



# 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 7, 2013

**Companies with attendees:** KMG, IDS, McLean Trash, Republic Services, Thompson Hauling, VHI, Nightingale, American Disposal, Potomac Disposal Services, Bates Trucking

**Guests:** Kevin Greenlief, Director of Tax Administration; David Biderman, National Solid Waste Management Association (NSWMA)

**Phone Participants:** Charlie & Son, Trash Away, Greenway, Waste Management, Enviro Solutions

**County Staff:** Joyce Doughty, Steve Aitcheson, Dennis Batts, Pamela Gratton, Dynita Glenn, Alex Castillo, Marion Plummer, Don Green, Sidy Charley, Jessica Smithberger

The meeting began at 5:05 pm.

### Introductions/Welcome

Joyce Doughty introduced County staff and welcomed Kevin Greenlief, Director of Tax Administration and Steve Aitcheson, Deputy Director of Solid Waste Management.

### Announcements/Updates

The Solid Waste Management Program's events calendar is available on the County's website, [www.fairfaxcounty.gov/dpwes/recycling](http://www.fairfaxcounty.gov/dpwes/recycling). Companies were asked to share information and events with customers. Future events include a remote household hazardous waste event, document shredding, and Electric Sunday.

### Administrative Items

Penalty late payment fee – Dynita Glenn explained the new penalty for late payment fee that was adopted July 31, 2012 and will become effective on April 10, 2013 for disposal invoices. She reminded companies that the ACH payment option is available to those who want to avoid issues with slow mail delivery. Companies can continue to wait until the 20<sup>th</sup> day of the month to pay before being cut off from using the facilities; however, all new penalty fees will apply. Additionally, a \$30 administrative fee will be applied if the County must take collection action for a late payment.

After questions were raised, "late" was clarified to be after the due date. Joyce clarified that companies will not be cut off at the due date. Concern was raised about the County sending



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invoices out on time, and Joyce reassured the questioner that County procedures ensured timely mailing.

CTO Applications – Dynita informed companies that bond continuation certificates will be accepted this year, and that the permit renewal letter includes the company's individual bond amount. She asked companies to send truck information to the Permit office staff early so that inspections can be completed more quickly, and to review their statement of service. She also requested that companies include contact information for their operations staff, as this information is necessary to resolve issues and emergencies that occur on-site. An example was given to highlight an event when County staff was unable to reach a company's operations staff.

Dynita reminded companies that drivers are not authorized company representatives and cannot receive any account information via phone.

Q: Company expressed concerned because County staff had requested that language requiring customers to flatten cardboard boxes be removed from the statement of service. The argument was made that often residents leave trash in boxes that are not flattened.

A: This is a Code issue – companies are not to require flattening of cardboard boxes if their truck equipment can accept un-flattened boxes. Joyce expressed willingness to work with the Code's language. The issue was resolved to allow companies to include the word "flatten" in their statement of service; however, non-flattened cardboard must be picked up. It was clarified that companies are not asked to remove any trash from boxes in order to recycle the cardboard.

### **Enforcement Updates**

Dennis Batts gave a brief summary of the information given at the previous meeting, and then continued with further information on recent updates to Chapter 109.1 (in response to comments from the NSWMA).

Item 1 - County drafted language requiring that any container with a capacity of 2 cubic yards or greater be accompanied by recycling containers greater than or equal to 50 percent of the refuse container. NSWMA proposed 25 percent due to logistical concerns—and one year to implement from the date of adoption. County accepted that number and timeframe, though noted that the recycling requirement had been on the books for years.

Item 2 – County drafted language regarding access to solid waste collection contracts and invoices at residential and non-residential properties. Citing concerns over proprietary information, NWSMA proposed language limiting that access to situations where the County is attempting to ensure compliance with applicable Code provisions. The County accepted that proposed language.

Item 3 - Citing concerns about the County interfering in contractual matters between haulers and their non-residential customers, NSWMA proposed limiting the County's refuse collection container removal requirement to residential customers. The County accepted that proposed language, but added a provision to address removal of any container that creates a nuisance or poses a health risk.

Q: Concern was raised about specifying a time frame, sequence of events, and agencies involved in removing waste that creates a nuisance or health hazard.

A: Three to five days was a suggested time frame for the trash or container to be removed.

Q: Concern was raised about customers who do not pay.

A: It is the County's primary responsibility to protect the health and well-being of the community.

Item 4 - NSWMA requested that language re: required notices of alteration of service be limited to residential customers. County accepted the proposed language.

Item 5 – County has drafted language to regulate solid waste brokers. NSWMA proposed that the County regulate the brokers as it does private haulers, requiring CTOs and bonds. The County intends to register brokers and proposes requiring that they pay an annual registration fee. The County is currently reviewing this issue with legal and other County agencies.

Q: Could brokers attend the Collection Companies Meetings?

A: Yes.

Pamela expressed interest in getting information about brokers now so that the County can contact and begin to track them, as these companies are generally difficult to find and contact. An online listing of brokers will be kept active and updated so that collection companies can access the list immediately if contacted by a broker.

Q: Are e-waste companies required to register?

A: Not sure, but this will be researched.

Item 6 – County proposed several changes to the current penalty structure. NSWMA requested that the fines be more gradual and that the County refrain from addressing any violation that will not involve a fine with a Notice of Violation. The County modified the fees for mixing violations, but is maintaining its proposed fines for early collections violations. The County also agreed to accept NSWMA's proposal re: not calling first violations without fines Notices of Violation.

Q: A company expressed concern over residents sharing curbside service among single-family homes, and suggested Code regulations regarding such practices.

A: There is no way for the County to write language to prevent this from happening, as it exceeds the County's regulatory authority. However, the National Solid Waste Association commented about seeing similar regulations elsewhere.

### **Recycling Program Updates**

Pamela Gratton informed companies that a recommendation to require non-residential properties to recycle cans and bottles is under consideration. An online survey will still be available on the County website until Monday, February 11 for anyone interested in contributing feedback. Preliminary results from the study indicated that neighboring jurisdictions have recycling requirements; however, can and bottle requirements are not presently in Fairfax County's proposed Code changes.

Pamela reminded companies that recycling reports are due on March 1, and directed any companies that still needed forms to Marion Plummer. Companies must include addresses of recycling facilities where recyclables are delivered.

Pamela also reminded companies that they cannot collect trash in open-top containers in Fairfax County.

### **Operational Items**

Joyce explained that a crane at the Transfer Station had been causing difficulty, and that it was being replaced with another crane and should be transferred to a new location within the next few days.

Covanta's spring outage will occur March 4 to April 27, during which time Prince William County waste will not be accepted. This year is also a total blackout year, an event that occurs every five years. It will take place March 4 to March 9, and while waste will be received, it will not be processed. The County is already making preparations to utilize backup facilities during this time; however, delays are to be expected.

### **Sanitary District Announcements**

No new petitions have been received.

### **Announcements**

Dynita reminded companies whose decals expire on February 28 to deliver their permit renewal documentation to staff on February 8.

The meeting adjourned at 6:00 pm.

**Next Meeting: May 2, 2013, Government Center – Room 4/5**