

SWANA TECHNICAL POLICY T-5:
REGULATION OF SOLID WASTE STORAGE, COLLECTION, AND TRANSPORTATION

Words marked with asterisks (*) are defined in SWANA Technical Policy T-0.

Background

Solid waste management – and particularly solid waste storage, collection, and transportation – has traditionally been the responsibility of local governments. (See *SWANA Technical Policy T-3.3 Role of the Public Sector in the Management of Solid Waste*, IIIA Position). In general, solid waste generators must comply with storage requirements, and municipal, commercial, and self-haulers must comply with collection and transportation requirements. Local governments fulfil their responsibility to manage solid waste by exercising their police power to protect public and environmental health, individuals' safety, and provide convenient, reliable, and affordable collection and transportation services. Many states/provinces mandate or set goals for waste diversion.

This Technical Policy discusses solid waste aspects of solid waste storage, collection, and transportation that many state/provincial and local governments already include in their programs. It concludes with SWANA's policies that summarize and succinctly re-state those practices.

Discussion

Discard and Storage. Waste "generators" are individuals and entities that produce and discard municipal solid waste*, including household* (residential), industrial* and institutional* waste. State and provincial governments prescribe generators' (or their haulers') obligations and standards for discarding and storing waste, and local governments set more detailed requirements. Common, current examples follow:

(1) Technical

- **Container or bag specifications:** manual/automated (*front end loaders**, *side loaders**), water-tight, vector-resistant, recycled content, set-out instructions (*distance between containers, contained/bagged or boxed*), color and labeling (*discard prohibitions, list of recyclables, scavenging prohibitions*); meeting applicable OSHA, CSA, and ANSI standards
- **Sites:** space for recyclables containers (*such as in multi-family dwellings and alleys*); access (*handicapped, commercial haulers*), and materials specifications (*such as concrete pads for bins or dumpsters*)
- **Bans:** such as disposing recyclables*, organic* or green waste*, yard debris* or food residuals* commingled with garbage*. (See *SWANA Technical Policy T-3.6 – Solid Waste Disposal Bans*, Technical Policy T-6 Recycling as Part of Waste Management, with respect to enforcement of bans.)

(2) **Sanitary:** especially with respect to putrescible waste (garbage*) that attracts vectors: manner and (*covering/containment*), length of storage/collection frequency (*especially organic waste*), container size/capacity (*adequacy*), cleaning, repair; and discard prohibitions (*dead animals, medical waste**).

- (3) **Safe:** placement (*not blocking pedestrians and traffic*), distance from buildings (*fire-prevention for non-putrescible flammable waste*); discard prohibitions (*hazardous wastes**, *sometimes electronic wastes (E-waste*)*, *universal waste** (such as batteries, pesticides, thermostats, mercury-containing lamps) *and, pharmaceuticals**), and special discard instructions, such as packaging air-borne materials (*vacuum dust, sawdust, cat litter, ashes*) or sharp objects (*glass, needles, sharps**)
- (4) **Aesthetic:** enclosed storage, visibility from street, time of set-out and take-back; bulky waste* collection rules; packaging ("*popcorn*"); odor (*no placement near doors, windows, or ventilating intakes, especially with respect to commercial waste*), litter clean-up requirements at set-out sites, bear-proof containers).

RECENT DEVELOPMENT: Weekly Collection. States, provinces and local governments are reconsidering minimum storage and collection requirements. Traditionally, they required generators (*or their haulers*) to dispose of mixed waste (putrescible *garbage** and non-putrescible *refuse**) at least weekly, for health reasons. However, they are setting diversion mandates* and diversion goals* to divert organics* – and particularly food waste* (residuals*) – from disposal. Many local governments struggle to provide additional funding for new programs: collecting segregated food waste* in addition to solid waste, recyclables* and green waste*. Some consider reducing costs by collecting recyclables* and non-putrescible yard waste* collection to bi-weekly instead of weekly, but the existing law and regulation may prohibit it. Local governments consider location, climate, weather, and waste stream of local governments when determining collection frequency. Collecting materials less than weekly may require changes in state/provincial regulations and local ordinances.

Collection

Mandatory Collection Service. Some local governments require that every generator subscribe to waste collection service or pay for the service (*for example, on a municipal utility bill or as part of property tax*). This assures waste management funding, increases route efficiency, and lowers costs (*for example, with one residential hauler*). It can allow local governments to direct disposal, recycling, or other diversion to specified facilities, either by regulation or contract/franchise*, in accordance with law regarding "flow control"*. It can improve local governments' financial credit when they collect service fees on utility bills and can discontinue water or power for delinquencies, or lien affected property. See also SWANA Technical Policy T-6 Recycling as Part of Waste Management, with respect to mandatory recycling.

Waste Haulers

Licensed, Permitted, Contracted/Franchised. Local governments license, permit, contract/franchise* waste collectors in the private sector (*commercial haulers*). Programs may be:

- non-exclusive (*open market competition*)
- semi-exclusive (*limited to a specified number of haulers*) or
- exclusive

They charge permit or license fees (*reimbursement of program administration, street wear-and-tear*), and franchise* fees (*consideration for awarding a hauler an exclusive monopoly to provide services*). Franchise* fees are a cost of doing business, just like fuel, wages, and depreciation.

Licenses, permits and contracts/franchisees contain varying details of program requirements and service standards, dependent in part on whether customers can choose their waste hauler and easily switch services if they are dissatisfied. Licenses and permits also provide for local government program administration and enforcement options.

Collection Contracts. Some local governments provide municipal collection service and others contract with private entities. (See *SWANA Technical Policy T-3.4 Ownership of Municipal Solid Waste Systems*, I Introduction, IIB2 Position/Collection.) Contracts include basic (*garbage and refuse; often recyclables and yard waste*) and special services (*such as bulky waste collection*); collection schedules, customer service (*complaint resolution, container repair, billing disputes*), public education, diversion requirements, and probably rate regulation/adjustment. (See *SWANA Technical Policy T-4.1 Contracting for Solid Waste Management Services*, IIB3 Collection service specifications: refuse, recyclables, and green waste.)

Contract Procurement. See *SWANA Technical Policy T-4.1 Contracting for Solid Waste Management Services SWANA T-11*, II Contracting and Procurement Policy. It discusses procurements, including competition, process minimum qualifications, evaluation criteria, etc. SWANA takes the position that local governments should procure private, solid waste management services competitively. (*SWANA Technical Policy T-3.3 Role of the Public Sector in the Management of Solid Waste*, IIIJ Position.)

Vehicles. Local governments set vehicle requirements with respect to:

- technology (*front end loaders*, side loaders,* dedicated use, identification, CNG fueling*)
- sanitation (*water-tight/leak-proof, equipped with absorbent for spills; fire extinguisher*)
- safety (*back-up alarms, cameras; compliance with explicit laws regarding such as smog checks, tires, lights, registration, and weight limits*) and
- aesthetics (*equipped with broom for litter, covered or closed compartments; washing schedules, painting*)

Increasingly, states and provinces (*or specifically their air boards*) require that waste collection vehicles meet prescribed fuel and emissions standards (*retro-fit or new acquisition*) and fuel use (*such as CNG*).

Transportation. Federal, state/provincial, and local governments regulate several aspects of transporting waste, including road weight limits and distribution, and prohibiting leaks, spills, blown litter (*covering with tarps, enclosed truck body*)

II. Policy Position

SWANA supports the following policies to ensure sanitary, safe, convenient, efficient, and affordable solid waste management, in compliance with law:

Discard, Storage, Collection, and Transportation

- (1) **Plan Standards & Requirements:** State and provincial governments should establish general standards and requirements for disposal, storage, collection, and transportation (*such as minimum service frequency*).
- (2) **Plan Development:** Local governments develop specific standards, requirements and integrated waste management plans that include storage, collection, and transportation services.
- (3) **Plan Implementation & Enforcement:** Local governments should implement plans and enforce legal requirements/performance standards to assure storage, collection, and transportation of municipal solid waste is rapid and reliable.

Discards

- (1) **Acceptable/Permitted Wastes.** Generators can discard only municipal solid waste, not hazardous or medical waste in solid waste collection containers.
- (2) **Mandatory Recycling/Disposal Bans.** State, provincial and local law may also prohibit discard of other wastes, such as scrap tires, yard waste, e-waste, or recyclables and organics (food waste) in garbage* containers (bans).

Storage

- (1) **Containers.** Containers should be leak-proof, covered and compatible with selected collection method and programs (*design, size, colors*). They should display printed discard and set-out instructions. Local governments should establish standards for cleaning and repairing containers.
- (2) **Collection Frequency.** Generally, organic wastes* that are putrescible (*such as food and green/yard waste*) should remain stored on premises for no more than one week. Non-putrescible waste (*such as source separated recyclables*) may remain stored for no more than two weeks. However, local climate, weather, customers, and other variables might justify bi-weekly collection of organic wastes*.
- (3) **Storage Locations.** Local governments may require generators to store containers from public view. State, provincial or local law may mandate that multi-family or commercial buildings provide space to store recyclables containers, store certain flammable wastes no closer than prescribed distances from buildings, and install impermeable surfaces (concrete).

Collection

- (1) **Set-Out/ Take-In.** Local governments may require generators to place containers at specified locations and in a prescribed manner, and to set-out and remove containers within a certain time of collection.
- (2) **Mandatory Collection.** Local governments may mandate collection to assure stable funding, establish credit, reduce costs, and control waste stream, as allowed under law.
- (3) **Regulation v. Agreements.** Local governments may choose to establish program specifications, service standards and compliance/enforcement either by license, permit, or contract/franchise*, as allowed under law.
- (4) **Public/Private.** Local governments may provide waste management services themselves or through the private sector.

- (5) **(Non / Semi) Exclusive.** Local governments may provide non-, semi- or exclusive service as a matter of local discretion (if allowed by law).
- (6) **Automation.** If feasible (considering *hills, cul de sacs, weight-bearing pavements etc.*), local governments should provide automated solid waste collection services to the maximum extent possible, where feasible.

Transportation.

- (1) **Litter and Leaks.** Local governments should prohibit transporters of solid waste from littering or leaking materials on streets via contract, license, or ordinance, and require them to carry equipment for cleaning up litter and leaks.
- (2) **Routing.** Local governments can consider traffic, noise, road maintenance and other truck impacts when establishing routing requirements but should also consider cost consequences.

Approved by the International Board on
April 22, 2017.

Michael Greenberg, International Secretary
Dated April 22, 2017