

Kentucky Department for Environmental Protection
Division of Waste Management
Recycling and Local Assistance Branch
300 Sower Boulevard – Frankfort KY 40601
(502) 564-6716

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Area Solid Waste Management Plan - Five Year Update
Years 2018 - 2022

1. BACKGROUND INFORMATION

A. Area Designation

1. Name of County or Regional Solid Waste Management Area ("RSWMA") Jefferson

Check One: County Regional Solid Waste Management Area ("RSWMA")

If area designation is a RSWMA, list counties: N/A

2. List all incorporated cities within the solid waste management area and the population of each. *See attachment "Incorporated Cities with Populations"*

1.)	2.)	3.)
4.)	5.)	6.)
7.)	8.)	9.)

B. Governing Body Information

1. Designation Type: Fiscal Court 109 Board (Taxing) 109 Board (Non-taxing) Regional Area City/County Merger

2. Name of chairperson of the governing body (judge executive, chairperson, etc.)

3. List each member of the governing body:

1.) Robert Schindler (Chair)	2.) Venu Vanaparthy (A District Rep)	3.) Debra Thompson (C District Rep)
4.) Rudy Davidson (Urban Rep)	5.) Susan Hart (B District Rep)	6.) Mary-Rose Evans (Incorporated City Rep)
7.) Robert Lee (Industry Rep)	8.)	9.)
10.)	11.)	12.)

4. Address: 600 Meriwether Avenue

City: Louisville	State: Kentucky	Zip Code: 40217
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5. Telephone: 502-574-3571	6. Fax: 502-574-4155	7. Email: Keith.Hackett@Louisvilleky.gov
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C. Solid Waste Coordinator Information

1. Name of Coordinator: Keith Hackett

2. Address: 600 Meriwether Avenue

City: Louisville	State: Kentucky	Zip Code: 40217
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3. Telephone: 502-574-3571	4. Fax: 502-574-4155	5. Email: Keith.Hackett@Louisvilleky.gov
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6. Work Status (check one): <input type="checkbox"/> Volunteer <input checked="" type="checkbox"/> Full-time <input type="checkbox"/> Part-time	7. Hours worked per week: 40
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D. Advisory Committee

List the names and representative bodies of the advisory committee members.

Name	Representing
1.) <i>Advisory members have not been appointed</i>	
2.)	
3.)	
4.)	
5.)	

6.)

E. Preparer Information
Complete this section, if the preparer is different than the solid waste coordinator.

1. Name: Pete Flood

2. Address: 600 Meriwether Avenue

City: Louisville	State: Kentucky	Zip Code: 40217
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3. Telephone: 502-574-3290	4. Fax: 502-574-4155	5. Email: Pete.Flood@louisvilleky.gov
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F. Resolution/Ordinance to Adopt Solid Waste Management Plan 5-Year Update

1. Check one: Resolution Ordinance

2. Public Notice Date:	3. Date Signed:
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4. The following documents must be attached. Check all that have been attached and place at the end of the report with a cover sheet labeled "Chapter 1 Attachments."
 A signed and dated copy of the resolutions/ordinance adopting the 5-year update
 A dated original of the public notice, or a copy and an affidavit from the newspaper by whom the notice was originally published
 Area Designation

2. COLLECTION SYSTEM

A. Collection System

1. Ordinance Type (check one): Mandatory Universal

Date passed: 4/19/2005

2a. Provide a detailed description of all the collection systems in your SWMA (collection systems include: franchise, permit, municipality owned/operated, private, staffed transfer stations and staffed convenience centers, etc.)

Residential/Commercial/Industrial curbside collection system
Louisville Metro requires all solid waste management facilities and haulers to be licensed to operate by the Louisville/Jefferson County Solid Waste Management District (District).

- **Municipality operated** which includes residential properties having 8 or fewer units within the Urban Services District and Central Business District which is serviced by the Department of Public Works and the City of Shively. Both entities employ personnel to perform collection utilizing tax base funding.
- **Contracted** which includes residential collection in some incorporated cities and Home Owners Associations (HOA) which are serviced by private waste haulers who are licensed by the Waste Management District. Commercial Collection includes residential structures having 9 or more units and Industrial customers also contract in an open system free from franchise agreements.
- **Open Subscription Services** which includes most of the unincorporated areas where customers must obtain services directly from Waste Management District licensed waste haulers.

Drop-off System

Louisville Metro Government and the Waste Management District operate both unstaffed and staffed recycling centers strategically located across the county.

Louisville Metro Government operates one municipal transfer station disposal/recycling facility.

There are six (6) private waste district licensed solid waste transfer station facilities. Two of which accept only accept medical waste.

There are twenty seven (27) waste district licensed recycling facilities accepting various materials from curbside single stream materials to construction demolition materials.

There is one (1) contained waste district licensed landfill that accepts waste from Jefferson County

There is one solid waste incinerator that accepts waste tires for energy.

2b. Attach a signed and dated copy of the current solid waste management ordinance(s) including all related amendments. Place at the end of the report with a cover sheet labeled "Chapter 2 Attachments."

3. Describe your annual waste hauler registration process including the annual requirement to file reports:

All waste haulers must obtain a license to operate in Louisville Metro according to LMCO Chapter 51.200.

To obtain and maintain a license a curbside waste hauler is required to offer a basic service package to include once a week collection of household waste, once a week seasonal yard waste collection, and once a week recycling collection. Other alternative collection scenarios must be approved by the Board.

All waste haulers must have a variable rate service structure for all residential customers

All waste haulers must offer collection of source separated recyclable materials to all commercial and industrial customers.

All waste haulers must be in compliance with all state, federal, and local laws and regulations pertaining to waste haulers and waste hauling.

The license fee is \$100 and \$10 per vehicle. Licenses are renewed annually based upon fiscal year.

As a condition licensing a waste hauler must report their previous year activities by February 15th using an online program called ReTRAC Connect. The program is free for the licensees. The program contains all the information required in DEP 5033 Municipal Solid Waste Collector and Recycler Registration Report Form in addition to local reporting requirement information

B. Collection System Strengths

Describe the strengths of your collection system:

All residents and businesses have access to curbside garbage, recycling, and yard waste collection service through municipally provided services, municipal or homeowner association contracts, or if they choose to subscribe individually.

The curbside recycling collection program requires an expanded list of materials, such as #1-7 plastics.

C. Collection System Weaknesses

Describe the weaknesses of your collection system:

High Variability in Service Levels: *The level and types of residential garbage and recycling services varies considerably across Louisville Metro hampering education and outreach efforts to increase diversion. It is also very confusing to residents moving from one section to other sections of the community.*

D. Collection System Implementation Schedule

List a detailed account of specific actions or projects the governing body will complete to maintain or improve the collection system, the frequency at which such actions will take place, a date for commencement of the activities and a date at which the activities will cease. **Include educational efforts.**

Specific Actions	Frequency	Month/Year to Begin	Month/Year to End
1.) <i>Continue current collection system</i>	<i>Continuous</i>	<i>1/1/2018</i>	<i>12/31/2022</i>
2.)			
3.)			
4.)			
5.)			

3. DISPOSAL SYSTEM

A. Disposal System

1. Provide SWMA population and municipal solid waste disposal projections for five (5), ten (10), and twenty (20) years in the future.

Population 2020: 790,010

Population 2025: 815,058

Population 2033: 847,245

Waste Generation Projection 2018 – 2022: 4,032,812 Tons	Waste Generation Projection 2023 – 2027: 4,160,676 Tons	Waste Generation Projection 2028 – 2037: 8,649,967 Tons
2. List all contained landfills, including out-of-state landfills that will be used by your governing body during the 5-year update period. Provide capacity assurance letters demonstrating a minimum of 10 years of capacity from the landfill(s) and copies of any contractual agreements with those disposal facilities. Place at the end of the report with a cover sheet labeled “Chapter 3 Attachments.”		
1.) Landfill Name: See attachment		Permit #:
Address:		
City:	State:	Zip Code:
2.) Landfill Name:		Permit #:
Address:		
City:	State:	Zip Code:
3.) Landfill Name:		Permit #:
Address:		
City:	State:	Zip Code:
3. Provide a complete inventory of all disposal facilities currently operating in your SWMA. Facilities to include are: contained landfills, construction/demolition debris landfills greater than one acre, incinerators or other technologies that accept municipal solid waste and medical waste incinerators that accept medical waste from other sources.		
1.) Facility Name: Outer Loop Recycling & Disposal Facility		Ownership: Waste Management of Kentucky LLC
Address: 2673 Outer Loop		
City: Louisville	State: Kentucky	Zip Code: 40219
Cost to users: (\$/Ton)	Life expectancy: Years	
Level of compliance with state and federal laws: Compliant		
2.) Facility Name: CEMEX Kosmo Cement		
Address: 15301 Dixie Highway		Ownership: Kosmo Cement Company, Kentucky General Partnership
City: Louisville		
Cost to users: (\$/Ton) Does not accept tires from general public	State: Kentucky	Zip Code: 40272
Level of compliance with state and federal laws: Compliant		Life expectancy: Incineration Facility
3.) Facility Name:		
Address:		Ownership:
City:		
Cost to users: \$ (\$/Ton)	State:	Zip Code:
Level of compliance with state and federal laws:		Life expectancy: Years
4. SWMA’s hosting a landfill must complete question 4. All other SWMA’s may proceed to question 5.		
4a. Identify the following for each contained solid waste disposal facility hosted in your SWMA:		
Landfill: Outer Loop Recycling & Disposal Facility		Permit #: 056-00028
Total capacity authorized to date: Tons		
Amount disposed in landfill to date: Tons		
Remaining authorized capacity: 0.00 Tons		
5. Describe any proposal(s) for new disposal facilities or expansions of existing disposal facilities (landfill, incinerators, or other approved technologies, etc.) planned during the 5-year update period:		
No expansion planned		

6. Describe the county's emergency disaster plan to address solid waste concerns in the event of natural disasters (flooding, snow/ice storms, tornadoes, earthquakes, etc.):

*Louisville Metro has adopted an **Emergency Operation Plan** in 2005. The plan designates the Metro Public Works which consist of the Department of Public Works, the Parks Department, and Solid Waste Management Services as responsible for debris removal and waste management among other roles.*

During a disaster Louisville/Jefferson County Metro Emergency Management official may activate the Emergency Operations Center (EOC). This center is staffed by key agencies to include the Department of Public Works which has responsibility for many functions to include solid waste management. The plan outlines 16 essential Emergency Support Functions (ESF's) (Attached: Emergency Support Function). EFS 3 (Attached Public Works & Engineering) outlines the solid waste management coordination of emergency debris removal on essential transportation routes as well as coordination of the permanent removal, disposal, and burning of all debris from public property. Appendices are also attached concerning debris removal: Appendix V-13 Debris Removal, Tab V-13-1 Right of Entry Agreement, Tab V-13-2 Lump Sum Contract For Debris Removal, Tab V-13-3 Model Price Contract For Debris Removal

7. Describe plans to research alternative approaches to solid waste management:

~~*Louisville Metro, as part of the new 10 Year Solid Waste Management Study and Recommendations, will seek new facilities, businesses, ordinances, and/or processes to recover targeted materials identified in the 10 Year Solid Waste Management Study and Recommendations that can be recovered from the landfill waste stream. These items will include textiles, clean wood, and mixed construction & demolition materials.*~~

Louisville Metro seeks to expand the use of asphalt shingles in roadways.

Louisville Metro intends to pursue uses for recycled glass.

B. Disposal Practices Strengths.

Describe the strengths of your existing disposal practices:

Louisville Metro currently has adequate disposal assurance for the next planning cycle.

C. Disposal Practices Weaknesses.

Describe the weaknesses of your existing disposal practices:

Louisville Metro does not have a pre-incident plan for or policy to preferring recovery for reuse or recycling over landfilling or burning debris generated during an emergency.

D. Disposal Implementation Schedule

List a detailed account of specific actions or projects the governing body will complete to maintain or improve its disposal system, the frequency at which such actions will take place, a date for commencement of the activities, and a date at which the activities will cease. **Include educational efforts.**

Specific Actions	Frequency	Month/ Year to Begin	Month/ Year to End
1.) <i>Develop pre incident plans for reusing or recycling of disaster debris instead of landfilling or burning of waste.</i>	Once	1/1/2018	1/1/2020
2.)			
3.)			
4.)			
5.)			
6.)			

4. RECYCLING AND REDUCTION

A. Recycling/Reduction Program

1. Is recycling offered in your SWMA? Yes No

2. Describe your SWMA's annual recycler registration process including the annual requirements to file reports:

Registration Process

All recyclers and compost facilities must obtain a license to operate in Louisville Metro according to ordinance LMCO Chapter 51.200

Recyclers and composters are licensed annually based upon fiscal year

The licensee fee is set at \$100

Annual Reporting Process

Each licensee must report recycling activities from the previous year by February 15th using an online program called ReTRAC Connect. The program contains all the information required in DEP 5033 Municipal Solid Waste Collector and Recycler Registration Report Form in addition to local reporting requirement information. The program aims to ensure recyclable materials are not double counted. The program is free for the licensees.

Louisville Metro also surveys businesses that conduct recycling secondary to their main purpose of operation. These operations only report on materials sent directly to recycling facilities outside of Louisville Metro.

3. Do you have a plan to reduce the need for land disposal of yard waste? Yes No

If yes, describe:

Louisville Metro will continue current ordinance 51.509 banning the landfill of yard waste generated in Jefferson County.

Louisville Metro will continue yard waste container regulation 51.507 (R) requiring containers for the collection of yard waste to meet requirements of 51.507 or be set out in paper yard waste bags or bags meeting ASTM D6400 standards. Board.

4. Does your SWMA collect or manage yard waste for the purpose of diverting it from a landfill? Yes No

5. List the counties and cities within your SWMA that collect or manage yard waste for the purpose of diverting it from the landfill?

Yard waste collection must be offered to all residential customers by private waste haulers. This includes small cities.

6. List all permitted composting operations currently operating in your SWMA. If no composting operation exists, detail any actions your SWMA plans to take to encourage composting:

Outer Loop Recycling & Disposal Facility located at 2673 Outer Loop. However a large percentage of yard waste generated in the county is transported out of county for composting by Smith Creek.

7. Describe your plan to reduce the need for land disposal through recycling, reuse and waste reduction (include drop off centers, curbside collection, interlocal agreements for regional alliances, etc.)

We will continue the current system for recycling.

8. If recycling is deemed not feasible, provide specific details supporting that decision:

N/A

9. Describe how used motor oil, batteries, and antifreeze are handled in your SWMA:

Motor oil, antifreeze, cooking oil, used oil filters are accepted at (4) Waste Management District recycling centers and at many auto repair locations.

Batteries are accepted at the Louisville Metro Government Waste Reduction Center, at the Waste Management Districts Household Hazardous Materials Drop-off Center (HazBin), and at private battery recycling companies such as Batteries Plus and Interstate Batteries. Vehicle batteries are turned in with any purchase of a new battery at most auto parts stores.

10. Describe how household hazardous waste is handled in your SWMA:

All household hazardous materials are accepted at the Waste Management District HazBin center located at 7501 Grade Lane. The facility is currently open two (2) days per week from 9 am to 3 pm.

11. Are electronics/computers recycled in your SWMA? Yes No

11a. If yes, describe your electronics/computer (e-scrap) recycling program:

Residents are allowed to drop-off electronics at the Louisville Metro Government Waste Reduction Center free of charge. Other private electronics recyclers are licensed and accept or collect e-waste.

11b. If no, discuss any plans your governing body has to start an electronics/computer (e-scrap) recycling program:

N/A

12. Is office paper recycled in your SWMA? Yes No

12a. If yes, what businesses or agencies recycle office paper?

Many small businesses have office paper recycling or single stream recycling through the Department of Public Works Solid Waste Management Services in the Urban Services District or through the Wet/Dry collection in the Central Business District. Other contract directly with private waste collectors. An individual list of businesses or agencies is not possible.

12b. If no, explain why office paper is not recycled in your SWMA:

N/A

13. What efforts has your governing body made to assist the local school boards in recycling white paper and cardboard to meet the statutory requirements in KRS 160.294? If there have been none what will the county do to assist in this endeavor? Include dates in the implementation schedule:

Louisville Metro Government has a partnership with local schools and agencies to promote recycling and materials recovery. The partnership focuses on total materials management which includes recycling. Most schools use single stream recycling but some are considering using a wet/dry model for handling waste.

B. Recycling Program Strengths

Describe the strengths of your existing recycling program:

Louisville Metro has varied educational and outreach programs that span sectors and types of disposed material. These include the residential campaigns to promote leaf mulching and grasscycling, a "launch pack" for office recycling programs, multi-unit recycling guidebook, and promotion of green building practices to the C&D sector.

Louisville Metro ordinance requires licensed waste haulers offer all residents and businesses access to curbside recycling and yard waste collection service if they choose to subscribe.

Louisville Metro ordinance requires single-stream recycling program accepts an expanded list of materials, such as #1-7 plastics.

Louisville Metro has drop-off programs offered by the Department of Public Works and/or Solid Waste Management Services Division that cover e-waste, Christmas trees recycling, document shredding, single stream recycling, and expired or unused pharmaceuticals.

Louisville Metro has four staffed drop-off programs offered by the Waste Management District that cover source separated recycling materials, motor oil, cooking oil, oil filters, antifreeze, latex paint, and household hazardous materials.

C. Recycling Program Weaknesses

Describe the weaknesses of your existing recycling program:

While Louisville Metro has multiple educational and outreach programs deployment is limited. Many programs exist only as a pilot or at limited scale, and some education materials are not widely distributed or promoted. For example:

- Targeted educational guides for property managers on recycling program implementation exist but have not been widely distributed or promoted.
- Multi-family recycling guide from property owners has been developed but not introduced or promoted.
- Technical assistance to businesses on recycling is limited and informal.

Some programs are not currently offered. Louisville has not currently developed or deployed some best management practices for increasing diversion or decreasing waste generation. For example:

- Technical assistance for property managers is not currently provided.
- Material exchanges are not currently available, and reuse organizations are not currently leveraged to increase waste diversion and waste reduction.

D. Recycling/Reduction Implementation Schedule

List a detailed account of specific actions or projects the governing body will complete to maintain or improve its recycling/reduction system, the frequency at which such actions will take place, a date for commencement of the activities and a date at which the activities will cease. **Include educational efforts.**

Specific Actions	Frequency	Month/Year to Begin	Month/Year to End
1.) <i>Continue yard waste container regulation 51.507 (R) requiring containers for the collection of yard waste to meet requirements of 51.507 or be set out in paper yard waste bags or bags meeting ASTM D6400 standards.</i>	Continuous	1/1/2018	12/31/2022
2.) <i>Build an education team to review and expand recycling & reuse program deployment in the industrial/commercial/institutional sectors, residential sectors, and construction & demolition sectors.</i>	Once	1/1/2018	1/1/2019
3.) <i>Create recycling drop-off locations for periodic bulky and hard to recycle items collection events such as yard waste, clean wood, latex paint, electronics, and concrete/rock/gravel from home projects. This program would be for residents of Jefferson County and shall exclude waste from contractors and waste generated from industrial-commercial-institutional properties and construction & demolition projects.</i>	Once	7/1/2018	12/31/2022
4.) Continue current recycling collection system and drop-off system.	Continuous	1/1/2018	12/31/2022
5.)			
6.)			

5. OPEN DUMPS AND LITTER

A. Open Dumps and Litter

1. Describe the contents of your ordinance with respect to open dumping. Provide a copy of the section of the ordinance(s) pertaining to open dumping and place at the end of the report with a cover sheet labeled “**Chapter 5 Attachments.**”

Louisville ordinance states “No person shall dump...any waste or hazardous waste onto public or private property that is not licensed for the purpose of disposal of waste...” The stated penalty is a minimum of \$500 fine and impoundment of vehicle for up to one year.

Louisville ordinance also requires all residents, and all commercial/industrial properties to have once per week garbage collection.

See Chapter 2 Attachment: An Ordinance Creating a New Section 51.510 Regarding Illegal Dumping and An Ordinance Amending LMCO Chapter 51.510 Regarding Illegal Dumping

2 What is your process for identifying and recording open dumps?

Louisville Metro has three solid waste enforcement officers who are assigned to geographical areas. Each officer responses to citizen complaints through a Metro service request hotline. Officers also conduct windshield surveys during months or days when service complaints are low such as the winter time.

3. How does the SWMA prioritize the cleanup of open dumps?

Louisville Metro has a policy of getting the debris removed as soon as possible and therefore in most cases the cleanups are conducted within one week of discovery using Metro resources. However, when a larger dump is discovered the nature of the materials dumped and the proximity to sensitive areas will dictate priority. Putrescible waste and used tires have the highest priority and inert materials the lowest. Waste in flood prone or near water ways or drainage and sewer lines are also high priority.

4. Describe the procedures to prevent the recurrence of open dumping at sites that have been cleaned (include surveillance efforts, pull-off barricades, etc.):

Louisville Metro prefers barriers as the first priority in preventing new dumping however this is not always possible. In those areas where it is not possible Louisville Metro will utilize surveillance cameras until the incidents are reduced or stopped and then periodic site checks are

conducted. If new dumping occurs surveillance cameras are returned.

Louisville Metro will also publicize as much as possible any convictions of person involved in illegal dumping. This has a wider affect than just on an individual illegal dump site.

5. Describe any assistance your SWMA offers to private property owners to clean open dumps:

Louisville Metro assists property owners in identifying free or low cost disposal option. The Department of Public Works-Solid Waste Management Services offers free drop-off of up to three household items per day for all Louisville Metro residents regardless of where they live. .

6. Describe your plan to control and clean up litter:

Louisville Metro has multiple agencies working on the litter problem.

Brightside conducts community cleanliness assessments three times per year to measure litter in the community based on a Keep America Beautiful scale. This measurement has been used to determine potential "like" sites that need cleaning more often.

The Waste Management District obtains Kentucky Pride Fund Grants for Jefferson County although some small cities also obtain grant funding from the same source.

The Waste Management District in turn funds litter cleanup activities through the Department of Public Works and litter education and volunteer recruitment and supplies for Brightside to conduct volunteer cleanups.

The Department of Public Works as part of the Waste District funding staffs two (2) solid waste officers. These officers take Dismas Inmates and person needing community service hours from the Department of Community Based Services out M-F of each week to clean areas identified during assessments and handle litter complaints from the public through the MetroCall 311 system.

The Department of Corrections also utilizes inmate crews to clean areas M-F.

The Department of Public Works in in the process of conducting pilot programs to identify root causes and solutions to the litter problem which will be geared toward prevention. The focus areas will be on anti-litter messaging and outreach, improvement in the solid waste management collection system, and community standards (i.e. enforcement efforts).

See Memorandum of Agreements, Assessment Documents, and Litter Routes

7. Describe the coordination efforts that exist within your SWMA with local, county and state law enforcement. If your county has a litter ordinance, provide a copy of the ordinance(s) or the portion of the solid waste ordinance(s) pertaining to litter and place at the end of the report with a cover sheet labeled "Chapter 5 Attachments."

Coordination between enforcement agencies relating to litter does not exist at this time.

See Chapter 2 attachment: LMCO Chapter 51, sections 51.501 (A), 51.503(B)

B. Open Dump Prevention Strengths

Describe the strengths of your program to clean and prevent open dumps:

Louisville Metro has a strong community reporting system through MetroCall 311. Most illegal open dumps are identified quickly and cleaned quickly.

The Department of Public Works has a very good relationship with the regional Kentucky Division of Waste Management Office and as such to bring enforcement actions at several properties before they became illegal open dumps.

The Department of Public Works enforcement unit operates surveillance camera operations on locations where illegal dumping occurs on a frequent basis. The operations have been effective in eliminating/reducing illegal dumping where it has traditionally been a problem.

Louisville Metro provides free year round options for drop-off disposal of up to three (3) of common household bulky waste each day

Louisville Metro provides a free day at the landfill in cooperation with Waste Management of Kentucky.

C. Open Dump Prevention Weaknesses

Describe the weaknesses of your program to clean and prevent open dumps:

A lack of an education and outreach campaign focusing on prevention, awareness, and reporting hampers efforts to reduce illegal dumping.

Public education resources and time has focused specifically on recycling and collection and not enough on illegal dumping prevention

Many citizens are unaware of year round free options for disposal of common household bulky items.

While Louisville Metro has free options for disposal there is only one location which make it inconvenient for some

Four (4) percent of households in Jefferson County do not have the mandatory garbage services.

D. Open Dump Prevention Implementation Schedule

List specific actions or projects your SWMA will complete to maintain or improve its open dump abatement program. **Include educational efforts.**

Specific Actions	Frequency	Month/ Year to Begin	Month/ Year to End
1.) <i>In cooperation with the Waste Management District Public Educator develop an education and outreach program to focus on citizen awareness and prevention of illegal dumping, citizens disposal option</i>	Continuous	3/1/2018	12/31/2022
2.) <i>See Chapter 4 Specific Actions #3. In addition to recycling bulk items and enhancing services for citizens this free services may reduce incidents of illegal dumping.</i>			
3.)			
4.)			
5.)			
6.)			

E. Litter Prevention Strengths

Describe the strengths of your program to control and clean up litter:

Louisville Metro has established a cleanliness index based upon the Keep America Beautiful program.

Louisville Metro has established dedicated crews to collect litter each day in an effort to prevent additional litter.

Louisville Metro conducts community cleanup events in the spring and fall.

Louisville Metro provides cleanup supplies to any group wishing to do a cleanup.

Most bus stops have litter bins.

Louisville Metro has a Report a Litterer Program where residents can call MetroCall 311 to report a person for littering. An education letter and litter bag is mailed to the offender.

F. Litter Prevention Weaknesses

Describe the weaknesses of your program to control and clean up litter:

Cleaning crews and cleanup events cannot keep up with the amount of litter generated on a weekly basis. Littered areas are a signal to those in the community that it is okay to litter because no one cares (broken window theory).

Limited enforcement of litter laws by law enforcement agencies

Some business and residents do not clean litter routinely enough to keep their property clean and from encouraging more litter.

The solid waste collection system contributes to litter when it is not properly utilized by citizens.

Not enough litter bins in pedestrian corridors near food on the go or convenience/gas stations stores that generate litter.

D. Litter Prevention Implementation Schedule

List specific actions or projects your SWMA will complete to maintain or improve its litter abatement program. **Include educational efforts.**

Specific Actions	Frequency	Month/ Year to Begin	Month/ Year to End
1.) <i>Create an awareness campaign encouraging citizens and businesses to routinely clean and remove litter from their property year round.</i>	Continuous	1/1/2018	1/1/2022

2.) Improve education on proper solid waste management collection procedures and their importance to the community.	Continuous	1/1/2018	1/1/2022
3.) Ensure all main thoroughfares are cleaned of all litter 6 times per year.	Continuous	7/1/2018	1/1/2022
4.) Create a litter cleanup reporting app where citizens can report their cleanup events and report where the crew will pick up the bags. This app can be used with Brightside Community-Wide Cleanup and Neighborhood Cleanups.	Once	1/1/2018	2/1/2018
5.) Conduct a pilot program for collecting bulk waste weekly for those residents receiving services by the Department of Public Works in the Urban Services District.	Once	1/1/2018	1/1/2019
6.)			

6. FACILITY SITING

As per KRS 224.01-010, the definition for a “solid waste management facility” is any facility for the collection, storage, transportation, transfer, processing, treatment, and disposal of solid waste...” Solid waste facilities include, but are not limited to contained landfills, CD/D landfills, transfer stations, recycling centers and composting facilities.

A. Facility Siting

1. Describe your SWMA's current siting ordinance(s). Include any local planning and zoning requirements. Attach a signed and dated copy of the current siting ordinance(s) and place at the end of the report with a cover sheet labeled “**Chapter 6 Attachments.**”

Louisville Metro ordinance Chapter 51.200 requires any off-site solid waste management facility to be licensed by the District. This includes landfills; solid waste management facilities other than landfills, waste disposal facilities other than landfills, recycling and compost facilities. Facilities must make application on a form supplied by the District. Facilities are required to submit along with their application supporting documentation. Each application is reviewed and approved, disapproved, or additional information is requested within 45 days.

For disposal facilities including transfer stations the Louisville/Jefferson County Metro Government Waste Management District 109 Board conduct Consistency Determinations to determine if a facility fits with the current Five Year Solid Waste Management Plan. The process follows established bylaws for conducting public meetings and consistency determinations. See attached “By Laws of the Louisville/Jefferson county Metro Government Waste Management District”

Louisville Metro has an extensive zoning ordinance dating back to 1931 with 2016 being the latest version. It can be found at <https://louisvilleky.gov/government/planning-design/land-development-code>. Attachment will not contain the entire ordinance but instead will include only those sections relating to solid waste management facilities. See attachment: Land Development Code Provisions Relating to Off-site Solid Waste Management Facility Siting

2. A siting ordinance enforced at the local level helps ensure that the facility attains the standards set forth by the local solid waste governing body. Describe the process for enforcing your SWMA's siting ordinance(s):

Louisville Metro Codes and Regulations Department is the primary agency to handle zoning enforcement issues for the Louisville Metro Department of Planning & Design Services. Violations of zoning laws are cited with an appeal process to the Board of Zoning Adjustment (BOZA). All proceeding are conducted according to BOZA By Laws (attached)

3. Describe in detail the site approval process for your SWMA. Attach a copy of the siting procedures and place at the end of the report with a cover sheet labeled “**Chapter 6 Attachments.**”

Waste District Approval Process

All proposed off-site waste management facilities operators must apply to the Waste District at 600 Meriwether Avenue. Each application must include basic information along with documents showing they are in good standing with the Kentucky Secretary of State and that they have

comprehensive general liability issuance. An Applicant statement Form must be completed as well which includes whether the applicant, any corporate officer or principle stockholder has ever been convicted of a felony along with other information. See attached Application For Licensure and Applicant Statement Forms.

Along with the application **transfer stations** must address concerns regarding handling of certain materials, waste accumulation, how the facility will handle incidental amounts of hazardous waste or asbestos material. Transfer stations must also show how drainage will be handled, the location of screening, and that they are in compliance with Metro zoning regulations and other federal, state, and local laws.

Compost facilities, construction & demolition debris facilities must submit additional site information according to LMCO.

Applications are reviewed according to LMCO Chapter 51.202 (C) by responding within 45 days of receipt of the application with an approval, disapproval, or request for more information.

Planning & Design Zoning Approval Process (see attached flow chart)

Step One:

Applicants must submit a pre-application to begin the process along with a \$130.00 Fee

A case manager is assigned and sets up a pre-application meeting

Pre-applications are reviewed by pertinent agencies.

Pre-application meeting is conducted if the applicant request one. The pertinent agency comments are reviewed.

Applicants are required to hold a neighborhood meeting in order to present your plans to neighbors and respond to their feedback. The neighborhood meeting can be held at any time during the Pre-Application phase, but must be held prior to filing a formal application. Contact your Case Manager for additional information on neighborhood meetings, including notice requirements.

Step Two:

Applicant must submit a formal application (appropriate application must be used)

Development plans submitted with the Formal Application are distributed by the Case Manager to pertinent review agencies. Agencies have two weeks to review the plan and make comments.

Once the applicant receives agency comments, they should address any issues and resubmit the plans.

When all review agency comments have been addressed, the application is ready for review by the Board of Zoning Adjustment (BOZA).

Step Three:

The date of a Public Hearing is set by the case manager. The applicant is required to send public notification to adjoining property owners by mail. Neighbors must be sent notification 14 days prior to the Public Hearing. Signs are required to be posted on the property (Planning & Design staff will post the signs). Those signed up with our neighborhood notification program will also be notified by email.

The Case Manager conducts a site inspection of the property to assess the impact of the proposed development on the surrounding area and prepares a staff report at least 6 days prior to the Public Hearing.

BOZA holds the Public Hearing. Planning & Design staff assigned to the case outlines the request, the applicant will present their information, and others in support will follow. Next, people with a neutral stance can speak, followed by those in opposition. The applicant then has time for rebuttal.

After the case has been heard, the Board will go into business session, where members will discuss and make a decision to approve or deny the request based upon all information presented. The decision is based upon the applicant presentation, public testimony, and the staff report.

At the following BOZA hearing (usually two weeks later), the Minutes from your Public Hearing are voted on for approval. Once this happens, the file is transmitted to you and to proper agencies for their use.

Conditional Use Permits:

In addition to zoning approval certain off-site solid waste management facilities require issuance of a conditional use permit (CUP). This permit specifies additional requirements the applicant must meet before a zoning permit can be issued. This permit application must also be heard by BOZA. See attached application

4. Does the site approval process establish rules, regulations, and standards in the physical placement, expansion, or modification of a facility? If not, are there any planned modifications to address these concerns within the siting ordinance/procedures? Yes

5. Does the site approval process outline the requirements for public notification in the decision-making process? If not, are there any planned modifications to address these concerns within the siting ordinance/procedures? Yes

6. Does the site approval process include a submittal of a permit application with site specific information, ownership and financial data, approval and notification processes, and allowances for permit conditions, inspections, reporting, fees, enforcement, and penalties? Yes

B. Facility Siting Strengths

Describe the strengths of your existing siting ordinance:

The citing ordinance process is well developed and a standardized process is in place.

C. Facility Siting Weaknesses

Describe the weaknesses of your existing siting ordinance:

The zoning ordinance and Chapter 51 has overlap causing confusion for businesses wanting to locate an off-site solid waste management facility.

D. Facility Siting Implementation Schedule

List specific actions or projects the SWMA will complete to maintain or improve its facility siting system, the frequency at which such actions will take place, a date for commencement of the activities and a date at which the activities will cease. **Include educational efforts.**

Specific Actions	Frequency	Month/ Year to Begin	Month/ Year to End
1.) <i>Complete a review and make recommendations to streamline and coordinate regulations regarding off-site solid waste management facilities</i>	Once	7/1/2018	8/1/2019
2.)			
3.)			
4.)			
5.)			
6.)			

7. ENFORCEMENT

A. Enforcement Program

1. Describe your enforcement procedures and penalties for non-participation in your approved solid waste collection system. Attach a copy of the section of the ordinance(s) or procedures pertaining to non-participation and place at the end of the report with a cover sheet labeled **"Chapter 7 Attachments."**

Louisville Metro will cite those found in violation of LMCO Chapter 51.500 mandatory collection in place by either employing the services of a waste district licensed solid waste collection and disposal services; having the use of the services of municipally-provided waste haulers; or having solid waste collection and disposal services through the Urban Services District.

An owner or resident must be able to produce evidence of compliance in the form of a paid receipt from a waste district licensed waste hauler.

The penalty for a violation of LMCO Chapter 51.500 is not less than \$50 per day and no more than \$2,500 per day.

All citations can be appealed to the Louisville Metro Code Enforcement Board. Any citation not appealed within 10 days of issuance will become final.

See Chapter 2 Attachment: An ordinance repealing LMCO Section 156.051 (B)(2) through (5) and 156.055 and reenacting a new Chapter 51 Relating to Solid Waste: Section 51.500

2. Describe all surveillance/enforcement activities used by your SWMA to prevent litter and illegal dumping; for example, neighborhood watches, hidden cameras, etc. Attach copies of citation forms and letters to violators and place at the end of the report with a cover sheet labeled "**Chapter 7 Attachments.**"

Louisville Metro utilizes (19) SC950 Reconyx Surveillance cameras to catch illegal dumping.

Three Solid Waste Officers handle citizen request/reports along with surveying areas for solid waste violations including illegal dumping materials.

Louisville Metro encourages residents to report illegal dumping and send images from home surveillance or cell phone images to Department of Public Works.

LMCO Chapter 51 allows all code enforcement officers and peace officers to impound vehicles used in the act of illegal dumping.

Residents may report littering through the "Report A Litterer Program. A letter is sent to the person along with a litter bag.

Attachments: All violation and citation forms, all agreed order forms, all educational letters, Citation Appeals Forms, Lien Forms

3a. Do you use an administrative court for solid waste issues? Yes No

3b. If "yes" to question 3a, above, provide the date the court became effective: January 2005

4. Describe the operative procedures of the administrative court for solid waste issues. Attach a copy of the relevant documents or codes that relate to the administrative court and place at the end of the report with a cover sheet labeled "**Chapter 7 Attachments.**"

A citation is issued by a sworn code officer by giving proper notice. Citation must include the minimum information required by ordinance including appeal procedures

If a violator does not appeal within 10 days the citation is deemed final and all fines must be paid.

Code Board subpoenas the violator, the officer or officer representative, and any witness needed for the hearing. All testimony is taken under oath. Formal rules of evidence shall not apply but fundamental due process is observed.

The Board shall rule shall, based on the evidence, determine whether a violation was committed. If it is determined that no violation was committed, an order dismissing the citation shall be entered. If it is determined that a violation was committed, an order may be issued upholding the citation.

Ruling of the Code Board can be appealed to a higher court.

Liens may be placed on any fine amount not paid in full.

Attachments: An Ordinance Repealing Chapter 32.400, ET SEQ., and 32.275, ET SEQ., and Amending Chapter 156 and Establishing A Code Enforcement Board

5. If your SWMA does not have an administrative court for solid waste issues, do you plan to initiate an administrative court during this plan period? Yes No **If yes, provide dates in the implementation schedule:**

6. Describe any proposed modifications to your open dumping and littering procedures/ordinances. Provide dates in the implementation schedule:

No changes are pending.

7. Describe enforcement actions or procedures taken by the SWMA if identifying information (i.e. names, addresses, etc.) is found in litter or an illegal dump:

The Code Officer will investigate using PVA records and/or Lexis Nexis information system for law enforcement to determine where the waste was generated. The owner of the property must be able to produce evidence of proper disposal or that the waste was transferred to a licensed waste hauler as required in LMCO Chapter 51.500. Names on items contained in the debris are not used as the sole indicator of the responsible party. If the owner is not able to produce evidence in accordance ordinance citation is issued for illegal dumping.

B. Enforcement Procedures Strengths

Describe the strengths of your existing enforcement procedures regarding litter and illegal dump prevention and non-participation in your approved collection system:

Louisville Metro has officer dedicated to the investigation and enforcement of illegal dumping laws.

The unit has specialized tools to aid in investigations such as special software to help find individuals who have been caught on camera or who have left evidence in dumped debris.

Louisville Metro has adopted a very powerful ordinance allowing officers to file civil citations and to impound vehicles used in the process of illegal dumping.

C. Enforcement Procedures Weaknesses

Describe the weaknesses of your existing enforcement procedures regarding litter and illegal dump prevention and non-participation in your approved collection system:

Litter continues to be a persistent problem in Louisville Metro. Active enforcement of litter laws by law enforcement is a low priority.

D. Enforcement Implementation Schedule

List a detailed account of specific actions or projects the county will complete to maintain or improve its Enforcement System, the frequency at which such actions will take place, a date for commencement of the activities, and a date at which the activities will cease. **Include educational efforts.**

Specific Actions	Frequency	Month/Year to Begin	Month/Year to End
1.) Increase surveillance cameras activities to more areas of the county	On-going	1/2018	6/2018
2.) Purchase 10 additional surveillance cameras and 20 dummy surveillance cameras	Once	1/1/2018	1/1/2019
3.) Find ways to increase priority of litter enforcement by law enforcement agencies.	Continuous	7/1/2018	7/1/2019
4.)			
5.)			
6.)			

8. FINANCIAL MECHANISMS

A. Financial Mechanisms

1. Check all items that apply for the funding of your Solid Waste Program.

- Line Item in County Budget
- Collection franchise fees
- 109 Taxing Board
- General Fund
- Host agreement fees
- Other (list all): License fees, citations, and proceeds for the sale of recycling materials.

2. How is the Solid Waste Coordinator's position funded?

- Line Item in County Budget
- Collection franchise fees
- 109 Taxing Board
- General Fund
- Host agreement fees
- Other (list all): Position funding is covered by the Assistant Director of Public Works (general funds)

3. List all fees/revenues collected by local government for solid waste management. Examples of fees/revenue are: fees charged for disposal facilities under KRS 68.178; fees charged by local government for garbage collection; 109 taxes, franchise and/or permit fees charged by local government; fees charged at transfer stations or convenience centers if owned by local government; and revenue received from the sale of recyclables.

Type of Fees/Revenue:	Anticipated Amounts Collected				
	1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year
License Fee (per KRS 68.178 for Off-Site Waste)	\$1,101,085	\$1,101,085	\$1,090,000	\$1,040,000	\$990,000

Management Facilities)					
Municipal Garbage Collection (city and/or county)	\$	\$	\$	\$	\$
Franchise fee	\$	\$	\$	\$	\$
Permit fee	\$	\$	\$	\$	\$
Transfer station	\$	\$	\$	\$	\$
Convenience center	\$	\$	\$	\$	\$
109 or other tax	\$	\$	\$	\$	\$
Proceeds from sale of recyclables	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
Landfill user fees	\$	\$	\$	\$	\$
Host agreement	\$	\$	\$	\$	\$
General revenue	\$	\$	\$	\$	\$
Eastern Kentucky PRIDE	\$	\$	\$	\$	\$
Grants, Conservation Service	\$	\$	\$	\$	\$
Grants, State illegal dump	\$	\$	\$	\$	\$
Grants, State litter abatement	\$370,000	\$370,000	\$370,000	\$370,000	\$370,000
Grants, State Crumb Rubber	\$	\$	\$	\$	\$
Grants, State HHW Collection Grant	\$	\$	\$	\$	\$
Grants, State Waste Tire	\$	\$	\$	\$	\$
Grants, State Recycling	\$	\$	\$	\$	\$
Other (specify): Enforcement Citations Fines	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Other (specify):	\$	\$	\$	\$	\$
Other (specify):	\$	\$	\$	\$	\$
Other (specify):	\$	\$	\$	\$	\$
TOTAL AMOUNT ANTICIPATED	\$1,531,085	\$1,531,085	\$1,520,000	\$1,470,000	\$1,420,000

4. Provide the following information on anticipated expenditures during the 5-year update period.

Type of Expenditures:	Anticipated Expenditures/Budget				
	1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year
Capital Expenditures	\$227,500	\$387,000	\$0	\$0	\$0
Personnel	\$742,000	\$756,840	\$771,976	\$787,416	\$803,164
Collection	\$	\$	\$	\$	\$
Disposal	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Enforcement	\$	\$	\$	\$	\$
Open Dump Cleanups	\$	\$	\$	\$	\$
Litter Cleanups	\$370,000	\$370,000	\$370,000	\$370,000	\$370,000
Education Activities	\$28,500	\$12,500	\$12,500	\$12,500	\$12,500
Recycling Costs/Expenses	\$14,500	\$15,000	\$15,500	\$16,000	\$16,500

Other (specify): Household Hazardous Materials Collection	\$200,000	\$210,000	\$220,000	\$220,000	\$220,000
Other (specify): Decals For Community Signage	\$120,000	\$0	\$0	\$0	\$0
Other (specify): Direct Reimbursements	\$10,632	\$10,845	\$11,062	\$11,283	\$11,508
Other (specify): Interdepartmental Cost (Equipment Maintenance/Fuel	\$5,000	\$5,000	\$10,000	\$15,000	\$20,000
Other (specify): Contractual Services	\$55,740	\$56,855	\$57,992	\$59,152	\$60,335
Other (specify):	\$	\$	\$	\$	\$
TOTAL COSTS ANTICIPATED	\$1,818,872	\$1,869,039	\$1,509,030	\$1,526,351	\$1,544,008