

**Wednesday, November 1, 2023 – 5:30 – 7:30pm**  
**MEETING NOTES**

**SWAC MEMBERS IN ATTENDANCE:**

Carol Jones, Chair Robin Barr, Vice Chair Adam Diamond, co-Secretary Amy Maron, co-Secretary	Troy Cavell Fred Kranz Heidi Lovett	Ellen Ryan Mark Symborski (M-NCPPC rep, non-voting)
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**SWAC MEMBERS ABSENT:** Chaz Miller

**DEP STAFF IN ATTENDANCE:**

David Frank, RRMD Waste Reduction and Recycling Section

Lisa Shine, RRMD Executive Administrative Aide

David Rosenbaum, RRMD Materials Management Section

**GUEST:** Keith Levchenko, Sr. Legislative Analyst, Montgomery County Council Central Staff

**MEMBERS OF THE PUBLIC:** Lauren Greenberger, Daniela Ochoa

SWAC approved October SWAC meeting minutes, at 5:37pm.

**Featured Discussion:** Keith Levchenko, Legislative Analyst for Montgomery County Council

**Topic:** Montgomery County Council Zero Waste Priorities: An Update.

*Carol Jones* first provided an overview of SWAC’s report, [Consolidating Subdistrict B Trash Collection: Lessons Learned from Other Communities to Address Hauler Concerns, A First Look](#), which reviews obstacles to consolidation and paths to overcome them.

**Keith Levchenko’s comments:**

**Consolidation report:** He praised the report as providing good background on the key issues facing the County with regard to consolidation and putting forth some options and recommendations that the County Council should consider going forward. His comments on issues SWAC raised in the report included the following:

- OLO recommendation for home-owner referendum on consolidation in their neighborhood: OLO recommended that communities be polled regarding their preference to remain under private collections or to be included in public contracting, with the implication that each neighborhood could decide separately.
  - SWAC raised the issue that the current referendum procedure does not necessarily reflect household preferences accurately: the results are largely driven by the voting participation rate, because only homeowners are allowed to vote, and those who don’t vote are counted as a “no” vote. Given low voter participation in local referenda, it is likely to result in a mix of voting outcomes, resulting in further fragmentation of public service provision – which is what the proposal to consolidate is aiming to eliminate.
  - Keith said this recommendation was intended to give citizens a direct voice; he said that he would research how to amend the not-voting households being counted as “no” votes.

- Labor Peace Agreement provision (identified as an impediment) needs more attention by County officials. The CC lead committee for considering LPA would be Government Operations, (Kate Stewart, Chair; Andrew Friedson, Sidney Katz).
  - The most recent contracts for trash and recycling in areas 6 and 8 have been issued with only one bidder (the unionized Unity Diposal and Recycling), the bid was reasonable. The County shouldn't, however, put all of its eggs in one basket with regard to trash contractors, there is value in having multiple companies compete.
- 2x/week trash collection in Subdistrict B would be reduced to 1x/week service under public contracting.
  - Keith noted that, when the county created subdistrict A, many homeowners had been getting 2x/week collection, but after initial objections from some, most became accustomed to once-a-week collection, particularly since it was combined with recycling collection. It might be wise to combine food scraps collection and SAYT in subdistrict B with consolidation under public contracting.
- Providing small haulers access to contracts: One way to open up county refuse contracting to smaller haulers is to eliminate the new truck requirement, as long as bidder has backup trucks (which is a standard part of the collection contracts).

#### **Other topics:**

- **Food scraps:** the county is not ready to roll this out county-wide yet due to lack of processing capacity. It is easier to get done by independent municipalities, most of which are small, than at the County level.
- **Bag tax:** Mr. Levchenko is not aware of any CC member proposals to eliminate the bag tax at retail establishments.
- **SAYT:** This would be a complicated change to the current system with many details to be resolved.
- **Closing the incinerator:** Mr. Levchenko has met with new DEP director, Jon Monger, to discuss the CE's plans. He noted that before approving the county [2020-2029 Comprehensive SW Plan](#), the County Council added a statement that -- prior to CC considering a proposal to close the incinerator -- DEP is to provide an "analysis of the alternatives of keeping the RRF open vs changing to in-county or out-of-county landfill that compares the short and long-term costs, environmental and public health impacts, racial equity and social justice implications, facility impacts, operation concerns, and other major issues." (p. IV) The 10-year plan will need to be amended before closing the incinerator and shifting to landfill.

#### **Planned T&E committee actions relating to solid waste in 2024:**

T&E Committee members are Evan Glass, Chair; Kate Stewart, Marilyn Balcombe. (Both Stewart and Balcombe are new to CC and T&E in 2023.)

- **Briefing on solid waste issues:** Mr. Levchenko is planning to schedule a session early in 2024 (before budget discussions start) to brief the members.
- **Follow-up briefing on high-priority topics:** Mr. Levchenko may schedule follow-up briefings on topics of further interest to the committee members, possibly including consolidation.
- **Budgets:** The CE's proposed FY25-30 CIP and FY25 Capital Budget, which includes the Gude Landfill remediation as well as MRF and Transfer Station upgrades, will be transmitted by January 16, 2024. The Council will hold public hearings in early February and Committee and Council work sessions in February and March. The CE's Proposed FY25 Operating Budget will be transmitted by March 15, 2024.

- **10-year Comprehensive Solid Waste Plan reviews:** Per State law, the Plan is to be comprehensively reviewed and updated by the Council every three years. The Plan was last comprehensively updated in October 2021. The next comprehensive update is due to MDE in October 2024. State law also requires a two-year progress report be transmitted. This progress report was transmitted by the CE and Council President Glass in October 2023. This report included technical revisions and updates (no policy changes).

**SWAC Budget priorities discussion. Chaz Miller, Chair, Budget Committee**

Brief roundtable discussion on budget priorities for next fiscal year

- Discussed merits of implementing Save as You Throw at the same time as countywide residential food scraps collection, feasibility of consolidation of subdistricts A & B, progress of food scrap pilot programs, and need to resolve Labor Peace Agreement issue before proceeding with consolidation of subdistricts.
- Next steps: Budget Committee sends out to SWAC a draft budget priorities letter to CE, for approval at January meeting, which has been shifted to January 10.

**RRM Updates. David Frank**

**Food scraps pilot update:** A potential fourth area of the county (Montgomery Village) was supposed to be added to the pilot for March 2024, but only about 140 homeowners have signed up. The current working plan is to instead conduct the fourth pilot in the area in which the SAYT pilot will be conducted. The contracts for areas 6&8 were awarded to Unity and take effect in the summer of 2024.

**Hiring:**

- The person hired for a new senior engineer position will start on November 6.
- A new multi-family property investigator was hired and is starting November 6 as well, making a total of two investigators for MF properties.
- The solicitations for the two new zero waste positions are still being developed. (One has subsequently been posted.)

**SWAC Updates: next meetings**

**Monday, December 18, 2023:** This meeting is the final one for the year; Jon Monger, Director of DEP, will be our guest speaker.

- SWAC will also be voting for individuals to serve in 2024 as chair, vice chair, and secretary (or co-secretaries). Current members Carol Jones and Heidi Lovett are term limited and will be cycling off the committee as soon as new members join, and so are not eligible to serve once new members are appointed.

**January 10, 2024:** The January meeting is moved one week later to avoid the new year’s holiday week.

- SWAC will be voting on the draft budget letter to the CE.

Meeting Adjourned 7:32 pm.

**ACRONYMS**

C&D Construction and Demolition  
 CC County Council

CE County Executive  
CNG Compressed Natural Gas  
CPI Consumer Price Index  
DAFIG Dickerson Area Facilities Implementation Group  
DEP Department of Environmental Protection  
EPA U.S. Environmental Protection Agency  
FTE Full Time Employee  
FY Fiscal Year  
MDE Maryland Department of the Environment  
MC Montgomery County  
MES Maryland Environmental Services  
MRF Materials Recovery Facility  
MML Maryland Municipal League  
MCPS Montgomery County Public Schools  
OLO Office of Legislative Oversight  
PAYT Pay-As-You-Throw  
RRF Resource Recovery Facility  
RRMD Recycling & Resource Management Division  
SA Service Area for County collection  
SAYT Save-As-You-Throw  
SCA Sugarloaf Community Association  
SF Single family  
SWAC Solid Waste Advisory Committee  
SWMP Solid Waste Management Plan  
T&E Transportation and Environment Committee  
TPD Tons per Day  
TPW Tons per Week  
ZWTF Zero Waste Task Force