

LEGISLATIVE #

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Appendix B – Addendum to the Solid Waste Element for EAR-based Amendments

The current recycling era in Florida began with the Florida Legislature’s passage of the Solid Waste Management Act (SWMA) of 1988, which included a 30% recycling goal. Twenty years later, with a statewide recycling rate of only 28%, the Legislature made a statement about the importance of recycling and established a new recycling goal of 75%, to be achieved by 2020. The Legislature directed the Florida Department of Environmental Protection (DEP) to submit a report by January 1, 2010 about the 75% recycling goal and what steps would be needed for Florida to meet this goal. (Source: *75% Recycling Goal Report to the Legislature, Florida Department of Environmental Protection, January 4, 2010.*)

A 75% recycling goal was established for all of the counties in the state of Florida with HB 7243, which was passed in 2010. This bill required each County to enact a recyclable materials recycling program, with the goals of recycling recyclable solid waste, by 40% by December 31, 2012; 50% by December 31, 2014; 60% by December 31, 2016; 70% by December 31, 2018; and 75% by December 31, 2020. Counties and municipalities are encouraged to form cooperative arrangements to implement recycling programs.

Mandatory Commercial Recycling

The City of Gainesville has a mandatory commercial recycling ordinance, Article III, Division III, Sec. 27-85. All commercially collected residential units shall establish a recycling program that includes recycling of all designated recyclable materials which is convenient and accessible to the residents. Some apartment/condominium units will have recycle containers by the dumpster and others will have a recycling station.

The Solid Waste Division inspects each apartment/condominium complex of 5 units or more for compliance with this ordinance. Tenant education and participation are critical in increasing the amount of recycling material collected from multifamily properties. The recycling is divided into two categories:

Paper Products Only	Commingled Products Only
Newspaper/Magazines	Plastic bottles, jugs, jars & tubs (#’s 1-7)
Catalogs/Phone books/Manuals	Glass bottles & jars
Paper bags	Aluminum cans
Packing & wrapping paper	Steel/tin cans (includes empty aerosol cans)
Corrugated cardboard (flattened)	
Pasteboard (flattened)	
Office paper/junk mail	

The City of Gainesville's Office of Recycling helps businesses with suggestions on how to start a workplace recycling program. Waste reduction tips are offered and well as information about

source reduction, which is the preferred method of recycling. For example, if a product is not recyclable or reusable then it is suggested that it not be bought in the first place. Consumers are encouraged to buy products that can be recycled or used over again, and to always buy recycled content products over virgin material products whenever possible.

For commercial businesses, if the items below comprise 15% or more of the volume of their waste stream, these materials must be recycled:

- *Corrugated cardboard & pasteboard;
- *Newspaper, Office paper & junk mail (including shredded paper);
- *Metal cans;
- *Glass bottles & jars; and
- *Plastic bottles, jugs, jars and tubs (#1 thru 7).

After it has been determined which recyclable items comprise 15% or more of the business waste stream, the business should contact a waste hauler or other recycling collection companies to determine collection service information. (Source: *City of Gainesville Solid Waste Division*)

The Evaluation and Appraisal Report indicated that a weakness of the Solid Waste program is the difficulty in imposing penalties on businesses that refuse to participate in the commercial recycling program. Although there was ordinance language indicating that penalties can be enforced, the ordinance was weak regarding enforcement measures. Solid Waste staff has brought this issue to the attention of the City Commission. A new ordinance will implement a procedure to issue civil citations to businesses who do not comply with the commercial recycling ordinance. Warnings will be issued before a violation notice with a compliance date. Continued noncompliance will result in fines of \$100 for a first offense, \$250 for a second offense, and \$500 for each subsequent offense, to be applied to the Gainesville Regional Utility bill of the business.

Flow Control

Flow control is the legal right of local governments to control where the solid waste that is generated within their jurisdictions will be taken for disposal. Currently there is contractual flow control over residential solid waste. The City of Gainesville and Alachua County require the residential waste hauler to bring the wastes and recyclables to facilities designated by the county. Commercial waste collection is handled by private waste haulers who compete for contracts with commercial waste generators. The commercial wastes have typically been brought to county-owned and operated facilities. However, disruptions have occurred. Although Alachua County has an agreement to dispose of waste in the New River Solid Waste Association landfill in Raiford, in 2004 private hauler Waste Management, Inc., diverted county waste to a landfill in Duval County. The situation was resolved with negotiations but the county and New River lost money during the disruption, showcasing the vulnerability of the County's solid waste management system to waste flow disruptions. (Source: *Alachua County Solid Waste Management Issues, Alachua County Public Works, 7/29/2010*)

As noted in the Evaluation and Appraisal Report for Solid Waste, the transfer station at the Leveda Brown Environmental Park is having financial difficulty because the amount of waste coming into the facility is less than anticipated. The transfer station was designed to receive over 1,000 tons of garbage a day but is now receiving approximately 400 tons a day. The amount of garbage coming in is down about 1,000 tons a week since late January 2010 when Emerald Waste Services opened its own transfer station at the former Waste Management facility on Bear Archery Road. The company started hauling waste from their commercial routes to this facility and then on to a Waste Management landfill in southern Georgia that charges lower tipping fees than the publicly owned New River Solid Waste Association landfill in Raiford, where Alachua County hauls its trash. Emerald Waste officials have expressed interest in taking over operations at the transfer station, which they estimate could save the county more than \$5 million over seven years. A reduction in waste delivered to the transfer station could affect future plans to develop a resource recovery business park, where private companies would manufacture goods and products with some of the waste that would otherwise be in a landfill. County staff has stated that potential firms could make biodiesel out of discarded food waste or reuse old tires, carpeting and mattresses.

Alachua County is moving forward with plans to meet the 75% recycling requirement by converting the existing transfer station into a mixed-waste materials recovery facility. This facility would be needed to maximize the recovery of materials needed to meet the 75% recycling goal. Solid Waste staff have recommended to the City and the County that flow control ordinances be adopted. The mixed-waste materials recovery facility and flow control ordinances would ensure the availability of waste needed to support the projects that the City and the County are planning, including the Resource Recovery Park, organics recycling and other alternative ventures that may come along. (Source: *Alachua County Solid Waste Management Issues, Alachua County Public Works, 7/29/2010.*)

According to Alachua County, the transfer station has a permitted capacity of approximately 1,200 tons per day of municipal solid waste. The highest amount of tonnage reported between fiscal years 2003-2008 was 643 tons per day. Based on the historical annual growth rate of waste generation of between 2 and 3 percent, and the agreement with New River landfill to accept all of the Alachua County waste through 2018, the ten-year period from 2008 to 2018 could see up to 200 additional tons per day of solid waste reporting to the transfer station, which would still be well under the permitted capacity. Disposal capacity is available at the New River landfill through December 31, 2018.

Waste Composition

The Alachua County Department of Public Works, Division of Waste Management commissioned a municipal solid waste composition study in January of 2009. The objectives of the study were to provide a detailed profile of the primary waste sources – residential, commercial and institutional and how this compares to the findings of a waste study done in 1997, as well as to state and national composition studies. The study also evaluates current levels of source reduction and recycling efforts and estimates potential targets for increasing

efforts to divert waste from landfills in order to meet the 75% waste diversion goals. Current methods of calculating recycling rates may have to be adjusted in order to determine the rate of recyclable materials counties and cities are recycling. The statute also states that using waste to energy (burning waste to produce energy) could count towards the goal, in addition to recycling. Tables 1, 2 and 3 offer a detailed profile of the overall waste stream of Alachua County.

The composition study looked at the potential for increasing recycling by looking at specific waste categories and using the recycling rate of 37% (2008) for Alachua County, as well as statistics for the amount of waste recycled (109,396 tons) and landfilled (184,827 tons) in 2008. In order to raise the recycling level, efficiencies will have to be maximized. If Alachua County residents and businesses reached 100% efficiency in recycling currently accepted materials, the recycling rate could go up to 55%. With the addition of an organics recycling facility and 100% efficiency in the operation of this system as well, the overall recycling rate could reach near 70%. In order to reach the 75% goal, recycling participation must become much more efficient and waste diversion of materials and commodities that are not currently recycled would have to be added. (Source: *Alachua County Waste Composition Study, February 2010, Prepared for the Alachua County Public Works Department. Submitted by: Tim Townsend, Principal Investigator, Alyson Byrne, Graduate Research Assistant, Haley Carter, Student Assistant, Kelly Hodoval, Student Assistant, Saraya Sikora, Graduate Research Assistant, University of Florida Environmental Engineering Sciences.*)