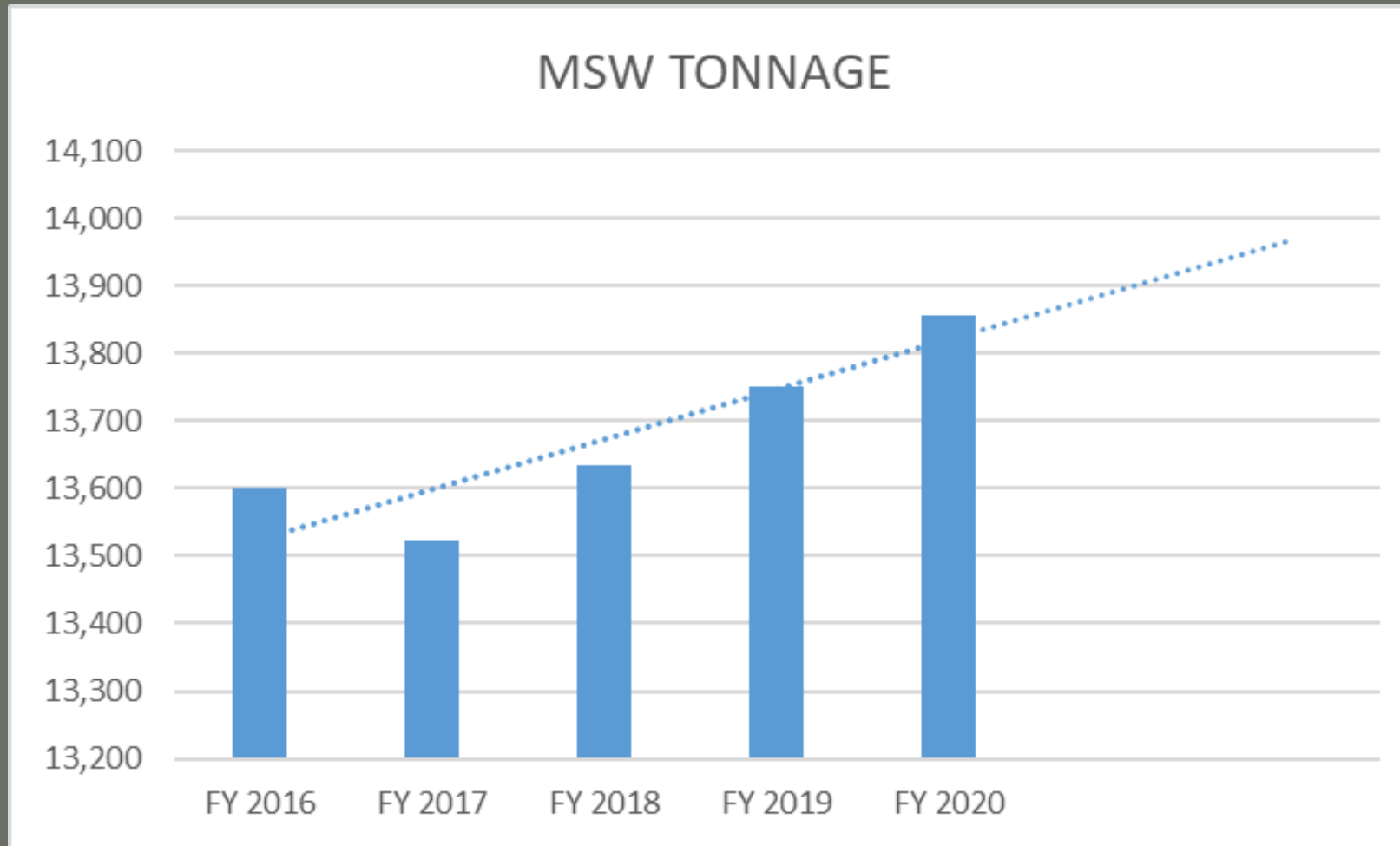
MSW	COST PER TON	TOTAL COST FOR YEAR	TONS
FY 2016 (Covanta)	\$ 61.72	\$ 839,422.63	13,600.50
FY 2017	\$ 63.27	\$ 867,372.54	13,522.28
FY 2018	\$ 70.00	\$ 976,396.09	13,634.36
FY 2019	\$ 71.00	\$ 975,682.65	13,749.76
FY 2020	\$ 73.00	\$ 1,012,325.84	13,855.90
FY 2021*	\$ 80.50	\$ 110,474.24	1,371.60
TOTALS		\$ 4,781,673.99	69,734.40
* JULY 2020 TOTALS ONLY			

NOTE: Per contract, fee for FY 2022 \$81.50, FY 2023 \$83.00





MSW AND RECYCLING DATA





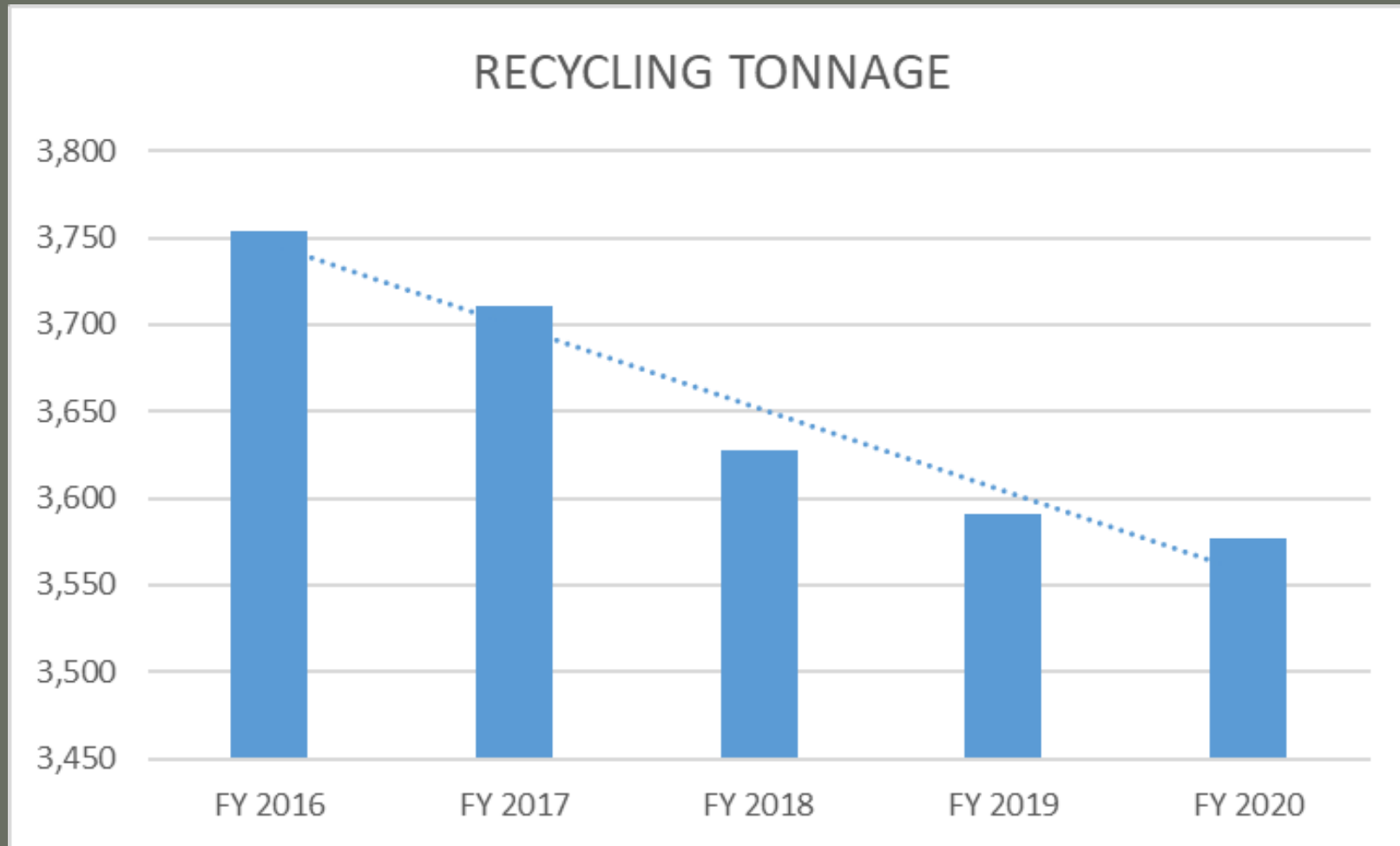
MSW AND RECYCLING DATA

RECYCLING	COST PER TON	TOTAL COST FOR YEAR	TONS	TOTAL \$ RECEIVED
FY 2016	-----		3,753.99	\$87,678.27
FY 2017	-----		3,710.26	\$84,408.42
FY 2018	\$ 10.00	\$ 36,271.70	3,627.17	
FY 2019	\$ 10.25	\$ 36,804.47	3,590.68	
FY 2020	\$ 10.51	\$ 37,591.54	3,576.74	
FY 2021*	\$ 10.78	\$ 3,971.78	368.44	
TOTALS		\$ 114,639.49	18,627.28	





MSW AND RECYCLING DATA





MSW AND RECYCLING DATA

TRANSFER STATION MSW	TONNAGE	TOTAL COST FOR YEAR
FY 2016	1,783.60	\$ 209,873.60
FY 2017	1,859.15	\$ 211,912.80
FY 2018	1,953.97	\$ 226,668.40
FY 2019	1,806.90	\$ 242,968.80
FY 2020	1,792.17	\$ 262,910.38
JULY/AUGUST 2020	402.78	\$ 60,198.70
TOTALS	9,598.57	\$ 1,214,532.68

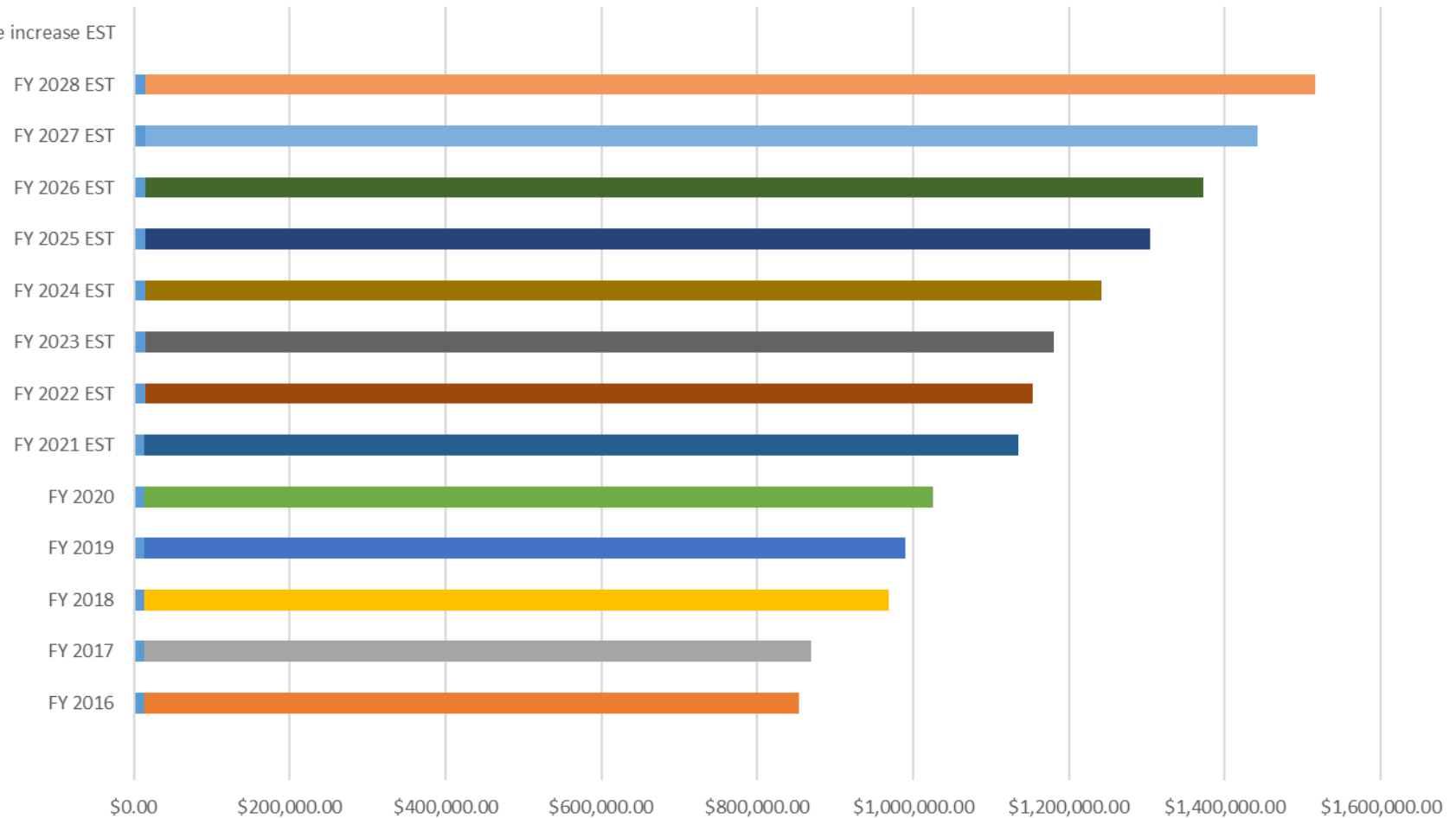




MSW AND RECYCLING DATA

Tipping Fee Projection

.47% yearly tonnage increase EST



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DIFFERENCE BETWEEN TOWN ORDINANCE CHAPTER 70 SOLID WASTE AND DPW POLICY

- AN ORDINANCE IS THE OFFICIAL CODIFIED LAW OF THE TOWN, ADOPTED BY THE TOWN COUNCIL. ONLY THE TOWN COUNCIL CAN AMEND OR REPEAL THE ORDINANCE.
- A POLICY IS THE PROCEDURE FOR IMPLEMENTATION OF THE ORDINANCES. EXAMPLES OF A POLICY INCLUDE SETTING THE COST OF A REPLACEMENT TIPPER BARREL, FALL LEAF PICKUP DATES AND HOURS OF OPERATION AT THE TRANSFER STATION.



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REVISIONS TO THE CURRENT ORDINANCE

• DEFINITIONS

Authority	<i>Authority</i> means the Connecticut Resources Recovery Authority (CRRA) established pursuant to G.S. ch. 446e or any board, body, commission department, officer, agency or other successor thereto.	Removed in REVISED ordinance.
Bulky Waste	<i>Bulky waste</i> includes, but is not limited to, wood waste from construction and demolition activity	<i>Bulky waste</i> means waste resulting directly from demolition activities other than clean fill and includes wood (tied and bundled, no longer than six feet in length); furniture, metal, and appliances (excluding: refrigerators, air conditioners, dehumidifiers, and all electronics); carpets and linoleum; mattresses and box springs.
Collector	Not in current description	<i>Collector</i> means any person, firm, or corporation that is engaged in the business of regularly collecting solid waste from residential, business, commercial or other establishments. Collector does not include: (1) Any person who transports solid waste that is incidentally generated during professional or commercial activities unrelated to the collection of solid waste, such as residential property repairs, provided such solid waste is self-generated by such person's professional or commercial activities and such solid waste is transported to an authorized recycling facility, a permitted recycling facility, or a permitted solid waste facility, and (2) any person who transports used materials for the purpose of delivering such materials to a charitable organization that distributes reused household items or to a retail facility that sells reused household items.





REVISIONS TO THE CURRENT ORDINANCE

- DEFINITIONS

Commercial Solid Waste	<i>Commercial solid waste</i> means any solid waste arising from any source other than residential.	Removed in REVISED ordinance.
Common gathering venue	Not in current description	<i>Common gathering venue</i> means any area or building located in the Town or portion thereof, that is open to the public, including but not limited to, any (1) building that provides facilities or shelter for public assembly; (2) inn, hotel, motel, sports arena, supermarket, transportation terminal, retail store, restaurant or other commercial establishment that provides services or retails merchandise; or (3) museum, hospital, auditorium, movie theater or university building.
Condominium Unit	Not in current description	Condominium unit, a single-family residential condominium or planned residential development.





REVISIONS TO THE CURRENT ORDINANCE

- DEFINITIONS

Contractual standards for solid waste delivered to the designated solid waste facility

Contractual standards for solid waste delivered to the designated solid waste facility are as follows:

- (1) The waste must emanate from within the boundaries of the town;
- (2) The waste must not be of such a quantity, quality or other nature as to materially impair the operation or capacity of the DSWF or any portion thereof, normal and reasonable wear and usage excepted;
- (3) The waste must not be of such a quantity, quality or other nature as to materially impair the strength or the durability of the structures, equipment or works of the DSWF;
- (4) The waste must not be of such a quantity, quality or other nature as to create flammable or explosive conditions in the DSWF;
- (5) The waste must not contain chemical or other properties which are deleterious, as determined by the CRRRA, or capable of damaging the DSWF or personnel; and
- (6) Such waste must not contain hazardous waste as defined below.





REVISIONS TO THE CURRENT ORDINANCE



- DEFINITIONS

Curbside placement	<i>Curbside placement</i> means a location on the roadway pavement, against the curb, on the edge of road with the grass, and/or up against a snow bank during the winter months, with no obstruction	Curbside placement means a location on the roadway pavement against the curb; on roadway pavement adjacent to the edge the grass; or against a snowbank during the winter months. The tipper barrel must be oriented as indicated by manufacturer’s marking on the tipper barrel with no obstruction within three feet in any direction
Customer	<i>Not in current description</i>	<i>Customer</i> means a resident or commercial entity and any other establishment or institution, including without limitation any landlord, and any association or company managing a condominium.
DEEP	<i>Not in current description</i>	<i>DEEP</i> means the Department of Energy and Environmental Protection or its successor agency.
Directed solid waste facility or DSWF	<i>Directed solid waste facility or DSWF</i> means the location or facility designated by the town for disposal of solid waste, bulky waste and/or recyclables generated within the town, including any other site as may be temporarily substituted.	Removed in REVISED ordinance.
Disposal charge	<i>Disposal charge</i> means the amount to be charged for each ton of solid waste delivered to the DSWF as established by the procedures authorized in the municipal service agreement.	<i>Disposal charge</i> means the amount to be charged for each ton of solid waste delivered to the SWF as established by the procedures authorized in the municipal service agreement.



REVISIONS TO THE CURRENT ORDINANCE



• DEFINITIONS

Fine	<i>Not in current description</i>	<i>Fine</i> means monetary penalty for violations of this ordinance.
Generator	<i>Generator</i> means any person who creates solid waste.	<i>Generator</i> means any person or entity that creates solid waste or recyclables.
Hazardous Waste	(2) Hazardous waste identified by regulation by the department of environmental protection; and (3) Polychlorinated biphenyls in concentrations greater than 50 parts per million, but does not mean byproduct material, source material or special nuclear material, as defined in G.S. § 22a-151, or scrap tires.	2. hazardous waste identified by DEEP regulations; 3. polychlorinated biphenyls (PCBs) in concentrations greater than 50 parts per million, but does not mean byproduct material, source material or special nuclear material, as defined in Conn. Gen. Stat. § 22a-151; and 4. tires.
Materials Recycling Facility (MRF)	<i>Not in current description</i>	<i>Materials Recycling Facility (MRF)</i> is a specialized plant that receives, separates, and prepares recyclable materials for marketing to end-user manufacturers.
Multifamily Homes	<i>Not in current description</i>	<i>Multifamily homes</i> are residential homes with at least two, but no more than six, units/apartments. Multifamily homes with more than six units/apartments are considered a commercial property for purposes of this ordinance. Accessory apartments are excluded from this definition.



REVISIONS TO THE CURRENT ORDINANCE



- DEFINITIONS

Municipal service agreement	<i>Municipal service agreement</i> means the contract between the town and the CRRA.	Removed in REVISED ordinance.
Municipal Solid Waste (MSW)	<i>Not in current description</i>	<i>Municipal Solid Waste (MSW)</i> means solid waste from residential, commercial, and industrial sources, excluding solid waste consisting of significant quantities of hazardous waste, land-clearing debris, demolition debris, biomedical waste, sewage sludge and scrap metal.
Plastic bags	<i>Plastic bag</i> means a bag used for the disposal of household refuse, of not greater than 35-gallon capacity, manufactured of pliable plastic material of a two-mil. thickness, of sufficient strength to contain 40 pounds of material.	<i>Plastic bag</i> means any bag made of plastic, purchased for the disposal of household waste and not plastic single-use shopping bags.
Policy	<i>Not in current description</i>	<i>Policy</i> means a course or principle of action adopted or proposed by a government, party, business, or individual.



REVISIONS TO THE CURRENT ORDINANCE



- DEFINITIONS

Recyclables	<i>Recyclables</i> means discarded material which may be reclaimed, such as cardboard, batteries, glass, metal, plastics, newspapers, office paper, crankcase oil, brush and leaves, grass clippings and any other material designated as such by regulation adopted by the state commissioner of environmental protection or by local regulation or ordinance.	<i>Recyclables</i> means discarded material which may be reclaimed, such as cardboard, batteries, glass, metal, plastics, newspapers, office paper, crankcase oil, brush and leaves, grass clippings and any other material designated as such by regulation adopted by the DEEP or by local regulation or ordinance.
Refuse collector	<i>Refuse collector</i> means a person, firm or corporation engaged in the business of collecting and transporting solid waste for profit within the town.	Removed in REVISED ordinance.
Residential waste	<i>Residential waste</i> means waste generated by persons living in residences containing not greater than six dwelling units, but excluding hospitals, motels or hotels.	<i>Residential waste</i> means solid waste, recyclables, and yard waste generated by persons living in residences containing not greater than six dwelling units, but excluding hospitals, motels, hotels, or other facilities with communal living quarters.



REVISIONS TO THE CURRENT ORDINANCE



- DEFINITIONS

Solid Waste	<i>Solid waste</i> is defined as provided in G.S. § 22a-207(3), but excluding:	<i>Solid waste</i> , also known as municipal waste, means unwanted or discarded solid, semisolid or contained gaseous material, including, but not limited to, demolition debris, material burned or otherwise processed at a resources recovery facility or incinerator, material processed at a recycling facility and sludges or other residue from a water pollution abatement facility, water supply treatment plant or air pollution control facility, excluding:
Solid Waste Facility	<i>Not in current description</i>	<i>Solid Waste Facility (SWF)</i> any solid waste disposal area, volume reduction plant, transfer station, wood burning facility, or biomedical waste treatment facility.
Tipper Barrel	<i>Tipper barrel</i> means a container for refuse of not less than 35 nor more than 120-gallon capacity, with an attached lid that allows for a 270-degree swing to the rear of the container, of a design for automated or semi-automated transfer of the refuse from the container into the refuse collection vehicle.	<i>Tipper barrel</i> means a container for refuse of not less than 35 nor more than 96-gallon capacity, with an attached lid that allows for a 270-degree swing to the rear of the container, compatible for automated or semi-automated transfer of the refuse from the container into the refuse collection vehicle. Gray tipper barrels are for solid waste. Blue tipper barrels are for recyclables. Brown tipper barrels are for yard waste.



REVISIONS TO THE CURRENT ORDINANCE



- DEFINITIONS

Town	<i>Not in current description</i>	<i>Town</i> means the Town of Enfield.
Town's Transfer Station	<i>Not in current description</i>	<i>Town's Transfer Station</i> means the Town owned transfer station facility on Town Farm Road.
Written warning	<i>Written warning</i> means a warning issued in writing and on a form specified by the director or his designee to first time violators of this article. The written warning shall state the section of the ordinance violated, the date of the violation, and the remedial action required.	<i>Written warning</i> means a warning issued in writing and on a form specified by the Director or his or her designee to first time violators of this article.
Yard waste	<i>Not in current description</i>	<i>Yard waste</i> means grass, grass clippings, bushes, shrubs, clippings from bushes and shrubs, and vegetative debris. <i>Yard waste</i> excludes branches greater than three inches in diameter and/or three feet in length, logs, stumps, stones, rocks, dirt, and waste from construction, renovation, or demolition.



REVISIONS TO THE CURRENT ORDINANCE



NOTABLE CHANGES

- INCORPORATE FLEXIBLE POLICY REFERENCES WITHIN THE ORDINANCE TO ADDRESS DISPOSAL FACILITY CONTRACT CHANGES.
- MUNICIPAL SOLID WASTE COLLECTION: ONE TIPPER BARREL FOR TRASH WILL BE COLLECTED PER WEEK AT NO CHARGE.
- A MAXIMUM OF UP TO THREE ADDITIONAL GREY TIPPER BARRELS, PER RESIDENCE, WILL BE AVAILABLE FOR AN ANNUAL FEE TO BE ESTABLISHED BY THE DIRECTOR. (TOTAL OF FOUR TIPPER BARRELS PER RESIDENCE.)
- LIMIT MAXIMUM SIZE OF TIPPER BARRELS TO 96-GALLON.
- NO EXTRA BAGS OR ITEMS COLLECTED OUTSIDE OF TIPPER AFTER HOLIDAYS.
- TIRES ARE NO LONGER ACCEPTED.



REVISIONS TO THE CURRENT ORDINANCE

NOTABLE CHANGES

- TIPPER BARRELS MUST NOT HAVE ANY OBSTRUCTIONS WITHIN THREE FEET IN ANY DIRECTION. DIRECTOR OF PW MAY DIRECT PLACEMENT OF TIPPERS FOR SAFETY OR EFFICIENCY.
- THE CONTENTS OF ALL TIPPER BARRELS MUST BE COMPLETELY CONTAINED INSIDE THE BARREL WITH LID SECURELY CLOSED. TIPPER BARRELS NOT SECURED WILL NOT BE COLLECTED.
- YARD WASTE. UP TO TWO BROWN TIPPER BARRELS WILL BE COLLECTED PER WEEK, PER RESIDENCE AT NO CHARGE.





REVISIONS TO THE CURRENT ORDINANCE

NOTABLE CHANGES

- A MAXIMUM OF UP TO TWO ADDITIONAL BROWN TIPPER BARRELS, PER RESIDENCE, WILL BE AVAILABLE FOR AN ANNUAL FEE TO BE ESTABLISHED BY THE DIRECTOR. (TOTAL OF FOUR TIPPER BARRELS PER RESIDENCE.)
- YARD WASTE IN BARRELS NOTHING GREATER THAN THREE INCHES IN WIDTH AND NOTHING LONGER THAN THREE FEET.
- SPRING COLLECTION, TIMEFRAME DETERMINED BY DPW, THREE BROWN TIPPERS WILL BE COLLECTED PER WEEK, PER RESIDENCE WITHOUT ADDITIONAL ANNUAL TAG REQUIRED. LEAF WASTE.





REVISIONS TO THE CURRENT ORDINANCE

NOTABLE CHANGES

- THE DIRECTOR OF PUBLIC WORKS WILL ESTABLISH A LEAF WASTE COLLECTION SCHEDULE. DURING THE SCHEDULED LEAF COLLECTION, UP TO 40 FORTY BIO-DEGRADABLE LEAF BAGS AND UNLIMITED WEEKLY BROWN TIPPER BARRELS.



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IMPLEMENTATION

- REVISE ORDINANCE
- EDUCATION, 4 WEEKS INCREASED INSPECTION OF TIPPER CONTENTS, TAGGING AND REPORTING RESULTS, PLACEMENT ISSUES
- IMPLEMENTING PRIMARY TAG SYSTEM ON GRAY TIPPERS, 6-8 WEEKS
- SELLING ADDITIONAL TIPPER TAGS TO RESIDENTS
- EDUCATION, ADDITIONAL 4 WEEKS INCREASED INSPECTION OF TIPPER CONTENTS, TAGGING AND REPORTING RESULTS





Questions about the ordinance will be by written testimony only and may be submitted stating name and address to PHComments@enfield.org by 5:00 p.m. on September 30, 2020.

THANK YOU VERY
MUCH!

