



IMPLEMENTATION PLAN

Dalton Education and Enforcement Coordinator

Abstract

Plan for EEC consultant to implement mandatory hauler and generator recycling regulations
in the Town of Dalton
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BACKGROUND

In 2019, the Dalton Board of Health began the process of adopting two separate regulations governing solid waste and recycling. The first was Chapter 604 of the Board of Health's hauler regulations, which made it mandatory for haulers to provide recycling to all customers with bundled pricing; and the second was a regulation for Chapter 270 of the Town's By-Laws which required mandatory recycling of all waste generators in Dalton. Both regulations included a fine structure for enforcement. Both of these regulations were initially due to take effect on July 1, 2020, however, several key staffing changes and the COVID-19 global pandemic delayed the adoption of the haulers' regulations (Chapter 604) until October 2020.

The Town operates a transfer station which is managed under contract by Casella Waste Systems, which requires users to purchase a sticker as well as purchase PAYT bags for solid waste disposal. The transfer station also collects recyclables which are currently hauled to the Springfield MRF. Dalton has signed a contract with the MRF extending through 2025.

In addition, there are currently six private haulers operating in Dalton who collect solid waste from residential and business customers and tip it at Community Eco Power (CEP) on Hubbard Street in Pittsfield. Some, but not all, haulers have provided recycling service in the past. In an effort to aid the haulers with this new requirement to collect recycling, the Town has been working for the past year on exploring options for the haulers to tip their recyclables as locally as possible. This effort has resulted in a preliminary agreement with CEP and the City of Pittsfield to allow Dalton haulers to tip recycling at CEP under the same contract as Pittsfield, following a bi-weekly tipping schedule where they collect and tip paper one week and co-mingled containers the alternate week. These recyclables are then hauled to the Springfield MRF and Dalton reimburses tipping fees, on a per ton basis, with monies collected at time the recycling is tipped.

PRIMARY OBJECTIVE

The primary objective of the Dalton Education and Enforcement Program is to increase both the quantity and quality of recycling in Dalton, and reach as close to 100% participation as possible. This objective will be completed using a graduated approach of initially educating both generators and haulers, including:

- Educate the public on the new mandatory recycling regulation and the bundled pricing requirement and let them know that the EEC will be monitoring the recycling at the curb;
- Educate the haulers on the new regulations and provide educational materials, provided by the Springfield MRF and RecycleSmart MA, for the haulers to use with their customers (this includes a discussion on where to tip recycling). In addition, they will work in the field to ensure compliance by the haulers with all regulations; and then
- After laying a solid framework to educate what is required and what compliance looks like, begin the process of enforcement using the enforcement provisions in the regulations.

PROCESS OF EDUCATING HAULERS

While some education of haulers has been started in the past year, the EEC position will provide more targeted education of the haulers in both a group settings as well as one-on-one. These activities will include:

- In preparation for the initial educational meeting, an informational package will be sent to the haulers with the topics and materials that will be discussed at the meeting so they can prepare questions and make the most of the time spent together.
- We will hold a remote meeting to engage all 6 of our permitted private haulers. At this meeting we will discuss the process for them to tip recycling (at the CEP Plant Pittsfield), define the requirements for them to be in compliance with the newly adopted regulations, provide them with suggested formatting templates and decide how to best relay required information to the BOH, present fines and process for non-compliance for both their customers and the haulers and provide them with educational materials based on the Springfield MRF contract and address questions and concerns.
- One-on-one education will be provided prior to the first time the EEC monitors a hauler's route. We envision that the designated hauler will be informed that the EEC will be shadowing their route and that there will be real-time evaluation of loads and modeling of how to properly notify and educate customers.

MONITORING HAULER COMPLIANCE

The EEC will be using a focused approach on each hauler to ensure understanding of the requirements using a phased-in approach to establish compliance, including:

- Initially scheduling with haulers to check pickups, establish what collectors should be looking for when determining in/out of compliance status, and model for the haulers what to do with a customer who is out of compliance (by providing notice and educational materials to customers).
- After that initial run through, however, we would expect that the EEC would go out ahead of a collection (if possible) and independently note properties that were out of compliance and then use that information to discuss with the hauler whether the collector noted the non-compliance and what their follow up was. This phase would still be somewhat supportive/educational for the haulers.
- After the above, the EEC would then transition into an enforcement roll by going out before the run, noting non-compliant customers, letting the hauler go through their run and then refollowing the route after they go through to see if they rejected loads that were out of compliance and/or if they left educational material as required by the regulations. It is at this point that the enforcement protocol would begin if haulers continued to not follow the protocol of rejecting the load and providing notification/education.

Note: In the initial stages, the EEC may work more hours to establish baseline data and then do spot checks.

ENFORCEMENT PROTOCOL/PENALTY PROCESS

After the initial run with each hauler, the EEC will document any offenses in writing to the BOH in a weekly report. The BOH agent will then inform the haulers, via letter, with the details observed- including the date, time and location of the offense and include the following penalties on behalf of the Board of Health:

- First offense is a warning
- Second offense \$50 fine
- Third offense \$100 fine
- Fourth offense \$250 fine
- Fifth offense permit revocation by the BOH

For each offense sent to the haulers they will have the opportunity to address the BOH at their monthly meeting if they so choose.

PROPOSED TIMELINE

The following deadline is proposed for the EEC contract and project. Note that the EEC will be required to submit monthly reports to BOH with data showing how recycling regulations are being complied with and enforcement activity. This information will be used to educate the haulers and track the recycling progress of the residents.

- **December 2020:** Implementation plan submitted to DEP for review and approval. Upon approval of the implementation plan, Dalton will immediately submit checklist and copies of adopted BOH regulations for both generators and haulers.
- **January 2020:** Advertise for position and conduct interviews, finalize the ability for Dalton haulers to tip at Community EcoPower Pittsfield (CEP). Board of Health will consider adding escalating enforcement scale for Chapter 270 Generators' regulations (to match Chapter 604 Regs for haulers). Dalton's newly formed Solid Waste Committee will begin to meet.
- **February 2021:** EEC Coordinator Consultant will be onboarded, trained and begin preparation for outreach with haulers and public. This will include creation of a web site posting with details for residents' compliance with new regs
- **March 2021:** Educate residents about new regs (mailing, notification, use reverse 911 to direct residents to Town website, ad in paper, etc.)
- **March-April 2021:** EEC collecting baseline data.
- **By July 1, 2021:** Enforcement begins and EEC begins to attend monthly BOH meeting to provide updates (EEC Coordinator is expected to use their own vehicle).

- **September 2021-October 2022:** The EEC would work approximately 8 hrs weekly, typically following one hauler for a consecutive 4 weeks to achieve concentrated cooperation and enforcement, as needed. Once a cycle is complete then there would be spot checks in addition to then starting another round of 4 consecutive weeks. This will allow the EEC to address problems more quickly and achieve reliable compliance with a hauler over a period of time. This will also allow the EEC to become familiar with routes and be able to determine if a generator is recycling during a one-month period. That way you can also capture those who don't place recycling at the curb every week AND be able to compare first 4 weeks to second 4 weeks for each other with hopefully favorable results
- **November- December of 2022:** wrapping up and compiling the data and writing a comprehensive report for the town, including recommendations for next steps.