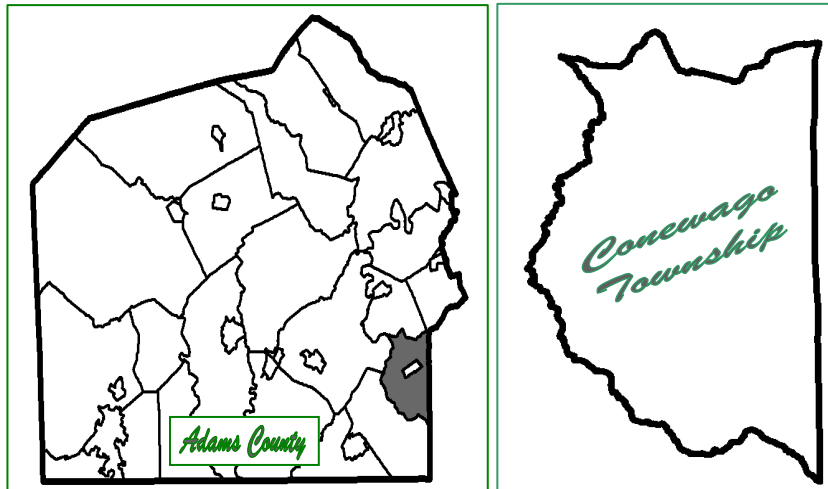


**SWANA RECYCLING
TECHNICAL ASSISTANCE STUDY
FINAL REPORT
ACT 101 RECYCLING COMPLIANCE AND
RECYCLING EDUCATION**

Prepared for:

**CONEWAGO TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA**



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HARRISBURG, PENNSYLVANIA

April 2007

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**SWANA TECHNICAL ASSISTANCE STUDY
CONEWAGO TOWNSHIP**

EXECUTIVE SUMMARY

**ACT 101 RECYCLING COMPLIANCE
AND RECYCLING EDUCATION GUIDANCE**

Conewago Township is located in Adams County, Pennsylvania. The Township is in the process of evaluating ways to improve its recycling program to enable the Township to implement and maintain a recycling program that complies with the Pennsylvania’s Municipal Waste Planning, Recycling, and Waste Reduction Act of 1988 (Act 101) and PADEP policies and guidelines. It is beneficial that the Township’s current waste and recycling program is defined by a joint municipal waste collection disposal and recycling contract that is bid periodically and facilitated by Adams County. This collection contract is a good mechanism for implementing a comprehensive waste and recycling program.

Waste Management provides weekly curbside waste disposal and recyclables collection services. Recycling is mandatory for residential and small business establishments, multi-family dwellings, mobile home parks, churches, and municipal offices. Residential curbside recyclables collection services satisfy the Act 101 requirement for collection of at least three (3) Act 101 designated container-type recyclables from residential establishments, but fail to meet Act 101’s curbside leaf waste collection requirements. The existing recycling program does not adequately address Act 101 recycling requirements (refer to Section 6.0) in the following areas:

- Curbside leaf waste collection
- Residential and commercial recycling education/notification
- Commercial sector recycling notification and reporting
- The Solid Waste Ordinance does not specify all the Act 101 materials required for source separation from commercial, institutional and municipal establishments.

GF recommends the Township:

- Increase its involvement in waste and recycling initiatives to make noticeable improvement to the program and to meet Act 101 recycling requirements.
- Verify that the Contractor is meeting its contractual requirement to inform customers about the recycling program requirements on a semiannual basis and supplement the education information provided by the collection contractor with Township recycling information for residents and businesses (e.g. newsletters and website at a minimum).
- Make the waste collection and recycling contract more enforceable through addition of a Liquidated Damages Policy (refer to **Appendix D**).
- Notify/educate residents once every six months about leaf waste, including the location of one or more local drop-off sites for leaf waste. At a minimum, residents should be

informed about H&H Excavation (Country Mulch), which is a private facility located in Spring Grove.

- Coordinate with Adams County to add curbside leaf waste collection services to the next competitive bid for waste collection services. Leaf waste services should include at least one curbside collection of garden residue, shrubbery and tree trimmings, and similar material in the spring and one curbside collection for leaves in the fall. Leaf waste pickup is commonly provided on Saturdays in this region.
- Inform commercial establishments directly about their recycling requirements by using a combination of the methods in the checklist in Section 7.2.
- Distribute a Commercial Recyclables Report Form to all large commercial sector establishments not included in the waste collection contract (**Appendix B**).
- Take an active roll in improving recycling by local commercial establishments through mailings, phone calls and/or visits. Target large businesses first (**Appendix A**).
- Work more closely with Adams County to develop an organized approach to obtaining commercial recycling data.
- Update the Township Solid Waste Ordinance to require all commercial, institutional and municipal establishment to report recycling data to the Township and to require recycling of:
 - High-grade office paper
 - Cardboard
 - Leaf waste
 - Aluminum

**SWANA TECHNICAL ASSISTANCE STUDY
CONEWAGO TOWNSHIP**

FINAL REPORT

**ACT 101 RECYCLING COMPLIANCE
AND RECYCLING EDUCATION**

1.0 INTRODUCTION

Conewago Township (Township) is located in Adams County, Pennsylvania. The Township is in the process of evaluating ways to improve the Township’s recycling program. Through the partnership with the Solid Waste Authority of North America (SWANA), the Pennsylvania State Association of Township Supervisors, and the Pennsylvania Department of Environmental Protection (PADEP), the Township was awarded \$7,500 in technical assistance to be provided by Gannett Fleming, Inc. (GF).

GF has been asked to provide information and guidance on implementing a recyclables collection program that complies with Pennsylvania’s Municipal Waste Planning, Recycling, and Waste Reduction Act of 1988 (Act 101). Guidance should also be offered related to PADEP policies and guidelines and Act 101 requirements for the curbside collection of leaf waste. Additionally, the Township wishes to improve its recycling education program along with its ability to obtain recycling reports from residential and commercial establishments located in the Township.

1.1 Scope of Work

Gannett Fleming worked with the Township to develop the following tasks:

- Task #1** Gather and review background information provided by the Township related to existing waste, recyclables and yard waste collection practices. This task will include a review of the relevant ordinances and corresponding requirements, as well as any associated waste and/or recycling contracts.

- Task #2** GF will describe and evaluate the curbside recycling program including the education program for residents and commercial sector establishments (i.e. businesses, industries, and institutions). GF will make recommendations related to improving the current recycling education methods and Act 101 recycling compliance.

- Task #3** GF will prepare and provide the Township with a summary report of findings and recommendations. This task includes a review of the report by PADEP and response to PADEP comments. Additionally, an electronic file of the final report will be submitted to PADEP of the project conclusions and findings. Both an electronic and hardcopy version of the report will be provided to the Township.

2.0 BACKGROUND

Conewago Township is home to **5,709 residents** based on 2000 Bureau of Census data. The Township is located in Adams County, Pennsylvania. The Township is mandated under Act 101 to provide a curbside recycling program for its residents, including the curbside collection of leaf waste. The Township was notified by PADEP that there are several aspects of the current recycling program that do not comply with State recycling law and PADEP guidelines. The new Township manager initiated this study to assist the Township with implementation of a recycling program that complies with Act 101.

3.0 EXISTING WASTE AND RECYCLABLES COLLECTION AND DISPOSAL

Residential curbside collection services for waste and recyclables is mandatory in the Township and is implemented via contract with Waste Management, Inc.. The current contract is a joint contract with Gettysburg and Conewago Townships. The joint waste collection contract, which includes disposal of municipal waste, was facilitated by Adams County. Adams County has actively assisted 22 local municipalities in implementing contract collection programs. Under the current contract, Waste Management is required to collect, remove and properly process or dispose of municipal waste, large items and recyclable materials from all residential dwellings, multi-family dwellings, mobile home parks, churches and municipal offices. Large commercial establishments are not included under the contract.

Conewago residents pay **\$55.98 per quarter** for weekly curbside services waste and recyclables, or \$223.92 annually. Under the current contract, residents receive the following services:

- Weekly curbside trash collection
- Weekly curbside recycling services
- Weekly bulky item pick up (upon request)
- Christmas tree collection (seasonal)

As agreed between Conewago Township and Waste Management, the following recyclables are collected commingled on the same day as trash from residential establishments, small businesses, multi-family dwellings, mobile home parks, churches, and municipal offices:

- | | |
|-----------------------------------|---|
| ▪ Aluminum cans | ▪ Newsprint |
| ▪ Steel/bimetallic cans | ▪ Office paper |
| ▪ Clear glass | ▪ Cardboard |
| ▪ Colored glass (green and brown) | ▪ Plastic beverage/detergent containers |

Some residents have 22-gallon recycling bins that were distributed by the Township. Other residents are responsible for providing their own recycling containers and labeling them for recycling. Waste Management has recycling stickers that can be placed directly on the containers. After collection, commingled containers and newsprint are taken to Recycle America Alliance in York, Pennsylvania. As reported by Waste Management, **351 tons** of residential commingled recyclables were collected in 2006.

3.1 Commercial Sector Recycling

As noted in Section 3.0 above, the Township has mandatory recycling for small businesses, multi-family dwellings, mobile home parks, churches, and municipal offices as implemented through the municipal collection and disposal contract with Waste Management. These smaller businesses are permitted to have a waste collection service that is equivalent to residential service, provided the establishment does not exceed three (3) containers up to 75 lbs. each or 32 gallons. If these establishments require dumpster service, the following dumpster prices are included under the Waste Management Contract:

Dumpster (Cubic Yards)	Once-Per-Week Price	Twice-Per-Week Price
2	17.07	16.13
4	22.43	21.35
6	28.49	27.06
8	34.18	32.59

Multi-unit business centers exceeding four (4) units, agricultural, large commercial, institutional or industrial firms are exempt from the Township’s collection and disposal contract. Importantly, the contract with Waste Management states the following with regards to recyclables reporting: “The Collector is responsible for and shall report to the Municipalities and the County on the amounts and types of materials recycled in each individual municipality (Conewago Township and Gettysburg Borough), inclusive of residential and commercial recycling. Additionally, the Collector must maintain and, if requested by the Municipality (Conewago Township) provide documentation of such”.

Generally, larger commercial establishments privately subscribe with one of several local private haulers for waste collection, and in some cases, also contract for segregated collection of recyclables (e.g. cardboard). The extent of recycling by businesses is largely unknown since there is no formal commercial recycling data tracking implemented by the Township. Adams County received reports from only one commercial establishment (Vulcan Materials) located in Conewago Township in 2006.

3.1.1 Identifying Commercial and Industrial Recyclable Generators

GF requested a listing of commercial and industrial property records from the Adams County Planning Department to better assess the number of commercial establishments in the Township and to better quantify how many commercial establishments in the Township could potentially generate recyclables. The complete listing of commercial properties showed 141 commercial establishments, but a number of these properties were vacant, residential, or seasonal properties, or had other characteristics that limited their potential as a recyclables-generating property/establishment.

GF reviewed the Adams County property codes (**Appendix A**), and then sorted the commercial and industrial property list to include only the following property types:

- (C) Commercial (general)
- (CM) Commercial Motels and Hotels
- (CO) Commercial Offices
- (CR) Commercial Restaurant
- (CS) Commercial Store
- (CW) Commercial Warehouse
- (I) Industrial/Manufacturing

After sorting the property listing using the above criteria, there were 89 commercial and industrial properties identified on the list. The sorted listing is included in **Appendix A** and shows the property owner names and addresses. This sorted data is a good starting point for the Township to review in order to begin identifying and tracking businesses that should be targeted to ensure they are recycling and are meeting their requirement to provide recycling data to the Township. Conewago Township should also request (each year) the list and recycling data from commercial establishments/businesses that provide data directly to Adams County.

Many of the Township’s larger businesses may implement some form of recycling; however, many of these businesses may not be in compliance with Act 101 recycling requirements for one or more of the following reasons:

- Businesses are often unaware of their requirements under State Law (Act 101) to recycle.
- Businesses may feel that recycling is not a priority, is burdensome, and they may not understand how to implement a recycling program.
- Securing a hauler service for segregated recycling may result in an additional cost, thus businesses are financially discouraged to recycle. Businesses often assume recycling will cost more, but recycling may actually save the company money through reduced disposal costs.
- The Township does not have a structured commercial sector education program, including follow-up with the commercial sector waste hauler and commercial establishments.
- The Township’s Solid Waste Ordinance does not require commercial establishments to recycle high-grade office paper, cardboard, and leaf waste, which Act 101 requires.
- The Township’s Solid Waste Ordinance does not require commercial establishments to report recycling efforts, which would encourage some businesses to implement acceptable recycling programs.

Note: The Adams Rescue Mission offers free recycling services to residents and businesses.

3.1.2 Commercial Recycling Requirements

As implemented via Township ordinance, all commercial, institutional and municipal establishments within Conewago Township are required, in accordance with Act 101, to recycle. These establishments are responsible for arranging for the collection and recycling of designated Act 101 materials, unless another arrangement or agreement fulfills the Act 101 requirements (e.g. taking materials directly to a distribution center or processor). As a mandated municipality, the Township is required to submit annual recycling reports, including data from commercial, institutional and municipal establishments, to Adams County on or before February 15th. The County, as required by Act 101, submits an Annual Recycling Report each year for PADEP

record. At a minimum, Act 101 requires commercial, institutional and municipal establishments located in Pennsylvania’s mandated municipalities to recycle the following materials:

- **High-grade office paper**
- **Aluminum**
- **Corrugated paper**
- **Leaf waste**

Additional materials must be recycled by commercial establishments when the municipal ordinance has stated requirements for collection of additional materials. Other recyclable items that can be recovered (in addition to those listed above) may include glass, newsprint, plastics, and/or steel and bimetallic cans, and food waste.

4.0 RECYCLING EDUCATION

Effective recycling education is an essential component of any successful recycling program. The first of the following three sections describes the current recycling education methods used by the Township. The second section presents education requirements that must be established for mandated municipalities implementing a source-separation and collection program for recyclable materials as presented within Section 1501 of Act 101 and as further defined in Chapter 272 of the PADEP Municipal Waste Regulations. Section 4.3 identifies several ways the Township can improve its recycling education program.

4.1 Existing Recycling Education Methods

Currently the Township educates residents about recycling as follows:

- The waste collection, disposal and recycling contract requires Waste Management to educate residents about recycling semi-annually.

The Township educates commercial, institution, and municipal establishments about recycling using the following methods:

- Multi-family dwellings (up to 4 units) and mobile home parks, small business establishments, churches, and municipal offices are “customers” of the Contractor for waste and recycling services, and the Contractor is required to notify these entities semi-annually of their recycling requirements. The frequency and information included in recycling notifications by Waste Management was not verified by GF and is not known by the Township.
- There is no formalized method for notifying large commercial establishments of their recycling responsibilities.

4.2 Residential and Commercial Recycling Notification and Education Requirements

As stated in the Municipal Waste Regulations, Title 25 of the Pennsylvania Code, the Township is required, at least 30 days prior to the initiation of the recycling program and at least once every 6 months thereafter, to notify commercial, institutional and municipal (and residential) establishments of their recycling requirements as designated in the ordinance.

4.3 Improving Recycling Education in Conewago Township

Recycling education is important to the ongoing success of any curbside recycling program. Certainly, the Township needs to meet the Act 101 requirements for educating residents and businesses about the recycling program. GF has recommended ways to achieve recycling education/notification compliance in Section 7.2. Since the Township relies on the collection Contractor to take a lead in recycling education, it is important that the Township review and understand the recycling service that is provided by the Contractor. The Township and the Contractor should work together to clearly communicate a consistent recycling education message to the public. For example, the Contractor’s curbside service may include collection of recyclables that are not identified in the Solid Waste Ordinance, which is accessible to the public on the Township’s web site. For the Township to improve upon the overall recycling program, GF encourages the Township to:

- As a general rule, implement a convenient recycling program that collects a comprehensive list of materials including paper materials and mixed containers (e.g. plastic bottles, aluminum cans, glass bottles, bi-metallic cans). Recycling containers, provided by the Township or by the Contractor, must be sized to collect all recyclables generated from a typical household between pick-ups without undue overflow of materials.
- Hold the curbside recycling service Contractor accountable for semi-annual distribution of educational materials once every six months as required by Act 101..
- Supplement the Contractor’s educational materials with a web site and user friendly link to residential and commercial recycling information.
- Supplement the Contractor’s educational materials with a least one comprehensive waste and recycling newsletter per year (include leaf waste handling information).
- Pursue Act 101, Section 902 Recycling Grant funds for up to 90 percent reimbursement of recycling education.

5.0 LEAF WASTE COLLECTION

The following sections describe the status of leaf waste collection and processing for Conewago Township and the Act 101 leaf waste collection requirements and PADEP guidelines.

5.1 Existing Leaf Waste Collection Program

Conewago Township does not currently have a curbside leaf waste collection program. The Township is in the process of evaluating its options to implement a residential curbside collection program that meets Act 101 minimum collection requirements for leaf waste. Some residents take leaf waste to H&H Excavating (Country Mulch) in Spring Grove. Some residents may also engage in backyard composting operations. The Master Gardner program, operating through the Adams County Penn State Cooperative Extension, offers annual back yard composting educational programs to all residents of the county and provides class participants with backyard composting bins. To date, the Master Gardner program has distributed close to 1,000 bins.

5.2 Act 101 Leaf Waste Requirements and PADEP Guidelines for Leaf Waste

Act 101, Section 1501(c)(1)(ii) and (iii), requires persons in mandated municipalities to separate leaf waste from other municipal waste generated at residential, commercial, municipal and institutional establishments. “Leaf waste” is defined in the Act and its regulations as “**Leaves, garden residues, shrubbery and tree trimmings, and similar material**, but not including grass clippings.” Source separated leaf waste, as with other recyclable material, is to be collected at least once per month as set forth in Act 101 Section 1501(c)(2) and (3) and processed at Pa. DEP-approved composting facilities.

Act 101 mandated municipalities with programs that collect leaves only in the fall are not in compliance with the Act. Mandated municipalities desiring to establish leaf waste collection programs in compliance with Act 101 must, as a minimum:

1. Require by ordinance that leaf waste consisting of leaves, garden residues, shrubbery and tree trimmings, and other similar material are targeted for collection from residences and commercial, municipal and institutional establishments; and
2. Establish a scheduled day, at least once per month, when leaf waste is collected from residences; or
3. Establish a scheduled day, not less than twice per year and preferably in the spring and fall, when leaf waste is collected from residences, and facilitate a drop-off location or other collection alternative approved by Pa. DEP that allows persons in the municipality to deposit leaf waste for the purposes of composting or mulching at least once per month. The leaf waste drop-off location may be located in a neighboring municipality or at a private sector establishment provided that an agreement is in place to utilize that location and the municipality keeps residents and commercial, municipal and institutional establishments informed of the option at least once every six months.
4. Ensure that commercial, institutional and municipal establishments generating leaf waste have collection service.
5. Municipalities are encouraged to manage source separated Christmas trees as leaf waste for processing at Pa. DEP-approved composting facilities.

Importantly, these collection minimums may not meet the disposal needs for leaf waste generated by residential establishments in the Township. Therefore, when feasible, the Township is encouraged to offer residents a greater level of curbside collection services (and one or more supplemental drop-off sites) for leaf waste in order to minimize disposal of this material in local and regional waste disposal facilities. Collection of leaves using leaf vacuum trucks in the fall is a common way to expand the level of curbside collection service.

5.2.1 Drop-off Sites for Leaf Waste

Drop-off recycling or drop-off systems for leaf waste are not an option in terms of replacing curbside collection in the Township for residential, commercial, institutional or municipal establishments. Drop-off sites are optional for recyclables and leaf waste in the sense that they can supplement a curbside collection system.

Conewago Township is required to provide, or offer a location for leaf waste drop-off (i.e. inform residents of the drop-off site through education). The leaf waste drop-off site could be a County facility, neighboring municipality, private location, landscaper, tree farm, etc. It is not required that the Township operate its own drop-off location. If a leaf waste drop-off is not established for leaf waste in or near the Township, the Township will be required by Act 101 to provide a minimum of once per month curbside residential collection of leaf waste. H&H Excavating (Country Mulch) is an adequate existing leaf waste drop-off location for residents provided the Township informs its residents about this facility.

6.0 NON-COMPLIANCE WITH ACT 101 RECYCLING REQUIREMENTS

Based on discussions with PADEP in April 2007, Conewago Township is out of compliance with Act 101 for the following reasons:

- **The Township does not meet the minimum Act 101 curbside collection requirements for leaf waste.** Leaf waste is not collected curbside and no leaf waste totals for Conewago Township were provided to Adams County or submitted to PADEP for inclusion in the 2005 and 2006 Annual Recycling Report.
- **The Township does not meet the Act 101 minimum requirements for educating residents and commercial establishments about their recycling requirements.** At least 2 notifications to residents and commercial, industrial and municipal establishments are required annually (refer to Section 4.2).
- **The Township’s limited documentation of commercial, institutional and municipal efforts does not satisfy PADEP guidelines and reporting requirements.** The Township does not actively educate commercial establishments or follow-up with businesses to obtain recycling data, which is required to be reported to the County and to PADEP annually.

Based on a review of Chapter 25, Solid Waste Ordinance for the Township, GF notes that §125-7. Recycling, states that commercial customers are required to recycle the following:

- **Newspapers**
- **Aluminum cans**
- **Bimetal cans**
- **Clear and colored glass** containers
- **Plastic PET#1 and HDPE#2** beverage containers and detergent containers.

As stated in Section 4.1.1, Act 101 minimum requirements specify commercial, institutional, and municipal establishments must recycle **high-grade office paper, cardboard, aluminum and leaf waste**. As written now, the Township’s Solid Waste Ordinance is out of compliance with Act 101 collection requirements for commercial, institutional and municipal establishments because it does not require commercial establishments to recycle:

- **High-grade office paper**
- **Cardboard**
- **Leaf waste**

7.0 CONCLUSIONS AND RECOMMENDATIONS

Conewago Township can make several modifications to its waste collection and recycling program that will enable the Township to implement and maintain a recycling program that complies with Act 101 recycling requirements and PADEP policies and guidelines. It is beneficial that the Township’s current waste and recycling program is defined by a joint-municipal waste collection, disposal and recycling contract that is bid periodically. This collection contract is a good mechanism with which to implement a comprehensive recycling program that meets PADEP and Act 101 requirements. The contract could be made more enforceable through the addition of a Liquidated Damages Policy, which could assess a reasonable fee to the Contractor for violation of specified contract obligations as listed in the Policy included in the contract (**Appendix D**).

Waste Management currently provides weekly curbside waste disposal and recyclables collection services. Recycling is mandatory for residential and small business establishments, multi-family dwellings, mobile home parks, churches, and municipal offices. Residential curbside recyclables collection services satisfy the Act 101 requirement for collection of at least three (3) Act 101 designated container-type recyclables from residential establishments, but fail to address leaf waste collection. The collection contract wisely includes a provision that requires the Contractor (Waste Management) to inform customers about the recycling program requirements on a semiannual basis. But the Township needs to verify that the Contractor is meeting this obligation and should supplement the education program with additional recycling information distributed to residents and businesses.

The following areas of the recycling program do not appear to adequately address Act 101 recycling requirements and PADEP policies (refer to Section 6.0):

- Leaf waste collection
- Residential and commercial recycling education/notification
- Commercial sector recycling notification and reporting
- The Solid Waste Ordinance does not accurately reflect Act 101 collection requirements for designated recyclables for commercial, institutional and municipal establishments.

The following Sections provide recommendations for achieving Act 101 compliance for the areas identified above. The Township needs to increase its involvement in waste and recycling initiatives in order to make noticeable improvement to the program.

7.1 Achieving Leaf Waste Collection Compliance

There are a couple of options available for the Township to achieve leaf waste collection compliance. GF recommends the Township implement a combination of the following strategies to satisfy the Act 101 requirements and PADEP policies for leaf waste:

- As required by Act 101, it is recommended the Township to notify/educate residents once every six months about recycling, including information on the proper handling of leaf waste and/or the location of one or more local drop-off sites for leaf waste. It is recommended the Township distribute educational information to inform residents, at a

minimum, about H&H Excavation (Country Mulch), which is located in Spring Grove and could serve as a drop-off point for leaf waste and yard waste for Conewago residents. Residential leaf waste drop-off sites should be permitted by PADEP and can include a county facility, neighboring municipality site, a private facility, a landscaper, farm, etc. It is not required that the Township operate its own leaf waste drop-off location.

Assuming the Township will fulfill the obligation to let its residents know about one or more compost sites, at a minimum, curbside collection must include:

- **At least one collection of garden residue, shrubbery and tree trimmings, and similar material in the spring** (collecting grass clippings is not required or recommended).
- **One curbside collection in the fall for leaves.**
- If no local leaf waste drop-off is made available and advertised to the public, the Township must provide at least once-per-month collection of leaf waste year round. This service could be provided by contracting with a private hauler, provided by the Township, or possibly provided through an arrangement with another municipality.
- To implement a curbside collection program for leaf waste, it is recommended the Township further investigate low-cost alternatives to meet the collection and processing requirements for leaf waste:
 - Contract with a hauler for curbside collection of residential leaf waste for delivery to a leaf waste processing facility that is deemed an acceptable site by PADEP. (e.g. H&H). Waste Management, currently under contract for curbside collection of waste and recyclables, may be a preferable option for this service. GF recommends the Township work with Adams County to add curbside leaf waste collection services to the next competitive bid for waste collection, disposal and recycling services, since this is likely the most cost effective and easiest alternative to implement.
 - Coordinate with Hanover Borough that has a site that may service as a processing or transfer point for some or all leaf waste generated by the Township.
 - Coordinate with McSherrystown Borough that has a current leaf waste collection program and recently purchased a new vacuum leaf collector system. There may be opportunities to share equipment or have McSherrystown provide the service on a schedule mutually agreeable to the Township.
 - Assuming the Township notifies residents of one or more drop-off sites for leaf waste, the Township could use Township equipment (if available or procured) and staff to provide, at a minimum, one curbside collection of garden residue, shrubbery and tree trimmings, and similar material in the spring (grass clippings are not required), and one curbside collection in the fall for leaves.

Looking further ahead, the Adams County Recycling Coordinator indicated there have been discussions related to the Gettysburg Foundry (**Appendix C**) and the possibility of this abandoned facility becoming a multi-municipal site to process and compost leaf waste. Cumberland Township, Gettysburg Borough and Conewago have been involved in the discussions. The site layout and infrastructure of the facility appear well-suited for composting; however, GF did not complete any analysis on this site or its suitability for composting.

7.2 Achieving Residential and Commercial Recycling Notification Compliance

To meet the Act 101 recycling notification and education requirements, it is recommended that the Township notify residents and commercial, institutional and municipal establishments at least once every six months and any time changes are made to the recycling program that impact public participation. The Township can educate residents using the following methods:

- ✓ Place an advertisement in a newspaper circulating in the municipality.
- ✓ Post a notice in a public place where public notices are customarily posted.
- ✓ Include a notice with official notifications periodically mailed to residential taxpayers.
- ✓ Utilize a combination of these methods.
- ✓ Web site: PADEP permits one of the two annual public information and education notifications to be recycling information presented on a municipal web site. Recycling requirements on the web site should be clearly displayed and easy to find.

It is noted that the waste collection, disposal and recycling contract requires the Contractor to inform customers about the recycling program, as well as recycling requirements on a semiannual basis. As confirmed with PADEP in April 2007, this satisfies the educational requirements for residential establishments, small businesses, multi-family dwellings, mobile home parks, churches, and municipal offices provided the Contractor is meeting this contract provision.

- It is recommended the Township follow up with the Contractor as needed to verify this obligation is being met.
- It is recommended the Township request that the Contractor send a copy of the educational notification when they are distributed. The information that is sent by the Contractor should be reviewed to ensure it accurately reflects the intended waste and recycling program and the information should be consistent with other recycling information that is distributed separately by the Township.

Large Commercial Establishments: The current contract provision does not satisfy the recycling notification requirements for large commercial and institutional establishments, which are exempt from the collection contract. It is recommended the Township implement a combination of the following notification methods to meet the two required annual notifications for large businesses:

- Inform commercial establishments directly about their recycling requirements by using any of the methods identified in the checklist above.

- Include commercial, municipal and institutional recycling requirements on a municipal web site (to satisfy one of the two required annual notifications).
- To satisfy one of the two required annual notifications, it is recommended the Township include commercial sector recycling information on (or along with) a commercial recycling report form that is distributed to all commercial sector establishments (i.e. establishments not included in the waste collection contract). GF customized a Draft Commercial Sector Reporting Form (**Appendix B**) for the Township that can be mailed (and/or emailed) to commercial establishments.
- The Commercial Sector Report Form can be used to obtain recycling data from commercial establishments and should be returned to the Township by no later than January 15th of each year to allow the Township time to send recycling data to Adams County by the February 15th Annual Report deadline. The text on this form can be customized further by the Township.

7.3 Achieving Commercial Recyclables Reporting Compliance

To satisfy PADEP reporting requirements for commercial establishments, Conewago Township will need to begin reporting commercial sector recycling data to the Adams County Recycling Coordinator on or before February 15th annually. The Township should review and consider implementing one or more of the following to improve commercial sector recycling reporting:

- Take an active roll in following up with local commercial establishments through mailings, phone calls and/or visits. Begin by targeting large businesses that will likely generate large volumes of recyclables (e.g. large cardboard generators). GF has provided a listing of commercial establishments in the Township as a starting point for the Township to begin tracking commercial efforts (Appendix A).
- Update the Township Solid Waste Ordinance to require all commercial establishments to report recycling data to the Township. The Solid Waste Ordinance should contain the date that recycling reports are due to the Township. The Township could use January 1st or 15th as the reporting deadline to allow one month for compiling data from businesses, since data is due to Adams County by February 15th.
- The Township should work more closely with Adams County to develop an organized approach to obtaining commercial recycling data. Adams County completes a County-wide mailing to solicit businesses to report recycling efforts, but the number of businesses in Conewago Township that receive this mailing is unknown and only one business has reported recycling data in 2006.

7.4 Achieving Solid Waste Ordinance Compliance with Act 101

GF did not evaluate all areas of the Township’s Solid Waste Ordinance as it relates to Act 101 recycling compliance. GF notes that the Solid Waste Ordinance does not require the collection of high-grade office paper, cardboard, and leaf waste from commercial establishments. To improve the Township’s Solid Waste Ordinance and compliance with Act 101 recycling requirements, it is recommended the Township:

- Update the Solid Waste Ordinance to require commercial, institutional and municipal establishments to recycle:
 - **High-grade office paper**
 - **Cardboard**
 - **Leaf waste**
 - **Aluminum**

The Solid Waste Ordinance can require that additional materials are recycled from commercial establishments, as desired by the Township. GF recommends commercial establishments to recycle the above four materials.

- Update the Township Solid Waste Ordinance to require all commercial establishments to report recycling data to the Township (refer to Section 7.3 above).
- Work with the Township solicitor, and as needed PADEP, to update the Solid Waste Ordinance to accurately reflect the current recycling program in a manner that is consistent with all Act 101 recycling requirements for mandated municipalities.

Appendix A

Commercial and Industrial Sector Property Codes
Commercial and Industrial Sector Establishment Listing

ADAMS COUNTY PROPERTY TYPES

A	10 or more acres of land with buildings (usually a home)
AC	10 or more acres of land and buildings, primarily residential/agricultural use with some commercial use, i.e., shop, rental storage/warehouse, multi-living units (usually 4 or more units), etc.
AT	10 or more acres of land with a trailer/mobile home as its residence
C	Commercial (general)
CA	Commercial Apartments (4 or more units)
CB	Commercial Bank
CC	Commercial Combination (Retail stores on first floor, apartments or offices on second floor, etc.)
CG	Commercial Garage/Gas Station
CL	Commercial Land
CM	Commercial Motel/Hotel
CO	Commercial Offices
CP	Commercial Campground
CR	Commercial Restaurant
CS	Commercial Store
CT	Commercial Trailer/Mobile Home Park
CU	Commercial Public Utility
CW	Commercial Warehouse
I	Industrial/Manufacturing
L1	Vacant Land less than 1 acre
L2	Vacant Land more than 1 acre, less than 5 acres
L3	Vacant Land more than 5 acres, less than 10 acres
M	Minerals
PU	Public Utilities
R	Buildings, usually residential with less than 10 acres of land
RA	Residential apartments or living units (1 to 3 units) with less than 10 acres.
RC	Residential with some commercial function and less than 10 acres
RF	Fraternities/Sororities (not dorms)
RS	Residential Seasonal (ability to occupancy less than 50% of year)
RT	Trailer/Mobile Home with less than 10 acres.
T	Trailer/Mobile Home with no land (leasehold)
V	Vacant Land
-X	Exempt

Prop. Type	Last Name	First Name	Name ext.	c/o line 1st address	Street address	Post office	ST	Zip Code	Parcel #	Property Location
C	ADAMS HANOVER COUNSELING				625 W ELM AVE	HANOVER	PA	17331	L14-0011---000	625 W ELM AVE
C	BANKERT	RANDY L	SR		35 JOHNSTON CIR	HANOVER	PA	17331	L15-0031---000	3001 HANOVER PIKE
C	COLEMAN	FRANK D & CHERIE M			1430 N MAIN ST	HAMPSTEAD	MD	21074	L13-0076---000	1170 HIGH ST LOT 12
C	CONEWAGO CHAPEL				30 BASILICA DR	HANOVER	PA	17331	K14-0008---000	3175 CENTENNIAL RD
C	CONEWAGO RESOURCES L P			660 EDGEGROVE RD	P O BOX 407	HANOVER	PA	17331	K13-0018---000	576 EDGEGROVE RD
C	CONEWAGO RESOURCES L P				660 EDGEGROVE RD	HANOVER	PA	17331	021-0001---000	660 EDGEGROVE RD
C	CRAWFORD	ELIZABETH T			2908 HANOVER PIKE	HANOVER	PA	17331	K15-0029---000	2908 HANOVER PIKE
C	ELINE	TONY W & LAURA L			12 LINDEN AVE	HANOVER	PA	17331	008-0056A---000	714 LINDEN AVE REAR OF
C	ELINE	GLADYS R	ET AL		12 LINDEN AVE	HANOVER	PA	17331	005-0234---000	OXFORD AVE & ELM AVE
C	FORRY	WILMER R & ANITA H			675 HERSHEY HEIGHTS RD	HANOVER	PA	17331	L13-0002C---000	1477 CARLISLE PIKE TRACT 2
C	GEBHART	BETTY J			70 AIRPORT RD	HANOVER	PA	17331	K15-0005---000	70 AIRPORT RD (180=AIRPORT)
C	GETTYSBURG INDUSTRIAL	DEVEL CORP		CATHERINE J GAULT, ESQ	31 SOUTH WASHINGTON ST	GETTYSBURG	PA	17325	001-0243---000	262 CHURCH ST
C	GLASS FAMILY TRUST			(104 PEANUT DR)	21 MAPLE DR	HANOVER	PA	17331	021-0051---000	104 PEANUT DR
C	HANOVER CONCRETE COMPANY		ET AL	P O BOX 156	2000 CARLISLE PIKE	HANOVER	PA	17331	K15-0006A---000	475 JEFFERSON ST EXT.
C	HANSTOR II LIMITED PARTNERSHIP				3601 CONCORD RD	YORK	PA	17402	L14-0025---000	10 ROLLER CIR LOT 2
C	HIGH FOOD SERVICES LTD			1828 WILLIAM PENN WAY	P O BOX 10008	LANCASTER	PA	17605-0008	L14-0007---000	711 W ELM AVE
C	JOHNSON	MICHAEL F & JUDITH E		(370 CHURCH ST)	139 VILLA VISTA AVE	HANOVER	PA	17331	K14-0037---000	360 CHURCH ST LOT 1
C	KMS PARTNERS				145 OAK LN	MCSHERRYSTOWN	PA	17344	001-0248---000	145 OAK LN TRACT 2
C	LINDEN MILL CENTER				713 LINDEN AVE	HANOVER	PA	17331	008-0002---000	1132 W ELM AVE LOTS 14-18
C	LINEBAUGH	LEE W			216 CLEARVIEW RD	HANOVER	PA	17331	K14-0157---000	30 RAM DR LOT 1
C	MAITLAND INVESTMENT CORP				925 WESTMINSTER AVE	HANOVER	PA	17331	L16-0007---000	240 NARROW DR
C	MARCHIO	KENNETH & ANNA			3982 SMOKETOWN RD	GLENVILLE	PA	17329	008-0014A---000	950 W ELM AVE LOT 4
C	MYERS	JOSEPH A		JA MYERS BLDG/DEV (160 RAM DR)	160 RAM DR	HANOVER	PA	17331	K15-0046---000	160 RAM DR LOT 6
C	R LAND LP				240 BENDER RD	HANOVER	PA	17331	L13-0059---000	HIGH ST
C	RACER	LYNDA K			907 W ELM AVE	HANOVER	PA	17331	L14-0005---000	907 W ELM AVE
C	RADIO HANOVER INC				P O BOX 234	HANOVER	PA	17331	K13-0063---000	275 RADIO RD
C	REISINGER	WILLIAM F & ANGELA L			285 KOHLER SCHOOL RD	NEW OXFORD	PA	17350	008-0068---000	709 THIRD ST
C	SELLMAN	JOHN L	JR		1124 W ELM AVE	HANOVER	PA	17331	008-0005---000	1124 W ELM AVE
C	SELLMAN	JOHN L	JR		1125 W ELM AVE	HANOVER	PA	17335.0769	008-0005---001	1125 W ELM AVE
C	SELLMAN	JOHN L	JR		1125 W ELM AVE	HANOVER	PA	17335.0769	008-0005---001	1125 W ELM AVE
C	SMITH	PHILIP A & LORRAINE C		(75 W EISENHOWER DR)	699 LINGG RD	NEW OXFORD	PA	17350	L13-0057---000	75 W EISENHOWER DR
C	SMITH	STEPHEN L			4508 COPENHAVER RD	GLENVILLE	PA	17329	008-0254---000	350 THIRD ST
C	STEM	DENNIS E & TAMMIE S			3567 CENTENNIAL RD	HANOVER	PA	17331	K14-0154E---000	39 RAM DR LOT 17
C	STORMES	MICHAEL A & SALLY A			175 N SECOND ST	MCSHERRYSTOWN	PA	17344	001-0245---000	CHURCH ST
C	STORMES	MICHAEL A & SALLY A			176 N SECOND ST	MCSHERRYSTOWN	PA	17334.9615	001-0245---001	CHURCH ST
C	STORMES	MICHAEL A & SALLY A			176 N SECOND ST	MCSHERRYSTOWN	PA	17334.9615	001-0245---001	CHURCH ST
C	UNITED STEELWORKERS BLDG			ASSO OF HANOVER	%PAUL BECKER 124 BERLIN RD	NEW OXFORD	PA	17350	008-0149---000	310 LINDEN AVE
C	UTZ POTATO CHIP CO INC			861 CARLISLE ST	P O BOX 338	HANOVER	PA	17331	L14-0021---000	KINDIG LN
C	WILDASIN	LEE A & MARGARET A			315 SOUTH ST	MCSHERRYSTOWN	PA	17344	L14-0009---000	703 W ELM AVE
C	WILDASIN	LEE A & MARGARET A			315 SOUTH ST	MCSHERRYSTOWN	PA	17344	L14-0010---000	685 W ELM AVE
C	WILKE	JULIA A			206 OXFORD AVE	HANOVER	PA	17331	001-0249---000	250 O'BRIEN LN LOT 1
CO	BECKNER	MAX B & SUSAN E			4187 SMOKETOWN RD	GLENVILLE	PA	17329	K14-0154F---000	15 RAM DR LOT 18
CO	BL&B ASSOCIATES				P O BOX 683	YORK	PA	17405	008-0015---000	900 W ELM AVE
CO	COMMUNITY BANKS				750 EAST PARK DR	HARRISBURG	PA	17111	L13-0061---000	65 WETZEL DR LOT 21
CO	CONEWAGO RESOURCES L P				610 EDGEGROVE RD	HANOVER	PA	17331	K13-0033---000	610 EDGEGROVE RD
CO	H B H MANAGEMENT INC				555 CENTENNIAL AVE	HANOVER	PA	17331	008-0129A---000	600 LINDEN AVE
CO	KWIATKOWSKI	ERIC D	ET AL		166 JEFFERSON ST	HANOVER	PA	17331	008-0010A---000	166 JEFFERSON ST
CO	T BAIRD MCILVAIN COMPANY			D/B/A TBM HARDWOODS INC	100 FILBERT ST	HANOVER	PA	17331	L14-0015---000	100 FILBERT ST
CR	ANGEL	ANDREW M & LINDA M			46369 HATTONS REST LN BOX 67	PARK HALL	MD	20667	L14-0006---000	905 W ELM AVE
CR	APPLE	JOHN T & PATRICIA A			1075 BOLLINGER RD	LITTLESTOWN	PA	17340	L13-0074---000	1200 HIGH ST LOT 14
CR	BAER	KEVIN D & LAUREN C			P O BOX 332	HANOVER	PA	17331	008-0110---000	209 LINDEN AVE
CS	BAER	KEVIN D & LAUREN C			P O BOX 333	HANOVER	PA	17850.4636	008-0110---001	210 LINDEN AVE
CS	CONEWAGO CONTRACTORS INC				610 EDGEGROVE RD	HANOVER	PA	17331	K14-0091---000	3744 CENTENNIAL RD
CS	CONEWAGO CONTRACTORS INC				611 EDGEGROVE RD	HANOVER	PA	17880.3091	K14-0091---001	3745 CENTENNIAL RD
CS	EDWARDS	HENRY S & KAY L			422 N FRANKLIN ST	HANOVER	PA	17331	K14-0155---000	485 BLETTNER AVE
CS	GILBERT	CALVIN J & CYNTHIA S	JR		390 LINDEN AVE	HANOVER	PA	17331	008-0141---000	390 LINDEN AVE LOTS 1,2, & 3
CS	LITE-HOUSE	THE	ET AL	% DENISE L GRAHAM	841 BROADWAY	HANOVER	PA	17331	L13-0078---000	1150 HIGH ST LOT 10
CS	MENCHEY	JOEL R & LARA J			80 WETZEL DR	HANOVER	PA	17331	L13-0065---000	80 WETZEL DR LOT 5-A & 6
CS	MENCHEY	JOEL R & LARA J			81 WETZEL DR	HANOVER	PA	17910.1545	L13-0065---001	81 WETZEL DR LOT 5-A & 6
CS	MMS REAL ESTATE		LLP		2200 MAY APPLE DR	YORK	PA	17402	L13-0067---000	90 WETZEL DR LOT 7
CS	MMS REAL ESTATE		LLP		2201 MAY APPLE DR	YORK	PA	17940	L13-0067---001	91 WETZEL DR LOT 7
CS	MYERS	DONALD J & RITA A			295 PINE GROVE RD	HANOVER	PA	17331	008-0237---000	600 THIRD ST

CS	ZEIGLER	BARRY L & RONDA G		241 GRANT DR	HANOVER	PA	17331 008-0213--000	317 THIRD ST LOTS 1 & 2
CS	ZEIGLER	BARRY L & RONDA G		242 GRANT DR	HANOVER	PA	17820.6182 008-0213--001	318 THIRD ST LOTS 1 & 2
CS	ZEIGLER	BARRY L & RONDA G		242 GRANT DR	HANOVER	PA	17969.073 008-0213--001	318 THIRD ST LOTS 1 & 2
CU	COLUMBIA GAS OF PA		200 CIVIC CENTER DR	P O BOX 117	COLUMBUS	OH	43216 K15-0027A--000	1081 MT PLEASANT RD
CU	METROPOLITAN EDISON CO		C/O FIRSTENERGY SERVICE CO-TAX	300 MADISON AVE P O BOX 1911	MORRISTOWN	NJ	07962-1911 L13-0049--000	RADIO RD
CW	HAHN	ALLEN E & JANE E		4 PANTHER DR	HANOVER	PA	17331 008-0290--000	233 SOUTH ST REAR OF
CW	HANOVER BUSINESS CENTER LTD		% ROY I WEITZER	143 WASHINGTON ST	MORRISTOWN	NJ	7960 L14-0020--000	60 FILBERT ST
CW	KEFFER	CHRISTOPHER F & KATHY R		331 MAPLE AVE	HANOVER	PA	17331 008-0049--000	333 MAPLE AVE & 331,321
CW	REYNOLDS	SCOTT A & JANET L		834 W MIDDLE ST	HANOVER	PA	17331 K15-0045--000	170 RAM DR LOT 7
CW	STAUFFER	RICHARD L & LINDA E		60 RAM DR	HANOVER	PA	17331 K14-0154B--000	60 RAM DR LOT 2
CW	WILKE	JULIA A		206 OXFORD AVE	HANOVER	PA	17331 001-0249--001	254, 256, 258 O'BRIEN LN
CW	ZEIGLER & SONS	CHARLES F	ETAL	1110 W ELM AVE	HANOVER	PA	17331 008-0007--000	1116 W ELM AVE
I	115 RAM DRIVE L P			13 BARNHART DR	HANOVER	PA	17331 K15-0041--000	115 RAM DR LOTS 13 & 14
I	ABENDSCHEIN	EDWARD J		BLETTNER AVE	HANOVER	PA	17331 L15-0002--000	210 BLETTNER AVE
I	AI INDUSTRIES INC		% MILLER CHEMICAL & FERT CORP	P O BOX 333	HANOVER	PA	17331 L13-0050--000	120 RADIO RD
I	BUCHBINDER FAMILY TRUST		PARSLA GAGINIS/WINSTON-STRAWN	35 W WACKER DR	CHICAGO	IL	60601-9703 L14-0001--000	805 W ELM AVE
I	CONEWAGO CONTRACTORS INC			610 EDGEGROVE RD	HANOVER	PA	17331 101-0009--000	351 CHURCH ST
I	HANOVER BREWING CO		LLC	600 W ELM AVE	HANOVER	PA	17331 008-0022--000	600 W ELM AVE
I	HANOVER LANTERN INC			350 KINDIG LN	HANOVER	PA	17331 K14-0039A--000	350 KINDIG LN
I	JEFFY MANUFACTURING COMPANY		C/O SEALED AIR CORP	P O BOX 464	DUNCAN	SC	29334 L15-0001--000	260 BLETTNER AVE
I	MCCLARIN PLASTICS INC			P O BOX 486	HANOVER	PA	17331 L15-0002A--000	211 BLETTNER AVE
I	UTZ QUALITY FOODS INC			P O BOX 338	HANOVER	PA	17331 L13-0051A--000	RADIO RD
I	UTZ QUALITY FOODS INC			P O BOX 338	HANOVER	PA	17331 L14-0022--000	101 KINDIG LN
I	YINGLING	WILLIAM H	ET AL	165 OAK LN	MCSHERRYSTOWN	PA	17344 001-0248A--000	165 OAK LN LOT 2-A

Appendix B

Commercial Sector Report Form

ANNUAL COMMERCIAL RECYCLING REPORT FORM
CALENDAR YEAR _____

Businesses, schools, colleges, universities and other commercial and institutional establishments in Conewago Township are required by State law and the Township solid waste ordinance to recycle. This form has been provided by the Township to obtain recycling totals from your establishment so that recycling information can be reported to Adams County. Please complete this form and return to _____ (Attn: _____) on or before _____.

NAME OF BUSINESS/ESTABLISHMENT _____ CONTACT PERSON _____ PHONE # _____

ADDRESS _____

MUNICIPALITY _____ COUNTY _____

- 1. What type of business do you operate?
[] Manufacturing
[] Wholesale/Retail
[] Other: _____

- 2. Where was the material you recycled generated? (Check all that apply)
[] Food service [] Maintenance [] Retail Operations
[] Lunchroom [] Offices [] Shipping/Receiving
[] Mail Room [] Print Shop [] Warehouse
[] Other: _____

- 3. Who collects/markets your recyclables?
Name of Business _____
Contact: _____ Phone # _____

On the reverse side of this report, please record by category the amount(s) of Post Consumer Materials that your business separated for recycling. Please list the amount in TONS. These weights should be available to you from your recyclable collector or market. Attach to this form any weight receipts or collection report(s) you received as verification of the amount of material you recycled OR have your recycling collector/market sign this form to verify its accuracy. Submit this form to your local municipality's recycling office. I hereby certify that the amount(s) of recyclable materials listed in this report are to the best of my knowledge complete and accurate.

Signature of Recycling Collector _____ Date _____

Please list the amount of Post-Consumer recyclable materials generated from your business for the calendar year which has just passed.

	Tons		Tons
1. Old Newsprint	_____	15. Food Wastes	_____
2. High Grade Office Paper	_____	16. Other Glass	_____
3. Corrugated	_____	17. Major Appliances	_____
4. Other Marketable Grades of Paper:		18. Other Ferrous	_____
Magazines	_____	19. Other Non-Ferrous	_____
Telephone Directories	_____	20. Textiles	_____
Other: _____	_____	21. Mattresses	_____
Other: _____	_____	22. Tires	_____
5. Aluminum Cans	_____	21. Wood	
6. Steel/Bimetal Cans	_____	Wood Packaging	_____
7. Amber Glass	_____	Other: _____	_____
8. Clear Glass	_____	23. Yard Trimmings	
9. Green Glass	_____	Brush & Branches	_____
10. PET Plastics	_____	Grass	_____
11. HDPE Plastics	_____	Leaves	_____
12. Other Plastics:		Tree Stumps	_____
LDPE	_____	24. Automotive	_____
PVC	_____	Antifreeze	_____
PP	_____	Lead Acid Batteries	_____
PS	_____	Oil Filters	_____
Other: _____	_____	Tires	_____
13. Commingled (Any of the above)	_____	Used Motor Oil	_____
14. Single Stream	_____	25. Electronics	_____
		Circuit Boards	_____
		Computer Monitors & TVs	_____
		Consumer Electronics	_____
		Flourescent Tubes	_____
		26. Household Hazardous Waste	_____
		27. Other Recyclables:	_____
		_____	_____
		_____	_____

Pre-Consumer Materials refer to materials generated in manufacturing and converting processes such as manufacturing process scrap and trimmings/cuttings. Also, print overruns, overissue publications, and obsolete inventories that did not leave the generating facility would be classified as pre-consumer materials. These materials should not be included in the above totals.

Post-Consumer Materials refer to recovered materials that have been used as a consumer item and are diverted from municipal solid waste for the purpose of collection and recycling. The term excludes materials from industrial processes that have not reached the consumer, such as overissues of newspapers or magazines and industrial process scrap.

Comments:



Appendix C

Gettysburg Foundry

Gettysburg Foundry





Appendix D

Sample Liquidated Damages Policy

SECTION _
Sample Liquidated Damages Policy

The _____ or his/her designee shall notify the Proposer for each violation of the Agreement reported to or discovered by him/her for the Municipality. It shall be the duty of the Proposer to take whatever steps may be necessary to remedy the cause of the complaint and notify the Municipality in writing of its disposition within twenty-four (24) hours after receipt of complaint.

The following acts or omissions shall be considered a Breach of Contract and for the purpose of computing damages under these provisions.

1. Failure to clean up solid waste spilled by Proposer within six (6) hours of oral or written notification -----\$50.00 each instance.
2. Failure to maintain vehicle in a manner which prevents nuisances such as leaky seals or hydraulics ----- \$100.00 each instance.
3. Failure or neglect to collect solid waste, recycling, (or yard waste/bulky goods if part of the proposal) at those times provided by the Agreement within 24-hours after either oral or written notice by municipality ----- \$50.00 each instance.
4. Failure or neglect to provide notice to resident upon solid waste refused for collection for cause ----- \$25.00 each instance.
5. In addition to above, failure or neglect to correct chronic problems will be considered a Breach of Contract----- \$50.00 each instance.

Chronic problems shall be construed to be three or more occurrences of items (1), (2), or (3) immediately above at the same address within any period of six (6) consecutive months whether or not remedied within 24-hours or four hours in the case of spilled solid waste.

6. Failure to collect recyclables, which are properly prepared and placed for collection as part of the collection program ----- \$25.00 each instance.
7. Missing entire blocks/neighborhoods. A missed block is defined as a block where residents from at least three (3) households within two intersections of that block or cul-de-sac report that their material was out before 7:00 a.m., the material was not picked up and the addresses did not appear on the records as unacceptable setouts ----- \$250.00 each instance.
8. District-wide collection not completed. The failure to complete a majority (50% or more) of pickups within the municipality or collection district on the scheduled collection day without following proper notification procedure----- \$2,500 per instance.

Hauler must maintain an escrow account of \$5,000 with the municipality to be used for payment of any liquidated damages. Any unused portion of the deposit shall accrue interest at 5% simple annual interest and will be returned to the Proposer at the end of the contract period.

The _____ or his/her designee will inform Proposer when or if the escrow account needs to be replenished.