

AGENDA ITEM #22E
May 27, 2010

Action

MEMORANDUM

May 25, 2010

TO: County Council

FROM:  Keith Levchenko, Senior Legislative Analyst

SUBJECT: Executive Regulation 4-10, Residential System Benefits Charge

In accordance with Section 48-8A(b)(2)(A) of the County Code, the Executive must establish by regulation the estimated amount of solid waste generated per County household. Estimates of per household solid waste generation are necessary to calculate the single-family residential and multi-family residential base and incremental system benefit charges.

On May 19, the Council established solid waste service charges for FY11. The system benefit charges assumed in that action are based on an estimated annual generation of 1.974 tons of solid waste per single-family residence and 0.7187 tons of solid waste per multi-family residence. Executive Regulation 4-10 (transmitted to the Council on May 18, 2010, see ©2-8) establishes identical solid waste generation estimates. An approval resolution appears on ©1.

As Executive Regulation 4-10 is consistent with prior Council action on FY11 solid waste charges, **Council Staff recommends approval of the regulation as proposed by the County Executive.**

Attachment

KML:f:\levchenko\solid waste\operating budget\fy11\council waste generation resolution 5-27-10.doc

Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Executive Regulation 4-10
Residential System Benefits Charge

Background

1. Section 48-8A(b)(2)(A) of the County Code provides that the County Executive must establish by regulation the estimated amount of solid waste generated per dwelling unit. The estimate may consider the size of the dwelling unit.
2. On May 18, 2010, the Executive transmitted to the County Council Executive Regulation 4-10. Regulation 4-10 establishes the calculated amount of solid waste generated per single family and multi-family dwelling unit.

Action

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

Executive Regulation 4-10, Residential System Benefits Charge, is approved.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

May 18, 2010

TO: Nancy Floreen, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Proposed Executive Regulation 4-10
System Benefit Charges - Residential Waste Estimates

The purpose of this memorandum is to submit Executive Regulation 4-10 to the County Council for your approval. Montgomery County Code 2004, section 48-8A(b)(2)(A), provides that the County Executive must establish by method 2 executive regulation an estimate of the amount of solid waste generated per dwelling unit. For this purpose, the Division of Solid Waste Services revises its annual household waste generation estimates based on updated annual County scale records, licensed collector reports, and other information. Enclosed is the regulation which reflects the updated per-household waste generation estimates as used to calculate residential solid waste system benefit charges for Fiscal Year 2011.

Executive Regulation 4-10 was advertised in the April Montgomery County Register, we received no comments. A fiscal impact statement is also included. If you have questions or need additional information, please feel free to contact Anthony Skinner at 240-777-6438.

IL:as

Attachments



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: SYSTEM BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 4-10
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2010

Montgomery County Regulation on:
RESIDENTIAL SYSTEMS BENEFIT CHARGE

Issued by: County Executive
Regulation No. 4-10

Authority: Montgomery County Code, 2004, Sections: 48-8 and 48-8A
Supersedes: Executive Regulation 6-09
Council Review: Method (2) under Code Section 2A-15
Register Vol. 27 , No. 4

Effective Date: July 1, 2010
Comment Deadline: April 30, 2010

Summary: This regulation establishes the calculated amount of solid waste generated per dwelling unit for single-family and multi-family dwellings.

Address for comments: Department of Environmental Protection
Executive Office Building
101 Monroe Street, Tenth Floor
Rockville, Maryland 20850

Staff contact: Anthony J. Skinner
240-777-6438



MONTGOMERY COUNTY EXECUTIVE REGULATION

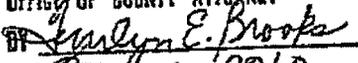
Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: SYSTEM BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 4-10
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2010

Background: Montgomery County Code, 2004, Section 48-8A(b)(2)(A), provides that the County Executive must establish by executive regulation the estimated amount of solid waste generated per dwelling unit and that the regulation may consider the size of the dwelling unit.

Section 1. Estimate of solid waste generation for calculation of the residential systems benefit charge.
To calculate the residential systems benefit charge each single-family dwelling unit, and each multi-family dwelling in a building consisting of six or fewer dwelling units in the County is estimated to produce 1.9740 tons per year of solid waste. Each dwelling unit in a building with seven or more dwelling units is estimated to produce .7187 tons per year of solid waste.


 Isiah Leggett
 County Executive

APPROVED AS TO FORM AND LEGALITY.
 OFFICE OF COUNTY ATTORNEY
 BY 
 DATE May 12, 2010



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: SYSTEM BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 4-10
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2010

Montgomery County Regulation on:
RESIDENTIAL SYSTEMS BENEFIT CHARGE

Issued by: County Executive
Regulation No. 4-10

Authority: Montgomery County Code, 2004, Sections: 48-8 and 48-8A
Supersedes: Executive Regulation 6-09
Council Review: Method (2) under Code Section 2A-15
Register Vol. 27, No. 4

Effective Date: July 1, 2010
Comment Deadline: April 30, 2010

Summary: This regulation establishes the calculated amount of solid waste generated per dwelling unit for single-family and multi-family dwellings.

Address for comments: Department of Environmental Protection
Executive Office Building
101 Monroe Street, Tenth Floor
Rockville, Maryland 20850

Staff contact: Anthony J. Skinner
240-777-6438



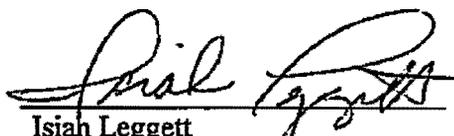
MONTGOMERY COUNTY EXECUTIVE REGULATION

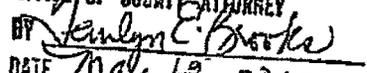
Offices of the County Executive . 101 Monroe Street . Rockville, Maryland 20850

Subject: SYSTEM BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 4-10
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2010

Background: Montgomery County Code, 2004, Section 48-8A(b)(2)(A), provides that the County Executive must establish by executive regulation the estimated amount of solid waste generated per dwelling unit and that the regulation may consider the size of the dwelling unit.

Section 1. Estimate of solid waste generation for calculation of the residential systems benefit charge. To calculate the residential systems benefit charge each single-family dwelling unit, and each multi-family dwelling in a building consisting of six or fewer dwelling units in the County is estimated to produce [2.1142] 1.9740 tons per year of solid waste. Each dwelling unit in a building with seven or more dwelling units is estimated to produce [.8719] .7187 tons per year of solid waste.


 Isiah Leggett
 County Executive

DISPOSED AS TO FORM AND LEGALITY.
 OFFICE OF COUNTY ATTORNEY
 BY 
 DATE May 19, 2010



OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett
County Executive

Joseph F. Beach
Director

MEMORANDUM

May 13, 2010

TO: Joseph F. Beach, Director, Office of Management and Budget
VIA: ^{B. Feinberg} Beryl Feinberg, Management and Budget Manager
FROM: ^{Brady} Brady Goldsmith, Management and Budget Specialist
SUBJECT: Executive Regulation 4-10, System Benefit Charges – Residential Waste Estimates

REGULATION SUMMARY

The proposed regulation decreases the estimate of tons per year of waste generated per dwelling unit in a multiple-family dwelling from .8719 tons per year per dwelling to .7187 tons per year per dwelling. In addition, the regulation decreases the estimate of tons per year generated by single-family residences and multi-family dwellings comprised of six or fewer dwellings from 2.1142 tons per home per year to 1.9740 tons per home per year.

FISCAL SUMMARY

The effect of this change in waste generation estimates results in a decrease in residential systems benefit revenues of \$3,604,697.83 as shown in the chart below.

Fiscal Impact of Executive Regulation 4-10

	Proposed FY11 Revenue Allocation	Allocation Supporting FY10 Costs If Waste Generation Rates in Current Regulation Were Applied*	Total Change
Single-Family SBC	\$ 35,027,471.09	\$ 38,081,539.43	\$ (3,054,068.34)
Multi-Family SBC	\$ 1,848,235.59	\$ 2,398,865.08	\$ (550,629.49)
Total	\$ 36,875,706.68	\$ 40,480,404.51	\$ (3,604,697.83)
*FY10 System benefit charge revenues applying waste generation estimates in ER 15-08			

Other solid waste system revenues are used to offset residential system benefit charges to ensure full cost recovery of solid waste operations.

Anthony Skinner of the Division of Solid Waste Services in the Department of Environmental Protection contributed to and concurred with this analysis.

JFB:brg

Office of the Director

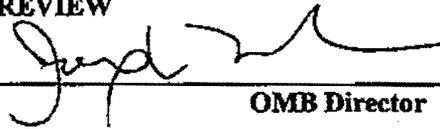
Joseph F. Beach
May 13, 2010
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- c: Kathleen Boucher, Assistant Chief Administrative Officer
- Bob Hoyt, Director, Department of Environmental Protection
- Dan Locke, Chief, Department of Environmental Protection
- Anthony Skinner, Department of Environmental Protection
- Brady Goldsmith, Office of Management and Budget

OMB REVIEW

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Fiscal Impact Statement approved



OMB Director

Fiscal Impact Statement not approved, OMB will contact department to remedy.