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**Towns of Cushing, Friendship, and Waldoboro**

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True copy adopted  
Special Town Meeting  
March 27, 2018

*Eileen F. Dondley, Town Clerk*

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Shared Solid Waste Disposal  
And  
Required Recycling Ordinance  
Towns of Cushing, Friendship, and Waldoboro

ARTICLE I. Title, Purpose, & Definitions

1.1. Title: This Ordinance shall be known, and cited as, "Cushing, Friendship, Waldoboro Solid Waste Disposal and Required Recycling Ordinance" (the "Ordinance"). This Ordinance replaces and supersedes Waldoboro Solid Waste and Required Recycling Ordinance dated August, 2012.

1.2. Purposes: This Ordinance:

1.2.1. protects the health, safety and general well-being of the citizens of Cushing, Friendship, and Waldoboro;

1.2.2. provides for the orderly and cost-effective disposal of solid waste;

1.2.3. enhances and maintains the quality of the environment and conserves natural resources;

1.2.4. prohibits littering and water and air pollution;

1.2.5. provides for an adequate disposal facility and its maintenance;

1.2.6. expressly limits use of the CFW Transfer Station to Residents and Permitted Users;

1.2.7. protects all Permitted Users and Residents from the misuse of taxes and fees they pay for the operation of the CFW Transfer Station;

1.2.8. requires the lawful disposal of Solid Waste to extend the useful life of the Landfill; and

1.2.9 requires and describes recycling to achieve its purposes.

1.3. Definitions

Acceptable Waste means all ordinary household, municipal, institutional, commercial and industrial waste, refuse, garbage, and trash and discarded

materials that the CFW Transfer Station ships to PERC or Fiberight. Only Acceptable Waste can be thrown into the CFW Transfer Station Compactor. Acceptable Waste does not include Bulky Waste, Compostable Waste, CDD, Recyclables, and Universal Waste. Acceptable Waste specifically excludes Unacceptable Waste but it does not exclude *de minimis* amounts of such waste typically found in household waste and in quantities below thresholds for regulatory requirements for separate management.

Bulky Waste includes but is not limited to furniture, drapes and other furnishings, mattresses, box springs, ropes, fencing, appliances, carpets and carpet padding and certain miscellaneous items, which are more fully described in Attachment A.

CFW Transfer Station means the Cushing, Friendship, Waldoboro Transfer Station, including land, buildings, and other facilities the Partners set aside for the disposal of Solid Waste.

Compostable Waste includes some food waste, leaves, grass clippings, prunings, and other similar wastes resulting from preparing meals, lawn care and gardening. Compostable Waste is more fully described in Section 2.7

CDD means Construction and Demolition Debris and refers to mineral refuse and debris resulting from construction, remodeling, repair, or demolition of structures. CDD is more fully described in Attachment A.

Disposal Methods refers to the methods Permitted Users and Residents use or may use to dispose of Solid Waste. Disposal methods may include Pay-Per-Bag or Single Stream or other generic methods of disposing of Solid Waste. For purposes of this Ordinance, the current Disposal Method of the Partners is Separation at the Source.

Facility refers to the waste disposal facility in Hampden, Maine, which Fiberight has developed, is constructing, and will maintain and operate, and to which the Partners will ship their Acceptable Waste commencing on April 1, 2018.

Fiberight refers to Fiberight LLC and its successors or assignees. Fiberight has developed a technology for processing Acceptable Waste into various marketable products. The CFW Transfer Station will deliver Acceptable Waste to the Facility and pay tipping fees on behalf of the Partners to Fiberight in accordance with the terms of the Shared Services Agreement.

Finance Department means the Finance Department of Waldoboro and those Waldoboro employees who do the work of the Finance Department.

Landfill means the area or areas the Mgmt Board designates from time-to-time for the disposal of categories of CDD and the collection of Bulky Waste, and other items, which are not Acceptable Waste.

Mgmt Board means the CFW Transfer Station Management Board, which the Shared Services Agreement creates to supervise and administer the CFW Transfer Station.

MRC means Municipal Review Committee. MRC administers individual waste contracts on behalf of its members in order to provide an efficient and effective means of maintaining parity and fair treatment among and for its members. Each of the Partners is a charter member of MRC. MRC manages each of the Partner's waste contracts with PERC (until March 31, 2018) and will manage the Joinder Agreements each Partner has with MRC subsequent to March 31, 2018.

Partner means each of the towns of Cushing, Friendship and Waldoboro and any town or municipality, which has joined or will join Cushing's, Friendship's, and Waldoboro's efforts to collect, dispose of and recycle Solid Waste at the CFW Transfer Station and the Landfill in accordance with the terms of this Ordinance and the Shared Services Agreement.

PERC means Penobscot Energy Recovery Corporation.

Permitted User means any Resident, Resident Business, qualified part-time resident, Waste Hauler holding a properly placed CFW Transfer Station decal or permit and any municipality or legally constituted State of Maine or local entity with which the Mgmt Board contracts to accept Solid Waste for a fee.

Recyclables means items that can be reused or reclaimed to produce a new product. Recyclables include the items listed and described in Attachment A.

Resident means any legal person who maintains his or her legal residence in one or more of the Partners and in any other town, which is or becomes a Partner. Resident also means summer residents or others who reside seasonally in one of the Partners and who may qualify to obtain a CFW Transfer Station decal or permit.

Resident Business means any legally established commercial, professional, retail, wholesale or other business or legal entity conducting its operations within the boundaries of one or more of the Partners.

Scale means the duly certified and annually tested instrument, which conforms to Maine and National Measurement Standards and which the CFW Transfer Station

uses to determine the weight of Solid Waste transported to or from the CFW Transfer Station.

Shared Services Agreement means the agreement among the Partners pursuant to which they share the costs of operating the CFW Transfer Station and the responsibility for implementing and enforcing this Ordinance.

Solid Waste means Bulky Waste, Compostable Waste, CDD, Acceptable Waste, Recyclables, and Universal Waste. Solid Waste does NOT include Unacceptable Waste.

Swap Shop means that area of the CFW Transfer Station where Permitted Users may place discarded items that are still useable. The rules for establishing and operating the Swap Shop may be set forth as an additional attachment to this Ordinance.

TSM means the CFW Transfer Station Manager, the employee, whom the Waldoboro Town Manager appoints to operate and manage the CFW Transfer Station. The TSM reports to the Waldoboro Town Manager, assists the Mgmt Board and attends all Mgmt Board meetings. The TSM may be the Waldoboro Director of Public Works if the Waldoboro Town Manager so decides.

Unacceptable Waste includes, but is not limited to, hazardous wastes, biomedical wastes (except as noted in Attachment A), containers that previously contained pesticides, infectious waste, asbestos, and special nuclear or by-product materials within the meaning of the Atomic Energy Act of 1954, as amended. It also includes waste that is prohibited because it does not meet the requirements of Article II, Section 2.3.4 of this Ordinance. Unacceptable Waste is more fully described in Attachment A of this Ordinance and in Exhibit A to the Master Waste Supply Agreement between the MRC and Fiberight. In the event of a conflict between Attachment A of this Ordinance and Exhibit A to the Master Waste Supply Agreement, the latter shall apply.

Universal Waste is a category of Recyclables. It refers to electrical appliances, including but not limited to, televisions, radios and computers, which are collected at the CFW Transfer Station for a fee and transported to appropriate disposal areas. Universal Waste also includes compact fluorescent lamps (CFLs). Universal Waste is more fully described in Attachment A.

Waste Hauler means any person or company holding a valid State of Maine Waste Hauler license, if required, and a valid CFW Transfer Station Waste Hauler License and who charges a fee for hauling Solid Waste to the CFW Transfer Station.

## ARTICLE II. General Provisions

- 2.1. **Storage and Disposal Requirements:** Storage of Solid Waste prior to removal to the CFW Transfer Station shall be the responsibility of all dwellings and commercial and industrial facility owners or primary occupants, including Residents and Resident Businesses. All shall store their Solid Waste in closed containers or by using other similar methods to keep odors, rodents, insects, and other vermin from becoming a nuisance or health hazard.
- 2.2. **CFW Transfer Station Area and Landfill**
  - 2.2.1. CFW Transfer Station Area. The Mgmt Board, subject to a vote of the citizens of the Partners, shall establish, from time-to-time, an area or areas for the CFW Transfer Station and shall maintain a permanent posting of the CFW Transfer Station's location on the Waldoboro website.
  - 2.2.2. Landfill. The Mgmt Board, after holding a public hearing, may designate from time-to-time a Landfill or Landfills for the disposal of CDD and other Solid Waste the Maine Department of Environmental Protection permits in landfills.
- 2.3. **Use of the CFW Transfer Station and Landfill**
  - 2.3.1. Recycling Required. This Ordinance requires recycling. Recycling minimizes the costs of disposing of and transporting Solid Waste, offsets the cost of operating the CFW Transfer Station, and extends the life of the Landfill. All Permitted Users shall dispose of all Solid Waste and shall recycle in accordance with this Ordinance and the regulations of the State of Maine. Attachment A of this Ordinance contains recycling rules and guidelines. In the event of a conflict between this Ordinance and State of Maine regulations, the regulations of the State of Maine shall apply if they are more restrictive.
  - 2.3.2. Sole Use for Permitted Users. The CFW Transfer Station and Landfill are solely for the use of Permitted Users. All Permitted Users must hold a valid CFW Transfer Station decal or permit to use the CFW Transfer Station and/or Landfill. All others are strictly prohibited, unless specifically allowed by entering into a freely negotiated written agreement approved by a majority vote of the Mgmt Board.
  - 2.3.3. CFW Transfer Station Decals and Permits. Each vehicle entering the CFW Transfer Station or the Landfill must display either a decal or a permit valid for the then current calendar year or a defined period falling within the

then current calendar year. The decal or permit shall be affixed or displayed in accordance with its instructions. CFW Transfer Station employees shall turn away or may enlist the support of Waldoboro police to turn away, vehicles without valid decals or permits. Permitted Users shall obtain their decals or permits in the manner set forth in Attachment A.

2.3.4. Origin of Solid Waste. No person, firm, corporation or other legal entity residing or operating in one or more of the Partners shall deposit, or cause or permit to be deposited, Solid Waste or Unacceptable Waste in any structure or on, or under, any land within the Partners or areas owned or occupied by, or allocated to, a Permitted User or Partner, which originates or is collected from or is in any way gathered, generated, or collected from outside the borders of the Partners. Permitted Users shall not deposit Solid Waste at the CFW Transfer Station or Landfill that has been conveyed, or given to them by non-residents or individuals, entities, firms, or corporations which are not Permitted Users, provided however that the Mgmt Board by majority vote may enter into a written agreement permitting non-Partner entities and municipalities to deposit Solid Waste at the Transfer Station for a freely negotiated fee, which must, at a minimum, cover the disposal costs of such Solid Waste.

2.3.5. Disposal Methods, Dumping Fees, Unacceptable Waste and Littering. Solid Waste, including all Recyclables, generated from within the confines of the Partners shall be deposited at the CFW Transfer Station and/or the Landfill, except those items specifically exempted in Attachment A.

2.3.5.1 Disposal Methods. A majority of the aggregate of the duly registered voters of the Partners casting their ballots in a joint public meeting or during a separate Referendum Vote held by each Partner shall determine a change of Disposal Methods. Prior to such vote on Disposal Methods, the Mgmt Board shall conduct a joint public hearing or hearings, which shall be open to the registered voters of all of the Partners.

2.3.5.2. Dumping Fee: Permitted Users, who deposit Solid Waste, which is NOT accompanied by Recyclables of a weight or volume set forth in Attachment A, shall pay the Dumping Fee set forth in Attachment B. The Dumping Fee shall be due whether or not an exemption for such Solid Waste is set forth in Attachment A.

2.3.5.3. Unacceptable Waste Prohibited. Unacceptable Waste shall not be deposited at the CFW Transfer Station or the Landfill; it must be handled in the manner set forth in Attachment A.

2.3.5.4.Littering Prohibited. This Ordinance prohibits littering; dumping along roads, by-ways, streets and highways; unauthorized junkyards; and other activities, which result in the deposit of Solid Waste or Unacceptable Waste outside of the boundaries of the CFW Transfer Station or Landfill. Littering and unauthorized dumping are subject to the penalties and fines set forth in Attachment B of this Ordinance.

2.3.6. Waste Haulers and Waste Hauler Licenses.

2.3.6.1.Waste Hauler License Required. No person shall engage in the business or businesses of collection, transportation or disposal of Solid Waste within the borders of the Partners without a valid license. Waste Haulers expecting to use the CFW Transfer Station must apply for and obtain a license for use of the CFW Transfer Station from the Finance Department in accordance with Attachment A. Waste Hauler Licenses for use of the CFW Transfer Station shall be valid for a period of one year, unless sooner revoked for cause. The Mgmt Board may limit the number of Waste Hauler licenses the Finance Department may issue. The Mgmt Board shall from time-to-time establish the annual Waste Hauler license fees set forth in Attachment B. Waste Hauler licenses are not transferable and only the business and/or applicant identified on the application and the license itself may have access to the CFW Transfer Station.

2.3.6.2.Separation of Solid Waste. Waste Hauler vehicles shall adequately accommodate the separation of Recyclables from other Solid Waste. Except as noted in Appendix A, permitted Waste Haulers shall deposit at the CFW Transfer Station all of the Recyclables they collect from those of their customers who generate such Recyclables within the bounds of one of the Partners or pay the fines set forth in Attachment B.

2.3.6.3.Inspection Certificates. Waste Haulers shall transport their collected Solid Waste in vehicles with up-to-date inspection certificates. Waste Haulers shall not engage the services of drivers who do not carry valid drivers' licenses for the classes of vehicles the Waste Haulers operate.

2.3.6.4.Vehicles Covered. Waste Haulers shall cover their vehicles to keep their loads dry and to prevent the loss of any Solid Waste during collection, transport, and disposal operations. Waste Haulers cited

for littering shall incur the fines and penalties set forth in Attachment B.

2.3.6.5. Sanitize Vehicles. Waste Haulers shall clean and disinfect their vehicles to eliminate possible odors and prevent vermin. CFW Transfer Station employees may prevent unsanitary Waste Hauler vehicles from entering and using the CFW Transfer Station and the Landfill.

2.3.6.6. Scale Weights. CFW Transfer Station employees may require Waste Haulers to obtain full and empty weights at the Scale to determine dumping fees and penalties, if applicable.

2.3.6.7. Origins of Solid Waste. Except as expressly allowed pursuant to Section 2.3.4 of this Ordinance, Waste Haulers must not collect and deposit at the CFW Transfer Station Solid Waste or Universal Waste that businesses, individuals, not-for-profits or any other person or entity originate or generate outside the borders of the Partners.

2.3.6.8. Non-Compliance. A Waste Hauler's failure to comply with any provision of this Ordinance shall result in the payment of the fines and penalties set forth in Attachment B. Waste Hauler non-compliance with this Ordinance shall constitute a civil violation and shall be sufficient cause for the Mgmt Board immediately to revoke the offending Waste Hauler's license.

2.3.7. Scavenging and Salvaging. This Ordinance absolutely prohibits the scavenging and salvaging of materials from the Landfill because such activities can lead to injuries and other risks and hazards.

2.3.8. Unacceptable Waste.

2.3.8.1. Unacceptable Waste is more fully described in Attachment A. The CFW Transfer Station shall not accept Unacceptable Waste. No person shall dispose of Unacceptable Waste anywhere within the borders of the Partners unless the Mgmt Board has designated a site for Unacceptable Waste and one of the Partners has obtained the required state and federal approvals for an Unacceptable Waste disposal site.

2.3.8.2. Permitted Users who do not have licenses to dispose of Unacceptable Waste shall contract with companies the State of Maine has duly licensed to dispose of Unacceptable Waste.

2.3.8.3. Only duly licensed companies and/or individuals may dispose of Unacceptable Waste. Licenses for the disposal of Unacceptable Waste require final approvals from the municipal, state, and federal agencies concerned. Unacceptable Waste must be disposed of in accordance with all applicable state and federal regulations

2.3.9. Attachments. This Ordinance hereby incorporates Attachments A and B, which are by reference made a part of it. The Mgmt Board shall have the sole authority to amend and/or re-state or replace Attachments A and B, and to add attachments consistent with the terms of this Ordinance. Such amendments, restatements, replacements and additions shall occur only after the Mgmt Board has held televised public hearings with all of the Select Boards of the Partners present.

#### 2.4. Mgmt Board, Enforcement, Complaints, and Penalties

2.4.1 Mgmt Board. The Mgmt Board's structure, duties, and responsibilities are set forth in the Shared Services Agreement.

2.4.2 Enforcement of CFW Transfer Station and Landfill Rules.

2.4.2.1 Inspections. CFW Transfer Station employees shall have the authority to stop any vehicle and inquire of any person entering the CFW Transfer Station and/or Landfill. They have the absolute right to examine any material a person brings to the CFW Transfer Station and/or Landfill to determine compliance with this Ordinance. Non-compliance with the terms of this Ordinance may, in the discretion of the TSM, be subject to the fees set forth in Attachment B. CFW Transfer Station employees shall oppose the entry of any and all vehicles without valid decals or permits. Police enforcement may be called upon. Violators of this Ordinance shall be called to account and, if the Waldoboro Town Manager deems appropriate, prosecuted and/or barred from the use of the CFW Transfer Station and the Landfill. Violators and the TSM have the right to appeal the Waldoboro Town Manager's decision to the Mgmt Board. A violation of this ordinance shall be deemed a civil violation.

2.4.2.2 Inspection Refusals. Any CFW Transfer Station employee or the Director of Waldoboro's Department of Public Works may reasonably request the departure from the CFW Transfer Station and/or Landfill of any occupant of any vehicle, who refuses to allow CFW Transfer Station employees to inspect the Solid Waste contents of the vehicle or who refuses to answer questions about the nature of the contents of the vehicle or who behaves in an insulting or abusive manner. The refusal of

such request may constitute trespassing. The police may be called upon to enforce this Ordinance.

**2.4.2.3 Fines and Penalties.** The Waldoboro Town Manager, upon recommendation of the TSM, may assess penalties and/or fines against violators of any provision of this Ordinance, including the provision against littering, in accordance with the fines, penalties and sanctions set forth in Attachment B of this Ordinance. The Waldoboro Town Manager shall support the TSM's findings unless the facts of a case, as presented, require other actions. The violator and the TSM have the right to appeal the Waldoboro Town Manager's decision to the Mgmt Board.

## 2.5 Swap Shop

2.5.1 Purpose. The Swap Shop shall facilitate recycling of items left at the CFW Transfer Station.

2.5.2 Swap Shop Management. A committee the Mgmt Board appoints shall develop and recommend to the Mgmt Board the procedures and policies of the Swap Shop. If the Mgmt Board adopts procedures and policies for a Swap Shop, they shall be included in this Ordinance as an additional attachment.

## 2.6 Composting

2.6.1 Composting Encouraged. This Ordinance encourages Permitted Users to compost on their own property.

2.6.2 Compostable Waste. Compostable Waste shall consist only of biodegradable plant materials, vegetables, and cooked food. Compostable Waste does not include animal and human waste. Farmers and growers may use the manure of their farm animals for composting and fertilizing on their own property, and they may make manure available to third parties.

2.6.3 Composting Principles and Sites. Residents shall compost in accordance with reasonable composting techniques and principles, which prevent odors and do not attract vermin. Compost piles must not be a nuisance to neighbors and must be sited unobtrusively and away from the view of the public and neighbors. Composting shall not pollute the Medomak River, Georges River and Friendship River watersheds and their tributaries and their wetlands or compromise the use of the foregoing rivers for clamming, fishing, aquaculture, and any other permitted commercial and recreational

use. All composting shall be done in accordance with best management practices.

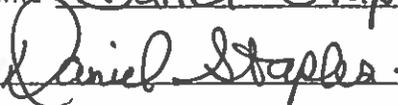
2.6.4 Composting at CFW Transfer Station. The Mgmt Board, upon recommendation of the TSM and the Waldoboro Director of Public Works or a special committee the Mgmt Board has appointed, may direct the establishment of composting areas at the CFW Transfer Station. The Maine Department of Environmental Protection must approve such areas, and the rules for composting, if any, shall be the subject of an additional attachment to this Ordinance. The Mgmt Board shall determine the uses and/or disposition of CFW Transfer Station compost.

2.7 Validity/Separability: If a court of law finds any part of this Ordinance to be unenforceable or contrary to existing laws, such finding shall not affect the legality or enforceability of any other part of this Ordinance.

2.8 Effective Date: This Ordinance shall take effect 30 days after all of the Partners have approved both it and the Shared Services Agreement in accordance with procedures established and implemented by all of the Partners Select Boards.

Cushing Select Board Signatures Dated March 12, 2018

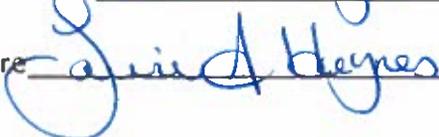
Printed Name ALTON GROVER Printed Name Daniel Staples

Signature  Signature 

Printed Name Corey Jones Printed Name Martha Mankot

Signature  Signature 

Printed Name Laurie Haynes

Signature 

Friendship Select Board Signatures Dated 3-24-18

Printed Name ~~ARTHUR Bubba Thompson~~ Printed Name Elizabeth Dinsmore

Signature ~~~~ Signature 

Printed Name David E. Benner

Signature 

Waldoboro Select Board Signatures Dated June 19, 2018

Printed Name Robert L. Butler

Printed Name Katherine Winchenbach

Signature Robert L. Butler

Signature Katherine Winchenbach

Printed Name Abby Simmons

Printed Name CLINTON COLLAUORIE

Signature [Signature]

Signature [Signature]

Printed Name Jeanne Diaz

Signature Jeanne Diaz

## ATTACHMENT A

### Decals and Rules Concerning, and Descriptions and Disposition of, Solid Waste

#### A1. Issuance of CFW Transfer Station Decals and Temporary Permits

- A1.1. Decals and Decal Location. Permitted Users who are permanent Residents of their respective towns must obtain their decals from the TSM at the CFW Transfer Station after showing the TSM their Maine driver's licenses and their automobile registrations, both of which MUST show an address in one of the Partners. All decals the TSM issues shall have written on them the license plate numbers of the vehicle to which they are affixed. Decals shall be affixed to the lower left corner of the vehicle's windshield. The decal shall permit the holder access to the CFW Transfer Station and to the Landfill during its term of validity.
- A1.2. Temporary Permit Applications and Placards for Part-time Residents and Others. People who are living part-time in one of the Partners or who are summer residents in one of the Partners or who are intending to become full-time residents of one of the Partners shall obtain temporary CFW Transfer Station Permit Placards from their respective Partner town office. The Temporary Permit Placard shall allow the holder access to the CFW Transfer Station and to the Landfill. The Mgmt Board may periodically determine the form of the Temporary Permit Placard. The Temporary Permit Placard shall be displayed on the dashboard of the driver's side of the vehicle. The Temporary Permit Application shall contain the following information:
- A1.2.1. Applicant's name;
  - A1.2.2. Applicant's local address and phone number and permanent address and phone number;
  - A1.2.3. Year, make and license plate number of the applicant's vehicle;
  - A1.2.4. Date of issuance and date of expiration of the Temporary Permit;
  - A1.2.5. Evidence of part-time residency in one of the Partners
  - A1.2.6. Identity of the town office, which issued the temporary permit.
- The Temporary Permit Placard shall state the owner's address, the license number of the vehicle, and the expiration date of the temporary permit.

A1.3. CDD Permit Applications and Placards. The Mgmt Board may periodically determine the form of the Construction and Demolition Debris (CDD) Permit Application and Placard. The TSM may issue blank CDD Permit Applications to Resident Businesses and to non-resident businesses performing services of a short-term duration for a Resident. Such businesses must have their Resident clients complete and sign the CDD Permit Application and provide a contact phone number so that the TSM may verify the accuracy of the information the CDD Permit Application contains. The TSM shall keep the completed and duly signed CDD Permit Application on file at the CFW Transfer Station. The CDD Permit Application shall contain the following information:

- A1.3.1. Applicant's name ("Applicant" refers to the entity performing the CDD removal service);
- A1.3.2. Applicant's local address and phone number and permanent address and phone number;
- A1.3.3. Year and make of the applicant's vehicle or vehicles;
- A1.3.4. Physical location and/or address of the Permitted User contracting the Applicant's services;
- A1.3.5. The nature and location of the work the applicant will perform for the Permitted User;
- A1.3.6. Date of issuance and date of expiration of the permit;
- A1.3.7. A statement that the permit allows for the disposal of no more than 30 cubic yards or an equivalent number of pounds of CDD per month; and
- A1.3.8. If applicable, the number of the vehicle operator's Maine State CDD Hauler's license, which is issued for vehicles with a Gross Vehicle Weight of more than 10,000 pounds.

Upon verification of the information contained in the CDD Permit Application, the TSM, or his duly appointed alternate, shall issue a CDD Permit Placard, which must be displayed on the driver's side dash board of the vehicle named on the CDD Permit Application. The CDD Permit Placard shall state the Name of the vehicle's owner, the make of the vehicle, the License Number of the Vehicle, the issuance and expiration dates of the CDD permit, and an area where the TSM can record the date and amount of each load of CDD deposited at the CFW Transfer Station during the term of the project.

A2. Issuance of CFW Waste Hauler Licenses and License Placards

- A2.1. Only the Finance Department is authorized, in consultation with the TSM, to issue each Waste Hauler license and to collect the appropriate fee.

A2.2. CFW Transfer Station Waste Hauler license applicants must submit their application with a valid Waste Hauler license from the State of Maine, Department of Environmental Protection, Bureau of Remediation & Waste Management if applicable to the Gross Vehicle Weight of the Waste Hauler's vehicle, and/or a certificate of liability insurance appropriate to the Gross Vehicle Weight of the vehicle. The certificate of insurance must name the Town of Waldoboro as an additional insured and contain a 30-day termination notification.

A2.3. Each Waste Hauler must have its own Waste Hauler license.

A2.4. Waste Haulers shall apply for CFW Transfer Station Waste Hauler licenses before June 1<sup>st</sup> of each year. If granted, Waldoboro Waste Hauler licenses shall be valid for one year commencing on July 1<sup>st</sup>.

A2.5. Each Waste Hauler License Application shall contain the following information:

A2.5.1. The name and address of the Waste Hauler

A2.5.2. The Vehicle Identification Number(s) of the Waste Hauler's vehicle(s) and the vehicles' color(s), make(s), model(s), and Gross Vehicle Weight (s);

A2.5.3. The Waste Hauler's address and phone number and the physical address of the vehicle parking location;

A2.5.4. The effective and expiration dates of the Waldoboro Waste Hauler's license;

A2.5.5. The name of the insurance company providing liability insurance for the vehicle(s), its owner, and its driver; and

A2.5.6. Evidence that the vehicle is carrying a current inspection sticker

A2.5.7 Evidence, satisfactory to the authorized Town of Waldoboro office employee(s) and the TSM Manager, that all of Waste Hauler's vehicles conform to the requirements of Section 2.3.6.2 of the Ordinance.

A2.6 The Waste Hauler License Placard shall be issued on the basis of information contained in the approved Waste Hauler License Application and must contain the license plate number of the vehicle and the expiration date of the Waste Hauler License.

A.2.7 Renewal Licenses shall not be issued to Waste Haulers who have any unpaid invoices for fees and/or penalties that have been assessed pursuant to this Ordinance.

### A3. Separation of Bulky Waste, CDD, Acceptable Waste, and Recyclables

Permitted Users shall convey their discarded Solid Waste and Universal Waste to the CFW Transfer Station. Subject to Section A4, Waste Haulers shall convey to the CFW Transfer Station all of the Solid Waste and Universal Waste with which

their Partner customers have entrusted them. Permitted Users, including Waste Haulers, shall separate or shall ensure the separation of, their Recyclables, Acceptable Waste, Bulky Waste, Compostable Waste, Universal Waste, Unacceptable Waste and Construction and Demolition Debris. The goal of this Ordinance is to achieve the highest possible level of recycling in order to reduce the amounts the Partners pay to have their Solid Waste transferred out of the CFW Transfer Station. The Mgmt Board has established a minimum goal of 30% Recyclables by volume and 18% by weight, which shall be calculated in accordance with Section B3 of this Ordinance. Only Acceptable Waste shall remain for deposit into the CFW Transfer Station compactor after sorting and separation. All Solid Waste conveyed to the CFW Transfer Station shall be deposited in accordance with the TSM's directives, which shall be consistent with the purposes of this Ordinance.

- A4. Exceptions and Refusals: The following Items are exceptions and refusals:
- A4.1. Solid Waste from which Recyclables have not been removed and which Waste Haulers have collected from public schools located in one of the Partners shall be deposited at the CFW Transfer Station and the Permitted User depositing such Solid Waste shall pay the applicable dumping fee set forth in Section B3.8.
  - A4.2 CDD which is intended for the Landfill and which is acceptable to legally sanctioned dumping areas outside of the boundaries of Partners need not be deposited. The intention of this exception is to extend the useful life of the Landfill.
  - A4.3 Solid Waste, excluding Recyclables, which Waste Haulers collect from Residents and/ or Resident Businesses and discard at legally sanctioned dumping areas located outside of the boundaries of the Partners need not be deposited, provided however that Recyclables not deposited at the CFW Transfer Station shall be reported in accordance with Section A4.4 below.
  - A4.4 Waste Haulers who collect Recyclables from within the boundaries of the Partners but deposit or sell them elsewhere shall submit a monthly report to the TSM documenting the categories and weights or volumes of such undeposited and/or sold Recyclables. The Partners require the information contained in the reports to fulfill Maine Department of Environmental Protection reporting requirements. Failure to submit the monthly reports shall constitute sufficient reason for the Mgmt Board to revoke the Waste Hauler's CFW Transfer Station Waste Hauler License. The submission of monthly reports does not exempt Waste Haulers from paying the dumping fee set forth in Attachment B.

- A4.5. Refusals. The TSM may refuse to allow the deposit of certain categories of Solid Waste in the event there is not sufficient space to accommodate them at the CFW Transfer Station or in the event such categories of Solid Waste have not been separated in accordance with Section A3. Examples include items intended for the metal or the woodpiles, which have reached maximum capacity or the failure to separate mixed paper from corrugated cardboard.
- A5. Recyclables. Permitted Users shall separate their Recyclables into the categories set forth in this Section. The TSM shall install legible signs at clearly designated disposal areas and on bins within the CFW Transfer Station, subject to plans and traffic patterns the Mgmt Board approves, to indicate acceptance of the following Recyclables:
- A5.1. Glass, colored and clear, thoroughly cleaned;
  - A5.2. Porcelain, ceramic sinks, toilets, and tubs, porcelain bathroom fixtures, and ceramic cookware. Remove all covers and lids;
  - A5.3. Cans and metal drums (tin, steel and aluminum) and foil pie plates, all with labels removed, all thoroughly cleaned and, if possible, crushed. The TSM may only accept metal drums and cans if he or she is convinced that the drums and/or cans did not previously contain Unacceptable Waste;
  - A5.4. Newspapers and magazines, including newspaper inserts, telephone books, catalogues, paperback or hardcover books, and brochures. All must be clean and dry;
  - A5.5. Mixed Paper including junk mail, clean cereal and food boxes, clean egg cartons, clean pizza boxes, computer paper, copier paper, paper bags, and colored paper. Mixed Paper DOES NOT include waxed paper or aseptic boxes, food, plastic, rubber bands, or used tissues and paper towels. Mixed Paper DOES include fluted (gable-end) juice, milk and similar food or drink cartons. To ensure personal privacy, this Ordinance recommends that Permitted Users shred junk and personal mail and other mixed paper, which could contain confidential information.;
  - A5.6. Corrugated cardboard, which must be cleaned of food waste and contain no solid Styrofoam or other packing materials. Waxed cardboard is unacceptable. (BAGGED Styrofoam and starch peanuts are put into the compactor);
  - A5.7. Plastic including containers Numbered 1 thru 7 (thoroughly rinsed with caps removed), plastic toys, and other plastic items. No. 2 plastics (HDPE) must be separated from other plastics, and No. 2 plastics must, themselves be separated into non-colored and colored; The CFW Transfer Station does not recycle PVC PIPES, HOSES OR OTHER PVC ITEMS, all of which must be thrown into the CFW Transfer Station Compactor or "hopper"; and
  - A5.8. Clean and empty plastic grocery store shopping bags and shrink-wrap.

- A6. Construction and Demolition Debris (CDD): CDD shall be separated and deposited on the day pads the TSM has designated for them.
- A6.1. CDD includes bricks, dirt, yard waste, asphalt shingles, broken wall board, sheetrock, blue board, pressure-treated wood, painted wood, untreated wood, wooden furniture, Structural Insulated Panels (SIPS), and insulation.
  - A6.2. Demolition lumber shall be cut into lengths of 8 feet or less and deposited onto the woodpile.
  - A6.3. All CDD shall be separated and deposited into the following separate areas, for each of which the TSM shall set out clearly marked signs:
    - A6.3.1. Pressure-treated wood
    - A6.3.2. Wood furniture, painted wood and untreated or plain lumber;
    - A6.3.3. Plywood and Oriented Strand Board (OSB);
    - A6.3.4. Brick and cement blocks;
    - A6.3.5. Asphalt shingles, tarpaper, and other roofing underlayment; and
    - A6.3.6. Sheetrock, blue board, wallboard, and other similar materials;
  - A6.4. Batt and other insulation must be deposited into the compactor or "hopper".
- A7. Bulky Waste. Bulky Waste includes upholstered furniture, mattresses, rugs, carpets, carpet padding, drapes, box springs, ropes, cable, fencing, and appliances and the miscellaneous items listed below. All Bulky Waste shall be deposited as the TSM directs. Fees, if applicable, are set forth in Attachment B. Bulky Waste includes:
- A7.1. Plastic Pallets;
  - A7.2. Wooden Pallets, which, in the sole discretion of the TSM, are suitable for recycling;
  - A7.3. Propane Tanks;
  - A7.4. Batteries. Any lead acid battery, including car, truck, motorcycle, and boat batteries, all of which the CFW Transfer Station ships to a lead recycling center, and conventional and re-chargeable batteries of all kinds and sizes. including battery packs;
  - A7.5. Metal, including sheet metal items, which shall be cut or folded and flattened so that no dimension exceeds four (4) feet; iron, steel, aluminum, copper, and brass, all separated by type of material; wire and cable; and metal furniture. The TSM may allow in his or her sole discretion empty fuel tanks of any kind (with mercury switches removed), catalytic converters, and small auto parts and tire rims;

- A7.6. Tires with rims removed. Residents may deposit their tires at the CFW Transfer Station. Commercial tire sellers and/or changers may not bring their tires to the CFW Transfer Station;
  - A7.7. Appliances. Refrigerators and freezers must have all doors removed before their arrival at the CFW Transfer Station. CFW Transfer Station personnel shall arrange to remove Freon gas, if any, from all appliances, including air conditioners. Washers, dryers, cookers, ranges, stoves, and water heaters, whether gas or electric, need not be disassembled prior to their being placed in the designated CFW Transfer Station area;
  - A7.8. Ashes from all stoves, whether hot or cold, shall be placed in drums or barrels located at the CFW Transfer Station;
  - A7.9. Waste Oil and Anti-Freeze. The CFW Transfer Station will charge a fee to accept waste engine oil and anti-freeze in containers not exceeding 5 gallons. One-gallon containers are preferred. No water, gasoline, or antifreeze may be in the oil and no oil, or gasoline may be in the anti-freeze. The disposal charge for waste oil may be avoided by taking the waste oil to someone who burns waste oil. The CFW Transfer Station has a list of people who burn waste oil and will accept it from Residents;
  - A7.10. Brush, including Christmas Trees. Tree limbs, and branches must be cut into lengths of not more than 8 feet for chipping;
  - A7.11. Vinyl siding, not more than 5 feet in length; and
  - A7.12. Animal feces from domestic pets, which should be bagged and put into the hopper. Litter derived from plant sources is preferred.
  - A7.13 Anything new that comes along to be recycled shall be recycling in accordance with TSM instructions.
- A8. Universal Waste shall be deposited in the areas the TSM designates. Universal Waste includes:
- A8.1. Portable Radios;
  - A8.2. Cell Phones and home phones;
  - A8.3. Laptop and desktop computers and servers
  - A8.4. Televisions;
  - A8.5. Speakers, amplifiers, tape decks, CD players, and video games;
  - A8.6. Compact fluorescent energy saver light bulbs (CFLs);
  - A8.7. Any and all other electronic equipment, of which the TSM approves;
  - A8.8. Mercury;
  - A8.9. Freon; and
  - A8.10. Freon Replacement.
  - A8.11. LED light bulbs
- A9. Acceptable Waste. Solid Waste that is Acceptable Waste (including properly bagged feces from household pets) must be in plastic bags or other suitable containment for disposal into the CFW Transfer Station compactor. Acceptable

Waste must not include Recyclables, Universal Waste, CDD, Unacceptable Waste, Bulky Waste or any other items, which cannot be considered Acceptable Waste.

- A10. Compostable Waste. The CFW Transfer Station accepts Compostable Waste under a pilot program with Lincoln County Recycling.
- A11. Prescription and Over-the-Counter Medicines. Prescription and over-the-counter medicines includes pills, capsules, salves, medicinal ointments, and other similar items. The ultimate destination for discarded medicines is the incinerator at the PERC, which incinerates them at extremely high temperatures. All such substances should NOT be flushed down a toilet, buried, or disposed of in ways that could expose them to others. The best disposal method is to remove the item from its container and to mix the discarded item with household pet feces, garbage, or other substances that make it clear it is not intended for human consumption. The mixed items should then be placed in a bag and disposed of as Acceptable Waste at the CFW Transfer Station. At such time as the Fiberright facility becomes operational prescription and over-the-counter medicines shall be discarded through the Waldoboro Police Department's drug disposal program.
- A12. Unacceptable Waste. The CFW Transfer Station shall not accept the following types of waste. All Permitted Users must consult with the TSM regarding the proper disposal of Unacceptable Waste.
- A12.1. Any Solid Waste or substance, whatever the amount, which the Federal Environmental Protection Agency classifies as "Hazardous" or "special";
  - A12.2. Dead animals or other pathological waste;
  - A12.3. Truckload lots of tires;
  - A12.4. Commercial Shellfish waste;
  - A12.5. Junk vehicles or parts, including electric car batteries, which are to be left with the car dealer.
  - A12.6. Septage, septage treatment waste, septic tank waste, farm animal feces (manure), and sludge from wastewater treatment plants;
  - A12.7. Asbestos shingles, asbestos siding and asbestos flooring;
  - A12.8 Bituminous Pavement (Asphalt Paving) and Concrete; or
  - A12.9. Waste which does not meet the requirements of Section 2.3 of the Ordinance.

## ATTACHMENT B

### Fee Schedule Fines, Penalties and Sanctions

#### B1. Annual Permit, License and Decal Fees

- B1.1. Annual Permitted User Decal Fee (Attachment A1): No Fee
- B1.2. Temporary Permit Fee for Part-time Residents and Others: No Fee (Attachment A1)
- B1.3. CDD Permit (Attachment A1): No Fee
- B1.4. Annual Waste Hauler License Fee: \$25 per license (Attachment A2)

#### B2. Fees for Bulky Waste and CDD:

- |       |   |                    |
|-------|---|--------------------|
| B2.1. | Antifreeze (per gallon)   | \$1.00             |
| B2.2. | Appliances/White Goods  |                    |
|       | Appliances not requiring Refrigerant for normal Operation   | \$3.00 per unit    |
|       | Appliances with Refrigerant Or which had Refrigerant  | \$10.00 per unit   |
|       | Hot Water Tanks   | \$5.00 per unit    |
|       | Pressure Tanks (only if <u>not</u> pressurized)   | No charge          |
| B2.3. | Batteries   |                    |
|       | Car and Marine Batteries  | \$2.00 per battery |
|       | AA, AAA and other Batteries   | No Charge          |
|       | Rechargeable batteries for tools and appliances, including lithium  |                    |
|       | Gel motorcycle batteries, inverters   | No Charge          |
| B2.4. | Electric car batteries are to be left with the car dealer. They are not accepted at the CFW Transfer Station.   |                    |
| B2.5. | Construction and Demolition Debris: Permitted Users, including Waste Haulers, must obtain a CDD Permit to dump CDD at the CFW Transfer Station. (Please see Section A1.3.) During a given month, the permit allows the dumping of no more than 30 cubic yards of CDD or the equivalent tonnages of CDD for the categories indicated below. For purposes of this Ordinance, The CFW Transfer Station considers one load from a pick-up with a 6-foot bed to be one (1) cubic yard. The fee for deposited CDD shall |                    |

be \$0.06 per pound unless the scale is not operating, in which case the follow fees by volume shall apply:

Less than 1 cubic yard	\$10.00
1 to 4 cubic yards	\$15.00 per cubic yard
4+ to 8 cubic yards	\$30.00 per cubic yard
8+ cubic yards	\$40.00 per cubic yard

Note: The CFW Transfer Station does not accept asphalt paving or concrete. See Section A12.8

B2.6. Fluorescent Light Ballasts/Transformers	\$1.25 each
B2.7. Mattress or box spring – single	\$5.00 each/\$10 set
Double, Queen or Larger	\$10.00 each/\$20 set
B2.8. Motor Oil	\$0.50 per gallon
B2.9. Paint and paint thinner/turpentine	\$0.50 per gallon
B2.9.1. There is no disposal fee for Latex paint, mixed with sawdust or cat litter. The mixture shall be dumped into the CFW Transfer Station compactor.	
B2.9.2. Oil-Based Paint, No more than 5 gallons at one time	\$8.00 per gallon
B2.10. Scrap Metal	\$5.00 per cubic yd or \$0.02 per lb

Per cubic yard rates in this section shall apply only during such times as the CFW Transfer Station scales are not operable.

B2.11. Universal Waste: Televisions/CRTs/Servers, Laptops and desktop Computers, CFL's Portable Electronic Equip.	No charge, subject to changes in State of Maine mandates
TV's and Computer Monitors	\$5.00 each
B2.12. Tires (Permitted Users are encouraged to leave used tires at the service garage or auto dealer)	
Auto, w/out rims	\$2.00 per tire
Auto, with rims	Not accepted
Truck Tires w/out rims 20" or smaller	\$ 5.00 per tire
Tires greater than 20" without rims must be cut into three pieces	\$9.00 per tire
Tires greater than 20" With rims	Not accepted
B2.13. Clean Wood and Brush	\$5.00 / cubic yd/\$0.03/lb
Shingles and Sheet Rock	\$15.00 / cubic yd/\$0.09/lb
Demolition Wood including Pressure Treated and Painted Wood, OSB, Plywood	

and Other Wood\*

\$10.00 / cubic yd/\$0.06/lb

Per cubic yard rates in this section shall apply only during such times as the CFW Transfer Station scales are not operable

\*("Other wood" includes stained wood, and particle board, all of which are to be put into the wood pile to be ground up and disposed of either into the Landfill or by other means)

B2.14 Payment of Bulky Waste and CDD Fees. Permitted Users shall pay the Bulky Waste and CDD fees charged pursuant to this section in accordance with the TSM's instructions. All Bulky Waste and CDD fees shall be deposited into the CFW Transfer Station Special Revenue Fund and used to offset CFW Transfer Station expenditures.

### B3. Dumping Fees and Payment

B3.1 Discretionary Authority. This Ordinance requires Permitted Users to deposit all of their discarded and appropriately separated Recyclables at the CFW Transfer Station. This requirement extends to Waste Haulers, who must deposit all of their collected and appropriately separated Recyclables at the CFW Transfer Station or report their weights or volumes to the TSM in accordance with Section A4.4. At such times as the scales are not operable, employees shall have discretionary authority to determine by volume whether the Recyclables that Permitted Users deposit at the CFW Transfer Station are meeting recycling goals and to assess fees where applicable. CFW Transfer Station employees must exercise their discretionary authority fairly with respect to all Permitted Users when measuring by volume or by weight.

B3.2 Determining Acceptable Waste (G) and Recyclables (R) by Volume when the scale is not operable:

B3.2.1 Remove all Bulky Waste, CDD, Universal Waste and other Solid Waste that is not Recyclables and/or Acceptable Waste and assess the appropriate fee against the Solid Waste that is not Recyclables and/or Acceptable Waste.

B3.2.2 Measure to estimate the aggregate volume of the remaining Acceptable Waste and Recyclables

B3.2.3 Remove the Recyclables (R)

B3.2.4 Measure to estimate the volume of the Acceptable Waste that remains (G)

B3.2.5 Calculate R as:  $(R+G) - G$  (Recyclables equal Recyclables plus Acceptable Waste minus Acceptable Waste).

B3.3.6 Mixture of Compacted and Uncompacted Acceptable Waste. The CFW Transfer Station employees shall be the sole determiners of whether materials

deposited into the CFW Transfer Station Compactor are compacted or uncompacted or are a pro-ratable mixture of the two. CFW Transfer Station employees shall assess dumping fees at such times as the scales are not operable, in accordance with Section B3.4.1.

**B3.3 Determining Acceptable Waste (G) and Recyclables (R) by weight:**

**B3.4.1** Remove all Bulky Waste, CDD, Universal Waste and other Solid Waste that is not Recyclables and Acceptable Waste and assess the appropriate fee against the Solid Waste that is not Recyclables and/or Acceptable Waste.

**B3.4.2** Weigh the remaining Acceptable Waste and Recyclables

**B3.4.3** Remove the Recyclables (R)

**B3.4.4** Weigh the Acceptable Waste that remains (G)

**B3.4.5** Calculate R as:  $(R+G) - G$  (Recyclables equal Recyclables plus Acceptable Waste minus Acceptable Waste).

**B3.4 Calculation of Recyclables Percentage (%R) by Volume, by Weight, and by the bag.**

**B3.4.1 Percentage of Recyclables (R) for Truckloads of deposited Solid Waste by Volume:** The Recyclables Percentage of each truckload of Solid Waste delivered to the CFW Transfer Station shall be calculated as follows:

$\%R = R/(G+R)$  (Percentage of Recyclables equals Recyclables divided by the sum of Acceptable Waste and Recyclables)

Example:  $G + R = 150$  cubic Yards

$R = 50$  Cubic Yards

$G = 100$  Cubic Yards

$\%R = 50/(100 + 50) = 33.3\%$

**B3.4.2 Calculation of Recyclables Percentage (%R) by Weight**

$\%R = R/(G+R)$  (Percentage of Recyclables equals Recyclables divided by the sum of Acceptable Waste and Recyclables)

Example:  $G + R = 3,000$  pounds

$R = 1,000$ -pounds

$G = 2000$  pounds

$\%R = 1.000/(2,000 + 1,000) = 33.3\%$

**B3.4.3 %R for Solid Waste deposited by the Bag:** For every three 30-gallon bags or every three contractor bags CFW Transfer Station employees shall estimate %R on the basis that two of the three deposited bags shall contain Acceptable

Waste and one of the three deposited bags shall contain appropriately sorted Recyclables. CFW Transfer Station Employees shall, in their sole discretions, have the option of weighing the bags and determining %R in accordance with Sections B3.4.1 or B3.4.2.

**B3.5 Minimum %R.** As stated in Section A3 of this Ordinance, the Mgmt Board has determined in their sole discretion that Permitted Users must deposit a %R of not less than 30% (Minimum %R) for purposes of determining dumping fees by volume and not less than 18% (Minimum %R) for purposes of determining dumping fees by weight in order to ensure that the purposes of this Ordinance as set forth in Article 1.2 are achieved. The TSM shall not assess fees against Permitted Users who deposit the Minimum %R, as determined in accordance with Section B3.3 or B3.4, as appropriate.

**B3.6 Dumping Fees by the Bag for Permitted Users Who do NOT Recycle.**

**B3.6.1** Permitted Users who do not separate Recyclables for deposit at the CFW Transfer Station as required by this Ordinance or who do not recycle in accordance with the requirements of this Ordinance shall pay the following dumping fees for all materials deposited into the CFW Transfer Station compactor. CFW Transfer Station staff shall determine, in their sole discretion, which of the following fees shall apply to the material deposited into the CFW Transfer Station compactor:

- \$0.06 per pound or
- \$13.50 per uncompacted cubic yard or
- \$35.00 per compacted cubic yard or
- \$0.60 per 30-gallon bag or
- \$1.20 per contractor bag

**B3.6.2** For purposes of this Section, Permitted Users who do not deposit Recyclables at the CFW Transfer Station on the same day that they deposit Acceptable Waste shall be deemed not to be recycling for that day. All such deposited materials shall be deemed to be unseparated materials. CFW Transfer Station employees shall record the volume or weight of the unseparated materials placed into the CFW Transfer Station hopper and shall report the amount to the Town Office for billing. Permitted Users who do not have CFW Transfer Station billing accounts at the CFW Transfer Station shall pay the per pound, per cubic yard, or per bag fee set forth in this Attachment B, as determined in the sole discretion of the CFW Transfer Station employees. Payments at the CFW Transfer Station shall be made by cash or check prior to dumping.

**B3.7 Dumping Fees for Waste Haulers Who do NOT deposit the Minimum %R.**

B3.7.1 For Waste Haulers, monthly %R shall be calculated in accordance with Sections B.3.4.1 or B.3.4.2, as appropriate, for each day of the calendar month that Waste Haulers deposit Recyclables at the CFW Transfer Station.

B3.7.2 The monthly shortfall of Recyclables, if any, shall be calculated as follows:

(a) Calculate %R by Volume

Example: Sum of G = 203 cubic yards  
Sum of R = 53 cubic yards  
G + R = 256 cubic yards  
 $\%R = 53/256 = 20.7\%$  (which is less than 30%)

(b) Calculate Shortfall Fee based upon the example by Volume

$30\% (G + R) = .3(256) = 76.8$  Cubic Yards  
Shortfall = 76.8 cubic yards minus 53 cubic yards = 23.8 cubic yards

In this example if the Solid Waste is uncompacted, it is billable at the rate of \$13.50 per cubic yard. The shortfall fee would  $\$13.50 \times 23.8$  cubic yards = \$321.30.

(c) Calculation of %R by Weight

Example: Sum of G = 66,000 pounds  
Sum of R = 8,800 pounds  
G + R = 74,800 pounds  
 $\%R = 8,800/74,800 = 11.77\%$  (which is less than 18%)

(d) Calculate Shortfall Fee based upon the example for Weight

$18\% (G + R) = .18(74,800) = 13,464$  pounds  
Shortfall = 13,464 pounds minus 8,800 pounds = 4,664 pounds  
In this example the shortfall fee would  $\$0.06/\text{pound} \times 4,664$  pounds = \$279.84

### B3.8 Solid Waste from Public Schools

With reference to Section A4.1, CFW Transfer Station Employees, in their sole discretions, may permit Solid Waste to be deposited at the CFW Transfer

Station, which has been collected from public schools located in Waldoboro or one of the Partners and from which Recyclables, Acceptable Waste, CDD, Universal Waste, and Bulky Waste have not been properly separated and/or sorted. Such deposits of Solid Waste shall incur the dumping fees for each applicable category of Solid Waste set forth in this Attachment B. Calculation of the fee for public school Solid Waste deposited into the compactor shall be in accordance with Section B3.6.1.

#### B3.9 Non-Payment of Dumping Fees

Permitted Users shall pay all assessed dumping fees immediately. Permitted Users with CFW Transfer Station accounts at the Waldoboro Town Office shall promptly pay all invoices when received. Invoices more than 30 days past-due (from the date of the invoice), shall pay a late fee of 1.5% per month. There shall be no exceptions. If an invoice is more than 60 days past due, the TSM shall have the authority to (i) deny entry of the delinquent Permitted User into the CFW Transfer Station; and (ii) enforce the provisions of this Ordinance according to Section 2.4.2.

B4. **Complaints.** All complaints resulting from non-compliance with, or lack of understanding concerning, this Ordinance shall be directed, first, to the TSM and, if necessary thereafter, to the Waldoboro Town Manager. All complaints to the Waldoboro Town Manager must be in writing on the Complaint Forms available at the Waldoboro Town Office. Permitted users and employees who are not satisfied with the decisions of the Waldoboro Town Manager shall have recourse of appeal to the Mgmt Board.

#### B5. Violations of this Ordinance

B5.1. Enforcement for Littering. Anybody caught littering or illegally dumping any kind of Recyclable, CDD, Universal or Bulky Waste, or Acceptable Waste will be prosecuted.

B5.2. Solid Waste and Health. The respective Partner Code Enforcement Officer shall investigate any waste-related problem brought to his or her attention and shall call for police assistance if such Code Enforcement Officer believes such assistance is warranted. Removal of Solid Waste by order of the respective Partner Code Enforcement Officer shall be brought to the attention of the Mgmt Board within ten days of the issuance of such order.

B5.3. Other Fines and Sanctions.

B5.3.1. Inappropriate Use of CFW Transfer Station and/or Landfill. Any Resident, Resident Business, Permitted User or any other person or entity throwing unacceptable materials into the CFW Transfer Station compactor or Landfill or otherwise inappropriately disposing of Solid Waste at the CFW Transfer Station or the Landfill or failing to recycle and/or separate Recyclables as required by this Ordinance shall be penalized as follows:

First Offense: Verbal Warning.

Second Offense: Written Warning from the TSM.

Third Offense: A Fine of \$250.00. Failure to pay the fine shall constitute a civil violation. The TSM may recommend to the Mgmt Board, and the Mgmt Board may instruct the Waldoboro Town Manager to pursue legal action to recover fines not paid and to place liens on assets of the offender.

Fourth Offense: Suspension or revocation of all rights to use the CFW Transfer Station and Landfill.

B5.3.2. Workplace Violence/Unacceptable Behavior. The Town of Waldoboro is responsible to provide a safe work environment for its employees. Workplace violence shall be deemed to constitute a threat to the personal safety, security and well-being of all CFW Transfer Station employees and to the smooth and efficient operation of the CFW Transfer Station. Workplace violence includes, but is not be limited to, foul language, threats, threatening behavior, taunting, bullying, verbal abuse, an intimidating presence, harassment of any nature such as being sworn at or shouted at, or any physical assault. For purposes of this Ordinance, workplace violence shall also be defined as the failure of any Permitted User to follow the directives or instructions of any CFW Transfer Station employee. Any CFW Transfer Station employee whose directives or instructions are not followed or who is subjected to workplace violence as herein defined shall immediately take steps to protect himself or herself and the other CFW Transfer Station employees and to report such behavior to the TSM and to the police. The TSM shall immediately submit a written complaint to the Waldoboro Town Manager and to the union representing the employee, if applicable. The complaint shall describe the act of workplace violence, set forth the time, place, and nature of the incident, any witnesses, and the identity of the person or persons responsible. The responsibility for resolving issues of workplace violence shall lie with the Waldoboro Town

Manager, the TSM, the affected employee, and the person accused.

B5.3.3. Penalties and Fines. Permitted Users who fail to abide by any of the terms and conditions of this Ordinance, including failure to pay any fines when due, shall be subject to the following penalty and, where applicable, shall pay the following fine:

B5.3.3.1. Penalty. Loss of right to use the CFW Transfer Station.

B5.3.3.2. Failure to Cover Loads: \$250.00 for each offense payable immediately. Failure to pay timely shall incur a monthly penalty of 1.5%. Upon failure to pay within 60 days of the date the TSM assesses the penalty the TSM shall have the authority to (i) deny entry of the delinquent Permitted User into the CFW Transfer Station; and (ii) enforce the provisions of this Ordinance according to Section 2.4.2.

B5.4. Deposit of Fines. All fines and shall be payable to the "Town of Waldoboro". The Waldoboro Finance Department shall deposit all fine proceeds into the CFW Transfer Station Fund.