

City of Waltham

Jeannette A. McCarthy
Mayor

CITY OF WALTHAM
CITY CLERK'S OFFICE

2018 AUG -1 A 10:41

RECORDED

August 2, 2018

TO: The City Council
RE: Recycling Program

Dear Councillors:

I respectfully request a transfer in the amount of \$100,000.00 to partially fund the cost sharing of the city's recycling program with EZ Disposal due to the increased price resulting from current import policies. The contractor and the city will split the cost at a rate of 50% of its costs, not to exceed \$50.00 per ton.

FROM:

Stabilization	#250-135-7405-5205	\$100,000.00
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TO:

CPW-Recycling	#001-422-5400-5297	\$100,000.00
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Enclosed are copies of a letter and information received from the CPW Director and DEP. Mr. Chiasson will be available will be available to answer any questions you may have regarding this request.

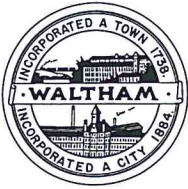
Sincerely,

Jeannette A. McCarthy

JAM/tbm

encl.

cc: Michael Chiasson



Michael L. J. Chiasson
Director of Public Works

CITY OF WALTHAM
MASSACHUSETTS

RECEIVED

JUL 20 2018

MAYOR'S OFFICE

July 17, 2018

Mayor Jeannette A. McCarthy
City Hall
610 Main Street
Waltham, MA 02452

Dear Mayor McCarthy,

I respectfully request a supplemental appropriation in the amount of Two Hundred Thousand Dollars (\$200,000.00) for the following account:

<u>Account</u>	<u>Requested</u>
Trash/Recycling Collection # 001-422-5400-5297	\$200,000

The additional funding is for an Addendum to our contract with EZ Disposal that was needed due to the rise in cost of recycling processing. I have included a copy of the Addendum with my request.

Please let me know if I can be of further assistance with this request.

Very truly yours,

Michael L. J. Chiasson, Director
Public Works

MLJC/jed

Cc: Paul Centofanti, Auditor



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

June 6, 2018

Mayor Jeannette A. McCarthy
City of Waltham
610 Main Street
Waltham, MA 02452

RECEIVED
JUN 11 2018
MAYOR'S OFFICE

Dear Mayor McCarthy,

I am writing to you regarding the state of recycling markets and the impact on municipalities and businesses across the Commonwealth. It is important to keep the lines of communication open and active as we face the challenges presented by recent changes in the recycling markets. China's restrictions on the import of mixed paper and mixed plastics, known as the National Sword Policy, and the regional market disruptions in glass recycling have had significant impacts on municipal recycling programs.

First, we'd like to acknowledge the critically important partnership among local government, the private hauling and processing industry, non-profits, regional groups, and state government in maintaining a recycling infrastructure that helps divert thousands of tons per day from disposal in landfills and incinerators. This infrastructure supports significant economic activity within the state, regionally and abroad while conserving natural resources and preserving our environment.

Reducing contamination in the recycling stream is an immediate priority to improve the current situation. Massachusetts' Material Recovery Facilities (MRFs) report elevated contamination levels in recyclables. MRFs are working hard to modify operations to meet new contamination standards, identify alternative markets overseas and domestically that they can send materials, and evaluating/installing new sorting technologies.

Massachusetts began over 30 years ago to build a vibrant recycling system, and MassDEP will continue to work to bolster our strong partnerships as we work together through these changed circumstances to ensure the continued success of recycling in Massachusetts. To that end, I wanted to highlight a number of actions MassDEP is taking to address the current situation in an effort to ease the burden for municipalities.

CPW

To tackle contamination, MassDEP has created the Recycling IQ Kit to help municipalities implement a boots-on-the-ground initiative to educate residents about proper recycling practices. Over a dozen municipalities are implementing the program and getting strong results. MassDEP provides technical assistance and grants to hire staff and produce outreach materials. Applications are accepted on a rolling basis.

MassDEP encourages municipalities to participate in the Recycling Dividends Program (RDP) which provides funding for recycling that can be used to offset some increases in recycling costs. The deadline for this application is June 13, 2018. Last year we awarded \$2.3 million to 238 municipalities.

MassDEP is providing grants and low interest loans to businesses, including MRFs, to offset technology upgrades to produce cleaner recycling streams and to develop new markets for glass. We have set aside \$2 million for Recycling Business Development Grants this year. The current application closes June 22, 2018. Another \$3 million is available through the Recycling Loan Fund.

For communities affected by the recent shut-down of the glass container plant in Milford, MassDEP is offering up to \$150,000 in Sustainable Materials Recovery Program grants for capital equipment for municipalities to establish glass processing operations to create a local market for glass as a construction aggregate. Processed glass aggregate (PGA) is approved for use as a substitute for sand and crushed aggregate under MassDOT highway specifications. Municipal DPWs can directly assist by utilizing PGA in construction projects. Private businesses can receive up to \$400,000 for establishing glass processing operations through the Recycling Business Development Grant program. MassDEP has met with several businesses that produce foamed glass aggregate and other aggregate substitutes and are considering business operations in the Commonwealth.

Next month, we will launch a statewide outreach effort on the importance of "recycling right." To simplify the message to the public, MassDEP facilitated an agreement among MRF operators on a universal "recycling list" to allow consistent messaging across the Commonwealth about what is and isn't recyclable.

We will continue to be in touch and welcome your ongoing communication on any issue related to recycling. Please don't hesitate to contact your Municipal Assistance Coordinator or Greg Cooper, Director of MassDEP's Business Compliance Unit at 617-292-5988 or at Greg.cooper@state.ma.us if you would like to discuss your particular situation in further detail. All of the programs identified above can be found on MassDEP's website at <https://www.mass.gov/orgs/massachusetts-department-of-environmental-protection>.

Sincerely,



Martin Suuberg
Commissioner

ADDENDUM

WHEREAS the City of Waltham and EZ Disposal & Recycling LLC (hereinafter referred to as the City and the Contractor respectively) formed a five-year contract on November 28, 2016 for trash disposal and recycling; (Municipal Solid Waste Collection, Transportation, Yard Waste and Recycling, 2016).

WHEREAS the Contract compensates the Contractor Two Million Three Hundred Thirty Three Thousand One Hundred and Seventy Dollars and Forty Cents (\$2,333,170.40) per year to perform the work of waste disposal and recycling in accordance with the terms of the Contract;

WHEREAS under the provision 4-R of the aforementioned Contract stipulates that, once collected, recyclables become the property of the Contractor, and the Contractor assumes the sole responsibility for their proper disposal.

WHEREAS current import policies have caused the price of properly processing recyclables to rise substantially since September of 2017, imposing considerable additional costs on the Contractor beyond the control of the contractor;

WHEREAS the Commonwealth of Massachusetts through the Department of Environmental Protection ("MassDEP") by recent letter dated June 6, 2018 and attached hereto urged local communities to undertake cooperative efforts to resolve the problem of rising recycling costs to retain recycling programs and maintain the environmental health of the Commonwealth;

NOW THEREFORE the parties agree as followings:

1. Commencing of July 1, 2018 the City agrees to split the cost of recycling with EZ Disposal and Recycling at the rate of Fifty Percent (50%) of its costs NOT TO EXCEED \$50.00 per ton.
2. Said cost sharing arrangement shall continue for a 6 month period up to and including the amount of December 2018 at which time the parties shall review the then current state of the obligations of EZ Disposal and Recycling.
3. Under no circumstance shall this Addendum be used to create and liability, right, or contractual obligation of the cost sharing arrangement after December 31, 2018