



SHAWNEE

K A N S A S

SHAWNEE

Solid Waste Report
September 2, 2009

EXECUTIVE SUMMARY

This report was compiled to provide more information to City Council for decisions on Solid Waste after the Shawnee Recycling Task Force presentation on April 13, 2009. This task force was established to come up with solutions for recycling after Deffenbaugh Industries, the City's current contracted recycling hauler, requested the recycling contract to be renegotiated. The first outlines the regulations which the city must work within to govern the issue of solid waste. Special attention was paid to regulations that may be adopted by Johnson County within the year. The report then outlines the history of the City's solid waste regulations. Next Johnson County cities' policies for solid waste hauling were reviewed. Staff then compiled a list of five models that are seen either nationally or locally. These five models include:

1. Multi-Hauler/Mandatory Paid Recycling (Our current system)
2. Multi-Hauler/Mandatory Paid Recycling/Mandatory Hauler Recycling
3. Solid Waste Districting/Zoning
4. Multi-Hauler/PAYT with Mandatory Recycling and Yard Waste Diversion
5. Single Contract Utility/PAYT with Recycling and Yard Waste Diversion

Finally, these models were evaluated in two ways. First, each was evaluated by the policy goals the Recycling Task Force outlined in the beginning of their report. Then issues to consider with each model were listed. Within the summaries of the five models, "Pay-as-you-throw" (PAYT) is explained.

BACKGROUND

State and County Solid Waste Regulations

The state and county have regulations and requirements for solid waste that cities must follow. As outlined in the Johnson County Solid Waste Management Plan (SWMP), the main document pertaining to solid waste for the state of Kansas is K.S.A. Chapter 65, Public Health Article 34, titled Solid Waste. K.S.A. 65-3405. This statute addresses the solid waste management planning process counties must follow. It requires each county to submit a solid waste management plan that meets the needs of the county, ensures solid waste does not create a public nuisance, and provides for adequate, safe and sanitary disposal of waste. This plan must be adopted by the county's governing body. K.S.A. 65-3405 also requires the County to establish a solid waste management committee that will prepare and manage the plan.

The County signed a Memorandum of Understanding (MOU) in 1982 with the Kansas Department of Health and Environment. This MOU gave the county responsibilities for regulating the storage, collection, transportation, and disposal of solid waste for the county with the exception of the disposal well at the Johnson County Landfill, Inc. (owned by Deffenbaugh Industries, Inc.). The county also subsequently adopted solid waste requirements.

HB 2801 (1992) adopted amendments to K.S.A 65-3405. As stated in background of the Johnson County Solid Waste Management Plan (SWMP), HB 2801 *“does not impose mandatory waste reduction or recycling goals on the counties but requires the solid waste management committee, through the SWMP, to establish future solid waste management goals including a schedule for the reduction of waste volumes. Examples of possible goals include: reorganization of a region or partnership; studying or implementing a volume-based cost structure (i.e., pay-as-you-throw); implementing a “Buy Recycled” initiative; establishing a recycling or diversion rate or increasing an existing recycling or diversion rate with a numeric or qualitative goal.”*

K.S.A. 65-3410 authorizes cities and counties to pass ordinances and adopt resolutions, regulations and standards for the storage, collection and transportation of solid wastes and do all other things necessary for a proper, effective solid waste management system.

The County, following the state requirements, published and adopted the 2007 Johnson County SWMP. The county presented this information to the City on December 3, 2008. Inside, the county laid out several objectives. One of these objectives was to move towards a Pay-As-You-Throw (PAYT) rate structure by 2013. Other objectives include increasing curbside recycling, increasing yard waste composting and restricting the landfill collection of yard waste, and increasing commercial recycling by 35 percent.

In preparation of the SWMP, the county examined the current state of the Johnson County Landfill and the current diversion rate that exists within the county. The county's recycling rate is around 23%, which has been stated in numerous places (SWMP, Johnson County Sun, Shawnee Recycling Taskforce Report) as falling below the national average of 34 percent. The Board of County Commissioners (BOCC) SWMP acknowledges that the Johnson County Landfill will close no later than 2027 and notes that at the current rate of disposal it might close sooner. Currently, Johnson County Environmental Department is moving forward on implementation of the SWMP. When it is called for, the Johnson County Environmental Department will conduct a study to calculate firm estimates on the costs of transportation of waste and a new landfill.

On July 9, 2009, the BOCC, reviewed the progress of the Johnson County SWMP. A timeline was presented for implementation of new county regulations to help carry out the SWMP. The time line and new regulation proposals include the following:

“Steps to Revise County solid waste regulations

- *Legal review (in progress)*
- *BOCC & stakeholder review(July-August)*
- *Public hearing (September-October)*
- *BOCC adoption (October-November)*

Proposed Regulations:

- *Restrictions on transfer & disposal of yard waste at Johnson County facilities*
- *New permit requirements for haulers*
- *Separate pick-up of yard waste for composting*
- *Unlimited curbside recycling bundled with trash service*
- *Volume-based trash rates (PAYT)*
- *Updated environmental controls on solid waste facilities with enforcement & fees”*

Slide 23 from the July 9, 2009 Solid Waste Plan Implementation Update PPT

County staff sees the adoption time frame coming at the end of the year or beginning of 2010. The compliance date would be January 1, 2011.

County staff, in looking at landfill options for the future, has estimated initial landfill development costs to be \$63 to \$82 million and making this an initial upfront cost of \$170-\$220 per household. The cost to operate this landfill for 30 years is estimated at \$750 million to \$1 billion with a cost of \$65-\$90 per household per year. Two new transfer stations would cost \$14.7 million at \$39 per household. Finally, the operating cost of the transfer stations for 19 years would be \$190-254 million with a cost to households of \$48-\$64 per year. Again, these are current county staff estimates under

many assumptions and are subject to refinement. A detailed list of assumptions used to calculate these numbers is in the supporting materials of this document.

The Mid America Regional Council (MARC) is looking at this solid waste issue from a regional perspective. As the Shawnee Recycling Taskforce noted MARC conducted a citizen engagement study entitled “Landfilled.” What is important to take away from this is that not only are we filling up the Johnson County Landfill, the other large landfills in our region are filling up as well. This was reiterated again in an article published this July in the Johnson County Sun. MARC has also conducted a study that looked at costs to the region over the next 20 years as the regional landfills close and opportunities that can be implemented to change solid waste patterns.

Looking at this background, the City must not only consider the legal requirements of the state and county, but also must acknowledge the reality we find ourselves in, with regards to solid waste disposal for the county and region.

SHAWNEE’S RECYCLING AND SOLID WASTE ORDINANCE HISTORY

There are two sections of the Shawnee Municipal Code (SMC) that govern solid waste issues: Chapter 8.16, Solid Waste and Chapter 8.17, Residential Curbside Recycling Program.

Under *section 8.16.010 Findings* the City recognizes the state and county requirements in stating:

“The governing body of the city finds it necessary to pass certain ordinances, adopt resolutions and authorize such regulations for proper solid waste management as follows:

A. Adequate protection of public health, safety and welfare requires that this city pass an ordinance relating to the storage, collection and transportation of solid waste.

B. The governing body of the city is desirous of making available to the citizens of the city a satisfactory solid waste collection service at a reasonable and fair cost to the citizens, which is consistent with the solid waste management plan adopted by the board of county commissioners.

C. K.S.A. Supp. 65-3410 authorizes cities to pass ordinances and adopt resolutions, regulations and standards for the storage, collection and transportation of solid wastes and do all other things necessary for a proper, effective solid waste management system. (Prior code §6-701)”

The City operates under a multiple hauler system (free market/open subscription) that allows multiple licensed haulers to operate within the City. The City first passed a Solid Waste ordinance in 1976. Since that time, five other ordinances have been adopted to

amend portions of this code. The last amendment was added in 2005. A detailed list of the amendments can be found in the supporting materials section.

In 1991, Shawnee established a mandatory pay voluntary participation program for curbside recycling by passing Ordinance 2030 (Municipal Code Section 8.17). The only exemptions that were established included the following:

- Financial Hardship
- Physical Disability
- Age 62 or older

At this time, an estimated 86.1% of City households participate in the mandatory pay system. The current recycling ordinance is difficult to enforce due to the structure of the exemption mechanism. It is up to the recycling contractor to file a complaint if someone is not in compliance. Staff has not received any notification from our contracted recycling hauler of violations.

The recycling service was bid out to a single recycling provider. Deffenbaugh won this contract in 1992 with a \$1.50/month rate. The service was bid out again in 1994 and Deffenbaugh won the contract. In 1996 the recycling ordinance was modified no longer making the contractor responsible for the collection of residents who filed for exemption. It also made it illegal for anyone except the contractor to remove recyclables from the containers. In 1997, the contract again expired. The contract was renegotiated with Deffenbaugh at \$1.70/month and extended the contract to 2002. It was renewed annually with the City or contractor having the right to call for a renegotiation. It also allowed for fee increases based on the Consumer Price Index (CPI) and the contract could be cancelled by either party on a year to year basis. In 2003 Deffenbaugh went to a single stream method, expanded the recycling program, and stopped taking glass. The City Council changed the definition of recycled materials to reflect the changes. Since then, Deffenbaugh has increased the types of recyclables collected and has asked that the recycling contract be renegotiated. Currently, Deffenbaugh is allowing the City time to make decisions on the next step by operating on a month to month basis.

Deffenbaugh has also provided annually, at no charge to residents of the City, a large item trash pick-up. In 2009, the cost to provide this service was estimated at \$106,000.

In order to begin searching for solutions, the Mayor initially appointed a Recycling Task Force. The Task Force recognized that recycling is closely connected to other waste streams. Because of this, they included information regarding other streams of solid waste including yard waste and trash, along with recycling in their final report. This

group met five times, and held a public hearing on the recycling issues on March 25, 2009.

On April 13, 2009 the taskforce made the follow recommendations to the Mayor and Council.

- 1) **Implement a volume-based system for trash fees (pay-as-you-throw or PAYT).**
- 2) **Require any hauler in the City of Shawnee to provide collection of trash, recycling and yard waste in a base rate. At a minimum, trash and recycling should be picked up from a residence on the same day.**
- 3) **The maximum amount of yard waste accepted weekly in the basic rate should be volume-based depending on time of year with peak season increases in the limits. (Note – Plastic bags used by many residents are much larger than paper bags used in composting. This should be taken into account when contract is negotiated. During natural events that result in more debris, City should include provision in contract that allow for special pick-ups after these events.)**
- 4) **Sign a contract with a single hauler to provide service for all city residents, if it results in significant savings for individual homeowners.**
- 5) **Bill trash services to residents as a utility if the single hauler recommendation is adopted. The rate would be variable based on the container option selected by the resident. The city will serve as a “pass-through” agent for the fees without liability for uncollected payments, but can recover administrative costs.**
- 6) **Do not allow homeowners associations to opt out of a city-wide contract with the exception that any HOA must be allowed to fulfill the terms of a contract that is currently in force.**
- 7) **Do not create any exemptions under a city-wide contract that would allow residents to avoid paying for or participating in the trash, recycling and yard waste plans.**
- 8) **Require that trash and recycling containers have lids and wheels. Containers should be offered in variable sizes to fit the needs of the customer. Recycling containers must be of equal or greater size than the trash container at each residence. The hauler should provide containers at no charge to residents under a city-wide contract. In the absence of a city contract, haulers may charge residents for the containers.**
- 9) **Create an advisory group to oversee progress and to establish educational programs regarding recycling and composting and special programs that help further the goals of reducing waste and increasing recycling.**
- 10) **Create and monitor performance standards for customer service under a city trash contract**
- 11) **Validate proper disposal of recycling and compost materials by city haulers**
- 12) **Require that haulers allow recycling materials to be co-mingled in the containers.**
- 13) **Negotiate a robust list of recyclables that hauler(s) will agree to accept as a minimum, but can be expanded upon by the hauler.**

- 14) Provide drop-off points or collection system for glass if the city is not adequately served by other means.
- 15) Expand city drop-off points for recyclables if current inventory is deemed insufficient.
- 16) Make sure sufficient outlets exist to recycle styrofoam and plastic bags.
- 17) Require the use of paper bags or compostable bags or twine acceptable to hauler for all yard waste materials.
- 18) Require recyclables and yard waste be left out on opposite sides of the driveway from trash containers when possible.
- 19) Review city purchasing policies to encourage purchase of products with recycled content.

The City Council motioned and directed staff to research solid waste and recycling options for the City including the recommendation to research the feasibility of a single contract hauler and utility.

Staff has examined county, regional and national trends in solid waste management to determine options the City should consider with careful consideration of a single hauler utility option.

SHAWNEE'S SOLID WASTE SYSTEM

Shawnee has approximately 60,000 residents with 19,684 Single Family housing units, duplex, townhome, and condos as of April 30, 2009. The City has approximately 62 Home Owners Associations (HOA). Shawnee operates under a multi-hauler system and has four licensed residential waste haulers. A-1 in a memo sent in response to the task force report stated they serve approximately 2,500 customers between single residential customers and HOA contracts. Superior has approximately 2,000 customers either in single residential or HOA contracts. Trash Pros has around 10 residential clients. Deffenbaugh has the remainder of households with approximately 15,000 clients of which approximately 6,500 are residents of a subdivision with an HOA.

As stated by the recycling taskforce, the amount of recycled goods has decreased over the last four years. Total recycling collections have dropped from 8,857,127 pounds in 2005 to 5,712,312 pounds in 2008.

The trash subscription rates vary among residents. These rate variances are attributed to multiple factors. One reason is the simple nature of the City's multi-hauler system. This allows businesses to have different rates among the four haulers. Second, haulers have created different user rates based on the type of consumer. For example, some haulers offer senior rates and a regular rate. Haulers also negotiate contracts with individuals and HOAs accounting for different rates between an individual versus an

HOA. There are approximately 62 HOAs making up 38% of the City’s residential housing units or 7,487 of the 19,684. Out of these HOAs city staff could confirm 50 HOA have contracts for trash. The rate ranges for trash collection were \$5.60-\$15.10. Two (2) HOAs confirmed that they did not have contracts. Staff was unable to confirm or obtain the remaining 10 HOAs contract status. The 12,197 residents outside an HOA pay a range, using an average weighted mean, of \$16-\$20 for trash collection. This range does not include senior rates. It should be noted that while staff has made every attempt to establish rate ranges by contacting companies and residents, rates are set by private companies. These companies are under no obligation to provide their rate information, except when they first apply for a license in the City. Because staff was unable to obtain all rates paid by residents, it is impossible to determine with certainty if any model results in a significant savings. However, staff has obtained rates from other cities to illustrate prices paid under different models.

Recognizing HOAs have contracts with the various haulers, it is important that any action taken, allows for HOAs to fulfill their contracts. Additionally, because they can negotiate a commercial rate, HOAs have lower rates to begin with, as seen from the ranges. If HOAs are required to come under a city contract it may result in higher rates for them. The taskforce recommendation for a single hauler included the qualification that a single contract should only be considered if it results in significant savings to residents.

Below is a table summarizing different rates in Johnson County communities.

City	Billing	System	Monthly Rates
DeSoto	Water Bill	Contract	\$10.96
Edgerton	Water and Sewer Bill	Contract	\$13.30
Fairway	Property Tax Utility	Contract	\$13.85 (\$2.50 recycling, \$11.35 sw/yw)
Mission	60% Utility	Contract	\$16.45
Mission Hills	100% Subsidized	Contract	\$12.26 Total (Trash-\$10.62 and Recycling \$1.64)
Prairie Village	Utility on Property Tax	Contract	New agreed 2010 rate \$14.80 per month (\$177.62/ year) This includes a 2% admin fee.
Roeland Park	Property Tax Utility	Contract	\$ 10.27/month-2009 \$11.78/month-2010
Spring Hill	Water Bill	Contract	\$10.90 /6% fuel charge-Trash \$3.00+6% fuel charge- Recycling \$1.38+6% fuel charge- Bulky Item

			Total \$15.28/month
Westwood	Property Tax Utility	Contract	\$9.95 per HH for trash, \$4.5 yard waste April-December, \$3.00 per HH for recycling Total: \$17.45/month Total non-YW: \$12.95
Westwood Hills	HOA dues/City Paid Recycling	Contract	Unable to determine as it is part of HOA dues
Olathe	City Provided Service	No (City)	\$16 trash/ \$3.25 recycling
Gardner	Hauler and Resident	No Contract	Depends on Hauler
Leawood	Hauler and Resident	No Contract	Depends on Hauler
Lenexa	Hauler and Resident	No Contract	\$8 to 18 per month
Merriam	Hauler and Resident	No Contract	\$18 – 20 per month
Overland Park	Hauler and Resident	No Contract	Depends on Provider
Lake Quivira	NR	NR	NR
Mission Woods	NR	NR	NR

METHOD FOR COMPARISON

Moving forward staff has put together summaries of different solid waste and recycling options. All Johnson County cities were asked about their solid waste programs. Those responding by phone, email or through online verification are present in the summaries. Survey responses, when available and corresponding ordinances have been included in the appendix.

Johnson County Summaries

Multi-Hauler with Varying Structures: Gardner, Leawood, Lenexa, Merriam, and Overland Park. This system is what Shawnee works under with the addition of the recycling requirement for residents.

Gardner, Kansas: Gardner does not have a comprehensive solid waste policy and therefore does not have an ordinance. Currently, there are four haulers collecting trash and none offer recycling. The City is looking to establish a single hauler for trash and recycling services and the opportunity to create a franchise fee.

Other services: In the RFP, they will be exploring the possibility of yard waste collection in addition to recycling and trash.

Leawood, Kansas: Leawood operates under a multi-hauler market system for solid waste pickup. They do not have recycling requirements for either hauler or citizen. Because of their multiple haulers, they have varying rates for service.

Other services: Depends on hauler

Lenexa, Kansas: Lenexa runs under a multi-hauler market system for solid waste pick up. Lenexa has a mandatory pay, voluntary participation recycling ordinance. Additionally, the haulers licensed in the city must be able to provide curbside recycling. The rates vary based on the hauler, and range from \$8 to \$18.

Other services: Depends on hauler

Merriam, Kansas: Merriam runs under a multi-hauler system for solid waste pick up. They do not require trash pick-up. There are no recycling requirements for citizens or haulers. The rates vary between haulers from \$18 to \$20 a month.

Other services: Depends on hauler

Overland Park, Kansas: Overland Park runs under a multi-hauler system for the delivery of trash services. Residents are required to negotiate contracts and services with the haulers licensed by the city. Overland Park requires all haulers licensed in the city to have the ability to offer customers recycling. Those that cannot offer this service can subcontract to fulfill this requirement. Because there are a number of haulers offering services in Overland Park, the rates vary significantly.

Other services: Depends on hauler

Single Contract No Volume Based or PAYT: Fairway, Mission Hills, Roeland Park, and Spring Hill.

Fairway, Kansas: Fairway has an exclusive contract with Town and Country. The City of Fairway also has a recycling requirement. The total fee for service is \$13.85. Trash and yard waste are \$11.35 and recycling is \$2.50. The city collects the fee on the property tax bill. The City of Fairway allows HOAs to opt out of the trash portion of the city contract. Individual residents can opt out but few do this.

Other Services: One bulky item pick up per month, yard waste is collected in paper bags or designated cans. The yard waste is limited to 8 bags except in the fall and spring when it is unlimited.

Mission Hills, Kansas: Mission Hills has an exclusive contract with Deffenbaugh. The City of Mission Hills subsidizes 100% of the solid waste collection fee. Recycling is included in the contract, but residential participation is voluntary. The total cost per household is \$12.26 (\$14.26 for houseline). Total recycled material in 2008 was 454,694 lbs.

Other services: Allowed two bulky item pick-ups per year. Yard waste pick up is restricted by hauler.

Roeland Park, Kansas: Roeland Park has an exclusive trash contract with Town and Country. The city also requires the hauler to provide recycling at no extra cost, but does not require residents to recycle. The monthly rate for 2009 is \$10.27. There is no limit to what can be thrown away except for yard waste. The fee is collected by a property tax assessment.

Other Services: One bulky item per week.

Spring Hill, Kansas: Spring Hill has an exclusive contract with L&K Services. The City of Spring Hill has a mandatory paid recycling program with voluntary participation. Limits on trash service include 8 bags or 3 thirty gallon cans and 6 bags/bundles of yard waste. No exemptions are allowed within their system. The cost of pick-up is \$10.90 surcharge. Recycling is \$3 and bulky item pick up is \$1.38. This makes the monthly total \$15.28 with a 6% fuel charge added. The City collects the fee for trash on the water bill.

Other Services: Monthly bulky item pick up.

City Owned Trash Service: Olathe

Olathe, Kansas: Olathe has its own trash service. There are no private residential haulers. Olathe currently charges \$16 for trash service which includes separate collection and composting of yard waste. Recycling is not mandatory at this time and costs \$3.25 to have this additional service. The fees for service are collected as a utility.

Volume Based Trash Collection Without Curbside Recycling: De Soto, Edgerton

De Soto, Kansas: De Soto has an exclusive contract with Weldon Hauling. The rate for pick up is \$10.96. There is no curbside recycling offered at this time, but there are drop off locations around the city. Trash is limited to one 65 gallon container with additional bag charges of \$3 a bag. The city collects the fee through a monthly utility bill along with water and sewer fees.

Other Services: The city has a 10% rebate for seniors. Monthly bulky item pick up.

Edgerton, Kansas: Edgerton has an exclusive contract with Ottawa Sanitation for trash services including the pickup of yard waste. The contracted rate is \$13.30. The contract includes one 95 gallon container. Each additional container is \$2 a month. There is no curbside recycling, but there is a drop off facility.

Other services: Bulky item pick up is handled on an individual basis with the resident and hauler determining the fee for service.

PAYT or Volume Based Single Contract: Mission, Prairie Village, Westwood

Mission, Kansas: Mission has an exclusive contract with Deffenbaugh. They do not have any exemptions to their solid waste collection. The City of Mission's PAYT program is based on a Poly Cart collection service. Any overflow constitutes a \$1.50 per bag overage fee. Yard waste is also restricted with allowance for increased items during high volume months. Unlimited recycling is included in the contract. The bag fee is split with \$1 going to the hauler and \$0.50 going to the City. The monthly fee for solid waste removal is \$16.45. Approximately 60% (roughly \$9.87) of this is paid by the resident and 40% (roughly \$6.58 per resident) is paid by the City of Mission general fund. The City collects the fee through a property tax Solid Waste Utility.

Other Services: Bulky item pick up, recycling incentives, 50% rebates that are structured off of financial need similar to their franchise fee rebates.

Prairie Village, Kansas: Prairie Village has an exclusive contract with Deffenbaugh. The city is currently completing the negotiation of services for 2010. The 2010 rate for solid waste, recycling, composting and bulky item pickup service is \$14.80 which includes a 1.5% administration fee. The total amount is collected as a property tax utility. Recycling is included in the monthly fee and participation is up to individual property owners. In 2010, the city will be moving to a PAYT system and residents will be allowed one 65 or 32 gallon poly cart for trash, unlimited recycling, and limit composting bags based on the season. Overflow of solid waste and composting will be handled through the purchase of tags. The final price for these bags has not been set. HOAs are allowed to exempt out of the city wide contract but their contracts must include solid waste, recycling, and composting components. A \$3 fee per household is required for any subdivision requesting exemption. The estimated recycling rate among citizens is around 60%. Tonnage and recycling data will become more available in the future as PAYT and reporting takes hold.

Other Services: The city has a mandatory composting component on yard waste. Yearly bulky item pick up.

Westwood, Kansas Westwood has a requirement for yard waste, recycling and trash service. The city has contracts with Deffenbaugh to provide the services. The city

collects the fee through an assessment on the residents property tax. Each resident is allowed one 65 gallon container. Additional trash must be placed into a Deffenbaugh bag that can be purchased at city hall for \$1.25. The yard waste must be placed in biodegradable bags with a limit of 6 bags/bundles and is only collected from April through December. The monthly rates are \$9.95 for trash, \$4.50 for yard waste, and \$3.00 for recycling. It is estimated that 59% of residents recycle.

It should be noted some cities are considering changing their policies to be consistent with new regulations that may come from the County to implement the County SWMP goals. Also, there were two cities that did not choose to respond and their policies could not be confirmed online. These include Lake Quivira and Mission Woods

Haulers by City

City	Haulers
De Soto	Weldon
Edgerton	Ottawa Sanitation
Fairway	Town & Country
Gardner	Deffenbaugh, Gardner Disposal, L&K, Ottawa
Lake Quivira	NR
Leawood	NR
Lenexa	Deffenbaugh, Bumpy Roads, Trash Pros, Superior, and Town & Country
Merriam	Deffenbaugh, A-1, Town & Country, Superior Disposal, BFI, Waste Management
Mission	Deffenbaugh
Mission Hills	Deffenbaugh
Mission Woods	NR
Olathe	City Service
Overland Park	Allied Waste, Deffenbaugh, L&K Services, Superior Disposal Service, Inc., The Trash Pros, Town & Country Disposal, Wright's Service
Prairie Village	Deffenbaugh

Roeland Park	Town & Country
Spring Hill	L&K Services
Westwood	Deffenbaugh
Westwood Hills	Deffenbaugh

Gathered online or through surveys

Regional Solid Waste Models. Staff looked at a few outside communities to give a snap shot of what other communities are doing regionally outside of Johnson County.

Lawrence, Kansas: This City of Lawrence operates their city’s own Solid Waste program. They currently do not have curbside recycling. Curbside recycling can be obtained through a private company. The city has multiple recycling drop-off facilities. The monthly rate for the trash pick-up is \$13.19.

Other Services: Yard Waste, Bulky item pick up.

Lee’s Summit, Missouri: Currently, the city operates under a multi-hauler system. Lee’s Summit has discussed moving towards a single contract, although they have not passed one. They are also looking at the possibility of districting their city where bids would be broken down by area. They currently do not have a recycling requirement. The rate for Lee’s Summit’s trash and recycling varies based on the hauler.

Other Services: Depends on hauler

Raymore, Missouri: Raymore just went to single hauler contract with Town and Country. The contract will have curbside recycling and trash pick-up. Yard waste will not be included. The terms of the contract are still in negotiation. The city will bill residents on their water and sewer bill.

Other Services: Bulky item pick up once a month

Sedgwick County, Kansas: Sedgwick County is the second largest county behind Johnson County and home county to the largest city in Kansas—Wichita. The County’s Solid Waste Management Plan calls for all cities within the county to have a solid waste contract or franchise by 2011 that includes curbside recycling and volume-based trash rates.

MODELS

Based on the trends in Johnson County and the region five options were considered in greater detail. The models include:

1. Multi-Hauler/Mandatory Paid Recycling (Our current system)
2. Multi-Hauler/Mandatory Paid Recycling/Mandatory Hauler Recycling
3. Solid Waste Districting/Zoning
4. Multi-Hauler/PAYT with Mandatory Recycling and Yard Waste Diversion
5. Single Contract Utility/PAYT with Recycling and Yard Waste Diversion

Each model provides examples of cities with these programs. The report looks nationally to ones that are not common in the Johnson County area or are relatively new to the area. These are by no means an exhaustive list of trash models. The council can always choose combinations of these models.

Each model has been evaluated in two ways. First, the model was measured against the goals below. These goals come from the policy results the taskforce aimed to achieve. Then issues to consider with each model were listed.

Goals

- A significant increase in recycling participation and volume.
- A reduction in the amount of material placed in the landfill.
- Yard waste being composted rather than placed in landfill.
- A substantial cost savings to Shawnee residents for all services.
- A more convenient, streamlined system of collection, disposal and billing that eliminates residents' current complaints regarding the nuisance of multiple collection days and debris in the neighborhood on collection days.

1. Multi-Hauler/Mandatory Paid Recycling (Our current system)

Currently the City operates in a multi-hauler residential trash hauler system with a single residential hauler contract for recycling. In this system residents and/or homes associations negotiate price and select their own hauler. There is unlimited trash and yard waste pick-up with the exception of haulers that enforce their own limits. Recycling is required with the exception of the exemptions mentioned previously.

Goals it meets: none

Goals it may meet: none

Goals it does not meet:

- A reduction in the amount of material placed in the landfill
- A significant increase in recycling participation and volume.
- Yard waste being composted rather than placed in landfill.
- A substantial cost savings to Shawnee residents for all services.
- A more convenient, streamlined system of collection, disposal and billing that eliminates residents' current complaints regarding the nuisance of multiple collection days and debris in the neighborhood on collection days.

Issues to Consider

- Residents recycling hauler choice.
- Residents trash hauler choice.
- Recycling is available to everyone.
- No City restrictions on trash amounts for pick-up.
- Impact to Homes Associations that currently have a contract.
- HOAs continue to pay less than single homes.
- There are multiple trucks on streets on multiple days adding to noise, wear and tear, trash on the curb multiple days in the same neighborhood and pollution.
- Uncertainty on cost of single stream curbside recycling collection only.
- If/When the county adopts new regulations there is no mechanism for volume-rate trash pickup or yard waste diversion.
- City administrative staff time to handle calls and concerns.

2. Multi-Hauler/Mandatory Paid Recycling/Mandatory Hauler Recycling

Under this model, a city does not have a single contracted rate for recycling. Instead, a city passes an ordinance making it a requirement for any licensed hauler to provide recycling services. Again, limits on trash are left up to the individual haulers and the haulers negotiate directly with the residents/Home Owners Associations. Yard Waste is not considered in this model.

Cities: Lenexa

Goals it meets: None

Goals it may meet:

- A more convenient, streamlined system of collection, disposal and billing that eliminates residents' current complaints regarding the nuisance of multiple collection days and debris in the neighborhood on collection days.
- A reduction in the amount of material placed in the landfill

Goals it does not meet:

- A significant increase in recycling participation and volume.
- Yard waste being composted rather than placed in landfill.
- A substantial cost savings to Shawnee residents for all services.

Issues to Consider

- Residents may choose their service provider.
- Recycling is available to everyone.
- Allows for competition.
- No City restrictions on trash amounts for pick-up.
- Reduces administrative staff time for City staff to negotiate and administer contract.
- Data can be gathered if the ordinance requires haulers to submit quarterly reports on pickups.
- HOAs may be able to negotiate lower prices than individual subscribers.
- There are multiple trucks on streets on multiple days adding to noise, wear and tear, trash on the curb multiple days in the same neighborhood, and pollution.
- It creates a new system of monitoring whether recycling is actually being provided.
- If/When the county adopts new regulations there is no mechanism for volume-rate trash pickup or yard waste diversion.
- Not all haulers may have the ability to offer recycling.

3. Solid Waste Districting/Zoning

Cities that have this system divide the community into districts and allow haulers to bid on these districts. In doing so, cities can include stipulations that haulers may win only a certain amount of districts. Cities can also make various stipulations and requirements for the services haulers must provide to win the contract (i.e. recycling, yard waste composting, bulky item pick up, volume-based trash rates)

Cities that have or are considering it:

Ft. Collins, CO Ft. Collins since 1996 has operated under a multi-hauler PAYT city. In 1998 the city conducted a study to determine the feasibility of districting their city. On July 21, 2009 the city passed a test district with a single hauler contract. All other requirements stay the same as under the multi-hauler system.

Indianapolis, IN

The city has two haulers and its own city department. The city is divided into 12 districts. One hauler has one district, one has six districts and the city department has five districts that they each maintain. Recycling is not required, but offered for \$6.

Phoenix, AZ Operates under a competitive bid process. Every two years they put one of 10 areas up for bid to the private sector. The city then bids against the private sector and at times wins the bid. They do not allow more than 50% of the city to be under private contract. This insures that the city has the ability to recover and provide service to the city in the event a contractor can no longer provide service in the middle of a contract. The contracts last for 6 years and then the city resumes the area. Recycling is provided at no extra charge. As of August 1, 2009 the city has won every bid and is now 100% responsible for collection.

Goals it meets: *This is dependent on the other stipulations the city puts in place for required service*

Goals it may meet: *This is dependent on the other stipulations the city puts in place for required service*

- A more convenient, streamlined system of collection, disposal and billing that eliminates residents' current complaints regarding the nuisance of multiple collection days and debris in the neighborhood on collection days.
- A substantial cost savings to Shawnee residents for all services.
- A reduction in the amount of material placed in the landfill
- A significant increase in recycling participation and volume.
- Yard waste being composted rather than placed in landfill.

Goals it does not meet: *This is dependent on the other stipulations the city puts in place for required service*

Issues to Consider

- Reduces the number of haulers trucks in areas decreasing wear and tear on roads and emissions and possibly increases efficiency in delivery.
- Decreases the days trash is out in neighborhoods.
- Allows for competition through bids for districts.
- May create lower prices because of efficiency and increased number of people to spread the rate over.
- It does not allow for personal choice in recycling vendor or trash hauler.
- If recycling requirements are included, not all vendors may have the ability to offer this service.
- Haulers previous market share may decrease.
- Rates may not go down.
- People have no way of switching if their service is poor under their district contract.
- Mostly done in larger cities and staff is not sure how viable it is for a smaller population.
- Increases administrative staff time for the City to administer multiple contracts and take calls.
- HOAs contracts may be affected.
- If/When the county adopts new regulations there is no mechanism for volume-rate trash pickup or yard waste diversion, unless included in adoption of this system.

“PAY-AS-YOU-THROW”

The next two models include “Pay-as-you-throw” (PAYT) options. These models are taken into consideration because the county is moving toward new regulations that would include this rate system. The Shawnee Recycling Taskforce also recommended this rate structure as a way to encourage recycling. A brief explanation of PAYT is given with the pros and cons of this concept. Following that section, the two models that fall under this system are introduced and evaluated with the same criteria as the previous three models.

“Pay-as-you-throw” is also known as volume-based or unit-based pricing. In this type of model, a household pays for trash based on the amount they produce. Someone producing less will pay less than those producing more. PAYT is established in over 7,000 communities as of 2006 according to a SERA (Skumatz Economic Research Associates)/EPA report.

Methods for implementation:

Implementing PAYT is accomplished in two ways; either PAYT through ordinance or PAYT through contract. Implementing through ordinance allows communities to require all licensed haulers to provide certain services such as recycling and yard waste including a PAYT rate structure. The other way PAYT is implemented is through a single contract. A single contract is awarded and contains the stipulations that the hauler provides a PAYT rate structure for trash along with whatever other services the city requires, such as recycling and yard waste collection. Some cities have combinations of these PAYT systems.

Methods for PAYT structure:

PAYT can take many forms in establishing the way volumes are measured. PAYT has a base rate and then after the maximum trash included in the base rate is exceeded, customers begin to pay more for each additional unit. The measurement of these units varies from jurisdiction to jurisdiction. Some jurisdictions have multiple sizes of trash bins that a citizen can utilize. Each size has a different pricing structure. Other jurisdictions have bags that citizens can purchase to put their excess waste in for pick-up. Finally, other jurisdictions have tags that can be purchased and affixed to containers or bags that hold additional trash.

Offering a way for residents to divert their waste from their trash amount is important and why mandatory unlimited recycling should be included in the base rate, along with yard waste.

Johnson County PAYT Communities

Currently, Johnson County has three communities utilizing PAYT with mandatory yard waste and recycling regulations. These cities include Mission, KS; Prairie Village, KS; and Westwood, KS. Each utilizes PAYT through a single hauler contract. These cities have negotiated contracts in different ways to achieve the PAYT program that each wished to have in their communities.

Below are the cities rates, haulers and services.

<u>City</u>	<u>Charge</u>	<u>Hauler</u>	<u>Services</u>	<u>PAYT</u>
Mission	\$16.45	Deffenbaugh	65 gallon Trash Poly Cart; Recycling; YW with different limits for high volume months; 1 Bulky Item/month;	Per Bag Overage \$1.50
Prairie Village	\$14.80 2% administration fee included	Deffenbaugh	65 gallon Trash Poly Cart; Recycling; YW with different limits for high volume months; Bulky Item 1/year	Per Bag Overage with sticker Price TBD
Westwood	\$9.95 per HH for trash, \$4.50 per HH for compost (yard waste) this program in effect April through December, \$3.00 per HH for recycling Total: \$17.45 when composting Total: \$ 12.95 when not composting	Deffenbaugh	Yard Waste; Bulky Item; Recycling; Trash	Per Bag Overage \$1.25

PAYT increases recycling:

It has been shown that one of the most effective ways to increase recycling rates in a community is to implement PAYT.

The Environmental Protection Agency has reported the following cities' success stories in diversion rates:

- One year after implementation Portland, Oregon increased their recycling rate from 7 percent to 35 percent.
- Between 1991 and 2000 Austin, Texas was able to increase their recycling rate from 9.8 percent to 28.5 percent.
- Falmouth, Maine increased their recycling rate from 21 percent to 50 percent after one year of implementation.
- Gainesville, Florida increased their recycling 25 percent in the first year.

Like any new program there are advantages and disadvantages from implementation. The following are a list of pros and cons for PAYT.

Pros:

- It decreases the amount of trash in the landfill.
- It increases recycling, making it a better environmental option.
- It makes trash payments more equitable by making people pay based on amount of trash they generate.
- The City would already be in compliance when new county regulations are in place

Cons:

- It could possibly increase illegal dumping.
- Residents are used to throwing away unlimited amounts of trash (with the exception of hauler specifications)
- Not all currently licensed haulers may be able to accommodate the requirements of PAYT.
- Large families may resist this measure
- The education component might require additional funding.
- Some residents would have to find ways to reduce the amount of yard waste produced (i.e. mulching or composting)

4. Multi-Hauler/PAYT with Mandatory Recycling and Yard Waste Diversion

Under this model, residents/Homes Owners Associations of communities can still negotiate their contracts with the hauler of their choice. Communities adopting this system do so through an ordinance that requires licensed haulers to provide the services the community wants along with the PAYT structure.

Cities: Boulder, CO; Eden Prairie, MN; Ft. Collins, CO

Boulder, CO The City of Boulder, CO currently operates under a multi-hauler system. They have had a PAYT program in place since 2001. The haulers are required to submit to the City an annual report with the amounts of recycling, compost and trash picked-up in the city. All haulers are required to charge a volume rate and it is the discretion of the hauler to set the base rate. All haulers must include yard waste, other composting, recycling, and trash service. Boulder recently increased their diversion streams and implemented data collection to track its recycling, composting, and yard waste. Because of this, it does not have clear diversion amounts to share at this time. Therefore, there is currently no recent data available regarding diversion due to this change.

Eden Prairie, MN Eden Prairie, MN establishes a volume-based collection program through the licensing requirements of their haulers. They have had some version of a volume-based system for over 18 years. Haulers cannot charge more for those who recycle and must create a pricing structure that has a volume based increase. Overflow procedure is left to the hauler. Typically, residents notify their haulers when they will have overflow so a charge can be assessed. The city does not determine a base rate or rate by which it must increase. Yard waste is to be collected as often as other waste in the months of May through October.

Ft. Collins, CO has had this system since 1996. The Shawnee recycling taskforce presented this city's ordinance in their final report. City staff talked with the senior environmental planner, who explained their system has had four amendments to close loopholes. Discrepancies have arisen when HOAs were not actually charged volume rates. They have never had to take action against a hauler. So far, a phone call has resolved issues. Their city has also conducted multiple studies in moving to a single hauler or districts. On July 21, 2009, the city decided to adopt a trial area for a single hauler/or district model. The EPA reported that Ft. Collins was able to increase recycling participation from 53.5 percent to 79 percent in the first year.

Goals it meets:

- A reduction in the amount of material placed in the landfill.
- A significant increase in recycling participation and volume.
- Yard waste being composted rather than placed in landfill.

Goals it may meet:

- A substantial cost savings to Shawnee residents for all services.

Goals it does not meet:

- A more convenient, streamlined system of collection, disposal and billing that eliminates residents' current complaints regarding the nuisance of multiple collection days and debris in the neighborhood on collection days.

Issues to Consider

- Residents may choose their service provider for solid waste removal.
- If/When the county adopts new regulations there is a mechanism for volume-rate trash pickup or yard waste diversion, therefore, the City would be in compliance.
- It incentivizes recycling.
- It charges for the amount of trash people throw away.
- It allows for competition.
- Reduces administrative staff time the City uses to negotiate and administer a contract.
- There may be issues with illegal dumping and people putting their trash in other's yards because of limits on trash.
- Not all haulers may be able to offer additional yard waste and recycling services.
- Exemptions.
- Education component will be necessary to help with transition.
- Regulations related to the storage of trash and recycling containers.

5. Single Contract Utility/PAYT with Recycling and Yard Waste Diversion

Communities operating under this model assume responsibility of bidding and administering a contract with a single hauler. Included in the contract are stipulations for residential waste, recycling, composting, and bulky item pick up. Homeowners pay their fee through a utility bill, bag/tag charge, or property tax. It limits the waste being taken to the landfill. It charges more for those who exceed the base rate.

Cities in Johnson County with this program: Westwood, Mission, Prairie Village

See previous Johnson County summaries

Cities Nationally: Plantation, FL; Springfield, OR;

Plantation, FL Plantation has a single hauler contract with Waste Management. They have had their system in place since 1988. The volume based mechanism used is through the purchase of specific trash bags. The cost of the bags is per box. A box includes 20 solid color bags for garbage and 5 clear bags for recycling materials at a price of \$33.20. There is also a monthly base charge of \$6.25 per household. Yard waste is taken to a city facility that mulches it and sells it to the citizens and is used for city landscaping.

Springfield, OR Springfield operates under a single contract that has been with Sanipac through a special franchise since 1969. They have had PAYT for 8 years with the recycling charged within the base rate. The private hauler collects the charges. There is no way to opt out except to haul your own trash. The city is paid 7% of gross receipts from the hauling.

Goals it meets:

- A more convenient, streamlined system of collection, disposal and billing that eliminates residents' current complaints regarding the nuisance of multiple collection days and debris in the neighborhood on collection days.
- A reduction in the amount of material placed in the landfill.
- A significant increase in recycling participation and volume.
- Yard waste being composted rather than placed in landfill.

Goals it may meet:

- A substantial cost savings to Shawnee residents for all services.

Goals it does not meet: none

Issues to Consider

- Reduces the number of haulers trucks in areas decreasing wear and tear on roads and emissions and possibly increases efficiency in delivery.
- It removes inconsistencies across trash rates charged.
- If/When the county adopts new regulations there is a mechanism for volume-rate trash pickup or yard waste diversion, therefore, the city would be in compliance.
- It allows for a wider pool to have costs spread across, this may lead to a decrease in price for residents.
- It incentivizes recycling.
- It more accurately charges for the amount of trash people throw away.
- Residents and HOAs no longer have the option to negotiate their own contracts.
- There is a possible increase in illegal dumping and neighbors putting trash in others yards because of the limit.
- Administrative staff time administering contract and answering calls.
- Decreases market competition.
- Not all haulers may be able offer additional yard waste and recycling services.
- If an administrative fee was added to process the billing, it may be perceived as another tax.
- Rates may not go down for everyone and may increase for HOAs.
- Exemptions would need to be addressed.
- Low Income reimbursement options.
- Tidy Town Impact.
- Education component will be necessary to help with transition.
- Regulations related to storage of trash and recycling containers.

Supporting Materials

SW Ordinance History Time line

City Surveys and Ordinances

Landfill Numbers

SERA Documents

Online Access

State Statutes (Online Links Below)

[65-3405](#)

[65-3410](#)

[JoCo Solid Waste Management Plan \(Online Link\)](#)

[July 9, 2009 SW PPT \(Online Link\)](#)

[JoCo Sun Article \(Online Link\)](#)

[Shawnee Current SW Ordinance \(Online Link\)](#)

[Shawnee Recycling Ordinance \(Online Link\)](#)

[Ft. Collins Districting Study \(Online Link\)](#)

[MARC Solid Waste Report \(Online Link\)](#)