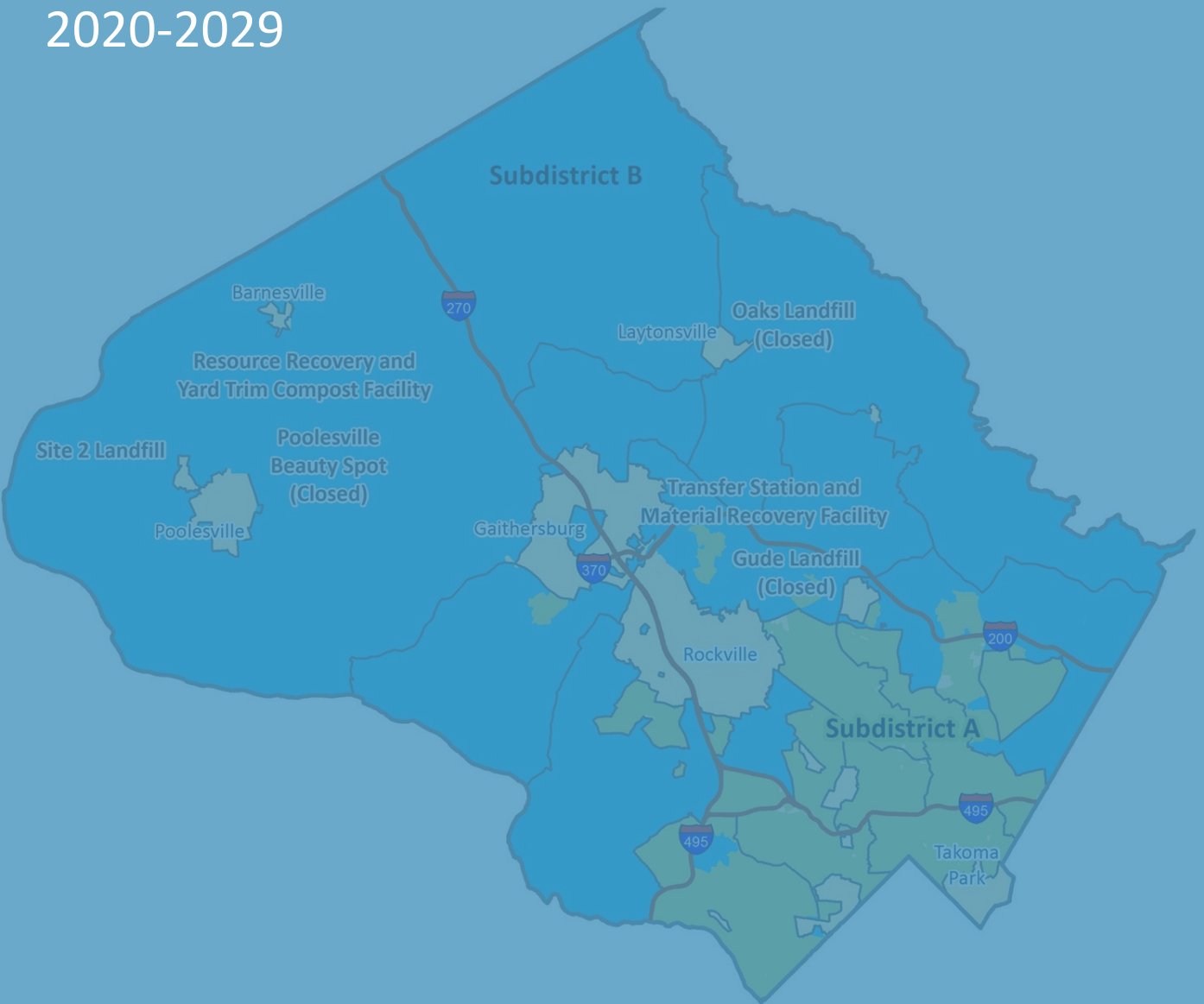


Comprehensive Solid Waste Management Plan 2020-2029



MONTGOMERY COUNTY, MARYLAND

October 2021



**COMPREHENSIVE TEN-YEAR SOLID WASTE
MANAGEMENT PLAN
CY 2020 – CY 2029
Montgomery County, Maryland**

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Appendix E.	County Council Bill 41-14, “Food Service products – Packaging Materials – Requirements”
Appendix F	Contains the Recycling Plan for Office Buildings. Pursuant to Senate Bill 370, Environment – Recycling – Office Buildings.

MONTGOMERY COUNTY, MARYLAND
COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN
for the Years 2020 through 2029

**Prepared per Title 9, Subtitle 5 of the Environment Article of the
Annotated Code of Maryland**

**Adopted by the County Council of Montgomery County, Maryland
by Resolution Number 19-1008 dated October 12, 2021**

**Department of Environmental Protection
Recycling and Resource Management Division**

Wheaton, Maryland

INTRODUCTION

The Montgomery County 2020-2029 Ten Year Solid Waste Management Plan was prepared according to Title 9, Subtitle 5, Environment Article, Annotated Code of Maryland, and the Regulations under COMAR 26.03.03.03(A). An Executive Summary, the Resolution of the Montgomery County Council, which adopted this Plan, and the MDE approval letter are included.

EXECUTIVE SUMMARY

The Montgomery County, Maryland, Comprehensive Solid Waste Management Plan for the Years 2020 - 2029 has been prepared in accordance with Title 9, Subtitle 5 of the Environment Article, Annotated Code of Maryland, and the Code of Maryland Regulations (COMAR) 26.03.03. The Plan has been adopted by the Montgomery County Council Resolution 19-1008 and approved by the Maryland Department of the Environment (MDE).

The Annotated Code of Maryland requires the County to review and update the Solid Waste Management Plan at least once every three years. DEP requested an extension of time from MDE, in early 2018, to submit the County's revised Solid Waste Management Plan due to the County's undertaking of two main initiatives:

1. Montgomery County Bill 28-16 required DEP to develop a strategic plan to reduce food generation, reuse food that would otherwise be wasted, and increase the amount of food and other organic materials that can be composted; and
2. The Development of the *Aiming for Zero Waste Plan, A Vision for Sustainable Materials Management in Montgomery County*.

The Plan Update review schedule was also affected by the COVID-19 pandemic during the years 2020-2021. However, the pandemic is not assumed to affect the planning assumptions going forward.

The Solid Waste Management Plan 2020 -2029 incorporates the results of the initiatives mentioned above, including the Task Force recommendations¹ given to the County Executive and County Council. DEP Staff developed the main recommendations of the Strategic Plan for reducing food generation in conjunction with stakeholder working groups. They are included in Section 5.6.4 of Chapter 5 of the Plan. The capabilities and capacities of the County's solid waste facilities were evaluated as well as multiple options to reduce waste and to increase recycling. These options are selected for implementation or further evaluation based on the ability to increase diversion of more materials from disposal. These options present a comprehensive waste management strategy that supports the County's effort to reach a carbon-neutral operation. The County continues to review all options to identify the best course of action. Therefore, Chapter 5 of this Plan is subject to revisions. The current disposal path for waste is through the County's Resource Recovery Facility. That facility is expected to remain open through April 2026. Given the County Executive's goal of closing the facility, the County is evaluating the necessary changes to meet that goal.

¹ <https://www.montgomerycountymd.gov/SWS/Resources/Files/master-plan/task-force-recommendations.pdf>

Prior to Council consideration of an amendment to this Plan that would support the closure of the RRF, the County Executive will provide to the County Council an analysis by the Department of Environmental Protection which compares the short and long-term costs, environmental and public health impacts, racial equity and social justice implications, facility impacts, operational concerns, and other major issues of keeping the RRF open versus changing the County's primary waste disposal from the RRF to in-County or out-of-County landfilling. After completing this analysis, the County Council will consider potential amendments to this Plan from the County Executive regarding the future disposal path for waste.

As the County makes decisions and the implementation phase begins, the County will notify MDE and update this Ten-Year Plan as needed. To develop an efficient and effective Action Plan, the County will:

- Undertake studies, pilot programs, cost analyses, review procurement options to select the best options for implementation.
- Conduct feasibility studies of initiatives, including extending trash collection services to Sub-district B.
- Develop specific timelines, identify participating agencies, staff assignments, and budget.
- Secure food waste processing capacity while the County develops its organics processing infrastructure.
- Implement low-cost, low-effort options such as waste reduction and reuse and enhancing regulations.

The following amendments, changes, additional appendices, and other pertinent documents are included in this Plan:

Chapter 1 provides an overview of the laws, regulations, and government agencies that are a part of this Comprehensive Solid Waste Plan. Changes to this chapter include:

- Applicable laws and regulations were updated.
- County Executive Regulation 1-15, "Residential and Commercial Recycling," supersedes Executive Regulation 15-04 AM.
- County Council Bill 41-14, "Food Service Products – Packaging Materials – Requirements," was added to Chapter 48 of the County Code.
- County Council Bill 28-16, "Strategic Plan to Advance Composting, Compost Use, and Food Waste Diversion," was added to Chapter 48 of the County Code.

Chapter 2 provides an overview of population and employment trends and land use considerations that impact present and future solid waste management considerations. Changes to this chapter include:

- Dates and population/employment numbers.
- Household Growth Projection for 2030 by policy area.
- Updated maps.

Chapter 3 provides detailed data on waste generation and descriptions of waste collection and acceptance facilities. Changes to this chapter include:

- Dates and waste generation tonnages.
- Repositioned tables to follow text references.
- Chapter subsections were rearranged, avoiding repetitions, and improving readability.
- Updated Maps.
- A summary table about County Collection Services.
- A summary of Materials Management in Incorporated Cities and Municipalities.
- A summary of the number of households served and tons managed by district (CY17).
- Pursuant to Senate Bill 370, *Environment – Recycling – Office Buildings*, a Recycling Plan for Office Buildings, was added.
- The latest adopted Montgomery County's Ten-Year Comprehensive Water Supply and Sewerage Systems Plan (2018-2027 update) was used to bring up-to-date information about biosolids and septage management.
- Updated information about each County-owned facility.
- The summary table of solid waste acceptance facilities in the County was updated.
- The closed landfills section was removed from this chapter.
- A table listing the solid waste leaving the County for processing, recovery, and disposal was added.

Chapter 4 assesses solid waste management needs to address waste generation issues and acceptance facility constraints. Changes to this chapter include:

- Updated waste generation and recycling data.
- The latest adopted Montgomery County's Ten-Year Comprehensive Water Supply and Sewerage Systems Plan (2018-2027 update) was used to determine the current conditions and constraints as well as the Needs Assessment and Plan Direction for the biosolids and septage management mentioned in Chapter 4.
- A new planning direction towards exploring food waste composting is indicated, including efforts to establish best management practices through demonstration projects.
- Updated topography, soil types, geological conditions, aquifers, and surface water maps.
- Rearranged chapter subsections to avoid repetition and improve readability.
- Constraints of County-owned acceptance facilities.
- A list of County facilities needing processing capacity increment during the term of this Plan.
- Advances of the implementation of County Council Bill 28-16, "Strategic Plan to Advance Composting, Compost Use, and Food Waste Diversion."

Chapter 5 provides a Plan of Action to address solid waste generation issues, materials management, and solid waste acceptance facility needs. Changes to this chapter include:

- Each county-owned facilities have an updated Plan of Action to improve safety and increase productivity.
- Composting and recycling processing capacity needed.
- Closed landfills section was removed from this chapter.
- Updated current Plan of Action of solid waste generation and maximize recycling.
- Updated biosolids' Plan of Action.
- Enhanced Plan of Action for Reduction of Solid Waste Generation and Maximize Recycling.
- Impacts of options to reduce waste and increase recycling were identified.
- The summary Plan of Action table was updated and expanded.
- Financial Management System addresses in-depth the role of Chapter 48, the Montgomery County Code, and the Master Authorization in the financial management of the solid waste enterprise fund. In anticipation of the upcoming financial needs to implement strategies, programs, and infrastructure to reduce waste and increase recycling described in Chapter 5 of the Plan.

Appendices - Added the following documents

Appendix B is updated to provide a material flow diagram and recycling calculations for the calendar year 2017.

Appendix C provides a copy of County Executive Regulation 1-15, "Residential and Commercial Recycling."

Appendix D provides a copy of the County Council Bill 28-16, "Strategic Plan to Advance Composting, Compost Use, and Food Waste Diversion."

Appendix E provides a copy of the County Council Bill 41-14, "Food Service Products – Packaging Materials – Requirements."

Appendix F contains the Recycling Plan for Office Buildings. Pursuant to Senate Bill 370, *Environment – Recycling – Office Buildings*.

Resolution No.: 19-1008
Introduced: February 23, 2021
Adopted: October 12, 2021

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council at the Request of the County Executive

SUBJECT: Adoption of the Comprehensive Solid Waste Management Plan

Background

1. Pursuant to Sections 9-503 and 9-515 of the Environment Article of the Annotated Code of Maryland, the governing body of each County is required to adopt and submit to the Maryland Department of the Environment (MDE) a ten-year plan dealing with solid waste disposal systems, solid waste acceptance facilities, and the systematic collection and disposal of solid waste. The Environment Article further requires each County to review its solid waste management plan at least every three years.
2. On March 31, 2015, the County Council, by Resolution 18-86, adopted the current Ten Year Comprehensive Solid Waste Management Plan for Montgomery County (the Plan).
3. The Plan was due for submission to MDE on March 31, 2018. The Montgomery County Department of Environmental Protection (DEP) requested an extension to the deadline because the County had initiated several significant planning efforts that would impact the update to the Plan. Specifically, the Aiming for Zero Waste Master Plan and the Montgomery County Council mandate (Bill 28-16; Strategic Plan to Advance Composting, Compost Use, and Food Waste Diversion) that the County develop a strategic plan to address food waste diversion and recycling/composting.
4. On May 11, 2018, MDE granted the County's extension request, provided that the County submitted a draft Plan for MDE to review no later than January 30, 2020. In the meantime, the County would continue to operate under its currently approved 2012-2023 Plan.
5. The deliverables from the long-term planning efforts were used to prepare the Plan. On January 30, 2020, the draft of the revised Plan was sent to MDE for its review and tentative approval to MDE.

6. On March 13, 2020, MDE completed the review and determined that the Plan will meet the requirements outlined in Sections 9-503, 9-505, 9-1703 of the Environment Article, and COMAR 26.03.03 provided that DEP modified the Plan according to MDE's instructions.
7. On May 13, 2019, the Governor signed Senate Bill 370, Environment Recycling – Office Buildings into law. The law requires the County Recycling Plan to address by October 1, 2020, the collection and recycling of recyclable materials from office buildings that have 150,000 square feet or greater of office space.
8. On March 23, 2020, the County submitted a draft text of the office building recycling plan (OBR plan) to MDE for its review in response to the requirement of Senate Bill 370 which requires the County to include the OBR plan in the Plan by October 1, 2020.
9. On April 3, 2020, MDE completed the review and determined that the OBR plan will meet the requirements of Senate Bill 370 provided that the DEP modify the OBR plan in accordance with MDE's instructions.
10. A revised and adopted Plan and OBR should have been submitted to MDE for its review and approval no later than June 12, 2020.
11. On April 15, 2020, DEP informed MDE that the Plan could not be submitted for the County Council adoption due to the COVID-19 pandemic; thus, the County could not meet the June 12, 2020 deadline.
12. On February 8, 2021, the County Executive transmitted to the County Council a revised Ten Year Plan entitled "Montgomery County, Maryland Comprehensive Solid Waste Management Plan for the Years 2020 through 2029" responsive to the foregoing MDE preview comments, and new legislation, together with an Office Building Recycling Plan.
13. On March 16, 2021, a public hearing was held pursuant to Section 9-505 of the Environment Article.
14. On March 22, 2021 and July 19, 2021, the Transportation & Environment Committee discussed and recommended approval of the revised Ten-Year Plan with changes.
15. On September 21, the County Council discussed the revised Ten-Year Plan and the Transportation & Environment Committee's recommendations.

Action

The County Council for Montgomery County, Maryland, adopts the following resolution:

The Comprehensive Solid Waste Management Plan for the Years 2012 through 2023 is wholly superseded and replaced with the "Comprehensive Solid Waste Management Plan for the Years 2020 through 2029," dated October 1, 2021 as attached; and

The "Montgomery County Office Building Recycling Plan," dated October 1, 2020, is adopted and incorporated into Appendix F of the aforementioned Plan.

This is a correct copy of Council action.


Selena Mendy Singleton, Esq.
Clerk of the Council



February 3, 2022

The Honorable Tom Hucker, President
Montgomery County Council
Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville, MD 20850

Dear Councilmember, Hucker:

The Maryland Department of the Environment (MDE) has completed its review of Montgomery County's (the "County") Resolution 19-1008 for adopting the County's 2020-2029 Solid Waste Management Plan (the "Plan"). The County Council adopted the Plan on October 12, 2021 and submitted the Plan to MDE for its review and approval to meet the requirements of Section 9- 507 of the Environment Article, Annotated Code of Maryland. MDE received the adopted Plan on October 22, 2021.

Based on this review, MDE has determined that the adopted resolution satisfies the requirements of Sections 9-503, 9-505, and 9-1703 of the Environment Article, Annotated Code of Maryland. The resolution also satisfies the requirements of Code of Maryland Regulations 26.03.03. In accordance with Section 9-507(a) of the Environment Article, Annotated Code of Maryland, the Plan is approved.

Section 9-515(b) of the Environment Article, Annotated Code of Maryland, requires the Montgomery County Council to prepare a County Solid Waste Management Plan (SWMP) **at least once every three years**. The County Council must consider factors such as planning, zoning, and population estimates in the statement of objectives and policies of the SWMP. The law further requires the County Executive to prepare preliminary and final drafts of the SWMP and submit to the County Council for its approval. A new County-adopted 2025-2034 SWMP must be approved by MDE by **March 1, 2025**. To ensure that the 2025-2034 SWMP review process is completed in accordance with the statutory requirements, the MDE recommends that the County submit a draft 2025-2034 SWMP to MDE for its review and comments prior to the County's adoption of the 2025-2034 SWMP. The draft 2025-2034 SWMP should be submitted to MDE for its tentative review by **September 1, 2024**.

Section 9-506(b)(2) of the Environment Article, Annotated Code of Maryland, requires the County to submit a progress report to MDE at least every two years. Since the County's Plan was adopted on October 12, 2021, the progress report is due on or before **October 12, 2023**.

X

Councilmember Hucker

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Thank you for your continuing interest and cooperation in providing sound and long-term solid waste management planning for the County. If you have questions or need additional clarification on these matters, please contact me at 410-537-3304 or by email at kaley.laleker@maryland.gov or have a member of your staff contact Mr. David Mrgich, Chief, Waste Diversion Division, at 410-537-4142 or by email at dave.mrgich@maryland.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kaley Laleker".

Kaley Laleker, Director
Land and Materials Administration

cc: Willie Wainer, Montgomery County Department of Environmental Protection
David Mrgich