# DEPARTMENT OF ENVIRONMENTAL PROTECTION
# PERFORMANCE PLAN FY10

## *CONTRIBUTION TO MONTGOMERY RESULTS*

A Responsive and Accountable County Government
An Effective and Efficient Transportation Network
Healthy and Sustainable Communities
A Strong and Vibrant Economy
Vital Living for all of Our Residents

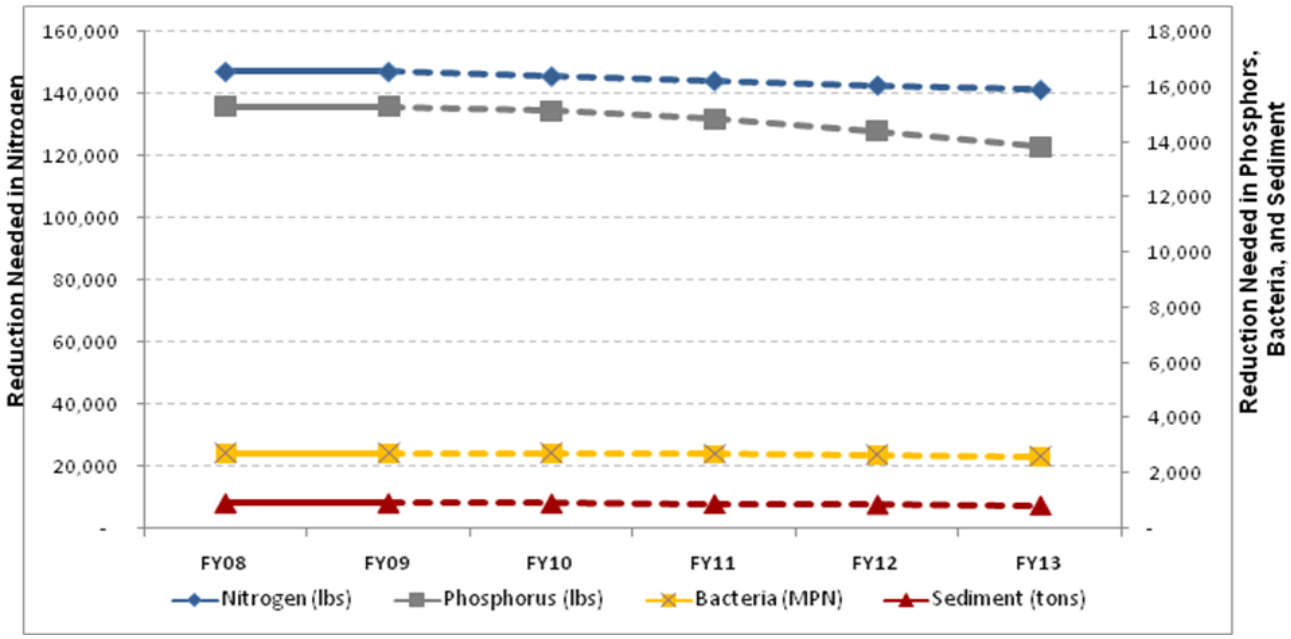
## *ENVIRONMENTAL PROTECTION AT-A-GLANCE*

| **What DEP Does and for Whom** | **How Much** |
|---|---|
| **Overall**<br>The mission of the Department of Environmental Protection is to: Protect and enhance the quality of life in our community through the conservation, preservation, and restoration of our environment guided by the principles of science, resource management, sustainability and stewardship; and to provide solid waste management services including recycling in an environmentally progressive and economically sound manner. | FY10 Budget: $114,371,500<br>Workyears: 156.8<br>Solid Waste Fund: $102,461,690<br>WQPC: $8,895,850<br>General Fund: $3,013,960 |
| **Watershed Management**<br>• Monitor Water Quality<br>• Inspect and Maintain Stormwater Facilities<br>• Watershed Restoration in compliance with MS-4 Permit Requirements<br>• Planning, Outreach and Education of MS-4 Permit Requirements | FY10 Budget: $9,678,398 (8.5% of budget)<br>Workyears: 39.3 |
| **Policy and Compliance**<br>▪ Enforce environmental regulations<br>▪ Analyze, develop and recommend environmental policies related to:<br>- Environmental Sustainability<br>- Air Quality<br>- Energy Conservation<br>- Noise<br>- Forest Conservation | FY10 Budget: $1,230,139 (1.4% of budget)<br>Workyears: 8.8<br>**Note:** 4.2 WYs related to enforcement is charged to DSWS and WQPC. $560K is budgeted in the Climate Protection NDA |
| **Water and Wastewater Management**<br>• Analyze, develop, recommend, and | FY09 Budget: $687,797 (0.6% of budget) |

| | |
|---|---|
| implement water supply and wastewater disposal service policies, in coordination with land use planning and utility services, through the County's comprehensive plan<br>• Analyze, develop, and recommend regional, and local wastewater and water supply policies<br>• Develop groundwater protection policies | Workyears: 4.0<br>**Note:** 0.6 WYs related to monitoring is charged to DSWS |
| **Solid Waste Services**<br>Collect, process, and manage refuse generated in Montgomery County<br>▪ Monitor and enforce contracts with private collectors for residential refuse collection in sub district A – 90,507 homes.<br>▪ Process and dispose of refuse from 210,442 homes, 110,000 multi-family households, and over 65% of 35,000 businesses.<br>▪ Transfer Station facility receives, processes, and ships municipal solid waste generated within the County.<br><br>Oversee residential and commercial recycling<br>▪ Monitor and enforce countywide contracts with private collectors for residential recycling collection for 210,442 homes.<br>▪ Facilitate and enforce recycling to 35,000 businesses and 110,000 multifamily residents<br>▪ Administer and oversee compliance with the County's recycling regulation, and promote and maximize waste reduction. | FY10 Budget: $72,559,190 (71% of budget)<br>Workyears: 41.3<br><br>FY10 Budget: $29,902,500 (29% of budget)<br>Workyears: 63.4 |

# PERFORMANCE

## *HEADLINE PERFORMANCE MEASURE#1: POLLUTANT LOAD REDUCTIONS TO MEET WATER QUALITY STANDARDS*




| | FY08 | FY09 | FY10* | FY11* | FY12* | FY13* |
|---|---|---|---|---|---|---|
| NITROGEN (LBS) | 147,174 | 147,174 | 145,702 | 144,245 | 142,803 | 141,375 |
| PHOSPHORUS (LBS) | 15,301 | 15,301 | 15,148 | 14,997 | 14,847 | 14,698 |
| SEDIMENT (TONS) | 935 | 935 | 926 | 916 | 907 | 898 |
| BACTERIA (MPN) | 2,738 | 2,738 | 2,711 | 2,684 | 2,657 | 2,630 |

*Objective: To reduce pollutant loadings to zero, to meet water quality standards*

## *CONTRIBUTING FACTORS*

- Dry years reduce storm flows and may result in a temporary reduction in pollutant loads.
- New development and redevelopment codes/regulations will require more stringent stormwater management and onsite stormwater management. This could improve runoff quality and reduce pollutant loads.
- The Stormwater Management Facility Inspection and Maintenance Program funded by the Water Quality Protection Charge (WQPC), uses the County's technical resources and qualified personnel to ensure that regular maintenance of stormwater management best management practices (BMPs) on both public and private land is performed. In FY09,

over 1,400 structures were inspected to ensure that they were properly functioning and over 2,000 privately- and publicly-owned stormwater management facilities were maintained. This program is critical to meeting NPDES permit goals by ensuring that stormwater management BMPs throughout the county are operating as designed, to reduce stormflow volumes and pollutants loads.

- The DEP is currently developing a strategic *Implementation Plan* to meet the terms of the 3rd National Pollutant Discharge Elimination System (NPDES) MS4 Permit that the state will be issuing the County. The *Implementation Plan* will lay out measures to achieve the load reductions needed for waterbodies in the County with approved TMDLs and allocated load reductions.
- Stream restoration projects (stream bank, channel stabilization and riparian buffers) which will be maintained, contribute to pollutant loading reductions. Over 19,000 feet of degraded stream channels and eroding stream banks were restored and stabilized in FY09.
- Stormwater structures were structurally retrofitted (through construction or upgrades) to control polluted runoff from 420 acres of land in FY09.
- Newly- hired Engineer and Outreach Coordinator positions will help to improve the effectiveness of the Division's missions.
- The County-subsidized RainScapes Rewards program to control runoff from privately-held land is expected to ramp up in the coming years. More projects in-the-ground will yield additional urban acres with runoff control. In FY09, DEP initiated the installation of Rainscapes pilot program on six school sites by volunteers (in cooperation with MCPS facilities), and held two Training sessions for landscape contractors.

## *Restricting Factors*

- As development increases, the additional imperviousness disrupts natural hydrology and negatively impacts water quality, often even in spite of more stringent stormwater controls associated with new development.
- Given the historically urban nature of some of Montgomery County's watersheds and the associated nonpoint source pollution from stormwater, human population, construction, and urban land-based activities, it is realistic to assume that meeting water quality standards will be a challenging and resource-intensive process.
- Wet years increase stormflow runoff and may result in a temporary increase in pollutant loads.
- Limited data are currently available to verify pollutant load reduction estimates and models are not always accurate.
- New requirements for additional pollutants with regulatory limits are likely to be added by the state (e.g., trash).

- The Chesapeake Bay TMDL (led by the federal government) will impact all watersheds in the Chesapeake Bay and will potentially allocate load reductions beyond existing approved TMDL load reduction-allocations for County waterbodies.

### *WHAT WE PROPOSE TO DO TO IMPROVE PERFORMANCE*

- We propose to implement the National Pollutant Discharge Elimination System (NPDES) Permit (3rd permit) which includes terms requiring the County to meet the load reduction targets laid out in approved TMDL studies on its impaired waterbodies.
- DEP is currently in the Step 1 phase of the requirements of the NPDES permit implementation steps (outlined below) and has already initiated a comprehensive review of the County's codes, regulations, standards, policies, and processes to ensure that environmental site design (ESD) can be implemented to the maximum extent practicable as required by new State law and the MS4 permit.

  Step 1: Develop Plan within one year of permit issuance

  a) Identify projects, programs, monitoring and funding needed
  b) Develop schedule for monitoring, tracking, and implementation to meet restoration and pollutant reduction goals

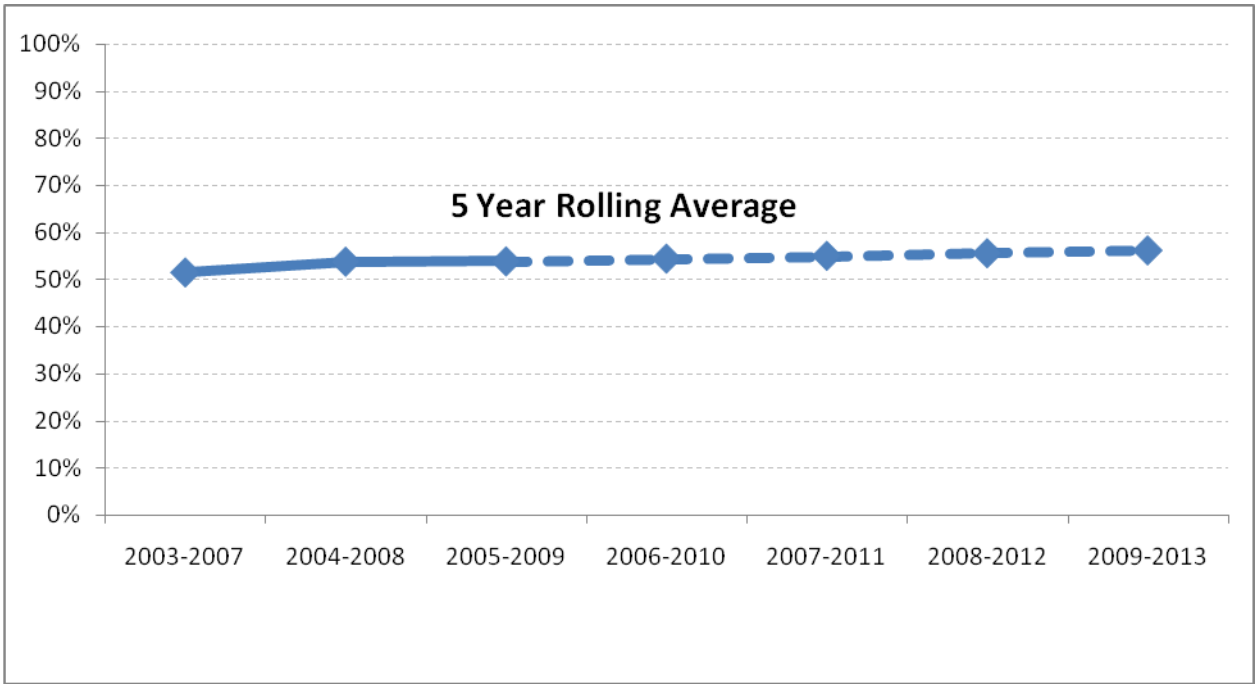
  Step 2: Implement plan over five-year permit term

  Step 3: Collect data and track results of watershed restoration techniques

  Step 4: Evaluate and modify plan according to scheduled intervals using data collected

  Step 5: Report annually on implementation progress and stream resource improvements
- DEP has been, and will continue to use the following watershed restoration techniques to meet permit goals including pollutant load reductions:
  - Non-structural techniques and on-site infiltration techniques (green roofs, downspout disconnection, rain gardens, bioswales, and other ESD techniques)
  - Structural retrofitting (upgrading existing stormwater management structures and installing new such structures), and
  - Stream restoration (stream bank and channel stabilization)
- DEP initiated a re-evaluation of the processes, practices, and applicable regulations/laws of the Water Quality Protection Charge. This is in order to address issues of equity, applicability, revenue, and optimal alignment of the Charge's functions to meet MS4 permit requirements.
- DEP will increase the number of BMPs inspected and maintained in the Stormwater Management Facility Inspection and Maintenance Program to keep up with growth while reducing the number of facilities waiting to be accepted into the maintenance program.
- DEP will increase enforcement of BMP maintenance in impaired watersheds as identified in the *Implementation Plan.*

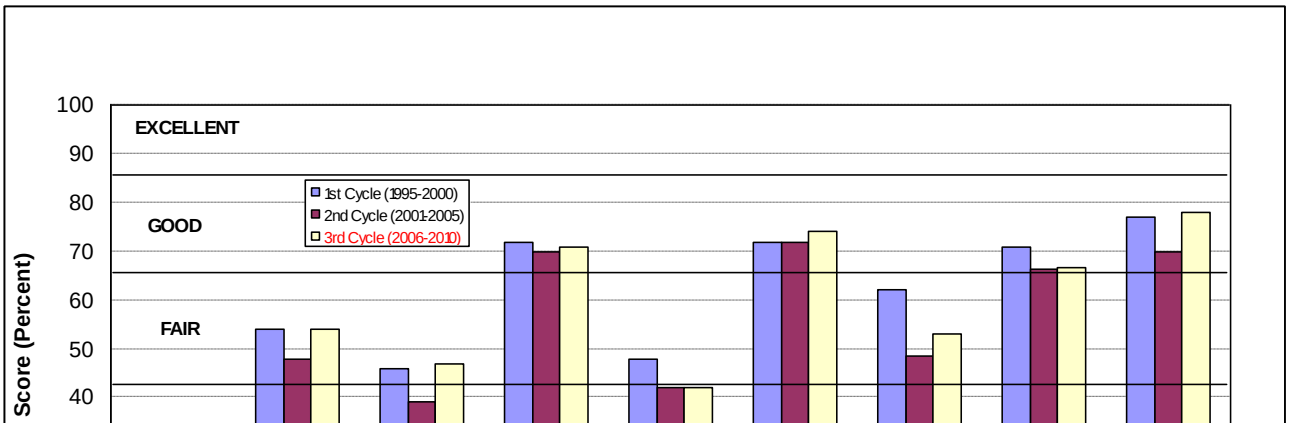
## *Headline Performance Measure#2: Index of Biological Integrity (IBI*) Score in County Watersheds*




*IBI Score - The Index of Biological Integrity is a combined score of the health of the fish and the macro-invertebrate biological communities.*

| | 2003 – 2007 | 2004 – 2008 | 2005 – 2009 | 2006 – 2010 | 2007 – 2011 | 2008 – 2012 | 2009 – 2013 |
|---|---|---|---|---|---|---|---|
| **Rolling Average** | 51% | 54% | 54% | 54% | 55% | 55% | 56% |

## *Headline Measure Detail:*



*Watershed Groups Correspond to the NPDES MS4 Implementation Strategy Watershed Groups*

## *Contributing Factors*

- Same as for Headline Performance Measure 1 above
- In the Clarksburg SPA, we identified wetlands, springs, and headwaters earlier in the development process which led to the greater protection of sensitive water resources. This was done in addition to the annually required stream biological monitoring and focused on areas with sensitive environmental resources which are facing development pressures.
- Stream restoration of Turkey Branch restored biological habitat, and improved stormwater control for 192 urban acres. Three miles of Turkey Branch, a tributary of Rock Creek, were restored, resulting in (1) reduced sediment runoff from unstable banks and (2) improved channel sinuosity, habitat, and riffle/pool/run features which are vital for biological habitat.
- 1,168 tons of debris was prevented from entering storm drains and streams through an enhanced street-sweeping program focusing on the most degraded areas within the Anacostia and Lower Rock Creek sub-watersheds.

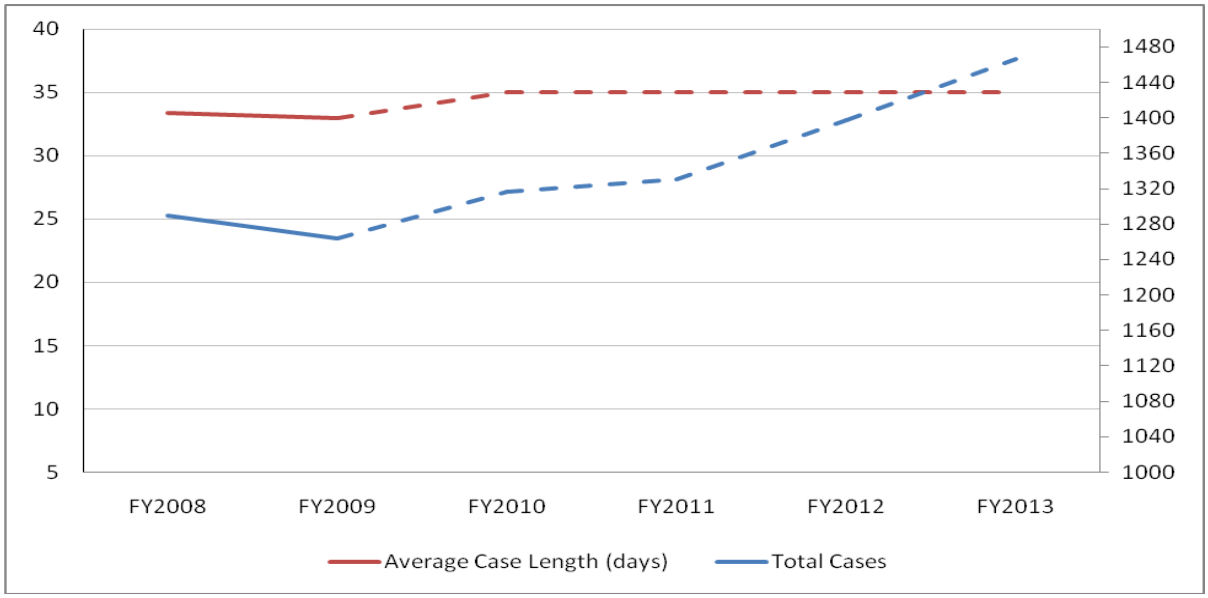
## *Restricting Factors*

- Same as for Headline Performance Measure 1 above
- Drought, severe weather and other natural events are beyond the County's control but can adversely affect the biological sampling results (IBI scores) as the scores from the period 2001-2005 indicate.
- Individual subwatersheds could have an IBI rating of poor (especially in southern County areas) even if a larger grouping shows an IBI rating of good or fair.

### *What we propose to do to improve performance*

- Same as for Headline Performance Measure 1 above
- Greater involvement of citizen monitors and other volunteer efforts.

### *Headline Performance Measure#3: Average Number of Days to Resolve Incoming Complaints*



| | FY08 | | FY09 | | Percent Change | | FY10 | | Percent Change | |
|---|---|---|---|---|---|---|---|---|---|---|
| Case Type | Cases | Average Case Length (days) | Cases | Average Case Length (days) | Cases | Average Case Length (days) | Cases | Average Case Length (days) | Cases | Average Case Length (days) |
| Ambient Air | 193 | 36 | 190 | 42 | -2% | 14% | 220 | 43 | 14% | 2% |
| Hazmat | 59 | 15 | 48 | 19 | -23% | 21% | 51 | 22 | 6% | 14% |
| Indoor Air/ Environment | 98 | 46 | 142 | 38 | 31% | -21% | 112 | 40 | -27% | 5% |
| Noise | 246 | 44 | 247 | 46 | 0% | 4% | 251 | 45 | 2% | -2% |
| Solid Waste | 380 | 34 | 385 | 29 | 1% | -17% | 419 | 30 | 8% | 3% |
| Stormwater | 145 | 37 | 121 | 25 | -20% | -48% | 132 | 30 | 8% | 17% |
| Water Quality | 169 | 22 | 131 | 26 | -29% | 15% | 132 | 25 | 1% | -4% |
| Grand Total | 1,290 | 35 | 1,264 | 34 | -2% | -2% | 1,317 | 35 | 4% | 2% |

## *Contributing Factors*

- Full complement of experienced Code Enforcement staff addressing complaints
- Good procedures in place to track calls, e-mails and other communications regarding code enforcement cases
- Experienced call takers with DEP who ensure that critical case information is provided to Code Enforcement staff
- Indoor air cases increased due to growth in number of mold complaints among the general public

## *Restricting Factors*

- Complexity of certain ongoing issues
- Limited public awareness of County environmental regulations

- Number of cases (e.g., those related to noise) may increase as a result of densification and smart growth, with results in the mixing of residential and commercial uses in limited space

- Potential for new systems to respond to incoming calls (e.g., 311) may result in delays initially until systems and procedures are operating smoothly

### *WHAT WE PROPOSE TO DO TO IMPROVE PERFORMANCE*

- Continue to emphasize good customer service, public outreach and education, and constant and open communication with parties involved in enforcement cases. In many cases, constant communication and education with affected parties regarding the status of a case will lead to satisfied customers even if the resolution was unfavorable to them.

- Continue to train staff on relevant environmental and customer service issues

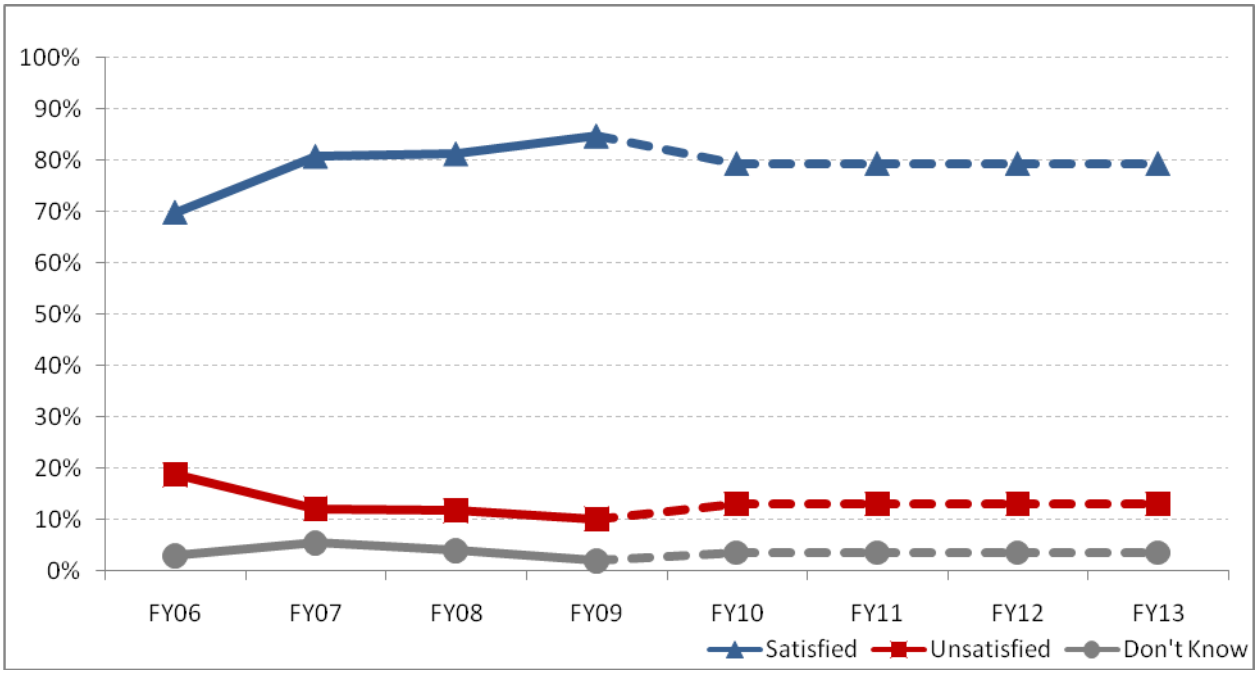
- Launch an updated DEP Web site with illustrations and photos, to lay out issues regarding environmental nuisances and complaints more clearly which will help educate and inform citizens.

- To the extent feasible, enhance database used to track enforcement activities to allow for better analysis of performance and identification of opportunities for improvement

- Address deficiencies in laws and regulations that create enforcement issues (e.g. develop regulations for certain noise related activities as provided for in County Code.)

- Coordinate with the County's 311 Portal system, to explain environmental codes and provide directions for reducing infractions of the County's environmental code.

## *HEADLINE PERFORMANCE MEASURE#4: PERCENT SATISFIED WITH DEP RESPONSE TO ENVIRONMENTAL COMPLAINTS*




| | FY06 | FY07 | FY 08 | FY09 | FY10 | FY11 | FY12 | FY13 |
|---|---|---|---|---|---|---|---|---|
| Satisfied | 69.8% | 80.8% | 81.3% | 84.8% | 79.4% | 79.4% | 79.4% | 79.4% |
| Unsatisfied | 18.7% | 12.1% | 11.7% | 10.1% | 13.0% | 13.0% | 13.0% | 13.0% |
| Don't Know | 2.9% | 5.5% | 3.9% | 1.9% | 3.6% | 3.6% | 3.6% | 3.6% |
| No Response Chosen | 8.6% | 1.6% | 3.1% | 3.2% | 4.0% | 4.0% | 4.0% | 4.0% |

DEPC Customer Survey Data

| | FY 08 | FY09 | FY10 | FY11 | FY12 | FY13 |
|---|---|---|---|---|---|---|
| Total Mailed | 596 | 622 | 625 | 630 | 640 | 650 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Total Returned | 128 | 158 | 156 | 164 | 173 | 188 |
| Response Rate | 21% | 25% | 25% | 26% | 27% | 29% |

## *Contributing Factors*

- Staff experience and customer response skills enable satisfactory and timely responses to complaints
- Good communication and dispute resolution skills even when the outcome is unfavorable to complainant
- Good procedures in place to track calls, e-mails and other communications regarding code enforcement issues

## *Restricting Factors*

- County Code may prevent DEP from acting to the complainant's satisfaction and the complexity of certain issues may not be understood by complainant.
- The response provided by a customer may reflect the respondent's satisfaction with the resolution of a case rather than the manner in which DEP staff performed.
- Number of cases (e.g., those related to noise) may increase as a result of densification and smart growth, with results in the mixing of residential and commercial uses in limited space

## *What we propose to do to improve performance*

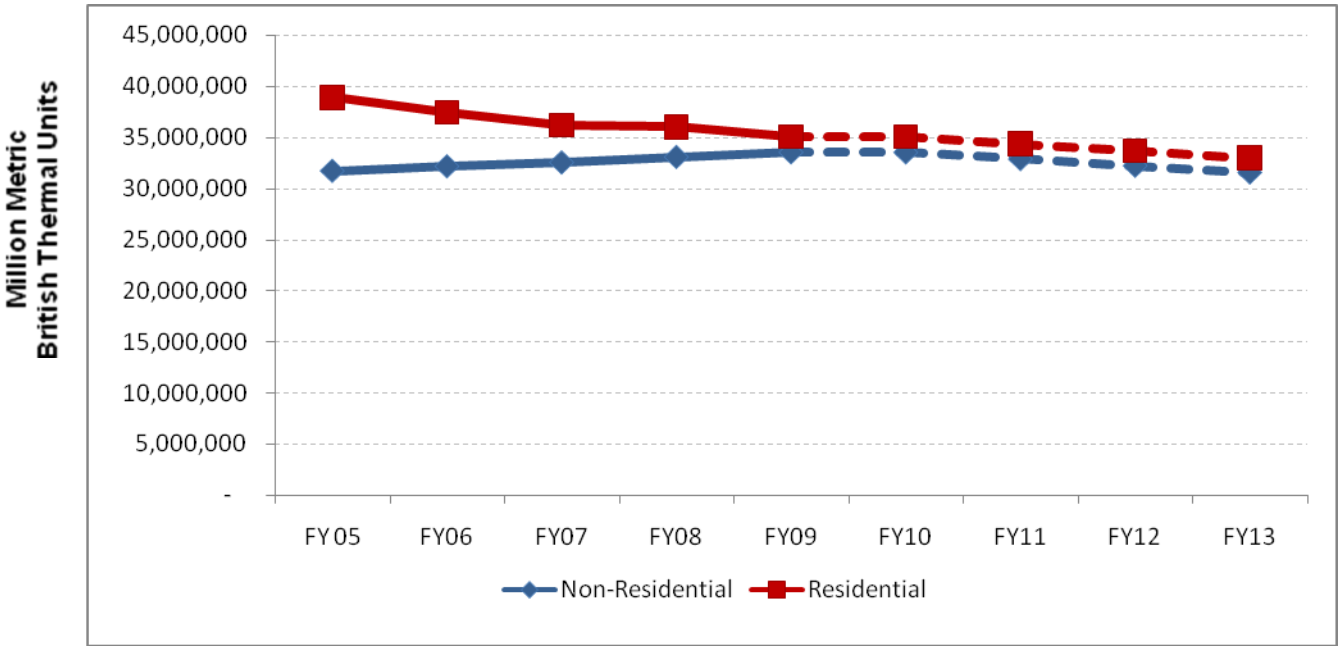
- Continue to emphasize good customer service, public outreach and education, and constant and open communication with parties involved in enforcement cases. In many cases, constant communication and education with affected parties regarding the status of a case will lead to satisfied customers even if the resolution was unfavorable to them.
- Continue to train staff on relevant environmental and customer service issues
- Launch an updated DEP Web site with illustrations and photos, to lay out issues regarding environmental nuisances and complaints more clearly which will help educate and inform citizens.

- To the extent feasible, enhance database used to track enforcement activities to allow for better analysis of performance and identification of opportunities for improvement

- Address deficiencies in laws and regulations that create enforcement issues (e.g. develop regulations for certain noise related activities as provided for in County Code.)

- Coordinate with County's 311 Portal system, to provide explanations of environmental codes, and directions for reducing infractions of the County's environmental code.

## *Headline Performance Measure#5: Residential/Non-residential Energy Use as a Measure of Greenhouse Gas Reductions*




**Million Metric Tons British Thermal Units**

| | FY05 | FY06 | FY07 | FY08 | FY09 | FY10 | FY11 | FY12 | FY13 | 2020* Target |
|---|---|---|---|---|---|---|---|---|---|---|
| Non-Residential | 31,715,213 | 32,169,926 | 32,553,612 | 33,101,269 | 33,563,287 | 33,563,287 | 32,892,022 | 32,220,756 | 31,549,490 | 25,372,170 |
| Residential | 38,880,724 | 37,391,906 | 36,164,942 | 35,979,624 | 35,012,591 | 35,012,591 | 34,312,340 | 33,612,088 | 32,911,836 | 31,104,579 |

## *Contributing Factors*

- Relatively mild years in terms of degree days (which affect both heating and cooling). Residential energy consumption responds relatively quickly to these changes, while commercial is not as elastic.
- Financial pressure from rising energy rates
- Awareness of energy conservation issues and new incentives for energy efficiency

### *Restricting Factors*

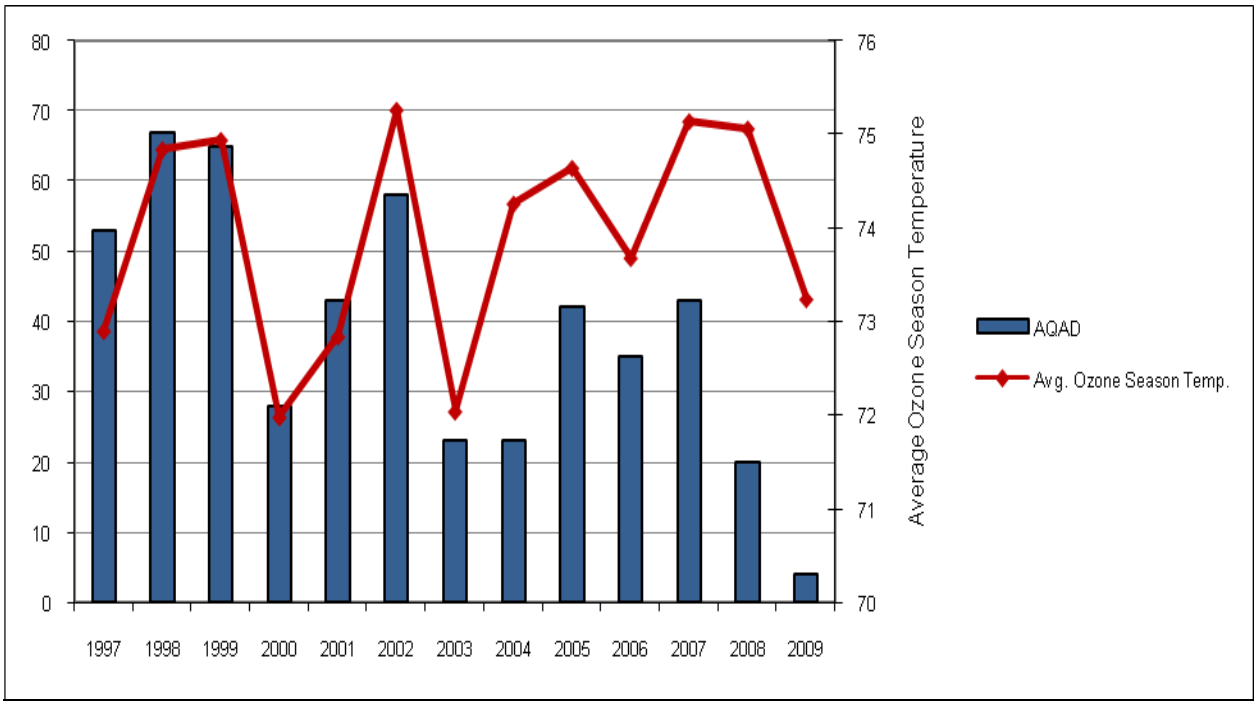
- Increase in population and employment in the County
- Volume of older, inefficient building stock

### *What we propose to do to improve performance*

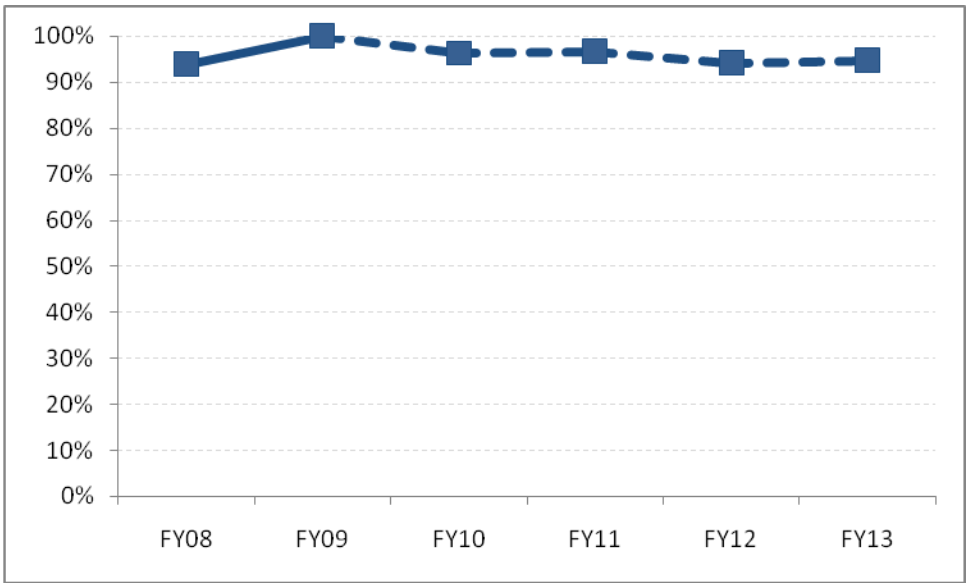
- Continue to support outreach/education and incentive programs offered by the County, state and federal governments, utilities, and others to reduce energy consumption
- Continue to seek grant funding for energy efficiency programs

### *Environmental Indicator: Number of Air Quality Action Days (AQAD) in the Year*

*An Air Quality Action Day is determined whenever any criteria air pollutant is predicted to approach unhealthy levels as determined by the National Ambient Air Quality Standards (NAAQS). Montgomery County is part of the Metropolitan Washington nonattainment area for the 2008 Ozone Standard (75 ppb). In this region Ozone is the dominant pollutant during the summer "Air Quality Action Day" season.*


80
70
60
50
40
30
20
10
0
76
75
74
73
72
71
70
Average Ozone Season Temperature
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
AQAD
Avg. Ozone Season Temp.

## *Headline Measure #6: Percent Concurrence of County Council Water and Sewer Service Actions with DEP Recommendations*




*DEP prepares recommendations for the County Council on proposed changes to service area designations that affect a property's eligibility for public water and sewer service versus private wells and septic systems.*

*Percent concurrence = Requests received with DEP "actions" and recommendations completed ÷ Requests with completed actions where Council agrees with DEP's recommended action.*

| | Recommendations | | |
|---|---|---|---|
| | Requests Received with Actions Completed | Requests with Final Decisions in Agreement with DEP | % Accepted |
| FY08 | 32 | 30 | 94% |
| FY09 | 17 | 17 | 100% |
| FY10 | 26 | 25 | 96% |
| FY11 | 30 | 29 | 97% |
| FY12 | 34 | 32 | 94% |
| FY13 | 37 | 35 | 95% |

## *Contributing Factors*

- Sound understanding of not just the policies for County water and sewer service planning, but also the rationale behind and justification for those policies.
- Excellent coordination with applicants from the public and with other agencies (County Council, DPS, WSSC, M-NCPPC, MDE, & MDP) on County water and sewer planning policies and goals.

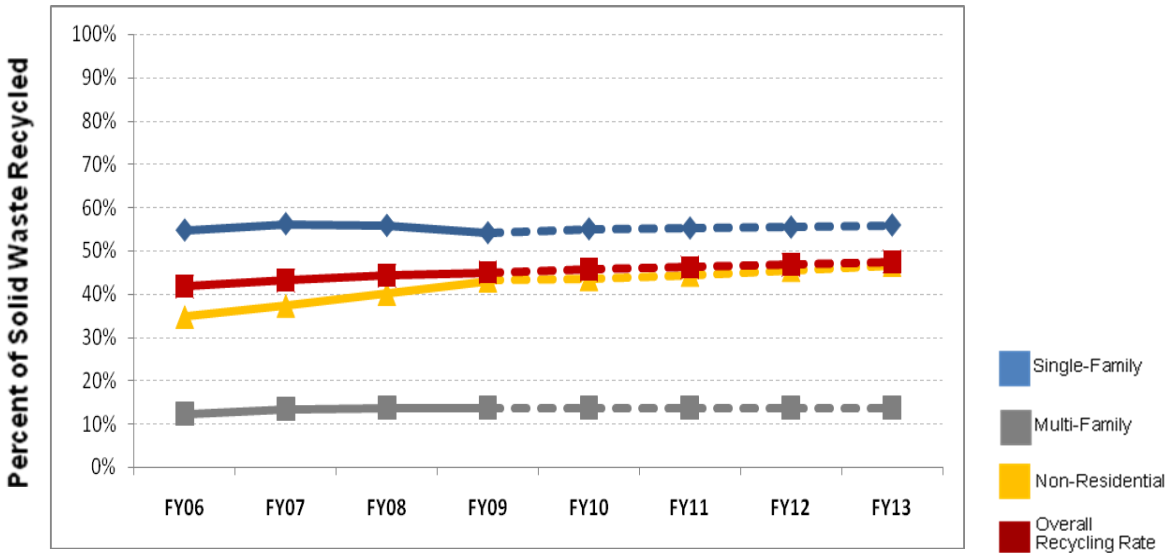
### *Restricting Factors*

- As developable land decreases and growth pressures increase, development interests want to look beyond existing policies—or at least stretch existing policies—to promote more public water and sewer service outside existing service envelopes.
- Council members will always have interests and issues to consider that lie outside the purview of the Water and Sewer Plan and its policies.
- Land use planners at County and State levels tend to discount exceptional service policies the Council has adopted in the Water and Sewer Plan; these policies are often used to address rare or unique service situations not readily accounted for in master and sector plans that address broader development issues.

### *What we propose to do to improve performance*

- Continue to coordinate closely with Council staff on water and sewer service policy issues generating controversy or raising the interest of Council members.
- Develop Water and Sewer Plan policy amendments that conform to policy directions endorsed by the Council.

## *Headline Measure #7: Percent of Total Municipal Solid Waste Recycled*




| | FY 06 | FY07 | FY08 | FY09 | FY10 | FY11 | FY12 | FY13 |
|---|---|---|---|---|---|---|---|---|
| **Single- Family** | 55% | 56% | 56% | 54% | 55% | 55% | 55% | 56% |
| **Multi-Family** | 12% | 14% | 14% | 14% | 14% | 14% | 14% | 14% |
| **Non-Residential** | 35% | 37% | 40% | 40% | 43% | 44% | 46% | 47% |
| **Overall Recycling Rate** | 42% | 43% | 44% | 44% | 46% | 46% | 47% | 48% |

*The County has a goal of recycling 50% of all waste generated by 2010. Recycling is mandated by Executive Regulation 15-04AM, which requires recycling throughout the single-family, multi-family and commercial sectors. The comprehensive strategies and initiatives to reach the 50% recycling goal include a combination of outreach, education, technical assistance, training, and enforcement.*

## *Contributing Factors*

- Residential Recycling:
  a) Outreach and education motivating people to recycle more
  b) Well-functioning collection services provided by the County
- Commercial/Multi-Family Recycling:
  a) Outreach and education motivating businesses and tenants to recycle more
  b) Enforcement and site visits to reinforce educational measures
  c) Technical assistance & training to reinforce recycling behavior

### *Restricting Factors*

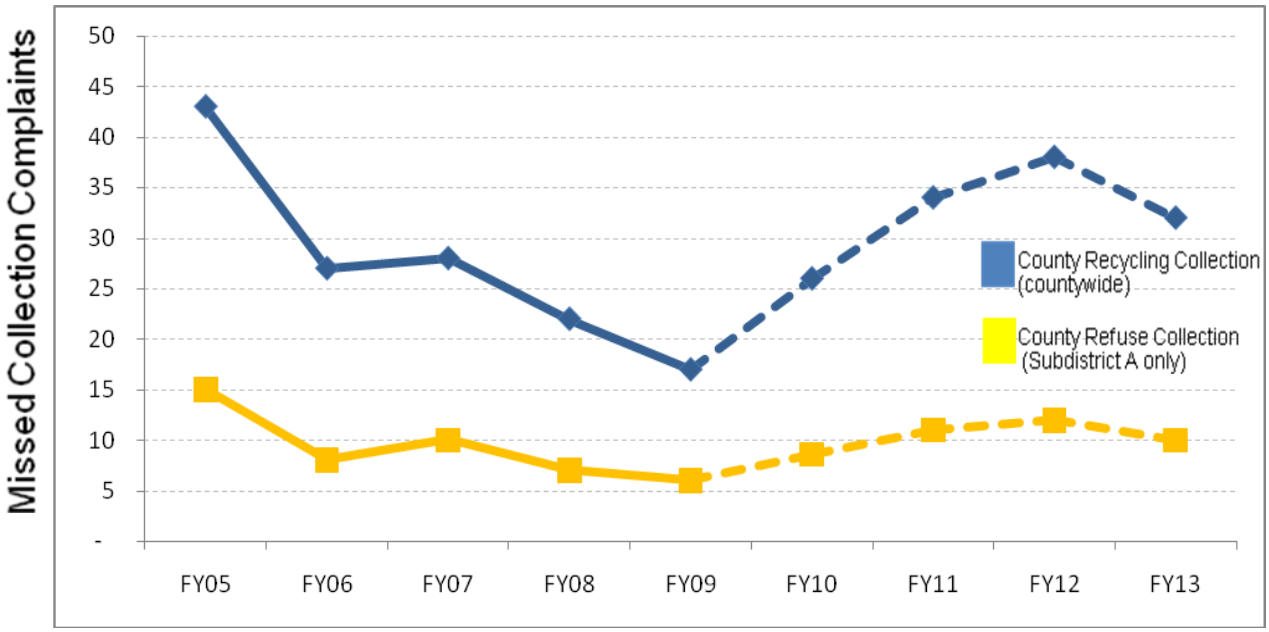
- Residential Recycling:
  a) Language barriers and cultural differences
  b) Competing household priorities
- Commercial Recycling:
  a) Multiple parties in custody chain
  b) Recycling collections services hired by the business itself
  c) Language barriers and cultural differences
  d) Staff or services turnover
- Multi-Family Recycling:
  a) Language barriers and cultural differences
  b) Resident/manager/concierge staff or services turnover
  c) Recycling collections services hired by the manager of the property/building

### *What We Propose to Do to Improve Performance*

- Continue and expand efforts to increase recycling in the multi-family and commercial sectors. Based on waste generation data and current recycling achievement, the commercial sector provides the greatest opportunity to increase the amount of materials recycled.
- Continue providing education, outreach, training, technical assistance, and guidance across all sectors to single-family and multi-family residents, multi-family property owners, managers, condominium and common ownership community boards, and businesses including business owners, managers, commercial property owners, property management companies, employees, commercial service providers, and refuse and recycling collection companies to further increase participation in recycling, waste reduction and buying recycled programs.
- Continue to provide a comprehensive level of outreach, education, training, technical assistance and site-specific recommendations to businesses and multi-family properties to implement, improve or expand on-site recycling programs through the use of on-site visits by staff.

- Continue dedicated enforcement of the County's recycling regulation, Executive Regulation (ER) 15-04AM as it pertains to businesses and multi-family properties by thoroughly investigating cases of non-compliance.

*HEADLINE MEASURE #8: MISSED COLLECTION COMPLAINTS PER WEEK*




| | FY05 | FY06 | FY07 | FY08 | FY09 | FY10 | FY11 | FY12 | FY13 |
|---|---|---|---|---|---|---|---|---|---|
| MISSED RECYCLING COLLECTIONS | 43 | 27 | 28 | 22 | 17 | 26 | 34 | 38 | 32 |
| HOUSEHOLDS SERVED | 205,561 | 207,278 | 208,444 | 209,306 | 209,935 | 210,442 | 212,077 | 213,712 | 215,346 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| (RECYCLING) | | | | | | | | | |
| MISSED REFUSE COLLECTION | 15 | 8 | 10 | 7 | 6 | 9 | 11 | 12 | 10 |
| HOUSEHOLDS SERVED (REFUSE) | 86,252 | 87,213 | 87,650 | 89,906 | 90,289 | 90,507 | 91,210 | 91,913 | 92,616 |

*There has been a steady decline in the number of missed collections for both recycling and refuse collection.*

*DEP collects trash from approximately 40 percent of the residents in the county and recyclables from every household (excluding municipalities) through contracts with private sector collectors. For collection purposes, the county is divided into 13 areas. Each area is further subdivided into routes receiving collection on a specific day of the week. The routes are designed so that each home receives all collection services on the same day each week. DEP's goal is to make sure materials are collected promptly and in all cases on the same day. If a resident's trash or recyclables are not collected on the same day it is recorded as a "missed collection". The "missed collections" are tracked to quantify both contractor performance and DEP's effectiveness as a contract manager.*

## *CONTRIBUTING FACTORS*

- Quick response time (call center & field staff)
- Educated residents and collectors

## *RESTRICTING FACTORS*

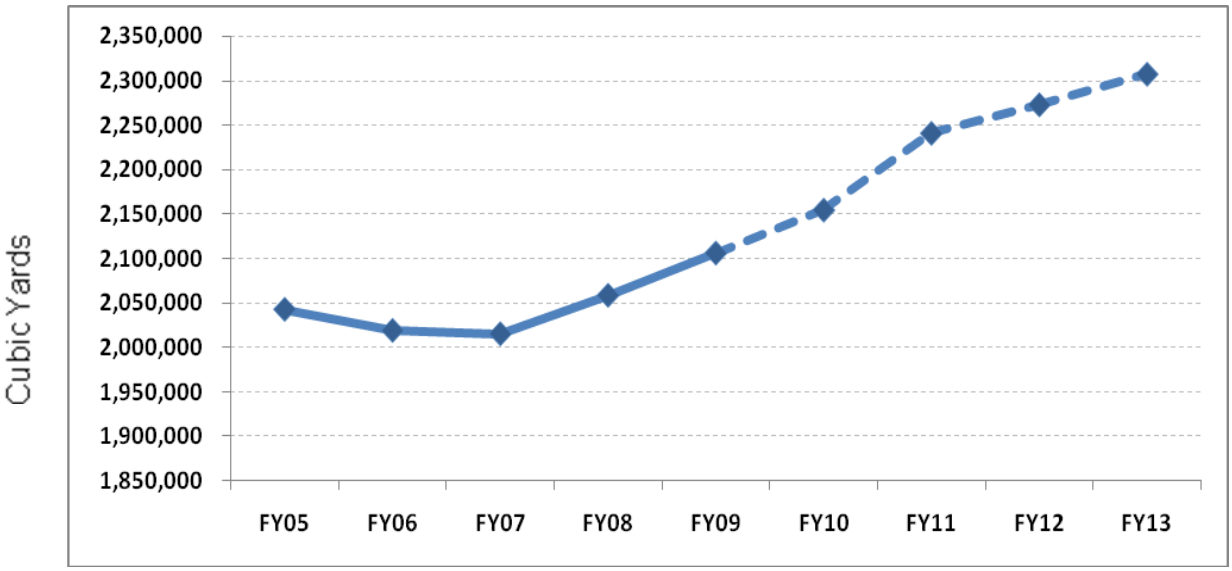
- Periodic new contract start-ups
- Contractor's inability to hire and retain staff

## *WHAT WE PROPOSE TO DO TO IMPROVE PERFORMANCE*

- Improve dispatch and response time to resident's same day collection complaints to avoid those being converted into misses.
- Work closely with contractors to know when substitute crews are on trucks since experience has shown that this is frequently correlated with missed collection occurrences.

- As we transition contracts in each area, we will increase field staff presence to monitor performance during start-up.
- Conduct outreach to residents regarding acceptability of materials for collection and when material must be out for collection.
- Review material acceptability with contractors on a regular basis so acceptable material isn't rejected and then called in as a missed collection by a resident.

### *Headline Measure #9: Percent of Landfill Space Not Utilized*




| | FY05 | FY06 | FY07 | FY08 | FY09 | FY10 | FY11 | FY12 | FY13 |
|---|---|---|---|---|---|---|---|---|---|
| Landfill Space Diverted from Use | 2,042,674 | 2,018,869 | 2,015,054 | 2,058,409 | 2,105,890 | 2,154,174 | 2,240,660 | 2,272,812 | 2,307,152 |

*As a result of Montgomery County's programs to recycle, grasscycle, and convert refuse to energy only a small percentage of municipal solid waste is landfilled.*

### *Contributing Factors*

- The County's successful recycling program
- Volume reduction through energy conversion
- Reduced waste generation in the County
- Increased number of patrons using the HHW facility, from 10,000 in FY00 to over 80,000 in FY 08.

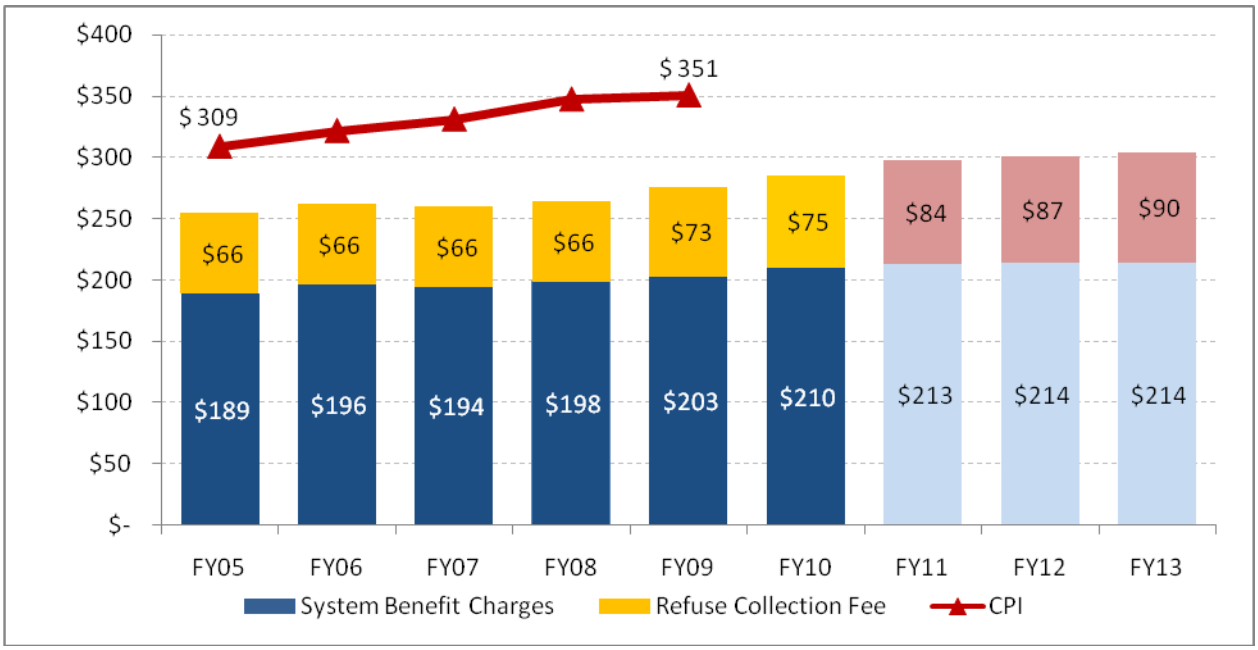
### *Restricting Factors*

- Lack of a market for recycled ash
- Outside forces drive generation (e.g. packaging, economy, etc.)
- Other than by adjusting its Tipping Fee the County has limited influence over where private sector collectors choose to take their waste or whether that private waste experiences volume reduction at private waste-to-energy facilities or is directly landfilled.

### *What We Propose to Do to Improve Performance*

- Increase recycling
- Research the market for sound uses of recycled ash.

## *Headline Measure #10: Single-Family Solid Waste Charges*




*The Solid Waste Enterprise Fund was established by law to account for all revenues and expenditures of the integrated solid waste management system. The System Benefit Charges and Collection Fees are collected on the property tax bills. Rate-setting methodology is used to ensure that fees and charges are calculated to reflect as fairly as practicable the costs to the County of providing solid waste services. There has not been a corresponding increase in the single family waste charge as the Consumer Price Index has continued to rise.*

## *Contributing Factors*

- Landfill, gas-to-energy project
- Instituted Low NOx project
- Expanded Transfer Station tipping floor, increased safety, and reduced customer wait time
- Instituted full time Household Hazardous Waste Drop off
- Number of customers should increase from 10K per year for FY00 to an estimated 95K per year for FY10
- Innovative approaches to reducing cost and increasing revenues

## *Restricting Factors*

- Increases in fuel and labor costs
- Changes in commodity markets
- Decreases in investment income (earnings)

## *What We Propose to Do to Improve Performance*

- Maintain the Solid Waste Enterprise Fund's current and six-year projected fiscal health goals while practicing prudent financial management.
- Enhance reporting using *Crystal Reports* software to ensure all solid waste tonnages received by DSWS are accounted for, and that all applicable tipping fees are collected.
- Continue benchmarking with other similar jurisdictions with regard to fees charged and services rendered to ensure DSWS is delivering the best service in a cost effective manner.
- Continue rate model enhancements, and rate stabilization over the six year planning period to ensure our customers (citizens) are charged an equitable fee for service.
- Maintain accountability and transparency in financial reporting during public disclosure to ratepayers.

## *APPENDIX A: BUDGET*

In order to fund the requirements of the new MS4 permit DEP has decided to use revenue bonds. Bonds will allow the department to increase its CIP expenditures while minimizing the increase in the rate and spreading the increase over a number of years.

## *APPENDIX B: IMPLEMENTATION*

**Watershed Management Division: NPDES MS4 Permit Implementation**

July 2009-October 2010 Develop Watershed Restoration Implementation Strategy which includes 7 Watershed Restoration Implementation Plans, 3 Watershed Pre-Assessments, and Public Outreach and Stewardship Plan. The Watershed Restoration Plans will include specific timelines, BMPs, and budget estimates to meet EPA approved TMDLs.

FY11-FY15 (5 fiscal years) Complete Watershed Restoration Implementation Plans for the 3 Watersheds with pre-assessments

FY11-FY15 Meet goal for runoff management on additional 20% of impervious acreage not currently controlled to the maximum extent practicable

FY11 and beyond (timeline to be developed in *Implementation Strategy* and approved by MDE) Implement best management practices to meet existing EPA approved TMDLs

FY12 Develop TMDL implementation plan to meet Bay Restoration TMDLs for nutrients and sediment

**Policy and Code Enforcement Division**

January 2010 Green Business Certification Program – Currently undergoing beta testing, expect to launch the program formally in January

March-June 2010 Revisions to Forest Conservation Law – Reviewed with CE in November, meeting with stakeholders beginning in December, anticipate bill to Council in Spring

FY09-FY11 Allocate spending of $7.6 Million of Energy Efficiency and Conservation Block Grant – Received initial approval in November, beginning program planning and procurement in December, funds must be spent by November 2012.