



Committee: Directly to Council
Committee Review: N/A
Staff: Keith Levchenko, Senior Legislative Analyst
Purpose: Final action – vote expected
Keywords: #DEP and Recycling and Resource Management

AGENDA ITEM #7
May 18, 2023
Action

SUBJECT

Executive Regulation 8-23, Systems Benefit Charges – Residential Waste Estimates

EXPECTED ATTENDEES

Anthony Skinner, Chief, Business Operations, Department of Environmental Protection
Rich Harris, Fiscal and Policy Analyst, Office of Management and Budget

DESCRIPTION/ISSUE

- In accordance with Section 48-8A(b)(2)(A) of the County Code, the County 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.
- The systems benefit charges assumed in the Executive’s FY24 Recommended Budget for the Department of Environmental Protection, Recycling and Resource Management Division (RRMD) and in the Council’s preliminary approval of the FY24 Recycling and Resource Management on May 10 are based on an estimated annual generation of 1.8730 tons of solid waste per single-family residence and 0.8567 tons of solid waste per multi-family residence.
- Executive Regulation 8-23 (transmitted to the Council on May 12, 2023) establishes identical solid waste generation estimates. An approval resolution is attached on ©1.

COUNCIL STAFF RECOMMENDATION

- **As Executive Regulation 8-23 is consistent with Council actions to date on FY24 Solid Waste Service Charges and the FY24 DEP-RRMD Operating Budget, Council Staff recommends approval of the regulation as transmitted by the County Executive.**

This report contains:

Draft Resolution	©1
County Executive Transmittal Memorandum	©2
Executive Regulation 8-23, Systems Benefit Charges – Residential Waste Estimates	©3-6
Fiscal Impact Statement	©7

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Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Executive Regulation 8-23, Systems Benefit Charges - Residential Waste Estimates

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, 2023, the County Council received Executive Regulation 8-23 from the County Executive. Regulation 8-23 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 8-23, Systems Benefit Charges - Residential Waste Estimates.

This is a correct copy of Council action.

Judy K. Rupp, Clerk of the Council



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

MEMORANDUM

May 12, 2023

TO: Evan Glass, President
Montgomery County Council

FROM: Marc Elrich, County Executive *Marc Elrich*

SUBJECT: Proposed Executive Regulation 8-23
Systems Benefit Charges – Residential Waste Estimates

I am transmitting the proposed Executive Regulation 8-23, Systems Benefit Charges – Residential Waste Estimates to the County Council for approval. Montgomery County Code (2014) Section 48-8A(b)(2)(A) provides that the County Executive must establish by Method 2 an Executive Regulation which estimates the amount of solid waste generated per dwelling unit.

We have revised the annual household waste generation estimates based on updated annual County scale records, licensed collector reports, and other information. The attached required documents include the executive regulation that reflects the updated per-household waste generation estimates used to calculate residential solid waste Systems Benefit Charges for FY24.

Executive Regulation 8-23 was advertised in the April 2023 Montgomery County Register and no comments were received. If you have questions or need additional information, please contact Anthony Skinner at 240-777-6438.

ME:as

Enclosure



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: SYSTEMS BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 8-23
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2023

Montgomery County Regulation on:
RESIDENTIAL SYSTEMS BENEFIT CHARGES

Issued by: County Executive
Regulation No. 8-23

COMCOR NO. 48.08.03

Authority: Montgomery County Code (2014), as amended, Chapter 48, Sections: 48-8 and 48-8A

Supersedes: Executive Regulation 6-22

Council Review: Method (2) under Code Section 2A-15

Register Vol. 40, Issue 4

Effective Date: July 1, 2023

Comment Deadline: April 30, 2023

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
Recycling and Resource Management Division
Wheaton Office Building
2425 Reddie Drive, 4th Floor
Wheaton, Maryland 20902

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



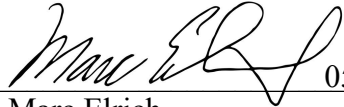
MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: SYSTEMS BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 8-23
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2023

Background: Montgomery County Code (2014), as amended, 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 charges. To calculate the residential systems benefit charges, 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 [1.8690] 1.8730 tons per year of solid waste. Each dwelling unit in a building with seven or more dwelling units is estimated to produce [.8684] .8567 tons per year of solid waste.


05/12/2023
Marc Elrich
County Executive

Approved as to form and legality
This 6th day of March 2023

By: 
Associate County Attorney



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: SYSTEMS BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 8-23
Originating Department: DEPARTMENT OF ENVIRONMENTAL PROTECTION	Effective Date: July 1, 2023

Montgomery County Regulation on:
RESIDENTIAL SYSTEMS BENEFIT CHARGES

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Supersedes: Executive Regulation 6-22

Council Review: Method (2) under Code Section 2A-15
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Effective Date: July 1, 2023
Comment Deadline: April 30, 2023

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Address for comments: Department of Environmental Protection
Recycling and Resource Management Division
Wheaton Office Building
2425 Reedie Drive, 4th Floor
Wheaton, Maryland 20902

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



MONTGOMERY COUNTY EXECUTIVE REGULATION

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

Subject: SYSTEMS BENEFIT CHARGES – RESIDENTIAL WASTE ESTIMATES	Number: 8-23
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Section 1. Estimate of solid waste generation for calculation of the residential systems benefit charges. To calculate the residential systems benefit charges, 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 1.8730 tons per year of solid waste. Each dwelling unit in a building with seven or more dwelling units is estimated to produce .8567 tons per year of solid waste.

 05/12/2023

Marc Elrich
County Executive

Approved as to form and legality
This 6th day of March 2023

By: 
Associate County Attorney



Fiscal Impact Statement

Office of Management and Budget

Executive Regulation 08-23

Systems Benefit Charges - Residential Waste Estimates

Regulation Summary

Executive Regulation 8-23 decreases the estimated tons per-year of waste generated per-dwelling unit in a multi-family dwelling with seven or more dwelling units from .8684 tons per-year per-dwelling to .8567 tons per-year per-dwelling. Executive Regulation 8-23 increases the estimated tons per-year generated by single-family residences and multi-family dwellings comprised of six or fewer dwellings from 1.8690 tons per-household per-year to 1.8730 tons per-household per-year.

Fiscal Impact Summary

Residential waste estimates are revised each year as part of the budget process. These are the generation rates assumed in the County Executive's Recommended FY24 Budget and upon which rates for FY24 are based.

Fiscal Impact Analysis

Other solid waste system revenues are used to offset the Residential Systems Benefit Charge to ensure full cost recovery of solid waste operations.

Staff Impact

The regulation is not expected to impact staff time or duties.

Actuarial Analysis

The regulation is not expected to impact retiree pension or group insurance costs.

Information Technology Impact

The regulation is not expected to impact the County Information Technology (IT) or Enterprise Resource Planning (ERP) systems.

Other Information

Later actions that may impact revenue or expenditures if future spending is projected

The regulation does not authorize future spending.

Contributors

Adriana Hochberg, Department of Environmental Protection
Vicky Wan, Department of Environmental Protection
Willie Wainer, Department of Environmental Protection
Anthony Skinner, Department of Environmental Protection
Rich Harris, Office of Management and Budget

