MEMORANDUM

TO: **MEMBERS OF THE SOLID WASTE MANAGEMENT PLAN WORKING GROUP**

FROM: **DANTE G. IONATA**

DATE: **APRIL 10, 2003**

SUBJECT: **MUNICIPAL SOLID WASTE CAP**

Attached is an Excel spread sheet containing the municipal cap figures that were used for FY`03.

I do not believe that the Municipal Cap information or calculation is necessary to developing a good solid waste management plan, nor do I believe that it has a whole lot to do with solid waste management, although I do agree that the amount by which each municipality's Municipal Cap is reduced in order to take account of recycling is extremely important. However, because the Municipal Cap information has been requested by the Working Group and since and this is public data, I send it along.

According to State law, the RIRRC *"shall establish in the* (municipalities') *contract the maximum amount of municipal solid waste that each municipality will be entitled to deliver to the corporation at the* (statutorily established) *municipal tipping fee. Solid waste in excess of the contract amount will be charged to the municipality at the non-municipal rate."* This is the so-called Municipal Cap. The parenthetical inserts are mine.

The raw Cap for each municipality is calculated by multiplying the municipality's population according to the immediately preceding federal census by the per-capita waste generation rate for Central Landfill's wasteshed; this waste generation rate is calculated by dividing the municipal solid waste tonnage delivered to Central Landfill from its wasteshed by the wasteshed population according to the immediately preceding federal census. Then this raw Cap has been reduced by 15% to account for recycling.

There are exceptions:

SCHOOL CAP

For FY 1989, at the insistence of the joint legislative leadership, the RIRRC added a “School Cap” (to which it was opposed but concerning which it had no choice). The School Cap is calculated by multiplying the school district’s student population, as certified by the school district’s superintendent and confirmed by the State Department of Education, by .227. I no longer remember how the factor .227 was derived. This School Cap is then added to the raw Municipal Cap and the recycling reduction is taken from this sum. The School Cap is provided upon request by the municipality.

SEASONAL/TOURISM CREDIT

Because of pressure brought by legislators on behalf of municipalities that complained that they should be provided with a higher Municipal Cap because of transient tourism or summer colonies, the RIRRC was required to provide a tourism or “Seasonal” allowance for eight municipalities (set forth on the attached spread sheet). The RIRRC also opposed these seasonal allowances but again was powerless in the face of the legislative leadership pressure that was brought to bear. The Seasonal Allowance is added to the raw Municipal Cap (plus School Cap, if appropriate) and the recycling reduction is taken from this sum.

When the RIRRC began implementing the Municipal Cap in 1988, its intention was to update the Cap annually using the Statewide Planning Program’s population update estimates and the most recent appropriate solid waste tonnages. However, this practice of updating the Cap’s annually resulted in embroiling the RIRRC annually in many and extended difficulties with those municipalities whose Caps happened to decrease. These painful experiences led the RIRRC to conclude that the best policy was one of adjusting the Caps as infrequently as possible. As a result, the adjustment of the FY`03 Caps by the use of 2000 federal census population figures was the first in 10 years.

RECYCLING DEDUCTION

The RIRRC is now preparing to adjust the Caps for FY`04 going forward by increasing the recycling deduction to 20% to take into account the Maximum Recycling Program.