

State Plan and SWAC, Region 5 practices (brief)

## **Indiana**

Indiana solid waste management districts are responsible for adopting a 20 year waste management plan. The Indiana Department of Environmental Management (IDEM) regulates waste management facilities and creates statewide waste management goals. The IDEM commissioner is responsible for approving district plans.

IDEM requires waste management facilities to submit quarterly reports. At the end of the year, IDEM prepares an annual report summarizing existing solid waste facilities. The Solid Waste Management Board oversees the rules and administrative provisions. The independent board is made up of 14 members serving 4 year terms. Six meetings are held a year.

## **Michigan**

The Michigan Department of Environmental Quality develops and enforces the state's waste management regulation. Each county is required to have a ten year waste management plan. MDEQ must approve any new or amended plan.

The county forms a Solid Waste Management Planning Committee (SWMPC) to implement and enforce the plan. The local planning committee consists of 14 members serving 2 year terms.

A county preparing a solid waste management plan may consult with a regional designated planning agency. The regional councils serve as a source of information during the planning process by providing technical assistance.

## **Minnesota**

The Minnesota Pollution Control Agency (MPCA) develops and enforces the state's waste management regulation. Each county or district (multiple counties) is required to have a ten year waste management plan. MPCA must approve any new or amended plan.

Each county must submit an annual Select Committee on Recycling and the Environment (SCORE) report. The report should detail: reduction efforts, waste generation figures, processing and disposal numbers, and financial information. Every odd-numbered year, the MPCA compiles the SCORE reports and creates a Solid Waste Policy Report. The policy report makes recommendations to the Legislature regarding waste management policies, system improvements, and research.

## **Wisconsin**

## SWAC/State Plan Benchmarking Research (draft)

The Wisconsin Department of Natural Resources State Solid Waste Management program develops and enforces the state's waste management regulation. Each county is required to submit a waste management plan to the WDNR for review. The county enacts ordinances in accordance with the state solid waste reduction, reuse, recycling, composting, and resource recovery policy.

Each County must create a 9 person advisory board to implement and enforce the waste management plan. Counties can agree to participate in regional cooperation and shared services with adjacent counties.

WDNR's Solid Waste Interested Parties meetings are held semiannually to inform attendees who work in the waste management sector about EPA initiatives, legislation updates, and budget updates.

## Illinois

Illinois EPA waste reduction and compliance section assists local governments in planning and implementing local solid waste enforcement efforts. In August 2012 House Bill 4986 was passed establishing the Task Force on Advancement of Materials Recycling. The twenty one member task force are issued to review the following topics: county recycling and waste management planning, current and potential policies and initiatives in Illinois for waste reduction, funding for state and local oversight and regulation of solid waste activities, and funding for state and local support of projects that advance solid waste reduction, recycling, reuse, and composting efforts. Task force findings will be submitted in a report to the Illinois General Assembly every two years.

State plan and SWAC, region 5 (detailed)

## Illinois

### Applicable Laws and Regulations

*Environmental Safety (415 ILCS 20/) Illinois Solid Waste Management Act.*

*HB 4986 Amendment No. 3(Effective Jan 1, 2013) - Established Waste Management and Recycling Task Force.*

### Planning Process

Illinois EPA Waste Reduction and Compliance section assists local governments in planning and implementing local solid waste enforcement efforts; issues permits to special waste haulers; provides special waste manifests to generators; administers household hazardous waste collection programs with local governments; develops the annual Illinois landfill capacity report; processes, compiles and summarizes annual waste reports; oversees financial assurance instruments for waste management facilities; and tracks violations by the regulated community.

### The Task Force on Advancement of Materials Recycling

Task Force issued to review the following topics:

- county recycling and waste management planning;
- current and potential policies and initiatives in Illinois for waste reduction, recycling, composting, and reuse;
- funding for State and local oversight and regulation of solid waste activities;
- funding for State and local support of projects that advance solid waste reduction, recycling, reuse, and composting efforts;

Task Force findings are submitted in a report to the Governor and the General Assembly every two years.

Members (21)

- Four legislators, appointed one each by the President of the Senate, the Minority Leader of the Senate, Speaker of the House, and Minority Leader of House.
- Director of the Illinois EPA, or his or her representative.
- Director of Commerce and Economic Opportunity, or his or her representative.
- Two persons appointed to represent local government.
- Two persons appointed to represent a solid waste management industry.
- Two persons appointed to represent environmental interest group.
- One person appointed to represent non-profit organization.
- One person appointed to represent recycling collection and processing.
- One person appointed to represent organic composting.
- One person appointed to represent construction and demolition debris recycling.
- One person appointed to represent general recycling.
- One person appointed to represent statewide manufacturing trade association.
- One person appointed to represent statewide business association.
- Directors of Commerce and Economic Opportunity and the Illinois Environmental Protection Agency shall co-chair and facilitate the Task Force.

## Indiana

### Applicable Laws and Regulations

IC 13-21 – State Solid Waste Management Districts

IC 13-19-2 Establishment of Solid Waste Management Board

### Planning Process

Solid waste facilities in Indiana fall into two broad categories: land disposal facilities and processing facilities. Solid waste managed at those facilities can be classified as municipal solid waste, construction-demolition waste, special waste, or other wastes. IDEM's Office of Land Quality (OLQ) regulates these facilities and waste types in Indiana.

Waste Reuse and Recycling efforts are mostly under the authority of IDEM's Office of Pollution Prevention & Technical Assistance (OPPTA). OPPTA and OLQ work together at the state-wide level to further Indiana solid waste disposal reduction goals. IDEM also supports the solid waste management districts in their local-level reuse and recycling efforts.

Districts are responsible for adopting and implementing a waste management plan. The plan must provide for solid waste management in Indiana for the twenty years following adoption of the state plan. The IDEM commissioner is responsible for approving all plans. The plan must include the following:

- The establishment of voluntary statewide goals for source reduction.
- The establishment of criteria for alternatives to final disposal of: recycling, composting, availability of markets.

Facilities must submit quarterly reports to IDEM. An annual report is prepared by IDEM summarizing Indiana's solid waste facility data. The report includes:

- A summary of existing solid waste facilities;
- A summary of the amount, origin, and types of solid waste received at land disposal facilities and processing facilities and
- A summary of out-of-state waste reports.

**The Solid Waste Management Board** requires waste facilities to submit quarterly reports to IDEM. The Solid Waste Management Board is an independent board responsible for rules and administrative provisions.

14 Members---4 Year term, 6 annual meetings

*Ex Officio Members:* The commissioner of the state department of health, director of the department of natural resources, the lieutenant governor, secretary of commerce.

May designate technical representative to serve as voting member.

*Appointed by Governor* (1 representative from each): agriculture, manufacturing, environmental interests, labor, local government, health, small business, general public.

## Michigan

### Applicable Laws and Regulations

*Natural Resources and Environmental Protection Act Part 115 Solid Waste Management*

### Planning Process

#### State Level

The MDEQ's Waste Management Division administers the state's solid-waste program under part 115 of the state Natural Resources and Environmental Protection Act. MDEQ is responsible for review and approval of county plans. The division also:

- reviews the construction permits and operating licenses for municipal and industrial nonhazardous solid-waste disposal facilities;
- inspects those facilities to ensure that they comply with operating requirements;
- administers grants and loans related to waste-management planning and waste alternatives.

#### County Level

Each solid waste management plan shall include an enforceable program and process to assure that the nonhazardous solid waste generated or to be generated in the planning area for a period of 10 years or more is collected and recovered, processed, or disposed of at disposal areas that comply with state law and rules promulgated by the department governing location, design, and operation of the disposal areas.

County forms a **Solid Waste Management Planning Committee (SWMPC)**. The plan must include input, through a local planning committee, from interested local organizations. A plan's purpose is to

- protect public health;
- assure adequate disposal capacity for all waste generated within county borders for 5- and 10-year periods of time;
- establish goals for waste prevention and recycling;
- control waste imported from or exported to other counties;
- define the roles of county and local governments in implementing and enforcing the plan; and
- assure that the county begins to investigate a new disposal site when a current site has less than five and a half years of capacity remaining.

#### **Planning Committee consists of 14 members serving 2 year terms.**

##### Members

- 4 representing the solid waste management industry
- 2 representing environmental interest groups
- 1 representing county government
- 1 representing city government
- 1 representing township government
- 1 representing regional solid waste planning agency
- 1 representing industrial waste generators
- 3 representing the general public

### Regional Level

- A county preparing a solid waste management plan shall consult with the regional planning agency from the beginning to the completion of the plan.
- A county plan is brought to a regional Designated Planning Agency. DPA supports the process; makes draft plan available for public review (90days), handles notices, mails notifications.
- Within 30 days of end of public comment period, DPA revises draft plan and sends it to the Board of Commissioners for approval.
- Approved plan or amendment sent to MDEQ for final approval.

Many regional councils are designated solid waste management planning agencies under Michigan's solid waste management planning legislation.

The regional councils serve as a source of information during the solid waste planning process. They provide technical assistance for the plans development and implementation. SEMCOG (South East Michigan Council of Governments) advocates, "that County Solid Waste Management Plans ensure that solid waste disposal facilities are sited, constructed, and operated so as to exceed the minimum environmental requirements by the greatest amount possible"

### Region Map

[http://www.michigan.gov/documents/mdot/mdot\\_stip\\_appndx\\_f\\_state\\_planning\\_development\\_regions\\_333574\\_7.pdf](http://www.michigan.gov/documents/mdot/mdot_stip_appndx_f_state_planning_development_regions_333574_7.pdf)

Michigan Association of Regions

<http://miregions.com/about-mar/>

## Minnesota

### Applicable Laws and Regulations

*CHAPTER 9215 MINNESOTA POLLUTION CONTROL AGENCY SOLID WASTE PLANNING*

*Solid Waste Management, Minnesota Statutes 115B.02 encourages regional planning*

The Minnesota Pollution Control Agency (MPCA) develops and enforces the state's waste management regulation. The Minnesota Office of Environmental Assistance (OEA) provides technical and financial assistance and environmental education to businesses, local governments, schools, community groups, and individual citizens.

### Planning Process

Planning and management of solid waste is primarily a county responsibility. The requirements for a waste management plan vary whether the county is in a rural or urban setting.

Each county, district, or multicounty area must update their waste management plan every 10 years. Draft plan should be submitted 6 months prior to the 10 year anniversary of the existing plan. A draft plan must be submitted with the following information:

- an evaluation of the progress that has been made since approval of the plan to achieve the goals and policies of the programs proposed in the existing plan;
- a discussion of the problems that have been encountered by the county, district, or multicounty area in implementing the existing plan and the solutions established;
- a discussion of the changes in the draft plan from the existing plan; and
- Information required by new statutes or rules that have been adopted since the existing plan was approved.

After receipt of draft plan, the MPCA has 45 days to review the plan. If a redraft is required, the county, district, or multicounty area has an additional 90 days for resubmittal. The public shall have a minimum of 30 days to comment on the commissioner's preliminary decision to approve a plan or plan amendment.

#### **SCORE REPORT** (*Governor's Select Committee on Recycling and the Environment*)

Annual examination of Minnesota Waste Management Programs, County must submit a report to the MPCA detailing:

- reduction efforts,
- waste generation figures,
- processing and disposal numbers, and
- SCORE finance and administration

#### **Solid Waste Policy Report** (Policy recommendations based on SCORE report)

Pollution Control Agency (MPCA) provides an analysis of the status of the state's solid waste system, and makes recommendations to the Legislature regarding Minnesota's waste management policies, system improvements, and research. A report is submitted to the Senate and House Environment and Natural Resources Committees each odd-numbered year. The report must include:

## SWAC/State Plan Benchmarking Research (draft)

- A summary of waste generated, the manner in which it is collected, processed, and disposed, the extent of separation, recycling, reuse, and recovery of solid waste, and the facilities available or under development to manage the waste.
- An evaluation of the extent and effectiveness of implementation and an assessment of progress in accomplishing state policies, goals, and objectives.
- An evaluation of the extent and effectiveness of implementation and an assessment of progress in accomplishing state policies, goals, and objectives.
- Recommendations for establishing or modifying state solid waste management policies, authorities, and programs.

## Wisconsin

### Applicable Laws and Regulations

*NR500.03 (Department of Natural Resources) General solid waste management requirements*  
*287.05 State solid waste reduction, reuse, recycling, composting, and resource recovery policy*

### Planning Process

#### State Level

The Solid Waste Management program ensures proper management of solid waste through regulation of municipal, industrial, and construction and demolition waste landfills. Staff license facilities; close poorly located or operated facilities; and make sure new facilities are properly located, designed, constructed, operated and maintained.

All county plans shall be submitted to the department for review. Within 90 days after submittal, the department shall approve or disapprove the plans.

WDNR's **Solid Waste Interested Parties** meetings are held semiannually in the spring and fall. The intent is to inform those who work with the solid waste program about:

- Rule, guidance and legislation updates;
- Budget updates;
- EPA initiatives;
- Status of solid waste program revenue account; and
- Topics of interest to the attendees.

#### County Level

- Waste Management plans are prepared by County. Counties develop their own waste flow control ordinances.
- Counties enact environmental performance standards in accordance with the State solid waste reduction, reuse, recycling, composting and resource recovery policy and General Solid Waste Management Requirements.
- Counties can agree to participate in regional cooperation and shared services.

#### Solid Waste Advisory Board (La Crosse County)

The La Crosse County Solid Waste Policy Board consists of nine members appointed by the County Board Chair. Three members must be County Board Supervisors. Six members are from the Regional participants with two of those from within La Crosse County. The rest are currently made up of one representative from each of the four County Contract Holders.

#### Regional Level

The board of any county may establish and operate a solid waste management system or participate in such system jointly with other counties or municipalities... For the purpose of operating the solid waste management system, the solid waste management board may exercise the following powers:

- (a) Develop a plan for a solid waste management system.

## SWAC/State Plan Benchmarking Research (draft)

- (b) Within such county or joint county, collect, transport, dispose of, destroy or transform wastes, including, without limitation because of enumeration, garbage, ashes, or incinerator residue, municipal, domestic, agricultural, industrial and commercial rubbish, waste or refuse material, including explosives, pathological wastes, chemical wastes, herbicide and pesticide wastes.
- (c) Acquire lands within the county by purchase, lease, donation or eminent domain, within the county, for use in the solid waste management system.
- (d) Authorize employees or agents to enter lands to conduct reasonable and necessary investigations and tests to determine the suitability of sites for solid waste management activities whenever permission is obtained from the property owner.
- (e) Acquire by purchase, lease, donation or eminent domain easements or other limited interests in lands that are desired or needed to assure compatible land uses in the environs of any site that is part of the solid waste disposal system.
- (f) Establish operations and methods of waste management that are considered appropriate. Waste burial operations shall be in accordance with sanitary landfill methods and the sites shall, insofar as practicable, be restored and made suitable for attractive recreational or productive use upon completion of waste disposal operations.
- (g) Acquire the necessary equipment, use such equipment and facilities of the county highway agency, and construct, equip and operate incinerators or other structures to be used in the solid waste management system.
- (h) Enact and enforce ordinances necessary for the conduct of the solid waste management system and provide forfeitures for violations.
- (i) Contract with private collectors, transporters or municipalities to receive and dispose of wastes.
- (j) Engage in, sponsor or cosponsor research and demonstration projects that are intended to improve the techniques of solid waste management or to increase the extent of reuse or recycling of materials and resources included within the wastes.
- (k) Accept funds that are derived from state or federal grant or assistance programs and enter into necessary contracts or agreements.
- (L) Appropriate funds and levy taxes to provide funds for acquisition or lease of sites, easements, necessary facilities and equipment and for all other costs required for the solid waste management... Such appropriations may be treated as a revolving capital fund to be reimbursed from proceeds of the system.
- (m) Make payments to any municipality in which county disposal sites or facilities are located to cover the reasonable costs of services that are rendered to such sites or facilities.
- (n) Charge or assess reasonable fees, approximately commensurate with the costs of services rendered to persons using the services of the county solid waste management system. The fees may include a reasonable charge for depreciation which shall create a reserve for future capital outlays for waste disposal facilities or equipment. All assessments for liquid waste shall be assessed by volume.
- (o) Create service districts which provide different types of solid waste collection or disposal services. Different regulations and cost allocations may be applied to each service district. Costs allocated to such service districts may be provided by general tax upon the property of the respective districts or by allocation of charges to the municipalities whose territory is included within such districts.
- (p) Utilize or dispose of by sale or otherwise all products or by-products of the solid waste management system.