



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

Waste Collection Companies Meeting Notes February 5, 2015

Companies with attendees: KMG Hauling, Reston Trash, ADS, Bates Trucking, VHI, Northern Virginia Junk Removal

Online Participants: Waste Management, Charlie & Son, PDS

County Staff: Joyce Doughty, Charlie Forbes, John Kellas, Don Green, Courtney Willis-Banks, Jessica Smithberger

The meeting began at 5:00 p.m.

Introductions/Welcome

Joyce greeted all attendees and welcomed them to the first meeting of 2015.

Update: Noise Ordinance

Recommendations will go forward for no changes to trash collection times. There was a possibility that trash collection times would be restricted to begin after 9:00 a.m. on Saturdays, Sundays, and holidays. However, the Department of Planning and Zoning is recommending that the current regulations remain in place with no adjustments.

A handout with information about the noise ordinance amendment is attached. Information about any future public hearings on the matter will also be posted online, as the Department of Planning and Zoning generally advertises for them in advance.

Public Hearings

The public hearing for the Chapter 109.1 revisions will take place on February 17 at 4:30 pm. Most changes are clarifications to existing regulations. One major change is the omission of permitting details to allow the SWMP more flexibility for making changes to applications and permit requirements. A notable change for haulers is the addition of information regarding brokers and holding them accountable on a property management level.

Other changes include defining recycling services as related to container size, requiring all non-residential waste to be set out in containers, and adjustments to fines to align them with existing Virginia state statutes.

The public hearing for the 20-Year Solid Waste Management Plan is currently scheduled for March 3 at 4:00 pm. There are no issues of concern for the collection companies. The purpose



Department of Public Works and Environmental Services
Solid Waste Management Program
12000 Government Center Parkway, Suite 458
Fairfax, Virginia 22035
Phone: 703-324-5230, TTY: 711, Fax: 703-324-3950
www.fairfaxcounty.gov/dpwes



of this update is to prove to the state of Virginia that the SWMP has a plan to manage Solid Waste for the next 20 years. There are no changes to the plan, only updates to projections and adjusting language to allow the SWMP flexibility to investigate other technologies and options for future use.

Handouts regarding both the Chapter 109.1 revisions and the 20-Year Solid Waste Management Plan are attached below.

CTO Renewal

Companies should send their truck lists to the Permit Office in order to expedite their vehicle inspection and renewal process. Applications must be submitted by the due date so that staff has adequate time to obtain the Director's approval before the expiration date. Please make sure that everyone involved with the application process is listed as an authorized representative. The County cannot conduct business with people who are not authorized company representatives.

The facility rules and regulations for both the I-95 Landfill and I-66 Transfer Station are updated. Copies were available at the meeting, are included with the renewal documentation, and are available at the Permit Office. Please review the documents carefully and pass on information to your drivers.

Also, please remind drivers not to display recycling signs when collecting and disposing of trash and to sign scale receipts. If drivers are unable to dispose of their entire load, they must return to the scale and notify staff so that the transaction can be adjusted accordingly.

Yard waste season starts on March 1.

Q: Concern was raised that contaminated loads of recyclables that need to be disposed as trash are turned away from the scales.

A: We will speak with our staff to address this matter.

Discussion

More concerns were raised over the noise ordinance issues. Staff assured attendees that the Board of Supervisors was looking to staff recommendations on the matter. Recent public meetings have focused on other issues, such as noise from high school football games, revealing that the Board and interested parties are not overly concerned with noise from trash collection.

The meeting adjourned at 5:30 p.m.

Next Meeting: Thursday, May 7, 2015 at 5:00 p.m., conference room 2/3



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Noise Ordinance Amendment

Update: Recent Activities and Upcoming Events

On February 18, 2014, staff presented a draft for a new Noise Ordinance ([Chapter 108.1](#) of the [County Code](#)) to the Board of Supervisors' (Board's) Development Process Committee. The overall goal of the proposed Noise Ordinance is to minimize nighttime noise and guarantee residents a certain level of quietness within their homes. The proposed new Noise Ordinance would replace both the existing Noise Ordinance (Chapter 108) and the existing Excessive Sound Generation in Residential Areas and Dwellings provisions (Article 6 of Chapter 5 of the [County Code](#)). The Excessive Sound Generation in Residential Districts provisions were adopted by the Board on December 3, 2013 and a brief description of the amendment is located [here](#). Among other things, the new Noise Ordinance prohibits certain noises and exempts certain other noises.

In order to obtain feedback on the proposed new Noise Ordinance, the following public meetings were held:

- Wednesday, May 7, 2014 from 7 - 9 p.m. at [South County Government Center](#), 8350 Richmond Highway, Alexandria, VA 22309, in the Main Conference Room (SCC221)
- Monday, May 12, 2014 from 7 - 9 p.m. at [Fairfax County Government Center](#), 12000 Government Center Parkway, Fairfax, VA 22035 in the Board Auditorium (Watch the [video tape](#) of the May 12 meeting.)
- Monday, May 19, 2014 from 7 - 9 p.m. at [Lemon Road Elementary School](#), 7230 Idylwood Road, Falls Church, VA 22043 in the school cafeteria

On June 10, 2014, staff presented a [summary](#) of all comments received to the Board's Development Process Committee. At that meeting, the Committee directed staff to prepare a range of options on how the proposed amendment could be advertised to give the Board maximum flexibility given the diversity of opinions and comments on the proposal. The Committee requested that these options be presented for consideration at the next Development Process Committee meeting, which is scheduled for September 30, 2014, at 2:00 p.m. in Conference Rooms 9 and 10 in the [Fairfax County Government Center](#), 12000 Government Center Parkway, Fairfax, VA 22035. A revised draft [Noise Ordinance Amendment](#) and a [summary chart](#) outlining the applicability of the proposed amendment with options that will be discussed with the Committee at the September 30th meeting are available for review.

Background

The Board has requested staff to review and revise the Noise Ordinance to better address the methodology used in noise measurements, considering the appropriateness of establishing daytime and nighttime noise levels to protect the community and, add other objective criteria to regulate noise within Fairfax County. On December 3, 2013, the Board adopted a new Article 6 of Chapter 5 of the County Code (Excessive Sound Generation in Residential Areas and Dwellings) which gave the Police Department the ability to address certain sound that is generated in a residential dwelling or residential area that is plainly audible and discernible inside another person's dwelling with doors and windows closed. The recently adopted Article 6 was intended to be an interim step in addressing noise, until more comprehensive amendments to Chapter 108 were considered by the Board. The proposed amendment is in response to these requests.

Related Documents

- Existing Chapter 108 (Noise Ordinance) of the [County Code](#)
- Existing Article 6 (Excessive Sound Generation in Residential Areas and Dwellings) of Chapter 5 of the [County Code](#)
- [Fairfax Adopts New Nuisance Law for Residential Areas](#)
- [Proposed Chapter 108.1 \(Noise Ordinance\)](#)
- [Applicability of Proposed Noise Ordinance and Options Summary Chart](#)
- [Video tape](#) of May 12, 2014 Public Meeting at the Government Center
- 6/4/14 Memorandum to the Board Summarizing [Public Comments](#)
- 9/8/14 Memorandum to the Board Discussing [Options](#)

Additional Information

If you wish to speak with someone regarding this amendment, please contact the Ordinance Administration Branch of the Zoning Administration Division at 703-324-1314.

Contact Fairfax County: [Phone](#), [Email](#) or [Twitter](#) | **Main Address:** [12000 Government Center Parkway, Fairfax, VA 22035](#)

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Staff Report on Proposed Modifications to Chapter 109.1, January 13, 2015

Article 1 – General Requirements

1. Adds several definitions including “community association”, “property manager”, and “solid waste broker” and the term “registered agent”, as defined by the Commonwealth of Virginia.
2. Incorporates by reference a new guidance document for such parties as part of new regulatory action.

Article 2 – Recycling

1. Incorporates Section 10-0300 of the Public Facilities Manual (PFM) by reference.
2. Gives specific size and capacity requirements for recycling systems at multi-family and non-residential properties so that adequate service can be provided to users.
3. Adds the term “designee” (not just the property owner) to the list of entities required to provide recycling systems to tenants.
4. Requires all multi-family properties to recycle the same materials, no matter when the building was constructed.
5. Creates a new requirement for collection companies to provide customers with CTO documentation and for property managers to share contract terms with the agency.
6. Codifies the current operating procedure that non-residential tenants who provide their own trash service (as opposed to the property owner providing such service) are also responsible for providing a recycling system to employees and/or customers.
7. Specifies, that for the purposes of recycling reports, quantities and material types are nonproprietary information.
8. Provision for collection companies to leave behind materials set out improperly.
9. Prohibits the collection of refuse and recyclables in the same container.
10. Limits the collection of recyclables in open-top containers, with some exceptions.

Article 3 – Pre-collection and Storage

1. Adds the term “designee” (not just the property owner) to the list of entities required to have Municipal Solid Waste Management (MSW) Management and Recycling Plans.
2. Defines when the plans need to be updated.

Article 4 – Required Permits, Registrations, and Certifications (new title)

1. Deletes specifics of the permit and CTO processes from County code, which will now be maintained in administrative documents that are incorporated by reference.
2. New regulatory action regarding property managers (PMs), solid waste brokers, and community associations: associations and PMs that do not allow a hauler to communicate with residents to provide the annual statement of service to such residents on behalf of the hauler;
3. Associations, PMs and solid waste brokers who arrange for service that violates Chapter 109.1 are also in violation of the chapter and subject to enforcement.
4. Solid waste brokers must register with the Solid Waste Management Program (SWMP) and contracting with an unregistered broker is a violation.
5. All brokers must provide information to customers on recycling and solid waste management system requirements, and an annual statement of service.
6. CTO applicants must be in good standing with the County Department of Taxation and the Virginia State Corporation Commission.
7. Operating without a CTO may be grounds for denial of a future CTO for up to one year.

Article 5 – Collection of Solid Waste

1. Makes willfully contracting with an unpermitted hauler illegal.
2. Specifies that the following are prohibited: collecting refuse and recycling in the same container, collecting less frequently than once a week, and collecting putrescible refuse and certain recyclables in an open-top container.
3. Sets a minimum level of service for non-residential customers.
4. Requires haulers to make up for missed collection due to inclement weather or holidays within the same week.
5. Prohibits non-residential properties from setting out trash in bags.
6. Limits container retrieval fees.
7. Major topical reorganization of sections 5-5 (collection points and set-out) and 5-6 (renamed to collection containers and vehicles) and other administrative revisions/updates.

Article 6 – Transportation

Minimal

Article 7 – Disposal of Solid Waste

Minimal

Article 8 – Emergency Provisions

Minimal

Article 9 – Enforcement

1. Makes disposal of out-of-county waste at a county facility grounds for denial, suspension, or revocation of CTO.
2. Repeats that operating without a CTO is grounds for denial of future CTO;
3. Increases possible fines to \$1000.
4. Creates a fine of \$200 for dumping illegally at a disposal facility.
5. Clarifies that general violations of Chapter 109.1 are a Class II misdemeanor punishable with a fine up to \$1000.

Staff Report – Update of Fairfax County 20-Year Solid Waste Management Plan

The Solid Waste Management Plan provides strategies and processes for managing solid waste for the 20-year planning period (through 2035). The Plan establishes objectives for the facilities and programs within Fairfax County to help protect public health and safety, guard the environment, and maintain the quality of life for residents of Fairfax County.

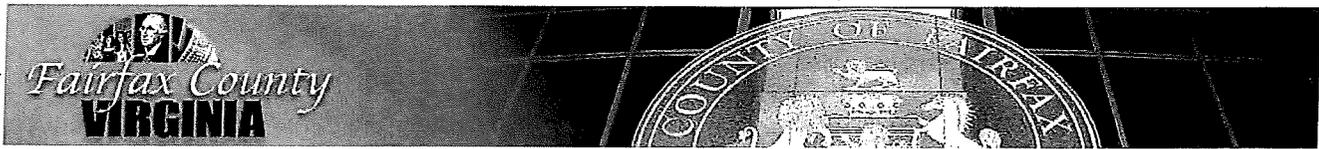
The Virginia Department of Environmental Quality requires all jurisdictions in the state to develop and implement official Solid Waste Management Plans that describe what the jurisdiction will do with waste generated within its borders for a 20-year period. State regulations require that the plan be updated every five years and the next update of the Fairfax County Solid Waste Management Plan is due to the Virginia Department of Environmental Quality in June 2015.

Fairfax County has worked most of 2014 to update its Solid Waste Management Plan. This revised plan describes an integrated strategy for the management of waste and recyclables generated by businesses and residents. The revised plan will assist and guide the development of waste reduction, reuse, recycling, collection, transfer and disposal initiatives in Fairfax County from July 2015 to July 2035. It will serve as a strategic planning tool and includes goals to help the solid waste management program achieve environmental and financial sustainability.

Regulations administered by the Virginia Department of Environmental Quality (9VAC20-130-120) require that certain elements of the plan be updated every five-years. Fairfax County worked with consultants to generate information required including population increases and waste and recycling generation estimates for the planning period. Objectives for the plan and information about how the activities will be financed were updated along with information about new waste disposal and recycling capacity in the region. Public participation is required for plan update and was accomplished through a series of meetings with residents, non-profit and community organizations and businesses. Several major themes (see below) were identified during the public participation period and were included in the updated plan:

- Increased recycling, including organic residuals, and requirements for business to recycle
- Meeting construction and demolition debris (CDD) recycling and disposal needs
- Support for the county's current approach of public-private partnerships for waste management
- A desire to locate CDD recycling and organics residuals processing facilities in the county or northern Virginia region

The updated plan provides the county with an approach to managing waste generated in the county both for now and the future. It was developed to provide flexibility for future solid waste management needs and issues as they arise. It supports waste reduction efforts as well as the environmentally-sound disposal of municipal solid waste. The plan meets the requirements of the state regulations for plan development and will satisfy and sustain the waste disposal and recycling needs for the 20-year planning period.



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Solid Waste Management Plan: 2015 Update

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Process for Updating the Plan

- Technical studies were completed to provide updated information required by state regulation. County demographics (e.g., population growth, waste generation rates) and available disposal capacity were updated to estimate waste management needs for the next 20 years. Alternatives for waste management were investigated as well as new technologies for the diversion of waste; data and findings were analyzed for use in preparing the revised plan. This information is contained in [an attachment to the revised plan](#).
- Staff met with residents, businesses and stakeholders to receive input on the plan and comments were included in the draft plan.
- [The revised plan is presented here for review and comment](#) by the public.
- The Fairfax County Board of Supervisors will vote on the revised plan in March 2015.
- The final plan amendment will be submitted to the VDEQ in accordance with regulations by June 2015.

Process for Commenting on the Plan

Comments on the revised plan will be received until the end of December.

Written comments may be [sent via email](#), or via U.S. postal mail to:

Fairfax County Solid Waste Management Program
 Attention: Plan Update
 12000 Government Center Parkway, Suite 458
 Fairfax, VA 22035

Comments will be addressed and posted on this website in January 2015.

This page will be revised periodically as the plan moves forward. Please check here for updates, and sign up for the Fairfax Recycler to receive notifications via email.

Plan Update at a Glance

- Revise county demographics and identify available disposal capacity for the next 20 years
- Conduct solid waste management survey
- Meet with residents, businesses and stakeholders to receive input on plan
- Present proposal to Board of Supervisors
- Hold a formal public hearing
- Submit final plan amendment to VDEQ

Receive email notifications related to this project as well as recycling updates and news items from the Solid Waste Management Program by subscribing to the Fairfax Recycler.

Email:

You will be sent a subscription confirmation request which you **must** reply to with the word OK as the body of the message.

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