

Resolution 2018-49
Solid Waste Commercial Waste Fee Reduction

WHEREAS, Title 31, Chapter 44, *Idaho Code*, authorizes Kootenai County to charge fees for the use of the County's Solid Waste Disposal System; and

WHEREAS, the Kootenai County Board of Commissioners (hereinafter referred to as "the Board"), pursuant to Kootenai County Code §4-3-7, is authorized to adopt and implement rules necessary for the operation of the county solid waste system via the adoption of resolutions; and

WHEREAS, pursuant to Kootenai County Code §4-3-7, the Board may authorize the Solid Waste Department to promulgate rules and regulations reasonably necessary to implement the Kootenai County Solid Waste Ordinance; and

WHEREAS, the Board has adopted the Solid Waste Fee Resolution, Resolution No. 2013-38, and, pursuant to Kootenai County Code §4-3-6, the Board may at any time amend said Fee Resolution to accommodate changes in the fee system and the Solid Waste Department's operating policies; and

WHEREAS, the Kootenai County Solid Waste Department has recommended an amendment to the Solid Waste Fee Resolution, Resolution No. 2013-38, providing for a reduction in the fee for commercial waste diverted directly to the Landfill in accordance with the rules and regulations set forth in Solid Waste Policy No. 104; and

WHEREAS, Board agrees to implement the proposed fee reduction for commercial waste diverted directly to the Landfill in accordance with the requirements of Solid Waste Policy No. 107; and

NOW THEREFORE, IT IS HEREBY RESOLVED, that upon meeting the requirements set forth in Solid Waste Policy No. 104, commercial waste diverted directly to the Landfill may be discharged at a reduced fee of fifty-two dollars and zero cents (\$52.00) per ton.

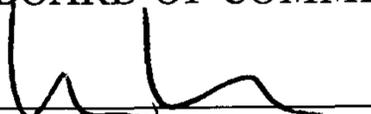
BE IT FURTHER RESOLVED, that the Solid Waste Fee Resolution, Resolution No. 2013-38, shall remain in full force and effect and shall not be in any way modified, changed, or altered by this Resolution.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Bingham, seconded by Commissioner Fillios, the following vote was recorded:

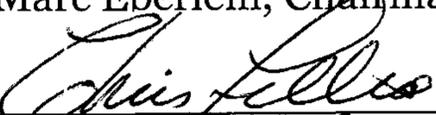
Commissioner Fillios:	Aye
Commissioner Bingham:	Aye
Chairman Eberlein:	Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho on the 24th day of April, 2018.

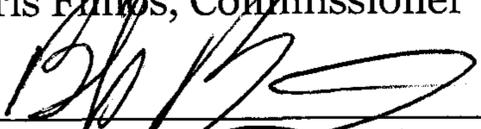
KOOTENAI COUNTY
BOARD OF COMMISSIONERS



Marc Eberlein, Chairman



Chris Filios, Commissioner

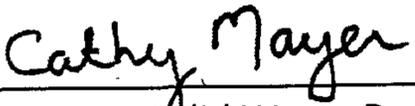


Bob Bingham, Commissioner

ATTEST, OF 1ST DISTRICT
JIM BRANNON, CLERK
By: 
Deputy Clerk


**KOOTENAI COUNTY SOLID WASTE DEPARTMENT
CONSTRUCTION/DEMOLITION WASTE POLICY**

This Department Policy governing the disposal of solid waste is promulgated under the authority of Title 4, Chapter 3 Kootenai County Code as it exists or may subsequently be amended and is effective on May 1, 2018.



Director, Solid Waste Department

POLICY

The separation of construction/demolition waste from the general waste stream will be encouraged to preserve landfill space and provide a more cost-effective and efficient alternative for disposal.

DEFINITIONS

The Idaho Solid Waste Facilities Act, Idaho Code §39-7403(10), defines "Construction/demolition waste" as "the waste building materials, packaging and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures. Such waste includes, but is not limited to, bricks, concrete, other masonry materials, soil, rock, lumber, sheet rock, road spoils, rebar, paving materials and tree stumps." The Solid Waste Department defines the following:

Commercial Construction/Demolition: Any construction/demolition debris that does not include inert material (rocks, brick, soil or concrete) which is handled by a commercial entity in which a monetary or payment in kind transaction has transpired, and/or is being hauled in a commercial truck or trailer. The fee for the disposal of this material shall be charged at the commercial rate as defined in the fee resolution.

Residential Construction/Demolition: Any construction/demolition debris that does not include inert material (rocks, brick, soil or concrete) in quantities not exceeding 2,000 pounds per load generated at a private residence and personally disposed of by that resident. A resident may dispose of up to 2,000 pounds of demolition per load at no cost. If a resident disposes over 2,000 pounds, they shall be charged for materials over the first 2,000 pounds in accordance with the current fee resolution.

Mixed Demolition: Any type of demolition debris that includes inert material (rock,

Construction/Demolition Waste Policy

brick, soil or concrete). Mixed Demolition shall be charged at a higher fee as set forth in the current fee resolution.

Inert material: Materials resulting from construction, remodeling, repair, landscaping and demolition operations on pavements, houses, commercial buildings and other structures. Inert material includes, but is not limited to, bricks, concrete, other masonry materials, soil, rock, and other materials which are likely to retain their physical and chemical structure and can be used to reclaim the Ramsey Pit. Disposal of inert material shall be charged in accordance with the current fee resolution. Loads of inert material larger than 2 yards (approximately 1/2 pickup truck load) at the Prairie Transfer Station will be charged as general refuse.

PROCEDURE

Separation of construction/demolition waste into sub-components will expedite processing and will reduce landfill operating costs. Sub categories include: roofing, demolished buildings, inert material, road spoils and asphalt, and mixed demolition. Disposal of wood waste and wood products is addressed in a separate policy, Policy No. 118. Disposal of roofing and demolished buildings, regardless of origin will be charged to all customers at the current rate as defined in the Fee Resolution.

In order to maintain safe and efficient operation of the transfer stations, the Department may limit acceptance of loads and elect to divert waste directly to the landfill based on project size, types of waste, quantities of materials, or method of delivery. Waste diversion shall be at the discretion of the Solid Waste Director and/or Operations Manager.

Customers with qualifying construction/demolition waste will be contacted by the Department and offered the opportunity to divert said waste directly to the landfill; if the customer elects to do so, the reduced fee adopted by Resolution will be charged for the diverted load(s). Qualifying customers who opt to divert waste at a reduced fee shall weigh said load(s) at a location where the Department has scales to obtain the gross weight before transporting the waste directly to the landfill. Following disposal of the material at the landfill, the customer must then return to the same scales to complete the transaction for each load. To the extent loads authorized for diversion are deemed by the Department to require special handling once discharged at the landfill, customers will be immediately notified and will have the opportunity to remediate or not be eligible for a reduced fee.

It is the customer's responsibility to safely deliver materials to the landfill. There may be restrictions at the landfill during certain times of the year and/or conditions regarding placement of the material at the landfill.

Construction/Demolition Waste Policy

To encourage separation of waste, customers may dispose of road spoils/asphalt at the transfer stations. Loads of road spoils/asphalt greater than 2 yards (1/2 pickup load) may be diverted to the landfill. These materials, used in landfill road bases, shall be separate from other materials and delivered by the customer to the Fighting Creek Landfill.

ENFORCEMENT

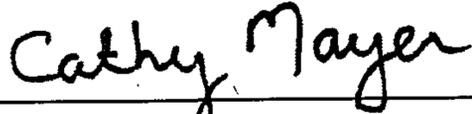
Failure to comply with proper disposal procedures, false declaration and/or deliberate disposal of mixed demolition as inert fill, and/or disposal in a manner which may be deemed as resulting in a potential hazard to ground water or the environment may result in refusal of service and could be defined as unlawful disposal.

Any person unlawfully depositing or disposing of, or in any way aiding or assisting in the depositing or disposing of, or provide for delivery of, inappropriately declared loads or improper disposal of construction/demolition waste within the Kootenai County disposal system or anywhere within the Kootenai County in an improper manner shall be civilly liable for the full costs and expenses of cleanup, control, elimination, abatement, decontamination or other remediation which is undertaken by Kootenai County or any other public agency to properly correct damages or potential damages associated with said violation and/or,

- a. civil responsibility for the violation
- b. criminal misdemeanor liability with a maximum of 6 months imprisonment and/or \$1,000 fine, and/or
- c. civil liability for cleanup costs

KOOTENAI COUNTY SOLID WASTE DEPARTMENT
Direct Landfill Discharge Policy

This Department Policy governing the disposal of solid waste is promulgated under the authority of Title 4, Chapter 3 Kootenai County Code as it exists or may subsequently be amended and is effective on May 1, 2018.



Director, Solid Waste Department

The Fighting Creek Landfill facility is not open to the general public for disposal of materials, with the exception of the acceptance of dead animals, asbestos, and authorized loads of diverted waste from the transfer stations.

Waste Diversion Loads

In order to maintain safe and efficient operations of the transfer stations, the Department may seek to limit acceptance of loads and elect to divert waste directly to the landfill based on project size, types of waste, quantities of materials, or method of delivery. Waste diversion shall be at the discretion of the Solid Waste Director and/or Operations Manager and will be offered to customers with qualifying loads. Upon request by the Department, the customer may opt to divert waste directly to the landfill and be charged the reduced fee adopted by Resolution. Department authorization allows for the direct discharge of materials at the Fighting Creek Landfill location either by weighing at a transfer station or by estimation of volume of materials.

Qualifying customers who opt to divert waste at a reduced fee shall weigh in at a location where the Department has scales to obtain their gross weight before transporting the waste directly to the landfill. Upon the customer's arrival at the Fighting Creek Landfill, a county representative is required to inspect the load and direct the customer to the appropriate disposal area.

Following disposal of the material at the landfill, the customer must then return to the same scales to complete the transaction for each load. Where the requirement of weighing at a transfer station is waived by the Director, a county representative shall complete the appropriate paperwork and estimate the amount of material being discharged at the landfill. Said paperwork shall be submitted to the Department's Admin office on a daily basis for billing purposes.

To the extent loads authorized for diversion are deemed by the Department to require special handling once discharged at the landfill, customers will be immediately notified and will have the opportunity to remediate or not be eligible for a reduced fee.

DIRECT LANDFILL DISCHARGE POLICY

It is the customer's responsibility to safely deliver materials to the landfill. There may be restrictions at the landfill during certain times of the year and/or conditions regarding placement of the material at the landfill.

Garbage Truck Direct Landfill Discharge

The Director may authorize garbage trucks to directly discharge materials at the landfill. This authorization allows for the direct discharge of materials at the Fighting Creek Landfill location either by weighing at a transfer station or by estimation of volume of materials.

Where the requirement of weighing at a transfer station is waived, upon arrival at the Fighting Creek Landfill, a county representative shall complete the appropriate paperwork and estimate the amount of material discharged at the landfill. Said paperwork shall be submitted to the administrative office on a **weekly** basis for tracking purposes.