

MEMORANDUM

DATE: September 16, 2008
TO: Mayor Hutchinson and City Council Members
FROM: Air Quality Advisory Board

SUBJECT: **AQAB RECOMMENDATION REGARDING TRASH HAULING**

The management of solid waste in Fort Collins intersects with air quality concerns in a multitude of ways including diesel truck emissions, noise and traffic congestion, and greenhouse gas emissions. The latter issue is particularly relevant as the solid waste diversion goal constitutes the largest single component of the city's climate task force's recommended efforts to reduce greenhouse gas emissions. A few of the relevant issues are discussed below, followed by Board recommendations to the City Council adopted at our 15 September meeting.

Concerns with Current Residential Trash Hauling

- **Excess Emissions, Fuel Consumption and Noise and Odor Generation**
Trash vehicles are heavy duty diesel trucks that average approximately 2.8 mpg. Trash trucks are large emitters of nitrogen oxides, volatile organic compounds (VOC), and particulate material including soot particles. As precursors to ozone, nitrogen oxides and VOC are a particular concern for the Front Range ozone noncompliance issue. Heavy truck emission and their impacts on air quality have been a recent focal point of EPA attention and stricter regulation. Noise and odor issues related to these heavy vehicles also impact neighborhoods.
- **Traffic Congestion and Street Maintenance Costs**
With the current system of 3 residential and 11 commercial haulers, multiple trucks travel the same routes. According to a consultant's study, trash trucks are the heaviest regular users of neighborhood streets, and have the street wear equivalence of 1200 passenger vehicles. Under a trash districting model, the estimated savings in costs avoided for road maintenance was \$170,000 annually.
- **Waste Reduction and Diversion**
Under a trash utility with similar customer costs, Loveland has achieved over 50% recycling in the residential communities. By comparison, the overall city waste diversion rate in Fort Collins is ~27% with residential rates estimated to be even lower on average. Clearly Fort Collins can do better on this issue.
- **Climate Goals**
One of the most important consequences of solid waste generation is the impact on greenhouse gas emissions. The city's Climate Task Force (CTF) developed a comprehensive climate program that includes a city-wide waste diversion goal of 50%. When achieved, this will constitute 226,000 tons of CO2 equivalent

reductions, with approximately a quarter of this from residential waste diversion. This diversion goal is the largest component of the CTF team's recommendation and is a key component of the CTF overall strategy. The task force was assured by the consultants and the City that this waste diversion goal can be met.

AQAB Recommendations on Trash Hauling

We recommend that residential waste management services in Fort Collins:

- (1) Offer greater incentives to haulers and residents for waste minimization,
- (2) Improve accounting of impacts by the haulers on city operations, and
- (3) Be put out for bid on a city district basis.

A districted approach to residential waste management in Fort Collins offers the best chance to address the goals of air quality improvements, reduce greenhouse gas emissions, and minimize waste and redundant uses of city infrastructure.

In addition, we recommend that the City adopt a program of multi-family and commercial waste reduction and recycling that parallels the current program for residential wastes. Multi-family and commercial wastes are a significant part of the community's waste stream, and their reduction is necessary to achieve waste-diversion and climate-protection goals. Board members have learned that such a program is permissible within state statutes, and we refer the Council to the attached memo for more information.

Specific Recommendations on the Bidding Process

- Allow bidding for all districts at one time for a reasonably limited number of districts. The districts should be geographically based or follow City Council districts.
 - Have an incentive-based compensation for the winner(s) of the bid contracts for reducing waste generation. Such incentives could be extended to commercial haulers if statutes permit this.
 - Contractor(s) bids must include the following statistics:
 - Number of vehicles, model, age, and MPG of fleet vehicles
 - Historical and estimated future (during contract performance period) vehicle miles traveled (VMT)
 - Diesel emission requirements to be met or exceeded on time or ahead of schedule
 - A listing of environmental 'innovations' beyond those required should be included with the bid
- This information would be used in the bid scoring process.
- Citizen input from each district should be considered in developing the bid scoring method, to assure the award is not made on a lowest-cost bid process. This may help to alleviate issues of citizen hauler choice.

- Develop a pay-as-you-throw pricing structure for residential (and multi-family and commercial) customers. The price structure should reward both the carriers and throwers for maximizing waste reduction.
- Institute electronic accounting of waste volume to enhance pay-as-you-throw pricing.
- Waste minimization and recycling should be made as convenient as possible with single-stream curbside services for single residential customers and multiple drop-off sites for the entire community.
- Larger containers for recycling and a pickup schedule that minimizes vehicle trips should be encouraged.
- Yard waste pickup and neighborhood yard waste cleanups with use of composting services would add additional benefit.
- Provide education and develop incentives to promote reductions in construction and deconstruction waste.

MEMORANDUM

Date: 8 September 2008
To: Air Quality Advisory Board
From: Brian Woodruff, Environmental Planner
Subject: State law regarding regulation of commercial trash haulers

Board members had requested a brief explanation of the state law that limits local government regulation of commercial trash haulers. I prepared this response after consulting with Senior Environmental Planner Susie Gordon and Deputy City Attorney Carrie Daggett. The statutory provisions that relate to this issue are in Colorado Revised Statutes Section 30-15-401.

The statute is silent regarding the regulation of commercial trash haulers, except that it prohibits rate regulation by local governments [more on this below]. The City already regulates commercial haulers in the licensing provisions in Chapter 15 of the City Code, and could also impose additional regulations if it chose to do so. Examples include requiring that recycling service be offered along with waste disposal service [bundled] or requiring that commercial trash service be provided on a pay-as-you-throw basis, as the City now requires for residential waste services.

The statute does limit local governments that provide their own trash collection services. Subsection 7.5 of CRS 30-15-401 describes the process that local governments must use to collect new mandatory fees for trash hauling services. It allows local governments to start a new system for government-provided trash hauling services and to collect a fee from citizens for the service, but requires a competitive process so that private haulers can compete with the government to provide the services.

How this relates to commercial haulers is that subsection 7 of the statute prohibits a local government from imposing a mandatory fee for government-provided trash hauling services to commercial or multi-family customers. So, while the City could offer services to any kind of customer in Fort Collins, it could not require that commercial or multi-family use those services over the services of a private hauler.

Please let me know if you need further information on this topic.