

Date: January 16, 2019
To: Weber County Board of County Commissioners
From: Sean Wilkinson, AICP *SW*
Department Director, Community Development

Agenda Date: January 22, 2019

Subject: **Request for Approval of Fee Ordinance Amendments Relating to the Weber County Community Development Department – Solid Waste Division (Sec. 16-2-9 – Solid Waste Fees)**

Documents: - First Reading of Ordinance with Amendments (Exhibit A)
- Utah Department of Environmental Quality (DEQ) Letter (Exhibit B)

Summary:

The Weber County Solid Waste Division is requesting a fee ordinance amendment for the purpose of raising the general waste tipping fee at the Weber County Transfer Station. This request is in response to H.B. 115 passed by the Utah Legislature during the 2017 General Session, which mandates a solid waste fee of 11 cents for every ton of solid waste that is transferred beginning in 2019. The current waste tipping fee at the Transfer Station is \$39.38 per ton. The cost of the solid waste transfer fee is 11 cents per ton, which increases the new tipping fee to \$39.49 per ton. This increase has been reviewed by the Solid Waste Sub-committee and will be presented to WACOG in February.

Recommendation:

Approve the fee ordinance amendments raising the general waste tipping fee at the Weber County Transfer Station from \$39.38 per ton to \$39.49 per ton.

Exhibit A

ORDINANCE NO. _____ (First Reading)

**FEE ORDINANCE AMENDMENTS RELATING TO THE WEBER COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT – SOLID WASTE DIVISION**

WHEREAS, the manager of the Solid Waste Division has requested fee changes relating to waste at the Weber County Transfer Station; and

WHEREAS, the fee changes have been presented to the Weber Area Council of Governments Solid Waste Sub-committee; and

WHEREAS, the fee changes are directly related to a solid waste transfer fee mandated by H.B. 115 (2017 Utah General Session); and

WHEREAS, after due consideration, the Board of County Commissioners of Weber County has determined to support such fee changes; and

NOW THEREFORE, the Board of County Commissioners of Weber County ordains as follows:

Title 16, Chapter 2, Section 9 of the Weber County Code shall be amended to read as follows:

Sec. 16-2-9. - Solid waste fees.

	Fees
Transfer Station	
General residential, commercial and industrial	\$39.38 \$39.49 per ton (minimum \$10.00 fee for loads 560 lbs or less)
Construction and demolition waste	\$46.10 per ton (minimum \$10.00 fee for loads 420 lbs or less)
Compost/tree waste	\$30.00 per ton (minimum \$10.00 fee for loads 680 lbs or less)
Used tires (residents only, up to 4 tires per person/per day)	\$1.00 per tire plus minimum weight fee of \$10.00
Special handling loads (campers, wet loads, etc.)	\$55.00 per ton

Uncovered load fee (residential)	\$10.00
Uncovered load fee (commercial)	\$30.00
Vehicle weight fee	\$4.00
Freon removal fee	\$15.00 per unit
Friable asbestos	Not Accepted
E-Waste	
Televisions and computer monitors	\$10.00 for up to 3 units plus minimum weight fee; \$3.00 for each additional unit
Recycling Center	
Public curbside recycling	N/A
Commercial recycling	N/A
Public drop-off recycling	N/A
Green Waste Tipping Fee	
Clean grass and leaves	\$5.00 per load (if load is contaminated a \$30.00 per ton fee will apply)
Products	
Screened fine premium	\$15.00 per yard \$4.00 per bag (2 cubic ft.)
Yard and garden mulch	\$15.00 per yard \$4.00 per bag (2 cubic ft.)
Screen leaf/veg. premium	\$20.00 per yard \$4.00 per bag (2 cubic ft.)

Decorative chips fine/medium — plain	\$15.00 per yard \$4.00 per bag (2 cubic ft.)
Colored wood chips	\$25.00 per yard \$5.00 per bag (2 cubic ft.)
Ground mulch	\$7.00 per yd
Misc. wood (sawdust, natural wood)	\$3.00 per 2 cu. ft bag
Firewood	\$90.00 full cord, split \$45.00 ½ cord, split \$30.00 ¼ cord, split
Uncovered load fee	\$10.00
Compost delivery fee (10 yard minimum)	\$60.00 (\$70.00 upper valley)
Construction and Demolition Landfill	
All landfill waste	\$16.00 per ton

This Ordinance shall be effective 15 days after publication in the Standard Examiner.

PASSED, ADOPTED, AND A SYNOPSIS ORDERED PUBLISHED this _____ day of January 2019.

ATTEST:

Ricky D. Hatch, CPA
Weber County Clerk/Auditor

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By _____
Scott K. Jenkins, Chair

Commissioner Froerer voted _____
Commissioner Harvey voted _____
Commissioner Jenkins voted _____



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

November 14, 2018

Dan Olsen, Comptroller
Weber County Corporation
2380 Washington Blvd.
Ogden, UT 84401

RE: New Solid Waste Fees
Self Inspections

Dear Mr. Olsen:

As you recall, H.B. 115 (2017 General Session) fundamentally changed the way solid waste fees were to be applied, calculated and collected. The bill eliminated the statutory fees beginning January 1, 2019 and directed the Division of Waste Management and Radiation Control to develop a solid waste fee based on its fully burdened program costs. The bill requires this fee to be paid by all solid waste management facilities whose activities create a regulatory burden for the Division. The bill also requires the Division to include this fee in its annual fee schedule as part of the budget process.

In April – June 2017, the Division sponsored seven public meetings across the state to explain the requirements of H.B. 115 and gather public input on establishing a new fee. Following these public meetings and evaluation of comments and program costs, the Division proposed a minimum annual fee of \$500 or 21 cents a ton for every ton of solid waste that is treated or disposed, whichever is greater and a minimum annual fee of \$500 or 11 cents a ton for every ton of solid waste that is transferred, whichever is greater.

These proposed fees were included in the Department's fee schedule and a public comment period on the fee schedule was held August 14, 2017 to September 12, 2017. A public hearing was also held on September 12, 2017. Following the public comment period and hearing and evaluation of all public comments, the Department submitted the proposed solid waste fees as explained above with its budget requests to the Governor, who in turn submitted his budget request to the Legislature for consideration during the 2018 General Session. The Division also presented its proposed solid waste fee to the Natural Resources, Agriculture and Environment Interim Committee on November 15, 2017. The proposed solid waste fees were approved by the Legislature (2018 General Session) as part of the Legislature's annual appropriation process.

H.B. 115 became effective on May 9, 2017 but the new solid waste fees approved by the Legislature in the 2018 General Session do not replace the current solid waste fees until January 1, 2019.

Beginning January 1, 2019, your new solid waste fee will be 21 cents a ton for every ton treated at your facility or \$500, whichever is greater. This new fee is to be calculated and paid quarterly, based on the amount of waste (tons) treated in the previous three months. If Weber County-Compost pays the minimum fee (\$500), it should be paid in four payments of \$125.00 each as shown below.

The following table outlines the payment due dates:

New Solid Waste Fee (All Facilities)	
Beginning January 1, 2019, paid quarterly	
First Payment	April 15, 2019
Second Payment	July 15, 2019
Third Payment	October 15, 2019
Fourth Payment	January 15, 2020

In accordance with 19-6-119(7)(b), the enclosed form should be used when remitting the required fee to the Department. The form can also be found at <https://deq.utah.gov/forms/waste/index.htm#swp> under *Solid Waste Program Forms*.

H.B. 373 (2018 General Session) directed the Division to develop and implement a program to allow owners and operators of solid waste management facilities to self-inspect. On November 8, 2018, the Waste Management and Radiation Control Board approved changes to the Utah Administrative Code which contain the provisions of this self-inspection program (see <https://deq.utah.gov/waste-management-and-radiation-control/rulemaking-actions-waste-management-and-radiation-control>).

Participation in the self-inspection program is voluntary. The inspections conducted by owners and operators of their own facilities under this program are in addition to the inspections the Division may conduct. Those wishing to participate in the self-inspection program must notify the Division by December 1, 2018. For this year only, notifications received after December 1, 2018 will be accepted. This notification allows the Division to provide the required training and certification for those who participate. This notification is required each year by December 1.

The notification should be submitted to the Division on facility letterhead with signature. You may send a hard copy with wet signature (preferred) or attach the signed letter to an email and send to allanmoore@utah.gov. If you do not wish to participate in the self-inspection program, no action on your part is needed.

If you have any questions regarding solid waste fees or the self-inspection program, please contact me at (801) 536-0203 or standerson@utah.gov or Allan Moore at (801) 536-0211 or allanmoore@utah.gov

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott T. Anderson', with a large, stylized flourish at the end.

Scott T. Anderson, Director
Division of Waste Management and Radiation Control

Enclosure: Solid Waste Quarterly Fee Report Form



Instructions for Completing Solid Waste Quarterly Fee Report Form

The Division of Waste Management and Radiation Control is not currently able to accept e-mailed form submissions. The attached form must be submitted to the Division in accordance with the Utah Solid and Hazardous Waste Management Act 19-6-119(7) . Quarterly reports must be received by the Division on or before the 15th day following the end of the Quarter. See below.

- Quarter 1- Fee & Report Due April 15th *(January 1 – March 30)*
- Quarter 2- Fee & Report Due July 15th *(April 1 – June 30)*
- Quarter 3- Fee & Report Due October 15th *(July 1 – September 30)*
- Quarter 4- Fee & Report Due January 15th *(October 1 – December 31)*

Complete all applicable sections of the form and save it. When printing, please print only the form pages. The instruction page should not be printed and mailed.

Completed forms should be mailed to:

Scott T. Anderson, Director
Division of Waste Management and Radiation Control
P.O. Box 144880
Salt Lake City, Utah 84114-4880

Additional copies for the form can be obtained on the Department of Environmental Quality web page at <https://deq.utah.gov/forms/waste/index.htm#swp> under the Solid Waste Program Forms.



SOLID WASTE QUARTERLY FEE REPORT

Please complete all requested information below – Type or print legibly

Facility Name: _____

Facility Mailing Address: _____

(Number & Street, Box and/or Route)

City: _____ Zip Code: _____

County: _____ Permit No.: _____

Contact:

Name: _____ Phone No.:(____)

E-mail Address: _____

Year and Quarter Reported

Calendar Year _____

Quarter 1 (January 1 - March 30)

Quarter 2 (April 1 - June 30)

Quarter 3 (July 1 - September 30)

Quarter 4 (October 1 – December 31)

Facility Type

Landfill

Land Treatment / Land Farming

Compost

Transfer Station

Incineration

Tons Received for Transfer, Treatment or Disposal

Type of Facility	Tons	Fee per Ton	Total
Transfer	_____	\$0.11	\$_____
Treatment	_____	\$0.21	\$_____
Disposal	_____	\$0.21	\$_____
Incineration	_____	\$0.21	\$_____

The minimum fee due is \$125.00 per quarter. If your fees when calculated by ton do not meet the minimum, your fee due is \$125.00.

Conversion Factor Used

No Yes (If yes, please indicate Specific Conversion Factor): _____

Signature: _____ Date: _____

Signature should be by an executive officer, general partner, proprietor, elected official, or a duly authorized representative. A duly authorized representative must meet the requirements of the solid waste rules UAC R315-310-2(4).

Print name: _____ Title: _____

Please Note: This form does not replace the Annual Report as required by R315-302-2(4) of the Utah Administrative Code. Annual Reports are due on or before March 1st of each calendar year.