

AGENDA ITEM #22C
May 21, 2009

Action

MEMORANDUM

May 19, 2009

TO: County Council

FROM:  Keith Levchenko, Senior Legislative Analyst

SUBJECT: Executive Regulation 6-09, 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 13, the Council established solid waste service charges for FY10. The system benefit charges assumed in that action are based on an estimated annual generation of 2.1142 tons of solid waste per single-family residence and 0.8719 tons of solid waste per multi-family residence. Executive Regulation 6-09 (transmitted to the Council on May 12, 2009, see ©3-9) establishes identical solid waste generation estimates. An approval resolution appears on ©1.

As Executive Regulation 6-09 is consistent with preliminary Council decisions on FY10 solid waste charges, **Council Staff recommends approval of the regulation as proposed by the County Executive.**

Attachment

KML:f:\levchenko\solid waste\operating budget\fy10\council waste generation resolution 5-21-09.doc

Resolution No.: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: Executive Regulation 6-09
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 12, 2009, the Executive transmitted to the County Council Executive Regulation 13-07. Regulation 13-07 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 6-09, 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 12, 2009

TO: Phil Andrews, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Proposed Executive Regulation 6-09
System Benefit Charges - Residential Waste Estimates

The purpose of this memorandum is to submit Executive Regulation 6-09 to the County Council for 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 2010.

The regulation was advertised in the April 1, 2009 County Register, with a comment deadline of April 30, 2009. No comments were received. If you have questions or need additional information, please feel free to contact Anthony Skinner at 240-777-6438.

IL:as

Enclosure

2009 MAY 12 PM 2:35

RECEIVED
MAY 12 2009

②



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: SYSTEM BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 6-09
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2009

Montgomery County Regulation on:

RESIDENTIAL SYSTEMS BENEFIT CHARGE
OFFICE OF THE COUNTY EXECUTIVE

Issued by: County Executive
Regulation No. 6-09

Authority: Montgomery County Code, 2004, Sections: 48-8 and 48-8A
Supersedes: Executive Regulation 15-08
Council Review: Method (2) under Code Section 2A-15
Register Vol. 26 , No. 4

Effective Date: July 1, 2009
Comment Deadline: April 30, 2009

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



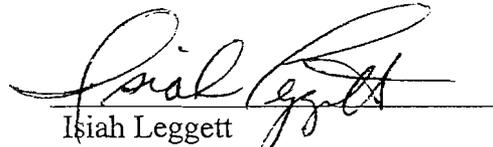
MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: SYSTEM BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 6-09
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2009

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 tons per year of solid waste. Each dwelling unit in a building with seven or more dwelling units is estimated to produce .8719 tons per year of solid waste.


 Isiah Leggett
 County Executive

APPROVED AS TO FORM AND LEGALITY.

OFFICE OF COUNTY ATTORNEY

BY Lerilyn E. Brooks

DATE March 12, 2009



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: SYSTEM BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 6-09
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2009

Montgomery County Regulation on:

RESIDENTIAL SYSTEMS BENEFIT CHARGE OFFICE OF THE COUNTY EXECUTIVE

Issued by: County Executive
Regulation No. 6-09

Authority: Montgomery County Code, 2004, Sections: 48-8 and 48-8A
Supersedes: Executive Regulation 15-08
Council Review: Method (2) under Code Section 2A-15
Register Vol. 26 , No. 4

Effective Date: July 1, 2009
Comment Deadline: April 30, 2009

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



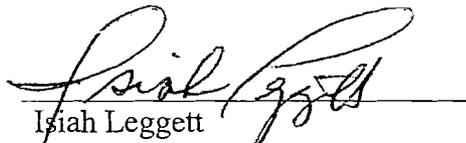
MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: SYSTEM BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 6-09
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2009

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 {2.1461} 2.1142 tons per year of solid waste. Each dwelling unit in a building with seven or more dwelling units is estimated to produce {.9328} .8719 tons per year of solid waste.


Isiah Leggett
County Executive

APPROVED AS TO FORM AND LEGALITY.
OFFICE OF COUNTY ATTORNEY
BY Terrilyn E. Brooks
DATE March 12, 2009



OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett
County Executive

Joseph F. Beach
Director

MEMORANDUM

May 11, 2009

TO: Joseph F. Beach, Director,
Office of Management and Budget

VIA: Beryl Feinberg, Management and Budget Manager *BF*

FROM: Brady Goldsmith, Management and Budget Specialist *Brady*

SUBJECT: Executive Regulation 6-09, 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 .9328 tons per year per dwelling to .8719 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 2.1461 tons per home per year to 2.1142 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 \$638,597 as shown in the chart below.

Fiscal Impact of Executive Regulation 6-09

	Proposed FY10 Revenue Allocation	Allocation Supporting FY09 Costs If Waste Generation Rates in Current Regulation Were Applied*	Total Change
Single-Family SBC	\$ 33,482,735	\$ 33,987,540	\$ (504,805)
Multi-Family SBC	\$ 1,914,385	\$ 2,048,177	\$ (133,792)
Total	\$ 35,397,120	\$ 36,035,717	\$ (638,597)
*FY09 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.

Office of the Director

Joseph F. Beach, Director, Office of Management and Budget
May 11, 2009
Page 2

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

BG:bg

- c: Kathleen Boucher, Assistant Chief Administrative Officer
- Carolyn Darden, Offices of the County Executive
- 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

Fiscal Impact Statement approved 
OMB Director

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