



# Solid Waste Management Policies, The City of El Paso

## ENVIRONMENTAL SERVICES Department

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## Issues Requiring Clarification

- What was directed by Council?
  - “Privatization” of landfill = lease or sale to private party
- What was discussed by LRC?
  - Management Contract for landfill operations
- Which of the following policies does Council wish ESD to pursue?
- Does Council wish to pursue a Management Contract?



# Solid Waste Policies Summary: Discussion

- Landfill Liability
  - Zero
  - Reduced
  - Full
- Collection Liability
  - Delegated
  - Mixed
  - Complete
- Franchise Agreement
  - Relaxed
  - Affirmative
- Disposal (Control of Flow)
  - Passive
  - Directed



## Liability Policy: Definition

- Policy that dictates the level of liability and control which the City wishes to retain with respect to the ownership and operation of landfill(s) and collection services.



## Landfill Liability Policy: Types

- **Zero:** Municipality wishes to relinquish all control of waste disposal facilities, including ownership of land, operation of facilities, permits, equipment and associated vehicles, employment of personnel associated with waste disposal activities and the setting of disposal fees. **Using this policy, a municipal landfill may be sold to a private party.**
- **Reduced:** Municipality wishes to retain some level of control of waste disposal facilities, involving factors outlined above. **Using this policy, a landfill lease agreement may be pursued between a municipality (landfill owner) and a private party (landfill operator).**
- **Full:** Municipality wishes to retain all control of waste disposal facilities. **This is the City of El Paso's current policy, in which the City is both the landfill owner and operator (Clint, McCombs).**



## Collection Liability Policy: Types

- **Delegated:** Municipality wishes to delegate control of waste collection activities, both residential and commercial, including containers, equipment and associated vehicles and employment of personnel associated with waste collection to a private party, often termed “privatization.” **Using this policy, a municipality may enter into a contractual agreement with a private party to undertake waste collection activities within jurisdictional boundaries.**
- **Mixed:** Municipality wishes to retain control of residential waste collection activities, while allowing commercial generators to contract private parties for commercial waste collection. **This is the City of El Paso’s current policy, which allows private haulers to collect commercial waste within the city.**
- **Complete:** Municipality wishes to control of waste collection activity within jurisdiction, to include residential and commercial waste, often termed “municipalization.”



## Franchise Agreement Policy: Definition

- Policy that imposes standards for waste collection within a municipality's jurisdiction, and provides for the awarding of the right of a private party to collect waste on the behalf of a municipality within its jurisdiction.



## Franchise Agreement Policy: Types

- **Relaxed:** Municipality does not wish to impose detailed waste collection standards upon residents, commercial generators or waste haulers within its jurisdiction. **This is the City of El Paso's current policy, and does not allow for the use of franchise agreements with private haulers or franchise fees to be collected by the City.**
- **Affirmative:** Municipality wishes to enact relevant ordinance(s) allowing for the imposition of waste collection standards within its jurisdiction and municipality *may* award the right to collect waste within its jurisdiction to private hauler(s). **Using this policy, the City would be able to require private haulers to enter into franchise agreements dictating waste collection standards within the city. In addition, franchise fees *could be* required from private haulers for the right to collect waste within the City's jurisdiction.**



## Disposal (Control of Flow) Policy: Definition

- Policy that restricts where waste collected within a municipality's jurisdiction is disposed.



# Disposal (Control of Flow) Policy: Types

- **Passive:** Municipality does not wish to direct where waste collected within its jurisdiction is disposed. This is the City of El Paso's current policy, which allows commercial waste collected by private haulers within the city to be disposed at landfills other than those owned by the City of El Paso.
- **Directed:** Municipality wishes to direct that all waste collected within its jurisdiction be disposed at a City-owned landfill. Using this policy, the City would enact a flow-control ordinance, directing that all residential and commercial waste collected within its jurisdiction is disposed at a City-owned landfill.



## Management Contract: Definition

- Individual(s) contracted by a private party for employment on behalf of the City, for the exclusive purpose of serving in management and supervisory positions within City departments or operations.



## Recommended Policies

**The Environmental Services Department recommends the following policies be maintained and/or accepted by the City of El Paso:**

- Full Facility Liability (current policy)
- Mixed Collection Liability (current policy)
- Affirmative Franchise Agreement (proposed)
- Directed Disposal: Control of Flow (proposed)
- Management Contract: Not Recommended