

T-4
SWANA TECHNICAL POLICY

**FUNDING, MANAGING AND OPERATING
SOLID WASTE MANAGEMENT SYSTEMS**

I. Policy

Funding, managing and operating solid waste management systems are interdependent. SWANA supports adequate funding and full cost accounting for solid waste management systems, and the funding of such systems through service and/or user fees, on an enterprise fund basis. Local governments and other responsible political subdivisions, consistent with the powers and limitations prescribed by state or provincial law, are responsible for planning and managing waste in a manner that protects public health, welfare and the environment. To accomplish this fundamental policy, local government/political subdivisions are responsible for the following:

- Planning and managing all solid waste generated within the jurisdiction of a local government, including oversight and regulation of private sector service providers;
- Utilizing private sector service providers when local government/political subdivisions determine that to do so is in the best interest of the public, institutions, industry and businesses; and,
- Developing adequate funding to accomplish the foregoing.

II. Introduction

The funding, managing and operating of solid waste management systems are important to their proper establishment and functioning. Solid waste management systems often require significant initial capital investment and dedicated funding for operations and maintenance, including the care of disposal facilities after closure. Local government has historically been the best entity to plan and manage solid waste management systems within their jurisdictions given the policy, economic and political importance. Indeed, the U.S. Supreme Court noted that '[d]isposing of trash has been a traditional government activity.' *United Haulers Ass'n v. Oneida-Herkimer Solid Waste Management Authority*, 550 U.S. 330, 334 (2007)

III. Discussion

Funding

Local governments/political subdivisions shall assure adequate funding of solid waste management systems through the following measures:

- the full cost of providing all services in an enterprise funded system should be paid for by the users of the system;
- full cost accounting of solid waste management systems, whether services are provided by public or private entities, should clearly identify each cost and revenue center to fully document the cost and revenue for each activity, service and management method;
- full cost accounting must include internal funding liabilities, such as insurance, vehicle maintenance, and all costs are incurred by other agencies not explicitly responsible for solid waste management; and,
- service fees should reflect the scope of services offered which may be related to the quantity and type of the solid wastes generated.

Managing

To carry out their traditional and legally delegated responsibilities, local governments/political subdivisions must:

- plan for environmentally and economically sound solid waste management within their jurisdictions;
- establish and implement public policies for solid waste management;
- assure that systems, facilities and services meet federal, state/provincial standards which protect human health and the environment;
- exercise control and make the decisions relative to how solid waste is managed within their jurisdictions;
- assure that provincial/state governments empower local governments to assure environmentally and economically sound solid waste management within their jurisdictions;
- assure the establishment of safe, reliable, efficient and reasonably priced systems;
- establish plans, ordinances, guidelines, standards and licenses for the delivery of services;
- determine the allocation of ownership and operations of services, systems, and facilities based on a competitive process;
- provide private sector service providers the opportunity to participate in the planning for solid waste management systems where appropriate;
- ensure that a competitive process is in place to make decisions on the delivery of services; and,
- ensure that services are established by a fair, equitable and competitive process where private sector waste service providers are utilized for services, systems or facilities.

Operating

The solid waste management system shall be operated under the direction and supervision of local government or other appropriate public agency or political subdivision, which shall determine, among other things, the extent to which service shall be provided by public employees, private sector service providers, or a combination thereof. The system shall be environmentally responsible, economically sound, and compliant with state and provincial laws and regulations. If and when private sector operators are engaged, their services shall be procured through a fair, open and competitive process.

Approved by the International Board on November 18, 2011.

A handwritten signature in black ink, reading "Brian Tippet". The signature is written in a cursive, flowing style.

International Secretary
November 30, 2011

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