



MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MCPB Item # 2
3/7/02

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Jeff Zyontz, Chief, County-Wide Planning Division
Jorge A. Valladares, P.E., Chief, Environmental Planning

FROM: Mark Pfefferle, Planning Coordinator *mp*

DATE: March 1, 2002

SUBJECT: Amendments to the Comprehensive Solid Waste Management Plan for Montgomery County

INTRODUCED BY: County Executive Duncan

INTRODUCED DATE: February 12, 2002

PLANNING BOARD REVIEW: March 7, 2002

PUBLIC HEARING DATE: March 5, 2002

STAFF RECOMMENDATION: APPROVAL

PURPOSE OF THE AMENDMENT

Section 9-515(e) of the Environment Article, Annotated Code of Maryland, requires the Montgomery County Council to submit the Comprehensive Solid Waste Management Plan, or amendments, to the Planning Board for recommendations at least 30 days before a public hearing on the plan, or amendments. The purpose of this amendment is to modify the Comprehensive Solid Waste Management Plan for Montgomery County by:

- Reducing the minimum number of residences, from 650 to 50, necessary to petition for county refuse collection services.

BACKGROUND

This amendment has been forwarded to the Planning Board in accordance with state law, which mandates that each jurisdiction in Maryland maintain a comprehensive solid waste management plan (Sec. 9-503 Environmental Article of the Annotated Code of Maryland). In Montgomery and Prince George's Counties, the Comprehensive Solid Waste Management Plans, and any plan amendments, must be submitted to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for recommendations. (Sec. 9-515 (e)).

The Montgomery County Council adopted the Comprehensive Solid Waste Management Plan for the Years 1998 through 2007 by Resolution 13-1418 in 1998. On February 12, 2002, an amendment to the Comprehensive Solid Waste Management Plan was introduced to the County Council. The county has received numerous requests for county refuse collection service from communities contiguous to existing county service areas, but have less than 650 residents. The amendment modifies the procedures to petition for county refuse collection by reducing the number of contiguous residences from 650 to 50.

ANALYSIS

Increasing population has resulted in new dwellings outside the county refuse collection district but contiguous to the county refuse collection district. Under the existing plan, residents outside the county refuse collection district must contract with private collection services for the collection and disposal of refuse. Typically, residents pay more for refuse collection from private vendors. By transferring into the county refuse collection district, residential disposal costs would decline from economy of scale. In addition, analysis by the Department of Solid Waste Services indicates that the current solid waste infrastructure is sufficient to handle any refuse collection increases.

M-NCPPC IMPACTS

Adoption of this amendment will not impact M-NCPPC.

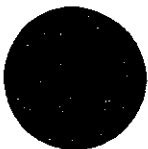
RECOMMENDATION

The staff supports the proposed amendments, as submitted by the County Executive, to the Solid Waste Management Plan.

Attachment

- 1) Proposed Amendment by County Executive

Env. & Energy



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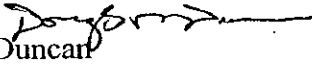
OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Douglas M. Duncan
County Executive

MEMORANDUM

January 16, 2002

TO: Steven A. Silverman, President
Montgomery County Council

FROM: Douglas M. Duncan 
County Executive

SUBJECT: Amendment to the Solid Waste Management Plan

Attached is a proposed amendment to the Comprehensive Solid Waste Management Plan that would improve the procedures for residents petitioning for County refuse collection service. The County has received requests for County refuse collection service from communities which are located adjacent to the existing County service area, but have less than 650 homes. The County could physically accommodate these requests for service, but the existing Solid Waste Management Plan prohibits the County from considering changes of any area with less than 650 residences. The proposed Solid Waste Management Plan Amendment would allow the County to consider a change of fifty or more residents in an area that is contiguous to an existing County refuse collection service area.

If you have any questions or need additional information, please contact Art Balmer, Chief, Division of Solid Waste Services, at (240) 777-6444.

DMD:lg

Attachment

RECEIVED COUNCIL
JAN 23 3:56

Resolution No.: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President

SUBJECT: Amendment to the Comprehensive Solid Waste Management Plan requiring County Council approval to modify the procedures for transfer from Collection Subdistrict B to Collection Subdistrict A.

BACKGROUND

1. The County Council adopted the Comprehensive Solid Waste Management Plan ("Plan") for the Years 1998 through 2007 for Montgomery County, Maryland by Resolution 13-1418 on October 6, 1998.
2. Under the Plan, the County provides collection services in Collection Subdistrict A, while residents in Collection Subdistrict B contract for private collection services.
3. Population increases within Montgomery County have resulted in new dwellings in Collection Subdistrict B contiguous to Collection Subdistrict A.
4. Collection Subdistrict B residents contracting directly for solid waste collection often pay more than Collection Subdistrict A residents receiving County collection services through its contractors.
5. Under the Plan, an area can only be moved between Collection Subdistricts if the area contains 650 households.
6. Residents of areas in Collection Subdistrict B that contain less than 650 households but are contiguous to Collection Subdistrict A have requested a transfer to Collection Subdistrict A.

7. The County is committed to providing its citizens with the best services for the least cost, but has to deny requests for Collection Subdistrict transfers that cannot be accommodated by the Comprehensive Solid Waste Management Plan.

8. This Amendment would provide for a transfer from Collection Subdistrict B to A for an area that can be combined with an existing area in Collection Subdistrict A and collection service can be provided by the County efficiently and in a cost-effective manner.

ACTION

The County Council for Montgomery County approves the following amendment to the Comprehensive Solid Waste Management Plan:

1. Amend Chapter 3, Section 3.2.2.1.4, Collection Subdistrict Transfer (page 3-23), as follows (new text is underlined, deleted text is [bracketed]):

(1) A group of citizens in either Subdistrict A or B may petition the Executive for transfer from its subdistrict to the other subdistrict. The procedures to transfer subdistricts are as follows:

(a) The group must deliver to the Department a written petition signed by owners or tenants of at least 163 households requesting that the signers be transferred from one subdistrict to the other.

(b) After receiving the petition, the Director must recommend the boundaries of a geographic area which is suitable to transfer to the other subdistrict. The geographic area must include at least 650 contiguous households. The area may include households not represented on the petition and may exclude households represented on the petition. Alternatively, the Director may recommend that the households should not be transferred to the other subdistrict. The Director must explain the basis of the recommendation, and specify the effective date of any subdistrict changes. The effective date must be proposed after considering the terms and obligations of existing collection contracts.

(c) The Director or a designee must hold a hearing to receive public comment on the petition within 120 days after receiving it. Notice of the public hearing must be given to each person who signed the petition and must be advertised in a newspaper of general circulation in the County at least 10 days before the hearing.

(d) Within 30 days after the hearing, the Executive must approve or disapprove the petition and the Director's recommendation. Notice of the Executive's decision must be given to the County Council and to each person who signed the petition.

(2) Residents of a geographic area in Subdistrict B that is contiguous to Subdistrict A and contains less than 650 homes may request transfer to Subdistrict A as follows:

(a) A written petition requesting a transfer to Subdistrict A must be signed by the owners or tenants of at least 50 households and delivered to the Department.

(b) After receiving the petition, the Director must recommend the boundaries of a geographic area which is suitable to transfer to Subdistrict A. The area may include households not represented on the petition and may exclude households represented on the petition. Alternatively, the Director may recommend that the households should not be transferred to Subdistrict A. The Director must explain the basis of the recommendation, and specify the effective date of any subdistrict changes. The effective date must be proposed after considering the terms and obligations of existing collection contracts.

(c) The Director or a designee must hold a public hearing to receive public comment on the petition within 120 days after receiving it. Notice of the public hearing and a returnable survey must be given to each person who signed the petition and to each household within the geographic area, if any, recommended for transfer by the Director. The notice must be advertised in a newspaper of general circulation in the County at least 10 days before the hearing.

(d) Within 30 days after the hearing, the Executive must approve or disapprove the petition and the Director's recommendation. Notice of the Executive's decision must be given to the County Council, to each person who signed the petition and to each household in the geographic area being considered for transfer to Subdistrict A.

This is a correct copy of Council action.

Mary A. Edgar, CMC
Clerk of the Council