GUIDANCE FOR PREPARING AN AREA SOLID WASTE MANAGEMENT PLAN (SWMP)
2023 – 2027 5-Year Update: Due Oct. 1, 2022

TRAINING OBJECTIVES

- Provide an overview for solid waste planning as required by local government.
- Review the general instructions for preparing and submitting a SWMP Update.
- Discuss a timeline for SWCs to reference while drafting the SWMP Update.
- Review the statutory requirements for attachments to the SWMP Update.
- Discuss changes to the new Form: DEP 6062 and requirements for completion.
- Look at each chapter of the Form and discuss the format and questions.
- Provide insight for how to answer questions and determine content.
An AREA SOLID WASTE MANAGEMENT PLAN is a document that establishes policies, programs and goals for handling solid waste within a designated area. Although SWMPs are comprehensive, the primary goals are waste reduction and resource recycling.

THE BASIC ELEMENTS OF A SWMP INCLUDE:

- An Overview of the Solid Waste Management Area (SWMA)
- An Evaluation of Current Solid Waste Practices
- An Assessment for Improving Programs and Policies
- An Outline of Specific Actions to Implement Programs
In 1991, the Kentucky Legislature passed Senate Bill 2 which required a comprehensive program for managing solid waste in our state. The legislation expanded the role of local government and required counties to do the following:

- Designate a Solid Waste Management Area or District (SWMA).
- Develop a comprehensive Solid Waste Management Plan (SWMP).
- Update the SWMP every five years and request amendments in the interim.
- Provide universal collection services to all residents within the SWMA.
- Assure disposal capacity at landfill(s) for the waste generated in the SWMA.
- Set goals to reduce waste, increase recycling, clean dumps, control litter.
- Determine local siting procedures and authorize capacity for landfills.
- Involve the public in the decision-making process for managing solid waste.

KRS 224.43-345: Defines the requirements for SWMAs and SWMPs.
401 KAR 49:011: Defines how to develop, update and amend SWMPs.
GENERAL INSTRUCTIONS FOR UPDATING SWMPs

GENERAL REQUIREMENTS

- Use FORM DEP 6062 to complete the SWMP Update.
- Provide information as specified on the Form and answer all questions.
- Complete public notice, resolutions, area designation and other required attachments.

PREPARATION ASSISTANCE

- Consult with the governing body and advisory committee to draft the SWMP Update.
- Consult with other SWCs who have previous experience with drafting SWMP Updates.
- Contact LAS staff for assistance while preparing the draft SWMP Update.
- Contact LAS staff if you have questions concerning the Form.

SUBMITTAL BY COUNTY (SWMA)

- Verify all signatures, make a copy for county files and submit one original to DWM.
- Include all Chapter Attachments to the back of the SWMP Update.
- Submit an original of the SWMP Update for 2023-2027 by Oct. 1, 2022.
GENERAL INSTRUCTIONS FOR UPDATING SWMPs

APPROVAL FROM STATE (DWM)

- Once submitted, the Cabinet has 120 days to review, approve or disapprove the Update.
- If deficiencies are found, DWM will notify the SWMA to make corrections.
- DWM can issue up to 3 notices of deficiency; SWMA has 90 days to make corrections.
- Once deficiencies are corrected, DWM will approve the Update and notify SWMA.

AMENDMENTS TO SWMP UPDATE (DWM and SWMA)

- Solid waste planning is a continuous process throughout the 5-year planning period.
- SWMAs must evaluate the need to amend the SWMP throughout the 5-year planning.
- All AMENDMENTS proposed during the planning period between Updates must be submitted to RLA staff for review and guidance. (401 KAR 49:011)

CONTACT INFORMATION FOR DIVISION OF WASTE MANAGEMENT

(each LAS member is responsible for counties in their respective ADDs)

- Deborah DeLong: GATEWAY, BLUEGRASS, PURCHASE, PENNYRILE, BUFFALO TRACE
- Shannon Powers: GREEN RIVER, BARREN RIVER, LINCOLN TRAIL, NORTHERN KY, KIPDA
- Anita Young: LAKE CUMBERLAND, CUMBERLAND VALLEY, KY RIVER, BIG SANDY, FIVCO
TIMELINE SUGGESTIONS FOR SWCs

FEBRUARY
✓ Attend training with RLA Staff for guidance on how to prepare a SWMP Update.
✓ Begin Discussions with governing body (fiscal court or 109 Board) and Advisory Board.

MARCH
✓ Confirm jurisdiction of SWMA (Area Designation) and review current solid waste practices.
✓ Review current SWMP and assess need for improvements to programs.
✓ Evaluate the need to amend or develop new ordinance(s) for collection, siting, etc...

APRIL – JULY
✓ Identify objectives and actions for improving and implementing solid waste programs.
✓ Draft the SWMP Update using the objectives and actions as a framework.
✓ Draft the Public Notice and advise the governing body of the public information process.

AUGUST
✓ Advertise public notice and 30-day comment period; schedule public hearing for 31st day.
✓ Respond to public comment and conduct public hearing as requested.

SEPTEMBER
✓ Hold fiscal court meeting to adopt SWMP Update by resolution or ordinance.

OCTOBER
✓ Submit completed 2018-2022 SWMP Update with Attachments by October 1st.
Updating a SWMP Requires Knowledge of the SWMA’s Current Practices, Legal Documents and Budget

1) CURRENT PRACTICES
   PROGRAMS/POLICIES
   Collection Services
   Disposal Needs/Capacity
   Recycling and Reduction
   Eliminating Open Dumps
   Controlling Litter
   Siting Facilities
   Enforcing Ordinances
   Overseeing Budgets

2) LEGAL DOCUMENTS
   LOCAL ORDINANCES
   Storage, Collection, Disposal
   Transportation, Processing
   Littering, Illegal Dumping,
   Enforcement, Siting
   LOCAL CONTRACTS
   Inter-Local Agreements
   Host Agreements with Landfill
   Contracts with Franchise

3) BUDGET
   REVENUE
   General Fund
   109 Taxing District
   Host Fees, Facility Fees
   Franchise/Permit Fees
   Grant Funding
   EXPENDITURES
   Capital, Personnel
   Enforcement, Education
   Cleanups, Disposal
Statutory Requirements for SWMP Attachments are found in KRS 224.43-345

1. **UPDATE OF THE AREA DESIGNATION** *(DWM FORM)*
2. **CAPACITY ASSURANCE FROM LANDFILL(s)** *(LETTER)*
3. **PUBLIC NOTICE AND 30 DAY COMMENT** *(TEAR SHEET OR AFFIDAVIT)*
4. **PUBLIC HEARING - RESPONSE TO COMMENT** *(NOTIFICATION TO DWM)*
5. **RESOLUTION or ORDINANCE ADOPTING SWMP UPDATE** *(LEGAL DOCUMENT)*
6. **ORDINANCES PERTAINING TO MANAGING SOLID WASTE** *(LEGAL DOCUMENTS)*
7. **CONTRACTS (Franchises, Permits, Solid Waste Facilities)** *(LEGAL DOCUMENTS)*
8. **INTERLOCAL AGREEMENTS (109 District, Regional Project)** *(LEGAL DOCUMENT)*
9. **HOST AGREEMENTS (Landfills located in the SWMA)** *(LEGAL DOCUMENT)*
10. **FORMS (Citations, Warning Letters, Siting Petitions, etc...)** *(COUNTY FORMS)*
KRS 224.43-340 requires waste management districts, counties or a combination thereof to be designated as a SWMA.

SWMAs are designated for five year periods and must be reapproved and updated at the end of five years.

All completed SWMP Updates shall be accompanied by a signed Update of Area Designation.
Capacity Assurance is a means for planning the future disposal of solid waste generated in the SWMA.

Each SWMA is required to make provisions with one or more landfills to assure that there is adequate capacity for at least a 10 year period for the municipal solid waste expected to be generated within the area.

A letter from the landfill to the SWMA indicating capacity assurance is sufficient for the attachment.
GOVERNING BODY MUST ADVERTISE A PUBLIC NOTICE TO ANNOUNCE THE 30-DAY PUBLIC INFORMATION PERIOD FOR THE SWMP UPDATE.

PUBLISH AT LEAST ONCE IN A DAILY OR WEEKLY NEWSPAPER IN THE AREA.

MUST BE IN DISPLAY FORMAT; AT LEAST TWO COLUMN WIDTHS.

PUBLIC INFORMATION PERIOD COMMENCES ON THE FIRST DAY OF THE ADVERTISEMENT.

A TEAR SHEET OR AN AFFIDAVIT TO VERIFY THE PUBLIC NOTICE AND 30-DAY COMMENT PERIOD IS A REQUIRED ATTACHMENT.
Public Hearing Sequence

Public Notice 30-Day Comment Period with a Scheduled Hearing on the 31st Day

Written Comments Received/No Hearing Requested
- Consider and Respond to Written Comments Within 15 Days
- Advertise Response Available for Review
- Notify DWM of Any Proposed Changes to Determine if Public Notice Needed
- Fiscal Court Adopts Plan by Resolution or Ordinance

Written Comments Received/Hearing Requested
- 7-day Public Notice and Hold Hearing
- Consider Comments from Hearing
- Advertise Response Available for Review
- Notify DWM of Any Proposed Changes to Determine if Public Notice Needed
- Fiscal Court Adopts Plan by Resolution or Ordinance

No Written Comments Received/Hearing Requested
- 7-day Public Notice and Hold Hearing
- Consider Comments from Hearing
- Advertise Response Available for Review
- Notify DWM of Any Proposed Changes to Determine if Public Notice Needed
- Fiscal Court Adopts Plan by Resolution or Ordinance

No Written Comments Received/No Hearing Requested
- Fiscal Court Adopts Plan by Resolution or Ordinance

Fiscal Court Adopts Plan by Resolution or Ordinance
After the 30-day public comment period and public hearing (if requested), all completed SWMP Updates shall be approved by the local governing body.

A signed Ordinance, Resolution or Administrative Regulation approving the 2023-2027 SWMP from the governing body of the SWMA is required with the SWMP Update.

Sample Resolutions and Ordinances for both counties and cities are included in the training packet.
Solid Waste Ordinances and legal codes are laws passed by city or county government in order to address the community’s waste management needs.

Comprehensive Solid Waste Ordinances typically address storage, collection, processing, transportation, disposal, enforcement and penalties.

Specific Solid Waste Ordinances are more focused and address a single priority issue or a few select issues such as:

- Siting Solid Waste Facilities (restrictions for locating facilities)
- Planning and Zoning (restrictions for land use)
- Nuisances (restrictions for odor, noise, unkempt property)
- Waste Tire, Abandoned Vehicles, Junkyards
- Littering, Open Dumping, Open Burning

Model and Sample Ordinances are included in your training packet.
Examples of Forms:

- Agreements between Counties Hosting a Landfill (Host Agreements)
- Agreements for Interlocal Cooperative SWMAs (Garrard/Lincoln, NKYSWMA)
- Agreements for Regional Recycling Alliances
- By-Laws for 109 Waste Management Districts
- Contracts for Franchise Collection Service
- Contracts for Bidding Services (such as Illegal Dump Cleanups)
- Contracts for Litter Crews or Trash for Cash Programs
- Applications for Permit Waste Haulers
- Applications for Requests to Locate and Construct Solid Waste Facilities (Siting)
- Citation Forms and Warning Letters for Enforcing Ordinances
CHAPTER 1 - BACKGROUND INFORMATION
Attachment: Resolution/Ordinance Adopting the 5-Year Update
Attachment: Public Notice for the 5-Year Update
Attachment: Update of Area Designation

CHAPTER 2 - COLLECTION SYSTEM
Attachment: Ordinance Reflecting County and/or City Collection Systems

CHAPTER 3 - DISPOSAL SYSTEM
Attachment: Capacity Assurance Letters and Contractual Agreements

CHAPTER 4 - RECYCLING AND REDUCTION
Attachment: (Inter-local Agreements for Regional Recycling Alliances)

CHAPTER 5 - OPEN DUMPS AND LITTER
Attachment: Section of Ordinance Pertaining to Open Dumping
Attachment: Litter Ordinance or Section of Ordinance Pertaining to Litter

CHAPTER 6 - FACILITY SITING
Attachment: Siting Ordinance
Attachment: Siting Procedures

CHAPTER 7 - ENFORCEMENT
Attachment: Section of Ordinance Pertaining to Solid Waste Enforcement
Attachment: Citation Forms and Form Letters
Attachment: Administrative Court Procedures

CHAPTER 8 - FINANCIAL MECHANISMS

CHAPTER FORMAT

Section A...
Identify and describe current programs and policies for managing solid waste.

Sections B, C...
Determine strengths and weaknesses of existing programs and policies.

Section D...
List specific actions and timeframe for implementing programs and goals.
**SECTION A:** Identify SWMA, single County or a Regional; list incorporated cities.

**SECTION B:** Identify Governing Body; list members; provide contact information.

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**TIP: Include Attachments**

**Chapter 1 Attachments:**

- Resolution/Ordinance Adopting SWMP Update.
- Public Notice - Tear Sheet and Date of Notice or Affidavit from newspaper.
- Area Designation Update signed and dated by appropriate officials.
- Remember to have officials sign in blue ink.

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### 1. BACKGROUND INFORMATION

#### A. Area Designation

1. Name of County or Regional Solid Waste Management Area ("RSWMA") **ROWAN COUNTY**  
   Check One: ☑ County ☐ Regional Solid Waste Management Area ("RSWMA")

If area designation is a RSWMA, list counties: N/A

2. List all incorporated cities within the solid waste management area and the population of each.

   | 1. Morehead 6,900 | 2. | 3. |

   | 4. | 5. | 6. |

   | 7. | 8. | 9. |

#### B. Governing Body Information

1. Designation Type: ☑ Fiscal Court ☐ 109 Board (Taxing) ☐ 109 Board (Non-taxing) ☐ Regional Area City/County Merger

2. Name of chairperson of the governing body (judge executive, chairperson, etc.) JIM NICKELL, JUDGE/EXECUTIVE

3. List each member of the governing body:

   | 1. **HARRY CLARK** | 2. **TROY PERKINS** | 3. **RAY WHITE** |

   | 4. **DARREL GLOVER** | 5. | 6. |

   | 7. | 8. | 9. |

   | 10. | 11. | 12. |

4. Address: 600 WEST MAIN STREET  
   City: MOREHEAD  
   State: KY  
   Zip Code: 40351

5. Telephone: 606-784-5161  
   Fax: 606-784-3535  
   Email: judgeexec@windstream.net
### SECTION C – Provide Name; Contact Information for the Solid Waste Coordinator

<table>
<thead>
<tr>
<th>C. Solid Waste Coordinator Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name of Coordinator: Bob Wells</td>
</tr>
<tr>
<td>2. Address: 600 WEST MAIN STREET</td>
</tr>
<tr>
<td>City: MOREHEAD</td>
</tr>
<tr>
<td>3. Telephone: 606-784-6345</td>
</tr>
</tbody>
</table>

6. Work Status (check one):
- [ ] Volunteer  - [x] Full-time  - [ ] Part-time

7. Hours worked per week: **25**

### SECTION D – List the names and positions of the Advisory Committee Members

<table>
<thead>
<tr>
<th>D. Advisory Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>List the names and representative bodies of the advisory committee members.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Representing</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) BOB MARSH</td>
<td>INDUSTRY</td>
</tr>
<tr>
<td>2) APRIL HAIGHT</td>
<td>BUSINESS</td>
</tr>
<tr>
<td>3) EARL ALDERMAN</td>
<td>CITIZEN</td>
</tr>
<tr>
<td>4) MIKE CAMPBELL</td>
<td>ATTORNEY</td>
</tr>
<tr>
<td>5)</td>
<td></td>
</tr>
<tr>
<td>6)</td>
<td></td>
</tr>
</tbody>
</table>
SECTION E – List the preparers contact information. (SWC, ADD, etc...)

SECTION F – Provide Public Notice Date and Resolution/Ordinance Date.

TIP: Dates are important!

The Public Notice date and the date that the governing body adopts and signs the Resolution or Ordinance approving the SWMP Update must be **31 days apart**.

*If dates do not reflect the full 30-day public comment period, then the SWMA will be required to repeat the process.

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**E. Preparer Information**

Complete this section, if the preparer is different than the solid waste coordinator.

1. Name: (N/A for SWC) Other Preparer - GATEWAY AREA DEVELOPMENT DISTRICT STAFF

2. Address: 110 Lake Park Drive

   City: Maysville  
   State: KY  
   Zip Code: 40601

3. Telephone: 606-564-5694  
4. Fax: 606-564-5446  
5. Email: JoeSmith@btadd.com

**F. Resolution/Ordinance to Adopt Solid Waste Management Plan 6-Year Update**

1. Check one: □ Resolution  
   □ Ordinance

2. Public Notice Date: 8-18-17  
3. Date Signed: 9-20-17

4. The following documents must be attached. Check all that have been attached and place at the end of the report with a cover sheet labeled "Chapter 1 Attachments."
   □ A signed and dated copy of the resolutions/ordinance adopting the 5-year update
   □ A dated original of the public notice, or a copy and an affidavit from the newspaper by whom the notice was originally published
   □ Area Designation
SECTION A: Determine ordinance type, describe collection services and describe the requirements for waste hauler registration and reporting.

TIP: Include Attachment

Chapter 2 Attachment:

- Current Solid Waste Management Ordinance.

Type of Ordinance

- **Mandatory Collection** requires all households to participate in the collection system authorized by the county.

- **Universal Collection** requires the county to provide access to collection service(s) for each household through franchise services, permitted haulers, transfer stations, convenience centers or direct haul to solid waste facilities.

<table>
<thead>
<tr>
<th>2. COLLECTION SYSTEM</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Collection System</td>
</tr>
<tr>
<td>1. Ordinance Type (check one): [ ] Mandatory [ ] Universal</td>
</tr>
<tr>
<td>Date passed: 5-21-91</td>
</tr>
<tr>
<td>2a. Provide a detailed description of all the collection systems in your SWMA (collection systems include: franchise, permit, municipality owned/operated, private, staffed transfer station staffed convenience centers, etc.)</td>
</tr>
<tr>
<td>Rowan County provides access for each household or solid waste generator in the county to legally dispose of solid waste. Residential and commercial waste collection services are offered through municipally-owned collection services, direct hauling to disposal receptacles, or through private services with permitted or franchised waste haulers. The City of Morehead operates a municipally-owned curbside collection service.</td>
</tr>
<tr>
<td>2b. Attach a signed and dated copy of the current solid waste management ordinance(s) including all related amendments. Place at the end of the report with a cover sheet labeled “Chapter 2 Attachments.”</td>
</tr>
<tr>
<td>3. Describe your annual waste hauler registration process including the annual requirement to file reports.</td>
</tr>
<tr>
<td>A collector/recycler registration and report form is required to be submitted by all residential and commercial waste collectors and recyclers to the Rowan County Solid Waste office on an annual basis. Collectors and recyclers use Form DEP 5033 (Municipal Solid Waste (MSW) Collector and Recycler Registration and Report Form) and are required to provide contact information, number of customers, amount of waste or recyclables and fee schedule for households.</td>
</tr>
</tbody>
</table>
SECTION B: Provide a List of Collection System Strengths

- Rowan County’s Solid Waste Ordinance is a comprehensive ordinance that effectively addresses the collection needs of the community and has an enforceable section for collection.
- Rowan County has a detailed Franchise Agreement with Veolia Services which includes a fee schedule and specific responsibilities of the collector. The contract also provides for reasonable rates to the customer with adjustments tied directly to the diesel fuel price index.
- Rowan County also utilizes a permitted waste hauler (dba Local Sanitation) for certain rural areas. Local Sanitation is required to obtain a permit each year through the solid waste coordinator’s office. Local Sanitation has provided reliable service for many years.
- Collection rates for residential and commercial services are reasonable.
- Seniors receive a reduced rate for collection services.

SECTION C: Provide a List of Collection System Weaknesses

- Rowan County does not have a mandatory collection ordinance; therefore, problems occur with illegal use of private dumpsters. This is considered theft of service and is enforced as needed.
- Rowan County utilizes a permitted waste hauler (dba Allied Waste Collection) with a considerably high percentage of suspended customers primarily due to lack of payment. Suspended or delinquent customers have their garbage left at the roadside which produces litter along the road.
TIP: Be Specific and Realistic

- Include specific actions required to maintain services and programs.
- Include strategic, but realistic actions to improve services and programs.
- Include timeframes for implementing each action.
- Include public outreach and education efforts.

### D. Collection System Implementation Schedule

<table>
<thead>
<tr>
<th>Specific Actions</th>
<th>Frequency</th>
<th>Month/Year to Begin</th>
<th>Month/Year to End</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Continue to provide residential and commercial collection services through municipally-owned, franchise and permit waste haulers. Solid Waste Coordinator will continue to assist both customers as well as collectors with issues involving collection.</td>
<td>Continuous</td>
<td>1/18</td>
<td>12/22</td>
</tr>
<tr>
<td>2.) Continue to require solid waste collectors and recyclers to register and report on an annual basis with the solid waste coordinators office.</td>
<td>Continuous</td>
<td>1/18</td>
<td>12/22</td>
</tr>
<tr>
<td>3.) Continue to enforce the requirements of universal collection as outlined in the ordinance, but explore the potential for initiating mandatory collection with Fiscal Court. Implement mandatory collection if deemed feasible.</td>
<td>Annually</td>
<td>1/18</td>
<td>12/22</td>
</tr>
<tr>
<td>4.) Establish a notification procedure whereby the collection service will contact the Solid Waste Coordinator when a customer is delinquent on payments and suspended from service. This action is intended to resolve problems with nonparticipation.</td>
<td>Continuous</td>
<td>1/18</td>
<td>12/22</td>
</tr>
<tr>
<td>5.) Continue to use media sources to advertise collection services and educate the community about the requirements for universal collection. Schedule public outreach continuously throughout the year to maximize communication efforts.</td>
<td>Continuous</td>
<td>1/18</td>
<td>12/22</td>
</tr>
</tbody>
</table>
### SECTION A: Provide the SWMA's population and waste disposal projections for 5, 10 and 20 years; List all contained landfills to be used during the next 5 years.

**TIP: Include Attachments**

**Chapter 3 Attachments:**
- Capacity Assurance Letters
- Host Agreements/Contracts

**Use Projection Chart:**
Use chart provided in your training packet to find waste projections for your county.

**List All Landfills:**
List all landfills to be used for the disposal of solid waste from your SWMA in the next 5 years.

**Use DEPs Search Online:**
http://dep.gateway.ky.gov/eSearch/

### 3. DISPOSAL SYSTEM

<table>
<thead>
<tr>
<th>A. Disposal System</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Provide SWMA population and municipal solid waste disposal projections for five (5), ten (10), and twenty (20) years in the future.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Population 2020</th>
<th>Population 2025</th>
<th>Population 2033</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>24,708</td>
<td>25,269</td>
<td>26,102</td>
</tr>
<tr>
<td>Waste Generation Projection</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018 – 2022</td>
<td>130,311 Tons</td>
<td>133,269 Tons</td>
<td>275,326 Tons</td>
</tr>
</tbody>
</table>

2. List all contained landfills, including out-of-state landfills that will be used by your governing body during the 5-year update period. Provide capacity assurance letters demonstrating a minimum of 10 years of capacity from the landfill(s) and copies of any contractual agreements with those disposal facilities. Place at the end of the report with a cover sheet labeled “Chapter 3 Attachments.”

<table>
<thead>
<tr>
<th>Landfill Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Landfill Name: Advanced Disposal Services, Morehead Landfill, Inc.</td>
<td>300 Old Phelps Road</td>
<td>Morehead, KY</td>
<td>KY</td>
<td>40351</td>
</tr>
<tr>
<td>Permit #: 103-00007</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.) Landfill Name: Big Run Landfill</td>
<td>1837 River Cities Drive</td>
<td>Ashland</td>
<td>KY</td>
<td>41102</td>
</tr>
<tr>
<td>Permit #: 010-00054</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CHAPTER 3 – DISPOSAL SYSTEM

SECTION A (cont.) Provide a complete inventory of all disposal facilities currently operating in the SWMA; Determine Remaining Authorized Capacity for Host Landfills

TIP: Include a complete inventory of facilities:
• Contained Landfills
• CDDs > 1 Acre
• Incinerators and
• All other technologies that accept solid waste

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Ownership</th>
<th>City</th>
<th>Address</th>
<th>State</th>
<th>Zip Code</th>
<th>Cost to Users</th>
<th>Life Expectancy</th>
<th>Level of Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nelson Co. Solid Waste Disposal Facility</td>
<td>Nelson County Fiscal Court</td>
<td>Bardstown</td>
<td>1025 Airport Road</td>
<td>KY</td>
<td>40004</td>
<td>$34/Ton</td>
<td>50 Years</td>
<td>Currently in compliance</td>
</tr>
</tbody>
</table>

TIP: How To Determine Remaining Capacity:

1. Total Authorized Capacity
2. Total Disposed to Date
3. Remaining Authorized Capacity

4. SWMA's hosting a landfill must complete question 4. All other SWMA's may proceed to question 5.

4a. Identify the following for each contained solid waste disposal facility hosted in your SWMA:

<table>
<thead>
<tr>
<th>Landfill</th>
<th>Permit #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nelson County Solid Waste Disposal Facility</td>
<td>090-00001</td>
</tr>
</tbody>
</table>

| Total Capacity Authorized to Date | 3,781,000 Tons |
| Amount Disposed in Landfill to Date | 908,024 Tons |
| Remaining Authorized Capacity | 2,872,976 Tons |

5. Describe any proposal(s) for new disposal facilities or expansions of existing disposal facilities (landfill, incinerators, or other approved technologies, etc.) planned during the 5-year update period: Nelson County Solid Waste Disposal Facility has an estimated 50 years of additional landfill capacity based on current disposal rates. Based on the estimated capacity remaining, there are no plans for an expansion in the next 5-year planning period.
TIP:

- Most counties have an Emergency Disaster Plan in place with a section that addresses debris and solid waste removal.

- A SWMP Amendment will be required if a new solid waste disposal facility or expansion of an existing facility is proposed, approved locally and permitted by the state.

6. Describe the county's emergency disaster plan to address solid waste concerns in the event of natural disasters (flooding, snow/ice storms, tornadoses, earthquakes, etc.): In the event of a major natural disaster, the county will follow the process for debris removal as outlined in the Boyd County Emergency and Disaster Plan (see attachment). Generally, the county and city road departments are available with equipment and manpower. Staging areas and disposal sites are pre-planned and the host landfill is available with adequate capacity.

7. Describe plans to research alternative approaches to solid waste management. Local officials are currently researching the feasibility of locating a waste to energy plant in the industrial area of the county. The plant will convert organic waste into methane gas. County officials will attend meetings with company representatives in the next year. If officials decide to go forward with the facility, then the governing body will work through proper siting procedures to make sure permits are obtained accordingly.
## B. Disposal Practices Strengths.

Describe the strengths of your existing disposal practices: County has a permitted contained landfill and a <1 Acre CDD landfill, both of which provide good rates and many positive services to local residents. The host agreement with the landfill not only generates revenue for the county, if provides the following services:

- disposal of waste tires for recycling;
- disposal of appliances for recycling with no cost to the customer;
- free disposal days twice a year;
- free disposal of up to 150 tons of solid waste from dump cleanups, litter, and special events;
- and free rolloff or dumpster containers provided to the county for special events.

In addition to the affordable services, the landfill has experienced and trained personnel who make sure the facility achieves compliance with local and state permit regulations.

## C. Disposal Practices Weaknesses.

Describe the weaknesses of your existing disposal practices: Although the host landfill offers affordable and convenient services, the facility recently made a significant change in business hours. Weekday hours remain 8am-5pm; however, the facility is now closed on Saturdays. A proposal is being made to open the landfill one Saturday each month. This will be decided when the Host Agreement is renewed in 2018.
## SECTION D: Disposal System Implementation Schedule

<table>
<thead>
<tr>
<th>Specific Actions</th>
<th>Frequency</th>
<th>Month/ Year to Begin</th>
<th>Month/ Year to End</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Conduct compliance inspections at landfill.</td>
<td>6 per year</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>2.) Review records and reports from landfill.</td>
<td>1/quarter</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>3.) Renew the Host Agreement and negotiate free disposal days for county residents once a month.</td>
<td>1/month</td>
<td>Jan 2018</td>
<td>Dec 2022</td>
</tr>
<tr>
<td>4.) Renew the Host Agreement and negotiate a requirement for the facility to open on one Saturday per month.</td>
<td>1/month</td>
<td>Jan 2018</td>
<td>Dec 2022</td>
</tr>
<tr>
<td>5.) Consider remaining capacity at host landfill and propose an expansion to the authorized capacity. Work through local determination process to meet state permit requirements.</td>
<td>Annually</td>
<td>Jan 2018</td>
<td>Dec 2022</td>
</tr>
<tr>
<td>6.) Continue to provide information about disposal services, hours, events and issues to the public. Use local media and community education as a means of keeping the public informed about the landfill and potential compliance issues.</td>
<td>Annually</td>
<td>Jan 2018</td>
<td>Dec 2022</td>
</tr>
</tbody>
</table>

**TIP: Remember**
- Be specific, strategic and realistic.
- Provide dates for all activities.
- Include public outreach and education efforts.
SECTION A: Identify recycling programs; describe registration and reporting process; include plans for managing yard waste; and identify permitted composting facilities.

TIP: No Attachment?

Although there is no attachment required with Chapter 4, if your county is involved in a regional recycling effort, please identify the region and attach any relevant contracts, such as Interlocal Agreements for Regional Recycling Alliances.

### 4. RECYCLING AND REDUCTION

<table>
<thead>
<tr>
<th>A. Recycling/Reduction Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Is recycling offered in your SWMA?</td>
</tr>
<tr>
<td>2. Describe your SWMA's annual recycler registration process including the annual requirements to file reports: Bullitt County requires all waste haulers and recyclers to register and report to the county using Form DEP 5033. This requirement is for all private and public recyclers, including the City of Shepherdsville Recycling Center.</td>
</tr>
<tr>
<td>3. Do you have a plan to reduce the need for land disposal of yard waste?</td>
</tr>
<tr>
<td>If yes, describe: Bullitt County is a rural county and many residents use their yard waste in their own compost piles or gardens. Although county-wide yard waste collection has not been offered in the past, the county will explore the feasibility of a composting operation.</td>
</tr>
<tr>
<td>4. Does your SWMA collect or manage yard waste for the purpose of diverting it from a landfill?</td>
</tr>
<tr>
<td>5. List the counties and cities within your SWMA that collect or manage yard waste for the purpose of diverting it from the landfill?</td>
</tr>
</tbody>
</table>

| NONE |

| 6. List all permitted composting operations currently operating in your SWMA. If no composting operation exists, detail any actions your SWMA plans to take to encourage composting: There are no composting operations in Bullitt County. Composting will be promoted through environmental education and the county will consider the feasibility of such a service, but there are no plans to initiate a facility. |

<p>| | |</p>
<table>
<thead>
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</tbody>
</table>
### Special Waste

**HHW**

**Oil**

**Antifreeze**

**Batteries**

**E-scrap**

**Tires**

**Sludge**

**Medical Waste**

---

7. Describe your plan to reduce the need for land disposal through recycling, reuse and waste reduction (include drop off centers, curbside collection, interlocal agreements for regional alliances, etc.) Bullitt County recently expanded the Recycling Center and anticipates further growth and public interest. The City of Shepherdsville currently offers door-to-door recycling which makes recycling efforts easy for residents. Bullitt County offers e-scrap recycling to accommodate public interest and offer an alternative to landfiling.

8. If recycling is deemed not feasible, provide specific details supporting that decision: Resource recovery is a matter of economic feasibility; however, Bullitt County has a need and market for recycling.

9. Describe how used motor oil, batteries, and antifreeze are handled in your SWMA:

   - The Bullitt County Road Department recycles used motor oil.
   - Several auto parts stores and service centers accept used oil and antifreeze.
   - The Bullitt County Recycle Center accepts lead acid batteries.

10. Describe how household hazardous waste is handled in your SWMA: The Solid Waste Coordinator advises residents to dispose of household hazardous waste (HHW) at a special collection event or to use certified HHW collectors. The county will consider applying for a grant through DWM to help fund a HHW Collection Event. Efforts to educate the public about HHW will also continue.

11. Are electronics/computers recycled in your SWMA?  
   - X Yes  
   - ☐ No

11a. If yes, describe your electronics/computer (e-scrap) recycling program: Bullitt County offers e-scrap recycling through Creative Recycling Services out of Louisville.

11b. If no, discuss any plans your governing body to start an electronics/computer (e-scrap) recycling program: N/A
Section A (cont.) Identify paper recycling programs; identify businesses and agencies that recycle office paper; how does the SWMA assist schools in meeting the statutory requirement to recycle white paper and cardboard.

TIP: KRS 160.294 Requires school systems to recycle white paper and cardboard. SWMAs should not only educate schools about the need for recycling, they should assist schools in carrying out recycling programs to meet statutory requirements.

12. Is office paper recycled in your SWMA? X Yes □ No

12a. If yes, what businesses or agencies recycle office paper? County and city offices recycle office paper; most area businesses recycle office paper; and all public schools recycle white paper.

12b. If no, explain why office paper is not recycled in your SWMA: N/A

13. What efforts has your governing body made to assist the local school boards in recycling white paper and cardboard to meet the statutory requirements in KRS 160.294? If there have been none what will the county do to assist in this endeavor? Include dates in the implementation schedule: The Bullitt Co SWC makes sure to communicate with school systems regarding the statutory requirement for paper and cardboard recycling. Bullitt County offers recycling to the school systems through the use of the Recycling Center. The school system is also proactive about providing services and ensuring that paper and cardboard is adequately collected and transported to a recycling center.
CHAPTER 4 – RECYCLING AND REDUCTION

SECTION B: Provide a List of Recycling Program Strengths

B. Recycling Program Strengths

- Describe the strengths of your existing recycling program:
- County owns and operates a recycling center with free drop-off for all residents.
- County Recycling Center accepts paper, plastics, glass, aluminum, steel, cardboard and e-scrap.
- County provides roll off containers for metal and other recyclables during cleanup events.
- Both county and incorporated cities provide door-to-door recycling in addition to the drop-off center.
- Public and private recyclers are cooperative in registering and reporting annually to the county.
- Local auto parts stores accept used oil, antifreeze and batteries.
- County road department garage recycles used oil for heat source.
- Schools participate in recycling programs and fulfill statutory requirements for paper and cardboard.
- Schools incorporate “reduce, reuse and recycle” in environmental education curriculum.
- Recycling opportunities are advertised in the local paper, on local cable and in radio spots.
- County applies for grant funding through DWM to improve and expand services.

SECTION C: Provide a List of Recycling Program Weaknesses

C. Recycling Program Weaknesses

- Describe the weaknesses of your existing recycling program:
- Efforts to improve and promote recycling are limited to available funding.
- Private school systems need to be more proactive with recycling programs.
- Signage and additional bailers are needed at the county-owned drop-off center.
- Fiscal court should be better informed about the need to expand recycling efforts.
- Mandatory recycling for cardboard and paper is not required by ordinance for local businesses.
**SECTION D: Recycling/Reduction Implementation Schedule**

**TIP: Remember**

*Be specific, strategic and realistic.*

*Provide dates for all activities.*

*Include public outreach and education efforts.*

<table>
<thead>
<tr>
<th>Specific Actions</th>
<th>Frequency</th>
<th>Month/Year to Begin</th>
<th>Month/Year to End</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Continue to expand recycling opportunities at county-owned facilities by applying for state grant funding through DWM.</td>
<td>Annually</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>2.) Encourage Fiscal Court to consider passing an ordinance that would require mandatory source separation for corrugated cardboard and office paper at local businesses.</td>
<td>Annually</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>3.) Continue to encourage private recycling opportunities such as auto part stores, scrap metal dealers, etc.</td>
<td>Annually</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>4.) Work towards offering single-stream recycling program throughout the entire county and incorporated cities.</td>
<td>Annually</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>5.) Continue to monitor the registration and reporting requirement for all recyclers in the county and city. Send Form DEP 5033 to each recycler in December and require the Form to be returned to the SWC by February 1st each year.</td>
<td>Annually</td>
<td>Dec. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>6.) Continue public outreach efforts to inform residents of recycling opportunities. Continue environmental education efforts in school system to promote recycling and educate students about the need to reduce waste. Educate students about the financial benefits of recycling as well as environmental benefits.</td>
<td>Continuous</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
</tbody>
</table>
SECTION A: Describe your ordinance with respect to open dumps; describe how you identify and record open dumps; explain how you prioritize dump cleanups;

<table>
<thead>
<tr>
<th>5. OPEN DUMPS AND LITTER</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Open Dumps and Litter</td>
</tr>
<tr>
<td>1. Describe the contents of your ordinance with respect to open dumping. Provide a copy of the section of the ordinance(s) pertaining to open dumping and place at the end of the report with a cover sheet labeled “Chapter 5 Attachments.” Warren County’s ordinance states “It shall be prohibited for any person to dispose of any solid waste,....by dumping same on any premises within the county, with or without the consent of the owner of the premises; dump solid waste on public right-of-ways of county roads or streams; deposit solid waste in any container not his own, or to add to another person’s waste with the intent of avoiding payment of service charges for collection by an authorized waste collector; dispose of dead animals except as provided by Kentucky law; own or operate a dump except under permit from the [Kentucky Department for Environmental Protection]...</td>
</tr>
<tr>
<td>2. What is your process for identifying and recording open dumps? Warren County conducts windshield surveys throughout the year in each magisterial district. Open dumps are identified by address and GPS coordinates. Open dumps are characterized, evaluated for size and content, and photographed for documentation. SWC notifies DWM-DEP staff of sites containing more than 2 cubic yards of waste.</td>
</tr>
<tr>
<td>3. How does the SWMA prioritize the cleanup of open dumps? Dumps are assigned a DUMPCON (dump condition) number, ranging from 1-5: DUMPCON 1 – all permitted and non-permitted sites that are an immediate threat to life or property. DUMPCON 2 – a non-permitted site greater than 1 pickup truck load; immediate threat. DUMPCON 3 – a non-permitted site greater or equal to 1 pickup truck load; potential threat. DUMPCON 4 – a non-permitted site greater or equal to 1 pickup truck load; no immediate threat. DUMPCON 5 – litter on right of ways; less than a pickup truck load; not immediate threat.</td>
</tr>
</tbody>
</table>
### SECTION A (cont.): Describe prevention efforts for recurring sites; describe assistance to private property owners; explain litter program; describe coordination efforts.

4. Describe the procedures to prevent the recurrence of open dumping at sites that have been cleaned (include surveillance efforts, pull-off barricades, etc.):

- **County installs barriers such as gates, poles and berms to restrict access.**
- **Signage is posted to deter dumping.**
- **Signs indicate penalties; surveillance cameras and/or that the area is patrolled.**
- **Sites may be patrolled for up to one year or longer until area is under control.**

5. Describe any assistance your SWMA offers to private property owners to clean open dumps:

- Property owners responsible for open dumping must enter into a clean-up agreement or they receive a Notice of Violation.
- **Private property owners are encouraged to clean dump sites on their own.**
- If a property owner is unable to clean up their property, the county may seed to enter the property legally and abate the nuisance at the owner’s expense.
- If the property owner is not responsible for the dumping and the site meets criteria for a potential dump grant, then the county will seek funding through the state Illegal Open Dump Grant program.

6. Describe your plan to control and clean up litter:

- **Warren County identifies problem areas and focuses labor and resources in those areas.** Litter and debris are picked up routinely by litter crews (Class D felons from Warren Co Regional Jail). The county road department collects litter bags left by crews and transports them for disposal at a permitted facility. An active Adopt-A-Highway program also contributes significantly to litter abatement activities.

7. Describe the coordination efforts that exist within your SWMA with local, county and state law enforcement. If your county has a litter ordinance, provide a copy of the ordinance(s) or the portion of the solid waste ordinance(s) pertaining to litter and place at the end of the report with a cover sheet labeled “Chapter 5 Attachments.” The county acts as the lead agency in identifying problem areas for litter and dumps outside the city limits, while the cities are encouraged to act likewise in their jurisdictions. When necessary, DWM-DEP field office is notified to assist with enforcement.
SECTION B: Describe the Strengths of Eliminating Open Dumps in your SWMA.

SECTION C: Describe the Weaknesses of Eliminating Open Dumps in your SWMA.

TIP: Refer to training packet.

Remember to refer to training packet for a list of strengths and weaknesses. The list can serve as a reference point for you to evaluate your programs and services.

B. Open Dump Prevention Strengths

Describe the strengths of your program to clean and prevent open dumps:

1. Local governments are proactive about surveying roads for dump sites. Various county employees and volunteers contribute to the identification of dump sites.
2. Local governments use publicity and advertising to promote proper disposal.
3. Access to solid waste services and low prices reduces the number of new dumps.
4. County government has applied for and received grant funding over the years to clean a significant amount of dump sites in an effort to completely eliminate illegal dumps.

C. Open Dump Prevention Weaknesses

Describe the weaknesses of your program to clean and prevent open dumps:

1. Dump sites on private property may go unidentified.
2. Law enforcement agencies are not trained on how to handle open dumping incidents.
3. Identification of individuals not subscribing to garbage collection isn't immediately accessible.
4. Civil fines and citations cannot be issued immediately; instead, a Notice of Violation is issued by certified mail. NOVs often get returned because the person can't be located.
5. Statutes do not provide adequate notification to county government of new solid waste facilities or projects for which permits have been sought. This includes registered permit by rule facilities. This sometimes leads to conflicts between the state, county and applicant.
### D. Open Dump Prevention Implementation Schedule

List specific actions or projects your SWMA will complete to maintain or improve its open dump abatement program. Include educational efforts.

<table>
<thead>
<tr>
<th>Specific Actions</th>
<th>Frequency</th>
<th>Month/Year to Begin</th>
<th>Month/Year to End</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Begin sending warning letters to non-subscribers of collection services and</td>
<td>Monthly</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>follow up with enforcement procedures.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.) Obtain a list from PVA of all households and businesses to cross reference</td>
<td>Annually</td>
<td>March 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>with collection franchisee lists. Notify non-subscribers of requirement to</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>participate in collection services.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.) Identify all property owners with known dump sites; send warning letters and</td>
<td>Monthly</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>follow through with enforcement.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.) Identify new dumps through public education; inform property owners of</td>
<td>Monthly</td>
<td>Mar. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>consequences; offer amnesty or assistance when possible.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.) Develop website to post dumpsites: photos, descriptions and owner names;</td>
<td>Monthly</td>
<td>Mar. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>issue news release and publish in newspaper. Improve public outreach regarding</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>consequences of open dumping.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>6.) Clean dumpsite within one year of disclosure.</td>
<td>Annually</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
</tbody>
</table>
SECTION E: Describe the Strengths of Litter Prevention in your SWMA.

TIP: Refer to training packet.

Remember to refer to training packet for a list of strengths and weaknesses. The list can serve as a reference point for you to evaluate your programs and services.

E. Litter Prevention Strengths

Describe the strengths of your program to control and clean up litter:

1. Warren County Regional Jail Class D Inmate Work Program has been a major force in routinely collecting litter along all public roads.
2. Litter cleanup activities are also provided through Adopt-A-Highway groups and the county’s Litter Education and Abatement Program for non-profits.
3. Warren County encourages community cleanup events.
4. Signage and local media go a long way in educating the public about criminal litter laws.

SECTION F: Describe the Weaknesses of Litter Prevention in your SWMA.

F. Litter Prevention Weaknesses

Describe the weaknesses of your program to control and clean up litter:

1. Inmate releases from Warren County Regional Jail Class D Inmate Work Program and funding cuts from municipal government sources to Operation P.R.I.D.E have caused a reduction in the number of hours for supervising and litter pickup in the cities and county.
2. Volunteer groups do not clean designated areas routinely and they are not the most efficient use of dollars at a cost of $100 per mile with an average of 10 bags per mile. Basically, volunteer groups should not be used as paid contractors.
3. There is no funding for direct enforcement of anti-litter laws. State litter funds are not permitted to be used to fund efforts to staff such activities or buy equipment, which would enable solid waste enforcement personnel to perform this function. Area law enforcement does not apply existing resources toward litter prevention.
4. The majority of the public is still largely unaware of the penalties of littering. Fast food trash and cigarette butts remain the biggest portion of litter problems.
### Tip:

*Be specific, strategic and realistic.

*Provide dates for all activities.

*Include public outreach and education efforts.

---

### D. Litter Prevention Implementation Schedule

List specific actions or projects your SWMA will complete to maintain or improve its litter abatement program. Include educational efforts.

<table>
<thead>
<tr>
<th>Specific Actions</th>
<th>Frequency</th>
<th>Month/Year to Begin</th>
<th>Month/Year to End</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Continue to pick up litter along public roads and city streets as required by statute. Continue to pay volunteer groups to pick up litter. Continue using inmate labor and county road department in litter abatement activities.</td>
<td>Monthly</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>3.) Send letters to source generators to ask for help in anti-litter campaign: restaurants, convenient stores, etc. Ask them to collect litter at drive-thru areas and give out litter bags.</td>
<td>Annually</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>4.) Identify problem areas and post signage at intersections, etc.</td>
<td>Quarterly</td>
<td>Jan. 2018</td>
<td>Dec. 2018</td>
</tr>
<tr>
<td>5.) Use advertising and giveaways for education. Work with MS4 Stormwater programs to educate the public and school groups about problems with littering.</td>
<td>Monthly</td>
<td>Jan. 2018</td>
<td>Dec. 2018</td>
</tr>
</tbody>
</table>
### SECTION A: Describe your SWMA's siting ordinance or process for locating solid waste facilities in your Area; explain the process for enforcing siting ordinances.

**TIP: Include Attachments**

**Ch. 6 Attachments:**
- Current Siting Ordinance or section of Solid Waste Ordinance pertaining to facility siting.
- Any documents pertaining to facility siting process (local site permit, petition process, planning and zoning requirements, etc.)

**Facility Siting Issues:**
- Environmental and Health Risks
- Economic Issues
- Social Issues
- Political Issues

#### A. Facility Siting

1. Describe your SWMA's current siting ordinance(s). Include any local planning and zoning requirements. Attach a signed and dated copy of the current siting ordinance(s) and place at the end of the report with a cover sheet labeled "Chapter 6 Attachments."

   1. The County's siting ordinance states that no person shall construct or operate a solid waste management facility until a Site Approval Permit has been obtained from the County Fiscal Court.
   2. In addition to obtaining a Site Approval Permit at the local level, all persons proposing to site, construct or expand a solid waste management facility must also obtain necessary state and federal permits.

2. A siting ordinance enforced at the local level helps ensure that the facility attains the standards set forth by the local solid waste governing body. Describe the process for enforcing your SWMA's siting ordinance(s):

   1. The County Fiscal Court reserves the right to approve or deny applications for solid waste management facilities to locate within the designated solid waste management area.
   2. Enforcement of the siting ordinance may be carried out by any peace officer of the county or the Solid Waste Coordinator.
TIP: 10 Steps for Siting Solid Waste Facilities:

1. Identify Facility Need
2. Involve the Public
3. Determine the Service Area
4. Seek Independent Consultant
5. Define Siting Criteria
6. Rank Potential Site Locations
7. Select the Preferred Site
8. Identify Host Community Benefits
9. Secure Financing
10. Conduct Siting Meetings

3. Describe in detail the site approval process for your SWMA. Attach a copy of the siting procedures and place at the end of the report with a cover sheet labeled “Chapter 6 Attachments.”

All potential owners/operators proposing to locate, construct or expand a solid waste management facility must follow through with local siting procedures as outlined below:

1. Owner/operator of proposed solid waste management facility must contact the County Fiscal Court and file an application for a Site Approval Permit at the County Judge Executive’s office.
2. Once an application is filed, the County has forty-five (45) days to complete an administrative review and notify the applicant in writing that the application is administratively complete (or if the application is incomplete, additional information will be requested).
3. During the administrative review, the County determines if all necessary information has been provided with the application. Once the County determines that the application is administratively complete, the process for technical review and public notification will be initiated.
4. At this point, the applicant must advertise the proposed facility and the timeframe for the public comment period. If requested, the County will hold a public hearing to consider comments and concerns from the community.
5. After considering public comment, the County Fiscal Court then makes the determination to issue a Site Approval Permit.
CHAPTER 6 – FACILITY SITING

SECTION A (cont.): Describe the rules, regulations and standards for siting, expanding or modifying solid waste facilities; describe any planned modifications.

TIP: Who rules siting? Local, state and federal governments have a role in establishing rules and regulations for siting facilities. Each level of government should be actively involved in making sure that the proposed facility meets minimum technical and legal criteria.

Facility siting is part of the state permitting process. Permits need to be consistent with local public policy.

4. Does the site approval process establish rules, regulations, and standards in the physical placement, expansion, or modification of a facility? If not, are there any planned modifications to address these concerns within the siting ordinance/procedures?

Yes, the site approval process includes criteria for considering the potential environmental impact as well as the health, safety and welfare of residents. The criteria are outlined in the Site Approval Permit application which includes a facility impact report and risk assessment to define the public health, safety and environmental risk associated with the facility.

Additional rules, regulations and standards apply to any person or entity proposing to construct or expand a municipal solid waste disposal facility as defined in KRS 224.40-310. These facilities (defined in statute as contained landfills, residual landfills, greater than one acre construction and demolition debris landfills, solid waste incinerators, waste to energy facilities, hazardous waste landfills and hazardous waste incinerators) must meet state siting requirements. As such, permit applications for constructing or expanding these types of facilities, must contain a determination from the governing body of the solid waste management area (County Fiscal Court) that the proposal is consistent with the Solid Waste Management Plan. This process of local determination will be carried out as needed for any proposal to construct or expand any of these types of facilities. Note: If the proposal is inconsistent with the SWMP, then County Fiscal Court may choose to pursue a consistency determination by proposing an amendment to the SWMP in order to make it consistent.
TIP: Public Perception is Critical to Siting...

Residents will not accept behind-the-scenes decisions on solid waste management.

Involve the public through advisory committees, meetings and public outreach.

Ensure site suitability by requiring criteria for determining the risk to public safety, public health, environmental impact, and property values.

5. Does the site approval process outline the requirements for public notification in the decision-making process? If not, are there any planned modifications to address these concerns within the siting ordinance/procedures?

Part of the planning process for siting solid waste facilities is public notification and public participation. The following provisions are made for public involvement:

1. Each application for site approval shall be subject to a public comment period and, upon request, a public hearing.
2. Once an application has been filed and after the County Fiscal Court completes an administrative review, the applicant is notified to advertise a public notice in the local newspaper with the largest circulation in the county. The notice must advise the public that a petition for site approval has been filed; as well as the beginning and end date for the public comment period.
3. If requested, the County must hold a public hearing and provide a response to all comments.

6. Does the site approval process include a submittal of a permit application with site specific information, ownership and financial data, approval and notification processes, and allowances for permit conditions, inspections, reporting, fees, enforcement, and penalties?

Yes, the local Site Approval Permit application includes the following criteria:

1. Applicants contact information including name, address and phone number.
2. Legal description of property and tax map reference, present use and copy of deed.
3. List of all adjacent property owners and mailing addresses of residents who are adjacent or within 200 yards of the proposed site.
4. A description of the facility, type of waste, source of waste and proposed activities at the site.
5. A Facility Impact Report and Risk Assessment defining public health, safety and impact.
6. Financial disclosure to ensure adequate financial responsibility for clean-up and closure.
7. Fee established by the local governing body to cover the cost of processing the application, giving notice to affected property owners and advertising a public hearing.

State permit applications also include site specific information, site suitability, ownership and financial requirements, approval and notification processes, operational conditions and other information relevant to inspections, reporting and regulations. The Kentucky Division of Waste Management enforces regulatory requirements for state-issued permits.

The County will also pursue additional contractual agreements such as Host Community Agreements when siting solid waste facilities. Additional restrictions and benefits for hosting the facility will be negotiated within the Agreement.
SECTION B: Describe the Strengths of Local Siting Procedures.

TIP: Refer to training packet. Remember to refer to training packet for a list of strengths and weaknesses. The list can serve as a reference point for you to evaluate your programs and services.

TIP: Facility Siting Strengths:

- Understand the issues
- Develop a siting strategy
- Enact a siting ordinance
- Clarify siting process
- Involve the public

<table>
<thead>
<tr>
<th>B. Facility Siting Strengths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Describe the strengths of your existing siting ordinance:</td>
</tr>
<tr>
<td>The current siting ordinance effectively outlines the proper procedures to follow for the siting of a solid waste management facility.</td>
</tr>
<tr>
<td>The application for a Site Approval Permit specifically lists the criteria required to determine site suitability, assess public safety, assess environmental impact and ensure financial responsibility.</td>
</tr>
<tr>
<td>The County ensures that the public is informed about all proposed facilities and the site approval process requires notification to nearby residents of the proposed site.</td>
</tr>
<tr>
<td>The siting process allows for extensive public involvement through public comment and hearings.</td>
</tr>
</tbody>
</table>

SECTION C: Describe the Weaknesses of Local Siting Procedures.

<table>
<thead>
<tr>
<th>C. Facility Siting Weaknesses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Describe the weaknesses of your existing siting ordinance:</td>
</tr>
<tr>
<td>The public is generally unaware of siting requirements and procedures at the local and state level.</td>
</tr>
<tr>
<td>County lacks zoning and/or land use regulations.</td>
</tr>
<tr>
<td>County does not frequently assess the need for siting or expanding solid waste facilities.</td>
</tr>
</tbody>
</table>
### Facility Siting Implementation Schedule

List specific actions or projects the SWMA will complete to maintain or improve its facility siting system, the frequency at which such actions will take place, a date for commencement of the activities and a date at which the activities will cease. **Include educational efforts.**

<table>
<thead>
<tr>
<th>Specific Actions</th>
<th>Frequency</th>
<th>Month/Year to Begin</th>
<th>Month/Year to End</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.) Determine permit requirements for waste-to-energy facility and review potential sites for locating a waste-to-energy facility.</td>
<td>Monthly</td>
<td>1-1-18</td>
<td>12-31-18</td>
</tr>
<tr>
<td>2.) Pursue local and state siting requirements for waste-to-energy facility if deemed feasible by Fiscal Court.</td>
<td>As needed</td>
<td>1-1-18</td>
<td>12-31-18</td>
</tr>
<tr>
<td>3.) Review siting ordinance and update or amend ordinance if areas are found to be lacking.</td>
<td>Annually</td>
<td>1-1-18</td>
<td>12-31-22</td>
</tr>
<tr>
<td>4.) Increase efforts to educate the community about the need for solid waste facilities and the process for ensuring suitable sites for needed facilities.</td>
<td>As needed</td>
<td>1-1-18</td>
<td>12-31-22</td>
</tr>
<tr>
<td>5.) Make more of an effort with respect to capacity planning for projected waste generation. Assess the need for new or expanded facilities to assure capacity needs are met.</td>
<td>As needed</td>
<td>1-1-18</td>
<td>12-31-22</td>
</tr>
</tbody>
</table>

**TIP: Remember**

* Be specific, strategic and realistic.
* Provide dates for all activities.
* Include public outreach and education efforts.
**SECTION A: Describe your SWMAs enforcement procedures and penalties for non-participation in the approved collection system; describe enforcement activities**

**TIP: Include Attachments**

**Chapter 7 Attachments:**
- Section of ordinance pertaining to enforcement
- Citation Forms
- Warning Letters
- Administrative Court procedures

Community members are much more likely to respect and follow ordinances if they are informed and educated about why they need to participate in efforts to manage solid waste.

### 7. ENFORCEMENT

#### A. Enforcement Program

1. Describe your enforcement procedures and penalties for non-participation in your approved solid waste collection system. Attach a copy of the section of the ordinance(s) or procedures pertaining to non-participation and place at the end of the report with a cover sheet labeled “Chapter 7 Attachments.” Residents who fail to legally dispose of their solid waste are subject to citation for non-payment of fees and failure to comply with the universal solid waste collection ordinance. The citation is issued by the Code Enforcement Officer and if the citation is not abated, the violator will be served with a criminal summons to appear in Boyd County District Court.

2. Describe all surveillance/enforcement activities used by your SWMA to prevent litter and illegal dumping; for example, neighborhood watches, hidden cameras, etc. Attach copies of citation forms and letters to violators and place at the end of the report with a cover sheet labeled “Chapter 7 Attachments.” Boyd County receives substantial cooperation with local citizens and government offices in identifying and reporting illegal dumps and litter-prone areas. Surveillance may be used in remote locations through hidden cameras. Individuals who are caught littering will be issued a citation to appear in Boyd County District Court where they will be subject to a fine, public service or both. All local and state law enforcement officers have the authority to issue citations.

3a. Do you use an administrative court for solid waste issues?  
   - Yes  
   - No

3b. If “yes” to question 3a, above, provide the date the court became effective:
Describe administrative court procedures and or any proposed modifications to dump and litter ordinances; describe the investigation and what actions are taken by the county if an item is found in an open dump with a name.

TIP: Illegal Open Dump Grant Program

Counties may apply for grant funding to clean illegal open dumps. DWM Regional Office Inspectors must assist the SWC with pre inspections for dump sites that are identified and listed on grant applications. If the site is eligible for funding, the inspector will need to follow up with a post inspection.

4. Describe the operative procedures of the administrative court for solid waste issues. Attach a copy of the relevant documents or codes that relate to the administrative court and place at the end of the report with a cover sheet labeled “Chapter 7 Attachments.” N/A

5. If your SWMA does not have an administrative court for solid waste issues, do you plan to initiate an administrative court during this plan period? ☐ Yes ☒ No If yes, provide dates in the implementation schedule.

6. Describe any proposed modifications to your open dumping and littering procedures/ordinances. Provide dates in the implementation schedule: Boyd County is not planning any modifications to the open dumping and littering ordinances. If a need arises to address ordinance issues, then amendments will be considered by the fiscal court.

7. Describe enforcement actions or procedures taken by the SWMA if identifying information is found in litter or an illegal dump: If an item is found in an illegal dump that contains a name and/or address, it is turned over to the Boyd County Code Enforcement Officers. A letter is then sent to the individual requesting information as to how the item turned up in the dumpsite. If the individual does not provide an adequate explanation, then a citation and summons to the Boyd County District Court is issued.
## Chapter 7 – Enforcement

### Section B: Enforcement Procedures Strengths

**TIP: Refer to training packet.**

Remember to refer to training packet for a list of strengths and weaknesses. The list can serve as a reference point for you to evaluate your SWMAs ability to enforce local solid waste laws.

Effective enforcement actions are timely, consistent, fair and reasonable.

Bringing parties into compliance is as important as preventing further violations.

### B. Enforcement Procedures Strengths

Describe the strengths of your existing enforcement procedures regarding litter and illegal dump prevention and non-participation in your approved collection system:

- Boyd County has two full-time Code Enforcement Officers to locate and issue citations to individuals that do not abide by county solid waste ordinances.
- The officers also have assistance and support from County District Court in pursuing fines and penalties from individuals found guilty of violating solid waste ordinances.
- The solid waste ordinance is well-written and enforceable.

### Section C: Enforcement Procedures Weaknesses

Describe the weaknesses of your existing enforcement procedures regarding litter and illegal dump prevention and non-participation in your approved collection system:

- Identifying and tracking individuals guilty of illegal dumping and littering is difficult in the rural areas.
- The terrain, hollows and hills, makes illegal activities of dumping easy to conceal.
- Better surveillance is needed for remote areas where littering and dumping tend to recur.
- Public education and awareness could be stronger.
## Section D: Enforcement Implementation Schedule

**TIP:** What are your communities biggest issues?

- Open dumping?
- Open burning?
- Poor participation?
- Abandoned vehicles?
- Waste tires?
- Siting and construction?

Remember to include outreach and education efforts to ensure that your community is aware of local solid waste laws and the need for environmental compliance.

<table>
<thead>
<tr>
<th>Specific Actions</th>
<th>Frequency</th>
<th>Month/Year to Begin</th>
<th>Month/Year to End</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.) Continue to work with the County Attorney to require community service penalties in addition to fines.</td>
<td>Daily</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>4.) Monitor courts to ensure appropriate fines and punishments are levied to violators of the solid waste ordinances.</td>
<td>As needed</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>5.) Encourage state and local officials to issue citations to violators of the illegal dumping ordinance.</td>
<td>As needed</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
<tr>
<td>6.) Use local media to increase awareness of solid waste enforcement issues.</td>
<td>Quarterly</td>
<td>Jan. 2018</td>
<td>Dec. 2022</td>
</tr>
</tbody>
</table>
CHAPTER 8 – FINANCIAL MECHANISMS

SECTION A: Identify the sources of revenue that fund your solid waste programs; identify how the Solid Waste Coordinator’s position is funded.

TIP:
How do you fund your solid waste management programs?

- Local Taxes
- 109 Taxing District
- User Fees
  - Franchise Fees
  - Permit Fees
- Host Agreement Fees
- Facility Fees (68:178)
- Sale of Recyclables
- Grant Funding

8. FINANCIAL MECHANISMS

A. Financial Mechanisms

1. Check all items that apply for the funding of your Solid Waste Program.
   - X Line Item in County Budget
   - X Collection franchise fees
   - 109 Taxing Board
   - X General Fund
   - X Host agreement fees
   - X Other (list all): Grant Funding

2. How is the Solid Waste Coordinator’s position funded?
   - X Line Item in County Budget
   - Collection franchise fees
   - 109 Taxing Board
   - General Fund
   - Host agreement fees
   - Other (list all): _
Section A (cont.) List the revenue sources for solid waste programs in your SWMA.

TIP: Ballpark Figures are Ok!

Nice round numbers of what you might actually receive during this time period whether from grants or county fees.

<table>
<thead>
<tr>
<th>Type of Fees/Revenue:</th>
<th>Anticipated Amounts Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1(^{st}) Year</td>
</tr>
<tr>
<td>License Fee (per KRS 68.176 for Off-Site Waste Management Facilities)</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Municipal Garbage Collection (city and/or county)</td>
<td>$550,000</td>
</tr>
<tr>
<td>Franchise fee</td>
<td>$60,000</td>
</tr>
<tr>
<td>Permit fee</td>
<td>$3,500</td>
</tr>
<tr>
<td>Transfer station</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Convenience center</td>
<td>$[ ]</td>
</tr>
<tr>
<td>109 or other tax</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Proceeds from sale of recyclables</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Landfill user fees</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Host agreement</td>
<td>$250,000</td>
</tr>
<tr>
<td>General revenue</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Eastern Kentucky PRIDE</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Grants, Conservation Service</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Grants, State illegal dump</td>
<td>$20,000</td>
</tr>
<tr>
<td>Grants, State litter abatement</td>
<td>$30,000</td>
</tr>
<tr>
<td>Grants, State Crumb Rubber</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Grants, State HHW Collection Grant</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Grants, State Waste Tire</td>
<td>$4,000</td>
</tr>
<tr>
<td>Grants, State Recycling</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Other (specify):</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Other (specify):</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Other (specify):</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Other (specify):</td>
<td>$[ ]</td>
</tr>
<tr>
<td>Other (specify):</td>
<td>$[ ]</td>
</tr>
<tr>
<td>TOTAL AMOUNT ANTICIPATED</td>
<td>$913,600</td>
</tr>
</tbody>
</table>

4. Provide the following information on anticipated expenditures during the 5-year update period.
**Section A (cont.) List the anticipated expenditures for your solid waste programs.**

4. Provide the following information on anticipated expenditures during the 5-year update period.

<table>
<thead>
<tr>
<th>Type of Expenditures</th>
<th>1st Year</th>
<th>2nd Year</th>
<th>3rd Year</th>
<th>4th Year</th>
<th>5th Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditures</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel</td>
<td>$75,000</td>
<td>$75,000</td>
<td>$75,000</td>
<td>$75,000</td>
<td>$75,000</td>
</tr>
<tr>
<td>Collection</td>
<td>$550,000</td>
<td>$550,000</td>
<td>$550,000</td>
<td>$550,000</td>
<td>$550,000</td>
</tr>
<tr>
<td>Disposal</td>
<td>$10,000</td>
<td>$10,000</td>
<td>$10,000</td>
<td>$10,000</td>
<td>$10,000</td>
</tr>
<tr>
<td>Enforcement</td>
<td>$2,500</td>
<td>$2,500</td>
<td>$2,500</td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
<tr>
<td>Open Dump Cleanups</td>
<td>$20,000</td>
<td>$20,000</td>
<td>$20,000</td>
<td>$20,000</td>
<td>$20,000</td>
</tr>
<tr>
<td>Litter Cleanups</td>
<td>$50,000</td>
<td>$50,000</td>
<td>$50,000</td>
<td>$50,000</td>
<td>$50,000</td>
</tr>
<tr>
<td>Education Activities</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Recycling Costs/Expenses</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Other (specify): Equipment</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Other (specify)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL COSTS ANTICIPATED</td>
<td>$722,500</td>
<td>$722,500</td>
<td>$722,500</td>
<td>$722,500</td>
<td>$722,500</td>
</tr>
</tbody>
</table>
Deadline for 2023-2027 SWMP Updates is Oct 1, 2022.

Implementation of the 2023-2027 SWMP Update begins when the local governing body receives approval letter from the Cabinet.

Amendments to the 2023-2027 SWMP during the 5-year planning period must be submitted to DWM/RLA for review and approval.