

T-3.3
SWANA TECHNICAL POLICY

THE ROLE OF THE PUBLIC SECTOR
IN THE MANAGEMENT OF MUNICIPAL SOLID WASTE

I. INTRODUCTION

In formulating policy with respect to local government responsibility for managing municipal solid waste, the Association should build on its mission as the foundation for establishing programs that are responsive to the needs of all its members. Municipal solid waste management is an essential public service necessary to protect public health, public safety and the environment. It is because of this fact that local government must assume responsibility for assuring and overseeing the provision of municipal solid waste management services to its citizens, businesses and industries.

SWANA defines local government to mean any incorporated or unincorporated jurisdiction including cities, municipalities, towns, townships, boroughs, districts, special purpose districts, authorities, counties or similar local government entities which have been established by state, provincial or local government law for the purposes of serving a designated segment of population within a state or province, or interstate/interprovincial areas.

SWANA defines municipal solid waste as all solid wastes generated within the jurisdiction of a local government that is not determined to be a hazardous waste as defined and regulated by any federal, state or provincial legislation or regulation.

SWANA defines municipal solid waste management as all services, operations, facilities, and processes used to store, collect, transport, separate, treat, recover, process, or dispose of municipal solid waste.

Municipal solid waste management today is provided in a variety of institutional arrangements. These arrangements are varied and the arrangements listed below may not be inclusive. However, they clearly illustrate the most significant approaches in practice today:

- **Unrestricted:** Local government takes no responsibility, provides no protection of public interests; exercises no control over issues related to municipal solid waste management or provides no oversight. All services are totally dependent upon the ability of the unrestricted competitive process.
- **Licensing:** Local government licenses organizations to conduct business to provide municipal solid waste services within their jurisdiction.

- **Contract and Franchising:** Local government takes an active role in defining the degree of service, determines how the private sector will deliver the services and at what costs, and oversees the delivery of the service authorized.
- **Local Government Owned:** Local government owns the facilities and contracts for the operation of municipal solid waste collection, transfer, resource recovery and disposal services/operations.
- **Local Government Owned and Operated:** Local government owns and is responsible for the operation of municipal solid waste management services, operations, policies and facilities.
- **Authorities/Special Purpose Districts:** An institutional arrangement that has state, provincial or local government (political) oversight and allows the institution to be self-reliant for revenues. The institution has the power to utilize the business approach of the private sector.
- **Highly-Organized Local Government Involvement:** Local government is strong and is involved in land use planning, zoning and strict enforcement of licensing regulations. It allows efficient participation by the private sector in providing the necessary services.

No one particular role for local government involvement in the management of municipal solid waste can reasonably be selected as the preferred arrangement. Individual local governments are faced with assessing and defining how they choose to exercise municipal solid waste management responsibilities based on unique local circumstances. In determining how municipal solid waste will be managed, local government must consider the public expectations for a safe, reliable and cost effective municipal solid waste management system. However, to assure the protection of the public interest, public health and the environment, local government cannot ignore its responsibilities. Local government, therefore, must exercise overall responsibility for the planning for municipal solid waste management and for the provision of municipal solid waste management services.

II. DISCUSSION

Local government provides a wide degree of public services in a manner that best serves the public interest as defined locally. In determining how municipal solid waste is to be managed, the following issues must be addressed:

- How is the public best served?
- If considering a change from current practices, are the services being offered by the various options under consideration the same?
- Should services be provided by public or private operations? What are the advantages and disadvantages of each option?

- Who should own facilities such as transfer stations, recycling facilities, landfills, incinerators, and waste-to-energy facilities? What are the advantages and disadvantages of each option?
- Who should operate the various facilities which are part of a municipal solid waste management system? What are the advantages and disadvantages of each option?
- Has local government kept the politics out of municipal solid waste management?
- How can local government assure a level playing field for all private operations in municipal solid waste management?

III. POSITION

- A. Managing municipal solid waste is a public service. It is a public service established to protect human health and environmental quality. SWANA supports a policy that requires local government to be responsible for the protection of public health, environmental quality and safety within their jurisdictions. Therefore, local governments must plan for, exercise control over, and make the decisions relative to how municipal solid waste is managed within their jurisdictions.
- B. If state/provincial legislation does not place responsibility for municipal solid waste management in the hands of local government, SWANA supports the passage of such legislation.
- C. SWANA supports a policy to require local government to develop comprehensive municipal solid waste management plans which determine exactly how all solid waste generated within their jurisdictions are managed. Since local governments are held responsible for planning for growth, they must judge how all public services are delivered, including municipal solid waste management.
- D. Local government must establish locally-organized municipal solid waste management systems that are safe, reliable, efficient, reasonably-priced, and environmentally-sound.
- E. Local government should determine how all municipal solid waste is managed within its jurisdiction. Such determinations should be established by planning, ordinances, guidelines and licenses.
- F. Local government should determine which municipal solid waste services should be provided by the public and private sectors, how those services will be provided, and under what conditions those services will operate.
- G. Local government should determine what municipal solid waste management facilities should be owned by the public and private sectors, how those facilities will operate, who will operate those facilities, and under what conditions they will operate.

- H. Public or private owned operators can and are comparable in level of service delivered, quality of operation, efficiency and effectiveness of service, and in cost. Where this is not the case, it is due to the failure of the owners and operators to apply sound technologies, systems, management and economic principles.
- I. Where there are contract services allowed within a jurisdiction, local government should assure that the costs of those services are established by a fair, equitable, and competitive process.
- J. SWANA does not support attacks on either the professionalism or capabilities of publicly or privately employed solid waste management professionals or their employees.

IV. POLICY IMPLEMENTATION

SWANA will implement this policy by:

- A. Establishing programs designed to upgrade the professional knowledge, skills, and abilities of all individuals involved in managing municipal solid waste management services. SWANA intends to develop and provide training programs in various managerial, technical, operational, environmental, and financial aspects of municipal solid waste management in support of this policy. Special emphasis will be made to assist those members responsible for managing local government owned, operated, or managed municipal solid waste management systems.
- B. Supporting the establishment of rigorous siting, environmental, safety, operations and financial requirements for all providers of municipal solid waste management services. SWANA as the center of technical excellence, will develop guidance, technical information programs and provide technical assistance to help local providers of municipal solid waste management services.

Approved by the Executive Committee on August 19, 1990.

Durwood S. Curling
International Secretary

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