

HANDLING YARD WASTE WITHOUT LANDFILLING

SUBMITTED IN COMPLIANCE WITH THE REQUIREMENTS OF SENATE JOINT RESOLUTION 2

YARD TRIMMINGS: A RESOURCE, NOT A WASTE

How to Plan for the Ban

Manage it on your property
Compost, mulch and "green-tea." Use grass clippings on the lawn with valuable nutrients back into the soil. When combined with proper lawn management, grass clippings can reduce water and fertilizer requirements, mowing time and disposal costs.

Drop it off
DNREC is establishing three free community drop-off sites in their: the Fox Creek area and Ducktown Hundred. They will be operational by January. Your trimmings will be ground into mulch and available to you for free.

Make it easier
There are other solutions where yard waste can be dropped off for a fee. There are a growing and competitive number of options for the removal of yard trimmings from your property. The Delaware Solid Waste Authority is offering a new "back-load" service, and waste hauler may offer a profitable pickup service, and many landscaping services and small businesses also are beginning to make their services available to residents on their own.

DNREC will continue to raise and expand options for residents on its yard waste website
www.dnrec.delaware.gov/yardwaste

The Yard Waste Ban for Northern New Castle County takes effect January 24, 2008



DECEMBER 15, 2007



December 19, 2007

To: Honorable Members of the 144th General Assembly

Subject: Senate Joint Resolution No. 2 Status Report

Dear Legislators:

In accordance with the requirements of Senate Joint Resolution No. 2, we are pleased to submit the final of three Status Reports regarding implementation of restrictions on land-filling of yard trimmings (“yard waste ban”), included as a condition of the permit issued for the expansion of Cherry Island Landfill. As spelled out in the attached report, there are now a variety of cost-effective options available for residents in managing yard waste.

We are confident that implementation of the ban will be successful because of the combined efforts of DNREC, DSWA, local governments, small businesses, solid waste haulers and the yard waste management industry — as well as the individual efforts of northern New Castle County residents. All have worked efficiently and effectively toward a seamless implementation beginning January 24, 2008.

Should you require additional information, please do not hesitate to contact either of us.

Sincerely,

John A. Hughes
Secretary, DNREC

Pasquale S. Canzano
CEO, DSWA

CC: Governor Ruth Ann Minner

SenateJointRes120507

UPDATE ON COMPLIANCE WITH SENATE JOINT RESOLUTION 2 DECEMBER 15, 2007

IN AN EFFORT TO PROLONG THE LIFE OF CHERRY ISLAND LANDFILL AND PROMOTE RECYCLING OF A VALUABLE RESOURCE, DNREC IMPOSED A YARD WASTE “BAN” IN THE JANUARY 2006 EXPANSION PERMIT ISSUED TO DSWA.

IN RESPONSE TO CONCERNS ABOUT THE BAN, DNREC AGREED TO A ONE-YEAR DELAY, WHICH WAS FORMALIZED IN SENATE JOINT RESOLUTION #2.

SINCE SJR 2 was signed in May, DNREC and the Delaware Solid Waste Authority have responded to all benchmarks and worked with the waste-hauling community to prepare successfully for the implementation of the yard waste ban on January 24, 2008.

A detailed response to the requirements of Senate Joint Resolution 2 follows, but in summary:

- All waste haulers, including the largest companies serving more than 80 percent of New Castle County, told legislators during a November 20 Joint Sunset Committee hearing that they are ready to offer curbside yard waste pickup. The discussion satisfied the lawmakers attending that haulers are ready for the ban to go forward on time – January 24, 2008 – but that further delay would harm their business plans and capital investments.
- Delaware Solid Waste Authority improved its curbside pickup offering with a \$1-a-bag, pay-as-you-throw option that does not require subscription to recycling services.
- As directed by the General Assembly, DNREC has established two free yard waste drop-off sites, in Bear and in Pike Creek. They have been well received by their communities. DNREC intends to establish a third site in Brandywine Hundred before the ban takes effect.
- By the time the ban takes effect, DNREC and

DSWA will have appeared at nearly 60 civic association and other community meetings to present and answer questions about the ban.

- A full-color poster will be inserted in all weeklies and the News Journal in January to inform northern New Castle residents about the ban and their options for handling yard waste.
- Several businesses have established commercial drop-off sites as a lower-cost alternative to DSWA’s tipping fee.
- DNREC is designing a rebate program for mulching mowers, composters and chippers in time for the spring lawn and garden season.
- Enforcement procedures at the landfill will begin in July 2008 rather than in April, according to mutual agreement by DNREC, DSWA and the haulers.



A range of options now exists for New Castle County residents to manage their yard waste without sending a valuable resource to the landfill, where DSWA is paying about \$3.9 million per foot to vertically expand the landfill.

UPDATE ON COMPLIANCE WITH SENATE JOINT RESOLUTION 2 DECEMBER 15, 2007

Decades of experience in other states demonstrate that yard trimmings are the low-hanging fruit of recycling efforts. They are a resource, not a waste.

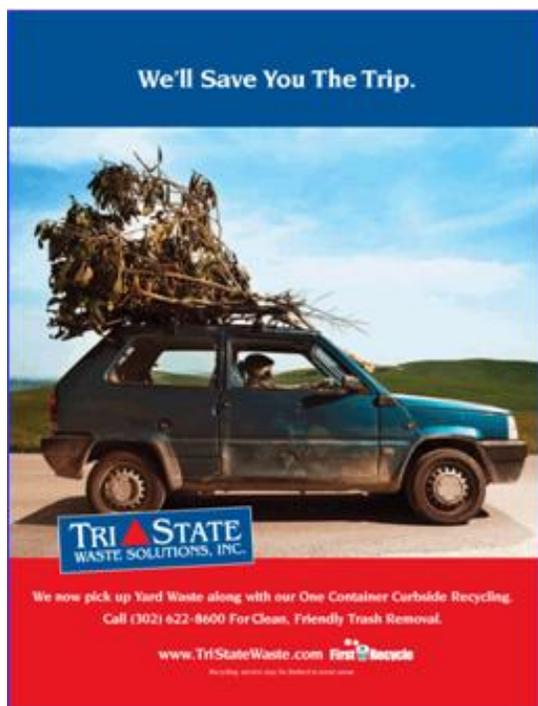
Clearly, if we do not take steps to curb the flow of easily recyclable materials into our landfill now, the future prospects will be bleak and infinitely more expensive than arranging for yard-waste pickup today. It is politically and economically prohibitive to site and construct a new landfill. The alternative of shipping our waste beyond New Castle County or Delaware has its own set of political and cost ramifications.

Our haulers cannot afford another delay. While many are already marketing new pickup services to their customers, many are worried that the rug will be pulled out from beneath them again.

As Secretary Hughes wrote in his October 23 update to legislators, "it has become vividly clear that the haulers are seeking explicit assurance that the yard waste ban will remain in effect, and not rescinded by legislation, before they make or reveal any financial or business planning commitments.

"The delay in the yard waste ban in the wake of HB 1 last year resulted in financial hardship for some haulers who had made investments and commitments to handle yard waste, and they fear the consequences of another delay in the yard waste ban."

The best way to guarantee a smooth and seamless transition to the yard waste ban is certainty that the ban will be implemented as scheduled.



Waste Hauling Companies Offering Curbside Yard Waste Collection	
Allied Waste	302-658-4097
Delaware Sanitation	302-322-7714
Econo-Haul	302-366-7630
Hockessin Sanitation Service	302-239-5744
House Service Inc.	302-475-6401
Independent Disposal Service	302-378-5400
Jay DC	302-658-0278
KRC Waste Management	302-999-9276
Laxton Trash Removal	610-358-1288
O'Fig Sanitation	302 -998-0514
Palmatary's Sanitation	302-652-2270
Randolph's Refuse Service	302-658-5674
Suburban Waste Services	302-547-7552
Tri-State Waste Solution	302-622-8600
Waste Management, Inc	302-994-0994

Left, one of the ads used by a hauler offering curbside yard-waste pickup service. Right, a partial listing of haulers that will be offering yard waste pickup services to northern New Castle County residents. This listing will be updated continuously on DNREC's yard waste website:

www.dnrec.delaware.gov/yardwaste

UPDATE ON COMPLIANCE WITH SENATE JOINT RESOLUTION 2

DECEMBER 15, 2007

Background

The Delaware Department of Natural Resources and Environmental Control (DNREC) issued to the Delaware Solid Waste Authority (DSWA) a permit for expansion and continued operation of the Cherry Island Landfill (CIL) on January 6, 2006. Among the "Special Conditions" in this permit (SW-06/01) were a number of requirements to encourage recycling and reduce land-filling, including Section I.D.6.b, which banned the disposal of yard waste at CIL effective January 1, 2007.

The permit also directed DSWA to provide advertising and educational efforts in preparation for the yard waste ban and to provide composting and mulching facilities capable of managing the yard waste at a tip fee established not to compete with possible private sector alternatives. Permit SW-06/01 defines yard waste as:

"plant material resulting from lawn maintenance and other horticultural gardening and landscaping activities and includes grass, leaves, prunings, brush, shrubs, garden materials, Christmas trees, and tree limbs up to 4 inches in diameter."

Throughout calendar year 2006, DSWA prepared for the yard waste ban by conducting public outreach efforts through billboard advertisements, web crawlers, cable television, radio, newspapers, money mailers, and local magazines. During calendar year 2006, DSWA spent approximately \$100,000 on education and outreach specifically related to the yard waste ban. DSWA and DNREC also partnered with the University of Delaware Cooperative Extension Office and Master Gardeners. The partnership resulted in a series of public information and education sessions on composting. DNREC and DSWA also partnered in a series of yard waste ban presen-

tations made to over forty (40) civic associations, which included over 1500 citizens throughout New Castle County and which outlined options for collection and disposal of yard waste material.

DSWA and/or DNREC had seven (7) meetings with waste haulers to discuss collection and processing of yard waste, during the period of January 25, 2006 to December 13, 2006. The haulers were made aware of a Memorandum of Agreement (MOA) that was entered between DSWA and DNREC, which had specific policies, procedures and enforcement provisions concerning the collection and processing of yard waste at CIL.

On January 1, 2007 the yard waste ban went into effect. Procedures and policies were followed according to Permit SW-06/01 and the MOA between DNREC and DSWA. It is important to note that all impacted haulers had made arrangements to either provide the yard waste service directly or provide the service by partnering with the DSWA.

The delayed enforcement of the ban was announced during a March 15, 2007 press conference at Legislative Hall. The impact of delaying the ban just prior to the beginning of the growing season had financial implications for all impacted haulers. These businesses have strongly expressed their concerns and the problems of conducting their business operations in an environment of uncertainty created as a result of the delay in the ban. Attached is a letter from First State Green Recycling (Attachment A), representative of all businesses sentiments on this issue, emphasizing the importance from a business planning perspective to have any further uncertainty regarding an extension of the delay in the ban eliminated.

UPDATE ON COMPLIANCE WITH SENATE JOINT RESOLUTION 2 DECEMBER 15, 2007

Senate Joint Resolution 2

On May 23, 2007 the Governor signed Senate Joint Resolution 2 with Senate Amendment 1.

Among the requirements of SJR2/SA1 are a number of reporting requirements. DNREC and DSWA cooperated in preparing the following updates on the status of efforts to address yard waste issues, in the wake of SJR2/SA1.

1. "BE IT RESOLVED by the Senate and the House of Representatives of the 144th General Assembly of the State of Delaware, with the approval of the Governor, that the Department of Natural Resources and Environmental Control and the Delaware Solid Waste Authority are directed to the delay the enforcement of the yard waste ban until January 24, 2008."

June 29, 2007 update - On March 28, 2007 there was a meeting held with DNREC, DSWA and the solid waste haulers during which all haulers were officially notified of the delay in the wake of a legislative proposal (H.B. #1) to enact a statutory override of the permit condition banning yard waste from the Cherry Island Landfill. Notification of the delay was also posted on the DNREC and DSWA web sites. DSWA and DNREC also fielded hundreds of telephone calls, letters and e-mails from the public inquiring about the delay. On June 16, 2007 the MOA between DSWA and DNREC regarding the ban was modified to reflect the dates set forth in SJR 2.

September 14, 2007 update - No change.

December 14, 2007 update— At the request of the hauling industry the MOA between DSWA and DNREC regarding enforcement procedures has been modified to reflect a July 1, 2008 enforcement date as opposed to the previous April 1, 2008 enforcement date.

2. "BE IT FURTHER RESOLVED that DNREC and DSWA

shall continue to meet with trash haulers and yard waste businesses and the Recycling Public Advisory Council for the purpose of developing a program that will simplify and economize yard waste recycling for the residents of New Castle County."

June 29, 2007 update - DNREC and DSWA had a productive meeting with haulers on June 13, 2007. The haulers stated that they are prepared to educate their customer base regarding the re-implementation of the ban. First State Green Recycling (FSGR) of Wilmington gave a presentation at the meeting on their yard waste recycling facility, which included their price structure and operating procedures for their facility located on Christiana Avenue in Wilmington. The presentation was well received by the haulers and they were encouraged by the FSGR price structure and FSGR's ability and willingness to accept bagged yard waste.

The same enforcement policy that DNREC and DSWA adopted for 2007 has been implemented for 2008. DSWA and DNREC are both represented on the Recycling Public Advisory Council (RPAC). DSWA and DNREC continue to hold discussions with RPAC and provide updates at public meetings concerning the yard waste ban at CIL..

September 14, 2007 update - A haulers meeting is scheduled for September 26, 2007. In addition to the meetings held between DNREC, DSWA and the haulers, the haulers have been conducting their own meetings with the specific goal of ensuring their customer base is properly educated on the issue of yard waste and to develop their own version of recycling legislation. The haulers have indicated that they want input from DNREC and DSWA on these issues and will have draft legislation available for review in the month of October 2007.

December 14, 2007 update - DNREC and

UPDATE ON COMPLIANCE WITH SENATE JOINT RESOLUTION 2

DECEMBER 15, 2007

DSWA met again with haulers specifically to address yard waste on September 26, 2007 and November 8, 2007. As has been stated previously the haulers are seeking assurance that the ban will remain in effect so they can make effective and economical business plans with confidence. At the request of the hauling industry, DNREC Secretary John Hughes sent a letter dated October 23, 2007 to all New Castle County legislators explaining the importance of this issue and that the requirements of SJR 2/SA1 had already largely been met.

At the meeting held November 8, 2007, the haulers through The Maryland-Delaware Solid Waste Association introduced their draft recycling legislation as an alternative to HB 159, introduced by Rep. Robert J. Valihura. The haulers stated they presented this legislation with the intent to work with DNREC and DSWA in a cooperative measure to identify common ground and develop legislation that can work for all parties involved. DNREC and DSWA welcome this opportunity to work with the waste hauling community.

In addition to these hauler meetings a Joint Sunset Committee hearing was held on November 20, 2007. Secretary Hughes explained the importance of the yard waste ban and that much progress has been made toward satisfying the requirements of SJR 2/SA1. DSWA CEO Pasquale Canzano explained that while the DSWA can manage all of the yard waste that is generated if necessary, the preference is for the private sector to manage this material and there is strong evidence already in place that there is more than ample private sector capacity to do so.

Mr. Canzano also explained that the DSWA has incorporated suggestions from members of the General Assembly, and created a pay as you

throw yard waste collection program. This program will provide yard waste curbside collection for the price of one dollar per bag of yard waste with the customer providing the bags. Customers will no longer have to sign up for curbside recycling in order to receive yard waste collection from DSWA. There is no monthly fee, so customers do not have to pay for the months of the year when they do not have yard waste. The program will start on January 1, 2008.

Waste haulers at the meeting stated they would provide a "cost-effective and efficient yard waste service" to their customers. Some already were doing so. The following haulers that were present or sent a representative were; Waste Management, Allied Waste, Independent Disposal Services, Tri-State Waste Solutions, House Services, Delaware Sanitation, Palmatary's Sanitation Service, KRC Waste, Hockessin Sanitation, and Econo-Haul. These trash-hauling companies provide trash service to 99% of the unincorporated households in New Castle County.

3. "BE IT FURTHER RESOLVED that DNREC and DSWA shall work with all necessary partners to open and operate, as long as feasible, at least three demonstration community yard waste sites which shall be available to the public for disposal and recovery of residential yard waste."

June 29, 2007 update - The first of three demonstration Community Yard Waste Drop Off Sites will open July 6, 2007 on Delaware Transit Corporation property at the southwest intersection of routes 13 and 72. Work will begin soon on a second site with its opening projected for late summer. The goal is to open a third site by this fall in the north central portion of the county; however, there are some siting difficulties being experienced and it may be necessary to establish the third location elsewhere. DSWA has agreed to assist DNREC with removal of any

UPDATE ON COMPLIANCE WITH SENATE JOINT RESOLUTION 2

DECEMBER 15, 2007

solid waste from these sites on an as needed basis.

As is the case in 23 other states with Yard Waste bans, including Maryland, Pennsylvania and New Jersey, these sites provide one option available to residents allowing them to drop off yard waste, where it will be shredded into a high-quality mulch, and available at no charge to residents and local governments for pickup. Although not as economically valuable as compost, widespread use of mulch can help reduce the need for watering plantings and keep down weeds thereby requiring less weeding and use of herbicides. It is not a complete solution, but for people who generate large amounts of yard waste a few times a year and do not want to pay for separate yard waste hauling, it is one option that has proven useful.

September 14, 2007 update – On July 2, 2007 DNREC, with the help of DELDOT, DSWA New Castle County Executive Chris Coons and State Representative Valerie Longhurst, DNREC opened the first Community Yard Waste Site (CYWS). The DNREC/DART CYWS has been operational for over two months and has been extremely popular and successful. Residents have delivered more than 1000 cubic yards of yard waste and removed approximately 10 dump truck loads of mulch. In fact, the supply of mulch has not kept up with the demand. The mulch is being provided at no cost by DSWA upon request by the Department from their own supply at the Cherry Island Landfill and has either been delivered by a DSWA contractor or backhauled by DELDOT.

Once the on-site yard waste is ground into mulch it will not be necessary to bring mulch in from an outside source. Trash dumped at this site has been very minimal with only one couch and one lawnmower requiring removal. Both items were

promptly removed by DSWA upon request by the DNREC. We can safely say that the compliance for usage of this site exceeds 99 percent and this site is a model of success.

Construction of the second Community Yard Waste Site, located on the Division of Parks and recreation Cauffiel property, began September 10, 2007. This site is scheduled to open by mid October. Construction of the third and final site will begin no later than early October and is scheduled to open no later than the end of October.

December 14, 2007 update – The second demonstration site opened November 7, 2007 off Polly Drummond Hill road. This site has met with the same high degree of success as the DART yard waste site near Wrangle Hill in Bear. Residents using both of these sites openly express their satisfaction with the convenience and cost effectiveness of managing their yard waste in this manner.

A third site was scheduled to open off Cauffiel Parkway near Philadelphia Pike in Brandywine Hundred, but concerns by neighboring property owners has resulted in the Department evaluating other potential sites at their request. The Department will have a third yard waste site opened prior to the implementation of the yard waste ban.

4. “BE IT FURTHER RESOLVED that DNREC shall identify and coordinate activities with private, commercial yard waste processing operations to assure that all such operations are appropriately permitted, if needed, and able to accept yard waste from residents and commercial haulers by December 31, 2007.”

June 29, 2007 update - There are a variety of businesses that can accept yard waste now (June 2007). These operations offer yard waste processing and have been in business in New

UPDATE ON COMPLIANCE WITH SENATE JOINT RESOLUTION 2

DECEMBER 15, 2007

Castle County for years. Since the fall of 2006, well before the January 1, 2007 ban was to take affect, those businesses were identified and advertised on the DNREC web site, and lists were distributed at public meetings. In addition to the existing businesses there are new businesses that have recently established themselves, and others that are planning to establish themselves due to the volume of materials anticipated to be available as a result of the ban. The need for certainty regarding implementation of the ban is critical so that the yard waste collection and processing businesses are able to plan and promote their services.

September 14, 2007 update – The importance of and the need for Delaware businesses to participate in the processing of yard waste materials is crucial to the success of the yard waste ban. DNREC and DSWA will continue to identify to the public all businesses that participate in these activities. While there are already several business that have been involved in yard waste processing, the more that enter into yard waste processing the more options of disposal it provides for residents. That being said, the importance to these businesses of having certainty regarding implementation of the ban in order to make sound business decisions cannot be overstated.

DNREC and DSWA have sought to provide a consistent message to residents and businesses about the need for and plans to ban yard waste from landfills and the need for alternative arrangements.

December 14, 2007 update – DNREC and DSWA are confident that adequate capacity now exists between the variety of private- and public-sector options available for the management of this material, DNREC's demonstration yard waste drop off sites and DSWA. Currently there

is only one private sector facility which is in need of a coastal zone permit for their yard waste management facility and that process is underway. A hearing has been held and a permitting decision is anticipated by the end of the year. After careful review, we have determined there is adequate adequate capacity for the diverted yard waste to be properly managed, with an ample margin of safety and sufficient options from which residents can choose.

5. BE IT FURTHER RESOLVED that DNREC and DSWA shall work closely with commercial trash haulers and others yard waste hauling businesses operating in Northern New Castle County to assure that, to the maximum extent practicable, all residents have cost effective options available for yard waste collection.

June 29, 2007 update - Prior to the delay in the ban it was possible for residents to get weekly curbside collection of recyclables and weekly curbside collection of yard waste through the DSWA curbside recycling program. The majority of waste haulers in New Castle County offer about a 10 percent discount to customers that participate in the DSWA curbside programs the net effect of which significantly reduces any associated added cost of recycling.

The DSWA is currently considering different programs that give New Castle County residents more options for yard waste collection. Prior to the delay in the ban many private haulers had established yard waste collection programs with prices that varied between companies. Given the level of competition among the private waste haulers for customers DNREC and DSWA anticipated that the market place will dictate competitive pricing. At least one private hauling company indicated it would not increase the cost for its current customers for yard waste collection.

UPDATE ON COMPLIANCE WITH SENATE JOINT RESOLUTION 2

DECEMBER 15, 2007

DSWA and DNREC will continue to identify and promote companies that offer yard waste collection service. Although separation of yard waste from the solid waste disposal stream reduces disposal costs, the costs of transportation, fuel, labor and administration comprise the bulk of solid waste management costs. All of these factors influence cost and therefore a reduction in cost cannot be assumed based solely on reduced disposal rates.

The Community Drop Off sites also offer a very cost effective option because there is no charge to homeowners willing to self transport their yard waste to one of these sites.

September 14, 2007 update – Even with the temporary deferral of the yard waste ban, DSWA offers yard waste pick up to every Delaware resident. There are private haulers who currently offer yard waste pick up on a regular basis or as a one time pick up. These haulers give residents several options for yard waste collection. Since many neighborhoods in Northern New Castle County differ in types of layout, location, size of yard and numbers of trees, there is not one particular collection program that would fit everyone's needs.

DNREC and DSWA are working with haulers and private businesses to ensure a good variety of collection programs are available. In addition there are an increasing number of small entrepreneurial businesses who offer low cost yard waste pick up for residents. These small businesses have proven very successful in other states as an alternative yard waste collection service.

DNREC's establishment of three conveniently located CYWS will make it possible for northern New Castle County homeowners to manage their own yard waste free of charge. Once all three sites are operational no northern New Castle

County homeowner will have to drive further than approximately five miles to take advantage of one of these free yard waste drop off sites. This obviously makes for a very cost effective option for yard waste management.

December 14, 2007 update – As clearly indicated during the JSC hearing the hauling industry has represented that it is well prepared to offer their customers cost effective options for yard waste collection. This coupled with DNREC's demonstration yard waste sites, DSWA's pay as you throw yard waste collection program and the myriad of landscaping business options that exist there are now more than ample cost effective options for the management of yard waste regardless of what method of yard waste management a constituent chooses.

6. BE IT FURTHER RESOLVED that DSWA shall continue to accept, at rates established by DSWA, yard waste from the public and licensed waste haulers.

June 29, 2007 update - DSWA currently operates a statewide yard waste recycling program at all three (3) of its landfills and offers a drop-off location at all three (3) of its transfer stations for transfer to the respective landfills. The DSWA yard waste recycling program, operated at the landfills, consists of on-site mulching and composting. The DSWA accepts this material from all Delaware residents as well as public and licensed haulers. While DSWA expects the private sector to receive the majority of yard waste collected in New Castle County, DSWA is capable of processing all of the yard waste generated in New Castle County. To accelerate and therefore increase the composting capacity of the CIL site, the DSWA has purchased a Gore Composting System, which will be installed during the next several months. The DSWA has maintained

UPDATE ON COMPLIANCE WITH SENATE JOINT RESOLUTION 2

DECEMBER 15, 2007

its current rates at CIL for yard waste, which will favor use of the private yard waste recycling businesses, as required in the CIL permit.

September 14, 2007 update – The DSWA Gore Composting System at CIL is currently being installed and should be operational late October or early November. This system will significantly speed up the composting process and make a high quality compost product from diverted yard waste. The DSWA has made a significant financial commitment by installing this system.

December 14, 2007 update – The DSWA Gore Composting System is in operation as of December 3, 2007. The DSWA expects an increase in the amount of material that will be processed after January 24, 2008 when the ban is scheduled to resume. The compost produced by this system is considered to be a high quality product. The marketability of this product will depend greatly on the amount of yard waste material DSWA receives and its price.

7. BE IT FURTHER RESOLVED that DNREC and DSWA will implement and assist, as appropriate and feasible, in marketing and educational efforts to advertise public and private options for collection, recycling and disposal of yard waste.

June 29, 2007 update - DNREC and DSWA will continue the outreach and educational efforts to increase public awareness within the limits of their resources. DNREC and DSWA are planning for outreach activities with any civic groups interested in yard waste information. DSWA and DNREC will continue their education program with the University of Delaware Cooperative Extension Office and Master Gardeners. DSWA and DNREC have continued to distribute brochures, booklets, and composting bins to promote home management of yard waste material.

DNREC and DSWA have also worked together to

develop and promote enactment of recycling legislation that would provide grant funding for recycling efforts, including community outreach and education on yard waste recycling, mulching and composting. This grant fund, which would be administered by DNREC, could also be used to support yard waste options for communities, including the purchase of equipment such as shredders and tub grinders.

September 14, 2007 update – DNREC and DSWA have offered to give yard waste presentations to any interested civic association, garden club or environmental group upon request. We have also sent letters to the New Castle County umbrella civic organizations as well as each of the 40 plus civic associations we gave presentations to last year. We have also conducted yard waste outreach and education at a variety of public venues. It is important to note that with the passage of comprehensive recycling legislation that included a properly funded outreach and education component far more effective outreach and education programs could be implemented than are currently possible.

December 14, 2007 update – DNREC and DSWA have given nearly 20 yard waste presentations at different civic associations this year and have several more scheduled this winter. Between the presentations given over the last two years we will have met with over 60 different civic associations (some multiple times) and we continue to be available to provide these presentations upon request for as long as necessary. Both DNREC and DSWA have modified their yard waste information on their web sites to make them more user friendly and comprehensive.

In addition, DNREC and DSWA are collaborating on broadly distributing a newspaper “poster” in the New Castle County newspapers which will

UPDATE ON COMPLIANCE WITH SENATE JOINT RESOLUTION 2

DECEMBER 15, 2007

contain all of the critical information residents need regarding the yard waste ban. DNREC also discussed the yard waste ban in the Fall 2007 edition of "Outdoor Delaware" and both DNREC and DSWA will also continue to issue press releases on the ban through 2008 and work with all forms of media to get coverage and educate the public on this issue.

8. BE IT FURTHER RESOLVED that in order to assess progress toward efficient and effective implementation of the yard waste ban on January 24, 2008, DNREC and DSWA shall jointly submit written reports

to the General Assembly no later than June 30, September 15 and December 15 2007. The reports shall summarize progress on activities identified in this resolution. The General Assembly, at its discretion, may hold hearings to assess such progress and determine any other actions that may need to be undertaken.

All three reports have been submitted as directed. For DNREC related questions please contact James D. Short at 302-739-9403 and for DSWA related questions please contact Michael D. Parkowski at 302-739-5361.



A pile of mulch available for free to residents using the Bear community yard waste drop-off site.

Attachment A

FIRST STATE GREEN RECYCLING

RECEIVED

JUN 25 2007

SOLID & HAZARDOUS WASTE
MANAGEMENT BRANCH

June 22, 2007

The Honorable David B. McBride
State Senate District 13
P.O. Box 1401
Dover, Delaware 19903

The Honorable Robert J. Valihura, Jr.
State Representative District 10
P.O. Box 1401
Dover, Delaware 19903

Subject: Yard Waste Ban
Senate Joint Resolution No. 2

Dear Sirs:

We are sending this letter to voice our support and to demonstrate our commitment to making the current yard waste ban a success in the State of Delaware.

First State Green Recycling (FSGR) was established in December of 2006 to provide a competitive alternative to both commercial and residential customers for the disposal of yard waste material following the January 1, 2007 yard waste ban. Our facility, which recycles 100% of the yard material it receives, distributes mulch products to markets up and down the east coast.

FSGR is strategically located adjacent to I-495 (base of the Christina River Bridge) and directly across the river from the Delaware Solid Waste Authority's (DSWA) Cherry Island Landfill. The site is situated in an industrial setting near the Port of Wilmington and along the waste hauler's current route to the landfill. FSGR's tipping fees have been established at competitive rates that are approximately half of the current fee charged by the DSWA (see attached presentation).

We were extremely encouraged by the actions taken by the DNREC and the DSWA in establishing the Yard Waste Ban and in taking a significant step forward in the State's commitment to recycling. We were equally disappointed, however, by the repeal which went into effect in May as significant investments were made by us and others in the private industry to support the State's efforts.

Accordingly, prior to moving forward with the necessary capital investments needed to optimize the FSGR facility for our commercial customers, we will need some assurance from the State that the Yard Waste Ban will not be repealed again in January of 2008. We respectfully request confirmation from you of the State's commitment to making the Yard Waste Ban a success.

June 22, 2007
Page 2 of 2

We appreciate your efforts in this matter and look forward to hearing from you. If you have any questions concerning our operations, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. E. Reece', written in a cursive style.

John E. Reece, P.E.
Sr. Director, Engineering and Development

Attachment

cc: Senator Steven H. Amick
Senator Catherine A. Cloutier
Senator Dorinda A. Connor
Senator Charles L. Copeland
Representative Robert F. Gilligan
Representative Gregory F. Lavelle
Senator David P. Sokola
Senator Liane M. Sorenson
Mr. James Short - DNREC