

# APPENDIX A:

## Additional Information Regarding The Selected System

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## EVALUATION OF RECYCLING

The following provides additional information regarding implementation and evaluation of various components of the Selected System.

In order to evaluate the current system and identify needs for future programming, the Solid Waste Planning Committee conducted a "S.W.O.T" process --- identifying strengths, weaknesses, opportunities, and threats of the current solid waste management system. This process spanned the course of several meetings, a summary of which follows:

### **SWOT Discussion Topics Washtenaw County Solid Waste Planning Committee Summary/Compilation of All Sessions**

The following general threats were identified:

- Rapid growth throughout County
- Expectations for same quality of life with increased pressures and growth
- Increased need for services
- NIMBY (not in my backyard)
- Public perception

The following specific areas were discussed:

1. **Clean Community**: Including community 'clean ups' and other efforts aimed at small quantities such as household hazardous waste or conditionally exempt small quantity generators of solid waste.

Strengths:

- Citizens and communities have a commitment to a "clean community"
- Some enforcement is occurring for illegal dumping

Weaknesses:

- Small quantity generators of hazardous waste, exempt from regulations, are landfilling harmful materials
- No collection service provided to small quantity hazardous waste generators
- None or little enforcement of these illegal dumping ordinances
- Unregulated dumps/salvage yards
- Piles of used tires (e.g. Town & Country)

Vision:

- Network of disposal sites throughout county (for HHW and solid waste) to decrease illegal dumping
- More education on non-toxic alternatives to common hhw materials
- Develop regional, cooperative solutions to meeting needs
- Greater enforcement of local regulations

## 2. Residential Recycling (Drop-Off & Curbside)

### Strengths:

- Several material recovery facilities in area
- Strong desire for recycling (residential)
- Drop-off Stations throughout County are well used
- Western Washtenaw Recycling Authority programs
- Local community (Ypsi, Ypsi Twp, Ann Arbor) programs
- County programs

### Weaknesses:

- Harsh ordinances/regulatory barriers for haulers such as reduced service hours and allowable routes (residential and commercial)
- Un-staffed drop-off stations often misused by citizens and businesses
- Hard to site drop-off stations (especially in rural communities); existing sites are going to other uses
- Liability and mess at drop-off stations
- Recycling drop-off stations being used by non-community members
- Lack of disposal options for durable goods (computers, white goods, etc.)

### Vision:

- Establish strong goals for overall recovery
- Source reduction needs to be emphasized as the top management priority
- Regional drop-off centers for recycling throughout County
- Link consideration of waste management with design prior to construction; recycling and solid waste removal are generally an afterthought
- Convenience of recycling should match that of disposal (equivalence should be criterion)
- Evaluated across sectors (SF, MF, COM, etc.)
- Explore efficiencies of drop-off's & curbside; optimize recycling services; get more for less

## 3. Multi-Family Recycling

### Strengths:

- Ann Arbor's multi-family housing programs

### Weaknesses:

- Very few multi-family recycling programs occurring throughout County
- Multi-family recycling programs are harder to implement

## 4. Commercial Recycling

### Strengths:

- Businesses have interest

### Weaknesses:

- Too easy for businesses to throw away; little incentive to recycle
- Not enough recognition given to businesses that have successful programs

### Vision:

- Increase commercial recycling opportunities

- Place heavy emphasis on source reduction before recycling
- Link with business emphasis on waste reduction (ISO 14000, etc.)
- Link consideration of waste management with design prior to construction; recycling and solid waste removal are generally an afterthought
- Identify barriers
- Increase convenience
- Assign to commercial task force to explore alternatives and look at techniques
- Create a goal and/or objective(s)

## 5. Yard Waste/Composting

### Strengths:

- County Master Composter Program

### Weaknesses:

- Backyard burning in some communities
- Problems with fall leaves and brush after storms
- Handling/providing options to citizens difficult for rural communities

### Vision:

- Yard waste drop-offs as alternatives
- Enhance backyard composting/ grass cycling initiatives
- Regional processing centers for yard waste

## 6. Processing

### Strengths:

- Commingled capability at area material recovery facilities

### Weaknesses:

- Lack of markets

## 7. Construction and Demolition Recovery

### Strengths:

- Programs exist in area (Calvert's etc.)

### Weaknesses:

- C&D large portion of waste stream and not addressed in great detail

### Opportunities:

- Increased promotion of existing program (such as Calvert's, Reuse center, others)
- Track generation/data/capacity
- Develop markets for new durable goods
- Address electronic component salvaging

### Threats:

- Increased amount of durable goods needing to be disposed (i.e. computer monitors)

## 8. Disposal

Strengths:

- Adequate disposal capacity for over 10 years

Weaknesses:

- Space for future landfills
- Future of BFI capacity
- Free market for disposal
- Excessive capacity / low disposal costs

**9. Recycled Content/Markets**

Strengths:

- City/County purchasing policies
- Lots of MRF's in area

Weaknesses:

- Weak markets
- Beyond our control

Opportunities:

- Create demand for recycled products
- Area could be model
- Work with schools and universities (i.e. broaden overall procurement policies)
- Build upon pollution prevention (P2) initiatives
- Explore joint purchasing (re-activate government buying cooperative)
- Buy Recycled Business Alliance (NRC)
- Form recycled information alliance
- Coordination of sales
- Material via collaboration between facilities
- Explore management challenges
- Explore regional markets (cooperative with rest of Michigan)
- Focus beyond paper
- Support developing markets
- Protection by County for weak markets
- Create interest bearing account for market stabilization
- Long term private sector partnership to decrease market fluctuations

Threats:

- Collection infrastructure could fall apart if markets weaken
- Need to develop some mechanism for market stabilization

**10. Organization/Management**

**A. Funding**

Strengths:

- Revenues received by County from BFI
- Ability to develop programs with BFI revenues

Weaknesses:

- Not enough funding for regional programs
- Public ignorant of real costs (no full cost accounting)
- Funding from BFI is limited
- Distribution system for Community Revenue Sharing can be further improved (include recycled content requirement)
- Expand Pay-as-You Throw Approach (unit based fees)
- Some community programs are not self-sustaining

Vision:

- Direct funds to communities with "transitional programs" to help address "unmet" needs
- Build incentives for residents to reduce waste and recycle into the system (e.g. pay for disposal, recycle for free)
- Dispel the myth that recycling is "free"

**B. Ordinances**

Strengths:

- Some local ordinances are being enforced

Weaknesses:

- Harsh ordinances/regulatory barriers for haulers such as reduced service hours and allowable routes (residential and commercial)
- 28 separate communities trying to regulate haulers

**C. Recycling Incentives**

Strengths:

- Strong educational and public relations effort

**D. Data**

Strengths:

- County tracking process

Weaknesses:

- More accurate data needed to help prioritize funding and programs
- Benchmark data needed (lbs./capita, waste sorts, etc.)

Vision:

- Implement a system for continuous evaluation

**E. Coordination**

Strengths:

- WWRA communities working together for recycling
- County can facilitate growth of services

Weaknesses:

- Not enough funding for regional programs
- 28 separate communities trying to regulate haulers

Vision:

- Communities (such as WWRA) working together to address waste
- Regional cooperative approach to meeting needs (hhw, drop-off recycling, enforcement, etc.)

**11. Source Reduction**

Strengths:

- County Programs (incl. 4 R's guide, Pollution Prevention network, Household Hazardous Waste Collection/Education program, Master Composter Program, Waste Knot, ReTAP)
- Availability of funds

Weaknesses:

- Difficult to track/measure
- Difficult to implement
- Not enough participation

Opportunities:

- Link to other programs (e.g. HHW, yard waste)
- Use of incentives
- Recycling Education
- Technical assistance/assessment (ReTAP)
- Target funding (Green Backs, community revenue sharing)
- Commercial/Industrial easiest target (many opportunities; ReTAP, waste exchange, etc.)
- Awards/Waste Knot
- Increased Data Tracking

In addition to the Solid Waste Planning Committee, the Washtenaw County Consortium for Solid Waste Management also identified strengths and weaknesses of the current solid waste system at a meeting held on May 29, 1998. A summary of their findings follows:

**SWOT Discussion Summary**  
**Washtenaw County Consortium for Solid Waste Management**

**Strengths in the Current Solid Waste Management System:**

- Washtenaw County Consortium for Solid Waste Management group, which includes members from 28 communities within Washtenaw County
- Michigan's bottle deposit law
- Washtenaw County Household Hazardous Waste collections
- Ease and low cost of recycling to Washtenaw County residents in some communities
- Diversity of materials collected for recycling
- Educational efforts targeted towards schools
- County level advocacy of recycling and waste reduction
- Master Composter outreach program
- Recognition programs such as Waste Knot and Environmental Excellence
- All Washtenaw County communities have recycling programs available
- Western Washtenaw Recycling Authority and its grass-root beginnings

- Local tire collection programs
- Washtenaw County Pollution Prevention Coalition
- Waste reduction and recycling are less costly than landfilling when looking at full cost accounting
- County has a wide variety of resources available to promote and further waste reduction and recycling
- Success of local spring and fall clean-up programs
- Fewer farm “dumps” in backyards
- City of Ann Arbor is recognized as one of the top 20 recycling programs in the nation by the Institute for Local Self Reliance
- Some communities have multi-family recycling projects
- Cooperation of communities
- Low landfill disposal fees decrease the amount of litter on roadways
- Roadside dumping has decreased
- The BFI contract generates revenue for recycling and waste reduction programs
- Grass root support from County residents

**Weaknesses:**

- Low demand for purchasing recycled-content materials
- Depressed recycling markets
- Business community isn't recycling enough
- Difficult to create effective education
- Not enough educational efforts for composting
- Difficult to track waste/gather data on waste generation
- Not enough multi-family recycling pilot programs in many communities
- High cost of recycling to municipalities
- Lack of a volume-based fee for citizen garbage disposal
- Distance to recycling drop-off sites in rural communities
- Frequency of drop-off
- Lack of composting activities in many communities
- Not enough educational efforts geared towards individuals who think recycling takes too much time
- Many items are exempt from the Michigan bottle deposit law
- Lack of markets for many plastic types
- Landfill fees are low, decreasing the incentive to recycle and reduce
- Cost of tire disposal
- Reduction of BFI revenue creates a decline in the funding communities receive

**DETAILED FEATURES OF RECYCLING AND COMPOSTING PROGRAMS:**

List below the types and volumes of material available for recycling or composting.

**Establishing Diversion Goals**

Washtenaw County's Solid Waste Plan calls for the creation and implementation of an aggressive program to increase overall diversion rates from current levels to 38% in 2005 and 45% in 2010, measured by weight. The Solid Waste Planning Committee (SWPC) established these goals through a methodical process spanning the course of several months.

First, the committee evaluated current waste generation, diversion, and disposal data. Statistics were compiled in two major categories, residential (households) and commercial/industrial (businesses). From these studies it was determined that approximately 37% of the County's waste stream originates from the residential sector and 63% - nearly 2/3 - from the commercial/industrial (C/I) sector.

**Commercial/Industrial Sector**

In order to better understand waste flows within the commercial/industrial sectors, businesses were grouped by Standard Industrial Code (SIC). Annual reports from waste generators were evaluated, and utilized in conjunction with historical waste generation studies. From this process it was determined that three industry classifications; 1) manufacturing, 2) retail trade, and 3) services comprised over 82% of the total C/I waste stream.

These three groups were then evaluated more closely to identify the specific types of businesses that generate the majority of waste within each industry classification. A summary of those statistics follows:

bit A-1

**Waste Generation and Diversion in the Service Sector**

Description	Empl	Firms	Days	Waste Gen Rate (lbs/day)	Total Waste Gen. (tons/year)	Total Waste Div. (tons/year)	Div %	Total Disposed (tons/year)
Hospitals	16,092	6	7.0	4.30	12,109	1,816	15%	10,293
Business Services (advertising, mailing, photocopying)	10,470	533	5.0	4.75	6,217	932	15%	5,284
Health Services, excluding hospitals	6,876	639	5.0	6.00	5,157	825	16%	4,332
Engineering & Management Services	6,114	481	5.0	4.75	3,630	545	15%	3,086
Auto Repair Services & Parking	1,116	170	5.0	20.70	2,888	318	11%	2,570
Hotels & Other Lodging Places	1,298	56	7.0	10.00	2,272	341	15%	1,931
Automotive Repair Shops	685	115	5.0	20.70	1,843	203	11%	1,641
Social Services	3,005	306	5.0	4.75	1,784	357	20%	1,427
Membership Organizations	2,287	303	5.0	4.75	1,358	244	18%	1,113
Amusement & Recreation Services	1,274	132	6.5	5.75	1,190	179	15%	1,012
Motion Pictures	1,123	41	7.0	5.75	1,130	124	11%	1,006
Personal Services (laundry, cleaning, barber, shoe repair)	1,426	227	5.0	4.75	847	127	15%	720
Educational Services	1,253	74	5.0	4.75	744	149	20%	595
Legal Services	753	169	5.0	4.75	447	67	15%	380
Services -administrative and auxillary	613	13	5.0	4.75	364	91	25%	273
Miscellaneous Repair Services	322	62	5.0	5.75	231	25	11%	206
<b>TOTALS</b>	<b>54,707</b>			<b>5.41</b>	<b>42,211</b>	<b>6,343</b>	<b>15%</b>	<b>35,868</b>

Exhibit A-2

**Waste Generation and Diversion in the Retail Trade Sector**

Description	Empl.	Firms	Days	Waste Gen. Rate (lbs/day)	Total Waste Gen. (tons/year)	Total Waste Div. (tons/year)	Div. %	Total Disposed (tons/year)
Eating & Drinking Places	12,143	543	6.5	23.00	45,384	4,992	11%	40,392
New & Used Car Dealers	2,067	37	6.5	45.00	15,720	6,288	40%	9,432
Food Stores (grocery, meat mkt, veggie mkt, bakeries)	3,060	186	6.5	15.00	7,757	2,017	26%	5,740
General Merchandise Stores (Dept. & variety stores)	3,812	28	6.5	5.75	3,704	741	20%	2,963
Misc. Retail (drug, liquor, books, gift, novelty, etc.)	4,030	442	6.5	5.75	3,916	1,331	34%	2,585
Apparel & Accessory Stores	1,396	158	6.5	5.75	1,304	196	15%	1,109
Furniture & Home Furnishing Stores	1,336	132	6.5	5.75	1,248	212	17%	1,036
Building Materials & Garden Supplies	1,085	71	6.5	5.75	1,054	211	20%	843
Gasoline Stations	910	107	6.5	5.75	884	97	11%	787
Retail - administrative and auxillary	1,035	13	5.0	4.75	639	128	20%	511
Auto & Home Supply Stores	246	31	5.0	10.00	320	64	20%	256
Unclassified Retail	109	N/A	6.5	5.75	106	21	20%	85
<b>TOTALS</b>	<b>31,229</b>			<b>16.31</b>	<b>82,038</b>	<b>16,298</b>	<b>20%</b>	<b>65,739</b>

Exhibit A-3

**Waste Generation and Diversion in the Manufacturing Sector**

Description	Empl.	Firms	Days	Waste Gen. Rate (lbs/day)	Total Waste Gen. (tons/year)	Total Waste Div. (tons/year)	Div. %	Total Disposed (tons/year)
Transportation equipment	8,429	16	6.5	16.70	23,789	11,895	50%	11,895
Printing & publishing	4,646	99	6.5	52.50	41,222	30,916	75%	10,305
Industrial machinery & equipment	6,679	93	6.5	17.50	19,753	9,877	50%	9,877
Instruments & related products	3,993	42	6.5	17.50	11,809	5,905	50%	5,905
Fabricated metal products	3,285	55	6.5	17.50	9,715	4,858	50%	4,858
Electronic & other equipment	1,793	43	6.5	17.50	5,303	2,651	50%	2,651
Rubber & plastic products	1,750	27	6.5	17.50	5,176	2,588	50%	2,588
Manufacturing administrative & auxillary	4,124	36	5.0	4.75	2,449	441	18%	2,008
Unclassified Manufacturing	727	N/A	6.5	17.50	2,067	1,034	50%	1,034
Food & kindred products	532	14	6.5	19.80	1,780	1,139	64%	641
Paper & allied products	432	5	6.5	17.50	1,278	639	50%	639
<b>TOTALS</b>	<b>36,390</b>			<b>21.36</b>	<b>124,341</b>	<b>71,942</b>	<b>58%</b>	<b>52,399</b>

Taking into consideration the information above, recovery goals were established for specific commercial/industrial sectors, as follows:

**Hospitals: Current recovery = 15% (1,816 tons). Increase diversion rate to:**

Goal	Percent Diversion	Tonnage Diversion
2005 Goal	25%	3,215
2010 Goal	40%	5,303

**Eating & Drinking Establishments: Current recovery = 11% (4,992 tons). Increase diversion rate to:**

Goal	Percent Diversion	Tonnage Diversion
2005 Goal	15%	7,229
2010 Goal	28%	13,909

**Manufacturing: Current recovery = 58% (71,942 tons). Increase diversion to:**

Goal	Percent Diversion	Tonnage Diversion
2005 Goal	67.5%	89,129
2010 Goal	75%	102,084

**Remaining C/I Sectors: Current recovery = 22% (23,769 tons). Increase diversion to:**

Goal	Percent Diversion	Tonnage Diversion
2005 Goal	26%	30,206
2010 Goal	28%	33,532

The commercial/industrial diversion rates listed above can be combined to obtain an overall commercial/industrial diversion goal as follows:

Industry	2005 Goal (tons)	2010 Goal (tons)
Hospitals	3,215	5,303
Eating/Drinking Estab.	7,229	13,909
Manufacturing	89,129	102,084
Remaining C/I industries	30,206	33,532
<b>TOTAL DIVERSION</b>	<b>129,779</b>	<b>154,828</b>

In order to meet the County's overall recovery goals, infrastructure and programs must be developed to increase recovery throughout the C/I sector, with a particular emphasis on hospitals, eating and drinking establishments, and manufacturers as indicated above. Washtenaw County's Plan calls for the creation of a specialized Commercial/Industrial Program Task Force (CITF) that will be charged with developing an Implementation Action Plan to address these issues. For additional information on the CITF, please refer to page III-46 of the Selected Strategy.

## Residential Sector

### Community Based Evaluation

Concurrent with evaluating waste streams of the C/I sector, the SWPC evaluated similar statistics from the residential sector. Performance statistics of local recovery programs from each municipality were reviewed, as provided on Page II-2 of the Background Database. It was determined through this process that another specialized task forces should be formed, the Intergovernmental Program Task Force (IPTF). This group will be charged with developing an Implementation Action Plan to strengthen local community recovery programs.

A subcommittee was also appointed to examine and compare diversion rates of peer communities with those of Washtenaw County's communities. These peer communities were identified and used to select what might be considered low (conservative) and high (aggressive) tonnage diversion goals for Washtenaw County's residential sector. These low and high diversion goals were compared with the material-based evaluation (see below) of the residential sector to obtain the five-year and ten-year diversion goals for the residential sector.

### Material Based Evaluation

In addition to the process described above, the SPWC also considered the composition of the waste stream to help establish overall recovery goals. After identifying the composition of landfilled waste, it was determined that two product categories, paper and organics, comprised a significant portion of the waste stream. Current recovery levels for each material were calculated, and projections were made for increased recovery in five and ten year increments, as follows:

**Food waste: Currently 17,632 tons of residential food waste is landfilled each year. Divert the following amounts through source reduction and on-site, home based technologies:**

Goal	Percent Diversion	Tonnage * Diversion
2005 Goal	2.5%	478
2010 Goal	10%	1,995

*NOTE: These rates are reflected in the waste generation rate, not the recycling rate.*

**Paper: Currently 38,891 tons of residential paper products are landfilled each year. Divert the following amounts in the future:**

Goal	Percent Diversion	Tonnage * Diversion
2005 Goal	15%	6,325
2010 Goal	25%	10,999

**Other recyclables (plastic, metals, glass, etc.): Currently 68,528 tons of residential "other recyclables" are landfilled each year. Divert the following amounts in the future:**

Goal	Percent Diversion	Tonnage * Diversion
2005 Goal	3%	2,229
2010 Goal	8%	6,202

*\* Total tonnage diversions have been adjusted to reflect projected population increases*

**Yard Waste Diversion: Current recovery rate = 12.2% (20,520 tons). Increase total recovery to:**

Goal	Percent Diversion	Additional Tonnage Diversion (tons) *	Total Tonnage Diversion (tons) *
2005 Goal	13.3%	3,433	23,963
2010 Goal	14.5%	6,298	26,818

\* Total tonnage diversions have been adjusted to reflect projected population increases

The residential diversion rates listed above can be added to the 1997 baseline recycling and yard waste diversion rates to obtain an overall residential diversion goal as follows:

Residential Waste Type	Present Diversion (tons)	2005 Goal (tons)	2010 Goal (tons)
Base Recycling Rate	24,605	24,605	24,605
Base Yard Waste (compost) Rate	20,520	20,520	20,520
Additional Food Waste	0	478	1,995
Additional Paper	0	6,325	10,999
Additional Other Recyclables	0	2,229	6,202
Additional Yard Waste	0	3,443	6,298
<b>TOTAL DIVERSION</b>	<b>45,125</b>	<b>57,600</b>	<b>70,619</b>

### Overall County Diversion Goals

The diversion goals for the Residential and Commercial/Industrial sectors can be added together to obtain Washtenaw County's overall diversion goals as follows:

Sector	2005 Waste Gen. (tons)	2005 Diversion Goal (tons)	2005 Diversion Goal (%)	2010 Waste Gen. (tons)	2010 Diversion Goal (tons)	2010 Diversion Goal (%)
Com./Ind.	309,308	129,779	42.0%	318,837	154,828	48.6%
Residential	180,171	57,600	32.0%	184,954	70,619	38.2%
<b>TOTAL</b>	<b>489,479</b>	<b>187,379</b>	<b>38.3%</b>	<b>503,791</b>	<b>225,447</b>	<b>44.8%</b>

### Peer County Comparison

Another component of the subcommittee's evaluation of County diversion goals was to compile brief profiles of model "benchmark" solid waste programs from counties with similar demographics to those of Washtenaw County. Data was compiled primarily through phone interviews and county web sites on the following counties: Orange County, North Carolina; Lane County Oregon; Ramsey County, Minnesota; Dakota County, Minnesota; Dane County, Wisconsin; Santa Clara County, California; and Mercer County, New Jersey.

The peer counties had current diversion rates ranging from 38% to 44%, all of which exceeded Washtenaw County's current diversion rate of 32%. Some counties had solid waste management plans that called for ambitious increases in future diversion rates (up to 61% by 2006), while others did not even have county-level solid waste management plans. The success of these peer county programs can be attributed to numerous factors, such as: county-owned landfills, state mandated mandatory recycling laws, aggressive

pay-as-you-throw programs, and state financial grants and diversion-based incentives. In almost all peer counties studied, well-organized county-level education and outreach programs were considered essential to successful diversion rates.

Due to the varied and complex nature of each County's programs, it was impractical to standardize the data into a simple but accurate format for comparison with Washtenaw County's Solid Waste Management Plan and solid waste programs. However, the data gathered on these benchmark peer counties may serve as a useful foundation for a more in-depth study to be conducted as deemed necessary by the Commercial and Intergovernmental Task Forces.

## COORDINATION EFFORTS:

**Solid Waste Management Plans need to be developed and implemented with due regard for both local conditions and the state and federal regulatory framework for protecting public health and the quality of the air, water, and land. The following states the ways in which coordination will be achieved to minimize potential conflicts with other programs and, if possible, to enhance those programs.**

**It may be necessary to enter into various types of agreements between public and private sectors to be able to implement the various components of this solid waste management system. The known existing arrangements are described below which are considered necessary to successfully implement this system within the County. In addition, proposed arrangements are recommended which address any discrepancies that the existing arrangements may have created or overlooked. Since arrangements may exist between two or more private parties that are not public knowledge, this section may not be comprehensive of all the arrangements within the County. Additionally, it may be necessary to cancel or enter into new or revised arrangements as conditions change during the planning period. The entities responsible for developing, approving, and enforcing these arrangements are also noted.**

Ultimate responsibility for implementing the Solid Waste management Plan rests with the Washtenaw County Board of Commissioner's (BOC) as part of its duties of general governance. The BOC has charged the Washtenaw County Division of Public Works (DPW) to be cognizant of any pertinent ordinances or approved land use plans or wellhead protection plans within the County, and any pertinent restrictions or ongoing commitments contained in plans for air quality, water quality, or waste management which may be required to meet state or federal standards. Any county-level decisions affecting current or anticipated programs for solid waste management, air quality, water quality, or land use planning will be made in consultation with the County planning commission and County Review Group.

## **COSTS & FUNDING:**

**The following identifies potential funding sources that could be utilized to meet the necessary management, capital, and operational and maintenance requirements for each applicable component of the solid waste management system.**

Each community within Washtenaw County facilitates its own method of coordinating solid waste collection and disposal. Many communities allow their citizens to individually contract with a service provider. Some communities choose to negotiate a community contract with a service provider to collect and dispose of a community's waste and a few communities have chosen to fund their own services through any combination of the following funding options. The Washtenaw County Division of Public Works supports many community programs with the BFI capacity fee that is collected by the County.

**1) Volume Based Fee Structures (commonly referred to as "Pay as you Throw")**

Generators pay in proportion to the amount of wastes they set out for collection. Volume based rate systems typically require that residents purchase special bags or stickers, or they offer generators a range of service subscription levels. When generators pay for the amount of waste they produce they have an incentive to reduce it.

**2) Special Assessments through Public Act 185 and Public Act 188**

Municipalities, or the Washtenaw County Board of Public Works at the request of a municipality, could establish special assessments, to fund local solid waste and recycling programs. The special assessment must be linked to a benefit to the property owner and would be collected through the property tax bill.

**3) Hauler licensing**

With its existing authority under the state Public Health Code, the County may pass a regulation to regulate haulers and establish associated fees for public health purposes; or, with the participation of individual local units of government, the County may create a licensing program and establish fees for haulers operating within the County.

**4) Countywide ordinances**

Under the County's existing authority, the County has the ability to establish fees for landfill surcharges and county provided services, or with the participation of individual local units of government for other solid waste and recycling related programs.

**5) Public Act 138 (limited to residential households)**

A county, through an inter-local agreement with municipalities, may impose a surcharge on households within the county of not more than \$2.00 per month or \$25 per year per household for waste reduction programs and for the collection of consumer source separated materials for recycling, composting or household hazardous waste.

**6) Matching contributions of funds from municipalities**

Pooling of resources from municipalities may be an option to fund regional programs.

**7) Other financing mechanisms as identified**

## **EVALUATION SUMMARY OF THE SELECTED SYSTEM:**

The solid waste management system has been evaluated for anticipated positive and negative impacts on the public health, economics, environmental conditions, siting considerations, existing disposal areas, and energy consumption and production which would occur as a result of implementing this Selected System. In addition, the Selected System was evaluated to determine if it would be technically and economically feasible, whether the public would accept this Selected System, and the effectiveness of the educational and informational programs. Impacts to the resource recovery programs created by the solid waste collection system, local support groups, institutional arrangements, and the population in the County in addition to market availability for the collected materials and the transportation network were also considered. Impediments to implementing the solid waste management system are identified and proposed activities that will help overcome those problems are also addressed to assure successful programs. The Selected System was also evaluated as to how it relates to the Michigan Solid Waste Policy's goals. The following summarizes the findings of this evaluation and the basis for selecting this system:

### **Environmental Conditions and Public Health**

Positive impacts to the County's environmental condition are expected to occur as a result of the selected system. The continuing and increased emphasis on waste reduction and reuse will decrease the amount of materials being landfilled and recycled. The decrease in materials being disposed of in area landfills will reduce the need for a County's landfill space. Increased composting will produce nutrient rich material for agricultural uses, potentially reducing the amount of chemicals being used.

### **Siting Considerations**

The selected system does not allow for the siting of any new landfills or incinerators within the County. This reinforces the County's municipal solid waste management priorities of waste reduction and recycling. By allowing only for the siting of transfer stations and material recovery facilities, the County is increasing the ease of recycling for residents, while decreasing the need for landfill disposal.

### **Existing Disposal Areas**

The selected system will have potential positive impacts on existing disposal areas. An increased emphasis will be placed on waste reduction and reuse for solid waste management, with landfilling being used as a last resort option. This process will help to maximize the County's use of landfill space.

### **Energy Consumption and Production**

The selected system's emphasis on waste reduction and reuse could potentially cause a decrease in energy consumption; by reducing and reusing waste items, the energy needed to produce and transport new materials is decreased. Methane reclamation systems constructed in the area landfills produce energy by reclaiming valuable resources from the waste stream.

### **Technical/Economical Feasibility**

The selected system is both technically and economically feasible for Washtenaw County. The County currently has the infrastructure in place to support recycling activities and the facilities to support waste landfilling options. The revenue the County receives from the Browning-Ferris Industries, Inc. landfill provides funding for various waste reduction, reuse, and recycling activities. The Pay-As-You-Throw option of waste reduction will also provide economic incentives to County citizens to employ more waste reduction and recycling practices. Furthermore, placing an emphasis on recycled-content product purchasing could create more markets for recyclable materials, thereby increasing the economic viability of recycling.

### **Public Acceptance**

It is anticipated that the selected system will meet with public acceptance. Washtenaw County is an environmentally conscious county. It is anticipated that citizens will embrace a system that puts an increased emphasis on waste reduction, reuse, and recycling, using landfilling as a last resort option for disposal.

### **Effectiveness of the Educational and Informational Programs**

Programs in place from the 1989 Plan put the majority of emphasis on recycling for municipal solid waste disposal. The selected system, which puts the prime emphasis on waste reduction as the preferred method of municipal solid waste disposal, will therefore necessitate the creation of new educational and informational programs.

### **Impediments to Implementing the Selected System**

The encumbrance of measuring waste reduction and reuse could impede the successful implementation of the selected system. The difficulty in measuring the success of the waste reduction initiatives could prove to be an obstacle in defining which areas of the program need extra attention. If specific areas of weakness cannot be identified, then the success of the program might be compromised. An increased public education effort will need to take place in order to ensure a successful program. Furthermore, a method for waste reduction measurement will have to be developed and implemented.

### **Other Impacts**

The County's current resource recovery programs could need expansion in order to support the expected increase in recycling volumes. The availability of recycling markets for additional materials will also need to be researched in order to expand the County's current programs.

## **ADVANTAGES AND DISADVANTAGES OF THE SELECTED SYSTEM:**

Each solid waste management system has pros and cons relating to its implementation within the County. Following is an outline of the major advantages and disadvantages for this Selected System.

### **ADVANTAGES:**

- Clearly aligns with the established goals and objectives of the plan.
- Material is diverted from the waste stream and prevented from landfill disposal.
- Reduced stress on natural resources, thereby extending the supply of raw materials.
- Avoided landfill disposal costs of diverted materials can be substantial.
- Land requirements for recycling and composting are minimal to moderate.
- Application of composted material to the soil is environmentally sound.
- There are no documented environmental hazards resulting from waste reduction and composting.
- An emphasis on purchasing recycled content products can create and expand markets for recycled materials.

### **DISADVANTAGES:**

- Quantifying waste reduction is very difficult.
- Public participation is required.
- Adequate education, ongoing promotional programs, and market development are required.
- Organization and implementation problems may exist with new programs.
- Cost-effectiveness varies with waste reduction, recycling, and composting programs depending on developing technologies, market value, volume of materials handled, and public participation.
- Landfills are a land-intensive disposal option.
- Creating new public education programs dealing with waste reduction are resource and labor intensive activities.

Note: the following document, Washtenaw County's Rural Waste Generation Study, is provided for informational purposes only.

## **Washtenaw County's Rural Waste Generation Study**

**Published August 1995**

### **BACKGROUND**

Washtenaw County's Act 641 Solid Waste Management Plan (Plan) calls for a 30% diversion of the solid waste stream from landfill disposal. In order to determine the County's progress in meeting this goal, it is necessary to determine the total amount of recyclables and compostables collected as well as the total amount of solid waste disposed.

Several communities can accurately report these statistics for the residential sector. These communities, typically larger in size, either provide their own municipal collection or contract for community-wide services. These communities are often referred to as "high control" because they are able to collect and maintain accurate solid waste statistics over time.

Unlike the larger communities in the county, many rural communities do not have community-wide collection programs. Citizens in these communities typically subscribe individually with a private hauler for waste removal services. Tracking solid waste and recycling data is difficult for these communities because there are often several companies that provide service within each municipality. In addition, trucks generally service more than one jurisdiction on a route, which further complicates data tracking. Often referred to as "low control," these communities have limited ability to collect and maintain accurate solid waste statistics.

Typically, waste generation rates for these "low control" communities are determined by applying national waste generation rates to current population figures. Franklin & Associates has reported the national average for waste generation between 3.5 - 4.2 pounds per person, per day. The purpose of Washtenaw County's study was to determine actual generation rates and to evaluate whether national averages are realistic to apply to our communities.

Ideally, these studies would be conducted on a quarterly basis throughout a variety of rural communities. Data collected from surveyed communities could be extrapolated to other communities that have similar demographics and collection programs. Over time, these studies will lead to more accurate local information than currently available.

### **BENEFITS OF A WASTE GENERATION STUDY:**

- Allows waste generation figures to be calculated for "low control" communities
- Serves as a mechanism to verify the applicability of national averages to our communities
- Enables comparisons to be made between communities with different recovery programs
- Helps determine the effectiveness of waste reduction efforts over time
- Identifies areas/communities that need specific attention

### **PROJECT GOALS**

#### **Short Term**

- To determine the total amount of waste generated by households in a selected community

- To extrapolate data to other Washtenaw County communities with similar characteristics and demographics

### **Long Term**

- To track recovery and generation rates over time
- To compare rates between urban and rural communities
- To compare rates between communities with different recovery programs

## **METHODOLOGY**

Public Works staff worked in conjunction with Mister Rubbish to perform a waste generation study in June of 1995. A description of the process follows:

1. DPW staff followed a collection truck through a residential subscription route in Ann Arbor Township.
2. Staff counted the total number of stops and noted whether or not each household had waste, recyclables or both set-out for collection.
3. Upon completion of the route, staff accompanied the truck to the transfer station where the materials were weighed.
4. From the numbers recorded, staff determined set-out, recycling and generation rates.
5. The same procedures were followed the following week on the same route.
6. Results were compiled to compute a two week average.

## **DEMOGRAPHICS**

The most recent statistics estimate the population of Ann Arbor Township as 3,793 and the number of households as 1,589. It should be noted that this particular study did not encompass all 1,589 households, but a select route which we feel is representative of the entire community.

Waste removal for residences is handled on an individual subscription basis, as the Township does not provide waste removal or recycling services. The majority of homeowners, however, contract with Mister Rubbish.

In order to promote recycling, the Township provides 25 free recycling bags to all residents that contract with Mister Rubbish. Residents are instructed to place solid waste into regular trash bags, barrels, or in certain cases a cart that is provided. Recyclables are to be placed inside a plastic yellow recycling bag and placed next to the solid waste for collection.

One truck collects both solid waste and recyclables. The vehicle has a split-body so that solid waste materials are placed on one side and recyclables on the other to prevent contamination. Each side of the truck has a self-compacting mechanism.

## RESULTS

The **Set Out Rate** refers to the total number of households that set-out a bag (or bags) for recycling, as follows:

<b>Set Out Rate =</b>	$\frac{\text{Number of households that set out recyclables on collection day}}{\text{Number of households served on collection day}}$	
Week One:	$\frac{180}{314}$	= 57.3 %
Week Two:	$\frac{169}{304}$	= 55.6 %
Average:	$\frac{349}{618}$	= 56.5 %

From this study, we can observe that over half of the households on this route set out material for recycling. This does not mean, however, that only half of the households are participating in the program. In order to draw that conclusion, we would have to track a **participation** rate, which differs slightly, from a set-out rate.

A **set-out** rate is a measure obtained by counting the number of households that set out material on their designated collection day and the number of households in the service area. The set out rate is not a measurement of true participation, as participants may choose to set out materials less frequently than service is provided.

The **participation rate** is defined as the total number of households that take part in a community recycling program. This figure is difficult to accurately assess without tracking carefully for an extended period of time. The National Recycling Coalition recommends tracking a given route for a twelve week period. A "participant" is then defined as any household that contributes materials at least once during this period. Since this study only covered a two week period, assumptions for participation rates cannot be drawn.

Another term commonly used and understood by the public and solid waste professionals is **generation rate**. This relates to the amount of waste each member of a household contributes to the waste stream, as illustrated:

<b>Generation Rate =</b>	<b><u>Total Solid Waste Set Out By All Households*</u></b>		
	<b>Total Number of Households</b>		
Week One:	<u>19,000 (lbs)</u>		
	314	= 60.51 lbs./household/wk.	
		= 25.42 lbs./person/wk.	
		= <b>3.63 lbs./person/day</b>	
Week Two:	<u>14,840(lbs.)</u>		
	304	= 48.82 lbs./household/wk.	
		= 20.51 lbs./person/wk.	
		= <b>2.93 lbs./person/day</b>	
Total:	<u>33,840 (lbs.)</u>		
	618	= 54.76 lbs./household/wk.	
		= 23.00 lbs./person/wk.	
		= <b>3.29 lbs./person/day</b>	

\* Total Solid Waste = Solid Waste + Recyclables; does not account for compostables

The **recycling rate** provides the actual percentage of recyclables that were separated and placed out by the participating households for recycling, as follows:

<b>Recycling Rate =</b>	<b><u>Total Recyclables Recovered</u></b>		
	<b>Total Solid Waste Generated (includes recyclables)</b>		
Week One:	<u>5,060 (lbs.)</u>		
	19,000 (lbs.)	= 26.63% (by weight)	
Week Two:	<u>2,640 (lbs.)</u>		
	14,840 (lbs.)	= 17.78% (by weight)	
Average:	<u>7,700 (lbs.)</u>		
	33,840	= 22.75% (by weight)	

**Waste Generation Study Results:**

**Week 1: Monday, June 19, 1995**

Community studied: Ann Arbor Township      Population: 3,793 \*  
 Total Households: 1,589 \*      Average Person/Household: 2.38 \*  
 \* 1990 U.S. Census Bureau Data

Start Time: 6:40 a.m.      End Time: 1:40 p.m.      Total Hours: 7

Number of Stops: 314      Stops per Hour: 44.86  
 Stops w/Recyclables: 180

Weight of Solid Waste: 6.97 Tons (13,940 lb.)  
 Weight of Recyclables: 2.53 Tons (5,060 lb.)  
 Total Weight of Collected Materials: 9.5 Tons (19,000 lb.)  
 Percent of Recyclables: 26.63% (by weight)

	Recyclables (participating H/H)	Recyclables (all H/H)	Solid Waste	Total Waste Stream (recyc. + solid waste)
Lbs./Household/Wk.	28.11	16.11	44.39	60.51
Lbs./Person/Wk.	11.81	6.77	18.65	25.42
Lbs./Person/Day	1.69	.97	2.66	3.63

**Week 2: June 26, 1995**

(Same route as previous week)

Community studied: Ann Arbor Township      Population: 3,793 \*  
 Total Households: 1,589 \*      Average Person/Household: 2.38 \*  
 \* 1990 U.S. Census Bureau Data

Start Time: 6:35 a.m.      End Time: 1:20 p.m.      Total Hours: 6.75

Number of Stops: 304      Stops per Hour: 45.04  
 Stops with Recyclables: 169

Weight of Solid Waste: 6.10 Tons (12,200 lb.)  
 Weight of Recyclables: 1.32 Tons (2,640 lb.)  
 Total Weight of Collected Materials: 7.40 (14,840)  
 Percent of Recyclables: 17.79% (by weight)

	Recyclables (participating H/H)	Recyclables (all H/H)	Solid Waste	Total Waste Stream (recyc. + solid waste)
Lbs./Household/Wk.	15.62	8.68	40.13	48.82
Lbs./Person/Wk.	6.56	3.45	16.86	20.51
Lbs./Person/Day	.94	.52	2.41	2.93

**Two Week Totals and Averages**

Total stops over 2 weeks: 618      Average Stops/Hour: 44.95

Total Stops with Recyclables: 349  
 Average Set Out Rate: 56.47%

Total Weight - Solid Waste Only: 26,140 lb.  
 Total Weight - Recyclables: 7,700 lb.  
 Total MSW - Recyc. + Solid Waste 33,840 lb.  
 Percent Recyclables: 22.75% (by weight)

	Recyclables (participating H/H)	Recyclables (all H/H)	Solid Waste	Total Waste Stream (recyc. + solid waste)
Lbs./Household/Wk.	22.06	12.46	42.30	54.76
Lbs./Person/Wk.	9.27	5.24	17.77	23.01
Lbs./Person/Day	1.32	.75	2.54	3.29

**NOTE: The following document, Washtenaw County's Solid Waste Program, is included for informational purposes only. This document is intended to provide an historical information on the County's Solid Waste Program, and identify areas that have been priorities in the past.**

## **Washtenaw County Solid Waste Program As Adopted by the Board of Public Works 1997**

### **County Solid Waste Program Overview**

From its inception, it was anticipated that Washtenaw County's Solid Waste Program would be reviewed periodically and adjustments made as revenues fluctuated or specific program requirements were modified. This document reflects the first of such efforts.

This is a proposal to update the County's Solid Waste Program for a five year period. The proposal is consistent with the goals of the County's Solid Waste Management Plan and is supportive of current and planned activities on the part of local governmental units and private industry. It also addresses the County's obligations within the contract negotiated with Browning Ferris Industries (BFI) regarding guarantees of landfill capacity and allocation of funds received as a part of that agreement.

Solid waste management practices are continually changing, and activities at the local, state, and federal level can have major impacts on community waste management programs. This solid waste program is reflective of the current solid waste management situation in southeast Michigan. It identifies specific areas for concentrating our efforts, yet is flexible enough to respond to changing situations.

There are seven main components of the program, as follows:

#### **WASHTENAW COUNTY SOLID WASTE PROGRAM**

##### **Future Direction**

- I. Direct Monetary Support to Communities
- II. Promotion of Regional Programs
- III. Focus on Source Reduction
- IV. Increased County Services for Communities
- V. New Emphasis on Commercial/Industrial Sectors & Major Generators
- VI. Continuation of Planning, Regulatory, and Administrative Activities
- VII. Additional Contributions to Special Funds

The following pages will provide a brief description of each of the components listed above.

## **I. Direct Monetary Support To Communities**

Washtenaw County is host to one permitted operational municipal solid waste landfill, the Arbor Hills Landfill owned by Browning Ferris Industries (BFI). The County has negotiated a host community agreement with BFI that guarantees disposal capacity and also offers an annual revenue through disposal fees.

Residents of Washtenaw County are fortunate to have access to fourteen (14) curbside and twenty-nine (29) drop off recycling programs throughout the County. A portion of the revenues received from BFI have been used by communities to implement and operate these successful programs. Local units of government access their share of the funds through the County Community Revenue Sharing (CRS) program.

Funds will continue to be provided to local units of government for local waste reduction, recycling, and composting programs. As a result of fluctuating revenues received from BFI, the County will be modifying the formula used to compute community payments. A full description of the current and proposed payment formulas is included in the 1997 budget materials.

## **II. Promotion of Regional Programs**

Washtenaw County strongly supports the development of regional solutions to solid waste management problems. Opportunities for cooperation among communities often have economic, environmental, and social benefits and should be pursued. It is suggested that a special fund be established as a part of the Community Revenue Sharing program to help compensate programs that serve regional needs. An example would be a community drop-off station that services residents outside of its own jurisdiction.

In order to promote regional programs, and offer compensation to communities who host such facilities, it is recommended that a "Regional Program Fund" be created. Communities would be required to apply for funding through this program, and would need to demonstrate their regional service area.

## **III. Focus on Source Reduction**

Source reduction is at the top of Washtenaw County's Solid Waste management hierarchy. Also referred to as "waste prevention," source reduction can reduce the consumption of resources, lower system costs, prevent pollution, and increase efficiency.

It is recommended that the Solid Waste program increase the focus placed on source reduction. Potential activities include:

- An educational campaign aimed at consumers and residents focusing on reduced use/more efficient use of materials
- An educational campaign aimed at businesses and industries focusing on reduced material use and decreased toxicity in product manufacturing
- Development of measurement techniques for source reduction programs
- Identification of incentives/disincentives for source reduction

## **IV. Increased County Services to Communities**

It is recommended that the County provide additional direct services to communities. A short summary of potential activities follows:

#### **A. Educational Materials**

A successful waste management program requires widespread public participation. Such participation can best be obtained through effective public education programs which are consistent and ongoing. It is recommended that the Solid Waste Program build upon current efforts for a County-wide promotion and public education campaign.

Potential activities include:

- Distribution of the Washtenaw County Recycling Guide
- Development of an on-line version of the County's 4 R's Guide for communities
- Development of a streamlined 4 R's Guide for consumers
- Creation and maintenance of a web-page to provide information on local recovery programs
- Widespread publication of County progress towards recovery goals
- Targeted educational materials to new homeowners throughout the County

#### **B. Expanded Home Toxics Reduction Program**

Washtenaw County operates a permanent facility for the collection of Household Hazardous Waste. Survey results over the past two years indicate that the majority of users are from the immediate geographic jurisdiction. It is clear that logistics play an important role in participation rates, and as such, it is recommended that several "satellite" collections be sponsored throughout the County. Three pilot programs were implemented in 1995-6 and achieved a positive response from both local units of government and the general public.

Potential activities include:

- A minimum of two satellite collections per year in select areas of the County
- Development and implementation of a public education program focusing on less toxic alternatives to commonly generated products

Additionally, it is recommended that the County investigate the feasibility of the following enhancements to the Home Toxics Reduction Program:

- Development of a Re-Use program
- Provision of service to Conditionally Exempt Small Quantity Generators
- Acceptance of additional waste types
- Increase participation by offering evening hours and scheduled appointments
- Creation of partnerships with local businesses for collection of specific materials
- On-line waste exchange services

#### **C. Other Direct Services to Communities**

Additional activities could include:

- Regional collection programs for special materials such as tires
- Tools for assessing local program performance

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#### **V. New Emphasis on Commercial/Industrial Sectors and Major Generators**

Approximately 55% of the County's Municipal Solid Waste Stream is composed of commercial and industrial wastes. It is recommended that the County take a more proactive role in addressing these waste streams and begin to work more closely with businesses to implement waste reduction and recycling programs.

Specific activities will include:

- Continuation of the "Green Backs for Green Acts" Innovative Grants Program
- Development and implementation of a Business Recognition Program

Additional activities could include:

- Development of a business advisory group
- Provision of facility waste assessments or self-assessment tools
- Development and administration of Peer Exchange programs
- Collaboration with businesses to develop Case Studies
- Provision of waste characterization studies
- Targeted workshops
- Development and maintenance of an on-line materials exchange network

It is expected that contractual services or additional staff may be required to implement these initiatives.

## **VI. Continuation of Administrative, Planning, and Regulatory Activities**

Following is a detailed discussion and description of tasks covering administration of the Solid Waste Plan, in addition to administration and coordination of the solid waste program. These activities are authorized by and described in more detail in the Solid Waste Plan.

### **Plan Administration**

Responsibilities of Plan administration include:

- Administration of the County's Solid Waste Plan & coordination of future updates
- Management of capacity fee monies
- Coordination of cooperative programs between communities
- Administration of agreements with landfill operators

### **Program Compliance**

Regular reviews are conducted of solid waste programs to ensure compliance with the Solid Waste Plan and conditions placed on receipt of Community Revenue Sharing funds. In addition, communities are required to submit a detailed accounting of expenditures to the County to demonstrate how Community Revenue sharing dollars have been used.

### **Data Gathering/Analysis**

Activities related to data gathering and analysis include:

- Maintain data collection programs
- Produce annual program reports including waste diversion rates
- Oversee sector-specific and landfill waste composition studies
- Perform periodic waste composition studies
- Update the County Plan and Strategy on a regular basis

### **Landfill and Solid Waste Facility Monitoring**

County staff perform regular inspections of solid waste and resource recovery facilities to ensure compliance with applicable federal, state and local laws, ordinances and regulations.

### **County Internal Recycling Coordination**

The County will continue to coordinate and improve its internal recycling program. In addition, increased emphasis will be placed on waste prevention and purchasing of recycled, less toxic, products.

**General/Administrative**

Answer questions, respond to complaints, and fulfill information requests.

**NOTE: The following document, Washtenaw County's Implementation Action Plan, is provided for informational purposes only. Utilized as a tool for implementing the 1989 Update, it is expected that this document may be used as a resource to the Intergovernmental and Commercial/Industrial Program Task Forces, and may serve as starting point for creating new action plans.**

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## **Washtenaw County Implementation Action Plan For Solid Waste Management**

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As Approved by the  
Washtenaw County  
Solid Waste Plan Implementation Committee  
and the  
Washtenaw County Board of Public Works

- Amended 03/19/97 -

## DEFINITIONS

For purposes of this document, the following words and phrases shall be given the following respective meanings:

**SOURCE REDUCTION:** A waste management technique aimed at reducing the quantity of waste generated.

**RECYCLING:** The recovery of materials from the waste stream for return to use as feedstock or other raw material.

**COMPOSTING:** The biological degradation of organic material from the waste stream and its return to use as a soil amendment.

**SELF-PROCESSING:** The term used when a facility removes contaminants and reduces the volume and/or mass of the materials produced.

**BACK-HAULING:** The term used when a facility or its agents transports processed materials back to its originating site.

**Washtenaw County  
Implementation Action Plan for Solid Waste Management**

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**SECTION 1:**  
**PROJECT AND SYSTEM GOALS -**  
**DATA COMPILATION AND REPORTING REQUIREMENTS**

**1.1 System Goals and Target Dates.**

With the coordination of the Director of the Division of Public Works (DPW Director), the Solid Waste Plan Implementation Committee (SWPIC) shall propose and the County Board of Public Works (BPW) shall adopt annual system goals for each year during the next five-year period for the solid waste stream generated in Washtenaw County. These system goals shall be organized by types of material in the waste stream.

The system goals shall be expressed in terms of diversion percentage, county-wide per capita cubic yards and tons and total cubic yards and tons of material to be handled by the end of the target year through various types of source reduction, recycling, composting, landfilling, or other applicable waste handling methods. The system goals shall also be expressed in terms of percentages of the value of goods purchased by governmental and institutional units (of those materials that are economically available in recycled form) being made of recyclable materials.

These adopted system goals and target dates shall be considered an amendment to the "Washtenaw County Implementation Action Plan for Solid Waste Management (Action Plan)".

Until amended as stated above, the system goals defined within the Washtenaw County Act 641 Solid Waste Management Plan Update of 1989 as amended will prevail. The overall goal is to divert 30% of solid waste materials (by weight) from being landfilled by the end of 1995 through waste reduction, recycling and composting and to increase the proportion of the value of goods purchased (of those materials that are economically available in recycled form) with recycled content to 30% by the year 1995. Economically available is defined as having a price that is less than or equal to 10% above the cost of comparable products in a competitive bid.

**1.2 Setting Goals and Target Dates.**

The five year updates of the Act 641 Solid Waste Management Plan required by the Michigan Department of Natural Resources (MDNR) shall contain five-year system goals and target dates for the solid waste stream generated in Washtenaw County. These plan-approved system goals and target dates shall be included in the next proposed amendment to Exhibit A of this Action Plan. In the absence of an active MDNR authorized update process for the Plan, the BPW shall continue to establish five-year system goals and target dates as defined in this section and as is consistent with any previous plan-approved system goals and target dates.

If system goals and target dates would result in modification of goals and target dates established within the latest update of the County's Act 641 Solid Waste Management Plan, the system goals must first be approved by the Board of Commissioners before they become effective.

**1.3 Annual Deadline for Submittal.**

The Director of Public Works, with assistance from the various committees established within the Solid Waste Plan, shall submit to the BPW its proposed annual system goals and target dates for the upcoming five-year period as proposed amendments to this Action Plan by April 1 of each year, with April 1, 1994 being the first date when this requirement shall be effective.

#### **1.4 Annual Deadline for Approval.**

If no action is taken by the BPW within 90 days of submittal of these proposed system goals and target dates, they shall automatically take effect and be considered as adopted amendments to this Action Plan.

#### **1.5 Failure to Submit Updated System Goals and Target Dates.**

Should the DPW Director not submit proposed amendments for annual system goals and target dates by the April 1 deadline, the existing system goals shall remain in effect with the percentage and per capita system goals for the fifth year being automatically extended for one additional year.

#### **1.6 Tracking Progress Towards System Goals and Target Dates.**

The DPW Director, to the degree practicable, shall arrange to collect, verify and analyze data necessary to document annual progress towards the system goals and target dates. Such data collection, verification and analysis activity shall include the following at a minimum:

- a) Semi-annually, submittal on a form prepared by the DPW Director of all public and private sector haulers (haulers who transport more than 100 cubic yards of solid waste annually) estimated activity in the previous six-month period in collecting all types of recyclable and compostable materials and all solid waste, refuse and demolition and construction debris. Such estimates shall be in cubic yards and tons and shall be broken down by type of collection activity (curbside, roll-off, etc.) and by point of final delivery and where possible, by category of generation sources (commercial, multi-family, single family, etc.) and jurisdiction (township, village, city or major generator). Due dates for filing this information for the prior half year are the thirtieth day of January and July of each year, with the first reporting to commence no later than January 30, 1994. Information and estimates of prior activity shall be requested at the time of first reporting.
- b) Semi-annually, submittal from all recycling, composting and waste transfer facilities on a form prepared by the DPW Director of a facility's estimated activity in the previous six-month period in receiving and processing all recyclable and compostable material and all solid waste, refuse and demolition and construction debris. Such estimates shall be in cubic yards and tons and shall be broken down by type of processing activity and by point of final destination of material after marketing and where possible by hauler delivering the material to the facility. Due dates for filling this information for the prior half year are the thirtieth day of January and July of each year, with the first reporting to commence no later than January 30, 1994. Information and estimates of prior activity shall be requested at the time of first reporting.
- c) Other data collection and verification activity, including data from all municipalities, institutions and major industry in the County as defined in the Solid Waste Plan, through techniques that may include, as deemed appropriate, 1) field, phone and mail surveys, 2) site visits, 3) statistically verifiable field sampling of types of activity, participation rates, material quantities, contamination levels, or characterization of streams of yard waste, recyclable materials, solid waste and demolition and construction debris.
- d) Data analysis as needed to document the performance of the system in the most recent full calendar year including at a minimum the performance in terms of percentages, per capita cubic yards and tons, and total cubic yards and tons of material handled that year through various types of source reduction, recycling, composting, landfilling, or other applicable waste handling methods.

- e) The documented performance for the most recently completed calendar year shall be released as a report to the BPW and approved or amended as necessary by the BPW for release to the County Board, all Local Units, haulers and waste management facilities by April 1 of each year, with the first report due on April 1, 1994, and shall be included in tabular form in the proposed amendment to this Action Plan defining annual system goals and target dates for the next five year period.

**1.7 Tracking Progress Towards Source Reduction Goals and Target Dates.**

The DPW Director, in evaluating progress towards source reduction goals and target dates, shall incorporate documented increases or decreases in activity during the calendar year being evaluated in any of the following areas:

- a) Composting of organic material on-site, referred to as backyard composting for residential generators.
- b) Mulching of organic material back into the soil during lawn and yard maintenance activities.
- c) Use of reusable containers (including pallets), utensils, products or tools by households, businesses and industry.
- d) Purchase of longer-life products and equipment.
- e) Increased efficiency through higher yields in utilization of feedstock materials during production, distribution and consumption activities within the County.
- f) Decreased packaging and increased purchasing of items in bulk.
- g) Other activities as deemed appropriate.

Reductions in the per capita rate of generation for materials recycled, composted and disposed shall serve as supporting documentation of increased source reduction only when those results can be correlated to specific source reduction activities.

**1.8 Tracking Progress Towards Recycling Goals and Target Dates.**

The DPW Director, in evaluating progress towards recycling goals and target dates, shall incorporate documented increases or decreases in recyclable material handled during the calendar year being evaluated in any of the following areas:

- a) Collection activity by all haulers.
- b) Processing activity at all recycling drop-offs and material recovery facilities.
- c) Disposal site separation activity at all transfer facilities, Type II landfills and Type III landfills.
- d) Self-processing/baling and back hauling of recyclables generated on-site by commercial and industrial enterprises. Some examples include supermarkets and manufacturing facilities.
- e) Other retail outlet sponsored recycling activity in which product or packaging types sold by a particular location are received by that location for recycling. Some examples include retail outlet collection and recycling for tires, white goods, auto batteries, and plastic bag packaging.
- f) Wood waste, including pallets recycled or used as boiler fuel.

**1.9 Tracking Progress Towards Composting Goals and Target Dates.**

The DPW Director, in evaluating progress towards composting goals and target dates, shall incorporate documented increases or decreases in compostable material handled during the calendar year being evaluated in any of the following areas:

- a) Collection activity by all haulers.
- b) Processing activity at all yard waste drop-off and composting facilities.
- c) Disposal site separation activity at all transfer facilities, Type II landfills and Type III landfills.
- d) Brush chipping and reuse activity by tree trimmers, lawn care companies, land clearing firms and landscapers.
- e) Wood waste chipping and reuse activity by institutions, business and industry.
- f) Land application activity of yard waste and food processing waste.
- g) Land application activity of sludge from water and wastewater treatment facilities.

**1.10 Tracking Other Ongoing Recycling Activity.**

The DPW Director, while gathering data to document progress towards goals, shall also document any other recycling activity that is discovered yet does not directly apply towards the goals, including:

- a) State of Michigan deposit container recycling by beverage distributors.
- b) Medical waste recovery and recycling.
- c) Others as determined to be appropriate by the DPW Director.

**SECTION 2: TARGETED MATERIALS**

**2.1 Targeted Materials Listing - Phase I "Minimum" Program Collection Requirements for Residential Services.**

The following "minimum" program requirements are incorporated into the County's Action Plan, which Local Units, Private Sector Firms and Institutions may adopt by joining in. In order to continue to receive their share of the County's Solid Waste Revenue Fund, local units will have to commit to these "minimum" requirements. As of **July 1, 1994**, all the following materials, in the form specified, shall be included in any combination of residential curbside, multi-family or drop-off recycling and composting collection services provided by a Local Unit alone or in combination with services provided by private haulers or other agencies operating within the jurisdiction of the Local Unit.

- a) Old newspapers and printed material made from newsprint.
- b) Old corrugated containers.
- c) Commingled food container materials consisting of green, clear and brown glass bottles and jars, aluminum beverage containers, tinplate steel food cans and steel non-food cans, and natural and colored HDPE bottles (coded as #2 and small-mouthed such as milk jugs and laundry detergent bottles).
- d) Yard waste including leaves, grass clippings, vegetable or other garden debris, shrubbery or brush or tree trimmings less than 6 inches in diameter. Local Units may demonstrate that their solid waste does not contain significant quantities of these materials.
- e) Special waste items, including large appliances of all types including residential, commercial and industrial refrigerators, kitchen stoves, clothes dryers, clothes washers, central air conditioners, window air conditioners, furnaces, humidifiers, dehumidifiers, hot water heaters, trash compactors, dishwashers, commercial food processors, metal sinks, metal countertops, and other related large appliances. Appliances must have freon or other items removed before recycling in compliance with existing regulations and laws utilizing best available technology.

**2.2 Targeted Materials Listing - Phase II Program Collection Requirements for Residential Services. (Amended 06-21-94)**

The following "optimum" program requirements are incorporated into the County's Action Plan. In order to continue to receive their share of the County's Solid Waste Revenue Fund, Local Units will have to commit to these requirements at the time that these "optimum" program requirements would take effect. As of **July 1, 1996**, all the following materials, in the form specified, shall be included in any combination of residential curbside, multi-family or drop-off recycling and composting collection services provided by a Local Unit alone or in combination with services provided by private haulers or other agencies operating within the jurisdiction of the Local Unit.

- a) All items identified in Section 2.1.
- b) Magazines
- c) Mixed office paper
- d) PETE (#1) plastic bottles
- e) Boxboard

**2.3 Targeted Materials Listing - Commercial, Institutional and Industrial Services. (Amended 06-21-94)**

Breakdown of commercial businesses by sectors was determined to be the most effective method of dealing with materials, which may often be industry specific. Seven sectors have been identified, with two categories under each defined sector, targeted materials and other materials. "Targeted Materials" are those specific materials which constitute a significant proportion of the industry's waste stream and for which recycling opportunities are readily available. These items should be identified and highly promoted in an educational campaign.

"Additional Materials" are items which may still represent a large portion of the waste stream but for which markets may not be readily available. For these additional materials, efforts will be placed on encouraging market development. Additional materials may also be recoverable items an industry generates which constitute a smaller portion of their waste stream. General information will be distributed to explain how these items may be recovered.

The target materials list for commercial, industrial, and institutional services is not intended to be used as a regulatory vehicle, but rather to be regarded as a framework for educational efforts and programming.

**a. Construction/Demolition**

Targeted Materials

Cardboard

Metals

Pallets/Wood

Concrete

Bricks

Additional Materials

Drywall

Shingles

**b. Retail/Wholesale**

Targeted Materials

Newspaper

Mixed File Stock

Cardboard

Plastics (HDPE)

Pallets/Wood

Additional Materials

Shrink Wrap

Textiles

Damaged Retail Merchandise

c. **Restaurants**

Targeted Materials

Newspaper  
Cardboard  
Plastics (HDPE)  
Metal Cans  
Glass Bottles & Jars  
Unused, Nutritious Food

Additional Materials

Food Waste

**d. General Offices (Government, Organizations, Churches, Financial, Real Estate, etc.)**

Targeted Materials  
White Paper/CPO  
Mixed File Stock  
Cardboard

Additional Materials  
Telephone Directories  
Toner Cartridges

**e. Auto Maintenance/Repair, Transportation, Utilities, etc.**

Targeted Materials  
White Paper/CPO  
Newspaper  
Mixed File Stock  
Cardboard  
Metals  
Oil  
Tires  
Automotive Batteries  
Antifreeze (Amended 3/19/97)

Additional Materials

**f. Manufacturing**

Targeted Materials  
White Paper/CPO  
Mixed File Stock  
Cardboard  
Plastic (HDPE)  
Pallets/Wood

Additional Materials  
Toner Cartridges  
Shrink Wrap

**g. Institutions/Medical Facilities/Hospitality Services**

Due to the diversity of operations among and within these entities, specific portions of all lists will be applied where applicable.

**2.4 Additions, Deletions, and Exemptions to the Targeted Materials Lists.**

The DPW Director and the Solid Waste Plan Committees shall work with current and potential future recycling, composting, waste transfer, waste processing and waste disposal facilities to insure adequate capacity to process and market the materials on the targeted materials list.

- a) By April 1 of each year, beginning in 1994, the DPW Director shall submit to the BPW an evaluation of the list of targeted materials and propose any additions or deletions to that list. The BPW shall review, revise as necessary and approve the evaluation for final release to the participating Local Units, haulers and facilities. Any proposals for additions and deletions shall be handled as amendments to this Action Plan.
- b) Participating Local Units, haulers and facilities may petition the BPW, through the DPW Director, in writing at any time to have additions or deletions made to the targeted materials list. The BPW, under the coordination of the DPW Director, shall respond in writing within 60 calendar days.

- c) Participating Local Units, haulers and facilities may petition the DPW Director in writing at any time for emergency relief from the requirements for materials on the targeted materials list. The DPW Director shall respond in writing within 30 calendar days. Any emergency relief granted by the DPW Director shall be for a period of no more than 60 days, and shall include restriction as deemed necessary by the DPW Director to guarantee consistency with the intent of this Action Plan. If emergency relief is requested and granted more than once for the same reason, a process must be initiated to consider necessary changes that should be made to this Action Plan.
- d) Within four years of the effective date for Section 2.1 requirements, the following materials will be considered by the DPW Director and BPW for incorporation into the targeted materials list for residential services. A 180 day notice period will be provided by the County to Local Units and other interested parties before any such materials will need to be incorporated into local programs.
  - i) Other papers
  - ii) Other ferrous metals
  - iii) Other non-ferrous metals
  - iv) HDPE & LDPE plastic films
  - v) Food waste

**SECTION 3: SPECIAL WASTE MATERIALS**

**3.1 Special Waste Materials Listing - Program Requirements for Residential Education Services.**

In order to continue to receive their share of the County's Solid Waste Revenue Sharing Fund, local units will have to commit to these requirements. As of **July 1, 1995**, all the following materials, in the form specified, shall be included in an educational campaign, as outlined in Section 3.2, to educate residents on proper disposal and handling:

- a) Household batteries
- b) Waste oil
- c) Expanded Polystyrene (commonly referred to as 'styrofoam')
- d) Tires of all types, including auto, truck, motorcycle, off-road vehicle, garden tractor, and farm equipment tires.

**3.15 Special Waste Materials Listing - Program Requirements for Residential Education Services. (Amended 03-20-96)**

The following program requirements are incorporated into the County's Action Plan. In order to continue to receive their share of the County's Solid Waste Revenue Sharing Fund, local units will have to commit to these requirements. As of **July 1, 1996**, all the following materials, in the form specified, shall be included in an educational campaign, as outlined in Section 3.2, to educate residents on proper disposal and handling:

- a) Textiles

**3.2 Special Waste Materials - Education Campaign Requirements**

The education campaign shall include, but not be limited to, one piece of correspondence annually to each household in the local unit jurisdiction. The correspondence may be a part of another existing communication, i.e. annual municipal report, community calendar, water bill, tax roll, etc.

The correspondence must include at a minimum:

- a) The name and a description of the material
- b) Reduction or reuse alternatives
- c) Proper disposal method and available outlets
- d) Recycling market outlets if available

The local unit may choose to employ additional methods of communication including press releases/advertisements in newspapers, point of purchase displays, posters, electronic bulletin boards on cable television, etc.

The Public Works Director and the Solid Waste Plan Committees shall work together with local units to assist in the identification of source reduction and recycling opportunities. Additionally, assistance will be provided for the preparation of generic information which may be used to fulfill this requirement, i.e. camera ready art, updated 4-R's Guides, etc.

### **3.3 Additions, Deletions, and Exemptions to the Special Waste Materials List**

- a) By April 1 of each year, beginning in 1996, the DPW Director shall submit to the BPW an evaluation of the list of Special Wastes and propose any additions or deletions to the list. It is not the intention of that the list will grow to include many additional items, and additions will only be considered when need is clearly demonstrated. The BPW shall review, revise as necessary, and approve the evaluation for final release to the Local Units, haulers, and facilities. Any proposals for additions or deletions shall be handled as amendments to the Action Plan.
- b) Participating local units, haulers, and facilities may petition the BPW, through the DPW Director, in writing at any time to have additions or deletions made to the Special Waste Material List. The BPW, under the coordination of the DPW Director, shall respond in writing within 60 calendar days.

## **APPENDIX B:**

# **NON-SELECTED SYSTEMS**

**Before selecting the solid waste management system contained within this Plan update, the County developed and considered other alternative systems. The details of the non-selected systems are available for review in the County's repository. The following section provides a brief description of these non-selected systems and an explanation why they were not selected.**

## **ALTERNATIVE #1: LARGE SCALE INCINERATION OR WASTE TO ENERGY**

One alternative that was considered and subsequently discarded was large-scale incineration. This option is not viable in Washtenaw County for various reasons, but primarily because the environmental degradation and human health risks associated with the operation of incinerators far outweigh the benefits.

The incineration of municipal solid waste can cause adverse health and environmental effects through air emissions, toxic ash residue, and the destruction of materials that could be recycled. Carcinogenic and toxic chemicals are often released through incineration, and may include: heavy metals (arsenic, lead, cadmium, mercury, chromium and beryllium), acid gases (hydrogen fluoride), partially-burned organic material (polyvinyl chloride [PVC], herbicide residues, and wood preservatives), other organic chemicals (polycyclic aromatic hydrocarbons [PAHs]), dioxins, and furans. Dioxins, for example, were recognized as "known" human carcinogens by the World Health Organization in 1997. Recent analysis identified 192 volatile organic compounds being emitted by a single solid waste incinerator.

The ash by-product from incineration still requires landfilling, and may compose up to 10% of the solid waste stream by volume. This ash requires special handling and disposal due to its toxic nature. Air pollution and odor problems can be marginally reduced with the use of pollution control equipment, but this equipment is expensive and only reduces pollution to legally acceptable levels.

### Advantages

- Electricity or steam is produced, helping to offset operational and maintenance costs
- Minimal land requirements

### Disadvantages

- Although sophisticated, mechanical systems have demonstrated operating difficulties
- Utilizes natural resources
- The cost-effectiveness of energy generation has not been proven
- Particulates and toxic fume emissions contribute to air pollution
- Environmental hazards associated with the disposal of bottom and fly ash from incinerators
- Design, operational procedures, and site development are complex under present regulations
- Public sentiment against incinerators can make siting and development difficult
- High maintenance requirements

## **SYSTEM COMPONENTS:**

The following briefly describes the various components of the non-selected system.

## **RESOURCE CONSERVATION EFFORTS:**

This system's primary focus is on incineration and no additional conservation efforts are proposed.

## **VOLUME REDUCTION TECHNIQUES:**

This system utilizes incineration as a volume reduction technique. Incineration is viewed as a very effective way to reduce the volume of municipal solid waste.

### **RESOURCE RECOVERY PROGRAMS:**

This system does not utilize resource recovery. Although the incineration of waste can be utilized to capture energy, practices such as reduction, reuse, and recycling are not put to use.

### **COLLECTION PROCESSES:**

Each municipality in the County is responsible for coordinating its own collection of disposable and recyclable materials. This can be done by either the municipality itself, or through a private waste hauler.

### **TRANSPORTATION:**

Municipalities and/or individuals coordinate transportation of municipal solid waste. Transportation can be provided by the municipality (as is the case with the City of Ann Arbor), or by the contracted private waste hauler. Large-scale incineration eliminates the need for transportation to locations other than the incinerator.

### **DISPOSAL AREAS:**

The majority of Washtenaw County's municipal solid waste is disposed of at the Arbor Hills Landfill in Salem Township. However, disposal areas in various other counties are also utilized. This system would create lower disposal requirements because of the large-scale waste reduction provided by incineration.

### **INSTITUTIONAL ARRANGEMENTS:**

Currently, solid waste management is shared between the public, private, and non-profit sectors. In the case of this alternative, current collection, processing, and disposal infrastructure will need to be reduced and/or modified to accommodate an incineration system.

### **EDUCATIONAL AND INFORMATIONAL PROGRAMS:**

Educational efforts, focused primarily on recycling and composting, are in practice throughout the County. Because the non-selected system does not utilize recycling and composting, current educational programs need to be modified to reflect the new incineration program component.

### **CAPITAL, OPERATIONAL, AND MAINTENANCE COSTS:**

With the exception of the University of Michigan Hospital Incinerator, there are currently no large scale, licensed, and permitted municipal solid waste incinerators operating within the County. Siting, developing, and operating a new facility would be cost prohibitive.

### **EVALUATION SUMMARY OF NON-SELECTED SYSTEM:**

**The non-selected system was evaluated to determine its potential of impacting human health, economics, environmental, transportation, siting and energy resources of the County. In addition, it was reviewed for technical feasibility, and whether it would have public support. Following is a brief summary of that evaluation along with an explanation for why this system was not chosen for implementation**

Human and Environmental Health:

The non-selected system is based on incineration, which diverts items from landfill disposal. The decrease in landfilled items reduces the need for additional landfill space. However, incineration has raised concerns about the levels of toxic materials emitted by incinerator smokestacks and the levels of heavy metals found in incinerator ash, and the resulting decrease in ambient air quality.

Economics:

The non-selected system is not an economically feasible option for the County due to the high cost of siting, constructing, and operating a new incinerator facility. Incineration also greatly reduces the market for recovered materials, causing this sector of the County's economy to weaken.

Transportation:

The non-selected system will not demand an increase in the County's transportation infrastructure.

Siting:

The non-selected system will require the siting and development of a new facility.

Energy Resources:

The non-selected system has the potential to harness energy from the burning of waste. However, the non-selected system will also decrease the amount of resource recovery and reuse occurring within the County, both of which reduce the amount of energy put into production of new goods.

Technical Feasibility:

The design and construction of a new incinerator/waste-to-energy facility is a technically feasible option for County solid waste disposal.

Public Acceptance:

Washtenaw County has long been viewed as progressive concerning matters of the environment, and residents within the County expect a certain level of environmental improvement. However, large-scale incineration does not achieve this level because it does not provide any enhancements to the current system and because it is expected to degrade air, water, and land quality throughout the County. Therefore, this system would most likely be met with skepticism and strong opposition.

## **ALTERNATIVE #2: SANITARY LANDFILL ONLY**

Alternative #2 would utilize sanitary landfilling as the sole method of municipal solid waste management. Washtenaw County has entered into a long-term agreement with Browning Ferris Industries, Inc. (BFI), dated June 4, 1992, that guarantees disposal capacity for all waste generated within Washtenaw County at BFI's Arbor Hill's Landfill, located in Salem Township, for a period of 23 years.

Alternative #2 was not selected because it does not allow the County to foster and expand its many resource recovery and waste reduction programs. By incorporating resource recovery and waste reduction in solid waste management, the County is reducing both the amount of landfill space required in the future and long-term disposal costs. The County and its local communities have made significant investments to design, implement, operate, maintain, and expand programs that increase waste prevention and recovery rates. As such, it is more practical to adopt a plan that maximizes waste diversion rather than disposal.

Using landfilling as a primary means of solid waste management increases the occurrence of adverse human and environmental health effects. There is strong evidence that landfill leachate contains harmful substances that affect humans and the environment through surface and groundwater contamination. There is also documentation that many landfills will leak over their life span, further increasing this health risk. In addition, landfilling is an inefficient use of natural resources because it requires the destruction of large tracts of land. A sole reliance on sanitary landfilling would be a poor use of the existing infrastructure and equipment in the County.

Over time, a shift has occurred away from small municipally operated waste disposal facilities and towards large scale, regional programs. This often means that waste must be transported greater distances for disposal, which is both time-consuming and costly.

The increased volume and complexity of the solid waste stream has led to environmental hazards and a threat to public health, reducing public acceptance of this disposal option.

### Advantages

- Little public participation is required, making it convenient for community residents and businesses
- Abundance of landfill space in Southeastern Michigan
- County has guaranteed landfill capacity until the year 2015
- Tipping fees have steadily declined in SE Michigan over the past 10 years

### Disadvantages

- Land-intensive option
- Once used as a sanitary landfill, the value of land is low and future use options are limited
- Potential exists for adverse effects on the quality of life and property values of neighbors
- Design, site development, and operational procedures are complex under present regulations
- Waste transportation can be economically inefficient and ecologically harmful
- Public sentiment can further reduce available sites
- Long-term monitoring of site required after facility is closed
- Increased potential for ground water contamination

## **SYSTEM COMPONENTS:**

The following briefly describes the various components of the non-selected system.

### **RESOURCE CONSERVATION EFFORTS:**

The non-selected system requires the destruction of large tracts of land, which disturbs ecological habitats and environmental health. As a result, sole reliance on sanitary landfilling does not incorporate any resource conservation efforts.

### **VOLUME REDUCTION TECHNIQUES:**

This alternative does not incorporate any volume reduction techniques.

### **RESOURCE RECOVERY PROGRAMS:**

This system does not incorporate any resource recovery programs, for which the County has a strong infrastructure in place. Recycling programs would quickly become obsolete, demanding a shift in solid waste management practices, such as elimination of materials recovery facilities.

### **COLLECTION PROCESSES:**

Each municipality in the County is responsible for coordinating its own collection of municipal solid waste. This can be done by either the municipality itself, or through a private waste hauler. Collection infrastructure will not decrease in size, but will require modification to eliminate recycling collection programs.

### **TRANSPORTATION:**

Municipalities and/or individuals coordinate transportation of municipal solid waste. Transportation can be provided by the municipality, which is the case with the City of Ann Arbor, or by a contracted private waste hauler. This alternative will not demand an increase in the County's transportation infrastructure. In fact, it will remain the same or decrease due to the elimination of curbside collection routes and recycling drop-off programs.

### **DISPOSAL AREAS:**

Although the majority of Washtenaw County's municipal solid waste is disposed of at the Arbor Hills Landfill in Salem Township, disposal areas in various other counties are also utilized. Because the non-selected system eliminates the current diversion rate, the amount of landfill space needed in the future will increase. This may demand additional disposal areas in the future.

### **INSTITUTIONAL ARRANGEMENTS:**

The institutional arrangements necessary for this alternative are currently in place throughout the County.

### **EDUCATIONAL AND INFORMATIONAL PROGRAMS:**

Educational efforts, focused primarily on recycling and composting, are in practice throughout the County. Because the non-selected system does not support the enhancement or expansion of waste reduction, recycling, and composting activities, no new programs need be enacted and some existing programs may be discarded.

## CAPITAL, OPERATIONAL, AND MAINTENANCE COSTS:

Capital costs will not be incurred because all aspects of the non-selected system are currently in place.

## EVALUATION SUMMARY OF NON-SELECTED SYSTEM:

The non-selected system was evaluated to determine its potential of impacting human health, economics, environmental, transportation, siting and energy resources of the County. In addition, it was reviewed for technical feasibility, and whether it would have public support. Following is a brief summary of that evaluation along with an explanation why this system was not chosen for implementation.

### Human and Environmental Health:

The non-selected system is based solely on landfilling. Although reliance on landfilling increases the potential for land contamination, land disposal is provided by modern landfills that have successful methods for prohibiting the migration of leachate outside of their boundaries.

### Economics:

This alternative is economically feasible because all aspects are currently in practice within the County.

### Transportation:

The non-selected system will not impact transportation within the County because the infrastructure is already in place.

### Siting:

This alternative does not require the siting of any new facilities (sanitary landfills, incinerators, transfer stations, or materials recovery facilities) due to its non-expansive nature.

### Energy Resources:

The non-selected system employs the use of sanitary landfills, with heaviest reliance being placed on the BFI Arbor Hills Landfill. This modern landfill uses a methane gas recovery system to turn landfill byproducts (methane gases) into useful resources (energy). However, the non-selected system will not increase the levels of waste reduction and reuse within the County. Waste reduction and reuse, unlike recycling and landfilling, reduce the need for new products, which saves production energy.

### Technical Feasibility:

This alternative is technically feasible.

### Public Acceptance:

Washtenaw County has long been viewed as progressive in regards to environmental matters. Citizens within the County expect a certain level of environmental improvement. The non-selected system does not achieve this level because it does not provide any enhancements to the current County system. The County's residents support recycling and composting programs, and the cessation of these programs will be met with strong opposition.

### **ALTERNATIVE #3: WASTE REDUCTION, RECYCLING, AND COMPOSTING W/ SANITARY LANDFILL THAT MAINTAINS CURRENT RECOVERY LEVELS**

Alternative # 3 is essentially maintaining the current system of waste reduction, recycling, composting and disposal that is currently in place. It utilizes existing programs and infrastructure, and maintains current recovery levels.

Alternative #3 was not selected because the County has made a commitment to further reduce the volume of solid waste through enhanced waste prevention, reuse, recycling and composting initiatives. New and expanded programs coupled with technological advancements will allow the County to achieve an improved diversion rate during the span of this Plan.

#### Advantages

- Utilizes existing infrastructure and equipment
- Allows for participation from County residents
- Current system is designed to meet the needs of the community

#### Disadvantages of maintaining current system and recovery levels

- Current recovery levels are not at the optimal point for maximum waste diversion

### **SYSTEM COMPONENTS:**

The following briefly describes the various components of the non-selected system.

#### **RESOURCE CONSERVATION EFFORTS:**

While the non-selected system's primary focus is on recycling, various waste reduction and reuse efforts are also incorporated. Waste reduction and reuse reduce the amount of energy put into the production of new goods, which conserves raw materials and energy. A diversion rate of 30% or more may also reduce the need for future landfill space, which would save large tracts of land from destruction.

#### **VOLUME REDUCTION TECHNIQUES:**

This alternative does not incorporate volume reduction techniques.

#### **RESOURCE RECOVERY PROGRAMS:**

The non-selected system has a diversion rate goal of 30%. All 28 County municipalities have access to curbside and/or drop-off recycling programs, operated by either the municipality itself, a private hauler, or both. The County currently has a very strong infrastructure in place for resource recovery. In order to move beyond a 30% diversion rate, participation rates will need to increase.

#### **COLLECTION PROCESSES:**

Each municipality in the County is responsible for coordinating its own collection of recyclable materials. This can be done by either the municipality itself, or through a private waste hauler. The infrastructure for collection is already in place.

### **TRANSPORTATION:**

Transportation of both municipal solid waste and recyclables is coordinated by municipalities and/or individuals, and is already in place for the County. Transportation can be provided by the municipality, such as is the case with the City of Ann Arbor, or by the contracted private waste hauler. The volume of transportation traffic may increase with population growth, or with increased community participation in recycling programs.

### **DISPOSAL AREAS:**

Although the majority of Washtenaw County's municipal solid waste is disposed of at the Arbor Hills Landfill in Salem Township, disposal areas in various other counties are also utilized.

### **INSTITUTIONAL ARRANGEMENTS:**

The institutional arrangements necessary for this alternative are currently in place throughout the County.

### **EDUCATIONAL AND INFORMATIONAL PROGRAMS:**

Educational efforts, mainly aimed towards recycling and composting, are in practice throughout the County. Since the non-selected system does not require the expansion or enhancement of waste reduction, recycling, and composting activities, no new types of programs need be enacted.

### **CAPITAL, OPERATIONAL, AND MAINTENANCE COSTS:**

Capital costs will not be incurred because all aspects of this alternative are currently in place. Other operational and maintenance costs are covered by the municipalities and/or revenue from the Arbor Hills Landfill.

### **EVALUATION SUMMARY OF NON-SELECTED SYSTEM:**

**The non-selected system was evaluated to determine its potential of impacting human health, economics, environmental, transportation, siting and energy resources of the County. In addition, it was reviewed for technical feasibility, and whether it would have public support. Following is a brief summary of that evaluation along with an explanation for why this system was not chosen to be implemented.**

#### **Human and Environmental Health:**

This system places heavy emphasis on resource recovery, which diverts items from landfill disposal. The decrease in landfilled items reduces the need for additional landfill space, therefore decreasing the potential for adverse human and environmental health impacts through ground and surface water contamination. In addition, modern landfills have greatly improved methods for prohibiting the migration of leachate outside of their boundaries. Also, the Home Toxics Reduction Program allows citizens to easily remove toxic substances from their homes without jeopardizing the health of the local environment.

#### **Economics:**

This alternative is economically feasible because all aspects are currently in practice within the County.

#### **Transportation:**

The non-selected system will not impact transportation within the County because the transportation infrastructure is already established.

Siting:

This alternative will not require the siting of any new facilities (sanitary landfills, incinerators, transfer stations, or materials recovery facilities) due to its non-expansive nature.

Energy Resources:

The non-selected system utilizes sanitary landfills, with heaviest reliance being placed on the BFI Arbor Hills Landfill. This modern landfill uses a methane gas recovery system to turn landfill byproducts (methane gases) into useful resources (energy). However, waste reduction and reuse levels will remain constant within the County. These reduce the need for new products, whose manufacture requires energy input, thereby causing energy usage to decrease only slightly in the County.

Technical Feasibility:

Since the non-selected system is already in place within the County, it is a technically feasible option.

Public Acceptance:

This alternative consists only of activities already in place within the County. It requires no expansion or enhancement of these practices. Washtenaw County has long been viewed as progressive concerning matters of the environment and residents within the County expect a certain level of environmental improvement. However, the current system of waste reduction, recycling, and composting with sanitary landfilling does not achieve this level because it does not provide any enhancements. Therefore, it is believed that this system will be widely accepted throughout the County.

# **Appendix C:**

## **Public Participation And Approval**

**The following summarizes the processes which were used in the development and local approval of the Plan including a summary of public participation in those processes, documentation of each of the required approval steps, and a description of the appointment of the solid waste management planning committee along with the members of that committee.**

**PUBLIC INVOLVEMENT PROCESS:**

A description of the process used, including dates of public meetings, copies of public notices, documentation of approval from solid waste planning committee, County board of commissioners, and municipalities.

**PLANNING COMMITTEE APPOINTMENT PROCEDURE:**

In June of 1997, Washtenaw County received notice from the Michigan Department of Environmental Quality (MDEQ) requesting each county in Michigan to update their Solid Waste Management Plans under Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

On August 6, 1997, the Washtenaw County Board of Commissioners passed Resolution #97-0150 to state the County's intent to update the Solid Waste Plan (attached).

Advertisements, public notices, press releases, and public service announcements soliciting letters of interest and resumes for appointment to the Solid Waste Planning Committee were disseminated as follows:

Radio (sent July 14, 1997)

- *WAAM*
- *WPZA*
- *WEMU*
- *WSDS*
- *WIZB/WAMX*
- *WC-M*
- *WUOM*

Television (sent July 14, 1997)

- *Community Television Network*
- *Media One*

Newspapers (sent July 14, 1997)

- *Ann Arbor News*
- *Ann Arbor Observer*
- *Ypsilanti Courier*
- *Manchester Enterprise*
- *Chelsea Standard/Dexter Leader*
- *Milan Area Leader*
- *Milan News*
- *Saline Reporter*
- *South Lyon Herald*
- *Washtenaw Enquirer*

Letters requesting self-nominations were sent to the Southeast Michigan Council of Governments, Michigan Environmental Council, Michigan Municipal League, Michigan Waste Industries Association and all local municipalities.

The County Board of Commissioners reviewed resumes and appointments were made on October 22, 1997 by resolution, # 97-0215 (attached).

On October 29, 1998 a vote was taken by the Solid Waste Planning Committee to remove Caroline Depp from the committee due to non-attendance. As supported by the County Board of Commissioners, Caroline Depp was removed from the committee.

A public notice requesting letters of interest and resumes for appointment to the Solid Waste Planning Committee in the area of General Public was posted on February 22, 1999.

The County Board of Commissioners reviewed resumes and appointed Jim Dzengeleski to the Solid Waste Management Planning Committee on March 24, 1999 by resolution, #99-0056 (attached).

### Washtenaw County Solid Waste Planning Committee Meeting Dates

1998	1999	2000
January 21	January 21	January 10*
February 12	February 16	January 14*
March 12	March 2	February 3*
April 9	March 16	February 15
May 14	March 30	March 2*
June 4*	April 13	March 14
June 18	April 27	March 29*
July 1*	May 11	April 12
July 9	May 18	
July 16	June 1	
July 30	June 8	
August 20	June 22	
September 10	July 13	
October 29	July 20	
November 5*	August 3	
November 19	September 21	
December 10	October 19	
	November 16	
	December 1*	
	December 8*	

\*Special meetings of ad hoc committees including, data tracking, siting, task forces, etc.

## **PLANNING COMMITTEE**

Committee member names and the company, group, or governmental entity represented from throughout the County are listed below.

### **Four representatives of the solid waste management industry:**

John Myers, Browning Ferris Industries, Inc. of Southeast Michigan  
Steve Dawdy, Mister Rubbish, Inc.  
Jim Frey, Resource Recycling Systems, Inc.  
Gina Van Riper, Western Washtenaw Recycling Authority

### **One representative from an industrial waste generator:**

Pierre Gonyon, Saint Joseph Mercy Hospital

### **Two representatives from environmental interest groups/organizations active within the County:**

David Stead, Ecology Center of Ann Arbor  
Mike Garfield, Ecology Center of Ann Arbor

### **One representative from county government:**

Daniel Myers, Director of Public Works

### **One representative from township government:**

Julie Knight, Dexter Township

### **One representative from city government:**

John Newman, Director of Solid Waste (alternate: Bryan Weinert)

### **One representative from the regional solid waste planning agency:**

Andrew Schmidt, Southeast Michigan Council of Governments

### **Three representatives from the general public who reside within the County:**

\*Jim Dzengeleski, Village of Manchester, Michigan  
Chris Simmons, Ypsilanti, Michigan  
Chris Koib, Ann Arbor, Michigan

\*Appointed by the County Board of Commissioners on March 24, 1999, to replace Caroline Depp.

PUBLIC NOTICE

The Washtenaw County Board of Commissioners is seeking candidates for a Solid Waste Planning Committee. The Board of Commissioners is scheduled to consider resumes at the October 22, 1997 Board session. The meeting will take place at 6:45 p.m. in the Board Room, Administration Building, 220 N. Main Street, Ann Arbor, Michigan. These appointments will take effect immediately upon appointment and will last the duration of the plan review.

The Committee is being established in order to review a proposed amendment to the County's approve Solid Waste Management Plan. The Committee will assist in the review of the plan amendment by providing advise and consultation to the County.

Public Act 641 of 1978 requires that the committee include the following representatives:

- 4 representatives of the solid waste management industry
- 2 representatives of the environmental interest groups
- 1 representative of County government
- 1 representative city government
- 1 representative of township government
- 1 representative of regional solid waste planning agency
- 1 representative of industrial waste generators
- 3 representative of general public

Letters of interest and resumes should be addressed to Tammy Richards, County Administrator's Office, P.O. Box 8645, Ann Arbor, Michigan 48107-8645. If you wish to forward via the internet or fax, letter and resume should be addressed to Tammy Richards at richard@co.washtenaw.mi.us or faxed to (313)994-2592. Those resumes received by October 10, 1997 will be submitted to the Board of Commissioners for its consideration on October 22, 1997.

For additional information please contact  
Tammy Richards  
County Administrator's Office  
(313)994-1825  
email: richardt@co.washtenaw.mi.us

AFFIDAVIT OF PUBLICATION

**PUBLIC NOTICE**

The Washtenaw County Board of Commissioners is seeking candidates for a Solid Waste Planning Committee. The Board of Commissioners is scheduled to consider resumes at the October 22, 1997 Board session. The meeting will take place at 6:45 p.m. in the Board Room, Administration Building, 220 N. Main Street, Ann Arbor, Michigan. These appointments will take effect immediately upon appointment and will last the duration of the plan review.

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For additional information please contact Tammy Richards, County Administrator's Office, (313) 994-1825, email: richardt@co.washtenaw.mi.us (10-2-97 SLH 802193)

STATE OF MICHIGAN

County of Oakland

Rick Byrne, being duly sworn, says that he/she is Editor

of The South Lyon Herald a newspaper published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which is a duly qualified paper, and that annexed hereto is a copy of a certain order taken from said newspaper, in which the order was published

on October 2, 1997

Richard J. Byrne

Subscribed and sworn to before me this 24 day of October, 1997

[Signature]

Notary Public, Washtenaw County, Michigan

My commission expires

FRANK FILECCIA  
NOTARY PUBLIC - WASHTENAW CO., MI  
MY COMMISSION EXPIRES 12-24-97

## ate gallery

re tools themselves. One writer aptly calls the bulky villains "robotic." And critic Donald Kuspit says that "Golub's figures become instruments of social power, and so elude themselves into thinking they are strong themselves."

Golub's and Spero's critiques of oppression not only point fingers but shatter entrenched illusions. The couple's exhibit surely will rank among the most provocative to appear in Michigan this season. It establishes a standard Wayne State's new gallery will be hard pressed to match.

The Elaine L. Jacob Gallery is located at 480 West Hancock Blvd., between Cass Avenue and Second Boulevard, on the Wayne State University campus in Detroit. Hours are: 10:30 a.m. to 7 p.m. Tuesday to Friday; and 11 a.m. to 5 p.m. Saturday. For more information, call (313) 577-2423.

## next month

throated McVey has put together a show featuring songs by Gershwin, Sondheim, Cole Porter, as well as such emotional grabbers as "Amazing Grace" and "Bring Him Home" from "Les Mis."

Gianotti says "we've hired professional musicians, EMU faculty, the Ariana String Quartet, and a handful of really stellar music students," to accommodate McVey's broad musical spectrum. The concert will begin at 8 p.m., with tickets at \$12 and \$10 general, \$10 and \$8 seniors, students and children under 12.

Edgar Leon and his Y La Orquesta Tradicion Latina will close out the month with a sizzling dose of hot salsa big-band music Saturday, Oct. 25. "He's a Michigan State University faculty member," says Gianotti of Leon, "and he founded the orchestra. He's a native Puerto Rican, and he's got 20 to 30 years of experience."

"We'll have flamenco dancers on stage accompanying the music, lots of which is improvisation" of blended Afro-Cuban, Puerto Rican and Latin jazz. The concert takes off at 8

Continued from D1

# SOUL FOOD: Soap opera suffers from too much corn

lawyerly Teri. Nia Long, so fresh in "Love Jones," is pleasant here as baby sister Bird, and Michael Beach looks properly anguished as Miles, Teri's conflicted husband.

Too bad the movie doesn't give them more to do. Or that the pacing is so badly off — the movie drags on and on like one of Big Mama's Sunday dinners, with endless side dishes and way too many courses. (Blame producer Tracey E. Edmonds, who has crammed the movie with time-wasting songs — most conveniently produced by

executive producer Kenneth "Babyface" Edmonds, her husband.)

At least the movie looks good, though, with vivid photography and fresh Midwestern locations. The food looks great, too: deep-fried catfish, black-eyed peas, huge wheels of cornbread, glistening whole honey hams ...

"Soul Food" can't begin to match even the modest girlfriend fun of "Waiting to Exhale" and "The First Wives Club." But its banquet scenes make the food in "Big Night" look like a snack.

## WASHTENAW COUNTY PUBLIC NOTICE

The Washtenaw County Board of Commissioners is seeking candidates for a Solid Waste Planning Committee. The Board of Commissioners is scheduled to consider resumes at the October 22, 1997 Board session. The meeting will take place at 6:45 p.m. in the Board Room, Administration Building, 220 N. Main Street, Ann Arbor, Michigan. These appointments will take effect immediately upon appointment and will last the duration of the plan review.

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- 3 representative of general public

Letters of interest and resumes should be addressed to Tammy Richards, County Administrator's Office, P.O. Box 8645, Ann Arbor, Michigan 48107-8645. If you wish to forward via the internet or fax, letter and resume should be addressed to Tammy Richards at richard@co.washtenaw.mi.us or faxed to (313) 994-2592. Those resumes received by **October 10, 1997** will be submitted to the Board of Commissioners for its consideration on October 22, 1997.

For additional information please contact

Tammy Richards  
County Administrator's Office  
(313) 994-1825  
email: richardt@co.washtenaw.mi.us

## WASHTENAW COUNTY NOTICE

### WASHTENAW COUNTY BOARD OF COMMISSIONERS

The Washtenaw County Board of Commissioners is scheduled to consider resumes for appointments to its Boards, Committees and Commissions at the October 22, 1997 Board session. The meeting will take place at 6:45 p.m. in the Board Room, Administration Building, 220 North Main Street, Ann Arbor, Michigan. The ap-

A RESOLUTION APPOINTING MEMBERS TO THE SOLID WASTE MANAGEMENT PLANNING COMMITTEE FOR TERMS EXPIRING UPON COMPLETION OF AN AMENDMENT TO THE UPDATE OF THE WASHTENAW COUNTY ACT 641 SOLID WASTE MANAGEMENT PLAN

WASHTENAW COUNTY BOARD OF COMMISSIONERS

October 22, 1997

WHEREAS, the Board of Commissioners and over 2/3 of the communities of Washtenaw County have approved the 1989 Update of the Washtenaw County Act 641 Solid Waste Management Plan (Plan); and

WHEREAS, Public Act 641 requires the establishment of a solid waste management planning committee to review and approve proposed amendments to county solid waste management plans; and

WHEREAS, on August 6, 1997, the Washtenaw County Board of Commissioners authorized the Chair of the Board to sign the Notice of Intent to file an update to the County's Solid Waste Management Plan with the State of Michigan; and

WHEREAS, a planning committee appointed shall consist of 14 members as follows: 4 solid waste management industry representatives; 2 environmental interest groups representatives; 1 county government representative; 1 city government representative; 1 township government representative; 1 regional solid waste planning agency representative; 1 industrial waste generators representative; and 3 general public

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby appoints the following representatives to the Solid Waste Management Planning Committee for terms expiring upon completion of an amendment to the Plan:

<u>Category</u>	<u>MEMBER</u>
Solid Waste Management Industry	1) Steven Dawdy 2) James Frey 3) John Myers 4) Gina Van Riper
Environmental Interest Groups	1) Michael Garfield 2) David Stead
County Government	1) Dan Myers
City Government Alternate	1) John Newman 1) Bryan Weinert
Township Government	1) Julie Knight
Regional Solid Waste Planning Agency	1) Andrew Schmidt
Industrial Waste Generator	1) Pierre Gonyon
General Public	1) Caroline Depp 2) Christopher Simmons 3) Christopher Kolb
Board of Commissioner Liaison	1) Vivian Armentrout

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

STATE OF MICHIGAN )  
COUNTY OF WASHTENAW)<sup>SS</sup>

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of the Circuit Court for said County, the same being a Court of Record:

Do hereby certify that the annexed is a true and compared copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan on October 22, 1997 as appears of record in my office. That I have compared the same with the original and that it is a true transcript thereof and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 19 day of July, 1999

PEGGY M. HAINES, Clerk/Register

BY Amy K. Piley  
Deputy Clerk/Register



Res. No. 97-0215

WASHTENAW COUNTY BOARD OF COMMISSIONERS  
PUBLIC NOTICE

The Washtenaw County Board of Commissioners is scheduled to consider resumes for appointments to its various Boards, Committees and Commissions at the March 24, 1999 Board session. The meeting will take place at 6:45 p.m. in the Board Room, Administration Building, 220 North Main Street, Ann Arbor Michigan. These appointments will include:

One appointment to the BUILDING CODE/CONSTRUCTION BOARD OF APPEALS for the remainder of a three year term expiring December 31, 2000. (Area to be represented: Plumbing)

One appointment to the COMMUNITY ACTION BOARD for the remainder of a three-year term expiring December 31, 2000. (Area to be represented: Consumer)

Four appointments to the COMMUNITY MENTAL HEALTH BOARD for three-year terms expiring March 31, 2002.

One appointment to the HEARING BOARD FOR THE HEALTH DEPARTMENT FOOD SERVICE REGULATIONS for a two-year term expiring December 31, 2000. (Areas to be represented Restaurant/Food Establishments).

One appointment to the SOLID WASTE PLANNING COMMITTEE for an indefinite term. (Area to be represented: General Public).

Four appointments to the WASHTENAW COUNTY WORKFORCE DEVELOPMENT BOARD for three-year terms expiring December 31, 2001. (Areas to be represented: **Private\*\***, Organized Labor, MESC)

**\*\*Individuals interested in appointment to the private sector must submit resumes through their local chamber of commerce.**

Letters of interest and resumes should be addressed to Tammy Richards, County Administrator's Office, P.O. Box 8645, Ann Arbor, Michigan 48107. If you wish to forward via the internet or fax, letter and resume should be addressed to Tammy Richards at richardt@co.washtenaw.mi.us or faxed to (734)994-2592. Those resumes received by March 15, 1999 will be submitted to the Board of Commissioners for its consideration on March 24, 1999.

For additional information please contact:

Tammy Richards  
County Administrator's Office  
(734)994-1825  
email: [richardt@co.washtenaw.mi.us](mailto:richardt@co.washtenaw.mi.us)  
<http://www.co.washtenaw.mi.us>

A RESOLUTION APPOINTING A MEMBER TO THE SOLID WASTE MANAGEMENT PLANNING COMMITTEE FOR TERMS EXPIRING UPON COMPLETION OF AN AMENDMENT TO THE UPDATE OF THE WASHTENAW COUNTY ACT 641 SOLID WASTE MANAGEMENT PLAN

WASHTENAW COUNTY BOARD OF COMMISSIONERS

March 24, 1999

WHEREAS, the Board of Commissioners and over 2/3 of the communities of Washtenaw County have approved the 1989 Update of the Washtenaw County Act 641 Solid Waste Management Plan (Plan); and

WHEREAS, Public Act 641 requires the establishment of a solid waste management planning committee to review and approve proposed amendments to county solid waste management plans; and

WHEREAS, on August 6, 1997, the Washtenaw County Board of Commissioners authorized the Chair of the Board to sign the Notice of Intent to file an update to the County's Solid Waste Management Plan with the State of Michigan; and

WHEREAS, a planning committee appointed shall consist of 14 members as follows: 4 solid waste management industry representatives; 2 environmental interest groups representatives; 1 county government representative; 1 city government representative; 1 township government representative; 1 regional solid waste planning agency representative; 1 industrial waste generators representative; and 3 general public

WHEREAS, a vacancy exists for a general public representative; and

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby appoints the following representative to the Solid Waste Management Planning Committee for terms expiring upon completion of an amendment to the Plan:

<u>Category</u> General Public	<u>MEMBER</u> 1) James Dzengeleski
-----------------------------------	---------------------------------------

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

STATE OF MICHIGAN )  
COUNTY OF WASHTENAW)SS

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of the Circuit Court for said County, the same being a Court of Record:

Do hereby certify that this is a true and compared copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan on March 24, 1999 as appears of record in my office. That I have compared the same with the original and that it is a true transcript thereof and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 19 day of July, 19 99.

PEGGY M. HAINES, Clerk/Register

BY Ampt H. Riley  
Deputy Clerk/Register



Res. No. 99-0056

# Washtenaw County's Draft Solid Waste Management Plan

## PUBLIC HEARING FACT SHEET

October 19, 1999 — 7:00 p.m.  
Washtenaw Intermediate School District

### INTRODUCTION

The purpose of this public hearing is to provide an opportunity for citizens to provide their comments regarding the Draft Solid Waste Management Plan Update, dated August 10, 1999. This Public Hearing is being held pursuant to Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 115).

### HOW TO MAKE COMMENTS

Please fill out the sheet entitled "attendance record" at the front desk and indicate if you wish to make a statement during tonight's hearing. If you do not get an opportunity to speak, or wish to provide written comments only, you may submit those comments to the following address:

Ms. Susan Todd, Solid Waste Coordinator  
Washtenaw County Division of Public Works  
P.O. Box 8645  
Ann Arbor MI 48107-8645

Verbal comments heard tonight (10/19/99) and all other comments received by 5:00 p.m. on Tuesday, November 9, 1999, will be considered by the Solid Waste Planning Committee (SWPC) in the Plan's revision process. All public comments and the responses of the SWPC will become part of the formal record.

### PUBLIC HEARING AGENDA

The agenda for tonight's public hearing consists of a brief presentation by staff and a formal public comment session where a record of tonight's proceedings will be made. If time permits, there will be an informal question and answer session at the conclusion of the public hearing.

### AVAILABILITY OF THE DRAFT SOLID WASTE PLAN UPDATE

The complete Draft Solid Waste Plan Update may be reviewed at the Division of Public Works (DPW) office:

110 North Fourth Avenue, Ann Arbor, Suite 200, from 8:30 a.m. to 5:00 p.m. Monday through Friday.

A copy of the document can be obtained pursuant to the Freedom of Information Act, 1976 PA 442, as amended, by contacting Ms. Susan Todd, Washtenaw County DPW at (734) 994-2398.

### FURTHER ACTION

At the close of the public comment period, the Designated Planning Agency shall revise the Plan if necessary and submit to the SWPC for approval. Once approved by the SWPC, it is sent on to the Board of Public Works and to the County Board of Commissioners (BOC) for their consideration and approval. After approval from the BOC, all municipalities will be sent a copy of the Plan for consideration and approval. Once 67% of the municipalities within Washtenaw County approve, the Plan will be submitted to the Director of the Michigan Department of Environmental Quality. The Director has up to six months to determine whether or not the plan will be approved.

AR EMU - Safe area, 3 bedom, 1.5 bath, washer/dryer, ck. \$1150/mo. 572-7671

D WEST SIDE - Newly modeled, 4 bedroom, 2 1/2 bath, nice kitchen, washer/dryer, no pets. \$1300 + deposit. 572-4865

D WEST SIDE - 3 bedroom, 1 1/2 bath, nice kitchen & laundry.

Suburban Areas, Country Homes - Rent 1710

ACCESSIBLE MILAN - 2 bedroom, washer/dryer, near Ann Arbor. \$735mo 248-486-4760

VALE SEPT 6 - 2 bedroom, 1 1/2 bath, jacuzzi tub, Nice! Pleasant Lake. No dogs. 750/mo. Day 734-994-2541, ves & wknds. 810-231-2341

ELLEVILLE - 2 bedroom, 1/2 bath, jacuzzi tub, Nice! 750 includes water, electric, appliances. 734-697-4266

ELLEVILLE - 4 bed, 20 min. to area, 10 acres, no pets \$1250 remodeled. 734-697-7187

VCOLN SCHOOLS - 3 bedroom, 1.5 bath, country home, finished, Pets OK. \$1100/mo. 4-461-1578

NCKNEY/HAMBURG AREA - 2 bedroom duplex, \$600 + utilities. No pets. 734-662-8669

UTH LYON - 3 bedroom, 2 1/2 bath, full basement, 1 yr. \$1600/mo. 248-789-1697

Regional, Lake Property-Rental 1730

SPORTS LAKE ACCESS - In Hills, 3 bed/2 bath, fire, ce. \$875/mo. 248-698-0031

FINISHED 2 BEDROOM - 2 on Silver Lake, Sept. to Dec. No pets/smoking. References. \$750/mo. 426-3614

FRONT HOME - 3 bedroom, 1 car garage, walk-out basement. \$1200/mo. 1 yr. lease. 734-878-2640

CKNEY - Tamarack Lake, 1 May, \$1100/mo. 734-4164 or 734-878-3036.

STAGE LAKE - 2 bedroom, 1 1/2 bath, garage, fireplace, washer/dryer, great view, no pets. \$1200/mo. 426-3329.

STAGE LAKE ACCESS - 2 bedroom, 1 bath home, fenced yard, \$650/mo + deposit, no pets. 734-878-6352

DALEVIEW - 4400 sq. ft. acres, waterfront. \$35/mo. Call 313-886-0000

SMORE LAKE ACCESS - 2 bedroom apt. \$750/mo. No smoking. 734-663-4707

vacation Spots, Time share, Cottages - Rent 1750

AGE LAKEFRONT Dexter/ivy, sleeps 6, weekly. Is. To. Chain of. 199.

SARASOTA, FL

key condo, only 600 ft. ch. shops, restaurants, attractions. 2 bedrooms, 2 baths, 1 mo. min. Now through Dec. 31. No smoking/pets.

RENT TO OWN Mobile home from \$460/mo. 2 bedrooms. Credit check required. 734-485-6700

Wanted To Rent

months of the life of public notice of this notice. Notice is further given that the estate will be thereafter assigned and distributed to the persons entitled to it.

Westerman & Associates, P.C. Amy N. Morrissey P48271 345 S Division Ann Arbor, MI 48104 (313) 995-9731 Published August 14, 1999

STATE OF MICHIGAN PROBATE COURT WASHTENAW COUNTY CIRCUIT COURT - FAMILY DIVISION NOTICE OF ADMINISTRATION Independent Probate FILE NO. 99-0765-IE Estate of Randolph W. White SS# 382-42-5667

TO ALL INTERESTED PERSONS: Your interest in the estate may be barred or affected by the following: The decedent, whose last known address was 5270 Fox Ridge Ct, Ann Arbor, MI 48103, died 7/6/99. An instrument dated 9/14/95 has been admitted as the will of the deceased. Creditors of the deceased are notified that all claims against the estate will be forever barred unless presented to the independent personal representative, Diana B. White, 5270 Fox Ridge Ct, Ann Arbor, MI 48103, or to both the independent personal representative and the Washtenaw County Probate Court, Ann Arbor, Michigan 48107, within 4 months of the date of publication of this notice. Notice is further given that the estate will be thereafter assigned and distributed to the persons entitled to it.

Ferguson & Widmar, P.C. by: Larry J. Ferguson (P13382) 538 North Division Ann Arbor, MI 48104 (734) 662-0222 Published: August 14, 1999

Special and Public Notices 3510 SUPERIOR CHARTER TOWNSHIP REGULAR BOARD MEETING SYNOPSIS The regular meeting of the Board was called to order by Supervisor McFarlane at 7:30 p.m. on July 6, 1999. Members present were McFarlane, O'Neal, McKinney, Caviston, Ingersoll, and Henderson. Schwartz was not present. Minutes of the previous meeting were approved. Reports were received from the Supervisor and the Parks and Recreation Department. Wade-Trim presented the Needs Assessment Study regarding Township buildings. John Etter was appointed as co-counsel in the matters of Barber vs. Superior Township and Brookside vs. Superior Township. The Rights-of-Way Ordinance was adopted at second and final reading. At the request of a group of citizens, a resolution was adopted to establish an Historic District Study Committee. Annual dues in the amount of \$1,660.00 were approved for the Southeast Michigan Council of Governments (SEMCOG). Rates for sidewalk repair building permits were established at \$50.00 per permit. General Fund budget amendments were adopted with total debits and credits of \$66,060.00. Mileage reimbursement rates were increased from 29 cents per mile to 31 cents per mile. The bills were paid in the full.

p.m. Colleen O Neal Superior Township Clerk William McFarlane Township Supervisor Published: August 14, 1999

SUPERIOR CHARTER TOWNSHIP REGULAR BOARD MEETING SYNOPSIS

The regular meeting of the Board was called to order by Supervisor McFarlane at 7:30 p.m. on July 6, 1999. Members present were McFarlane, O'Neal, McKinney, Caviston, Ingersoll, and Henderson. Schwartz was not present. Minutes of the previous meeting were approved. Reports were received from the Supervisor and the Parks and Recreation Department. Wade-Trim presented the Needs Assessment Study regarding Township buildings. John Etter was appointed as co-counsel in the matters of Barber vs. Superior Township and Brookside vs. Superior Township. The Rights-of-Way Ordinance was adopted at second and final reading. At the request of a group of citizens, a resolution was adopted to establish an Historic District Study Committee. Annual dues in the amount of \$1,660.00 were approved for the Southeast Michigan Council of Governments (SEMCOG). Rates for sidewalk repair building permits were established at \$50.00 per permit. General Fund budget amendments were adopted with total debits and credits of \$66,060.00. Mileage reimbursement rates were increased from 29 cents per mile to 31 cents per mile. The bills were paid in the full.

Janis A. Bobrin, Drain Commissioner Published: 8/14 & 8/21, 1999

NOTICE OF DAY OF REVIEW OF APPORTIONMENTS BUSS & TUOMEY DRAIN

Notice is hereby given that special assessment amounts and the apportionment of costs for maintenance of the Buss & Tuomey Drain will be available for review on August 25, 1999, from 9:00 a.m. to 5:00 p.m. at the Washtenaw County Drain Commissioner's Office, 110 North Fourth Avenue, Suite 303, Ann Arbor, Michigan. This special assessment will be levied on the 1999 winter taxes for properties located within drainage district described as: Buss & Tuomey Drain #8056

Sec 16 - All of the SW 1/4 Sec 17 - All of the SW 1/4 and all of the SE 1/4 Sec 20 - All of Sec 20 Sec 21 - All of Sec 21 Sec 28 - All of Sec 28 Sec 29 - All of the NE 1/4 and all of the SE 1/4 Sec 32 - All of the NE 1/4 and all of the SE 1/4 Sec 33 - All of Sec 33 Sec 34 - All of the W 1/4 of the NW 1/4, and all of the W 1/4 of the SW 1/4

Therefore, all unknown and non-resident persons, owners and persons interested in the above described lands, and the: County Clerk of Washtenaw Supervisor of the Township of Scio Michigan Department of Transportation

are hereby notified that at the time and place noted above or at such other time and place to which said day of review may be adjourned, the apportionment for benefits and the lands within Buss & Tuomey Drain Special Assessment District will be subject to review. The owner of any land in the special assessment district or any city, village, township, district or county who may disagree with the apportionment of benefits may appeal the apportionment within 10 days after this day of review of apportionments by making an application to the Washtenaw County Probate Court for appointment of a Board of Review, as provided in Section 155 of the Michigan Drain Code (Act 40 of the Public Acts of Michigan, 1956, as amended). The County of Washtenaw will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with special needs at the meeting upon 7 days notice to the County of Washtenaw, individuals with special needs requiring auxiliary aids or services should contact the County of Washtenaw by writing or calling Washtenaw County Human Resources Department, 200 North Main Street, P.O. Box 8645, Ann Arbor, Michigan 48107-8645, (734) 994-2410 or TDD (734) 994-1733. Questions regarding this notice should be directed to (734) 994-2525 or (734) 997-1268. Date: 5 August 1999

Janis A. Bobrin, Drain Commissioner Published: 8/14 & 8/21, 1999

NOTICE OF DAY OF REVIEW OF APPORTIONMENTS KOEBBE DRAIN

Notice is hereby given that special assessment amounts and the apportionment of costs for maintenance of the Koebbe Drain will be available for review on August 24, 1999, from 9:00 a.m. to 5:00 p.m. at the Washtenaw County Drain Commissioner's Office, 110 North Fourth Avenue, Suite 303, Ann Arbor, Michigan. This special assessment will be levied on the 1999 winter taxes for properties located within drainage district described as: Koebbe Drain #8165 Freedom Township N-14-26-200-002 N-14-26-200-003 N-14-26-200-004

Janis A. Bobrin, Drain Commissioner Published: 8/14 & 8/21, 1999

INN STORAGE. Located at 1251 Rosewood, Ann Arbor, will be holding an auction at 5:00 p.m., Wednesday, August 18, 1999. Locks will be cut off at the time of the auction with the contents being transferred to the highest bidder from 9:00 a.m. to 5:00 p.m. at the Washtenaw County Drain Commissioner's Office, 110 North Fourth Avenue, Suite 303, Ann Arbor, Michigan. This special assessment will be levied on the 1999 winter taxes for properties located within drainage district described as: KELLY DRAIN #8160

Sec 8 The S 1/2 of the SE 1/4 Sec 9 All of the SW 1/4 all of the S 1/2 of the SE 1/4 Sec 10 Parcels T 20-10-300-006 T 20-10-300-007 T 20-10-300-008 T 20-10-300-009 T 20-10-300-010

Sec 15 - All of the W 1/2 of the NW 1/4. Sec 16 - All of the N 1/2 of the NE 1/4, and the N 1/2 of the NW 1/4. Sec 17 - All of the N 1/2 of the NE 1/4. Therefore, all unknown and non-resident persons, owners and persons interested in the above described lands, and the: County Clerk of Washtenaw Supervisor of the Township of Augusta Board of Washtenaw County Road Commissioners

are hereby notified that at the time and place noted above or at such other time and place to which said day of review may be adjourned, the apportionment for benefits and the lands within Kelly Drain Special Assessment District will be subject to review. The owner of any land in the special assessment district of any city, village, township, district or county who may disagree with the apportionment of benefits may appeal the apportionment within 10 days after this day of review of apportionments by making an application to the Washtenaw County Probate Court for appointment of a Board of Review, as provided in Section 155 of the Michigan Drain Code (Act 40 of the Public Acts of Michigan, 1956, as amended). The County of Washtenaw will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with special needs at the meeting upon 7 days notice to the County of Washtenaw, individuals with special needs requiring auxiliary aids or services should contact the County of Washtenaw by writing or calling Washtenaw County Human Resources Department, 200 North Main Street, P.O. Box 8645, Ann Arbor, Michigan 48107-8645, (734) 994-2410 or TDD (734) 994-1733. Questions regarding this notice should be directed to (734) 994-2525 or (734) 997-1268. Date: 5 August 1999

Janis A. Bobrin, Drain Commissioner Published: 8/14 & 8/21, 1999

NOTICE OF DAY OF REVIEW OF APPORTIONMENTS VIENNA WOODS #3 & #4 DRAIN

Notice is hereby given that special assessment amounts and the apportionment of costs for maintenance of the Vienna Woods will be available for review on August 24, 1999, from 9:00 a.m. to 5:00 p.m. at the Washtenaw County Drain Commissioner's Office, 110 North Fourth Avenue, Suite 303, Ann Arbor, Michigan. This special assessment will be levied on the 1999 winter taxes for properties located within drainage district described as: VIENNA WOODS #3 & #4 DRAIN, #8322

Scio Township H-08-22-200-013 H-08-22-200-014 H-08-22-200-016 H-08-22-200-017 H-08-22-200-018 H-08-22-200-019 H-08-22-295-001 H-08-22-295-003 H-08-22-295-005 H-08-22-295-007 H-08-22-295-009 H-08-22-295-010 H-08-22-295-011 H-08-22-295-012 H-08-22-295-013 H-08-22-295-014

Therefore, all unknown and non-resident persons, owners and persons interested in the above described lands, and the: County Clerk of Washtenaw Supervisor of the Township of Scio

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Township of Freedom are hereby notified that at the time and place noted above or at such other time and place to which said day of review may be adjourned, the apportionment for benefits and the lands within Koebbe Drain Special Assessment District will be subject to review. The owner of any land in the special assessment district or any city, village, township, district or county who may disagree with the apportionment of benefits may appeal the apportionment within 10 days after this day of review of apportionments by making an application to the Washtenaw County Probate Court for appointment of a Board of Review, as provided in Section 155 of the Michigan Drain Code (Act 40 of the Public Acts of Michigan, 1956, as amended). The County of Washtenaw will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with special needs at the meeting upon 7 days notice to the County of Washtenaw, individuals with special needs requiring auxiliary aids or services should contact the County of Washtenaw by writing or calling Washtenaw County Human Resources Department, 200 North Main Street, P.O. Box 8645, Ann Arbor, Michigan 48107-8645, (734) 994-2410 or TDD (734) 994-1733. Questions regarding this notice should be directed to (734) 994-2525 or (734) 997-1268. Date: 5 August 1999

SOLID WASTE PLANNING COMMITTEE NOTICE TO THE PUBLIC

The Washtenaw County Solid Waste Planning Committee is releasing a draft update to its Solid Waste Management Plan for a 90-day public review period, as required by Part 115 of Act 451. Copies of the draft plan are available for review at the following locations: Washtenaw Co. Public Works, 110 N. Fourth Ave, Ste 200 Ann Arbor or Washtenaw Co. Environmental Health, 2201 Hogback Rd., Ann Arbor. A public hearing will be held on Tuesday, October 19, 1999 at 7:00 p.m. at the WISD Building, 1819 S Wagner Road, Ann Arbor, MI. Written comments will be accepted from August 10, 1999 to November 9, 1999. Comments and questions should be directed to: Susan Todd, Solid Waste Coordinator, Washtenaw County Public Works, 110 N. Fourth Ave, Ste 200, Ann Arbor, MI 48107-8645. Phone: (734) 994-2398, Fax: (734) 994-2459. Email: toddss@co.washtenaw.mi.us

are hereby notified that at the time and place noted above or at such other time and place to which said day of review may be adjourned, the apportionment for benefits and the lands within Vienna Woods #3 & #4 Drain Special Assessment District will be subject to review. The owner of any land in the special assessment district of any city, village, township, district or county who may disagree with the apportionment of benefits may appeal the apportionment within 10 days after this day of review of apportionments by making an application to the Washtenaw County Probate Court for appointment of a Board of Review, as provided in Section 155 of the Michigan Drain Code (Act 40 of the Public Acts of Michigan, 1956, as amended). The County of Washtenaw will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with special needs at the meeting upon 7 days notice to the County of Washtenaw, individuals with special needs requiring auxiliary aids or services should contact the County of Washtenaw by writing or calling Washtenaw County Human Resources Department, 200 North Main Street, P.O. Box 8645, Ann Arbor, Michigan 48107-8645, (734) 994-2410 or TDD (734) 994-1733. Questions regarding this notice should be directed to (734) 994-2525 or (734) 997-1268. Date: 5 August 1999

Janis A. Bobrin, Drain Commissioner Published: 8/14 & 8/21, 1999

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Scio Township H-08-22-200-013 H-08-22-200-014 H-08-22-200-016 H-08-22-200-017 H-08-22-200-018 H-08-22-200-019 H-08-22-295-001 H-08-22-295-003 H-08-22-295-005 H-08-22-295-007 H-08-22-295-009 H-08-22-295-010 H-08-22-295-011 H-08-22-295-012 H-08-22-295-013 H-08-22-295-014

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ABBY buy/sell all tickets www.abby.com or 1-800-398-4253 U OF M FOOTBALL BUY & SELL SEASON/INDIVIDUAL (800) 75-TICKET

ABBA CONCERT TICKETS BIG 10 WORLDWIDE CO WANTS YOUR U OF M SEASON FOOTBALL TICKETS!! WILL PAY TOP \$\$ 1-800-398-4253 BUY/SELL Local Pick up & Delivery

ABLE TO BUY U OF M TICKETS Marr Ticket Service Wanted Michigan Seasons Paving Top \$\$ 248-661-8627 ABSOLUTELY WANTED - Individual needs 2-4 U of M season football tickets. 248-356-3546. ABSOLUTE TOP DOLLAR PAID - For UofM football tickets Local pick up. Call 1-800-778-2220.

ABSOLUTE TOP DOLLAR PAID for U of M football tickets 734-668-7707 Ace Ticket Service U of M FOOTBALL BUY-SELL 1-800-220-2222

ALL NASCAR RACES Michigan, Bristol. Stage Front Tickets 800-528-4257.

LILITH FAIR - 2 tickets: 8/15/99 front & center pavilion. Call 810-938-1640.

LILITH FAIR 4 tickets, pavilion, Sun Aug 15, 734-662-1889

LION KING - (4) 13th row, Sept. 16th, \$75/each. 734-741-8132

MICHIGAN FOOTBALL TICKETS Buy/Sell, Delivery. 1-800-830-8309

NOTRE DAME vs. U of M Tickets wanted!! 1-877-773-3911

TOP PAY !!! Buying all UofM individual and season tickets. 888-978-1245

UM SEASON TICKETS (2) Section 14, row 47, w/parking, pass. 248-646-5495

UM vs. ND NEEDED \$ Top dollar. Call Rick 668-0070, days or 994-3166, eves.

# or programs

April 12—Bird Photography with Harvey Bennett;  
 May 10—Bhutan: 3-D Travel Program with Dr. Les Fisher.

For more information about the club, call James Roth at 429-4063 or Saline Community Education at 429-8000.

## Area farmers enjoy outing to Mackinac

Lynn and Dennis Finkbeiner of Saline, members of the Washtenaw County Farm Bureau, last month completed an expense-paid trip to Mackinac Island.

Sponsored by Michigan Farm Bureau, the trip recognized 65 farmers for their outstanding efforts in the annual county Farm Bureau membership drive.

The participants traveled on a charter bus from Lansing to Mackinaw City, where they boarded a ferry. Later, a horse-drawn carriage provided a historic tour of the island and ended at Fort Mackinac, which participants perused before checking in to the Grand Hotel.

To qualify for the trip, Farm Bureau members earned points for signing up new Farm Bureau members and holding membership recruitment events. In addition, top membership writers in each of the state's Farm Bureau divisions were invited to attend.

**Place a classified in  
 your hometown  
 paper by  
 calling (734) 429-7380.**

### CITY OF SALINE NOTICE

The Department of Public Works will be reading water meters beginning August 23, 1999. A water meter reading post card will be at residential doors with old style meters, and we ask that you read and record your water meter reading and outside remote reading on this card simultaneously. The inside meter is generally located in the basement, utility room, or crawl space and the outside remote register is attached to the outside of the house. Your assistance will enable us to render an accurate water bill if this card, marked correctly, is returned as soon as possible. Please complete all information requested and mail or drop off at City Hall.

If you have any questions, please contact the Department of Public Works Monday through Friday between the hours of 7:30 a.m. and 3:30 p.m. at (734) 429-5624.  
 George Danneffel  
 DPW Director

## WANT ADS GET RESULTS!

### NOTICE

#### SALINE TOWNSHIP ZONING BOARD OF APPEALS

#### NOTICE OF HEARING FOR VARIANCE

The Saline Township Zoning Board of Appeals will hold a special hearing to discuss the application for variance of Gregory Schober, to move one permitted lot (or split) from the parcel (or area of lot record) R-18-33-400-002, to the parcel R-18-33-200-003. The above properties are located near the address of 13474 Macon Road, Saline, Michigan. The hearing will be held at the Saline Township Hall, 5731 Braun Road, on August 26, 1999 at 8:00 P.M.

Written comments may be directed to James Laramie, Chairman, Township of Saline Zoning Board of Appeals at 4839 Willow Road, Saline 48176, anytime prior to the August 26, 1999 hearing date.

James Laramie, Chairman  
 Zoning Board of Appeals

### SOLID WASTE PLANNING COMMITTEE NOTICE TO THE PUBLIC

The Washtenaw County Solid Waste Planning Committee is releasing a draft update to its Solid Waste Management Plan for a 90-day public review period, as required by Part 115 of Act 451. Copies of the draft plan are available for review at the following locations:

Washtenaw Co. Public Works, 110 N. Fourth Ave. Suite 200, Ann Arbor, MI; Washtenaw Co. Environmental Health, 41 Hogback Farm, Ann Arbor.

A public hearing will be held on Tuesday, October 19, 1999 at 7:00 P.M. at the WISD Building, 1819 S. Wagner Road, Ann Arbor, MI.

Written comments will be accepted from August 10, 1999 to November 9, 1999. Comments and questions should be directed to:

Susan Todd, Solid Waste Coordinator  
 Washtenaw County Public Works  
 110 N. Fourth Ave., Suite 200  
 Ann Arbor, MI 48107-8645  
 Phone: (734) 994-2398  
 Fax: (734) 994-2459  
 Email: todds@co.washtenaw.mi.us

## SOLID WASTE PLANNING COMMITTEE NOTICE TO THE PUBLIC

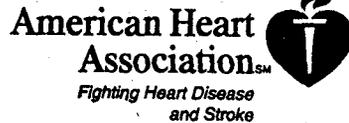
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Phone: (734) 994-2398  
Fax: (734) 994-2459  
Email: totdds@co.washtenaw.mi.us



# DON'T GIVE MONEY TO STRANGERS

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## DEXTER VILLAGE REGULAR COUNCIL MEETING — JULY 26, 1999

The meeting was called to order at 8:00 P.M. by President Coy in the First National Bank Building, 8123 Main Street.

The meeting began with the Pledge of Allegiance.

Present: Coy, Darr, Hall, Huddleston, Kimmel, Rush, Stacey

Absent: None

Also present: Manager Graham

Approval of Minutes

- Moved Darr, support Kimmel to approve the minutes of the July 12, 1999, regular meeting as presented.

Ayes: Coy, Darr, Hall, Huddleston, Kimmel, Rush, Stacey

Nays: None

Motion Carried.

Approval of Agenda

Added under Old Business item 3. Rescind Sale of Lot 40, Industrial Park, VanCon

- Moved Stacey, support Huddleston to approve the agenda as amended.

Ayes: Coy, Darr, Hall, Huddleston, Kimmel, Rush, Stacey

Nays: None

Motion Carried.

Non-Arranged Citizen Participation

None

Communications

Packets contained the four items listed on the agenda. C-15

## SYLVAN TOWNSHIP NOTICE TO RESIDENTS

Applications are being accepted for the Zoning Board Planning Commission. Please send resume to LuAnn S. Clerk, 18027 Old US 12, Chelsea, MI 48118.

SYLVAN TOWNSHIP  
LuAnn S. Koch, Township Clerk

## LYNDON TOWNSHIP REGULAR BOARD MEETING SUMMARY MINUTES — AUGUST

Meeting called to order and opened with pledge of allegiance. Moved and carried to approve July 11, 1999 minutes.

Moved and carried to table BS & A Software until November.

Moved and carried to table Fee Schedule for Franchise

Resolved and carried by roll call vote to adopt an amended Zoning Ordinance, Ordinance No. 3, and to provide Residential Districts and Surveys in other Districts in certain Township Ordinance No. 3-F).

Moved and carried to pay General Funds bills totaling \$ Agency bills totaling \$2,803.50.

Reports were given.

Correspondence and Other Business presented.

Moved and carried to appoint Coash as Lyndon Township committee looking into a Building Inspection Department.

Moved and carried to appoint Merritt Honbaum as Lyndon Ordinance Officer and term runs concurrent with the Ordinance.

Moved and carried to adjourn at 8:10 P.M.

## LYNDON TOWNSHIP ORDINANCE NO.

AN ORDINANCE TO AMEND THE TOWNSHIP OF LYNDON, ORDINANCE NO. 3, AND TO PROVIDE FOR RESIDENTIAL DISTRICTS AND SURVEYS IN OTHER CIRCUMSTANCES.

THE TOWNSHIP OF LYNDON ORDINANCE SECTION 1: The Lyndon Township Zoning Ordinance, Section 25.04.1 No use, construction, work, excavation, any activity associated with a permanent improvement or building, alteration, boring, soil samples, surveying and investigation shall be commenced, performed, or done without the Compliance Permit.

SECTION 25.04.2 No permit shall be issued by any municipal, state, official, or agency for any use, building, construction, or improvement to land, as above described, until a Zoning Ordinance has been issued by the Zoning Inspector under the terms of the Ordinance. The issuance of any other approval or certificate, special use permit, planned unit development, or other any board or body under this Ordinance, shall not supercede with this Article of the Ordinance and that any use, development or work allowed under such discretionary permit further conditioned on compliance with this Article and shall issuance of the Zoning Compliance Permit in accordance with this Article.

SECTION 25.04.3 An application for a Zoning Compliance Permit shall be accompanied by a site plan, where required under other provisions of the Ordinance, that provides the following information:

1. Scale, date and north point.
2. Location, shape and dimensions of the lot.
3. Legal description, tax parcel number and address of the lot.
4. Location, outline and dimensions of all existing and proposed structures, the location and extent of all uses not involving structures.
5. A clear description of existing and intended uses of all structures.
6. Additional information as required by the Zoning Inspector determining compliance with this Ordinance.

The application shall be signed by the owner of the land and an authorized agent.

# Make good showing at 4-H festival

Hannah Stalhandske, Ann Arbor  
 Reserve Champion Production Pen — Brandon Goetz, Pinckney  
 Obedience — Novice — Tamara Fuson, Northville  
 Grand Champion Met Pen — Obedience Graduate Novice — Elise Koczmarczyk, South

The preceding list represents approximately the 4-H winners at the recent Washtenaw County fair. The next half will be printed in next week's issue of the Manchester Enterprise.

Correspondence required no action from the Board. The no further business to come before the Board, the meeting at 9:42 p.m. The next regular meeting of the Manchester Board is Monday, September 13, 1999 at 8:00 p.m.

A complete copy of these minutes may be obtained during business hours, which are Monday, Tuesday, Wednesday and Friday, 9 a.m. to noon.

Submitted by Kathleen M. Hake  
 Approved by Ronald E. Mann, Sr.

## Sutton Agency, Inc.

136 E. Main Street, Manchester • (734) 428-9737

### SOLID WASTE PLANNING COMMITTEE NOTICE TO THE PUBLIC

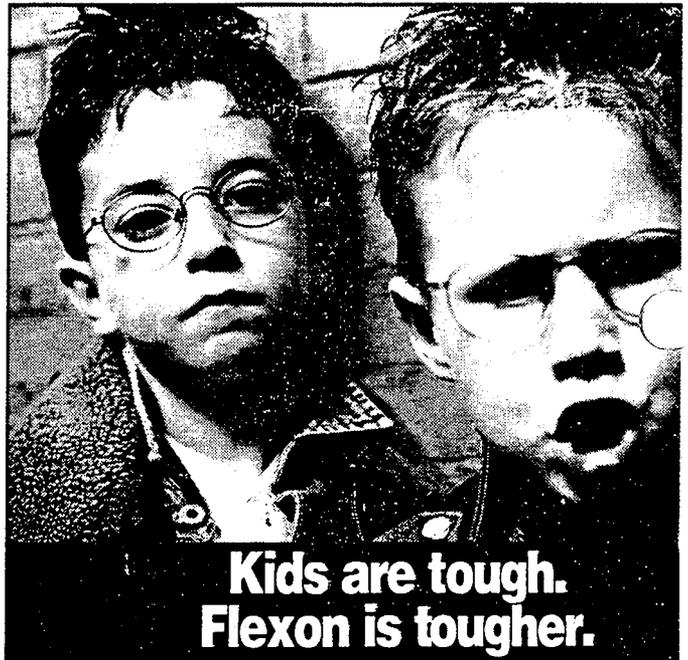
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 Fax: (734) 994-2459  
 Email: todds@co.washtenaw.mi.us



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 Flexon is tougher.**

**FLEXON**  
 BY MARCHON

**MANCHESTER  
 EYE CARE CENTER, P.C.**  
 JULIE A. MARVIN-MANDERS, O.D.  
 110 RIVERSIDE DR., MANCHESTER

**(734) 428-2020**

OFFICE HOURS: M 10-7; T 9-4; W, TH 8-5; F 9-4



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Doctor of Optometry

*Optometry*

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Saline, Michigan 48176

Phone: (734) 429-9454

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Taxi Service-Rates Based on Time & Mileage  
YOU NAME IT WE WILL TRY TO ACCOMMODATE YOU.

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The Washtenaw County Solid Waste Planning Committee is releasing a draft update to its Solid Waste Management Plan for a 90-day public review period, as required by Part 115 of Act 451. Copies of the draft plan are available for review at the following locations:

Washtenaw Co. Public Works, 110 N. Fourth Ave. Suite 200, Ann Arbor, MI; Washtenaw Co. Environmental Health, 2201 Hogback Rd., Ann Arbor.

A public hearing will be held on Tuesday, October 19, 1999 at 7:00 P.M. at the WSD Building, 1819 S. Wagner Road, Ann Arbor, MI.

Written comments will be accepted from August 10, 1999 to November 9, 1999. Comments and questions should be directed to:

Susan Todd, Solid Waste Coordinator  
Washtenaw County Public Works  
110 N. Fourth Ave., Suite 200  
Ann Arbor, MI 48107-8645  
Phone: (734) 994-2398  
Fax: (734) 994-2459  
Email: [todds@co.washtenaw.mi.us](mailto:todds@co.washtenaw.mi.us)

# Crime Report

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A resident in the E. Main neighborhood reported August 6 that someone had damaged his garage door.

Police investigated a report of smoke at an E. Main address on August 6.

A traffic accident occurred August 7 at Main and Platt. No injuries were reported.

"AN ATTORNEY WHO  
FIGHTS FOR HIS CLIENTS"  
DAVID A. NACHT, P.C.

**Fiesta. You'll Notice the Difference!**



**Washtenaw County's Draft  
Solid Waste Management Plan  
Public Hearing  
October 19, 1999**

	<b>Name</b>	<b>Representing</b>
<b>SWPC Members Present:</b>	Steve Dawdy Jim Dzengeleski Mike Garfield Pierre Gonyon Daniel Myers John Myers Andrew Schmidt Chris Simmons David Stead	Waste/Recycling Industry General Public Environmental Groups Major Waste Generator County Government Waste/Recycling Industry Regional Planning Agency General Public Environmental Groups
<b>SWPC Alternate Present:</b>	Bryan Weinert	City Government
<b>SWPC Members Absent:</b>	Chris Kolb Jim Frey Julie Knight John Newman Gina VanRiper	General Public Waste/Recycling Industry Township Government City Government Waste/Recycling Industry
<b>BPW Members Present:</b>	Vivienne Armentrout Janis Bobrin James Dries Eugene Glysson Jennifer Goulet Ulrich Stoll Mona Walz	
<b>BPW Members Absent:</b>	Fred Mammel	
<b>Others Present:</b>	Susan Todd Lana Coppolino Lisa Ingmarsson Chris Riggs	DPW Staff DPW Staff DPW Staff DPW Staff
<b>Public Citizens Present</b>	Norm Simmons	Out-of-state relative of SWPC committee member Chris Simmons

- I. BPW Chair Glysson called the meeting to order at 7:08 PM, and reviewed the agenda for the meeting and procedure for public comments.
- II. Todd presented an overview of the planning process for the Draft Solid Waste Management Plan (see attached document).
- III. Glysson opened the meeting for formal public comments. There were no public comments.  
  
Walz, seconded by Bobrin, requested that the BPW go on record as commending the Solid Waste Planning Committee and staff members for their excellent work on the Plan over the years.
- IV. Glysson adjourned the meeting at 7:27 PM.

# Record of Public Comments

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This document contains letters of response received during the 90-Day Public Comment Period regarding the Washtenaw County Solid Waste Management Plan Update of 1999, arranged in the order that they were received. Comments received verbally or via e-mail are noted accordingly.

	<b>Name</b>	<b>Organization</b>	<b>Page</b>
1.	Jim Dzengelski	Village of Manchester	1
2.	Joe Zurawski	York Township	1
3.	Jeffrey Woolstrum	Michigan Waste Industries Association	2
4.	Nancy Stone	City of Ann Arbor	15
5.	Erin Perry	Washtenaw County Metropolitan Planning Commission	16
6.	John Enos	Pittsfield Township*	17
7.	Neal G. Berlin	City of Ann Arbor	18
8.	Brett St. Pierre	Ypsilanti Township	21
9.	Marcia VanFossen	Salem Township	22
10.	Scott Thomas		24
11.	George Danneffel	City of Saline	26
12.	Ramsey Zimmerman	Recycle Ann Arbor	27

\*Comments submitted from John Enos were hand written throughout his copy of the Draft Plan and are not included in this document. A verbal summary will be provided at the 11/16 meeting of the Planning Committee.

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8/23/99; Via E-Mail

**Jim Dzengeleski, Village of Manchester Board, member of the Solid Waste Planning Committee, Chair of the Washtenaw County Consortium for Solid Waste Management**

ST, in going through the plan, I believe there is an error on page 111-40. At the top it says that a listing of the problems with the existing infrastructure is provided on page 11-30. The problems are listed on page 11-36.

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8/27/99; Via E-Mail

**Joe Zurawski, York Township Board Member and Designee to the Washtenaw County Consortium for Solid Waste Management**

1. Page II-7 discussion on City of Ann Arbor Landfill, proposed uses of facility site after closure - "Possible uses may include, but are not limited, to open space, housing development, parks, city operations, and business/for-profit activities." The comma after "limited" should be after "to". Construction of buildings, "housing development" and "business/for-profit activities" on a closed landfill are, if not illegal, at least improper.
2. Page II-14 discussion on City of Ann Arbor Material Recovery Facility, materials processed indicates "Polystyrene" is not processed there. It is accepted for recycling.
3. Pages A-3 and A-4 discussion on Commercial Recycling. "Weaknesses" identify "Not enough recognition given to businesses that have successful programs." "Vision" does not mention the recognition currently given, "Waste Knot Program."
4. Pages A-18 through A-24 discussion on recycling rate, etc. I feel the number of households participating is of little or no benefit. A much better measure is weight. After all, it is basically by weight we fill landfills. In my own home, all our children are grown and gone. We set out a less than full 30-gallon trash bag for weekly pickup. Our recyclables, other than newspapers, only go out monthly, or less frequently. The method used in this study would likely incorrectly identify our household as a non-recycling household. Any study conducted over such a short time period would also have its results skewed even if it did use weight as its basis. If it occurred when we set out our recyclables it would be inordinately high. If it occurred when we didn't it would be inordinately low. Also, the Introduction mentions a need to determine the total amount of compostables collected. There is no mention of compostables in the results. Perhaps ordinances should be enacted, either by the County or the Municipalities, regulating waste haulers requiring them to report by weight the quantities landfilled, quantities recycled and quantities composted.

LAW OFFICES  
HONIGMAN MILLER SCHWARTZ AND COHN

2290 FIRST NATIONAL BUILDING  
660 WOODWARD AVENUE  
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LANSING, MICHIGAN

PRE: JOLSTRUM  
PHONE: (313) 465-7612  
(313) 465-7613  
MAIL: jlw@honigman.com

September 2, 1999

Ms. Susan Todd  
Washtenaw County Solid Waste Planning Committee  
P.O. Box 8645  
Ann Arbor, MI 48107-8645

RE: Washtenaw County Solid Waste Management Plan Update

Dear Ms. Todd:

We are attorneys representing the Michigan Waste Industries Association ("MWIA"). MWIA is a Michigan nonprofit corporation representing approximately 50 individual Michigan-based solid waste companies, some of which operate within Washtenaw County. MWIA submits the enclosed document ("Comments") for inclusion in the administrative record of public comments on Washtenaw County's draft solid waste management plan update (the "Plan"). The Comments address MWIA's concerns with certain provisions that may be included in the Plan that exceed Washtenaw County's authority. Washtenaw County does not have unlimited authority to include provisions in a solid waste management plan. Rather, Washtenaw County only has such powers that have been granted by the Michigan Legislature. Although the Legislature authorized Washtenaw County to prepare a solid waste management plan under Part 115 of the Natural Resources and Environmental Protection Act ("Part 115"), Washtenaw County may only include in the Plan those provisions that are expressly identified in Part 115 or the administrative rules promulgated by the Michigan Department of Environmental Quality ("MDEQ") under Part 115 (the "Part 115 Rules"). The provisions discussed in the Comments are clearly not authorized under Part 115 or the Part 115 Rules.

To the extent the Plan contains any of the provisions discussed in the Comments, or incorporates such provisions into the Plan by reference to other documents, MWIA requests that Washtenaw County either: (1) revise the Plan to eliminate the offending provisions; or (2) provide a written response to MWIA's concerns in the Plan's appendix, as required by Rule 711(g) of the Part 115 Rules, which sets forth the basis for retaining such provisions in the Plan. Feel free to call me with any questions regarding MWIA's Comments.

Sincerely,

  
Jeffrey L. Woolstrum

cc: Mr. Jim Sygo, Chief Waste Management Division, MDEQ  
Mr. Terry Guerin, President - MWIA

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MICHIGAN WASTE INDUSTRIES ASSOCIATION  
GENERAL COMMENTS ON  
COUNTY SOLID WASTE MANAGEMENT PLAN UPDATES

Michigan Waste Industries Association ("MWIA") submits the following general comments on the contents of solid waste management plan updates that are currently being prepared by various counties under the authority of Part 115 of the Natural Resources and Environmental Protection Act ("Part 115") and the administrative rules promulgated thereunder (the "Part 115 Rules"). The discussion contained in this document is divided into two main sections. The first section discusses a county's limited authority to regulate matters in general, and the Legislature's narrow delegation of authority under Part 115 to include provisions in a solid waste management plan. In light of this narrow delegation of authority, the second section reviews eleven provisions that have appeared in one or more of the draft solid waste management plan updates. These eleven provisions generally relate to:

- disposal fees;
- disposal area operating criteria;
- mandated recycling;
- mandated data collection;
- preservation of more than 10 years of disposal capacity;
- disposal area volume caps;
- identification of specific disposal areas that may accept county waste;
- restrictions on special waste importation;
- enforcement activities by uncertified health departments;
- transporter licensing; and
- the severability of unlawful plan provisions without a formal plan amendment.

MWIA contends that these provisions exceed the limited authority that has been delegated to the counties under Part 115. Further, because the Michigan Department of Environmental Quality ("MDEQ") can only approve or disapprove a county solid waste management plan without conditions, MWIA contends that MDEQ cannot approve a plan that contains one or more of these offending provisions.

**I. PERMISSIBLE CONTENTS OF COUNTY  
SOLID WASTE MANAGEMENT PLANS**

Although Part 115 authorizes counties, among other government entities, to prepare solid waste management plans, counties do not have carte blanche to include any provision related to solid waste in their plans. To the contrary, counties must work within the narrow confines of the Legislature's delegation of authority under Part 115. Thus, when reviewing a plan submitted by a county for final approval, MDEQ must *not* ask, "does Part 115 *prohibit* this particular provision." Rather, MDEQ must ask whether a specific section of Part 115 or the Part 115 Rules *clearly authorizes* each provision included in a solid waste management plan including each

provision incorporated by reference into the plan. If the answer to that question is not an unqualified "yes," MDEQ must deny approval of the plan.

A. COUNTIES ONLY POSSESS  
DELEGATED POWERS AND CANNOT  
REGULATE FOR THE HEALTH AND  
SAFETY OF THEIR RESIDENTS

MWIA's comments on the contents of solid waste management plans are rooted in the fact that Michigan counties have delegated powers only and do not have any inherent power to regulate for purposes of the public's health, safety and general welfare. A "county has only such powers as have been granted to it by the Constitution or the state Legislature." *Alan v. Wayne Co.*, 388 Mich. 210, 245 (1972); *Berrien Co. Probate Judges v. Michigan Am. Fed'n of State, Co. & Mun. Employees Council 25*, 217 Mich. App. 205 (1996). Where counties have been clearly delegated such powers, the Michigan Constitution provides that the powers "shall be liberally construed in [the counties'] favor" and that "[p]owers granted to counties . . . shall include those fairly implied and not prohibited by this constitution." Const. 1963, art. VII, § 34. This constitutionally imposed rule of interpretation, however, is not an independent grant of authority. "As these provisions are not self-executing, the rights which they bestow and the duties which they impose may not be enforced without the aid of legislative enactment." *County Comm'r of Oakland Co. v. Oakland Co. Executive*, 98 Mich. App. 639, 646 (1980). Thus, counties have no inherent authority to include provisions in solid waste management plans without clear authorization by Legislature under Part 115.

The Office of the Attorney General ("AG") has consistently opined that counties are without authority to regulate matters that have not been clearly delegated by the Legislature. For example, the AG most recently opined that a non-charter county does not have authority to regulate the emissions from a municipal waste incinerator. OAG, 1998, No. 6,992 (Aug. 13, 1998). In that opinion, the AG first noted that townships, cities and villages *have* been granted authority by the Michigan Legislature to adopt ordinances for the purpose of protecting the public's health, safety and general welfare. Therefore, the AG opined that a township, city or village *may* adopt an air pollution control ordinance, provided that it is reasonably related to this purpose. For counties, however, the AG noted that, while chartered counties are expressly authorized by statute to adopt ordinances to abate air pollution, *the Legislature "has not seen fit to grant this power to noncharter counties."* *Id.*, slip op. p. 3 (emphasis added). The AG concluded that a "noncharter county is thus not authorized to adopt an air pollution ordinance." *Id.*; *see also*, OAG, 1969-1970, No. 4,696, p. 197 (Nov. 25, 1970) (county could not adopt air pollution control ordinance because no Michigan statute authorized a non-chartered county to abate air pollution and county ordinance would interfere with local affairs of villages and townships). This opinion is particularly significant with respect to solid waste management plans prepared under Part 115 because a municipal waste incinerator is a disposal area that must be consistent with such a plan. *See M.C.L. § 324.11529(4).*

Other AG opinions express a similar narrow view of a county's authority to regulate in the absence of clear enabling legislation. In OAG, 1989-1990, No. 6,665, p. 401 (Nov. 15, 1990), the AG opined that counties lacked the general authority to regulate the location of cigarette vending machines because such a county ordinance would interfere with the authority of the villages and townships to regulate such matters. In OAG, 1979-1980, No. 5,617, p. 26 (Dec. 28, 1979), the AG opined that a county could not adopt the Michigan Vehicle Code as

an ordinance because "[t]he adoption of the motor vehicle code by a county would not be consistent with the legislative intention [to grant certain exclusive powers to the county road commission], would have the effect of contravening the general laws of the state, and of extending or increasing the powers or jurisdiction of a county board of commissioners." In OAG, 1977-1978, No. 5,341, p. 556 (July 31, 1978), the AG opined that a county had no authority to operate a spay and neuter clinic for dogs and cats because "[n]o provision of the [Michigan Dog Law] specifically or impliedly authorizes a county to establish and maintain a spay and neuter clinic and cats are not mentioned in either the title or body of the act." In OAG, 1977-1978, No. 5,304, p. 427 (April 27, 1978), the AG opined that a county board of commissioners could not establish a county police or security force because "the delegation of law enforcement responsibilities to any entity other than the sheriff would contravene general state laws [and] would tend to increase the powers, duties and jurisdiction of the county board of commissioners by transferring a measure of the sheriff's authority to an organization responsible to the board and not to the sheriff." Finally, in OAG, 1971-1972, No. 4,741, p. 82 (April 13, 1972), the AG opined that a county was without authority to adopt an ordinance banning the discharge of firearms in the county because there was "no express or implied power in the county which would support the adoption of [such] an ordinance."

**B. PART 115 ESTABLISHES THE SPECIFIC CONTENTS OF A SOLID WASTE MANAGEMENT PLAN AND COUNTIES CANNOT INCLUDE EXTRANEOUS PROVISIONS THAT WOULD EXPAND THEIR LIMITED DELEGATION OF AUTHORITY.**

The contents of a solid waste management plan are limited to the provisions that are authorized in Part 115 and the Part 115 Rules, which are summarized below. A solid waste management plan must "encompass all municipalities within the county" and "take into consideration solid waste management plans in contiguous counties and existing local approved solid waste management plans as they relate to the county's needs." M.C.L. § 324.11533(2). A solid waste management plan must contain an evaluation of the "best available information" regarding recyclable materials within the planning area, including an evaluation of how the planning entity is meeting the state's waste reduction and recycling goals, and, based on that analysis, either provide for recycling and composting of such materials or establish that recycling and composting are not necessary or feasible or is only necessary or feasible to a limited extent. M.C.L. § 324.11539(1)(a), (b) and (d). If the solid waste management plan proposes a recycling or composting program, the plan must contain details of the major features of that program, including ordinances or other measures that will ensure collection of the material; however, as discussed below, Part 115 does not operate as enabling legislation for such ordinances. M.C.L. § 324.11539(1)(c). A solid waste management plan must "identify specific sites for solid waste disposal areas for a 5-year period after approval of a plan or plan update," and either identify specific sites for disposal areas for the remaining portion of the ten-year planning period, or include a process to annually certify the remaining solid waste disposal capacity available to the plan area and an interim siting mechanism<sup>1</sup> that becomes operative when the annual certification

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<sup>1</sup>An interim siting mechanism shall include both a process and a set of minimum siting criteria, both of which are not subject to interpretation or discretionary acts by the planning entity,

indicates that the available capacity is less than 66 months. M.C.L. § 324.11538(2). The solid waste management plan must "explicitly authorize" another county, state, or country to export solid waste into the county. M.C.L. § 324.11538(6).<sup>2</sup> In addition, "[w]ith regard to intercounty service within Michigan, the service must also be explicitly authorized in the exporting county's solid waste management plan." *Id.*

In addition to the plan content requirements expressly contained in Part 115, Section 11538(1) authorizes MDEQ to promulgate rules "for the development, form, and submission of initial solid waste management plans." M.C.L. § 324.11538(1). Part 115 directs MDEQ to provide for the following in its administrative rules regarding solid waste management plans:

(a) The establishment of goals and objectives for prevention of adverse effects on the public health and on the environment resulting from improper solid waste collection, processing, or disposal including protection of surface and groundwater quality, air quality, and the land.

(b) An evaluation of waste problems by type and volume, including residential and commercial solid waste, hazardous waste, industrial sludges, pretreatment residues, municipal sewage sludge, air pollution control residue, and other wastes from industrial or municipal sources.

(c) An evaluation and selection of technically and economically feasible solid waste management options, which may include sanitary landfill, resource recovery systems, resource conservation, or a combination of options.

(d) An inventory and description of all existing facilities where solid waste is being treated, processed, or disposed of, including a summary of the deficiencies, if any, of the facilities in meeting current solid waste management needs.

(e) The encouragement and documentation as part of the plan, of all opportunities for participation and involvement of the public, all affected agencies and parties, and the private sector.

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and which if met by an applicant submitting a disposal area proposal, will guarantee a finding of consistency with the plan." M.C.L. § 324.11538(3).

<sup>2</sup>See also, M.C.L. § 324.11513; Mich. Admin. Code r. 299.4711(e)(iii)(C). In *Fort Gratiot Sanitary Landfill, Inc. v. Department of Natural Resources*, 504 U.S. 353 (1992), the United States Supreme Court invalidated Part 115's flow control provisions to the extent they regulated the interstate flow of solid waste because such regulation violated the Commerce Clause of the United States Constitution.

(f) That the plan contain enforceable mechanisms, for implementing the plan, including identification of the municipalities within the county responsible for the enforcement. This subdivision does not preclude the private sector's participation in providing solid waste management services consistent with the county plan.

(g) Current and projected population densities of each county and identification of population centers and centers of solid waste generation, including industrial wastes.

(h) That the plan area has, and will have during the plan period, access to a sufficient amount of available and suitable land, accessible to transportation media, to accommodate the development and operation of solid waste disposal areas, or resource recovery facilities provided for in the plan.

(i) That the solid waste disposal areas or resource recovery facilities provided for in the plan are capable of being developed and operated in compliance with state law and rules of the department pertaining to protection of the public health and the environment, considering the available land in the plan area, and the technical feasibility of, and economic costs associated with, the facilities.

(j) A timetable or schedule for implementing the county solid waste management plan.

M.C.L. § 324.11538(1)(a)-(j). MDEQ has promulgated such rules in Part 7 of the Part 115 Rules. Mich. Admin. Code r. 299.4701 *et seq.*

Rule 711 of the Part 115 Rules sets forth the general structure and the required contents of a county solid waste management plan. "To comply with the requirements of [Part 115,] . . . county solid waste management plans shall be in compliance with the following general format": (i) executive summary;<sup>3</sup> (ii) introduction;<sup>4</sup> (iii) data base;<sup>5</sup> (iv) solid waste management system

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<sup>3</sup>The executive summary must include an overview of the plan, the conclusions reached in the plan and the selected solid waste disposal alternatives. Mich. Admin. Code r. 299.4711(a).

<sup>4</sup>The introduction must establish the plan's goals and objectives for protecting the public health and the environment by properly collecting, transporting, processing, or disposing of solid waste, and by reducing the volume of the solid waste stream through resource recovery, including source reduction and source separation. Mich. Admin. Code r. 299.4711(b).

<sup>5</sup>The data base must include: (i) an inventory and description of the existing facilities serving the county's solid waste disposal needs; (ii) an evaluation of existing problems related to solid waste collection, management, processing, treatment, transportation, and disposal, by type and volume of solid waste; (iii) the current and projected population densities, centers of population, and centers of waste generation for five- and twenty-year periods; and (iv) the current and projected land

alternatives; (v) plan selection; (vi) management component; and (vii) documentation of public participation in the preparation of the plan.<sup>6</sup> Mich. Admin. Code r. 299.4711(a)-(d). Under this general format, the operative portions of a solid waste management plan are contained in the solid waste management system alternatives, plan selection, and management component elements of the plan. The required contents of these three elements are discussed below.

First, each solid waste management system alternative developed in the plan must address the existing problems identified in the plan's data base related to solid waste collection, management, processing, treatment, transportation, and disposal and must address the following components: (i) resource conservation and recovery, including source reduction, source separation, energy savings, and markets for reusable materials; (ii) solid waste volume reduction; (iii) solid waste collection and transportation; (iv) sanitary landfills; (v) ultimate uses for disposal areas following final closure; and (vi) institutional arrangements, such as agreements or other organizational arrangements or structures, that will provide for the necessary solid waste collection, transportation, processing and disposal systems. Mich. Admin. Code r. 299.4711(d)(i)(A)-(H). In addition, the plan must evaluate public health, economic,<sup>7</sup> environmental, siting, and energy impacts associated with each alternative. Mich. Admin. Code r. 299.4711(d)(ii).

Second, the plan must select the preferred solid waste management system alternative developed and evaluated in the plan. The selection must be based on "[a]n evaluation and ranking of proposed alternative systems" using factors that include: (i) technical and economic feasibility; (ii) access to necessary land and transportation networks; (iii) effects on energy usage, including the impacts of energy shortages; (iv) environmental impacts; and (v) public acceptability. Mich. Admin. Code r. 299.4711(e)(i)(A)-(G). The basis for the selection must be set forth in the plan, including a summary of the evaluation and ranking system. Mich. Admin. Code r. 299.4711(e)(ii)(A). The plan must state the advantages and disadvantages of the selected alternative based on the following factors: (i) public health; (ii) economics; (iii) environmental effects; (iv) energy use; and (v) disposal area siting problems. Mich. Admin. Code r. 299.4711(e)(ii)(B)(1)-(5). The selected alternative must "be capable of being developed and operated in compliance with state laws and rules of the Department pertaining to the protection of the public health and environment," include a timetable for implementing the plan, and be "consistent with and utilize population, waste generation, and other [available] planning information." Mich. Admin. Code r. 299.4711(e)(ii)(C)-(E). With respect to disposal areas, the selected alternative must "identify specific sites for solid waste disposal areas" for a five-year

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development patterns and environmental conditions as related to solid waste management systems for five and twenty-year periods. Mich. Admin. Code r. 299.4711(c)(i)-(iv).

<sup>6</sup>The public participation in the preparation of the solid waste management plan must be documented by including in an appendix to the plan a record of attendance at the public hearing and the planning agency's responses to citizens' concerns and questions. Mich. Admin. Code r. 299.4711(g).

<sup>7</sup>The evaluation of the economic impacts must include an estimate of the capital, operational, and maintenance costs for each alternative system. Mich. Admin. Code r. 299.4711(d)(ii).

period following MDEQ approval of the plan and, "[i]f specific sites cannot be identified for the remainder of the 20-year period, the selected alternative shall include specific criteria that guarantee the siting of necessary solid waste disposal areas for the 20-year period subsequent to plan approval." Mich. Admin. Code r. 299.4711(e)(iii)(A), (B). As of June 9, 1994, however, "a county that has a solid waste management plan that provides for siting of disposal areas to fulfill a 20-year capacity need through use of a siting mechanism, is only required to use its siting mechanisms to site capacity to meet a 10-year capacity need." M.C.L. § 324.11537a.

Third, the "management component" element of a solid waste management plan must "identif[y] management responsibilities and institutional arrangements necessary for the implementation of technical alternatives." Mich. Admin. Code r. 299.4711(f). The management component must contain the following: (i) "[a]n identification of the existing structure of persons, municipalities, counties, and state and federal agencies responsible for solid waste management, including planning, implementation, and enforcement"; (ii) an assessment of such persons' and governmental entities' technical, administrative, financial and legal capabilities to fulfill their responsibilities under the plan; (iii) "[a]n identification of gaps and problem areas in the existing management system which must be addressed to permit implementation of the plan"; and (iv) a "recommended management system for plan implementation."<sup>8</sup> Mich. Admin. Code r. 299.4711(f)(i)-(iii).

Solid waste management plans that contain provisions that have not been clearly authorized under the specific sections of Part 115 and the Part 115 Rules discussed above are unlawful. A plan containing such unlawful provisions cannot be approved by MDEQ.

## II. MWIA'S COMMENTS ON COUNTY PLAN PROVISIONS

With the foregoing limitations on the specific contents of a solid waste management plan in mind, MWIA contends that the following provisions that are either contained expressly in a solid waste management plan, or that are contained elsewhere (e.g. ordinances, regulations or resolutions) but are incorporated by reference into a solid waste management plan, clearly exceed a county's authority under Part 115:

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<sup>8</sup>The recommended management system must: (i) identify specific persons and governmental entities that are responsible for implementing and enforcing the plan, including the legal, technical, and financial capability of such persons and entities to fulfill their responsibilities; (ii) contain a process for "ensuring the ongoing involvement of and consultation with the regional solid waste management planning agency," and for "ensuring coordination with other related plans and programs within the planning area, including, but not limited to, land use plans, water quality plans, and air quality plans"; (iii) identify "necessary training and educational programs, including public education"; (iv) contain a "strategy for plan implementation, including the acceptance of responsibilities from all entities assigned a role within the management system"; and (v) identify "funding sources for entities assigned responsibilities under the plan." Mich. Admin. Code r. 299.4711(f)(iii)(A)-(F).

## DISPOSAL FEES

Nothing in the Part 115 or Part 115 Rule provisions discussed above authorizes a county to *require* the payment or collection of fees as part of a solid waste management plan. At most, Rule 711(f)(iii)(F) authorizes the "management component" of a plan to "*recommend*" a "financial program that identifies funding sources." Mich. Admin. Code r. 299.4711(f)(iii)(F). The underlying authority for such a funding program, however, cannot arise from the plan itself and must be found in some other enabling legislation.

Although the Michigan Court of Appeals has recently held that that Section 11520(1) of Part 115 authorized Saginaw County to adopt an *ordinance* that imposes a surcharge on the disposal of solid waste within the county, the court did not hold that such an ordinance may be included in a solid waste management plan or that a solid waste management plan may operate as the underlying authority for such a fee. *County of Saginaw v. Peoples Garbage Disposal, Inc.*, 232 Mich. App. 202 (1998). Indeed, the ordinance at issue in *County of Saginaw* was merely mentioned in the plan as a possible source of revenue and was adopted *after* MDEQ had approved the Saginaw County Solid Waste Management Plan. This distinction is significant because a disposal area that operates "contrary" to an approved solid waste management plan may be subject to an enforcement action under Part 115, which may include a cease and desist order. M.C.L. § 324.11519(2). Clearly, nothing in Part 115 indicates that a disposal area could be ordered to cease operations merely because it failed to pay a fee imposed by a local ordinance.

Moreover, the holding in *County of Saginaw* is inapplicable to counties that do not have certified health departments under Part 115. Section 11520(1) of Part 115, which the court relied on for its holding, provides:

Fees collected by a *health officer* under this part shall be deposited with the city or county treasurer, who shall keep the deposits in a special fund designated for use in implementing this part. If there is an ordinance or charter provision that prohibits a health officer from maintaining a special fund, the fees shall be deposited and used in accordance with the ordinance or charter provision. Fees collected by the department under this part shall be credited to the general fund of the state.

M.C.L. § 324.11520(1) (emphasis added). A *health officer* is expressly defined as in Part 115 as "a full-time administrative officer of a *certified* city, county or district department of health." M.C.L. § 324.11504(1) (emphasis added). A certified department of health must be "specifically delegated authority by [MDEQ] to perform designated activities prescribed by [Part 115]." M.C.L. § 324.11502(5). Part 2 (Certification of Local Health Departments) of the Part 115 Rules sets forth the specific requirements that a county health department must meet in order to become certified. Mich. Admin. Code r. 299.4201 *et seq.* Part 115 contains absolutely no authority for the collection of fees by a county that does not have a certified health department.

Further, even if Part 115 did authorize the inclusion of a fee provision in the solid waste management plan of a county with a certified health department (which it does not), MDEQ is prohibited from approving such a plan if the fee is really a disguised tax that violates the Headlee Amendment to the Michigan Constitution, which prohibits local units of government from imposing new taxes without voter approval. Mich. Const. art. 9, § 31; *See Bolt v. City of*

*Lansing*, 459 Mich. 152 (1998) (storm water fee invalidated under Headlee Amendment as disguised tax). MDEQ's act of approving a solid waste management plan is not merely a rubber stamp of a county's independent act. Rather, MDEQ's approval is the final step in establishing a statewide "cohesive scheme of uniform controls" over the disposal of solid waste. *Southeastern Oakland Co. Incinerator Auth. v. Avon Twp.*, 144 Mich. 39, 44 (1986). By approving a solid waste management plan, MDEQ incorporates that plan into the State solid waste management plan, M.C.L. § 324.11544(1), and, thereafter, a person may not "establish a disposal area" or "conduct, manage, maintain, or operate" a disposal area "contrary" to that approved plan. M.C.L. §§ 324.11509(1), .11512(2). Accordingly, MDEQ could not approve a solid waste management plan that imposes a fee on the disposal of solid waste *unless* MDEQ can demonstrate that the amount of any fee imposed will be reasonable related to the services provided to the persons paying the fee, and that the fee will not otherwise constitute a tax that requires voter approval.

MWIA also believes that, because the decision in *County of Saginaw* has been appealed to the Michigan Supreme Court, MDEQ should use its discretion and refrain from approving county solid waste management plans that contain fee provisions until this issue has been fully resolved. In this regard, MWIA notes that the appeals court's analysis of Section 11520(1) is clearly erroneous because it failed to consider the history and development of Part 115. Section 11520(1) was originally enacted as Section 18 of 1978 PA 641. M.C.L. § 299.418 (repealed, now Section 11520(1) of Part 115). In 1978, the only fees expressly contemplated in Act 641 were nominal disposal area operating license and construction permit application fees, which ranged between \$100 and \$700. Further, the language of Section 18 of Act 641 was nearly identical to Section 3(3) of the Garbage and Rubbish Disposal Act of 1965, which imposed similar nominal application fees and imposed very few obligations on counties with respect to the solid waste disposal. M.C.L. § 325.293(3) (repealed by Act 641). The Legislature's intent with respect to Section 11520(1) was to allow certified county health departments to retain and use these application fees solely for the purpose of processing the applications. The Legislature clearly did not intend for Section 11520(1) to operate as enabling legislation for counties to impose fees on the disposal of solid waste in order to fund an extensive county solid waste or recycling program.<sup>9</sup> Accordingly, the appeals court's interpretation of Part 115 will likely be overturned.

### OPERATING CRITERIA

A solid waste management plan may not contain disposal area operating criteria. Nothing in Part 115 or the Part 115 Rule provisions discussed above authorizes a solid waste management plan to regulate the day-to-day operations of a disposal area. To the contrary, Part 115 provides MDEQ with exclusive authority to regulate disposal area operation. Further, Michigan Appellate Court decisions have unanimously interpreted Part 115 as preempting all local regulation of disposal area operation. *County of Saginaw v. Peoples Garbage Disposal, Inc.*, 232 Mich. App. 202 (1998); *Southeastern Oakland County Incineration Authority v. Avon Township*, 144 Mich. App. 39 (1985); *Weber v. Orion Twp. Bldg. Inspector*, 149 Mich. App. 660

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<sup>9</sup> It is also noteworthy that, for the last three years, bills that would authorize county-imposed fees have been proposed in the Michigan Legislature.

(1986) ("all local regulations concerning the operation of a landfill 'are preempted"); *Dafter Township v. Reid*, 159 Mich. App. 149 (1987). Thus, disposal area operating criteria are not appropriate for a solid waste management plan.

### MANDATED RECYCLING

A solid waste management plan may not mandate a quota on the volume of solid waste that is recycled within the planning area. Nothing in Part 115 or the Part 115 Rule provisions discussed above authorizes a county or any another planning agency to mandate such a quota system. Rather, Part 115 only authorizes a county to "propose a recycling or composting program" in a county plan. M.C.L. § 324.11539(1)(b). Such a program may only set recycling goals, rather than require absolute volume reductions. M.C.L. § 324.11539(1)(d). Further, a program that prohibits a disposal area from accepting a particular type of solid waste, such as waste that could be recycled, would directly conflict with Section 11516(5) of Part 115, which states that "[i]ssuance of an operating license by [MDEQ] authorizes the licensee to accept waste for disposal." M.C.L. §§ 324.11533(1), .11516(5) (emphasis added). Thus, any recycling program may, at most, be referenced as a goal.

### MANDATED DATA COLLECTION

A solid waste management plan may not require the owner or operator of a disposal area to collect and report data concerning the volume of solid waste that is recycled or disposed of. Nothing in Part 115 or the Part 115 Rule provisions discussed above authorizes a county to impose such an on-going duty on disposal area owners and operators. Rather, Part 115 only requires that, at the time a plan is prepared, a county evaluate "how the planning entity is meeting the state's waste reduction goals." M.C.L. § 324.11539(1)(d).<sup>10</sup> Further, Part 115 expressly delegates the authority to impose such data-collection duties solely to MDEQ and not to the counties. M.C.L. § 324.11507a. Thus, data collection requirements imposed in a solid waste management plan exceed the authority delegated under Part 115.

### PRESERVATION OF MORE THAN 10 YEARS OF CAPACITY

A solid waste management plan should provide for the free flow of solid waste to the extent the plan otherwise demonstrates 10 years of disposal capacity. A county has no duty or obligation under Part 115 to demonstrate more than 10 years of disposal capacity. M.C.L. § 324.11538(2). Therefore, a county has no legitimate interest in preserving additional disposal capacity by restricting or prohibiting the importation of out-of-county waste. While the preservation of disposal capacity beyond the legitimate needs of a county may ultimately benefit county residents, the cost of providing that benefit is imposed solely on the disposal area owners and operators doing business within the county. Such a restriction on the use of a disposal area's air space constitutes a taking without compensation that violates the federal and Michigan constitutions.

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<sup>10</sup> A bill that would authorize such mandated data collection regarding recycled material was proposed in the Michigan Legislature last year.

## VOLUME RESTRICTIONS

A solid waste management plan cannot restrict the volume of solid waste that may be accepted for disposal at a disposal area during any given time period. Such a restriction is not authorized by that Part 115 Part 115 Rule provisions discussed above and directly conflicts with Section 11516(5) of Part 115, which states that "[i]ssuance of an operating license by [MDEQ] authorizes the licensee to accept waste for disposal," without limitation. M.C.L. §§ 324.11533(1), .11516(5) (emphasis added). Such a volume cap would also constitute local regulation of disposal area operating criteria, which, as discussed above, is preempted by Part 115. *Southeastern Oakland County Incineration Authority v. Avon Township*, 144 Mich. App. 39 (1985); *Weber v. Orion Twp. Bldg. Inspector*, 149 Mich. App. 660 (1986) ("all local regulations concerning the operation of a landfill are preempted"); *Dafter Township v. Reid*, 159 Mich. App. 149 (1987). Moreover, such a restriction is an unconstitutional taking of property because it temporarily prevents the use of air space at the disposal area without compensating the owner or operator.

## IDENTIFICATION OF SPECIFIC DISPOSAL AREAS

While a solid waste management plan may identify specific disposal areas that are available and willing to accept a county's waste in order to demonstrate that a county has 10 years of disposal capacity and that the plan does not require an interim siting mechanism under Section 11538(2) of Part 115, nothing in Part 115 authorizes a county to restrict the disposal of its solid waste to those specifically identified facilities. Rather, Sections 11513 and 11538(6) of Part 115 require that a plan authorize the "acceptance" of out-of-county waste and the disposal "service" provided either by or for another Michigan county; however, these sections do not require that such acceptance or service be limited to specifically identified disposal areas. M.C.L. §§ 324.11513, .11538(6). At most, a solid waste management plan may limit the disposal of a county's solid waste to specific *counties* that are explicitly authorized in the plan to accept the waste and to serve the county's disposal needs. Furthermore, to the extent that Rule 711(e)(iii)(C) of the Part 115 Rules can be interpreted as requiring the identification of specific disposal areas in solid waste management plans, MWIA contends that such a requirement exceeds MDEQ's authority under Part 115 and is unenforceable.

## RESTRICTIONS ON SPECIAL WASTE

A solid waste management plan may not restrict the importation of specific types of solid waste. With the possible exception of municipal solid waste incinerator ash, nothing in Part 115 authorizes a solid waste management plan to distinguish between different types of solid waste. See M.C.L. §§ 324.11513, 11538(6). Therefore, to the extent a solid waste management plan authorizes solid waste to be imported from or exported to other counties, such authorization must extend to all forms of solid waste, as that term is defined in Part 115.

## ENFORCEMENT BY UNCERTIFIED HEALTH DEPARTMENT

Part 115 and the Part 115 Rules only grant enforcement powers to county health departments that have been certified by MDEQ. For example, Part 115 expressly provides that a health officer of a certified health department may inspect a licensed disposal area at any reasonable time and may issue a cease and desist order, establish a schedule of closure or remedial action, or enter into a consent agreement with an owner or operator of a disposal area that violates the provisions of Part 115 or the Part 115 Rules. M.C.L. § 324.11516(3); Mich. Admin. Code r. 299.4203. In addition, a health officer of a certified health department may inspect a solid waste transporting unit that is being used to transport solid waste along a public road or is being used for the overnight storage of solid waste and may order the unit out of service if it does not comply with the requirements of Part 115 or the Part 115 Rules. M.C.L. §§ 324.11525, .11528(3); Mich. Admin. Code r. 299.4205. None of these enforcement and inspection powers, however, has been delegated to a county that does *not* have a certified health department. Therefore, to the extent a county does not have a certified health department, any enforcement and inspection provisions contained in a solid waste management plan are unlawful.

It should also be noted that several counties without certified health departments are attempting incorporating ordinances into their solid waste management plans under the guise of "enforceable mechanisms," which regulate matters that have been delegated solely to a counties that have certified health departments. For example, at least one such ordinance includes a provision that would authorize a county without a certified health department to issue a "stop order" that prohibits the operation of a disposal area in violation of any provision of the ordinance. As discussed above, this authority has been delegated solely to counties with certified health departments. M.C.L. § 324.11516(3). Further, such a "stop order" would operate as a suspension of a license issued under Part 115 without any of the procedural protections provided under the Michigan Administrative Procedures Act. M.C.L. § 24.101 *et seq.*

It should also be noted that, although a solid waste management plan must include a "program and process" to assure that solid waste is properly collected and disposed of, Part 115's planning provisions are not enabling legislation for county ordinances. M.C.L. § 324.11533(1). The "program and process" included in a solid waste management plan is only "enforceable" to the extent the plan incorporates "enforceable mechanisms" that are specifically authorized under enabling statutes other than Part 115. M.C.L. § 324.11538(1)(f). Although the Legislature contemplated that "enforceable mechanisms" may include ordinances,<sup>11</sup> Part 115 expressly states that it does not "validate or invalidate an ordinance adopted by a county" for purposes of assuring solid waste collection and disposal. M.C.L. § 324.11531(2). Thus, it is clear that the Legislature intended that Part 115 would not operate as enabling legislation for the adoption of such enforceable mechanisms. Such authority, if any, must be specifically delegated to counties in some other enabling legislation. Accordingly, to the extent a solid waste management plan incorporates a county ordinance that provides enforcement powers to a county, MDEQ may not approve such a

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<sup>11</sup>Part 115 defines the term "enforceable mechanism" as "a legal method whereby the state, a county, a municipality, or a person is authorized to take legal action to guarantee compliance with an approved county solid waste management plan. Enforceable mechanisms include contracts, intergovernmental agreements, laws, ordinances, rules and regulations." M.C.L. § 324.11503(5).

9/14/99; Via E-Mail

Nancy Stone, City of Ann Arbor Solid Waste Department

Thank you for the opportunity to comment on the draft solid waste management plan for Washtenaw County. Great job in pulling together so many aspects of this issue!

I'd like to encourage more detail in the sections of "public education programs," as specifically listed in Goal Three, but also implied in the assumptions of reaching many of the other goals. The educational program chart listed on page III-26 is excellent, but it implies that the County is responsible for the majority of the outreach efforts and allows other communities to easily neglect responsibility for community-based education and involvement. I suggest that each community have some responsibility in waste awareness promotions, as appropriate to their constituents and size.

In my opinion, in order for waste reduction efforts to survive and thrive, waste reduction information and programs need to be readily available and modeled by each community. This could be described as a category for newsletters, in addition to fact sheets to cover the topics 1-5, with each community responsible for these materials, or a default, to use DPW-produced materials.

Providing a category for "events" would be useful, to urge each community to develop an appropriate event (such as a Clean-Up Day) or become involved in displays at ongoing events (such as the Manchester Chicken Broil, etc) or facility tours, such as at BFI, MRF, Milan Prison, local businesses, etc.

I think there is a need to advocate on behalf of community education within the county plan. Otherwise, communities will not see the need to provide funding or support in this area-as demonstrated with the recent decision at Ypsi Township with downsizing their full-time education person into a part-time student position, and the ever-shrinking staffing issues in Ypsilanti. Ann Arbor is not immune to this pressure, either.

Do you want to include anything on the MRC's "Master Recyclers" initiative?

The description of the Waste Knot Awards Program as delivering information in "print and on-line" seems a shadow of the actual project. Maybe there is some way to better describe the dynamics of this effort, such as "creating waste reduction ambassadors in the business community" or something.

Last thing, is that I wonder how you've thought of measuring waste reduction? I guess it will just be by overall solid waste tonnages, divided by the population? This has always been a "sticking point" for the City and there's not a great mechanism for this measurement, yet.

Thanks for the opportunity to comment. Great job!

C-34



# WASHTENAW COUNTY METROPOLITAN PLANNING COMMISSION

❖ Celebrating **50** Years of Service ❖

110 North Fourth Ave  
P.O. Box 8645  
Ann Arbor, MI 48107

Telephone 734.994.2435  
Facsimile 734.994.8284

September 15, 1999

Washtenaw County Solid Waste Planning Committee  
c/o Susan Todd, Solid Waste Coordinator  
P.O. Box 8645  
Ann Arbor, MI 48107-8645

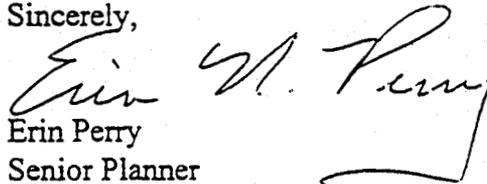
Dear Ms. Todd,

I have completed a review of the draft Solid Waste Management Plan sated August 10, 1999. My overall impression was that the document was very comprehensive and well written. I have a few minor comments, which are listed below:

- I would recommend that you include a citation for the statistic that the County loses approximately 3,500 acres of farmland per year. From my experience with the Agricultural Lands and Open Space Task Force, I have found that this can be a very controversial statistic.
- A definition of "diversion" rate would be helpful somewhere near the beginning of the document.
- The font in Exhibit II-3a (page II-3) is very hard to read; I would recommend re-doing that.
- In Exhibit II-6, the lines near the bottom of the graph are very hard to interpret. If this data is important, I would put it in a separate graph, with a more appropriate y-scale.
- Exhibit II-7b appears to be referring to the same information as Exhibit II-12b, except in II-7b it looks like population is increasing faster than households, when in II-12b the reverse appears to be true. Also, II-12b is missing an x-axis.
- In exhibit II-9, the population figures for Saline City and Saline Township are switched. Therefore, the population density will have to be recalculated.
- You may want to include an explanation of the radius represented in Exhibit II-11.

I hope you find these comments useful, and I look forward to reading the final version of the plan.

Sincerely,

  
Erin Perry  
Senior Planner

C-35

Administration  
Director of Municipal Services  
Municipal Services Manager  
(734) 944-2110

Building & Inspection  
Services  
(734) 944-1740

Utility & Solid Waste  
Services  
(734) 944-1325

MUNICIPAL SERVICES DEPARTMENT  
PITTSFIELD CHARTER TOWNSHIP  
"First Charter Township in Washtenaw County"  
6201 W. Michigan Avenue • Ann Arbor, Michigan 48108  
Fax: (734) 944-1103

Planning Services  
Planning Commission  
Zoning Board of Appeals  
(734) 944-0470

Engineering Services  
(734) 944-2341

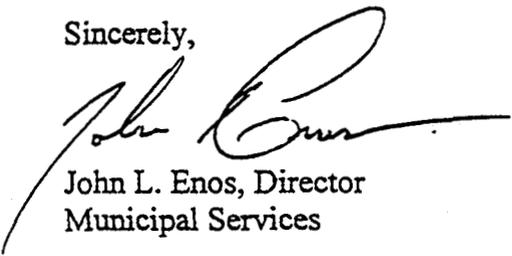
September 28, 1999

Susan Todd, Solid Waste Coordinator  
Washtenaw County DPW  
Solid Waste Program  
P.O. Box 8645  
Ann Arbor, MI 48107-8645

Dear Ms. Todd: *SUSAN*

Thank you for the opportunity to review the Washtenaw County Solid Waste Management Plan 1999 update. Rather than list my comments I am returning the draft plan with my comments noted in red. As the former Solid Waste Coordinator for Livingston County I am well aware of the difficulty of updating a plan. This being the case, I commend you and your Department on a professional and well thought out plan. Washtenaw County is fortunate to have staff who understands the importance of a good plan, especially when landfill developers come calling. Anyway, great job and I look forward to working with you in the future.

Sincerely,

  
John L. Enos, Director  
Municipal Services

cc: Douglas Woolley

JLE/sr  
E0999

C-36



RECEIVED  
CITY OF ANN ARBOR, MICHIGAN

100 North Fifth Avenue, P.O. Box 8647, Ann Arbor, Michigan 48107  
Phone (313) 994-2650

1999  
WASHTENAW COUNTY  
PUBLIC WORKS

Office of The City Administrator

November 3, 1999

Ms. Susan Todd, Solid Waste Coordinator  
Washtenaw County Solid Waste Planning Committee  
P.O. Box 8645  
Ann Arbor, MI 48107-8645

Dear Ms. Todd:

The City of Ann Arbor has received and reviewed the draft Washtenaw County *Solid Waste Management Plan Update* dated August 10, 1999. You and the Solid Waste Planning Committee are to be commended for a comprehensive and well written document.

One element that the City of Ann Arbor would like strengthened however, is a commitment on the part of the County to fully and fairly fund regional programs and facilities, particularly programs and facilities that have been capitalized and operated under the auspices of a local unit of government. The City of Ann Arbor's comprehensive drop-off station is one such example.

Washtenaw County has recognized the regional nature of this facility through its recent Regional Program award for the City's drop off facility. However, as my June 3, 1999 letter (attached) to the County Board of Commissioners made clear, the City of Ann Arbor continues to subsidize non-City users at this facility. As supportive as we are of this facility's value to the larger County population, we simply cannot continue to have Ann Arbor's taxpayers underwrite the costs of this operation.

We remain hopeful that you and the Planning Committee will incorporate language in the final Plan that guarantees adequate, equitable and long-term financial support of regional solid waste facilities, including the Ann Arbor drop-off station. Thank you.

Sincerely yours,

Neal G. Berlin  
City Administrator

cc: Washtenaw County Board of Public Works  
Ann Arbor Mayor and City Council  
John Newman, Ann Arbor Solid Waste Director  
Bryan Weinert, Ann Arbor Manager of Resource Recovery

C-37



# CITY OF ANN ARBOR, MICHIGAN

100 North Fifth Avenue, P.O. Box 8647, Ann Arbor, Michigan 48107  
Phone (313) 994-2650

Office of The City Administrator

June 3, 1999

Washtenaw County Board of Commissioners  
220 N. Main St.  
Ann Arbor, MI 48104

Dear Commissioners:

I wish to thank the County Board of Commissioners and Board of Public Works for the \$23,056.50 Regional Program award the City of Ann Arbor recently received for operation of the Ellsworth Road Drop-off Station. The City is pleased that the County recognizes the regional nature of this facility and is willing to provide funding to offset some of the costs of providing this service to non-City users.

I would also like to take this opportunity to highlight some trends and concerns:

- 1) ***Costs continue to rise at this facility.*** Usage is significantly heavier than originally predicted, and has incurred heavy losses for the operator (Recycle Ann Arbor). The Ann Arbor City Council recently passed a \$21,500 annual funding increase for the facility, bringing the City's annual cost to about \$100,000.
- 2) ***Non-City usage is significant.*** The most recent data indicates that about 40 percent of the users are from outside Ann Arbor. The Ellsworth Road location is located very conveniently for a part of the county that is experiencing very high growth.
- 3) ***Other facilities are closing.*** The most recent example is the Scio Township facility that was located on Zeeb Road. This puts increasing pressures on the City facility.
- 4) ***Continued subsidization by the City is not financially sustainable.*** If the City is not able to increase revenues to cover the costs of non-City users (approximately \$40,000 per year), the City will have to consider implementing user fees or reducing services to non-City users.

C-38

Again, thank you for your award which provides at least partial funding for non-City users.

It is hoped that the County's Solid Waste Management Plan will address this issue and develop a long-term and equitable financing solution for this regional facility.

Thank you.

Sincerely yours,



Neal G. Berlin  
City Administrator

C: County Board of Public Works  
Bob Guenzel, County Administrator  
Dan Myers, County DPW Director  
Susan Todd, County Solid Waste Coordinator  
Ann Arbor Mayor and Council  
John Newman, Ann Arbor Solid Waste Director  
Bryan Weinert, Ann Arbor Manager of Resource Recovery  
Tom McMurtrie, Ann Arbor Recycling Coordinator

# Charter Township of Ypsilanti

7200 S. Huron River Dr  
Ypsilanti, MI 48197  
Telephone (734) 484-0073  
Fax (734) 484-5153

November 3, 1999

Washtenaw County Solid Waste Planning Committee  
c/o Susan Todd, Solid Waste Coordinator  
P.O. Box 8645  
Ann Arbor, MI 48107-8645

Dear Susan:

The Charter Township of Ypsilanti would like to submit for your consideration, the following changes and updates concerning recycling in our community.

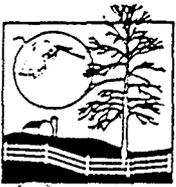
- 1) Page II – 24: under the materials processed section other items include scrap metals and white goods recycling and motor oil and filters recycling.
- 2) Page III – 18: Ypsilanti Township no longer offers curbside pick-up of white goods. Residents can take their unwanted white goods to the Ypsilanti Township Compost Site at no charge.
- 3) Page III – 19: The Township recycles unwanted scrap aluminum and steel at our Compost Site. Residents can drop off their unwanted scrap metals into our metals recycling bin at no charge.

Sincerely,



Brett St. Pierre  
Residential Services Director

C-40



# SALEM TOWNSHIP

Michael J Penn, *Supervisor*  
Marcia T. Van Fossen, *Clerk*  
Richard Rhinehart, *Treasurer*  
William Baxter, *Trustee*  
Joe Dunlap, *Trustee*

P.O. Box 75002, Salem, Michigan 48175

Phone: 248.349.1690 • Fax: 248.349.9350

8 November 1999

Ms. Susan L. Todd  
Solid Waste Coordinator  
Department of Environment and Infrastructure Services  
Public Works Division  
110 North Fourth Ave.  
P.O. Box 8645  
Ann Arbor, MI 48107-8645

Dear Susan,

Subject: Washtenaw County Solid Waste Plan

At the October 26, 1999 meeting of the Salem Township Board, the Trustees voted unanimously to send the attached memo to you for review by the Solid Waste Planning Committee. The Board expressed concern that any diversion of waste will allow more outside materials to be disposed of in the Arbor Hills Landfill rather than benefit the County and/or townships.

Please have the Washtenaw County Solid Waste Planning Committee consider these comments before submitting the Plan to the Board of Commissioners for review and adoption.

Thank you.

Sincerely,

Marcia T. Van Fossen, CMC  
Salem Township Clerk

Enclosure (1)

C-41

77

# MEMO

DATE: October 18, 1999

TO: Salem Township board Members

FROM: Richard Rhinehart

SUBJECT: Proposed Wastenaw County Solid Waste Management

After reviewing the SWMP proposed by the county, and talking with Susan Todd on the telephone, my concerns, which follow, were confirmed.

1. This type of plan will be expensive, to achieve desired goals.
2. The subsequent space in the landfill that results from the plan diverting some of the refuse that would ordinarily go into the landfill, will not benefit the county by increasing capacity, or years of capacity.
3. The capacity that would have been used by the county, but is now available due to waste diversion, will be available for sale to other disposers.
4. It would seem to me, that this could be a hard program to sell to residential and commercial customers, when you can not demonstrate a long term benefit in the way of increased capacity as a reward for the increased trouble and expense implicit in this type of program.

I would encourage us as a board, to express such concerns to the county, before the November 9, 1999 deadline.

C-42

11-7-99

Scott Thomas  
1423 Leforge RD APT 616  
Ypsilanti, MI 48198  
(734)482-5328

Susan Todd  
Solid Waste Coordinator  
Washtenaw County Solid Waste Planning Committee  
P.O BOX 8645  
Ann Arbor, MI 48107

Dear Ms. Todd,

I would like Washtenaw County's Proposed Solid Waste Management Plan to include serious consideration of incentives for localities to participate in more widespread apartment community recycling.

As an advocate for the Ypsilanti Recycling Project and it's effort thwarting the city's attempts to close the Depot Town Recycling Drop-Off Station, much more needs to be done to increase the recycling rates of the local communities. Some other neighboring communities besides Ypsilanti that could use assistance in establishing apartment recycling are the largely populated Pittsfield and Ypsilanti Townships. There is a need to make these apartment communities along with others more recycling friendly.

Although residential recycling programs have developed in almost all communities and some recycling drop-off stations have helped residents divert materials, there is a large populous of residents generally ignored in the issue of reduction of waste, apartment dwellers. These occupancies have

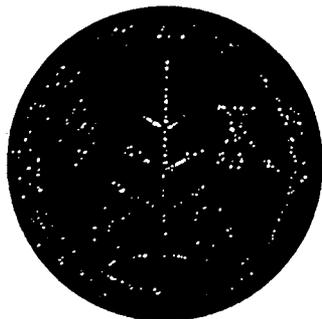
been disregarded as a target area for the diversion of materials in solid waste process. These residents would recycle if the opportunity were made more convenient for them.

While circulating a petition in the large apartment communities in the city of Ypsilanti there was an overwhelming majority of people who supported recycling but asked why there weren't any recycling programs here. It was a difficult question to answer but I responded that it is largely a question of cost allocation and limited funding availability for such recycling programs.

Sincerely,

Scott Thomas  
1423 Leforge RD APT616  
Ypsilanti, MI 48198  
(734) 482-5328

C-44



# The CITY of SALINE

P.O. Box 40 Saline, Michigan 48176-0040

## BUILDING & ENGINEERING

Located at  
7605 N. Maple Road  
Phone (734) 429-8296  
Fax (734) 429-9812

## POLLUTION CONTROL

Located at  
247 Monroe Street  
Phone (734) 944-2003  
Fax (734) 429-7625

## PUBLIC WORKS

Located at  
7605 N. Maple Road  
Phone (734) 429-5624  
Fax (734) 429-9812

November 9, 1999

*(VIA U.S. MAIL AND FACSIMILE)*

Ms. Susan L. Todd, Washtenaw County Solid Waste Coordinator  
Washtenaw County Solid Waste Planning Committee  
P. O. Box 8645  
Ann Arbor, MI 48107-8645

Re: Washtenaw County Solid Waste Management Plan 1999 Update

Dear Susan,

Upon review of the above referenced subject, I submit the following comments.

On page I-4, the City of Saline's population is not correct. In 1997 the City conducted a Special Census and the population was 7,692. It appears that the City's and Saline Township's may have been reversed.

On page I-6, the diversion rates from the current levels to 42% in five years and 52% in ten years appears to be very aggressive. If the chart on page II-2 is a true representation of our current recycling efforts, then the recycling goals will be extremely difficult for us to achieve. The diversion rates, measured by weight, may present problems for the independent and smaller waste haulers that do not weigh each load of waste. I assume that there will be or is a conversion method to convert cubic yards to weight that accepted by the industry.

How are the numbers arrived at in the Residential Solid Waste Generation Chart on page II-2? Our recycling rate seems low compared to other communities. Perhaps it is the report and or accounting method of our contractor.

Respectfully Submitted,

THE CITY OF SALINE

*George Danneffel*

George Danneffel  
Public Works Director

CC: Larry Stoever, City Manager

C-45

26



*Reduce, Reuse, Recycle*

November 9, 1999

Washtenaw County  
Solid Waste Planning Committee  
c/o Susan Todd, Solid Waste Coordinator  
P.O. Box 8645  
Ann Arbor, MI 48107-8645

Members of the Committee,

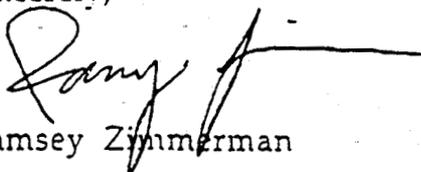
Recycle Ann Arbor applauds your commitment to waste reduction and recycling! We share the county's belief that waste reduction and recycling are critical contributors to sustaining the environmental quality of our community. Since our inception in 1970, and our first curbside collection in 1977, to our present-day collection of recyclables, Recycle Ann Arbor has also been committed to saving energy and reducing environmental impact by waste reduction and diversion. RAA will continue to provide these types of services to Washtenaw County communities and businesses in the new century.

Recycle Ann Arbor is ready and willing to partner with Washtenaw County, the City of Ann Arbor, and other local governments within the county to develop, implement or expand steady, reliable recycling collection and drop-off services.

We are especially interested in developing ways that businesses can receive recycling collection services that actually cost less than what they pay for disposal. Indeed, this is the ONLY way that we believe businesses can sustain a diversion strategy. As stated in the Solid Waste Plan, it is easy for businesses to throw things away, and there is little incentive for recycling. When disposal is fast, cheap and easy, and the true cost of waste is successfully passed on to someone else or merely hidden, businesses have no economic choice but to throw it all away. Recycling service should be designed and funded so that the correct environmental choice is also the obvious economic choice. With the new Solid Waste Plan, we look to Washtenaw County to lead the way in supporting effective and affordable commercial recycling options.

Thank you for this opportunity to comment on the plan.

Sincerely,



Ramsey Zimmerman

C-46

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY SOLID WASTE  
MANAGEMENT PLAN 1999 UPDATE.

WASHTENAW COUNTY BOARD OF COMMISSIONERS

May 3, 2000

WHEREAS, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 194 PA 451, as amended; and

WHEREAS, the MDEQ will provide a Solid Waste Management Plan Update for the County if the County does not comply with the MDEQ's request; and

WHEREAS, it is the desire of Washtenaw County to provide integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting, and assure the long term capacity for disposal of waste generated within Washtenaw County; and

WHEREAS, the Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update; and

WHEREAS, the Plan Update has been approved by the BPW and SWPC and reviewed by Corporation Counsel, Finance, Human Resources and the County Administrator's Office and the Ways and Means Committee;

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners approves the Plan Update, as on file with the County Clerk

BE IT FURTHER RESOLVED that the Board of Commissioners directs the division of Public Works to forward the Plan Update to Washtenaw County Communities for their consideration

BE IT FURTHER RESOLVED that upon approval of 2/3 of the communities within Washtenaw County, the Washtenaw County Board of Commissioners directs the Division of Public Works to forward the Plan Update to the MDEQ for their consideration.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Acevedo			X	DeLong	X			Montague	X		
Armentrout	X			DuRussel	X			Robinson			X
Bergman	X			Gunn	X			Schultz	X		
Chockley	X			Irwin	X			Shaw	X		
Craiger	X			Kern	X			Yekulis	X		

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY      ROLL CALL VOTE: TOTALS      13    0    2

STATE OF MICHIGAN      )  
 COUNTY OF WASHTENAW)<sup>SS</sup>

I, Peggy M. Haines, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on May 3, 2000 as appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 4th day of May, 2000.

PEGGY M. HAINES, Clerk/Register

BY: Barbara L. King  
 Deputy Clerk



Res. No. 00-0100

C-48

**Washtenaw County**  
**1999 Solid Waste Plan Update**  
**Community Approval List**  
 (Current September 8, 2000)

Community	Action Taken
<b>Cities</b>	
Ann Arbor	Approved June 6, 2000
Milan	Approved June 12, 2000
Saline	Approved June 19, 2000
Ypsilanti	Approved August 29, 2000
<b>Villages</b>	
Barton Hills	Approved June 19, 2000
Chelsea	Approved June 13, 2000
Dexter	Approved May 22, 2000
Manchester	Approved June 6, 2000
<b>Townships</b>	
Ann Arbor (Charter Twp)	No action taken
Augusta (Charter Twp)	No action taken
Bridgewater	Approved July 19, 2000
Dexter	Approved July 18, 2000
Freedom	Approved July 11, 2000
Lima	Approved June 5, 2000
Lodi	Approved June 6, 2000
Lyndon	Approved June 13, 2000
Manchester	Approved June 12, 2000
Northfield	No action taken
Pittsfield (Charter Twp)	Approved June 13, 2000
Salem	No action taken
Saline	No action taken
Scio	No action taken
Sharon	No action taken
Superior (Charter Twp)	Approved June 5, 2000
Sylvan	Approved July 5, 2000
Webster	Denied July 18, 2000
York (Charter Twp)	Approved June 13, 2000
Ypsilanti (Charter Twp)	Approved June 7, 2000

C-49

CITY OF ANN ARBOR

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Ann Arbor City Council, State of Michigan, held on  
June 5, 2000 at 7:30 Eastern Daylight Savings Time, there were  
p.m.

PRESENT: Councilmembers Hanna-Davies, Hieftje, Upton, Freiberg,  
Carlberg, Herrell, Hartwell, Higgins, Kolb, Mayor Sheldon, 10.

ABSENT: Councilmember Daley, 1.

The following resolution was offered by Councilmember Freiberg and was  
seconded by Councilmember Hartwell.

IT IS HEREBY RESOLVED BY THE CITY OF ANN ARBOR AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of  
Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part  
115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as  
amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of  
Public Works (BPW) as the agency responsible for solid waste management and  
appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in  
development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for  
waste generated within the County and establishes goals for waste prevention and  
recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the  
Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, the City of Ann Arbor deems it in the best interest of the City and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that the City of Ann Arbor approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES: Councilmembers Hanna-Davies, Hieftje, Upton, Freiberg,  
Carlberg, Herrell, Hartwell, Higgins, Kolb, Mayor Sheldon, 10.

NO: 0.

ABSTAIN: 0.

The resolution was declared adopted.

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Ann Arbor City Council at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

Yvonne Carl  
Clerk Yvonne Carl, Interim City Clerk  
City of Ann Arbor

RESOLUTION NO. 2000-9

A RESOLUTION TO APPROVE THE COUNTY-WIDE PLAN  
COMPLETED BY THE COUNTY OF WASHTENAW  
FOR THE COLLECTION AND DISPOSAL OF NONHAZARDOUS SOLID WASTE

- WHEREAS, there exists in the County of Washtenaw for reasons of public health, the protection of the environment, and the requirements of state law, a need to have a County-wide plan to provide for the collection and disposal of non-hazardous solid waste generated in the county; and
- WHEREAS, the County of Washtenaw has undertaken the update of said plan, as required by the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), Part 115, Solid Waste Management, and its Administrative Rules, of a solid waste management plan; and
- WHEREAS, the solid waste management plan calls for the reduction of solid waste requiring disposal through implementation of recycling, composting, and educational programs; and
- WHEREAS, the solid waste plan has been completed in accordance with Public Act 451, as amended, Part 115, approved by the Board of Commissioners of the County and is now submitted to all municipalities within the County, and if approved by 67% thereof and thereafter by the Director of the Michigan Department of Environmental Quality, shall be final, and if not so approved, the Director shall prepare a plan for the County which will be final:

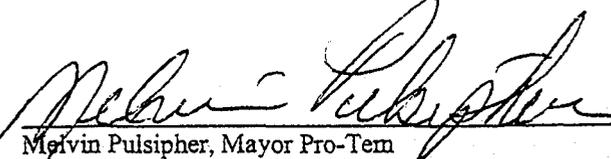
NOW, THEREFORE, BE IT RESOLVED, that the City of Milan hereby approves the Washtenaw County Solid Waste Management Plan prepared under the requirements of PA 451 part 115 as amended, as approved and submitted by the County as required by Act 451, Part 115.

Motion by Hancock, supported by Swope, to adopt Resolution No. 2000-9

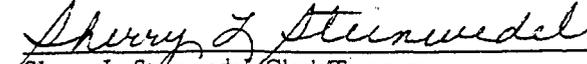
ROLL CALL VOTE:

AYES: Six  
NAYS: None  
ABSENT: One  
ABSTAIN: None

Motion carried unanimously.

  
Melvin Pulsipher, Mayor Pro-Tem

I, Sherry L. Steinwedel, Clerk-Treasurer of the City of Milan, a Michigan Municipal Corporation, do hereby certify that the above captioned Resolution No. 2000-9 was adopted by the City Council of the City of Milan at a regular meeting thereof held on the 12<sup>th</sup> day of June 2000. I further certify that Melvin Pulsipher is the duly elected Mayor, and Sherry L. Steinwedel is the duly appointed Clerk/Treasurer of the City of Milan.

  
Sherry L. Steinwedel, Clerk/Treasurer

CITY OF SALINE

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Saline City Council, State of Michigan, held on June 19,  
2000 at 7:30, Eastern Daylight Savings Time, there were

PRESENT: Gretchen Driskell, Dean Girbach, Mary Hess, Phyllis Martin,  
Karilyn Roberts, Alicia Smilde

ABSENT: Charles Herbert

The following resolution was offered by Alicia Smilde and was  
seconded by Dean Girbach.

IT IS HEREBY RESOLVED BY THE CITY OF SALINE AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of  
Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part  
115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as  
amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of  
Public Works (BPW) as the agency responsible for solid waste management and  
appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in  
development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for  
waste generated within the County and establishes goals for waste prevention and  
recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the  
Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, the City of Saline deems it in the best interest of the City and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that the City of Saline approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES: Gretchen Driskell, Dean Girbach, Mary Hess,  
Phyllis Martin, Karilyn Roberts, Alicia Smilde  
\_\_\_\_\_  
\_\_\_\_\_

NO: None  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAIN: None  
\_\_\_\_\_

The resolution was declared adopted.

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Saline City Council at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

Dianne S. Hill  
Clerk  
City of Saline

C-54



**City of Ypsilanti**

City Council

Resolution No. 2000-162

August 29, 2000

CITY OF YPSILANTI

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Ypsilanti City Council, State of Michigan, held on August 29, 2000 at 7:30 p.m., Eastern Daylight Savings Time, there were

PRESENT: Mayor Farmer, Council Members McDonald, Nickels, LaRue,  
Gawlas, Swanson, Peterson

ABSENT: None

The following resolution was offered by Council Member Nickels and supported by Mayor Pro-Tem McDonald.

IT IS HEREBY RESOLVED BY THE CITY OF YPSILANTI AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update ("Plan"); and

WHEREAS, a Plan has been developed that provides long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

C-55

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, the City of Ypsilanti deems it in the best interest of the City and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW, THEREFORE, BE IT RESOLVED that the City of Ypsilanti approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

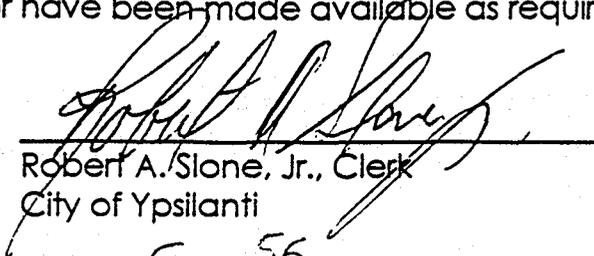
A vote on the foregoing resolution was taken and was as follows:

<i>725 ml</i>	YES:	7	_____
<i>Nickel,</i>			_____
<i>vs</i>			_____
<i>260 ml</i>	NO:	0	_____
			_____
	ABSTAIN:	0	_____
			_____

The resolution was declared adopted.

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Ypsilanti City Council at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof given, pursuant to and if full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

  
\_\_\_\_\_  
Robert A. Slone, Jr., Clerk  
City of Ypsilanti

C - 56

VILLAGE OF BARTON HILLS

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Barton Hills Village Board, State of Michigan, held on June 19, 2000 at 5:52pm Eastern Daylight Savings Time, there were

PRESENT: Trustees Riad Al-Awar Joseph Rickl  
Susan Butterwick Frederick Rickard  
Samuel Clark James Wilkes  
Barbara Hensinger  
Cheryl Mackrell

ABSENT: Trustee Michael Cleland  
\_\_\_\_\_  
\_\_\_\_\_

The following resolution was offered by Riad Al-Awar and was  
seconded by Cheryl Mackrell.

IT IS HEREBY RESOLVED BY THE VILLAGE OF BARTON HILLS AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, the Village of Barton Hills deems it in the best interest of the Village and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that the Village of Barton Hills approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES:                      Al-Awar                                      Mackrell  
                                 Butterwick                                      Pickel  
                                 Clark    Pickard  
                                 Hensinger    Wilkes

NO:                      none  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAIN:              none  
\_\_\_\_\_  
\_\_\_\_\_

The resolution was declared adopted.

**Certification of Proceedings**

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Barton Hills Village Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

Asst. Clerk Janice K. Eul  
Village of Barton Hills

RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Chelsea Village Council, held on the 13<sup>th</sup> day of June, 2000 at 7:30 p.m. Eastern Daylight Savings Time, there were:

PRESENT: President Steele, Trustees Hammer, Cashman,  
Rigg, Ortbring and Myles.

ABSENT: Trustee Schumann

The following resolution was offered by Trustee Hammer and supported by Trustee Rigg.

IT IS HEREBY RESOLVED BY THE VILLAGE OF CHELSEA:

WHEREAS, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, the Village of Chelsea deems it in the best interest of the Village and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW, THEREFORE, BE IT RESOLVED that the Village of Chelsea approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

AYES: President Steele, Trustees Cashman, Myles, Ortbring, Hammer, Rig  
NAYS: None  
ABSTAIN: None

The resolution was declared adopted.

\*\*\*\*\*

I, Frances E. Zatorski, Clerk of the Village of Chelsea, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Chelsea, County of Washtenaw, State of Michigan, at a meeting held on the 13th day of June, 2000, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

Frances E. Zatorski  
Frances E. Zatorski, Village Clerk

VILLAGE OF DEXTER

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Dexter Village Board, State of Michigan, held on May 22,  
2000 at 8pm, Eastern Daylight Savings Time, there were

PRESENT: Coy, Rush, Kimmel, Huddleston, Darr, Hall  
Stivers  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT: none  
\_\_\_\_\_  
\_\_\_\_\_

The following resolution was offered by Stivers and was  
seconded by Kimmel.

IT IS HEREBY RESOLVED BY THE VILLAGE OF DEXTER AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of  
Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part  
115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as  
amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of  
Public Works (BPW) as the agency responsible for solid waste management and  
appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in  
development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for  
waste generated within the County and establishes goals for waste prevention and  
recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the  
Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, the Village of Dexter deems it in the best interest of the Village and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that the Village of Dexter approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES: Rush, Hall, Darr, Huddleston, Coy, Stivers, Kimmel

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NO: none

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAIN: none

\_\_\_\_\_  
\_\_\_\_\_

The resolution was declared adopted.

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Dexter Village Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

Anna L. Fisher  
Clerk  
Village of Dexter

VILLAGE OF MANCHESTER

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Manchester Village Board, State of Michigan, held on  
June 5, 2000 at 7:00, Eastern Daylight Savings Time, there were

PRESENT: Conaway, Dzengeleski, Mahony, Marshall,  
way, Schaffer  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT: Vaillencourt  
\_\_\_\_\_  
\_\_\_\_\_

The following resolution was offered by Dzengeleski and was  
seconded by Marshall.

IT IS HEREBY RESOLVED BY THE VILLAGE OF MANCHESTER AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of  
Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part  
115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as  
amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of  
Public Works (BPW) as the agency responsible for solid waste management and  
appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in  
development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for  
waste generated within the County and establishes goals for waste prevention and  
recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the  
Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, the Village of Manchester deems it in the best interest of the Village and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that the Village of Manchester approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES: CONAWAY, Dzengeleski, Mahmy, Marshall  
Schaffer, way

NO: NONE

ABSENT:  
ABSTAIN: VAILLIENCOURT

The resolution was declared adopted.

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Manchester Village Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

Karen A. Tucker  
Clerk  
Village of Manchester

BRIDGEWATER TOWNSHIP

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

7-2-00

At a regular meeting of the Bridgewater Township Board, State of Michigan, held on  
July 19, 2000 at 7:30, Eastern Daylight Savings Time, there were

PRESENT: Peacock, Wahl, Weidmayer and Parr  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT: Mann  
\_\_\_\_\_  
\_\_\_\_\_

The following resolution was offered by Peacock and was  
seconded by Wahl.

IT IS HEREBY RESOLVED BY BRIDGEWATER TOWNSHIP AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of  
Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part  
115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as  
amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of  
Public Works (BPW) as the agency responsible for solid waste management and  
appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in  
development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for  
waste generated within the County and establishes goals for waste prevention and  
recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the  
*Board of Public Works, and the Washtenaw County Board of Commissioners; and*

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, Bridgewater Township deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that Bridgewater Township approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES: Peacock, Wahl, Weidmayer and Parr  
\_\_\_\_\_  
\_\_\_\_\_

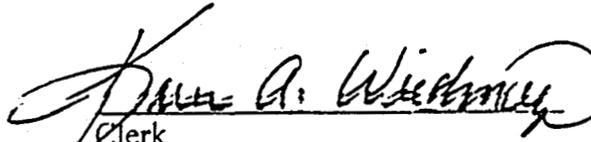
NO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAIN: (Absent- Victor Mann)  
\_\_\_\_\_

The resolution was declared adopted.

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Bridgewater Township Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

  
Clerk  
Bridgewater Township  
Karen A Weidmayer

DEXTER TOWNSHIP

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Dexter Township Board, State of Michigan, held on  
7/18, 2000 at 7:30 Eastern Daylight Savings Time, there were

PRESENT: Robert Tetens, Harley Rich,  
William Eisner, Julie Knott  
Elysheth Brubaker

ABSENT: \_\_\_\_\_

The following resolution was offered by Julie Knott and was  
seconded by Harley Rich.

IT IS HEREBY RESOLVED BY DEXTER TOWNSHIP AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, Dexter Township deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that Dexter Township approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES:

*Rick Knight, President*  
*Tetens, Bushor*

NO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAIN:

\_\_\_\_\_  
\_\_\_\_\_

The resolution was declared adopted.

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Dexter Township Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

*William Cecil*

Clerk  
Dexter Township

FREEDOM TOWNSHIP

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Freedom Township Board, State of Michigan, held on  
7/11, 2000 at 8:00, Eastern Daylight Savings Time, there were

PRESENT: Little, Robt.  
Rybarsuk, Frank  
Schaible, Julie  
Weidmayer, Dale  
Uphaus, Wm. Lyndon

ABSENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following resolution was offered by Robt. Little and was  
seconded by Dale Weidmayer.

IT IS HEREBY RESOLVED BY FREEDOM TOWNSHIP AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, Freedom Township deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that Freedom Township approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES:

Little, Rybarsyk, Schauble,  
Weidmayer, Uphaus  
\_\_\_\_\_  
\_\_\_\_\_

NO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAIN:

\_\_\_\_\_  
\_\_\_\_\_

The resolution was declared adopted.

**Certification of Proceedings**

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Freedom Township Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

Julia A. Schauble  
Clerk  
Freedom Township

LIMA TOWNSHIP

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Lima Township Board, State of Michigan, held on June 5,  
2000 at 8:00, Eastern Daylight Savings Time, there were

PRESENT: Supervisor Gary Adams, Clerk Arlene Bareis, Treasurer Nanette  
Havens, Trustee Robert Heller, Trustee Harold Trinkle

ABSENT: None

The following resolution was offered by Arlene Bareis and was  
seconded by Harold Trinkle.

IT IS HEREBY RESOLVED BY LIMA TOWNSHIP AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of  
Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part  
115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as  
amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of  
Public Works (BPW) as the agency responsible for solid waste management and  
appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in  
development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for  
waste generated within the County and establishes goals for waste prevention and  
recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the  
Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, Lima Township deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that Lima Township approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES: Havens, Trinkle, Heller, Bareis, Adams.  
\_\_\_\_\_  
\_\_\_\_\_

NO: None  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAIN: None  
\_\_\_\_\_

The resolution was declared adopted.

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Lima Township Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

*Robert Bareis*  
Clerk  
Lima Township

LODI TOWNSHIP

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Lodi Township Board, State of Michigan, held on June 6,  
2000 at 7:30 PM, Eastern Daylight Savings Time, there were

PRESENT: Godet, Masters, Miller,  
Crowner, Foley, Rentschler, Solowczuk

ABSENT: NONE

The following resolution was offered by MASTERS and was  
seconded by FOLEY.

IT IS HEREBY RESOLVED BY LODI TOWNSHIP AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of  
Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part  
115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as  
amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of  
Public Works (BPW) as the agency responsible for solid waste management and  
appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in  
development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for  
waste generated within the County and establishes goals for waste prevention and  
recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the  
Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, Lodi Township deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that Lodi Township approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES: Crowner, Foley, Solowczyk,  
Muller, Masters, Mordek, Rentschler

NO: None

ABSTAIN: None

The resolution was declared adopted.

**Certification of Proceedings**

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Lodi Township Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

Clair E. Masters  
Clerk  
Lodi Township

LYNDON TOWNSHIP

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Lyndon Township Board, State of Michigan, held on  
June 13, 2000 at 7:00, Eastern Daylight Savings Time, there were

PRESENT: Maryann Noah, Janis Krieper, Ellen McMurray,  
John Francis & LeeAnn Shanahan

ABSENT: none

The following resolution was offered by Maryann Noah and was  
seconded by LeeAnn Shanahan.

IT IS HEREBY RESOLVED BY LYNDON TOWNSHIP AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of  
Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part  
115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as  
amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of  
Public Works (BPW) as the agency responsible for solid waste management and  
appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in  
development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for  
waste generated within the County and establishes goals for waste prevention and  
recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the  
Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, Lyndon Township deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that Lyndon Township approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES: John Francis, LeeAnn Shanahan,  
Ellen McMurray, Janis Knieper and  
Maryann Noah.

NO: none

ABSTAIN: none

The resolution was declared adopted.

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Lyndon Township Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

Janis Knieper  
Clerk  
Lyndon Township

# TOWNSHIP OF MANCHESTER

275 SOUTH MACOMB STREET  
Post Office Box 418  
MANCHESTER, MICHIGAN 48158  
PHONE 734-428-7090

## RESOLUTION #00-06: A RESOLUTION TO APPROVE THE WASHTENAW COUNTY SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Manchester Township Board, State of Michigan, held on June 12, 2000 at 8:00 p.m. Eastern Daylight Savings Time, there were

PRESENT: Widmayer, Macomber, Turk and Hakes

ABSENT: Mann

The following resolution was offered by Turk and was seconded by Macomber.

### IT IS HEREBY RESOLVED BY MANCHESTER TOWNSHIP AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update ("Plan"); and

WHEREAS a plan has been developed that provided long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, Manchester Township deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that Manchester Township approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES: Turk, Macomber, Widmayer and Hakes

NO: none.

ABSTAIN: none

The resolution was declared adopted.

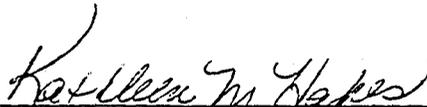
HOME OF  
THE ORIGINAL  
CHICKEN BROIL



C-77

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of the proceedings of the Manchester Township Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

  
\_\_\_\_\_  
Clerk  
Manchester Township

PITTSFIELD CHARTER TOWNSHIP  
WASHTENAW COUNTY  
RESOLUTION TO APPROVE THE  
1999 WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN UPDATE

Minutes of a Regular Meeting of the Pittsfield Charter Township Board, Washtenaw County, State of Michigan, held at the Township Hall, on the 13,th day of June, 2000 at 7:30 p.m.

PRESENT: Aldrich, Bocklage, Lennington, Shelton, Skrobola, Woolley  
ABSENT: None

The following preamble and resolution were offered by Member Shelton and supported by Member Skrobola.

*WHEREAS*, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

*WHEREAS*, the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update ("Plan"); and

*WHEREAS*, a Plan has been developed that provides long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

*WHEREAS*, the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

*WHEREAS*, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

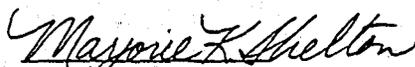
*WHEREAS*, the Charter Township of Pittsfield deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

*NOW THEREFORE BE IT RESOLVED* that the Charter Township of Pittsfield approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

**ROLL CALL VOTE:**

AYES: Aldrich, Bocklage, Lennington, Shelton, Skrobola, Woolley  
NAYES: None  
ABSENT: None  
ABSTAIN: None

**RESOLUTION DECLARED ADOPTED**

  
Marjorie K. Shelton, Clerk  
Pittsfield Charter Township

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## Certification of Proceedings

I, Marjorie K. Shelton, hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Pittsfield Township Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No.267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

*Marjorie K. Shelton*

Marjorie K. Shelton, Clerk  
Charter Township of Pittsfield

DATED: June 13, 2000

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**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**Resolution to Approve the Washtenaw County  
Solid Waste Management Plan 1999 Update**

At a regular meeting of the Township Board of Trustees of Superior Charter Township, Washtenaw County, Michigan, held at the Township Hall of said Township of the fifth day of June, 2000, at 7:30 p.m. Eastern Standard Time, the following resolution was offered by Member Schwartz and supported by Member O'Neal.

Whereas, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

Whereas, the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management, and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update (Plan); and

Whereas, a Plan has been developed that provides long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

Whereas, the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

Whereas, the Plan must be approved by the governing bodies of at least 67% of Washtenaw County's municipalities before being submitted to the MDEQ; and

Whereas, the Charter Township of Superior deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that the Charter Township of Superior approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

*(page one of two pages)*

A roll call vote was taken as follows:

AYES: McFarlane, O'Neal, McKinney, Schwartz, Caviston, Lewis,  
Ingersoll

NAYS: None

ABSENT: None

CERTIFICATION

I, Colleen O'Neal, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Superior Charter Township Board held on June 5, 2000.

Colleen O'Neal  
Colleen O'Neal, Superior Township Clerk

June 6, 2000  
Date Certified

CLERK'S SEAL

SYLVAN TOWNSHIP

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Sylvan Township Board, State of Michigan, held on  
7/5, 2000 at 7pm, Eastern Daylight Savings Time, there were

PRESENT: Dusselhouse, Koch, Grau, Heller, Lesser

ABSENT: none

The following resolution was offered by Heller and was  
seconded by Grau.

IT IS HEREBY RESOLVED BY SYLVAN TOWNSHIP AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

WHEREAS, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

WHEREAS, Sylvan Township deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

NOW THEREFORE BE IT RESOLVED that Sylvan Township approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES:

Dresselhouse, Koch, Shaw, Heller  
Hesser  
\_\_\_\_\_  
\_\_\_\_\_

NO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAIN:

\_\_\_\_\_  
\_\_\_\_\_

The resolution was declared adopted.

Certification of Proceedings

I hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Sylvan Township Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.

Lubm Koch  
Clerk  
Sylvan Township

WEBSTER TOWNSHIP

A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE

At a regular meeting of the Webster Township Board, State of Michigan, held on  
July 18, 2000 at 7:30, Eastern Daylight Savings Time, there were

PRESENT: Fisher, Baldus, Calhoun, Kingsley, Fink  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT: [Signature]  
\_\_\_\_\_  
\_\_\_\_\_

The following resolution was offered by Kingsley and was  
seconded by Calhoun

IT IS HEREBY RESOLVED BY WEBSTER TOWNSHIP AS FOLLOWS:

WHEREAS, Washtenaw County is required by the Michigan Department of  
Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part  
115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as  
amended; and

WHEREAS, the Washtenaw County Board of Commissioners designated the Board of  
Public Works (BPW) as the agency responsible for solid waste management and  
appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in  
development of the Plan Update ("Plan"); and

WHEREAS a Plan has been developed that provides long-term disposal capacity for  
waste generated within the County and establishes goals for waste prevention and  
recycling; and

WHEREAS, the Plan has been approved by the Solid Waste Planning Committee, the  
Board of Public Works, and the Washtenaw County Board of Commissioners; and

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**CHARTER TOWNSHIP OF YORK  
A RESOLUTION TO APPROVE THE WASHTENAW COUNTY  
SOLID WASTE MANAGEMENT PLAN 1999 UPDATE  
RESOLUTION #061300**

At a regular meeting of the York Charter Township Board, State of Michigan, held on June 13, 2000 at 8:05 p.m., Eastern Daylight Savings Time, there were

**PRESENT:** David Potter, Helen Neill, Bill Dean, Fonda Heikka, Joseph Zurawski, and Jane Kartje

**ABSENT:** Sally Donahue

The following resolution was offered by Joseph Zurawski and was seconded by Jane Kartje.

**IT IS HEREBY RESOLVED BY THE CHARTER TOWNSHIP OF YORK AS  
FOLLOWS:**

**WHEREAS,** Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its Solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

**WHEREAS,** the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update ("Plan"); and

**WHEREAS,** a Plan has been developed that provides long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

**WHEREAS,** the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

**WHEREAS,** the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

**WHEREAS,** the Charter Township of York deems it in the best interest of the Township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

**NOW THEREFORE BE IT RESOLVED** that the Charter Township of York approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

A vote on the foregoing resolution was taken and was as follows:

YES	Potter, Neill, Dean, Heikka, Zurawski, Kartje
NO	None
ABSENT:	Donahue
ABSTAIN:	None.

The resolution was declared adopted.

**Certificate of Proceedings**

I, Helen Neill, hereby certify that (1) the foregoing is a true and complete copy of proceedings of the York Charter Township Board at a meeting duly called, convened, and held on the date and at the time and place therein stated, at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required hereby.

*Helen Neill*

Helen Neill, Clerk  
Charter Township of York

Dated: June 14, 2000

RESOLUTION NO. 2000-23

*IT IS HEREBY RESOLVED BY THE CHARTER TOWNSHIP OF YPSILANTI AS FOLLOWS:*

*WHEREAS*, Washtenaw County is required by the Michigan Department of Environmental Quality (MDEQ) to update its solid Waste Management Plan, under Part 115 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; and

*WHEREAS* the Washtenaw County Board of Commissioners designated the Board of Public Works (BPW) as the agency responsible for solid waste management and appointed a Solid Waste Planning Committee (SWPC) to advise the BPW in development of the Plan Update ("Plan"); and

*WHEREAS* a Plan has been developed that provides long-term disposal capacity for waste generated within the County and establishes goals for waste prevention and recycling; and

*WHEREAS*, the Plan has been approved by the Solid Waste Planning Committee, the Board of Public Works, and the Washtenaw County Board of Commissioners; and

*WHEREAS*, the Plan must be approved by the governing bodies of at least 67 percent of Washtenaw County's municipalities before being submitted to the MDEQ; and

*WHEREAS*, the Charter Township of Ypsilanti deems it in the best interest of the township and its residents to participate with the County and other municipalities in providing integrated solid waste management programs and policies that emphasize waste prevention, reduction, recycling, and composting;

*NOW THEREFORE BE IT RESOLVED* that the Charter Township of Ypsilanti approves the Washtenaw County Plan Update dated April 15, 2000, and recommends that Washtenaw County forward it to the MDEQ for their consideration.

The vote on the foregoing resolution is as follows:

YES: Currie, Sizemore, Gagnon, Stumbo, Doe, Roe

NO: Beaudette

ABSTAIN: None

*I, Brenda L. Stumbo, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan hereby certify that (1) the foregoing is a true and complete copy of proceedings of the Charter Township of Ypsilanti Board of Trustees assembled at a meeting duly called, convened, and held on June 2, 2000, at which a quorum was present and remained throughout; (2) the original thereof is on file in the records of my office; (3) the meeting was conducted and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) the minutes of such meeting were kept and will be or have been made available as required thereby.*

  
Brenda L. Stumbo, Clerk  
Charter Township of Ypsilanti

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# APPENDIX D

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**Plan Implementation Strategy**

**The following discusses how the County intends to implement the plan and provides documentation of acceptance of responsibilities from all entities that will be performing a role in the Plan.**

The adoption of this Plan by the Washtenaw County Board of Commissioners is intended as a demonstration of the County's acceptance of responsibilities for implementing the Plan with roles and responsibilities as described in the Selected Management Section, pages III-47 through III-51.

**Resolutions**

**The following are resolutions from County Board of Commissioners approving municipality's request to be included in an adjacent County's Plan.**

## **Listed Capacity**

### **Documentation from landfills that the County has access to their listed capacity.**

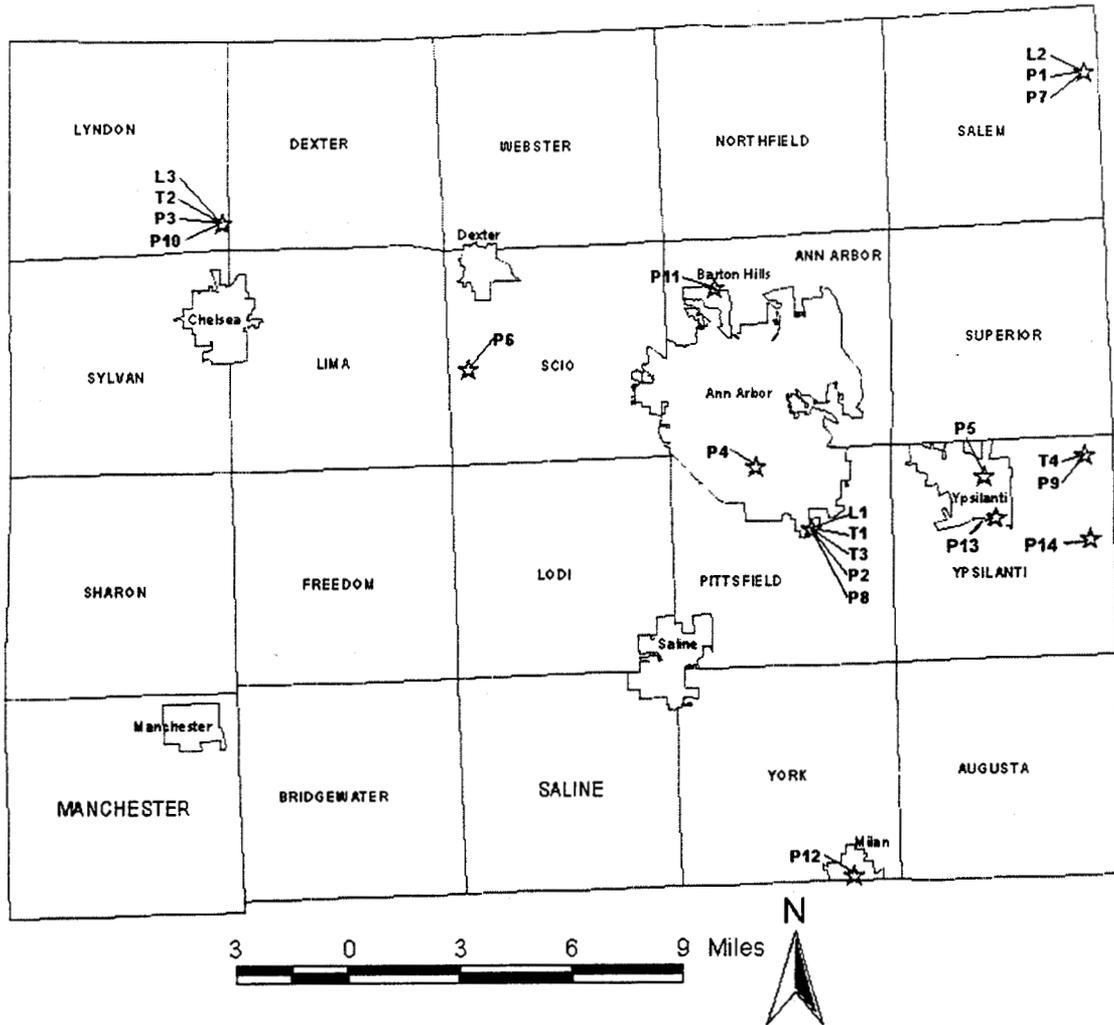
Washtenaw County entered into a long-term Agreement with Browning Ferris Industries, Inc.\* (BFI), dated June 4, 1992. The Agreement guarantees disposal capacity for all waste generated within Washtenaw County for a period of 23 years or at least until the year 2015 at the Arbor Hills Landfill located in Salem Township

The Arbor Hills landfill is considered the primary disposal facility for Washtenaw County in terms of capacity assurance for this plan update. This is not to say that all Washtenaw County waste is currently being delivered or will be delivered to this facility in the future. Washtenaw County waste has been disposed of at other licensed facilities outside of the County in the past, and will continue to do so as authorized in the import/export section of this plan.

\*Allied Waste Industries acquired the Arbor Hills Facility in 1999, with a subsequent sale to Superior Services, Inc. ("Superior") in April 2000. Upon final execution of the acquisition, the Agreement between the County and BFI shall be assigned to Superior and all terms shall remain in effect.

**Maps**

Maps showing locations of solid waste disposal facilities used by the County.



**Facility Key:**

**Landfills (L):**

- L1 - City of Ann Arbor Landfill (closed)
- L2 - Arbor Hills Landfill (operational)
- L3 - Chelsea Sanitary Landfill (closed)

**Transfer Stations (T):**

- T1 - City of Ann Arbor Transfer Station (Type 2)
- T2 - Village of Chelsea Transfer Station (Type 2)
- T3 - City of Ann Arbor Drop-off Station
- T4 - Ypsilanti Township Drop-off Station

**Processing Facilities (P):**

- P1 - Arbor Hills Material Recovery Facility
- P2 - City of Ann Arbor Material Recovery Facility
- P3 - W.W.R.A. Material Recovery Facility
- P4 - Recycle Ann Arbor Facility
- P5 - City of Ypsilanti Material Recovery Facility
- P6 - Calvert's Material Recovery Facility
- P7 - Arbor Hills Compost Facility
- P8 - City of Ann Arbor Compost Facility
- P9 - Ypsilanti Township Compost Facility
- P10 - Village of Chelsea Compost Facility
- P11 - Barton Hills Village Compost Facility
- P12 - City of Milan Compost Facility
- P13 - City of Ypsilanti Compost Facility
- P14 - Ypsilanti Community Utilities Authority Municipal Compost Site

**Inter-County Agreements**

**Copies of Inter-County agreements with other Counties (if any).**

**Special Conditions**

**Special conditions affecting import or export of solid waste.**

RECEIVED

JUL 24 1992

EXECUTION COPY  
3/31/92

Department of Public Works AGREEMENT FOR DISPOSAL OF SOLID WASTE

This Agreement dated June 4, 1992 is made between Browning-Ferris Industries of Southeastern Michigan, Inc., a Michigan corporation ("Company"), and Washtenaw County, Michigan, a Michigan county corporation (the "County").

PREMISES

WHEREAS, the Company owns a landfill (the "Landfill") located in the County; and

WHEREAS, according to the County's Solid Waste Management Plan, as updated and amended (the "Plan"), significantly more solid waste which is generated outside of the County than within the County is disposed at the Landfill; and

WHEREAS, other than the Landfill, there are no other landfills in the County with the long-term capacity needed to accommodate the solid waste generated within the County; and

WHEREAS, Act 641, Public Acts of Michigan, 1978, as amended ("Act 641"), provides that a person shall not accept for disposal solid waste that is not generated in the county in which the disposal area is located unless the acceptance of solid waste that is not generated in the county is explicitly authorized in the approved county solid waste management plan; and

WHEREAS, the Plan, as amended and updated, was duly approved by the County and local units in the County, and was finally and unconditionally approved by the Michigan Department of Natural Resources on June 6, 1991; and

WHEREAS, pursuant to the Plan, the County and the local units in the County have selected the Board of Public Works of the County (the "BPW") as their agent for the purpose of attempting to secure satisfactory long-term landfill capacity commitments for solid waste generated within the County; and

WHEREAS, the Company desires to continue to dispose solid waste which is not generated in the County at the Landfill; and

WHEREAS, this Agreement and the promises made herein (1) allow the Company to continue to dispose solid waste not generated in the County at the Landfill in accordance with the Plan, and (2) allow the County and the BPW, as agent, to meet its statutory obligations under Act 641 to provide for long-term disposal capacity for solid waste generated within the County, and to meet its obligations to secure such long-term capacity pursuant to the Plan.

DB

NOW, THEREFORE, in consideration of the premises and mutual undertakings and benefits to accrue to the parties and to the public, and for other good and valuable consideration, the BPW and the Company hereby agree as follows:

**ARTICLE I**  
**DEFINITIONS**

In addition to the words and terms elsewhere defined in this Agreement, each of the following words and terms as used in this Agreement shall have the following meaning, unless the context or use indicates another or different meaning or intent, and shall refer to all or part of the defined subject, as appropriate under the context.

"Agreement" means this Agreement for Disposal of Solid Waste between the County and the Company, and the following exhibits attached hereto: Exhibits A, B, C and D.

"Amendment" means the amendment to the Plan as set forth in Exhibit C, which shall be submitted for approval to the County, the local units of government in the County and the Michigan Department of Natural Resources, in accordance with Act 641.

"Capacity Fee" means the fee payable to the BPW by the Company for delivery to the Landfill of Non-County Solid Waste, in the amounts as set forth on Exhibit A, to be used by the BPW and the County for solid waste management purposes.

"Commencement Date" means the first day of the month following the date which the Amendment, allowing the Company to dispose Non-County Solid Waste at the Landfill, is approved by the Michigan Department of Natural Resources and becomes effective.

"Company" means Browning-Ferris Industries of Southeastern Michigan, Inc., a Michigan corporation, or its successors or permitted assigns.

"County" means the County of Washtenaw, Michigan, a Michigan county corporation. For purposes of the hold harmless and indemnity provisions contained herein, the term "County" shall include all other associated, affiliated, allied or subsidiary entities, agencies or commissions, their officers, members, agents, and employees.

"County Solid Waste" means any Waste generated in the County except for Excluded Waste.

"Excluded Waste" means Waste which (1) is or may from time to time be prohibited from being disposed of at a sanitary landfill applicable law or regulation or in accordance with a practice which is uniformly applied by the Company to all of its customers, and (2) the following materials, for which a separate fee may be imposed by the Company upon the Company's terms and conditions: demolition and other non-compactable waste, industrial waste which has characteristics different from municipal solid waste, septic tank solid wastes, grease and grit trap wastes, wastes from commercial or industrial wastewater treatment plants and air pollution control facilities, empty tanks, drums or containers which contained wastes regulated under the Federal Resource Conservation and Recovery Act, slaughterhouse wastes, dead animals, products which are off specification, car tires, truck tires, white goods, contaminated soils, discarded materials containing asbestos in a portion greater than one (1%) percent, medical, industrial, or wastewater treatment plant incinerator ash.

"Expansion" means the sanitary landfill planned by the Company consisting of the landfill capacity which may be added to the land area in Salem Township, Michigan defined by Six Mile Road, Napier Road, the CSX Railroad tracks and the Detroit Edison property used for power lines, which sanitary landfill is expected will generally consist of licensing for disposal the airspace that exists between the hills formed by Arbor Hills East and Arbor Hills West sanitary landfills and the addition of other space the Company finds to be available on the real estate described.

"Expiration Date" means the date defined in Article III.

"Gate Yard" means a cubic yard of Waste as delivered to the Landfill, whether or not compacted.

"Landfill" means the sanitary landfill facility presently controlled by the Company in Salem Township, Michigan, generally located at Six Mile Road, Napier Road, the CSX Railroad tracks and the Detroit Edison property used for power lines.

"Local Unit" means any municipal corporation or other public entity located in the County which has entered into a contract with the BPW for access to the benefits of this Agreement, which is identified by the BPW in writing from time to time, as which may be amended from time to time by the BPW.

"Non-County Solid Waste" means all Waste not generated in the County.

"Plan" means the County's Solid Waste Management Plan, as amended and updated in 1989 and as finally approved by the Michigan Department of Natural Resources on June 6, 1991.

"Surcharge" means the amounts set forth in Exhibit A payable by the Company to the BPW for delivery to the Landfill of the types of Non-County Solid Waste defined in Section 5.04, to be used by the BPW and the County for solid waste management purposes.

"Tipping Fee" means the maximum fee which may be charged by the Company for disposal of County Solid Waste at the Landfill, in the amounts as set forth on Exhibit B, which shall include all host fees or other surcharges, assessments or taxes which may be mandated or imposed on County Solid Waste delivered to the Landfill, either voluntarily or not, except for those mandated or imposed and actually received by federal or state governmental units or agencies after the date of this Agreement.

"Waste" means any waste or materials of whatever nature or composition brought to the Landfill for purposes of disposal.

## ARTICLE II GENERAL PURPOSE AND INTENT

2.01 The general purpose and intent of this Agreement is to set forth the terms and conditions by which (1) the Company shall be required to accept and dispose County Solid Waste at the Landfill, (2) the Company shall be allowed to accept and dispose Non-County Solid Waste at the Landfill pursuant to this Agreement and the Amendment and subsequent updates of the County's Solid Waste Management Plan, (3) the Company shall provide to the County and the Local Units long-term disposal capacity for County Solid Waste, (4) the Company shall provide other services as described in the Agreement, and (5) the Amendment expressly authorizing the disposal of Non-County Solid Waste at the Landfill shall be submitted to the County and the Local Units for approval.

2.02 The Company agrees to perform and carry out the services and commitments set forth in this Agreement in a satisfactory and proper manner and in compliance with all federal, state and local laws, regulations and ordinances.

2.03 Nothing herein shall give or be construed to have given the County or the BPW any right, title, or interest in any of the Waste delivered to or disposed of at the Landfill. The relationship of the County and BPW to the Landfill and the Company and the Waste delivered to the Landfill is that of regulator, not agent, joint venturer, partner, or in any other capacity that would give the County or BPW any liability for the Waste or for acts or omissions of those dealing with the Waste.

**ARTICLE III**  
**TERM OF AGREEMENT**

3.01 This Agreement becomes effective on the date first written above and will continue in effect from that date until the day which is 23 years after the Commencement Date, unless sooner terminated pursuant to Section 8.02 (in either case, the "Expiration Date"). Upon mutual agreement evidenced in writing, the parties may extend the term of this Agreement prior to the Expiration Date for any length of time.

3.02 On January 1, 1995, and on each fifth year anniversary thereafter, this Agreement shall be automatically extended for the number of years determined by the following formula:

Years of extension = (Cubic yards of remaining recognized air space (expressed in estimated gate yards) divided by 3.5 million) minus remaining length of Agreement.

**ARTICLE IV**  
**COUNTY SOLID WASTE DISPOSAL SERVICES**

4.01 From the Commencement Date to the Expiration Date, the Company shall accept for disposal at the Landfill all County Solid Waste, regardless of whether the County Solid Waste is delivered to the Landfill by the County, a Local Unit, a public authority or consortium, any other public party, or any private party, whether or not acting on behalf of a public party. The Company shall retain the right, however, to refuse to accept County Solid Waste from any party which, in the Company's reasonable opinion, is not able to meet its obligations to pay the Tipping Fee on a timely basis.

4.02 Any party, public or private, delivering County Solid Waste from within a Local Unit to the Landfill shall be charged no more than the Tipping Fee as the total acceptance and disposal fee for the County Solid Waste at the Landfill. The Company may enter into an agreement or arrangement with a Local Unit or any party for the disposal of County Solid Waste at the Landfill for a rate lower than the Tipping Fee.

4.03 Any Tipping Fee shall be paid by the party delivering County Solid Waste to the Landfill. Payment of the Tipping Fee shall be based on the amount as measured in Gate Yards of County Solid Waste delivered to the Landfill.

4.04 The County, BPW and all Local Units make no representation that all or any part of the County Solid Waste will be delivered to the Landfill. The Company agrees that neither the

County, the BPW, nor any Local Unit is required to deliver any specified or minimum amounts of County Solid Waste to the Landfill.

4.05 The Company hereby represents and covenants that it does, and for the term of this Agreement at all times shall, have sufficient capacity at the Landfill, including the Expansion, to fulfill its obligations to the County, the BPW and the Local Units hereunder, and that it shall keep the Landfill in good operational order.

4.06 The Company agrees that any contracts which the Company may have at the present time for the disposal at the Landfill of County Solid Waste with any Local Unit or other public entity, or with any private entity with respect to residential County Solid Waste from within a Local Unit shall, at the option and pursuant to the direction of the BPW, be amended, effective on the Commencement Date, to incorporate the Tipping Fee as set forth in this Agreement, if, in the judgment of the BPW, the private entity passes the benefits of a lower Tipping Fee to the customer.

4.07 The Company may impose a separate fee (which may be higher than the Tipping Fee) for any Excluded Waste generated in the County. The Company shall not require any customer, which is disposing County Solid Waste at the Landfill to dispose any portion of its Excluded Waste at the Landfill.

**ARTICLE V**  
**NON-COUNTY SOLID WASTE DISPOSAL AT LANDFILL**

5.01 The BPW shall cause the Amendment to be submitted to the County, the local units in the County, and the Michigan Department of Natural Resources for consideration of approval pursuant to Act 641.

5.02 The Company shall pay the BPW a Capacity Fee for Non-County Solid Waste delivered to the Landfill after the Commencement Date. The Company shall pay the Capacity Fee to the BPW on the Commencement Date and on the first day of the next two calendar quarters thereafter. Thereafter, the Capacity Fee shall be paid within 30 days after the end of the quarter for which the Capacity Fee is paid. The Surcharge (if any) shall be payable at the same time as the Capacity Fee.

5.03 In addition to the Capacity Fee, the Company shall pay the BPW the Surcharge for Non-County Solid Waste as set forth in Exhibit A.

5.04 The Surcharge shall apply to all Non-County Solid Waste that potentially contains recyclable or compostable materials except Waste that is delivered to the Landfill from 1) a county whose Act 641 Solid Waste Management Plan requirements for

recycling and composting are in compliance with State of Michigan goals for recycling and composting and the community from which the Waste originated is in compliance with their county plan; or 2) community whose recycling and composting programs are substantially equivalent to those of the County's Plan.

5.05 The Company shall provide documentation to the County before deciding to exclude a particular customer's Non-County Solid Waste from the Surcharge as defined in Section 5.04. Such documentation shall include a narrative describing the customer's programs that meet the specifications defined in Section 5.04. The Company shall verify, on an annual basis, or at the request of the County, that said customer's programs are in place. The County may, at its discretion, and at any time, initiate independent investigation, to validate the documentation being provided. As appropriate, the County shall inform the Company in writing of any corrective action required based on results of the field sampling.

5.06 Should the recycling and composting requirements and goals of the State or the County Plan be increased in scope, which shall result in Non-County Solid Waste that had previously been exempted from the Surcharge losing that exemption, then said Non-County Solid Waste shall not have the Surcharge applied until two years have passed since the date the new Plan receives approval from the Michigan Department of Natural Resources.

**ARTICLE VI**  
**ADDITIONAL OBLIGATIONS OF THE COMPANY**

6.01 On the Commencement Date, the Company shall deliver to the Director of the County's Department of Public Works three cashier's or bank certified checks as follows: (1) payable to Miller, Canfield, Paddock and Stone in an amount equal to the legal fees owed by the County in connection with this Agreement and the Amendment; (2) payable to Resource Recycling Systems, Inc. in an amount equal to the consulting fees owed by the County in connection with this Agreement and the Amendment; and (3) payable to the County of Washtenaw in an amount which is equal to three months of the Capacity Fee, less the amounts stated in subsections (1) and (2) above. This total shall be credited against and shall offset the obligation of the Company to pay the first three months of the Capacity Fee.

6.02 The Company shall cooperate with and allow access to the BPW to the Landfill for the purpose of conducting analyses of the waste stream at the Landfill. In cooperating with this analysis the Company shall not be obligated to remove waste from the cell area. The BPW or its designee shall conduct such analyses in a reasonable manner and with a minimal amount of interference on the Company's operations. Work performed pursuant to this section by

the BPW and its designee shall not exceed twenty (20) business days during any one year period.

6.03 The Company shall cooperate fully with all federal, state and local regulatory agencies relative to inspections required for assuring compliance with all applicable federal, state and local laws, ordinances and rules and regulations.

#### **ARTICLE VII INDEMNITY**

7.01 The Company agrees to save harmless the BPW, the County and the Local Units against and from any and all liabilities, obligations, damages, penalties, claims, costs, charges, losses and expenses (including without limitation, fees and expenses of attorneys, expert witnesses and other consultants) which may be imposed upon, incurred by or asserted against the BPW, the County or any of the Local Units by reason of any of the following occurring during the performance of this Agreement:

- a) any violation occurring at the Landfill of any federal, state or local statute, regulation, ordinance, permit or license, including the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, regarding the processing, transporting or disposal of County and Non-County Solid Waste at the Landfill pursuant to this Agreement and regarding the Company's operations or ownership of the Landfill, provided that the Company shall not be obligated to indemnify any entity if the Company can prove by clear and convincing evidence and proof that such entity's acts caused the violation; and
- b) any failure by the Company to perform its obligations, either implied or express, under this Agreement.

7.02 The indemnification obligation under this Article shall survive the termination or expiration of this Agreement.

7.03 The Company and the County agree not to challenge the legality or constitutionality of any provision or term of this Agreement or the Amendment, directly or indirectly, including but not limited to the imposition and payment of the Capacity Fee and Surcharge. The Company agrees that it shall at all times continue to pay the Capacity Fee and Surcharge and abide by all other terms of this Agreement, including but not limited to the Tipping Fee and capacity commitment requirement, even in the event that any such provision or term is challenged or may be declared illegal by a court of competent jurisdiction in another context or that any provision of Act 641 or any other state law is amended or declared invalid or unconstitutional by a court of competent jurisdiction.

7.04 The Company acknowledges that the limitations, if any, contained in the Amendment imposed upon the disposal of Was generated outside the State of Michigan have been proposed by the Company and included in the Amendment at the sole request of and for the benefit of the Company.

**ARTICLE VIII**  
**REMEDIES AND TERMINATION**

8.01 Promptly after the Commencement Date, the Company shall furnish a performance bond in an amount of at least \$2,000,000 to partially cover its commitments made in this Agreement. Such bond shall be in substantially the form attached as Exhibit D and shall be reviewed or replaced annually. In lieu of a bond, the Company may provide a letter of credit, cash or other security acceptable to the BPW, all in a form and substance satisfactory to the BPW.

8.02 Notwithstanding anything to the contrary herein, either party may terminate this Agreement after December 31, 1992 by giving notice to that effect if the Commencement Date has not occurred on or before January 1, 1993. The Company may, at its option, terminate this Agreement upon the occurrence of any of the following events: (1) any update or amendment of the County's Solid Waste Management Plan effectively restricts the Company's right to dispose of Non-County Solid Waste at the Landfill to an extent materially greater than reflected in the Amendment, or the County takes other action (or fails to act) with the same effect; (2) if any updates of the County's Solid Waste Management Plan does not recognize the Expansion as consistent with such plan, or the County otherwise takes action which has the effect of preventing permitting and licensing of the Expansion; or (3) if, following BFI's good faith efforts to obtain approvals and permits to construct and operate the Expansion, the Expansion is not approved and permitted. Upon termination of this Agreement pursuant to this Section, the Agreement shall be rendered null and void and neither party shall be liable to the other for any costs or damages incurred.

8.03 The rights and remedies set forth herein are not exclusive and are in addition to any other rights and remedies provided by law or equity. In the event of any dispute of any nature or type whatsoever arising out of this Agreement, the interpretation and application thereof, or the rights, duties and obligations of the parties hereto, (1) the parties agree, consent and submit to the personal jurisdiction of any competent court in Washtenaw County, Michigan for any action arising out of this Agreement, (2) the parties agree that service of process at the address and in the manner specified in Article XII will be sufficient to put each other on notice and hereby waive any and all claims relative to such notice, and (3) the Company agrees that it will not commence any action against the BPW or County regarding

any matter arising from this Agreement in any courts other than those in the County of Washtenaw, State of Michigan, unless original jurisdiction can be had in the United States District Court, Eastern District, the Michigan Court of Appeals or the Michigan Supreme Court.

8.04 The obligations of the Company hereunder are subject to riots, fires, acts of God, accidents or other events, whether or not of a similar nature but not including strikes or work stoppages, beyond the reasonable control of the Company for which no other provision has been made under this Agreement ("force majeure"). The Company expressly recognizes that any increase in the costs of providing disposal services at the Landfill or elsewhere, including any additional costs or fees imposed by or resulting from any action of the State of Michigan or any agency or instrumentality thereof, the U.S. federal government or any agency or instrumentality thereof, or any local governmental body or agency or instrumentality thereof, shall not be deemed an event of force majeure, and shall not excuse the Company from performing its obligations under this Agreement pursuant to its terms.

**ARTICLE IX**  
**ASSIGNMENT OR SUBCONTRACTING**

9.01 The Company shall not assign or encumber directly or indirectly any interest whatsoever in this Agreement, and shall not transfer any interest in the same (whether by assignment or novation), without the prior written consent of the BPW thereto, which consent shall not be unreasonably withheld. Any such consent given in any one instance shall not relieve the Company of its obligation to obtain the prior written consent of the BPW to any further assignment.

9.02 The Company agrees to indemnify and hold the BPW and County harmless from any such claims initiated pursuant to any subcontract it enters into in performance of this Agreement.

9.03 This Agreement shall inure in all particulars to the benefit of County, the BPW, their agents, successors and assigns.

9.04 It is recognized that the BPW or the County may enter into an agreement with each Local Unit conferring the benefits and obligations derived from this Agreement upon such Local Unit. Accordingly, each Local Unit is recognized as a third party beneficiary to this Agreement, with rights to enforce the provisions hereof.

**ARTICLE X .**  
**COMPANY RECORD-KEEPING AND REPORTING REQUIREMENTS**

10.01 The Company shall maintain full and complete books, ledgers, journals, accounts or records in which are kept all entries reflecting its operation pursuant to this Agreement. The Company shall use commercially reasonable business efforts to secure and maintain the best documented information available to the Company on the following matters: the volume or weight of County Solid Waste delivered to or disposed at the Landfill or waste processing facilities owned or operated by the Company within the County; the volume or weight of Non-County Solid Waste delivered to and disposed at the Landfill; an itemization of the types of Solid Waste delivered to and disposed at the Landfill by volume or weight; an itemization of the specific generation sites (by municipality), transfer stations and customers delivering the largest amount of Waste to the Landfill, by volume or weight, comprising, in the aggregate, 75% of all Waste disposed at the Landfill; annual updates of the remaining capacity at the Landfill, the received, processed and marketed volume or weight of recyclable and compostable material received by the Company's waste processing center (the "Center"), which is not part of the Landfill; residual solid waste volumes or weights from recycling and compost processing at the Center; and verification of end markets and market prices for recycled and composted materials at the Center (herein collectively called the "Records"). The Company shall not be held responsible for the accuracy of any information it obtains from third parties in compiling the Records. In addition, within thirty (30) days following the end of each calendar quarter, the Company shall provide a written report to the BPW stating, for such calendar quarter, the amount of gross gate revenues received by the Company for disposal of Waste at the Landfill and all deductions therefrom and additions thereto required to calculate the Capacity Fee and Surcharge.

10.02 The BPW shall have the right, at any time during normal business hours, and from time to time, to audit all Records. The Company agrees to allow representatives of the BPW to make periodic inspections and visits to the Company premises for the purpose of examining the Records and ascertaining that the Company is properly compiling the Records. Such inspections shall be made at any time during normal business hours of the Company. The Company recognizes and consents to the BPW making inspections of the Landfill in the form of, inter alia, flying over the Landfill from time to time. The BPW shall not make copies, notes or other records showing the names of the Landfill's customers or the Center's customers, prices charged any customer or class of customers or volumes attributable to individual customers, unless for the purpose of disputing or challenging the accuracy of any of the Records provided by the Company, or asserting a bona fide claim against the Company with respect to the Company's inaccurate or wrongful calculations of the Capacity Fee or Surcharge. In

addition, the Company agrees to allow representatives of the BPW to verify the accuracy and contents of the Company's calculations of the Capacity Fee and Surcharge, and such representatives shall have full access to the Company's records to accomplish such verifications.

10.03 If in the course of such inspections the BPW should notice any deficiencies relating to this Agreement, and such deficiencies are reported to the Company in writing, the Company shall remedy and correct any such reported deficiencies promptly. If the Company is practically unable to remedy such deficiency within thirty (30) days of notification, it shall immediately notify the BPW of the reason therefor. The BPW, in its reasonable judgment, may then extend the cure period. The cure period provided in this Section shall not apply to any activities or deficiencies which violate any provisions of federal or state law, rule or regulation.

**ARTICLE XI**  
**COMPLIANCE WITH LAWS AND REGULATIONS**

11.01 In providing any services under this Agreement, and in the general operation of the Landfill, the Company covenants that it shall comply with all applicable federal, state and local laws, ordinances, rules and regulations and policies.

**ARTICLE XII**  
**AMENDMENTS TO AGREEMENT; FUTURE PLANNING**

12.01 No amendment to this Agreement shall be effective and binding upon the parties unless it expressly makes reference to this Agreement, is in writing and is signed and acknowledged by duly authorized representatives of both parties and is approved by the County Board of Commissioners and the BPW.

12.02 Unless such provisions would be inconsistent with the County's obligations under Act 641 and there is no feasible alternative to not including such provisions, and to the extent permitted by law, except as otherwise provided in Sections 12.03 or 12.04, the County will include in each update solid waste management plan under Act 641 ("Update") approved by the County during the term of this Agreement a provision which is (a) identical to the Amendment, or (b) which is not identical to the Amendment but which is not more restrictive in any respect upon the disposal of Non-County Solid Waste in the Landfill.

12.03 In the event that the laws, rules or administrative interpretations governing the disposal of Non-County Solid Waste in the Landfill at the time of any Update permit provisions of the Update to be less restrictive in any material respect than the

Amendment, the County shall include in such Update such less restrictive provisions unless such provisions would be inconsistent with the County's obligations under Act 641 and there is no feasible alternative to not including such provisions. In no case shall the Landfill receive more than 4.5 million gate cubic yards of Waste from all sources in any single calendar year or more than 17,500,000 gate cubic yards of Waste from all sources in any consecutive five year period.

12.04 If the Update approved by the County is not approved by others in accordance with law as required for the Update to become effective and if the reason for the failure of the Update to receive approval is the compliance with Section 12.02 or 12.03, the County shall respond in a manner reasonably calculated to secure such approval and to the maximum extent possible, to carry out the provisions of this Agreement.

12.05 Nothing in this Article XII shall detract from the Company's obligations hereunder to provide waste disposal capacity to the County as provided in Section 2.01.

12.06 Notwithstanding anything to the contrary herein, if the County shall for whatever reason fail to perform in the manner provided in this Article, this Agreement shall, upon notice by the Company be rendered null and void and neither party shall be liable to the other for any costs or damages incurred.

12.07 Notwithstanding anything to the contrary herein, in the event that Act 641 shall be amended to permit Waste from one county to be disposed of in another county without authorization or approval by the receiving county, and no other Federal, State, or local law or regulation makes obtaining such authorization or approval a condition of disposing Waste originating in one county in another county, the Company shall not be required to pay the Capacity Fee or Surcharge.

#### **ARTICLE XIII** **NOTICES**

13.01 Except as otherwise specified herein, all notices, consents, approvals, requests and other communications (herein collectively call "Notices") required or permitted under this Agreement shall be given in writing and mailed by first-class mail, addressed as follows:

If to the BPW, the County or any Local Unit:

Department of Public Works  
County of Washtenaw  
P.O. Box 8645  
Ann Arbor, Michigan 48107-8645

ATTENTION: Director of Department of Public  
Works

with copies to:

Office of Corporation Counsel  
Washtenaw County  
P.O. Box 8645  
Ann Arbor, Michigan 48107-8645

and

Richard A. Walawender  
Miller, Canfield, Paddock and Stone  
150 W. Jefferson - Suite 2500  
Detroit, Michigan 48226

If to the Company:

Browning-Ferris Industries of  
Southeastern Michigan, Inc.  
10690 Six Mile Road  
Northville, Michigan 48167

ATTENTION: District Manager

with a copy to:

James W. Collier  
Dykema Gossett  
35th Floor -- 400 Renaissance Center  
Detroit, Michigan 48243

13.02 All notices shall be deemed given on the day of mailing. Either party to this Agreement may change its address for the receipt of Notices at any time by giving notice thereof to the other. Any notice given by a party hereunder must be signed by an authorized representative of such party and unless otherwise provided may be sent by first class mail.

**ARTICLE XIV**  
**MISCELLANEOUS**

14.01 No failure by the BPW to insist upon the strict performance of any covenant, agreement, term or condition of this Agreement or to exercise any right, term or remedy consequent upon a breach thereof shall constitute a waiver of any such covenant, agreement, term and condition.

14.02 If any provision of this Agreement or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such provision to persons or circumstances other than those as to which it is invalid or unenforceable shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

14.03 This instrument, including the exhibits and schedules attached hereto, which are made a part of this Agreement, contains the entire agreement between the parties and all prior negotiations and agreements are merged herein. Neither the County, the BPW nor its agents have made any representations except those expressly set forth herein, and no rights or remedies are or shall be acquired by the Company by implication or otherwise unless expressly set forth herein.

14.04 Unless the context otherwise expressly requires, the words "herein", "hereof", and "hereunder", and other words of similar import refer to this Agreement as a whole and not to any particular Article, Section, or other Subdivision.

14.05 All the promises and warranties of the Company made in this Agreement shall be deemed and construed to be covenants and are also conditions qualifying the County's duty to perform hereunder.

14.06 The headings of the Articles in this Agreement are for convenience only and shall not be used to construe or interpret the scope or intent of this Agreement or in any way affect the same.

14.07 If any Affiliate (as hereinafter defined) of the Company shall take any action which, if done by a party, would constitute a breach of this Agreement, the same shall be deemed a breach by the Company. "Affiliate" shall mean a parent, subsidiary or other company controlling, controlled by, or in common control with the Company.

14.08 It is understood that this is not an exclusive service contract, and that during the term of this Agreement, the Company is free to render the same or similar services to other clients, provided, however, that the Company's obligations to the BPW in this Agreement will not be affected in any manner, and that the

BPW, the County and any of the Local Units are free to procure disposal services from any other contractor.

14.09 This Agreement shall be governed by, and construed in accordance with, the laws of the State of Michigan.

14.10 For purposes of the indemnity provisions contained in this Agreement, the term "County" shall be deemed to include the County, and all associated, affiliated, allied or subsidiary entities or commissions, their officers, agents and representatives now existing or hereafter created, their agents and employees.

14.11 The Company covenants that it is not, and will not become in arrears to the County or BPW upon any contract, debt or other obligations to the County or BPW, including real property, personal property and income taxes.

14.12 This Agreement may be executed in any number of counterparts and all of said counterparts taken together shall be deemed to constitute one and the same instrument. Promptly after the execution thereof, the BPW shall submit to the Company a conformed copy of this Agreement.

14.13 As used herein, the singular shall include the plural, the plural the singular and the use of any gender shall be applicable to all.

14.14 This Agreement constitutes a covenant running with the land described as the Landfill and Expansion, and may be recorded at any time by the County or BPW at the expense of the County or BPW. Upon request by the County or BPW, the Company agrees to cooperate and facilitate such recording, and shall furnish complete legal descriptions of the Landfill and Expansion.

ATTESTED TO:

Jimmy A. Meyer

Sue E. Cowen

WASHTENAW COUNTY

By: Meri Lou Murray  
Meri Lou Murray, Chair  
Washtenaw County Board of  
Commissioners

By: Peggy M. Haines  
Peggy M. Haines  
County Clerk/Register

Witness

[Signature]

BROWNING-FERRIS INDUSTRIES OF  
SOUTHEASTERN MICHIGAN, INC.

By: Thomas A. Hendry  
Its: Vice President

APPROVED AS TO CONTENT:

Daniel R. Myers  
Washtenaw County  
Department of Public Works

Date: 5/29/92, 1992

APPROVED AS TO FORM:

Arthur Meyer  
Washtenaw County  
Office of Corporation Counsel

Date: 5-29-92, 1992

STATE OF MICHIGAN )

WASHTENAW COUNTY )

Subscribed and sworn to before me on June 4, 1992.

Sue E. Cowen  
Notary Public, Washtenaw County  
My commission expires May 2, 19\_\_.

This document was drafted by and should be returned to:

Richard A. Walawender  
Miller, Canfield, Paddock and Stone  
150 W. Jefferson, Suite 2500  
Detroit, Michigan 48226

EXHIBIT A

CAPACITY FEE AND SURCHARGE

1. The Capacity Fee payable for any calendar quarter by the Company is equal to the sum of Three Percent (3.0%) of the following amounts:
  - (a) the total amount of money received (Gross Gate Revenues on a cash basis) by the Company in such quarter for the disposal of Waste in the Landfill (adjusted upward or downward, as appropriate, to correct mathematical errors in the amount reported in prior quarters); minus
  - (b) any amounts that the Company refunds in such quarter as a result of overcharges made to customers in prior quarters; plus
  - (c) an amount, for disposal of Wastes at the Landfill in such quarter by the Company or by companies controlled by, controlling, or under common control with the Company ("Related Entity"), based on the disposal rate established (i) for such Related Entities in the Company's internal accounting procedures, or (ii) for other customers of the Landfill for comparable volume and nature of Waste (unless such Related Entity is disposing of Waste collected under an already existing contract with an independent third party and the circumstances of contracting prevent a practical comparability analysis to other customers), whichever is greater; plus
  - (d) an amount, for the disposal of Waste at the Landfill for which the Company receives no money (except Waste generated in the Township of Salem for which the Company does not charge any disposal fees and except for disposal given to charitable, public or civic organizations as a donation and for which the Company receives no consideration), which is equal to the amount of the Company's standard rate charged other customers for comparable volume and nature of waste; plus
  - (e) an amount equal to the value of other consideration (of whatever nature) that the Company receives in addition to money for the disposal of Waste at the Landfill in such quarter (to the extent not accounted for under subparagraph (d) above). In the event the Company and the BPW cannot agree on the value of such other consideration, this amount shall equal the amount the Company charges other customers for comparable volume and nature of Waste less the amount of money actually received for such disposal; minus

- (f) an amount that the Company pays the Township of Salem under a Host Community Agreement between the Company and the Township of Salem dated as of March 28, 1991; minus
- (g) any Surcharge imposed on Non-County Solid Waste.
2. Notwithstanding paragraph 1 above, the Capacity Fee payable by the Company shall be an annual minimum amount of \$1,000,000 for two years, beginning with the Commencement Date; provided that the Company is not effectively prohibited or restricted from disposing Non-County Solid Waste in Washtenaw County (i) prior to the Commencement Date by reason of the failure of the Amendment to be approved prior to June 6, 1992, or (ii) at any time during such two-year period for any reason, except as provided in the Amendment.
3. Surcharge per Gate Yard of Non-County Solid Waste delivered to the Landfill:
- From Commencement Date to July 1, 1994: 0
- From July 1, 1994: \$0.10 per Gate Yard
4. Surcharge shall increase \$0.10 per Gate Yard on each July 1, beginning July 1, 1995, up to a maximum of \$0.50 per Gate Yard.
5. The Capacity Fee and Surcharge shall be reduced by:
- (i) Any fees, charges or other payments of any kind (other than real and personal property taxes) payable by the Company to the County because wastes are being disposed at the Landfill or because of the existence of the Landfill, except to the extent such fees, charges or payment (1) are made as a result of the Company's obligations to the County under the Agreement or (2) are collected by the County for the benefit of others; and
- (ii) The cost of complying with ordinances (or parts thereof) the County enacts in the future which affect operations of the Landfill but which (1) do not affect other residents of or other businesses operating in the County, or (2) disproportionately affect the Landfill compared to their effect on other residents of or other businesses in the County.

EXHIBIT B

TIPPING FEE

1. Tipping Fee per Gate Yard of County Solid Waste delivered to Landfill:

\$ 9.95

2. Increase in each Tipping Fee on each anniversary of the Commencement Date:

4.0% or CPI, whichever is greater; however, not to exceed 8.0%

The Tipping Fee per gate yard is based upon typical compaction ratios of Waste arriving at the Landfill which is approximately 750 pounds per cubic yard. In the event that a party entitled to dispose of Waste at the Tipping Fee proposes to dispose of Waste with a weight more than 950 pounds per cubic yard, the Tipping Fee in the case of such a customer shall be adjusted based upon the ratio of the weight per cubic yard of the Waste proposed for disposal as compared with 750 pounds per cubic yard.

3. The Tipping Fee shall be increased by 3.0% in the event that there is a legal restriction arising from any source (other than a restriction arising from wrongdoing by the Company) upon the disposal of Non-County Waste generated in Wayne, Oakland, Macomb or Livingston Counties (or any of them) at the Landfill, and such restriction is accompanied by a reduction of Non-County Solid Waste delivered to the Landfill to the extent that the amount of Non-County Solid Waste delivered to the Landfill is less than 50% of the amount of County Solid Waste delivered to the Landfill (measured by the average monthly amount delivered to the Landfill during the 24-month period preceding the effective date of such restriction as compared with the average monthly amount during the six-month period following the effective date of such restriction). Said increase shall take effect on the first day of the month which is six months following the effective date of such restriction.

# Washtenaw County Solid Waste Management Plan Proposed Amendment

Released for Public Comment on 2/25/92

## I: WASHTENAW COUNTY LANDFILL REQUIREMENTS

To address the Act 641 solid waste planning process requirements for identifying 20 years of landfill capacity, Washtenaw County has developed a two-part solution. First, the County requires that specified recycling levels be achieved by target dates so that the total waste stream requiring disposal is reduced in volume. Second, the County has secured through contractual agreement 20 years of capacity for all remaining solid waste generated within the County (the "Agreement"). The Agreement is with the Arbor Hills landfill located in Washtenaw County and operated by Browning Ferris Industries of Southeastern Michigan, Inc.

### IA: Required Recycling Levels

The Washtenaw County Act 641 Solid Waste Plan Update of 1989, which this Amendment modifies, requires that major waste generators and institutions located in the County achieve a 30% diversion of their solid waste stream from landfill disposal by the year 1995 through planning and implementation of waste reduction, reuse, recycling and composting programs. This diversion is required of:

- All cities, villages and townships (Local Units) in the County;
- The County;
- All public school systems;
- All institutions of higher education;
- All State of Michigan institutions including corrections facilities;
- All U.S. government institutions including U.S. Postal Service facilities; and
- The four largest generators of solid waste in the County:
  - All Ford Motor Company facilities;
  - All General Motors facilities;
  - All Johnson Controls facilities; and
  - The University of Michigan, including all University of Michigan Medical Center facilities.

The impact of this requirement is quantified in Amendment Exhibit 1 under the "Projected Recovery Rate" and "Projected Recovery" columns from 1991 through the year 2011. Note that in 1995 the rate is fixed at 25%, reflecting known projects that are either already operating or in the advanced stages of development at the time of this plan Amendment.

All solid waste delivered to the Landfill for final disposal after importation from points of generation outside of the County must either 1) come from a county whose Act 641 Solid Waste Management Plan requirements for waste reduction, recycling and composting are in compliance with State of Michigan goals for waste reduction,

All solid waste delivered to the Landfill for final disposal after importation from points of generation outside of the County must either 1) come from a county whose Act 641 Solid Waste Management Plan requirements for waste reduction, recycling and composting are in compliance with State of Michigan goals for waste reduction, recycling and composting and the community from which the waste originated must be in compliance with their county plan, or 2) come from a community whose waste reduction, recycling and composting programs are substantially equivalent to those contained within the County's Plan, or the waste will be subject to certain restrictions and requirements set forth by the County in the Agreement.

Amendment Exhibit 1: Washtenaw County Landfill Needs (1992 - 2011)

Year	Total Population (a)	Total Waste Generation (Tons) (b)	Projected Recov. Rate (c)	Projected Recov. (Tons) (d)	Total Landfill Need (Tons) (e)	Washtenaw County Annual Needs (d)			Washtenaw County Cumulative Needs 1992 to Year (e)		
						(Tons) (e)	(In place CY) (e)	(In place CY) (e)	(Tons) (e)	(In place CY) (e)	(In place CY) (e)
1991	290,728	297,652	10%	29,765	267,887	267,887	932,591	375,042			
1992	293,860	300,859	14%	42,120	258,738	258,738	900,743	362,234	258,738	900,743	362,234
1993	296,993	304,065	18%	54,732	249,334	249,334	868,002	349,067	508,072	1,768,745	711,302
1994	300,125	307,272	22%	67,600	239,672	239,672	834,368	335,542	747,744	2,603,114	1,046,843
1995	303,257	310,479	25%	77,620	232,859	232,859	810,650	326,003	980,604	3,413,764	1,372,846
1996	306,389	313,686	25%	78,421	235,264	235,264	819,023	329,370	1,215,868	4,232,787	1,702,217
1997	309,521	316,893	25%	79,223	237,669	237,669	827,396	332,738	1,453,538	5,060,183	2,034,955
1998	312,654	320,099	25%	80,025	240,075	240,075	835,769	336,105	1,693,612	5,895,952	2,371,059
1999	315,786	323,306	25%	80,827	242,480	242,480	844,142	339,472	1,936,092	6,740,093	2,710,531
2000	318,918	326,513	25%	81,628	244,885	244,885	852,515	342,839	2,180,977	7,592,608	3,053,370
2001	323,017	330,709	25%	82,677	248,032	248,032	863,471	347,245	2,429,009	8,456,079	3,400,615
2002	327,115	334,906	25%	83,726	251,179	251,179	874,427	351,651	2,680,188	9,330,506	3,752,267
2003	331,214	339,102	25%	84,775	254,326	254,326	885,383	356,057	2,934,514	10,215,889	4,108,324
2004	335,313	343,298	25%	85,825	257,474	257,474	896,340	360,463	3,191,988	11,112,229	4,468,787
2005	339,411	347,494	25%	86,874	260,621	260,621	907,296	364,869	3,452,608	12,019,525	4,833,657
2006	343,510	351,691	25%	87,923	263,768	263,768	918,252	369,276	3,716,376	12,937,777	5,202,932
2007	347,609	355,887	25%	88,972	266,915	266,915	929,209	373,682	3,983,292	13,866,985	5,576,614
2008	351,707	360,083	25%	90,021	270,062	270,062	940,165	378,088	4,253,354	14,807,150	5,934,701
2009	355,806	364,279	25%	91,070	273,210	273,210	951,121	382,494	4,526,563	15,758,271	6,337,195
2010	359,905	368,476	25%	92,119	276,357	276,357	962,077	386,900	4,802,920	16,720,349	6,724,095
2011	364,914	373,605	25%	93,401	280,204	280,204	975,469	392,285	5,083,124	17,695,818	7,116,380
<b>Total</b>	<b>1992-2011</b>	<b>6,692,702</b>		<b>1,609,578</b>	<b>5,083,124</b>	<b>5,083,124</b>	<b>17,695,818</b>	<b>7,116,380</b>			

Notes

a. Population is from 641 Plan exhibit C-13, p. C1-25. It has been adjusted based on SEMCOG figures updated in 1990 and 1990 Census data.

b. Total Waste Generation in Tons is from 641 Plan, Exhibits C21 - C26, pages C2-9 through C2-14.

c. Projected Recovery Rate is based on 641 Plan Exhibit A-3, p. A.4-32, adjusted to reflect known projects.

d. Volume available at Washtenaw County's Landfills at the end of 1990:

	In Place CY	Gate CY	Tons
Chelsea Landfill (f)	90,000	126,000	31,500
City of Ann Arbor Landfill (g)	165,500	331,000	82,750
BFI - Arbor Hills Landfill			
Currently Permitted (e)	17,510,000	43,540,924	12,507,130
Projected Expansion	16,490,000	41,004,559	11,778,560
<b>Total: All Facilities</b>	<b>34,255,500</b>	<b>85,002,483</b>	<b>24,399,940</b>

e. Conversion from Tons to In Place Cubic Yards are based on densities as shown below.

	Gate Density	In Place Density
Chelsea Landfill	500 lbs/cy	700 lbs/cy
Ann Arbor City Landfill	500 lbs/cy	1,000 lbs/cy
BFI-Arbor Hills Landfill	575 lbs/cy	1,429 lbs/cy

## I.B: Projected Landfill Needs for County

The mandated recovery levels just described result in a net reduction in the solid waste disposal needs for the County. This impact is calculated on a yearly basis for the next 20 years in the Amendment Exhibit 1 under the "Washtenaw County Annual Needs" columns. Note that figures are provided in gate yards (volume as delivered to the landfill by solid waste collection vehicles), in-place yards (volume after gate yards are placed in the landfill and compacted to final density) and tons (the weight equivalent of the calculated volume). The Exhibit also calculates the cumulative landfill need as it builds up over the 20-year period. The 20-year cumulative landfill need is identified as 17,695,818 gate yards, 7,116,380 in-place yards or 5,083,124 tons. The in-place yardage figure (with the stated assumptions on density) is the actual 20-year landfill air space need that the County has secured.

## I.C: Agreement to Provide 20 Years of Capacity at BFI Arbor Hills Landfill

Through the Agreement the County secured a commitment to provide 7,116,380 cubic yards of landfill air space (17,695,818 gate yards) over a 20-year period from Browning Ferris Industries of Southeastern Michigan, Inc. (BFI) through its Arbor Hills landfill located in Washtenaw County.

### I.C.1: Guarantees Provided

In the Agreement, BFI commits to provide the 7,116,380 cubic yards of landfill air space (17,695,818 gate yards) over a 20-year period so that Washtenaw County will meet its statutory obligations under Act 641 to provide for long-term disposal capacity for solid waste generated within the County, and meet its obligations to secure such long-term capacity pursuant to the Washtenaw County Act 641 Solid Waste Plan Update of 1989.

During the term of the Agreement, BFI agrees to accept for disposal at the Arbor Hills landfill all County solid waste, regardless of whether the County solid waste is delivered to the landfill by the County, a Local Unit, a public authority or consortium, any other public party, or any private party, whether or not acting on behalf of a public party.

### I.C.2: Other Relevant Terms

The Agreement provides that neither the County nor any Local Unit is required to deliver any specified or minimum amounts of County solid waste to the Arbor Hills landfill. County solid waste may be disposed of at other landfills as long as the disposal activity and specific quantities exported is consistent with the Washtenaw County Act 641 Solid Waste Plan Update of 1989, the solid waste plan of the receiving county, and this Amendment.

The Agreement also provides a schedule of competitive and favorable tipping fees for all County solid waste delivered to the facility and provides Local Units with the right to negotiate an even lower tipping fee for the disposal of its waste.

Finally, the Agreement allows BFI to accept solid waste from generators located outside Washtenaw County as specified in this Amendment and the Washtenaw County Act 641 Solid Waste Plan Update of 1989 and the solid waste plan of the exporting county.

## II: INTER-COUNTY TRANSPORTATION OF SOLID WASTE

For purposes of solid waste management planning, the City of Milan, including those portions located within Monroe County will be considered to be part of the Washtenaw County Solid Waste Management Plan.

The import and export of solid waste across the jurisdictional boundaries of Washtenaw County are recognized only as follows.

### II.A: Import Restrictions

This Plan Amendment recognizes the right of the Arbor Hills landfill in Washtenaw County to receive solid waste generated outside of Washtenaw County, consistent with the following restrictions.

BFI must manage the currently permitted Arbor Hills landfill airspace that is recognized in the Plan, the unpermitted Arbor Hills landfill airspace that is recognized in the Plan, and future Arbor Hills landfill airspace not yet recognized in the Plan, in a manner that guarantees the availability of at least 20 years of landfill airspace for Washtenaw County solid waste while remaining consistent with the import restrictions defined in this Amendment and the Washtenaw County Act 641 Solid Waste Plan Update of 1989.

Having met this obligation, importing to the Arbor Hills landfill of solid waste generated outside of Washtenaw County will be allowed only from counties recognized and authorized in this Amendment.

#### II.A.1: Projected Available Landfill Space

The Washtenaw County Act 641 Solid Waste Plan Update of 1989 and this Amendment recognize the Arbor Hills Sanitary Landfill as the 336-acre site located at the southwest corner of Napier and Six Mile Roads in Salem Township which consists of 164.72 acres in Arbor Hills East plus 176.17 acres in Arbor Hills West, less 5.04 acres of overlap.

Amendment Exhibit 2 indicates the capacity that is recognized in the plan on this 336-acre site. Design or operational modifications resulting in contractions or expansions of this capacity are recognized in the Washtenaw County Act 641 Solid Waste Plan Update of 1989 and this Amendment, provided that the capacity changes occur over a double composite liner and within the 336-acre site.

Amendment Exhibit 2: Capacity of BFI Arbor Hills Landfill

	In-Place Cubic Yards	Gate Cubic Yards	Tons	In-Place Density
<b>BFI - Arbor Hills Landfill</b>				
Currently Permitted	17,510,000	43,540,924	12,507,130	1,429 lbs/cy
Projected Expansion	16,490,000	41,004,559	11,778,560	1,429 lbs/cy
<b>Total</b>	<b>34,000,000</b>	<b>84,545,483</b>	<b>24,285,690</b>	

II.A.2: Authorized Importation of Solid Waste

Import of solid waste to the Arbor Hills landfill from the following counties in the quantities specified is explicitly recognized in this Amendment.

- Jackson County - No more than 150,000 gate cubic yards per year may be imported from Jackson County to the Arbor Hills landfill.
- Lenawee County - No more than 75,000 gate cubic yards per year may be imported from Lenawee County to the Arbor Hills landfill.
- Livingston County - No more than 750,000 gate cubic yards per year may be imported from Livingston County to the Arbor Hills landfill.
- Macomb County - No more than 1,500,000 gate cubic yards per year may be imported from Macomb County to the Arbor Hills landfill.
- Oakland County - No more than 1,500,000 gate cubic yards per year may be imported from Oakland County to the Arbor Hills landfill.
- Wayne County - No more than 2,000,000 gate cubic yards per year may be imported from Wayne County to the Arbor Hills landfill.

From all sources, the Arbor Hills landfill shall not receive more than 4.5 million gate cubic yards in any one year and no more than 17,500,000 gate cubic yards in any consecutive five year period. If, after meeting the import requirements of the counties listed above, the total received from all sources does not exceed the above specified caps, then the Arbor Hills landfill may receive up to a total of 500,000 gate cubic yards from one or any combination of the following counties until the caps are met.

Alcona	Dickinson	Lake	Oceana
Alger	Eaton	Lapeer	Ogemaw
Allegan	Emmet	Leelanau	Ontonagon
Alpena	Genesee	Lenawee	Osceola
Antrim	Gladwin	Livingston	Oscoda
Arenac	Gogebic	Luce	Otsego
Baraga	Grand Traverse	Mackinac	Ottawa
Barry	Gratiot	Macomb	Presque Isle
Bay	Hillsdale	Manistee	Roscommon
Benzie	Houghton	Marquette	Saginaw
Berrien	Huron	Mason	Saint Clair
Branch	Ingham	Mecosta	Saint Joseph
Calhoun	Ionia	Menominee	Sanilac
Cass	Iosco	Midland	Schoolcraft
Charlevoix	Iron	Missaukee	Shiawassee
Cheboygan	Isabella	Monroe	Tuscola
Chippewa	Jackson	Montcalm	Van Buren
Clare	Kalamazoo	Montmorency	Wayne
Clinton	Kalkaska	Muskegon	Wexford
Crawford	Kent	Newaygo	
Delta	Keweenaw	Oakland	

These authorized imports are contingent on compliance with the following: Import into Washtenaw County must be explicitly recognized in the generating County's approved Act 641 Solid Waste Plan. The County reserves the right to enter into reciprocal agreements with any of the above counties to assure adequate capacity under the Plan's contingency arrangements.

BFI has agreed to collect and make available to the County on an annual basis all information required to monitor and evaluate the above restrictions on solid waste imported into the County consistent with the Agreement and with the Plan (Page A.4-24 #8).

#### II.B: Authorized Export of Solid Waste

A portion of the County's waste stream may be disposed of in other Counties as specified in this Amendment. Export of solid waste to disposal facilities in the following Counties in the quantities specified is explicitly recognized and authorized in this Amendment.

- Jackson County - An average of 150,000 to 250,000 gate cubic yards per year of Type III solid waste may be exported to licensed disposal facilities in Jackson County.
- Lenawee County - An average of 25,000 to 60,000 gate cubic yards per year of Type II solid waste may be exported to licensed disposal facilities in Lenawee County.
- Livingston County - An average of 150,000 to 750,000 gate cubic yards per year of Type II solid waste may be exported to licensed disposal facilities in Livingston County.
- Monroe County - An average of 5,000 to 15,000 gate cubic yards per year of Type II solid waste may be exported to licensed disposal facilities in Monroe County.
- Oakland County - An average of 150,000 to 750,000 gate cubic yards per year of Type II solid waste may be exported to licensed disposal facilities in Oakland County.
- Wayne County - An average of 150,000 to 750,000 gate cubic yards per year of Type II solid waste may be exported to licensed disposal facilities in Wayne County.

This authorization is contingent on compliance with the following: Export from Washtenaw County must be explicitly recognized, including specific quantities, in the receiving County's approved Act 641 Solid Waste Plan. All plans for export must be submitted to the County ahead of time to determine that the export activity is consistent with the Washtenaw County Act 641 Solid Waste Plan Update of 1989 and this Amendment, and to determine that the exporter is in compliance with all other provisions of the Act 641 Plan.

Should the County find evidence of non-compliance with any of these requirements, said export activity shall not be considered authorized and shall be stopped immediately.

### III: OTHER

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The Act 641 Washtenaw County Solid Waste Planning Committee created to advise on the adoption of this Amendment shall formally cease to exist once the Amendment is approved by the Michigan Department of Natural Resources.



## AMENDMENT TO AGREEMENT FOR DISPOSAL OF SOLID WASTE

This agreement, dated December 22, 1994 is entered into to amend that certain Agreement for Disposal of Solid Waste dated June 4, 1992, (the "Agreement") between Browning Ferris Industries of Southeastern Michigan, Inc., a Michigan Corporation (the "Company") and Washtenaw County, Michigan, a Michigan County Corporation (the "County").

The parties hereby agree as follows:

1. The agreement is amended to delete Section 12.07 in its entirety.

2. A new Section 12.07 is added, which will read as follows:

In the event that the County shall become authorized to restrict the import of wastes into the County from other states or countries, the County will take action to authorize the Company to accept such out-of-state waste for disposal at the Landfill up to the maximum allowable quantity. Such authorization shall become part of the Exhibit "C" Amendment for the purposes of Article VIII and Article XII of the Agreement. Such action will include, but not be limited to, preparation of a plan amendment to be submitted to the County, local units in the County, and the Michigan Department of Natural Resources for consideration of approval pursuant to Act 641, or other similar administrative actions necessary to authorize such import.

3. A new section, 5.07, is added, which reads as follows:

In addition to other guarantees to Washtenaw County contained in other portions of the agreement, the Company certifies that their marketing priorities for solid waste will be as follows: First priority - Washtenaw County, Second Priority - Southeast Michigan, Third priority - State of Michigan, Fourth priority - out of state.

4. A new section, 5.08, is added, which reads as follows:

Solid waste materials accepted for import from out-of-state origin must be in compliance with applicable recycling and composting requirements of the designated planning agency which governs the generator's waste management activities or the waste shall be subject to the surcharge described in Exhibit A of the Agreement.

5. A new section, 5.09, is added, which reads as follows:

Of the maximum allowable amount of waste which may be accepted as identified in Article 12.03, the company may accept no more than 6,250,000 gate cubic yards of waste from out-of-state sources in any consecutive five year period, subject to the requirements of Article 5.08.

6. Nothing in this amendment shall relieve the Company from complying with the other provisions of the Agreement, including, but not limited to, the obligations under Article 3 to provide for disposal of County Solid Waste (as defined in the Agreement).

Executed as of the date first written.

ATTESTED TO:

[Signature]

WASHTENAW COUNTY

By: [Signature]  
Michael DuRussel, Chair  
Washtenaw County Board of  
Commissioners

Barbara L. Holman

By: [Signature]  
Peggy M. Haines  
County Clerk/Register

Witness

[Signature]

BROWNING-FERRIS INDUSTRIES  
OF SOUTHEASTERN MICHIGAN

By: [Signature]  
Its: Vice President

APPROVED AS TO CONTENT:

[Signature]  
Washtenaw County  
Public Works Division  
Department of Environment and  
Infrastructure Services

Date: December 14, 1994

APPROVED AS TO FORM:

[Signature]  
Washtenaw County  
Office of Corporation Counsel

Date: December 15, 1994

STATE OF MICHIGAN     )  
  )  
WASHTENAW COUNTY     )

Subscribed and sworn to me before on \_\_\_\_\_, 1994.

\_\_\_\_\_  
Notary Public, Washtenaw County  
My commission expires \_\_\_\_\_, 19\_\_\_\_

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6. Nothing in this amendment shall relieve the Company from complying with the other provisions of the Agreement, including, but not limited to, the obligations under Article 3 to provide for disposal of County Solid Waste (as defined in the Agreement).

Executed as of the date first written.



Post-it® Fax Note	7671	Date	10/26/00	Pages	4
To	Tom Ross	From	J. Krcmarik		
Co/Dept.	DEQ	Co.	Washtenaw		
Ext #		Phone #	734-997-1472		
Fax #	572-373-4797	Fax #			

Services

## Solid Waste Planning Committee (SWPC) & Board of Public Works (BPW)

**MINUTES (not approved)**  
**Wednesday, April 12, 2000**  
**Regular Meeting**  
**110 N. Fourth Ave.**  
**Ann Arbor**

**SWPC Members Present:** Steve Dawdy, Jim Frey, Mike Garfield, Julie Knight, Chris Kolb, Daniel Myers, Andrew Schmidt, Chris Simmons, and David Stead.

**SWPC Members Absent:** Jim Dzengeleski, Pierre Gonyon, John Myers, John Newman, and Gina VanRiper

**SWPC Alternate Present:** Bryan Weinert

**BPW Members Present:** Vivienne Armentrout, Janis Bobrin, Eugene Glysson, Fred Mammel, Ulrich Stoll, and Mona Walz

**BPW Members Absent:** James Dries

**Staff Present:** Chris Riggs and Susan Todd

**Others Present:** Terry Guerin (Granger/MWIA)

### I. Call to Order

Stead called the meeting to order at 4:40 p.m.

### II. Approval of Agenda

Knight made the motion, seconded by Dzengeleski, to approve the agenda as submitted. The motion carried unanimously.

### III. Approval of Minutes (3-14-00) and Review of Summary (3-29-00)

Simmons made the motion, seconded by Myers, to approve the minutes as submitted. The motion carried unanimously. Stead noted that no formal approval was necessary for the summary of the 3-29-00 working session.

### IV. Review and Approval of Changes to Plan

Stead directed the Committee's attention to the list of changes made to the Plan, as summarized on pages 11 through 14 of the meeting packet. Stead noted that all changes, with the exception of the last four items listed, had already been approved by the Committee during previous meetings. Stead suggested that the Committee focus on these last four items first, with discussion on the previously approved changes to follow.

**Import language:** The first item to be discussed was the change to the import language on page III-7, based upon J. Myers suggestion. Todd stated that Seth Philips indicated that the DEQ would not

approve the Plan with the current import language as approved by the Committee on 3-14-00. Simmons noted that at the 3-14-00 meeting, the Committee agreed that if the DEQ did not approve of this language, then the following sentence would be deleted from page III-7: "The Plan will explicitly authorize the acceptance and disposal of waste from out-of-state sources as described in the Agreement between the County and BFI." Simmons made the motion, seconded by Knight, to delete the aforementioned language from the waste import section. The motion passed unanimously.

**Siting Process:** Stead explained that Committee members present at the 3-29-00 working session had attempted to modify the siting process, based upon Frey's recommendations at the 3-12-00 meeting, to incorporate aspects of Grand Traverse's approved siting process, particularly the concept of County sponsorship. Stead continued to explain that Frey was unable to attend the working session, and had therefore submitted additional comments and suggestions regarding the draft created at the working session. Stead stated that the main task of the Committee was to review both the siting process as proposed by the working group, and Frey's comments on the working group's proposal, as noted on a separate handout. Bobrin arrived at 4:45.

Frey proceeded to summarize why his recommendations were essential to a siting process that could be approved by the DEQ and would also incorporate the concept of County sponsorship, thereby allowing selective siting of desirable facilities such as transfer stations or processing facilities. Frey explained that certain carefully crafted legal language required to achieve these two goals was missing from the current draft siting process. Frey also stated that some of the language regarding the siting criteria required adjustment. Frey responded to questions on the purpose and limitations of the County sponsorship concept, and the necessity of adapting the legal framework and specific language changes he was recommending. Garfield arrived at 4:55.

Glysson inquired whether land leased by the County or a sponsoring municipality would qualify as "sponsorship." Frey replied that long-term lease of twenty or more years would satisfy the definition of "sponsorship" and that the Committee could decide to include language to that effect in the definition of "sponsorship."

Bobrin suggested that the definition of sponsorship could also be modified so that the last sentence would read: "Such facilities will be evaluated for siting following the Plan's siting mechanisms as provided for in this plan." Frey reminded the Committee that the more the Committee strayed from the language already approved by the DEQ, the greater the chances are that the Plan could be disapproved by the DEQ. Bobrin amended her suggestion to replace "evaluated for siting" with "reviewed for siting". Frey stated his opinion that if the Committee wished to modify this sentence, that the DEQ was less likely to have a problem with "reviewed" than with "evaluated."

Frey continued to review his suggested changes by proceeding down the list on his handout, explaining the significance of each change. Dawdy inquired as to whether a non-sponsored existing facility, such as Calvert's, could expand its operation without County sponsorship. Frey directed the Committee's attention to Item C of the Authorized Disposal Area Types, which allows existing transfer stations and mixed waste processing facilities to increase physical size by 50% without sponsorship or a plan amendment. Weinert pointed out that "physical size" was vague and could be open to interpretation. Walz added that there was no mention as to how often a facility could expand by the maximum of 50%. Frey responded that the DEQ interprets "physical size" to mean the "footprint" of the facility, and that the language was probably acceptable as is. Myers stated that he believed the expansion clause was not likely to be disputed or abused, and that the existing language had already been approved by the DEQ and recommended that it not be modified. Frey agreed that in this case, less specific language would be more beneficial than more specific language. Armentrout was excused from the meeting at 5:15.

Frey continued by reviewing and explaining his recommended changes to Items P, Q, R, and S of the Minimum Siting Criteria Evaluation Checklists and Detailed Descriptions. Items P and Q, pertaining to woodland protection and nuisance mitigation, Frey stated, must include reference to a signed statement, and mention that "the adequacy of the submittal will not be used to determine if this criterion has been satisfied." Bobrin inquired why there is a specific plan for woodland protection, but no criteria are mentioned for other natural features such as compliance with the most current County stormwater

regulations. Myers pointed out that stormwater regulations would be included under item V regarding certain regulatory requirements, but that the Committee might wish to explicitly list stormwater management in Item V. Bobrin was excused from the meeting at 5:25.

Frey finished reviewing his suggested changes and made a motion, seconded by Schmidt, to approve the siting process which included Frey's changes and Glysson's and Bobrin's friendly amendments. "Sponsorship" would be defined as "ownership or long-term lease (20 years or more) of the land...", and sponsored facilities would be "reviewed for siting following the Plan's siting mechanisms...".

Simmons expressed a desire to remove items R and S regarding facility siting in minority and low-income census tracts, because such limitations might prevent desired and sponsored facility siting in areas such as the City of Ypsilanti. Simmons pointed out that County sponsorship could safeguard against undesired siting in low-income or minority areas, but could permit a facility with local support to be sited in such areas. Simmons also pointed out that the potential facilities would be only transfer and processing facilities, which would not pose the same concerns of environmental justice as would a facility such as a landfill. Dawdy supported Simmons' comments. Garfield countered that the logic behind Items R and S is that they would protect a low income or minority community from either municipal or county government officials who may be in favor of siting a facility in spite of the wishes of the community. Stead stated that Items R and S could be interpreted to be no different than any of the other criterium; if they are determined to be appropriate criterium, then there should be no reason for making exceptions to these criteria. Discussion continued about the benefits and drawbacks of removing or retaining Items R and S in the siting process. Walz was excused from the meeting at 5:40

Simmons, seconded by Dawdy, moved to amend Frey's motion on the floor to include removal of Items R and S from the Minimum Standard Siting Criteria. Stoll inquired why census tracts were used as the standard measure, and Schmidt suggested siting the sources for how the percentages of 35% minority population and 56% low-income were derived. Todd explained that census tracts were used because of their availability, and that the percentages were derived from a combination of EPA and SEMCOG data in order to satisfy the DEQ's requirement for specific and measurable criteria. Todd further stated her respect for the intent of these criteria, but that given the authority established under the sponsorship approach, she felt that it would be appropriate to remove Items R and S. Kolb and Terrance Geurin arrived at 5:45.

Stead called a vote on whether to amend Frey's motion to include removal of Items R and S from the Minimum Standard Siting Criteria. The amendment passed with 6 in support (Dawdy, Knight, Myers, Schmidt, Simmons, and Weinert) and 3 opposed (Frey, Stead, and Garfield).

Glysson raised an issue regarding the role of the DPW Director during the first meeting of the Solid Waste Facility Siting Committee (SWFSC), as described in the last paragraph of Section B of the Siting Criteria. Glysson suggested that it was not standard procedure for the DPW Director to preside as Chair and convene each meeting of the SWFSC, and proposed a friendly amendment to replace the first sentence of the paragraph as follows: "The County DPW Director shall call for the first meeting of the SWFSC, preside as Chair, and officially convene the first meeting of the SWFSC. The first order of business shall be to elect a Chairperson to the SWFSC." There were no objections to Glysson's friendly amendment. Stead called a vote on Frey's motion to approve the siting process, as amended by Simmons. The motion passed unanimously.

**Additional Charges to the Task Force Committees:** The last two main items for discussion pertained to charging the Intergovernmental Task Force and Commercial Task Force with utilizing "the most current data available, as provided by DPW staff." Stead explained that the Committee had previously approved a motion to update the residential baseline data from 1997 to 1998. However, at the 3-29-00 working session, DPW Staff reported that this task would be much more difficult than previously estimated, and would necessitate revising large portions of the entire database.

Stead continued to explain that as a result of the difficulty and time commitment involved with updating baseline data, members present at the working session suggested postponing an update of the baseline data until the Task Forces are convened. Stead further explained that even if the baseline data

were to be updated in the current Plan, both the residential and commercial data would still have to be updated again. Frey made a motion, seconded by Garfield, to require both Task Forces to "Utilize the most current County waste generation and disposal data available, as provided by DPW staff." The motion passed unanimously.

#### V. Timeline

Todd updated the Committee on the timeline for approval of the Plan as follows: pending approval of the Plan by the SWPC, the Plan will be submitted for approval by the Board of Public Works on Wednesday, April 19. If approved by the BPW, the Plan and supporting documents would need to be submitted to Administration by noon of April 19, in order to be included in the meeting packet for the Board of Commissioners (BOC) on Wednesday, May 03.

After approval by the BOC, the Plan will be reviewed by local communities. Upon approval by 2/3 of the communities, the Plan will be submitted to the DEQ for approval.

#### VI. Editorial Comments on Plan Changes and Final Approval

Simmons noted that the facility description on page II-29 incorrectly lists the City of Ypsilanti Compost Facility as privately owned, rather than publicly owned. Staff agreed to make the correction. Simmons also noted that on page II-20, the additional information for the City of Ypsilanti MRF is incorrect. Staff agreed to correct the description to state that the facility is "operated by the Ypsilanti Recycling Project under contract with the City of Ypsilanti through October of 2001."

Weinert noted that page III-10 shows that the Arbor Hills Landfill is owned and operated by BFI. Todd stated that BFI is also listed as the owner and operator of the Arbor Hills Landfill in other locations throughout the Plan, and that staff will update all references to the owner and operator of the Arbor Hills facilities once this information becomes available.

Weinert also noted that the timetable on page III-28 shows that the Task Forces will be designated by May of 2000, and that this was not a realistic goal. Discussion ensued regarding a more realistic timetable, and the committee decided that the timetable for designating the Task Forces would be changed to "Within 2 months following Plan approval by 2/3 communities."

Garfield made a motion, seconded by Schmidt, to approve the entire Plan, as amended. The motion passed unanimously.

#### VII. New Business

Simmons inquired about the role of the SWPC in garnering support for the Plan among local communities. Stead replied that DPW staff may require support when presenting the plan to communities, and that he felt it is the duty of SWPC members to be available to assist, at the request of DPW staff, with such presentations and to answer questions posed by community members.

#### VIII. Public Comment

Terrance Guerin announced that the House State Waste Task Force was scheduled for May 1, and encouraged any interested Committee members to attend.

#### XIV. Adjourn

Frey made the motion, seconded by Garfield, to adjourn. Stead adjourned the meeting at 6:10 p.m.

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