

March 2013, Glencoe, IL

During 2010 and through 2011, members of the Glencoe League of Women Voters undertook a comprehensive study of solid waste management and recycling in our community and in the Northern Cook County region. The information in the study was used to formulate the following position on solid waste.

LWV of Glencoe Solid Waste and Recycling Position

The League of Women Voters of Glencoe supports solid waste management policies that promote environmentally sound methods of source reduction, waste reduction, and recycling, with a goal of zero waste to landfill. Waste management policies should identify solid waste as potential resources. Local and regional units of government should design long range plans to achieve these goals and conduct periodic assessments to evaluate the effectiveness of their waste diversion programs.

The League encourages the Village of Glencoe to continuously evaluate operations, costs, and sustainability of its waste collection services. The Village should continue and expand its recycling initiatives.

Solid waste reduction should be encouraged and promoted, utilizing tools such as community education and outreach, and waste diversion ordinances (i.e. construction demolition and debris).

The League supports inter-governmental cooperation in the management of solid waste. The Village is a member of the Solid Waste Agency of Northern Cook County (SWANCC). The League encourages SWANCC to continuously evaluate its operations, costs and sustainability as they relate to SWANCC's mission of providing efficient and environmentally sound collection, transportation, transfer, processing, treatment, storage, disposal, recovery and reuse of municipal waste.

In addition, the League recommends that SWANCC:

Provide appropriate diversion and/or disposal options for each type of waste;

Encourage citizen participation and input, and utilize citizen advisory committees;

Ensure that operations are evaluated using both direct (dollar) and indirect (land use and environmental impact) costs;

Continue efforts to improve financial transparency and fiscal procedures;

Review by-laws to ensure best practices in governance; and

Adopt term limits for members of the Executive Committee.

Part 2 of the study document follows



**Study Information: Solid Waste Management and Recycling
Part 2: The Solid Waste Agency of Northern Cook County**

March, 2012

**Supplying background for Consensus discussion,
March 14, 2012 1:00 PM
Takiff Center, 999 Green Bay Road, Glencoe**

Rhonda Diamond and Laurie Morse, Study Co-Chairs

LEAGUE OF WOMEN VOTERS OF GLENCOE

The stakes are too high for government to be a spectator sport –Barbara Jordon

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Introduction

In May 2010 the Glencoe League of Women Voters approved a restudy of its 1997 Solid Waste and Recycling position. The study goals were to examine current Village of Glencoe waste management practices and financing; understand where our household garbage, recycling, and other waste streams go; and learn about environmentally and economically sound methods of waste reduction, recycling and reuse. The study would detail the economic and environmental impact of the things we throw away.

While this study was designed to be local, Glencoe's membership in the Solid Waste Agency of Northern Cook County (SWANCC) required us to explore the regional aspects of solid waste disposal. Glencoe Village staff responded positively to each study request, and their information and cooperation gives substance to this report. We also received the cooperation of SWANCC executives and staff, the perspectives of managers from a number of the 23 SWANCC member municipalities, and help from neighboring Leagues, particularly Glenview, Rockford and Wilmette.

Knowing that some parts of this study would be of interest to Leagues beyond Glencoe, we have divided our report into two parts. The first deals mostly with local practices, the Glencoe garbage budget, and issues facing the Glencoe Board of Trustees regarding garbage and recycling services.

The second section deals with SWANCC, including its structure and governance, budgets, and issues facing its Board and Executive Committee. This study presents information to support a consensus process for the Glencoe League, and builds upon existing positions from the Illinois State League. Once local consensus is reached, the information contained here can be used for League action and community outreach

Issues of Timeliness

As the League initiated this study, we became aware of significant governance issues and operating deadlines facing the SWANCC regional municipal consortium. They include:

Governance Issues at SWANCC: In October, 2010, the Executive Director of SWANCC, C. Brooke Beal, was indicted for allegedly stealing nearly one million dollars from the Agency over a period of years. As a result we looked closely at governance and fiscal controls at the agency. Members of the Glencoe LWV study team began observing SWANCC Executive Committee and Board meetings in April 2011.

SWANCC Landmark Operating Decisions in 2013-2015:

- The Agency's member communities have been bound together for the past 24 years by its project use agreements and by debt (as much as \$62 million in 1992). Its remaining bonds will be repaid in FY2016*, and communities will have the option to exit the consortium without having to continue debt repayments.

*SWANCC's FY 2016 is May 1, 2015 – April 30, 2016

- Members also will have the option to dissolve the Agency, but only if 60% of the 23 member communities agree to dissolution. Decisions will be driven by assessments of cost and value of services delivered by the agency.
- Member waste delivered to SWANCC's Glenview Transfer Station (the Agency's only capital asset), has been declining. As tonnage drops, operating costs per ton rise. To stabilize fees, SWANCC has used reserves to subsidize member fees. In FY2013 SWANCC Board used \$550,000 in reserves to prevent a tipping fee increase. In FY2014 that subsidy will rise to \$750,000.
- The Agency's Project Use Agreements make it difficult to diversify the Glenview Transfer Station's customer base beyond handling member residential waste, so there are few options to increase revenue in an environment of declining residential waste volumes. The transfer station accepts small contractor landscape waste and commercial waste. Both of these businesses are declining. A new business plan is needed to increase transfer station use and create value for SWANCC member communities. Strategic planning discussions are currently being held at the Agency.
- The 5-year operating agreement that gives privately-owned Groot Industries full control over operations at the Glenview Transfer Station and waste transport operations, will expire in April 2015. (The contract with Groot Industries also includes the SWANCC member recycling incentive program). An intensive planning and negotiating process will precede a new operating agreement. All options, including sale of the transfer station, are being explored. Member community delegates to the SWANCC Board of Directors have a responsibility to ensure that a new contract is competitively bid, well negotiated, and structured so transfer station operation and SWANCC administration is not a financial burden to members.
- Individual member communities may have their own waste reduction goals, but SWANCC has not yet established a specific agency goal. SWANCC Board Members may want to suggest specific agency diversion goals in the current long-range planning process.
- A strategic planning process has begun, with presentations to the Board of Directors on the history of SWANCC, including administrative and operational structure, composition of the waste stream, resource recovery technologies and overview of the planning process.

In short, SWANCC Board Members face challenges and opportunities in the next year or two. They must reevaluate the Agency's purpose and operations, provide a strategic plan for future direction that supports the recovery and reuse provisions of its mission statement, and offer pricing and services competitive with public waste-handling companies.

The Study Questions:

The following chapters give a general overview of the Agency and attempt to answer the following Glencoe League of Women Voters study questions:

What is the role of SWANCC (Solid Waste Agency of Cook County)?

What are the costs and benefits of this partnership?

Does being a member of SWANCC encourage waste reduction, reuse and recycling?

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“THE PURPOSE OF SWANCC IS TO PROVIDE
EFFICIENT AND ENVIRONMENTALLY SOUND
COLLECTION, TRANSPORTATION, TRANSFER,
PROCESSING, TREATMENT, STORAGE, DISPOSAL,
RECOVERY AND REUSE OF MUNICIPAL WASTE.”

---SWANCC 1988 founding Agreement

GLENCOE'S GARBAGE: **How Much Does It Cost? And Where Does It Go?**

Glencoe residents pay for once weekly backdoor garbage collection.



$$\begin{array}{rcl}
 \$320 & - & \$57.53 & = & \$262.50 \\
 \text{(FY2012} & & \text{(subsidized} & & \text{(Glencoe's} \\
 \text{per household} & & \text{SWANCC} & & \text{municipal collection} \\
 \text{collection and} & & \text{tipping fee)} & & \text{cost per house hold)} \\
 \text{disposal cost)} & & & &
 \end{array}$$

12 miles each way
to transfer station



Solid Waste Agency of
Northern Cook County



**Glenview transfer station
operations: \$14.50/ton**

**Approximate travel
cost to haul: \$10/ton**

90 miles each way
to landfill



**SWANCC administration
costs & debt: \$9.32/ton**

**Rockford landfill
tipping fee: \$24/ton**



Glencoe homes paid \$320 for garbage collection and disposal in FY2012

Where Do Glencoe's Recyclable Materials Go?

Groot Industries' once-weekly curbside pickup...



Amount Glencoe single-family homes paid for recycling services in FY2011 = \$61.00



Our recyclables go to **Groot Industries Materials Recovery Facility, Elk Grove Village** (recyclables are sorted)



After sorting at Groot Industries, plastics, aluminum, glass, some paper go to Resource Management for further processing and sale

Direct sale of high grade paper to local buyer



Resource Management Processing Center, Chicago Ridge



Many of our recovered materials are shipped to Asia

Glencoe's recycling rate: 40%

Glencoe's recycling rebate income: \$50,000

Glencoe's recycled materials = 1,740 tons in FY2010

HISTORY

SWANCC – Solid Waste Agency of Northern Cook County

SWANCC is an intergovernmental agency and a non-profit corporation. SWANCC has no taxing authority and derives the majority of its revenue from the member payments for receiving waste at the SWANCC- owned Glenview Transfer Station. The consortium is comprised of 23 member communities and its member territory covers about 160 square miles and more than 250,000 homes.

Creating The Solid Waste Agency of Northern Cook County (SWANCC)

The Solid Waste Agency of Northern Cook County was an outgrowth of the Des Plaines-based Northwest Municipal Conference, and shared offices with the NWMC in its early years.

It was members of the NWMC who looked at the waste-handling needs of area communities, and set goals for waste diversion and garbage disposal.

SWANCC's Solid Waste Management Plan of 1991 noted that most of the communities that would eventually join SWANCC had set ambitious recycling goals in 1985 and were well on their way to achieving those goals in 1991. The Plan envisioned recycling rates rising to 40% of solid waste tonnage by 1996, and made provisions to accomplish those goals. At the time, SWANCC communities had implemented the most comprehensive recycling programs in the state, and among the largest in the country. The Plan's recycling goals for SWANCC communities were achieved.

SWANCC's genesis may have been the Illinois Solid Waste Management Act of 1986. The Act was designed to reduce reliance on land disposal of garbage, and increased regulation and enforcement for landfill siting, construction and design. Small, under-engineered landfills were closed, and municipal officials were concerned tight regulations in the Act would prevent construction of new landfills. This uncertainty prompted private waste haulers to increase fees and led to volatility in municipal waste disposal contracts.

The regulatory climate and rising costs inspired a handful of municipal managers from northern Cook County to begin the legal process to form what was to become SWANCC. Founders included George Van Dusen, Mayor of Skokie, Al Rigoni, Skokie's Village Manager, and Julian D'Esposito, who was with the law firm now known as Mayer-Brown. All are still active in SWANCC governance.

This precursor group to SWANCC purchased an option on 410.5 acres of land near Bartlett, IL in far Southwest Cook County in 1986. One hundred forty five of those acres, a former strip mine site, were intended for the balefill (a landfill engineered for baled garbage). The optioned purchase price was approximately \$5 million. The operative law that allowed SWANCC's formation was The Illinois Intergovernmental Cooperation Act, which was amended in 1987 to allow municipal water and waste consortiums. SWANCC was created a year later, in 1988, with 28 member communities. SWANCC completed the purchase of the balefill property in August 1990.

The Original Concept

The 1988 SWANCC Agency Agreement endorsed by 28 communities envisioned a plan that included: 1). a large balefill on the Bartlett property; 2). three transfer stations distributed around the county; 3). a landscape waste facility; and 4). administrative offices. The Project was scaled to handle 500,000 tons of garbage per year and meet members' waste disposal needs for the next 40 years and beyond.

Twenty-three member communities endorsed the subsequent 1992 Project Use Agreements (Des Plaines, Hanover Park, Northbrook, Northfield, and Roselle opted out and remain independent of SWANCC). These Agreements required all residential garbage from each member community to be committed to the project. This promise to deliver trash and pay for its disposal was bankable and bondable. SWANCC issued an additional \$55 million in debt to finance permitting and construction of the facilities, and construction began on the Glenview Transfer station in 1992.

Litigation

Four months after the Agency finalized the purchase of the Bartlett balefill site, on January 31, 1991, the U.S. Army Corps of Engineers denied SWANCC's balefill permit application. The communities of Bartlett, Hanover Township and Elgin opposed the balefill with concerns of risk of contamination to their water supply and potential odors from a balefill. This capped seven years of citizen objections and began a decade of litigation and appeals, pitting the Agency and its member communities against the proposed balefill's neighboring municipalities, the U.S. Army Corps of Engineers, Congressional representatives and a citizens group that opposed the balefill and advocated for the migratory birds (including herons and cranes) that used the wetlands on the balefill land as rookeries.

The Army Corps of Engineers, citing its authority based on the Clean Water Act, attempted to halt the project after determining the site included ponds that were migratory bird nesting sites. SWANCC challenged the Corps authority to do so, and the case went to the U.S. Supreme Court.

Landmark Decision Impacts the Clean Water Act

On January 9, 2001, the U.S. Supreme Court ruled in favor of SWANCC, stating that the Clean Water Act didn't apply to the isolated ponds and trenches in the balefill case, regardless of the presence of migratory birds. (531 U.S. 159)

The decision reduced the protection of isolated wetlands under Section 404 of the Clean Water Act (CWA), which provides the U.S. Army Corps of Engineers authority to issue permits for the discharge of dredge or fill material into "waters of the United States." Prior to the SWANCC decision, the Corps had adopted a regulatory definition of "waters of the U.S." that provided federal protection for almost all of U.S. wetlands.

The Supreme Court also concluded that the use of migratory birds to assert jurisdiction over the site exceeded the authority that Congress had granted the Corps under the CWA. The Court interpreted that Corps jurisdiction is restricted to navigable waters, their tributaries, and wetlands that are adjacent to these navigable waterways and tributaries. The decision leaves "isolated" wetlands unprotected by the Clean Water Act. (Source: Ducks Unlimited Waterfowl and Wetlands Conservation Organization).

A Decade of Litigation

At the time of the 2001 Supreme Court decision SWANCC attributed about \$30 million in expenses to bale fill development and litigation– the cost of consultants, environmental studies, and staff time. Legal fees were reported to be \$3.5 million.

Despite SWANCC's Supreme Court victory, Illinois passed legislation that would require SWANCC to reapply for a permit for the site, as landfill-permitting rules had changed since the original permit was obtained.

In December 2001, SWANCC representatives negotiated with Illinois lawmakers for the State to purchase the bale fill property at a price that would cover SWANCC's costs. SWANCC sold 283 of the 410.5 acres of the bale fill site to the State for \$21 million. The State planned to use the property to expand the Tri-County State

Park, now known as the James “Pate” Phillip State Park. Abbott Development and Realen Homes purchased the remainder of the land. Based on the property sales of \$36,850,480 and the total project costs of \$32,580,383, the Agency netted \$4,270,097 in revenue from the balefill project and proceeds were used to reduce the Agency’s debt. (from SWANCC Nov. 13 2002 Board Meeting Minutes and FY2002 Annual Report)

The Glenview Transfer station opened and began receiving and baling trash in 1994. With SWANCC’s balefill development stalled, our garbage was transported to a Wisconsin landfill. A few years after the transfer station opened (1997), SWANCC’s 23 member communities began repayments on about \$62 million in debt for the project.

Governance

Board of Directors

SWANCC’s Board of Directors consists of twenty-three directors - one elected or designated by each member municipality. Each municipality may appoint one or more alternate directors. Directors must be either a mayor or president of a municipality, an elected official of the municipality or a chief administrative officer. Terms are for 2 years. There are no term limits. SWANCC’s Board has one working committee, its Executive Committee.

Each municipality has one vote, regardless of the size or population of the community. Proxy votes are not allowed and delegates must be present to vote. Directors are not compensated. The Board of Directors meets the second Wednesday of each month and the Executive Committee meets the fourth Wednesday of each month. SWANCC meetings are public, and the schedule, place, and time of the meetings are available on the SWANCC web site.

The Chairman of the Board of Directors attends Executive Committee meetings, and acts as a liaison between the full Board and the Executive Committee, but does not have an Executive Committee vote.

SWANCC by-laws give the Board of Directors power to approve contracts, including the transfer station operating contract, to approve other initiatives of the Agency, to approve the annual budget, hire the Agency’s Executive Director (the chief paid administrator), and approve bond issues or other borrowing. The Board usually acts on the recommendations of the Executive Committee, which is more deeply involved in the month-to-month operations of the Agency.

Executive Committee

The Executive Committee of SWANCC is comprised of 7 members elected by the Board of Directors. Agency founders sought to have a blend of elected officials and professional management on the Committee. SWANCC by-laws require three Executive Committee members be staff executives for their communities and at least three members be elected officers or trustees of their towns or villages. There are no term limits for Executive Committee members.

The Chairman of the Executive Committee currently is also the Agency’s Treasurer, and the Agency’s Secretary. The Executive Committee may take any action not specifically reserved to the Board of Directors by the By-Laws or Agency Agreement. According to agency documents “The Executive Committee is delegated all power except adoption of budget, admitting new members, adopting project use agreements, imposing fees on members, and issuing debt.” The Executive Committee supervises the operations with the assistance of staff. Its meetings are public.

Accounting Policies Re-examined

SWANCC’s Former Executive Director Christopher Brooke Beal was forced to resign in October 2010 and was arrested and indicted for six felony counts, including two for theft, two for official misconduct, and two for

forgery, in March 2011. He is alleged to have stolen \$950,929.92 from SWANCC between February 22, 2006 and October 13, 2010. Beal had been employed by SWANCC since its founding in 1989, and had been SWANCC's Executive Director since 1993. In December 2012 Beal was found guilty and sentenced to 7 years in prison. SWANCC has had little success recovering the stolen funds.

At the time of the embezzlement the Chairman of SWANCC's Executive Committee (also the Agency's Treasurer) had sole responsibility for reviewing Beal's expenses. Since the indictment, procedure has been changed, and the full Executive Committee reviews all payment requests on a monthly basis. An outside accounting contractor, Lauterbach and Amen, LLP has been engaged by SWANCC to prepare financial reports, payment requests and perform other non-audit accounting functions that used to be done in-house.

2012 SWANCC Directors and Alternates

Village of Arlington Heights

Arlene J. Mulder, President, Director

William Dixon, Manager, Alt. Director -- Executive Committee member

Village of Barrington

Karen Darch, President, Director -- Executive Committee member

Steve Miller, Trustee, Alt. Director

Village of Buffalo Grove

Jeffrey Braiman, President, Director

Dane Bragg, Manager, Alt. Director

Village of Elk Grove Village

Craig Johnson, President, Director

James P. Petri, Trustee, Alt. Director

Raymond Rummel, Manager, Alt. Director --Executive Committee member

City of Evanston

Melissa Wynne, Alderman, Director

Wally Bobkiewicz, Manager, Alt. Director

Village of Glencoe

Scott Feldman, President, Director

Paul M. Harlow, Manager, Alt. Director

Village of Glenview

Debby Karton, Trustee, Director --Executive Committee member

Todd Hileman, Manager, Alt. Director

Village of Hoffman Estates

James H. Norris, Manager, Director --Chairman of Executive Committee

William McLeod, President, Alt. Director

Anne Newell, Trustee, Alt. Director

Village of Inverness

John R. Willis, Trustee, Director

Curt Carver, Administrator, Alt. Director

Village of Kenilworth

Bradley Burke, Manager, Director

Michael Thomas, Trustee, Alt. Director

Village of Lincolnwood

Gerald Turry, President, Director

Timothy Wiberg, Administrator, Alt. Director

Village of Morton Grove

Sheldon Marcus, Trustee, Director

John Thill, Trustee, Alt. Director

Joseph Wade, Administrator, Alt. Director

Village of Mount Prospect

Paul Hoefert, Trustee, Director

Irvana K. Wilks, President, Alt. Director

Michael A. Zadel, Trustee, Alt. Director

Village of Niles

Louella Preston, Trustee, Director --Executive Committee member

Robert Callero, Mayor, Alt. Director

George Van Geem, Manager, Alt. Director

Village of Palatine

Reid Ottesen, Manager, Director

Jim Schwantz, Mayor, Alt. Director

City of Park Ridge

Joe Sweeney, Alderman, Director

Marty Maloney, Alderman, Alt. Director

City of Prospect Heights

Nick Helmer, Mayor, Director

Bree Higgins, Alderman, Alt. Director

Anne Marin, Manager, Alt. Director

City of Rolling Meadows

Tom Rooney, Mayor, Director

Barry Krumstok, Manager, Alt Director

Village of Skokie

George Van Dusen, Mayor, Director --Chairman of the SWANCC Board

Albert Rigoni, Manager, Alt. Director --SWANCC Executive Committee Member

Village of South Barrington

Mark Masciola, Manager, Director

Village of Wheeling

Jon Sfondilis, Manager, Director

Board of Trustees, Alt. Director

Village of Wilmette

Timothy Frenzer, Manager, Director

Christopher S. Canning President, Alt. Director

Village of Winnetka

Jessica Tucker, President, Director

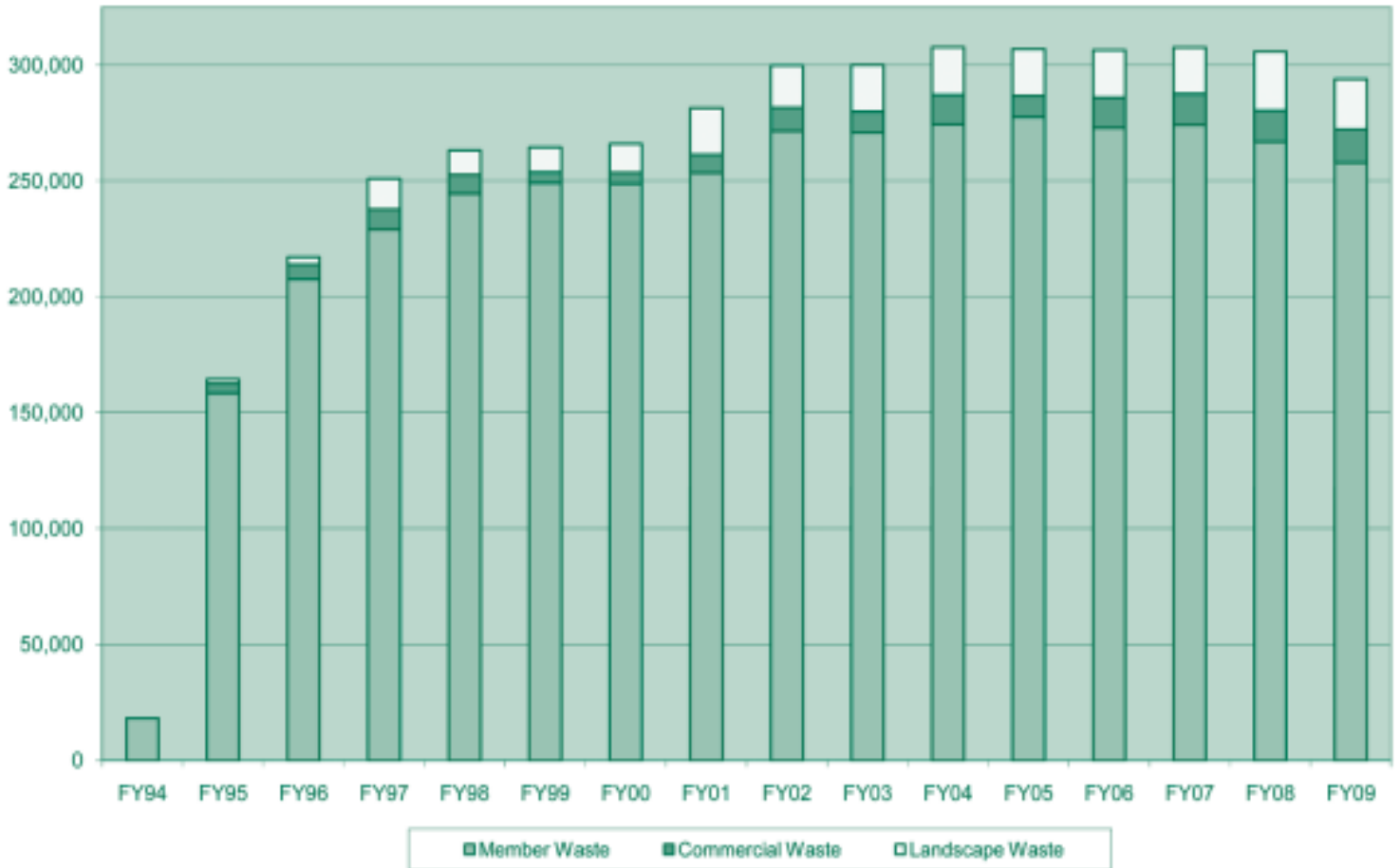
Robert Bahan, Manager, Alt. Director

SWANCC OPERATIONS

Garbage Transfer and Disposal

SWANCC's Glenview Transfer Station is located at 1151 N. River Road on a 45-acre site near the Des Plaines River. It accepts residential, commercial, construction and landscape waste from member communities and private haulers. The majority of Glenview transfer station garbage volume is residential waste from SWANCC Member communities.

Chart 2
Total Waste Delivered



Transfer Station

The Glenview Transfer Station is a dump and scoop operation. Trucks arrive, are weighed on a scale, dump refuse onto the transfer station floor, and then are weighed again empty as they leave. No waste processing is done at the transfer station. Once the trash is dumped on the enclosure floor, it is scooped up by a bulldozer and dumped overhead into a transport truck that is about 2.5 times larger than a municipal garbage truck (see details and photographs in the Garbage chapter, Part 1 of this study). When the transport truck (semi trailer) is full, it is driven 90 miles to the Winnebago Landfill near Rockford. The GTS is discreetly located, well maintained and has no surrounding litter or odors.

Transfer Station Operator

Groot Industries, a privately owned waste company, contracts to operate the SWANCC transfer station. Groot also runs the trucks that transport the waste to the landfill and negotiates and selects (with SWANCC approval) our landfill. Separate from SWANCC, it also has waste and recycling contract with some SWANCC communities. Groot has operated the Glenview Transfer Station since it opened in 1994. The Groot operating agreement was extended in May 2008 and will expire in April 2015. Garbage received at the transfer station is

not sorted for marketable or recyclable materials. SWANCC does not own the Rockford landfill where our trash is dumped, but pays a negotiated tipping fee

In January 2008, the Glenview Transfer Station underwent a \$1.47 million renovation to convert from a baling operation to a loose waste operation. The transfer station has a rated capacity of 4,800 tons in a 24-hour period. It currently operates at about 40% of capacity. Landscape waste delivered to the Glenview Transfer Station is transported to certified area compost facilities.

It should be noted that the Agency has agreed that solid waste separated into resident recycling containers is not “garbage” and becomes classified as “recyclable materials”. Recyclable materials do not come under the preview of the SWANCC member agreements and can be contracted separately by each community.

As the host community for the transfer station, Glenview receives host fees based on 40 cents per ton of waste delivered. In FY2011, Glenview received \$94,640 in Agency fees. SWANCC documents (2003 Long-Range Plan) estimate that Glenview would receive annual real estate taxes of \$200,000 if the transfer station were privately owned.

The Ups and Downs of Waste

Member deliveries to the Glenview Transfer Station declined about 2% to 235,715 tons in FY2011, while recycling volumes from SWANCC member communities rose 2.7%. SWANCC’s FY2011 Annual Report states, “The Agency believes that the current economic conditions and the increase in consumer awareness for recycling have assisted in reducing overall waste deliveries by Members.” In FY2010 agency staff attributed the declining waste volumes to the depressed economy, which lowered per capita waste generation, and also resulted in an increased number of empty homes due to bank foreclosure. Delivered trash volumes recovered slightly in FY2012, to 241,565 tons. In general, trash and recycling volumes have lagged allocations in the first half of FY2013. (source: telephone conversation with SWANCC Assistant Executive Director Steve Shilling on December 10, 2012)

SWANCC member communities are allocated annual waste tonnages on a three-year rolling average of actual deliveries. The SWANCC budget is predicated on allocated tonnages, and members receive refunds (true ups) if they under-deliver garbage or must make additional payments if they deliver more than their allocation in a particular year. Since garbage deliveries to the transfer station have declined over the past three fiscal years, SWANCC’s municipal garbage allocations in the FY2013 SWANCC budget were initially expected to be lower than actual deliveries; in fact first-half FY2013 deliveries are behind these projections.

Advice, Consulting and Negotiating Assistance

SWANCC staff provides data and consulting services to member communities when they are re-negotiating their local waste and recycling hauling contracts. While each community differs in terms of its residential, commercial, and special event waste removal requirements, SWANCC can aid members by providing details of the terms of recently negotiated contracts in other communities. SWANCC staff is also available to member community corporate bodies to explain the joint Groot/SWANCC recycling partnership and aid in recycling planning. In some cases, SWANCC serves as a mediator between the private hauling contractor and a member municipality to resolve disputes when they touch on the municipality’s Project Use Agreement. Skokie

employed these mediation services in 2011 when it was negotiating with its local recycling materials hauler (Groot).

Legislative Relations

SWANCC contracts with legislative consulting firms to monitor proposed State legislation that has a potential impact on the solid waste industry, and for lobbying services. Legislative consulting expenses in FY 2012 were \$28,000. The contract is with Anderson Consulting. Most recently the Agency has joined organizations like the Product Stewardship Institute, which promotes waste reduction by advocating for manufacturer responsibility programs.

How SWALCO Forms Its Legislative Policies and Utilizes Citizen Committees

The Solid Waste Agency of Lake County (SWALCO), comprised of 41 member communities including Lake County and the Great Lakes NTC, also contracts with legislative consultants. In addition, the Agency formed a Legislative Committee to formulate legislative policy and to react quickly to proposed state and federal legislation. The committee has five members elected by the Board. The Agency Chairperson serves as an ex. officio member of the Committee. Legislative policy recommendations are developed annually and submitted to the Board of Directors for approval. The Legislative Committee implements the approved policy.

In 2010, SWALCO and Lake County formed a 60% Recycling Task Force, as recommended in their 2009 Solid Waste Management Plan for Lake County. The task force consisted of sixteen Citizen's Advisory Committee members and eleven additional members; a mix of citizens, local organizations, local government and waste industry stake holders selected an approved by both SWALCO and Lake County. The 2011 Task Force report and recommendations are available at:

http://www.swalco.org/Recycling/Documents/60_TaskForceReport_Final_Dec15_2011.pdf

In 2009 SWALCO also formed a Citizens Advisory Committee, formally appointed by the SWALCO Board of Directors, to help update Lake County's 2004 Solid Waste Plan. The Committee was comprised of six private citizens, local organizations, local government, and waste industry stakeholders.

<http://www.swalco.org/Publications/Documents/Lake%20County%202009%20Plan%20Update.pdf>

Marketing, Public Relations and Sustainability Initiatives

SWANCC spends about 58 cents per household per year, or about 1 percent of its budget, on marketing, public outreach and sustainability initiatives. Public outreach (grants to public and private schools, promotional items, early childhood education, etc) comprises about 18 cents of that total. Not every community or school in the 23-town consortium avails itself of these programs.

The Agency spends about \$100,000 per year on document and electronic waste collections (sustainability initiatives). It runs these collections in member communities, and has recently established three permanent electronic waste collection sites in local municipalities. (see Part 1 of this League Study, Electronics chapter). Now that manufacturers are legally bound to finance electronics collections in Illinois, SWANCC has reduced its budget for these collections in FY2013. It is growing its programs to collect prescription medications and medical sharps (needles) and also is adding dollars to its budget for collection of mercury thermometers and CFL light bulbs.

Glencoe does not use SWANCC prescription drug collections (see Part 1 of this League Study, Pharmaceuticals chapter), and instead uses the non-profit Save-A-Star Foundation.

SWANCC has not collected hazardous waste, or supported any municipal collections since 2005, citing the high costs associated with such collections (see Part 1 of this study, Household Hazardous Wastes) and lack of IEPA funding.

SWANCC also maintains a web site, which was updated and revised in FY2012. The website is primarily aimed at consumers interested in recycling education and other aspects of sustainability. In addition, the vast majority of SWANCC's administrative documents, including Board of Directors and Executive Committee meeting minutes are available on the site. (www.swancc.org)

Member Costs for SWANCC Services

SWANCC establishes two tipping fees each fiscal year, one for operation and maintenance costs and another for fixed costs (debt service). Each municipality's allocation is based on the committed tonnage multiplied by the two tipping fees. Member communities in FY2011 were budgeted to pay \$13,447,928.42 in Operation and Maintenance (O & M) cost and \$1,146,500.00 in Administrative and Debt Service (fixed) cost. Glencoe's portion (1.27%) for 2012 is budgeted to be \$170,650.00 in O & M Costs and \$16,492.56 in Fixed Costs for a total cost of \$187,142.88. Our actual costs will vary because of the true-up process. The FY2012 tipping fees have been subsidized by a \$175,000 payment from unpledged reserves to the operation budget, so the numbers below underestimate the real cost to communities for SWANCC disposal. In FY2013 this operating subsidy from reserves is \$500,000 and serves to keep member tipping fees steady as Agency operating and debt costs rise.

SWANCC Versus the Private Waste Disposal Market

Because of the size of its waste stream our consortium has an outsized market impact. Private sector transfer station and landfill operators in the region in many cases cannot charge more than SWANCC rates. There is little doubt that the size of the SWANCC waste stream brings down landfill fees for members.

Declining waste deliveries, SWANCC transfer station costs, administrative expenses (over \$1.3 million annually for rented offices and five staff members), debt service (\$1,356,000 in FY2012), and the losses due to the alleged theft, can in some cases make the Agency's overall tipping rates more expensive than its private sector competitors.

SWANCC Staff

Former Naperville Director of Public Works David Van Vooren was named Executive Director of SWANCC in September 2011. The Executive Director runs the agency on a day-to-day basis, supervises a staff of 4, and is generally responsible for putting together the budget and steering the direction of the Agency with the approval and guidance of the Executive Committee. The full Agency staff consists of the Executive Director, an Assistant Executive Director who is a Professional Engineer, an Education and Programming Director; an Administrative Manager, and a part-time graphic designer and marketing coordinator. The Agency staff

FY2012 Allocation of O&M and Fixed Costs

O&M Tipping Fee	\$	52.46	per Ton
Fixed Cost Tipping Fee	\$	5.07	per Ton

Member	FY2012 Committed Annual Tonnage	FY2012 Committed Monthly Tonnage	Allocation Percentage	Monthly O&M Cost	Monthly Fixed Costs	Monthly Total Invoice	Annual Total Invoice
Arlington Hts.	25,783	2,148.58	10.09%	\$ 112,714.51	\$ 10,893.30	\$ 123,607.81	\$ 1,483,293.72
Barrington	3,610	300.83	1.41%	15,781.54	1,525.21	17,306.75	207,681.00
Buffalo Grove	16,849	1,404.08	6.59%	73,658.04	7,118.69	80,776.73	969,320.76
Elk Grove Village	12,542	1,045.17	4.91%	54,829.62	5,299.01	60,128.64	721,543.68
Evanston	17,238	1,436.50	6.74%	75,358.79	7,283.06	82,641.85	991,702.20
Glencoe	3,253	271.08	1.27%	14,220.86	1,374.38	15,595.24	187,142.88
Glenview	11,923	993.58	4.66%	52,123.21	5,037.45	57,160.66	685,927.92
Hoffman Estates	14,415	1,201.25	5.64%	63,017.58	6,090.34	69,107.92	829,295.04
Inverness	2,743	228.58	1.07%	11,991.31	1,158.90	13,150.21	157,802.52
Kenilworth	2,066	172.17	0.81%	9,032.04	872.90	9,904.95	118,859.40
Lincolnwood	4,972	414.33	1.94%	21,735.75	2,100.65	23,836.41	286,036.92
Morton Grove	8,015	667.92	3.14%	35,039.08	3,386.35	38,425.44	461,105.28
Mount Prospect	20,362	1,696.83	7.97%	89,015.70	8,602.93	97,618.63	1,171,423.56
Niles	8,443	703.58	3.30%	36,909.81	3,567.15	40,476.96	485,723.52
Palatine	25,855	2,154.58	10.11%	113,029.27	10,923.72	123,952.99	1,487,435.88
Park Ridge	13,783	1,148.58	5.39%	60,254.51	5,823.30	66,077.81	792,933.72
Prospect Hts.	7,594	632.83	2.97%	33,198.26	3,208.45	36,406.71	436,880.52
Rolling Meadows	9,128	760.67	3.57%	39,904.75	3,856.60	43,761.35	525,136.20
Skokie	18,443	1,536.92	7.21%	80,626.82	7,792.18	88,419.01	1,061,028.12
South Barrington	1,880	156.67	0.74%	8,218.91	794.32	9,013.23	108,158.76
Wheeling	9,981	831.75	3.90%	43,633.61	4,216.97	47,850.58	574,206.96
Wilmette	9,637	803.08	3.77%	42,129.58	4,071.62	46,201.20	554,414.40
Winnetka	7,120	593.33	2.79%	31,126.09	3,008.18	34,134.28	409,611.36
Total	255,635	21,302.89	100.00%	\$ 1,117,549.61	\$ 108,005.65	\$ 1,225,555.36	\$ 14,706,664.32

Annual Total Invoice may not match other budget tables due to rounding of Tipping Fees and Annual Committed Tonnage.

occupies 4,000 square feet of leased office space at 2700 Patriot Blvd in Glenview. Details of the lease appear in the financial section.

Recycling Incentive Program

In 2009, SWANCC directors negotiated a revenue sharing program for recycling with Groot Industries, as part of the Transfer Station contract renewal. This Recycling Incentive Program (RIP) provides payments for members' recyclables based on the high point published per ton rate for No. 8 newsprint (minus \$71.90 to Groot for processing and marketing costs) for all Agency members' recyclable materials that are either collected by Groot Industries or delivered to Groot facilities by another waste hauler. There is a guaranteed minimum payment of \$5 per ton to member communities regardless of the price of No. 8 newspaper but there is a minimum tonnage (65,000) required for higher rebates to kick in. That 65,000-ton goal has never been met. Not all 23 SWANCC communities participate in the RIP program, but they may have similar arrangements with companies other than Groot. (Elk Grove Village, for example).

Private recycling firms, including Groot and Veolia, have been sweetening individual contract rebates to some towns, prompting them to pull out of SWANCC's RIP arrangement (for example, Rolling Meadows). This is another element that keeps SWANCC communities from fully realizing maximum recycling rebates.

The Ups and Downs of Recyclable Commodities Pricing

In FY2012, the Agency members delivered 58,374.22 tons of recyclables and received income of \$1,190,673.64 from the sale of the materials (RIP payments). Of that total, SWANCC administration retained \$100,000 as agreed by the Board.

Rising commodity values boosted rebates in the second half of FY2011 and first half of FY2012.

Prices for No. 8 newspaper hit a high of \$145.00 per ton in February 2011. By November 2011, the price declined to \$85-\$95 per ton, significantly reducing the second half of 2012 RIP rebates. In the second half of FY2012, participating member communities delivered 27,716.97 tons of recyclables. This is a decrease of 82.41 tons (0.3%) over the amount delivered in the second half of FY2011.

FY2012 SWANCC Recycling Incentive Program

	Total for Year	First Half		Second Half		
	Tons	Tons	Rebate	Tons	Rebate	Total
17 Participating Municipalities						
Arlington Heights	8,105.67	4,143.55	\$111,663.97	3,962.12	\$37,809.44	\$149,473.41
Barrington	1,647.90	841.26	22,671.00	806.64	7,697.55	30,368.55
Evanston	7,019.36	3,647.27	98,289.78	3,372.09	32,178.95	130,468.73
Glencoe	1,788.67	937.65	25,268.60	851.02	8,121.05	33,389.66
Glenview	5,354.18	2,789.75	75,180.59	2,564.43	24,471.66	99,652.26
Hoffman Estates	5,634.10	2,932.22	79,020.00	2,701.88	25,783.31	104,803.31
Inverness	1,359.90	704.67	18,990.06	655.23	6,252.68	25,242.74
Kenilworth	160.89	79.57	2,144.32	81.32	776.01	2,920.34
Lincolnwood	1,378.84	746.51	20,117.60	632.33	6,034.15	26,151.75
Morton Grove	2,849.38	1,512.55	40,761.50	1,336.83	12,757.01	53,518.51
Niles	2,307.48	1,198.38	32,294.98	1,109.10	10,583.84	42,878.82
Palatine	7,395.32	3,800.21	102,411.34	3,595.11	34,307.17	136,718.51
Rolling Meadows	1,784.96	1,304.00	35,141.32	480.96	4,589.67	39,730.99
Skokie	5,585.56	2,945.50	79,377.88	2,640.06	25,193.38	104,571.26
South Barrington	616.89	329.46	8,878.57	287.43	2,742.87	11,621.44
Wheeling*	2,299.75	1,177.74	31,738.76	1,122.01	10,707.04	42,445.79
Winnetka	2,831.35	1,445.54	38,955.66	1,385.81	13,224.41	52,180.07
Winnetka (Commercial)	254.02	121.42	3,272.13	132.60	1,265.37	4,537.50
Total Tons	58,374.22	30,657.25	\$826,178.06	27,716.97	\$264,495.58	\$1,090,673.64
SWANCC @ 20% (100,000 cap)			\$100,000.00		\$ _	\$100,000.00
No. 8 Newsprint High Side Value		\$132.30 Average		\$90.83 Average		

Wheeling's hauler, Waste Management, delivers recyclables to the Glenview Transfer Station where Groot loads the recyclables into trailers for transport to their recycling facility. This transfer operation costs the Agency \$10.65 per ton. Waste Management reimburses this fee so long as the High Side No. 8 Newspaper price does not exceed \$85. When the commodity price exceeds \$85, the \$10.65 per ton charge (totaling \$5,981.15) becomes Wheeling's responsibility and will be deducted from their RIP payment. The City of Evanston also delivers recyclables to the Agency and incurs the \$10.65 per ton charge. They have elected to pay this amount directly to SWANCC on a monthly basis.

*Document info from May 9, 2012 SWANCC Board of Directors Meeting

SWANCC Financial Snapshots

Transfer Station Operating Profits

While there are other regional solid waste agencies in Illinois, SWANCC is the most stable, because it controls its members' waste stream and has guaranteed income from receiving and disposing of member waste through its own transfer facility.

SWANCC has income from other sources – the transfer station handles small amounts of commercial waste, for example, and SWANCC administration keeps a portion of member communities' recycling rebates, but it is member waste and transfer station operating profits that keep the Agency running.

In most years, transfer station operations produce enough income to pay administrative and other non-operating costs. Since operating costs are based on tonnage, in the years below, operating expenses declined with delivered garbage tonnage even as annual escalation clauses in the operating contract took effect:

	FY2009	FY2010	FY2011	FY 2012
Member waste delivered (tons)	257,854	242,207	235,715	241,565
GTS Operating income (from members)	\$15,696,310*	\$14,064,096	\$13,496,113	\$14,705,560
Operating Expenses (Groot)	\$12,797,909	\$11,215,308	\$11,125,068	\$12,008,034
GTS Operating profit (Residential Waste only)	\$2,898,401	\$2,848,788	\$ 2,371,045	\$2,697,526

*This number was revised to \$14,816,120 in the FY2010 audit. The restatement was explained in the Auditors Notes 2. On p. 14 of the FY2010 audit. If the auditor's revision is correct, the FY2009 GTS operating profits would correctly be \$2,018,211.

For a full discussion of FY2011 true-ups and the \$1 million additional expense to the Agency posed by the FY2011 member under delivery of waste, see SWANCC's December 8, 2011 true-up memo.

Agency Debt

SWANCC's borrowings may have peaked in 1996, at \$66 million, when the Project was stalled by the balefill dispute. SWANCC's remaining debt balance is detailed below. SWANCC's credit rating improved to A+ from A in 2008 when the agency went to fixed from variable rate borrowing.

Annual Debt Service and Principal Payment

Fiscal year	Principal	Interest	Total
2010	\$1,125,000	\$348,250	\$1,473,250
2011	1,120,000	292,000	1,412,000
2012	1,120,000	236,000	1,356,000
2013	1,200,000	189,000	1,380,000
2014	1,200,000	120,000	1,320,000
2015	1,200,000	60,000	1,260,000

Agency Budget and Member Tipping Fees

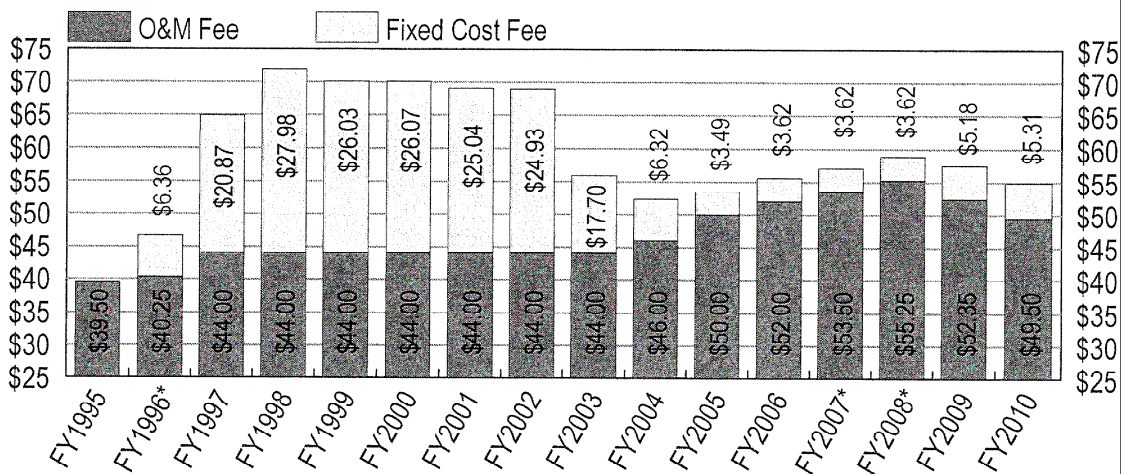
In FY2013, SWANCC will have an overall budget of \$14 million. SWANCC administrative costs (personnel, office expenses, and professional services) are projected to be \$1,039,216. An additional \$137,500 will be spent on outreach, public relations and sustainability initiatives. That, combined with \$1,380,000 in debt payments, brings debt and administrative costs of the agency to \$2,556,716 for FY2013. Based on committed tonnage of 245,259 tons, or about \$10.42 cents per ton in non-transfer station operating expenses.

The SWANCC Board approved a \$550,000 subsidy from reserves to counter these fixed operating costs (\$2.25 per ton) in FY2013. The board has used reserves to subsidize costs in FY's 1996, 2007, 2008, 2011, 2012, and 2013.

In FY2013 SWANCC is proposing a member charge of \$57.53 cents per ton, the same as FY2012. Without the subsidy from reserves the tipping fee would have been nearly \$60 per ton.

Historical tipping fees demonstrating fixed and operating costs can be seen in the table below. Note the fixed costs have been subsidized in the years mentioned.

Chart 1 – Historical Tipping Fees



* Fixed Cost subsidized by SWANCC

Agency Reserves

SWANCC has two reserve funds. At the end of April, 2011 the Agency had \$2,371,951 in restricted operating reserves and a similar amount in uncommitted reserves, which are available for any purpose approved by the Executive Committee.

The Agency's Office Lease Obligation

The Agency is responsible for base rent, real estate taxes and its portion of operating charges on the Patriot Blvd office space. According to SWANCC's annual report for the fiscal year ending April 30, 2011, the Agency's cost for the office space for the fiscal years 2010 and 2011 totaled **\$108,197** and **\$128,611**.

Going forward the base rent for the office lease is:

2012	\$70,219
2013	\$69,031
2014	\$66,385
2015	\$16,596 (partial year)

With additional charges, the agency will pay about \$150,000 for its offices each year.

2013 LEASE UPDATE: At the March 2013, executive committee meeting, Agency Executive Director Dave VanVooren asked the directors to renew the current lease for the current space beyond 2015. Even if rent concessions could be obtained, the lease extension of the full 5,000 square feet would still cost the agency more than \$100,000 per year.

Strategic Planning

As outlined in our Introduction, SWANCC is in the preliminary stages of long range strategic planning. The Agency examined its operations and service to members in 1991 as the Project Use Agreements were being contemplated, in 2002-2003 following the resolution of the balefill dispute, and now, as the Agency approaches debt and contract expirations.

In 2003, the strategic planning process determined SWANCC's service area was nearly built out, and that further growth of its waste stream from residential development would slow. Private sector garbage concerns were consolidating and becoming vertically integrated. The agency's non-member customers were smaller businesses, rather than medium-sized haulers that used to employ the Glenview Transfer Station. Of the six medium-sized haulers in the area in 1998, none exist as independent companies today. Rather, Waste Management, Veolia, Groot Industries and a few others dominate the private sector, and manage costs by owning trucks, transfer stations, landscape waste facilities, and in most cases their own landfills.

The September 2003 report concluded that the transfer station should be valued with a guaranteed waste stream—that the facility without the waste did not have as much value. In 2003 SWANCC and Groot Industries, the transfer station operator, discussed a possible Groot purchase of the transfer station. Details are in the 2003 long range planning report. Groot offered \$15 million if the deal included all agency member garbage to 2019. SWANCC chose not to sell the transfer station. Re-evaluation of the transfer station will be part of the 2012 planning discussion.

A SWANCC 2003 poll found members felt the Agency's most important programs were educational outreach and member contract support, and that public relations to residents needed improvement. The most requested program expansion was household hazardous waste collection. All were activities not offered by private sector solid waste companies.

At the end of the 2003 planning process the Agency determined to emphasize cost control measures: In the following decade it removed the baling apparatus, sold some of the land at the Glenview site, went to contract electricity purchase and restructured debt. The renegotiation of the Groot contract in 2007 also produced savings for members.

Current Planning Process

In March, 2013, the SWANCC Executive Committee approved a \$55,181 contract to engage Shaw Engineering to lead a strategic planning process that includes a report on trends in the solid waste industry, analysis of historic residential waste volumes recorded by SWANCC and commercial waste data that is proprietary to Shaw. It also includes several meetings for SWANCC directors, visits to public works staff of some SWANCC member communities, a potential workshop for citizens, and the direction of a public comment period on the final long-term plan. The deadline for all deliverables and the completed report is January, 2014.

The process will be similar to planning done in 2003. The goal of the planning process is to “determine the means and methods to deliver efficient and cost-effective solid waste services to SWANCC members from 2015 and beyond.” (Dave Van Vooren, SWANCC Executive Director).

Timeline of Strategic Planning Process leading up to consultant’s contract:

February 2012 Executive Committee meeting - Reviewed History of SWANCC presentation

February - Executive Committee meeting – distribute Request for Qualifications (RFQ) to assist with the development of a strategic business plan.

March 2012 – Receive comments from the Executive Committee on RFQ and release revised RFQ to interested vendors

May 2012 **Strategic Planning Presentation: History of SWANCC**
Summary of Legal Powers and Constraints, and Issues to Consider, presented by Julian D’Esposito, SWANCC Agency Counsel, Mayer Brown
Presentation available to view at www.swancc.org

June 2012 Draft Member Resource Management Survey presented to Executive Committee.
Survey to provide data on environmental programs currently being implemented or being considered in the future by member municipalities.

August 2012 Executive Committee Meeting

Sept. 2012 **Strategic Planning Presentation: Operational History of SWANCC**
Glenview Transfer Station and Groot Operating Contract, presented by Steve Schilling, SWANCC Assistant Executive Director
Strategic Planning Presentation: Solid Waste Generation and Composition from 2009 Illinois Recycling Association Study and prepared by CDM Smith.
Presented by Chris Martell, CDM Smith
Presentations available to view at www.swancc.org

October 2012 Executive Committee Meeting – Revised draft of Sustainability Survey reviewed. Survey to be sent to SWANCC members pending SWANCC board approval.

Nov. 2012 **Strategic Presentation: Resource Recovery Technologies**
presented by Devin Moose, Shaw Environmental Inc.
Strategic Planning Presentation : Overview of Planning Process
Presented by Walter Willis, Executive Director of the Solid Waste Agency of Lake County (SWALCO) on their process in updating SWALCO's Solid Waste Management Plan

SWANCC Serves Over 800,000 Residents



The Solid Waste Agency of Northern Cook County (SWANCC) offers member residents a variety of waste reduction and recycling services that are included in their municipalities' solid waste disposal fees. These are value added services that are unmatched by the private sector solid waste disposal firms.

SWANCC provides special recycling collection programs for materials that are not collected in the members' curbside recycling programs. SWANCC also offers a wide range of educational programs offered to area schools. These programs teach our children the value of the environment, recycling and sustainable living.

Agency Staff conducts workshops and presentations for member communities. Audiences range from preschool children to adults. Topics cover solid waste technologies, waste reduction practices, vermicomposting techniques, recycling, recycled-content products and sustainability.

In addition, SWANCC provides information to area residents on living a green lifestyle by providing resources such as the Eco-Cleaning Guide, Eco-Friendly Marketplace and Green Pages, a guide for recycling almost any item.

Through the Recycling Etc. newsletter, website, mobile website and eList, residents are well-informed of programs and events in the SWANCC region. SWANCC also provides email and phone support for residents who need recycling and waste information.

In addition to residential programs, SWANCC provides support to member municipalities for solid waste contracting assistance, program development, resident education and assistance with other environmental issues that may arise.

These services, combined with SWANCC's leading role in researching new solid waste collection and recycling programs, provide SWANCC members with the SWANCC ADVANTAGE.

Visit swancc.org for additional information and resources.

VALUE ADDED SERVICES INCLUDED IN DISPOSAL COSTS

SWANCC vs. Private Sector	
Solid Waste Disposal	✓ ✓
Athletic Shoe Recycling Program	✓
Compact Fluorescent Light Bulb Program	✓
Computer Recycling Program	✓
Document Destruction Events	✓
Mercury Thermometer Program	✓
Other Special Recycling Collections/Events	✓
Pharmaceuticals/Sharps Disposal Program	✓
Educational Programs	✓
Taking Care of Our Earth (Pre-K)	✓
Teaching Tool	✓
Presentations/Workshops	✓
SWANCC Resource Materials	✓
Recycling Etc. Community Newsletter	✓
Residential Helpline	✓
SWANCC EList	✓
Collection Contract Analysis and Support	✓
Recycling Incentive Program	✓

Existing League Positions on Waste, Natural Resources, and Public Participation

Summary of League of Women Voters of the United States Position

NATURAL RESOURCES

“Promote an environment beneficial to life through the protection and wise management of natural resources in the public interest by recognizing the interrelationships of air quality, energy, land use, waste management and water resources.”

Environmental Protection and Pollution Control: Preserve the physical, chemical and biological integrity of the ecosystem, with the maximum protection of public health and the environment.

Public Participation: While fighting for a broad range of environmental legislation, the League has stressed citizen participation as a necessary component of decision making at all levels of government. The League’s position includes: “The public has a right to participate in decision-making at each phase of the process and at each level of government involvement. Officials should make a special effort to develop readily understandable procedures for public involvement and to ensure that the public has adequate information to participate effectively.”

LWVIL Action

Major Action by Illinois Leagues under the LWVUS Positions (2009-2011 Where We Stand)

Waste Management

Source reduction, waste reduction and recycling measures have been a high priority. LWVIL has supported restrictions on packaging, recycling initiatives, planning mandates, the local review process for siting of landfills or incinerators, stronger state regulation of hazardous waste and low-level radioactive waste, pollution prevention initiatives and funding for cleanup of hazardous waste sites.

A League member served on the state Task Force for the Development of Recycled Markets. Many local Leagues have been active in expanding recycling mandates and organizing waste reduction and recycling projects in their communities. Several local Leagues have co-sponsored IEPA household hazardous waste pick-up days.

The LWVIL Solid Waste Legislation Committee researched and wrote two bills on household hazardous waste (HHW) which were introduced into the Illinois General Assembly in April 1991. One bill required counties to plan a separate collection of HHW and the other banned HHW from landfills after 1996. Recognizing that an increasing deficit in state revenues would thwart passage of either bill, the committee worked to amend a bill which required the IEPA to plan to collect HHW from households and to distribute public information on HHW. The bill was signed into law in September of 1992.

In 1995, LWVIL co-sponsored with the IEPA six community outreach workshops throughout the state designed

to inform plant managers, environmental managers and public relations managers on ways to conduct meaningful and effective community outreach programs. Members from six local Leagues participated in each of the meetings.

In support of the “reduce, reuse, recycle” components of the waste management hierarchy, as well as maximum protection of public health and the environment, the League lobbied successfully during the 1995-96 legislative session for the repeal of the Retail Rate Law of 1987 which subsidized incinerators.

The League was part of a statewide outreach panel organized in 1995 by the Chemical Industry Council of Illinois (CICI) to address environmental, health and safety issues related to chemical manufacturing in Illinois and to help shape a dialogue between the industry and the public. The panel is part of the Responsible Care Initiative launched in 1988 by the Chemical Manufacturers Association (CMA).

2009-11 Where We Stand - 4 -The LWVIL welcomed the creation of a new House Committee – the Environmental Health Committee – during the 2005 legislative session. The League worked successfully with other groups to pass legislation considered by this committee that would ban a class of toxic chemicals commonly used as flame retardants in consumer products in favor of safer alternatives. These chemicals, commonly known as PBDEs (polybrominated diphenyl ethers), are rapidly accumulating in our bodies, homes, and in the fish and sediment of Lake Michigan.

The League also supported legislation strengthening Illinois EPA’s enforcement authority when dealing with hazardous releases into the soil and groundwater. Protection of public health and the environment as well as promotion of public participation was increased with the successful passage of this legislation.

With increasing evidence of the health effects resulting from the exposure to toxic chemicals in our environment and consumer products, LWVIL monitored legislation eliminating some of the most dangerous chemicals found in certain consumer products. Since children are the most vulnerable to these chemicals, Child-Safe Chemical Acts were introduced during the 2008 and 2009 legislation sessions. Although this legislation failed to receive support, the Chicago City Council voted to ban the use of one of these toxic chemicals, bisphenol A (BPA), in baby bottles and sippy cups effective January 31, 2010. A TFA was issued supporting the phasing out of the toxic flame retardant decaBDE. Legislation phasing out the use of this toxic chemical commonly found in TV's, mattresses, and other consumer products also failed to receive support.

Waste Management

The League supports:

- policies to reduce the generation and promote the reuse and recycling of solid and hazardous wastes;
- policies to ensure safe treatment, transportation, storage and disposal of solid and hazardous wastes in order to
- protect public health and air, water and land resources;
- planning and decision making processes that recognize suitable solid and hazardous wastes as potential resources;
- policies for the management of civilian and military high- and low-level radioactive wastes to protect public health, and air, water and land resources;
- the establishment of processes for effective involvement of state and local governments and citizens in siting proposals for treatment, storage, disposal and transportation of radioactive wastes;
- full environmental review of treatment, storage and disposal facilities for radioactive wastes;
- safe transport, storage and disposal of radioactive wastes.

Solid Waste and Recycling Legislation in Illinois

Illinois Environmental Protection Act 1970: The Illinois General Assembly became the first state legislature in the nation to adopt a comprehensive Environmental Protection Act. It was signed into law by Governor Richard Ogilvie and became effective July 1, 1970. Establishes requirements for permits for landfills and transfer stations, establishes fees that support the DCEO's and IEPA's solid waste management programs, and prohibits a variety of items from being disposed of in landfills, including

- Landscape Waste (P.A. 85-1430 effective 7/1/1990)

- Lead-acid batteries

- Whole waste tires

- "White goods" (appliances)

- Used Motor Oil

- Electronics (P.A. 95-059 effective 1/1/2012)

Illinois Solid Waste Management Act 1986: The Solid Waste Management Act passed in 1986 was designed to reduce reliance on land disposal of garbage and promote development of alternative technologies. The act included a number of other important features, including authorization for the IEPA to issue administrative citations to operators of non-hazardous waste sanitary landfills without having to resort to the more cumbersome enforcement processes previously required. The act authorized seizure of mobile equipment used for illegal disposal of industrial wastes into sewers, thereby creating a significant deterrent to "midnight dumping" by illegal haulers. The growing problem of land and groundwater contamination resulting from leaking petroleum products or hazardous substances from underground storage tanks was also addressed in this legislation. <http://www.epa.state.il.us/about/history.html>

The Act stipulates following waste management priorities in order of preference:

1. Reduction of volume at the source
2. Recycling and reuse
3. Combustion for energy recovery
4. Combustion for volume reduction
5. Disposal in landfill facilities

The Illinois Solid Waste Planning and Recycling Act 1988: Requires all counties in Illinois and the City of Chicago to develop and implement comprehensive solid waste management plans that emphasize recycling and other landfill alternatives, encourage recycling and source reduction and promote composting. Each plan has to include provisions for the implementation of a recycling program designed to recycle by the end of the third and fifth years of the programs, respectively, 15 percent and 25 percent of the municipal waste generated in their jurisdiction. Plans must be updated every five years and submitted to the IEPA. This law has been amended to encourage counties to undertake solid waste management planning on a multi-county, regional basis through intergovernmental cooperation agreements. The original Cook County Solid Waste Management Plan was prepared in 1991/92, adopted by the Cook County Board in 1996 and subsequently approved by the IEPA. The first five-year update was submitted to the IEPA in 2000. The Cook County Department of Environmental Control has a draft 2011 Solid Waste Management Plan before the Cook County Board and will be taking public comments until Feb. 28, 2012

<http://blog.cookcountygov.com/2012/01/09/2011-cook-county-solid-waste-management-plan-update/>

Illinois encourages, but does not mandate recycling.

Illinois Composting Bill 2009 SB99 : Amends the Environmental Protection Act of 1970. SB99 was passed in 2009 and exempts facilities that accept food waste for composting from rigorous pollution control facility requirements, regulating these facilities more like landscape waste composting facilities. Excludes food scrap from the definition of the term "garbage".

Sec. 3.197 "Food scrap" means garbage that is capable of being decomposed into compost by composting and managed separately from other waste, including, but not limited to, garbage that is not capable of being decomposed into compost by composting. "Food scrap" includes, but is not limited to, packaging, utensils, and food containers composed of readily biodegradable material.

<http://www.epa.state.il.us/biennial-report/2009-2010-report.pdf>

The Electronics Products and Reuse Act of 2008 (E-Waste Act) SB2313

Updated in 2011 SB2106: This Act bans Electronics from landfills and requires manufacturers to pay costs of diversion.

The Act prevents hazardous materials commonly found in electronic devices, such as lead, mercury, and cadmium from contaminating the environment. It also makes companies responsible for the recycling of their products after use. Under this law, manufacturers must accept their used electronics equipment back directly, or contract with a recycling company to accept their used product. Retailers are required to provide information about the recycling locations to consumers upon sale of the product. Because the manufacturers must ultimately pay for the disposal or recycling of their goods, companies may find it more cost effective to use easy-to-recycle material or a less bulky design in the manufacturing process.

The Act requires manufacturers to set up and pay for the collection, transport and recycling of the products which they sell in the state. It also sets up a recycling benchmark system whereby manufacturers are required to recycle 60% of a goal that will be set up by the state. Manufacturers must meet a minimum of 60% of this goal within three years, with the minimum percentage rising to 75% by the fourth year or be subject to penalties. The 2011 legislative update expands the number of covered electronic products in Illinois from four to seventeen.

<http://www.epa.state.il.us/land/electronic-waste-recycling/index.html>

Safe Pharmaceutical Disposal Act P.A. 96221: Effective 1/1/2010, Prohibits health care institutions from disposal of unused medication in solid form into any wastewater collection system regulated by the Illinois Environmental Protection Agency. Public Act 96-0121 Effective 8/10/2009, amends the Illinois Environmental Protection Act and requires the Illinois Environmental Protection Agency to establish a program through which people can drop off unused pharmaceuticals. Also provides that prescription pharmaceutical product drop-offs must be located at a site or facility where prescription pharmaceutical products are sold, distributed or generated.

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3121&ChapAct=210%26nbsp%3BILCS%26nbsp%3B150%2F&ChapterID=21&ChapterName=HEALTH+FACILITIES&ActName=Safe+Pharmaceutical+Disposal+Act%2E>

Household Hazardous Waste PA-96-0044: July 1999. Funding for household hazardous waste collections were generated by statewide fees on landfilled nonhazardous solid wastes. Illinois Public Act 96-0044 swept the Illinois Solid Waste Management Fund, effectively removing all funding for IEPA sponsored Household Hazardous Waste Collection events.

Construction and Demolition Debris Legislation. PA 96-1416: July 2010. Amends the IEPA regarding the management of Clean Construction and Demolition Debris. Creates a state tipping fee for CCDD disposal and provides additional standards for materials being accepted at CCDD facilities and soil-only fill sites.

HB 1326: August, 11, 2011 Legislation allowing the Illinois Department of Transportation (IDOT) to start using asphalt made from recycled roofing shingles. It also allows businesses to increase the amount of shingles used in asphalt production and requires IDOT to maximize the use of recycled materials in construction projects.

Proposed Legislation

Cook County Demolition Debris Recycling Ordinance Pending before the Environmental Control Committee (Substitute Item #296492), the ordinance establishes a new requirement requiring all non-exempt demolition projects to divert 60% or more of the demolition debris generated by a project, requiring a recycling permit prior to demolition of buildings and post demolition report, and establishing a permit fee designated for deposit in the Cook County Environmental Management Fund to support recycling and reuse programs. This ordinance is modeled after a similar ordinance adopted by the City of Chicago in 2005 (Chicago Municipal Code Sec. 11-1905). Based on the Cook County Deconstruction Strategy Report, this ordinance may be revised to include deconstruction requirements.

* Cook County Solid Waste Management Plan 2011 Update

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