



Lexington-Fayette Urban County Government

DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

David Holmes
Commissioner

EXHIBIT A

To: Affiliates Bringing Material to the LFUCG Recycling Center

From: Tracey Thurman, Director, LFUCG Division of Waste Management

RE: Policy for handling non compliant material

The LFUCG Recycling Center (LRC) processes over 33,000 tons in 2012 (CY), and 9.1% of that material is considered trash (landfill bound waste), resulting in a landfill disposal cost of over \$62,000. That contamination also has resulted in an increase in operational cost of \$237,600.

The LRC is putting steps in place to reach the goal of reducing that contamination level of 9.1% to a level closer to the national average of less than 5% residual trash during the fiscal year 2014. One of the main steps involves implementing a non-compliant material policy. This policy has been in place since the LFUCG Recycling Center affiliates meeting, on March 13, 2013.

The policy will be:

LRC operates a single stream recovery system, and accepts comingled recyclable material, that consists of only accepted materials (see provided list). Each load of comingled material that arrives to the Center will be subject to inspection by LRC staff, for quality and amount of contamination (non-compliant, not accepted materials). If the load is deemed to consist of 95% of approved material, with 5% or less contamination, it will be considered a compliant load and processed.

If the load is found to have more than 5% contamination, have certain items that could cause LRC staff injury or machinery break downs (such as hangers, ropes, or electric cords), and/or have instances of materials that can contaminate the whole load or cause harm to our staff (such as paint, or hazardous waste), the load will be subject to penalties or rejection.

The best way to decrease contamination is to educate staff and residents. LFUCG Waste Management requires that you submit copies of literature, media, website and any other educational materials to be reviewed for accuracy, on the content concerning material that will be delivered to the Recycling Center. We need all educational material about recycling to be consistent with our list of acceptable recyclable items. LFUCG Waste Management also has electronic copies of our educational fliers, without our logos, available for your use, if interested.

Attached you will find more details on this policy, and a list of accepted materials. Please read these carefully. If you have any questions or concerns, please feel free to contact Barry Prater, LFUCG Waste Management's Commodity Marketing Manager, at 859-425-2297 (bprater@lexingtonky.gov).

APPROVED MATERIALS

Lexington Recycling Center **only** accepts the materials listed below. **Only** these items should be placed into recycling container. ANY item or material other than what is listed below is considered contamination.

- **NEWSPAPER** - includes phonebooks and magazines
- **OFFICE PAPER** - includes white and colored paper, junk mail, envelope with windows, school paper, calendars, shredded paper, cardstock, etc. (We don't accept paper with plastic coating or lamination, plastic covers, or plastic wrappers.)
- **CARDBOARD** - includes brown corrugated containers/boxes and brown craft paper. Boxes must be empty and flattened, with no plastic packing or Styrofoam
- **FIBERBOARD** - includes cereal, cracker boxes and other dry food boxes. (We don't accept frozen food boxes and beverage cartons.)
- **PLASTIC BOTTLES AND JUGS** - clear or white milk jugs, laundry detergent, soft drink, water, juice and beverage bottles, and jugs or containers with small necks. The containers must be empty. We don't accept plastic bags, plastic tubs, lids and clam shells, bottles or jugs that have contained chemical, fuels or oils.
- **STEEL/TIN CANS** - includes food cans and empty spray cans. Absolutely no paint cans or cans having held chemicals.
- **ALUMINUM CANS** - Cans only. We don't accept pie or cooking pans, foil wrapping or containers.
- **GLASS BOTTLES AND JARS** - of any color. We don't accept ceramics, dishes, mirrors, light bulbs or windows.

If a material is not listed above as APPROVED, it should NOT be placed into any recycling container or placed on any truck that will come to the Lexington Recycling Facility.

SPOT COMPLIANCE AUDIT

All recovered materials entering LFUCG property are consigned to LFUCG and subject to inspection, downgrading, and/or rejection.

Process: When a spot audit is performed, the driver may be asked to isolate the dump. This is for safety purposes and to allow other trucks to proceed without delay while the inspection is being performed.

At the time non-compliance is suspected, a member of LRC management will be requested to inspect the load. Photos will be taken to document the problems.

When feasible, the load will be segregated into a bulk pile.

Images, weight ticket and Non Compliance Notice will be forwarded to Affiliate Member on record, hauler (where applicable) and accounting department for processing.

Please note: There are 3 levels of non compliance.

25% Contamination

50% Contamination

100% Total Rejection

Note: These levels are not based on weight or volume, but rather on a visual determination of non compliant materials and potential for production disruption as described below.

COMPLIANT /ACCEPTABLE LOAD

A **compliant** load will consist of 95% of APPROVED materials with less than visual 5% contamination. Several items that cannot be accepted by LEX-MRF and will be rejected, may be recycled by other facilities, including yogurt cups, plastic drink containers, aseptic containers, rigid plastics, and clear bags.

LRC strongly discourages the use of any “film” bag for collection of recyclables. When bags are used, the bag must be transparent/clear to allow contents to be visible. A load with a large quantity of non transparent/clear bags runs the risk of being rejected.

25% NON-COMPLIANCE PENALTY

BLACK BAGS are NOT ACCEPTABLE at LRC. A 25% First Time Non-Compliance Penalty will be assessed when a load has multiple black bags, or, if any plastic bags contain trash or any other non-conforming material. Any load of contaminated material dropped at the MRF that is determined to have been sent intentionally or maliciously, so as to hide or conceal contaminants, is unacceptable. The 25% First time-non-compliance penalty will be assessed.

Other non-compliant materials may include: Excessive Moisture, artificial decorations, toys, vinyl siding or other construction debris, clothing, and bedding or small furniture items, wood waste (pallets, furniture), shade/blinds, abundance of plastic film bags, abundance of food waste, abundance or abnormal amount of Styrofoam packaging, 1 or more item which normally would not fit in a 95 gallon recycling cart “Rosie” (i.e. Tonka truck or chain saw) or similar items or a combination of any of the above occurrences.

PENALTY PROCEDURE - All three penalties listed below will be assessed:

The full processing fee will be charged on the full adjusted weight as recorded on the weight ticket before the non compliance penalty is assessed.

A 25% non compliance penalty will be deducted from the recorded adjusted weight ticket resulting in 25% of the load’s value being forfeited.

25% of the full adjusted weight will be charged a current disposal fee of \$25.00 per ton, subject to change at LRC’s discretion.

50% NON COMPLIANCE

In combination with the above violations, a 50% Non Compliance Penalty will be assessed upon the discovery of items that are long, flexible or linear that could wrap around or entangle machinery or personnel, such as electric cord, holiday lights, rope, twine, ribbon, shipping banding, yard waste, small machinery parts or tools, computer and electronics, brake drum, rotor or other automotive type parts, kitchen appliance, vacuum cleaner, agriculture film in strips, or chains.

PENALTY PROCEDURE - All three penalties listed below will be assessed:

The full processing fee will be charged on the full adjusted weight as recorded on the weight ticket before the non compliance penalty is assessed.

A 50% non compliance penalty will be deducted from the recorded adjusted weight ticket resulting in 50% of the load’s value being forfeited.

50% of the full adjusted weight will be charged a current disposal fee of \$25.00 per ton, subject to change at LRC’s discretion.

FULL REJECTION DUE TO NON COMPLIANCE

Any instance of the following items will result in an immediate rejection of the entire load: paint, hazardous chemical, liquid perceived as hazardous waste, carbon black, soap or emulsifying agent, animal or human waste, medical waste, explosive device, dead animal or other similar type of material including but not limited to any items that are not post-consumer packaging or larger item (larger than a basketball).

PENALTY PROCEDURE - All three penalties listed below will be assessed:

The full processing fee will be charged on the full adjusted weight as recorded on the Weight ticket before the non compliance penalty is assessed.

100% non compliance penalties will be deducted from the recorded adjusted weight ticket resulting in 100% of the load's value being forfeited.

100% of the full adjusted weight will be charged a current disposal fee of \$25.00 per ton, subject to change at LFUCG Recycling Center discretion.

Please Note:

The limit of non-compliance penalties is 7 violations in any 30-day period. Four 25% deduction or two 50% deductions, or any combination equaling 100 will result as one full load rejection.

At the discretion of LRC management, an occurrence of 2 rejections in a 30-day time period will lead to a suspension of service for truck and route for 1 week to allow for proper corrections to occur. Also, an occurrence of 2 suspensions within 60 days, truck and route will be barred from LRC until further notice.

LFUCG reserves the right to update this policy as market conditions change.